

County of San Benito

River Parkway and Regional Park Project

Draft **Environmental Impact Report**



May 2016

San Benito County River Parkway and Regional Park Project

Draft Environmental Impact Report

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San Benito County River Parkway and Regional Park Project

Draft Environmental Impact Report

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EXECUTIVE SUMMARY

This section summarizes the characteristics of the proposed project as well as the environmental impacts, mitigation measures, and residual impacts associated with implementation of the proposed project.

PROJECT SYNOPSIS

Project Proponent

San Benito County Resource Management Agency
2301 Technology Parkway
Hollister, California 95023

Project Description

The proposed project includes two related components: the approximately 20-mile River Parkway and the attached approximately 31-acre Regional Park site. According to the conceptual draft of the San Benito River Parkway Master Plan and the River Parkway Focus Area and Regional Park Master Plan (hereafter, collectively referred to as the “Master Plans”), the River Parkway and the Regional Park are described generally as follows below (please also see Section 2.0, *Project Description*, for a full description of each project component).

River Parkway. The guiding vision for the River Parkway is to provide multi-use (hiking/bicycling/equestrian) public trails, open space and parks along an approximately 20-mile corridor of the San Benito River and Tres Pinos Creek. The River Parkway would be divided into five reaches. Reach Three would traverse a more urban environment near the southern limits of the City of Hollister, while the remaining reaches would mainly pass through rural and agricultural areas. Full implementation of all five reaches would require a phased approach. Interim trail access may be provided on the River Parkway until full improvements can be funded, designed, and constructed. Primary and secondary staging areas would be established to provide convenient access for trail users.

Potential trail users may include walkers, hikers, joggers, trail runners, birdwatchers, equestrians, mountain bicyclists, road bicyclists, people with disabilities, commuters, and others. Where feasible and in accordance with applicable laws and regulations, a paved trail surface accessible to persons with disabilities would serve as the primary artery of the River Parkway. According to the Master Plans), a paved trail width of 10 feet is preferred to accommodate multiple uses and users, with 8 feet being the minimum width. Paved trails would have an adjacent unpaved buffer or shoulder. Other preferred surfaces include crusher fines (composed of compacted, stabilized crushed rock) and unpaved natural surfaces.

The exact alignment of the primary trail in the River Parkway has not been defined in any of the reaches.

General Corridor/Trail Guidelines and Corridor Settings. The proposed River Parkway passes through a range of settings, from more urbanized communities to rural agricultural lands.



Site conditions also vary, featuring upper river terraces, lower river terraces, broad floodplains, and rolling terrain. Depending on the setting and site conditions, different trail design guidelines are appropriate. The following describes the general guidelines for each of the site conditions as provided in the Master Plans.

- *Upper Geological Terrace: Refers to upper terrace lands along the San Benito River and Tres Pinos Creek which are higher in elevation than lower terraces and floodplain. In these areas, develop primary trail route on upper river terrace lands where feasible. If the paved surface trail is located on lower terrace lands, design trail to withstand periodic flooding and recognize that trail washouts may periodically occur requiring trail repair.*
- *Unstable and Steep River Banks: Areas between the upper terrace and lower terrace. Provide stability setback from unstable and steep river bank slopes. A minimum setback width of 25 feet should be provided as necessary, however, the width of the setback should be based on site specific conditions.*
- *Lower Geologic Terrace: Refers to lower geological terraces which are lower in elevation than the upper terraces and often within the 100-year floodplain. In these areas, avoid or minimize impacts to mature native trees, riparian woodland, and mulefat scrub. Installation of fencing on lower terraces within floodplain should be avoided. No lighting should be installed on lower terraces within floodplain.*
- *Primary Low Flow: Area of flowing river or creek. In this area, do not install fencing within the river floodway/primary low flow channel. Provide vegetated buffer between trail and low flow channel within floodplain.*

Five unique trail corridor settings are provided in the Master Plans, including:

- *Agricultural/Rural Setting*
- *Urban/Park Setting*
- *Confined Corridor in Urban Setting*
- *Floodplain Setting*
- *Roadway Trail Corridor Setting*

For each setting, several design options are provided. Options include providing a pedestrian/bicycle trail and equestrian trail within the same trail corridor, or separating the trail types. A range of trail widths is also provided for each trail corridor. In general, wider trails are appropriate for urbanized areas and trail segments closer to staging areas which have a higher level of use. Narrower width trails may be appropriate in rural/agricultural and lower terrace/river floodplain trail corridors which have lower levels of trail use. Trail widths may also vary due to specific site constraints.

Reach One. The westernmost reach of the River Parkway travels along extensive riparian woodlands and scrub vegetation, with the base of the Flint Hills to the north and agricultural fields in the San Juan Valley to the south. A specific trail alignment within Reach One has not been identified because the land is presently in private ownership; any future specific trail alignment would be dependent on negotiations with interested landowners and/or willing sellers. The primary multi-use trail system would be developed on level river terrace lands on the south side of the San Benito River, with alternate routes as needed along existing public roadways such as the San Juan Highway, Highway 156, San Justo Road, and Duncan Lane to provide continuous trail access. A pedestrian/bicycle connection would be provided

from the River Parkway to the community of San Juan Bautista to the south and to the Juan Bautista de Anza National Historic Trail. Existing stands of riparian woodland, particularly large mature native trees, would be retained in Reach One.

Reach Two. The second reach features a broad expanse of floodplain, which abuts the rangeland of the Flint Hills to the north and agricultural lands to the south. In the eastern portion of the reach toward the City of Hollister, land use transitions from open grasslands to rural residential properties on the north side of the river. On the south side, land use transitions from agricultural fields and rural residences to municipal and light industrial uses, including the City of Hollister's Domestic Water Reclamation Facility. Much of the river corridor from Bixby Lane eastward and continuing along the Domestic Water Reclamation Facility is presently owned by a company which includes sand and gravel mining operations. This eastern portion of Reach Two currently shows evidence of illegal off-highway vehicle activity.

A specific alignment for a multi-use trail within Reach Two has not been identified because most of the land is presently in private ownership. Land owned by the City of Hollister for the Domestic Water Reclamation Facility and by privately owned mining operations may provide opportunities for a future trail alignment. The primary multi-use trail system would be developed on the level river terrace lands along the south side of the San Benito River, with alternate routes as needed along existing public roadways such as Duncan Lane to provide continuous trail access. Reach Two would include a designated river crossing for pedestrians, bicyclists and equestrians in the vicinity of the 4th Street Bridge to provide a trail connection to Reach Three. Off-highway vehicles would be restricted from accessing the riparian corridor.

Reach Three. In contrast to other reaches of the River Parkway, Reach Three has a more urbanized setting including residential neighborhoods and public facilities in the City of Hollister to the north. An undeveloped area, proposed for the Regional Park and open space, presently exists within the central portion of the reach adjacent to San Benito High School. Across the river from Hollister city limits, the setting features agricultural fields, rural residences, and an officially unnamed park referred to as Riverside Park in this document. Between Union Road and Hospital Road, both sides of the river feature primarily agricultural fields. While much of the river corridor within Reach Three is in private ownership, some of the land is owned by public agencies. These lands include Riverside Park, the City of Hollister Industrial Wastewater Treatment Plant, school district lands, and river crossing rights-of-way. A substantial area within the river corridor is owned by mining companies, much of which has been previously mined for sand and gravel. Active mining operations also are present within Reach Three.

The primary multi-use trail system would be developed on level river terrace lands along the north side of the San Benito River, with alternate routes as needed along existing public roadways such as Apricot Lane and Westside Boulevard to provide continuous trail access. Reach Three also would include a new pedestrian/bicycle bridge crossing of the San Benito River connecting Riverside Park to the City of Hollister Industrial Wastewater Treatment Plant, as well as a direct pedestrian/bicycle connection from the multi-use trail to the proposed Regional Park. This connection may require crossing a future Westside Boulevard extension (which is not a component of this project). Measures would be implemented to prevent off-highway vehicles from accessing the river corridor.

Reach Four. Reach Four travels along the San Benito River to its confluence with Tres Pinos Creek and then follows the latter waterway upstream to the northeast. This reach features a broad floodplain and is bordered by agricultural fields and rural residences in unincorporated San Benito County. The lands within Reach Four are privately owned, with the exception of the rights-of-way for the Hospital Road and Southside Road crossings. The primary trail system would be developed along the northeastern side of the San Benito River corridor, with pedestrian/bicycle access across Tres Pinos Creek at the Southside Bridge crossing. If a trail route is not feasible along some segments of the San Benito River and Tres Pinos Creek within this reach, the primary route may follow along the Southside Road corridor. Future opportunities also would be explored to provide a trail connection from the River Parkway to the Hollister Hills State Vehicular Recreation Area (SVRA) trail system.

Reach Five. The creek corridor in Reach Five is bordered by rural landscapes including rolling hills and terrace lands to the north and level terrace lands and hillsides to the south. Land use along Reach Five includes agricultural fields, orchards, rangeland, rural residences, active sand and gravel mining operations, and the County Historical Park. The mining operation company also owns approximately 2 miles of the 3.5 mile creek corridor within this reach. The creek corridor in the southernmost end of the reach is publicly owned as part of the County Historical Park. The primary trail system would be developed along either the north or south side of Tres Pinos Creek from the Southside Road Bridge to the at-grade creek crossing, and along the northeast side of Tres Pinos Creek between the Southside Road at-grade crossing and the San Benito County Historical Park. Public roadways to be considered for access improvements include Southside Road and Bolado Road. A trail route connection would be provided between the River Parkway and the historic community of Tres Pinos.

Regional Park. The proposed approximately 31-acre Regional Park is intended to have a casual, yet sophisticated, feel with a formal layout at its core and a more natural, curvilinear layout closer to its perimeter. The landscape would be intended to create a native looking environment suited to San Benito County with oaks and sycamore trees. Ornamental plantings would be kept to a minimum and would be located around high profile areas such as entries. The Regional Park is intended to be a diversified regional park that supports opportunities for active and passive recreation and conserves and enhances significant environmental or historical resources and features. The Regional Park would include various components which may include such features as asphalt basketball or multi-use courts, sand and/or turf areas for volleyball courts, ball fields or other sports activities, a swimming pool, playground(s), buildings / structures for community center activities such as gathering rooms or small classrooms, restrooms or administrative offices, garden areas, picnic areas, and surface parking lots. The Regional Park would be a total of approximately 31 acres in size¹.

¹ The Project Description included in the NOP circulated for the proposed project in 2013 originally stated that the project would include a 52 acre park including an approximately 21-acre parcel that has since been developed for use as a solar power generating facility. Thus, for this EIR, this parcel has been excluded from the project area and will not be analyzed in this EIR. The proposed Regional Park (as further defined in Section 2.0, Project Description), is now proposed to be approximately 31 acres in size rather than 52 acres. Since this change from the NOP's project description reduced the overall project area, and would therefore reduce any potential impacts that were analyzed in the attached IS, the NOP does not need to be revised and recirculated. The Initial Study (contained in Appendix A) has been updated in the EIR to reflect the current proposed project (with an approximately 31 acre park).



Access. The proposed Regional Park would include entries from San Benito Street to the northeast at Baler Alley, and from San Benito Street to the southeast. In addition, the proposed Regional Park would include construction and operation of a proposed “Access Road” which would be a new road that would extend for approximately 0.6 mile from Nash Road, west of San Benito High School and connect to San Benito Street. This would be the primary entry into the Regional Park. The eastern reach of the new roadway would align with the existing Baler Alley thus providing circulation through to San Benito Street. Vehicles would be able to access the Regional Park from Nash Road to the north. The proposed Access Road would likely be a two- or three-lane roadway, with provisions for pedestrians and bikes, and use existing Baler Alley, suitably modified, to connect with San Benito Street to the east.

ALTERNATIVES

Six alternatives to the proposed project were chosen for analysis as follows:

- *Alternative 1: No Project*
- *Alternative 2: No Regional Park/Existing Zoning*
- *Alternative 3: Reduced River Parkway*
- *Alternative 4: On-Road Trail Alignment*
- *Alternative 5: Reduced Regional Park*
- *Alternative 6: Passive Park*

The No Project alternative assumes that the proposed River Parkway and Regional Park Project is not constructed. Further the proposed Access Road that is a part of the Regional Park component of the Project would also not be constructed. However, since regional plans endorse trail construction (e.g., the San Benito County Bikeway and Pedestrian Master Plan [San Benito County Council of Governments, 2009] and the City of Hollister General Plan Transportation Element [City of Hollister, 2005]), this alternative assumes that bicycle/pedestrian trail planning and construction in areas other than the River Parkway corridor would continue as envisioned under existing plans. Under this alternative, bicyclists would either follow existing bike paths, lanes, routes or other County of San Benito and City of Hollister roadways where formal facilities do not exist. Pedestrians would utilize existing sidewalks. In addition, illegal trespassing by pedestrians, bicyclists, and others into the San Benito River would be expected to continue under this alternative.

The No Regional Park/Existing Zoning alternative assumes that the River Parkway trail system is constructed as proposed, but that the Regional Park is not constructed. Rather, this alternative would assume that development of the Regional Park site would occur consistent with existing zoning. The site is currently zoned Rural Residential by the County of San Benito, which allows for residences on ½ acre minimum lots (where water and sewer services are available). The development area with this alternative would be the same as the proposed project (approximately 31 acres), and would thus accommodate up to 62 residences consistent with San Benito County Zoning Ordinance. With this alternative, access to the site would be similar to the proposed project with the Access Road provided access from Nash Road from the north as well as other access points provided by San Benito Street to the northeast at Baler Alley (connecting to the Access Road) and from San Benito Street to the southeast. Possible future connections via the Westside Boulevard Extension (which is not a component of the project or

this Alternative) could provide further long-term access to the area from the northwest, similar to the proposed project. This future access point is described in Section 2.0, Project Description.

The Reduced River Parkway alternative would construct the Regional Park as proposed (including the Access Road), but would reduce the length of the proposed River Parkway by eliminating two of the five reaches of the proposed trail network. Reach Four and Reach Five, the southernmost trail segments, would be eliminated. These reaches total approximately eight miles; thus removing these reaches would reduce the length of the River Parkway from approximately 20 miles to 12 miles (a reduction of approximately 40%). Reach One through Reach Three would be constructed as proposed, including construction of the proposed Regional Park adjacent to Reach Three. Along these three segments, the design features would be identical to the proposed project. The purpose of this alternative is to incrementally reduce environmental impacts relating to the River Parkway component while providing a connection between US Highway 101 and the City of San Juan Bautista near Reach One and the City of Hollister near Reach Three. Improvements along the remaining three reaches would be identical to the proposed project, and would include: a paved trail surface (where feasible), a trail buffer, and various amenities depending on the trail corridor setting, as outlined in the Master Plans. No improvements would be constructed along the eliminated segments.

The On-Road Trail Alignment alternative would construct the proposed Regional Park as proposed, but would eliminate the multi-use trail along the San Benito River corridor and would instead utilize existing on-road facilities, constructing new on-road bicycle improvements where needed. Pedestrians would utilize existing sidewalks or road shoulders. No equestrian facilities would be provided. The On-Road Trail Alignment alternative is shown in Figure 6-2. This alternative would align with State Route (SR) 156/San Juan Hollister Road from US Highway 101 (El Camino Real) to 4th Street, near the City of Hollister. From SR 156/San Juan Hollister Road, the alignment would follow 4th Street/San Juan Road east to San Benito Street in the City of Hollister. The alignment would then travel south along San Benito Street (where it would provide access to the proposed Regional Park) to its terminus with Union Road. The alignment would abut Union Road east to Southside Road. The alignment would then follow Southside Road south and east to the community of Tres Pinos at SR 25 (Airline Highway). Improvements associated with this alternative would be limited to on-road bicycle facilities where existing facilities are not available. It is assumed that this alternative would only construct Class II designated bicycle lanes or Class III designated bicycle routes (and not a separated Class I bikeway), and would therefore not require roadway widening. Because this alternative would be limited to on-road bicycle lanes or bicycle routes, it would not provide many of the trail amenities associated with the proposed project. The length of this alternative would be approximately 19.2 miles, compared to approximately 20 miles for the proposed project. The overall width and length of this alternative would also be substantially reduced when compared to the proposed project, and would therefore result in less overall disturbance.

The Reduced Regional Park alternative would construct the proposed River Parkway trail system as proposed, but would reduce the size of the proposed Regional Park from approximately 31 acres to approximately 20.4 acres (a reduction of 34.2%). The Access Road would be constructed under this alternative, similar to the proposed project. However, the park would be reduced in size and thus would not have as many recreation amenities as the

proposed project, and would also reduce the size of the parking areas. The remaining key Park elements would be located within one of the four parcels that would be used for the proposed project. The purpose of this alternative is to reduce environmental impacts of the park while continuing to provide active recreational facilities. Access to this alternative would be provided by the proposed Access Road from Nash Road, as well as from San Benito Street to the northeast at the existing Baler Alley (which would connect to the Access Road) and from San Benito Street to the southeast, similar to the proposed project. In addition to the three proposed access points, pedestrian connections would also be provided to San Benito High School to the north, and a possible tunneled pedestrian crossing associated with the future Westside Boulevard Extension (which is not a component of the proposed project or this Alternative), similar to the proposed project.

The Passive Park alternative would construct the proposed River Parkway trail system as proposed, but would construct a passive recreational park in lieu of the proposed Regional Park. This passive park would provide landscaped open space with passive recreation amenities including pathways, picnic areas, educational gardens/life labs, demonstration orchard with ornamental non-fruiting trees, and small playgrounds to compliment the proposed Regional Parkway Reach Three. The active components of the proposed Regional Park would be eliminated. The footprint of the passive park would be the same as the proposed project (31 acres).

Refer to Section 6.0, *Alternatives*, for the complete alternatives analysis.

SUMMARY OF IMPACTS AND MITIGATION MEASURES

Table ES-1 includes a brief description of the environmental issues relative to the proposed project, the identified environmental impacts, proposed mitigation measures, and residual impacts. Impacts are categorized by significance. *Significant and unavoidable* adverse impacts (Class I) require a statement of overriding considerations to be issued per Section 15093 of the *State CEQA Guidelines* if the project is approved. *Significant but mitigable* impacts (Class II) are adverse impacts that can be feasibly mitigated to less than significant levels and which require findings to be made under Section 15091 of the *State CEQA Guidelines*. *Less than significant* impacts (Class III) would not exceed significance thresholds and therefore would not require mitigation.

Table ES-1
Summary of Significant Environmental Impacts, Mitigation Measures, and Residual Impacts

Impact	Mitigation Measure	Residual Impact
AESTHETICS		
Impact AES-1 The proposed project could potentially be visible from scenic vistas, including roadways which are eligible for designation as state scenic highways. However, adverse effects on scenic vistas would not be significant due to the narrowness of the trail corridor, the location and scale of the Regional Park, and implementation of project design features. Impacts on scenic vistas would be Class III, less than significant.	None required	Less than significant
Impact AES-2 The project site includes scenic resources such as riparian and oak woodland habitats. Although the implementation of recreational facilities would remove some existing vegetation, guidelines in the Master Plans would preserve these resources overall. The Regional Park would not involve removal of prominent trees that have scenic value from nearby public viewpoints. Impacts are therefore Class III, less than significant.	None required	Less than significant
Impact AES-3 The proposed River Parkway and Regional Park would introduce physical improvements in the form of a multi-purpose trail, fencing, landscaping, signage, and other recreational facilities in highly scenic areas through northern San Benito County. These features would not substantially degrade the existing character or quality of the River Parkway corridor. Impacts would be Class III, less than significant.	None required	Less than significant
Impact AES-4 The proposed project would introduce new sources of lighting and glare which could increase nighttime ambient light visible to surrounding uses, especially due to lighting from parking lots at the Regional Park site. Preparation of a lighting plan would be necessary to ensure compliance with County requirements to minimize light pollution. Impacts related to night lighting would be Class II, significant but mitigable.	AES-4 Lighting Plans and Specifications. Prior to the issuance of any building permits for the project, lighting plans and specifications for all exterior lighting fixtures and light standards shall be submitted to the San Benito County Planning & Building Department for review and approval. Consistent with lighting requirements in Chapter 19.31 of the County Code of Ordinances, the plans shall demonstrate that all outdoor light fixtures, except streetlights, shall be located, aimed or shielded so as to minimize stray light trespass across property boundaries. Lighting plans for any exterior lighting fixtures in the River Parkway corridor within the city limits of Hollister shall be submitted to the City of Hollister Planning Division for review and approval. These lighting plans shall show all light sources fully shielded from off-site view and downcast where they might adversely	Less than significant

Table ES-1
Summary of Significant Environmental Impacts, Mitigation Measures, and Residual Impacts

Impact	Mitigation Measure	Residual Impact
	affect adjacent properties.	
AGRICULTURAL RESOURCES		
<p>Impact AG-1 Development of the proposed project would involve conversion of approximately 18.2 acres of important farmland, primarily on the Regional Park site. Due to this irreversible loss of important farmland, impacts would be Class I, significant and unavoidable.</p>	<p>AG-1 Agricultural Conservation. Prior to issuance of any grading permits, San Benito County shall provide that for every one (1) acre of Important Farmland (Prime Farmland, Farmland of Statewide Importance, and Unique Farmland) on the Regional Park site that is permanently converted to non-agricultural use as a result of project development, one (1) acre of land of comparable agricultural productivity shall be preserved in perpetuity. Said mitigation shall be satisfied by the applicant through:</p> <ol style="list-style-type: none"> 1) Granting a perpetual conservation easement(s), deed restriction(s), or other farmland conservation mechanism(s) to the qualifying entity which has been approved by the County, such as the San Benito County Agricultural Trust, for the purpose of permanently preserving agricultural land. The required easement(s) area or deed restriction(s) shall therefore total a minimum of 18.2 acres of Prime Farmland. The land covered by said off-site easement(s) or deed restriction(s) shall be located in San Benito County; or 2) Making an in-lieu payment to a qualifying entity which has been approved by the County, such as the San Benito County Agricultural Trust, to be applied toward the future purchase of a minimum of 18.2 acres of Prime Farmland in San Benito County, together with an endowment amount as may be required. The payment amount shall be determined by the qualifying entity or a licensed appraiser; or 3) Making an in-lieu payment to a qualifying entity which has been approved by the County, such as the San Benito County Agricultural Trust, to be applied toward a future perpetual conservation easement, deed restriction, or other farmland conservation mechanism to preserve a minimum of 18.2 acres of Prime Farmland in San Benito County. The amount of the payment shall be equal to 110% of the amount determined by the qualifying entity or a licensed appraiser; or 4) Any combination of the above. <p>Prior to issuance of any grading permits for the project, the applicant shall provide evidence of the recorded easement(s), deed restriction(s), or evidence of payment to the County Planning Department or qualifying entity, such as the San Benito County Agricultural Trust, for approval to</p>	<p>Significant and unavoidable</p>



Table ES-1
Summary of Significant Environmental Impacts, Mitigation Measures, and Residual Impacts

Impact	Mitigation Measure	Residual Impact
Impact AG-2 While the Regional Park Site is zoned Rural Residential, much of the proposed River Parkway would pass through areas under agricultural zoning. In addition, portions of the River Parkway would be adjacent to or would skirt the boundaries of properties under Williamson Act contracts. However, the River Parkway would serve as a compatible use with agricultural zoning and preserves, and thus would not trigger premature conversion of surrounding agricultural lands. Therefore, impacts related to conflicts with existing zoning or Williamson Act contracts would be Class III, less than significant.	demonstrate compliance with this Mitigation Measure AG-1. None required	Less than significant
Impact AG-3 Operation of the proposed River Parkway may result in direct and indirect impacts on agricultural productivity from land use conflicts between trail users and agriculture. This is a Class II, significant but mitigable impact.	<p>AG-3(a) Notice of Agricultural Activities. The following information shall be added to the proposed notices on on-going agricultural activities:</p> <ul style="list-style-type: none"> Trail users are advised to stay on the trail and be alert to operating machinery and equipment near the trail. The legal ramifications for trespassing or being on the trail after it is closed. <p>AG-3(b) Landscaping Coordination. For portions of the River Parkway adjacent to agricultural operations, any ornamental plant material used along the trail shall be comprised of native and indigenous species. The selected plant palette shall be reviewed by the Agricultural Commissioner's office prior to approval of landscape plans. Any plant material which may host pests destructive to agriculture shall be prohibited.</p>	Less than significant
AIR QUALITY		
Impact AQ-1 The proposed River Parkway and Regional Park Project would not contribute to population growth, and would therefore be consistent with the growth assumptions in the Air Quality Management Plan (AQMP). Furthermore, the project implements opportunities for alternative modes of transportation which may reduce vehicle trips in the region consistent with the AQMP. Thus, the River Parkway and Regional Park Project would be consistent with and would also help to implement the AQMP. Impacts would be Class III, less than significant.	None required	Less than significant
Impact AQ-2 Construction of the proposed River	None required	Less than significant



Table ES-1
Summary of Significant Environmental Impacts, Mitigation Measures, and Residual Impacts

Impact	Mitigation Measure	Residual Impact
Parkway and Regional Park Project would result in the temporary generation of air pollutants, which would affect local air quality. However, construction emissions would not exceed MBUAPCD thresholds and would not expose sensitive receptors to substantial pollutant concentrations. Impacts would therefore be Class III, less than significant.		
Impact AQ-3 The proposed River Parkway and Regional Park Project would generate criteria air pollutant emissions. However, emissions would not exceed MBUAPCD operational significance thresholds and would not expose sensitive receptors to substantial pollutant concentrations. Therefore, operational impacts would be Class III, less than significant.	None required	Less than significant
Impact AQ-4 The proposed project could result in a scenario related to an increase in traffic at congested roadways or intersections that warrants a CO hotspot analysis. However, with mitigation incorporated that improves traffic conditions at the Access Road/San Benito Street intersection, a quantitative CO hotspot analysis is not required, and impacts related to CO hotspots would therefore be Class II, significant but mitigable.	Impacts would be reduced to a less than significant level with implementation of Mitigation Measure T-1	Less than significant
Impact AQ-5 The proposed project would not result in any land uses that would generate odors affecting a substantial number of people. Equestrian use on the River Parkway and trash facilities at staging areas and at the Regional Park may result in some odors. However, routine maintenance at these proposed facilities would reduce odors and would therefore not affect a substantial number of people. Impacts would therefore be Class III, less than significant.	None required	Less than significant
BIOLOGICAL RESOURCES		
Impact B-1 Implementation of the proposed River Parkway and Regional Park could result in impacts to special status plant and animal species. This impact is Class II, significant but mitigable.	B-1(a) Special Status Plant Species Surveys. Prior to any vegetation removal, grubbing, or other construction activity for the Regional Park and/or River Parkway components of the project (including staging and mobilization), seasonally-timed special status plant surveys shall be conducted by a qualified biologist no more than two years before initial ground disturbance. These surveys shall be conducted for Monterey	Less than significant

Table ES-1
Summary of Significant Environmental Impacts, Mitigation Measures, and Residual Impacts

Impact	Mitigation Measure	Residual Impact
	<p>spineflower within annual grassland and coastal oak woodland habitat where project impacts will occur. The purpose of these surveys is to document the location(s), acreage(s), and approximate number(s) of Monterey spineflower within construction and mitigation areas so that mitigation can be accomplished. The surveys shall coincide within the bloom period for this species (April through July) and all Monterey spineflower identified on-site shall be mapped onto a site-specific aerial photograph and topographic map at a scale of no less than 1"=200'. Surveys shall be conducted in accordance with the County, CDFW, and USFWS protocols (California Department of Fish and Wildlife, 2009; U.S. Fish and Wildlife Service, 2000). A report of the survey results shall be submitted to San Benito County and/or the implementing entity for review and approval.</p> <p>B-1(b) Special Status Plant Species Avoidance, Minimization, and Mitigation. If Monterey spineflower or other special status plants are found during special status plant surveys [pursuant to mitigation measure B-1(a)], the implementing entity shall redesign the segment to avoid impacting these plant species to the greatest extent feasible. Rare plant occurrences that are not within the immediate disturbance footprint, but are located within 50 feet of disturbance limits shall have bright orange protective fencing installed at least 30 feet beyond their extent to protect them from harm.</p> <p>If avoidance is not feasible, seed and/or other plant material (whole plants, underground root structures, etc.) shall be collected from on-site rare plants prior to removal, and/or from other local populations of plant species to be impacted. Seed shall be distributed in areas not proposed for development that have the appropriate habitat characteristics necessary to support the restoration. Seed collection shall be conducted by a qualified biologist holding a rare plant collection voucher/permit. Topsoil may also be salvaged and distributed over temporarily disturbed areas following completion of construction activities provided it is free of non-native invasive species.</p> <p>The total number and/or total acreage for each special status plant species that will be impacted shall be determined once the final design of the project is completed and prior to initiation of ground disturbance activities. Impacted species shall be restored on-site at a minimum of a 2:1 ratio (number of acres/individuals restored to number of acres/individuals</p>	



Table ES-1
Summary of Significant Environmental Impacts, Mitigation Measures, and Residual Impacts

Impact	Mitigation Measure	Residual Impact
	<p>impacted) for each species as a component of habitat restoration. A restoration plan shall be prepared and submitted to San Benito County for approval and/or implementing entity. The restoration plan shall include, at a minimum, the following components:</p> <ul style="list-style-type: none"> • Description of the project/impact site (i.e., location, responsible parties, areas to be impacted by habitat type); • Goal(s) of the compensatory mitigation project [type(s) and area(s) of habitat to be established, restored, enhanced, and/or preserved; specific functions and values of habitat type(s) to be established, restored, enhanced, and/or preserved]; • Description of the proposed compensatory mitigation site (location and size, ownership status, existing functions and values); • Implementation plan for the compensatory mitigation site (rationale for expecting implementation success, responsible parties, schedule, site preparation, planting plan); • Maintenance activities during the monitoring period, including weed removal as appropriate (activities, responsible parties, schedule); • Monitoring plan for the compensatory mitigation site, including no less than quarterly monitoring for the first year (performance standards, target functions and values, target acreages to be established, restored, enhanced, and/or preserved, annual monitoring reports); • Success criteria based on the goals and measurable objectives; said criteria to be, at a minimum, at least twice the approximate total number of impacted plants and/or percent relative cover and/or density equivalent to impacted site; • An adaptive management program and remedial measures to address any shortcomings in meeting success criteria; • Notification of completion of compensatory mitigation and agency confirmation; and • Contingency measures (initiating procedures, alternative locations for contingency compensatory mitigation, funding mechanism). <p>The restoration plan shall be implemented for a period of at least five years or until restoration has been deemed complete based on the established success criteria.</p> <p>B-1(c) California Red-Legged Frog and California Tiger Salamander, Avoidance and Minimization. The following avoidance and minimization measures are adapted from the Programmatic Formal Endangered</p>	



Table ES-1
Summary of Significant Environmental Impacts, Mitigation Measures, and Residual Impacts

Impact	Mitigation Measure	Residual Impact
	<p>Species Act Consultation on Issuance of Permits under Section 404 of the Clean Water Act or Authorizations under the Nationwide Permit Program for Projects that May Affect the California Red-legged Frog issued on January 1999 by the USFWS. Consultation shall occur with the USFWS to determine that 1) the project is covered under the above programmatic formal consultation through issuance of USACE permits under Section 404 of the Clean Water Act, or 2) take of federally protected species is not anticipated through implementation of the measures below as determined through informal consultation with the USFWS if no federal permits are pursued. Consultation shall also occur with the CDFW for state protected species to either obtain a state Incidental Take Permit or establish concurrence that take would not occur.</p> <ul style="list-style-type: none"> • Within two weeks of the initiation of construction activities of each segment (including mobilization and staging), a CDFW/USFWS-approved biologist shall conduct a survey of the construction area for all life stages of CRLF and CTS. All areas where these species occur shall be avoided until the approved biologist has determined that these species are no longer present. No life stages of these species shall be relocated without a take authorization from the USFWS and/or CDFW. If relocation is authorized, a suitable relocation site shall be identified prior to initiation of construction activities and shall be located within the same watershed/streamcourse greater than 500 feet from the project site. • Work activities in or adjacent to suitable habitat shall be completed between April 1 and November 1 to the greatest extent feasible. • A CDFW/USFWS-approved biologist shall be present on-site during all ground disturbing activities, including vegetation removal, grading, and exclusion fence installation and removal. Once these activities have been completed, the approved biologist shall conduct periodic inspections of the work site of not less than once per week when construction activities are occurring in/adjacent to suitable habitat. Additional site visits should occur during rain events when special status amphibians are likely to be mobile to ensure that they are not entering work areas. • The implementing entity shall designate a representative who will oversee implementation of all avoidance and minimization measures when the CDFW/USFWS-approved biologist is not present. This representative shall be trained by the CDFW/USFWS-approved biologist in the identification of special status amphibians and in the 	

Table ES-1
Summary of Significant Environmental Impacts, Mitigation Measures, and Residual Impacts

Impact	Mitigation Measure	Residual Impact
	<p>implementation of all avoidance and minimization measures. This representative shall not have the authority to handle special status species.</p> <ul style="list-style-type: none"> Both the implementing entity's representative and the CDFW/USFWS-approved biologist shall have the authority to halt any action which may result in the take of special status species. Prior to start of construction, exclusion fencing shall be placed along the project boundaries in areas where suitable habitat is present. This fence shall consist of solid silt fencing placed at a minimum of 3 feet above grade and 2 feet below grade and shall be attached to wooden stakes placed at intervals of not more than 5 feet. The fence shall be inspected weekly and following rain events and high wind events and shall be maintained in good working condition until all construction activities are complete. All vehicle maintenance/fueling/staging shall occur not less than 100 feet from any riparian habitat or water body. Suitable containment procedures shall be implemented to prevent spills. A minimum of one spill kit shall be available at each work location near riparian habitat or water bodies. At the end of each work day, excavations shall be secured with cover or a ramp provided to prevent wildlife entrapment. All trenches, pipes, culverts or similar structures shall be inspected for animals prior to burying, capping, moving, or filling. The CDFW/USFWS-approved biologist shall remove invasive aquatic species such as bullfrogs and crayfish from suitable aquatic habitat whenever observed and shall dispatch them in a humane manner and dispose of properly. If any federally and/or state protected species are harmed, the CDFW/USFWS-approved biologist shall document the circumstances that led to harm and shall determine if project activities should cease or be altered in an effort to avoid additional harm to these species. Dead or injured special status species shall be disposed of at the discretion of the CDFW and USFWS. All incidences of harm shall be reported to the CDFW and USFWS within 48 hours. <p>B-1(d) Steelhead Impact Avoidance and Minimization. . Once the final design for the trail alignment for the River Parkway has been determined, a USFWS-approved steelhead biologist shall conduct a habitat assessment of the project impact areas to identify suitable habitat for steelhead. If suitable habitat for steelhead cannot be avoided, any in-</p>	



Table ES-1
Summary of Significant Environmental Impacts, Mitigation Measures, and Residual Impacts

Impact	Mitigation Measure	Residual Impact
	<p>stream portions of the proposed River Parkway (where drainage crossings require in-stream work) shall be dewatered/diverted. A dewatering/diversion plan shall be prepared and submitted to the NMFS, and CDFW for review and approval. All dewatering/diversion activities shall be monitored by a qualified fisheries biologist. The fisheries biologist shall be responsible for capture and relocation of fish species out of the work area during dewatering/diversion installation.</p> <ul style="list-style-type: none"> • The implementing entity shall designate a representative to monitor on-site compliance of all avoidance and minimization measures. This representative shall be trained by a qualified fisheries biologist in the identification of the target species and the assessment of the potential for take based on the proposed activities. The representative shall consult with the biologist as necessary to ensure compliance. The representative and the biologist shall have the authority to halt any action which may result in the take of listed species. • Only NMFS/CDFW-approved biologists shall participate in the capture and handling of listed species. • No equipment shall be permitted to enter wetted portions of any affected drainage channel. • All equipment operating within streams shall be in good conditions and free of leaks. Spill containment shall be installed under all equipment staged within stream areas and extra spill containment and clean up materials shall be located in close proximity for easy access. • Work within and adjacent to streams shall not occur between November 1 and May 1. Unless otherwise approved by NMFS and the CDFW. • If project activities could degrade water quality, water quality sampling shall be implemented to identify the pre-project baseline, and to monitor during construction for comparison to the baseline. • If water is to be pumped around work sites, intakes shall be completely screen with wire mesh not larger than five millimeters to prevent animals from entering the pump system. • If any steelhead are harmed during implementation of the project, the project biologist shall document the circumstances that led to harm and shall determine if project activities should cease or be altered in an effort to avoid further harm to steelhead. <p>B-1(e) Least Bell's Vireo and Western Yellow-billed Cuckoo Surveys. Development activities within 500 feet of the San Benito River and Tres Pinos Creek riparian corridors shall be avoided during the least Bell's vireo</p>	

Table ES-1
Summary of Significant Environmental Impacts, Mitigation Measures, and Residual Impacts

Impact	Mitigation Measure	Residual Impact
	<p>(April 10 to July 31) and western yellow-billed cuckoo (May 15 to July 17) breeding season. If breeding season avoidance is not feasible, a permitted biologist shall conduct focused presence/absence surveys in accordance with the USFWS protocols for least Bell's vireo (2001) and standardized methods for yellow-billed cuckoo survey (Halterman et al, 2009; Laymon, 1998). Any survey methodology that deviates from these protocols shall be approved by the USFWS prior to initiation of the first survey. Surveys shall focus on riparian habitat associated with the San Benito River and Tres Pinos Creek within the River Parkway Trail corridor and adjacent suitable habitat out to 500 feet. Protocol surveys shall be conducted within one year of start of construction (i.e. breeding season prior to), and will continue annually until completion of construction activities if presence is documented in the first year. Documentation of findings, including a negative finding must be submitted to the USFWS for review. If neither species is detected, no further actions are required.</p> <p>If least Bell's vireo or western yellow-billed cuckoo are found nesting within the survey area, all project activities shall be halted within 500 feet of the nest site and territory for the remainder of the breeding season. The USFWS and CDFW shall be notified immediately. Should development activities within this zone be required during the breeding season, than additional consultation with USFWS and CDFW shall be required to establish suitable monitoring procedures and buffers to ensure that "take" does not occur.</p> <p>If "take" of least Bell's vireo or western yellow-billed cuckoo is necessary to complete development activities, the applicant is required to obtain the applicable regulatory take permit(s). Compensatory mitigation, if necessary, would be determined in coordination with the wildlife agencies.</p> <p>B-1(f) San Joaquin Kit Fox Surveys and Avoidance Measures. Once the final design has been developed for the proposed River Parkway project, but prior to the start of construction, a CDFW/USFWS approved biologist shall conduct a SJKF early evaluation as well as surveys for SJKF in accordance with the USFWS San Joaquin Kit Fox Survey Protocol for the Northern Range (USFWS, 2009). The results of the early evaluation and surveys shall be submitted to the USFWS and CDFW. If the regulatory agencies determine that "take" of SJKF is likely as a result of either the proposed Regional Park or the proposed River Parkway project, the applicant is required to obtain the applicable regulatory take</p>	



Table ES-1
Summary of Significant Environmental Impacts, Mitigation Measures, and Residual Impacts

Impact	Mitigation Measure	Residual Impact
	<p>permit(s). Compensatory mitigation, if necessary, would be determined in coordination with the wildlife agencies.</p> <p>The following avoidance and minimization measures for SJKF shall be implemented during construction of the Regional Park and any sections of the River Parkway Trail project considered to be suitable SJKF habitat. These measures are adapted from the USFWS Standard Recommendations for Protection of the San Joaquin Kit Fox Prior to or During Ground Disturbance (USFWS, 1999):</p> <ul style="list-style-type: none"> • San Joaquin kit fox pre-construction surveys shall be conducted not more than 14 days prior to the beginning of ground disturbance and/or construction associated with the proposed River Parkway Trail project and the proposed Regional Park to determine if potential or occupied dens are present on-site or within 250 feet of the project sites. If an occupied den is located on-site, an avoidance buffer shall be established as follows: • Potential den: 50 feet – demarcated with flagged stakes • Atypical den: 50 feet – demarcated with flagged stakes • Known den: 100 feet – demarcated with orange construction fencing that fully encircles the den, but allows for passage of kit foxes should they be present. • Natal/pupping den: at least 500 feet – USFWS must be contacted • Essential vehicles may operate on existing roads and necessary foot traffic will be permitted. All other construction, vehicle operation, material storage, or any other type of surface-disturbing activity shall be prohibited within avoidance buffer. A qualified biologist will monitor the den site to determine when the den site has been vacated. Once it has been confirmed that SJKF are no longer present, the avoidance buffer may be removed and construction may proceed. • To prevent inadvertent entrapment of kit foxes or other animals during the construction phase of the Project, all excavated, steep-walled holes or trenches more than 2-feet deep should be covered at the close of each working day by plywood or similar materials. If the trenches cannot be closed, one or more escape ramps constructed of earthen-fill or wooden planks should be installed. Before such holes or trenches are filled, they should be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, the USFWS and the CDFW should be contacted as noted under measure No. 9 referenced below. 	



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Summary of Significant Environmental Impacts, Mitigation Measures, and Residual Impacts

Impact	Mitigation Measure	Residual Impact
	<ul style="list-style-type: none"> • Kit foxes are attracted to den-like structures such as pipes and may enter stored pipes and become trapped or injured. All construction pipes, culverts, or similar structures with a diameter of 4-inches or greater that are stored at a construction site for one or more overnight periods should be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe should not be moved until the USFWS has been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved only once to remove it from the path of construction activity, until the fox has escaped. • All food-related trash items such as wrappers, cans, bottles, and food scraps should be disposed of in securely closed containers and removed at least once a week from a construction or Project site. • No pets, such as dogs or cats, should be permitted on the Project site to prevent harassment, mortality of kit foxes, or destruction of dens. • Use of rodenticides and herbicides in Project areas should be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds should observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and Federal legislation, as well as additional Project-related restrictions deemed necessary by the USFWS. If rodent control must be conducted, zinc phosphide should be used because of a proven lower risk to kit fox. • In the case of trapped animals, escape ramps or structures should be installed immediately to allow the animal(s) to escape, or the USFWS should be contacted for guidance. • Any contractor, employee, or military or agency personnel who are responsible for inadvertently killing or injuring a San Joaquin kit fox should immediately report the incident to their representative. This representative should contact the CDFW immediately in the case of a dead, injured or entrapped kit fox. The CDFW contact for immediate assistance is State Dispatch at (916) 445-0045. They will contact the local warden or the wildlife biologist at (530) 934-9309. The USFWS should be contacted at Endangered Species Division, 2800 Cottage Way, Suite W2605, Sacramento, CA 95825, (916) 414-6620 or (916) 414-6600. • The Sacramento Fish and Wildlife Office and CDFW should be notified in writing within three working days of the accidental death or injury to a 	



Table ES-1
Summary of Significant Environmental Impacts, Mitigation Measures, and Residual Impacts

Impact	Mitigation Measure	Residual Impact
	<p>San Joaquin kit fox during Project related activities. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information.</p> <ul style="list-style-type: none"> • New sightings of kit fox should be reported to the CNDDDB. A copy of the reporting form and a topographic map clearly marked with the location of where the kit fox was observed should also be provided to the USFWS at the address listed under measure number 7. • Fencing of the project site shall incorporate wildlife-friendly fencing design. Fencing plans may use one of several potential designs that would allow SJKF to pass through the fence while still providing for Project security and exclusion of other unwanted species (i.e. domestic dogs and coyotes). Raised fences or fences with entry/exit points of at least 6 inches in diameter spaced along the bottom of the fence to allow species such as San Joaquin kit fox access into and through the Project site would be appropriate designs. • All project lighting shall be directed downward and towards the interior of the Project site, thus avoiding light pollution into adjacent open areas. Use of lighting shall be the minimum necessary to achieve safety and security on the site. <p>B-1(g) FESA and CESA Consultation. To ensure compliance with FESA and CESA, San Benito County shall obtain either Incidental Take Permits (ITP) or written concurrence that implementation of the River Parkway component of the project will not require permits for CRLF, SJKF, CTS, steelhead, western yellow-billed cuckoo, and least Bell's vireo, and that the Regional Park component of the project will not require permits for CRLF, SJKF or CTS. Issuance of ITPs for these species may involve compensatory mitigation, habitat restoration, and/or development of habitat conservation plans in consultation with CDFW and/or USFWS. ITPs may include a variety of other required mitigation that would be generally consistent with those measures outlined above.</p> <p>B-1(h) Conduct Burrowing Owl Surveys. A qualified biologist shall conduct a pre-construction clearance surveys prior to ground disturbance activities within all suitable habitat to confirm the presence/absence of burrowing owls. The surveys shall be consistent with the recommended survey methodology provided by CDFW (2012). Clearance surveys shall be conducted within 14 days prior to construction and ground disturbance activities. If no burrowing owls are observed, no further actions are required.</p>	

Table ES-1
Summary of Significant Environmental Impacts, Mitigation Measures, and Residual Impacts

Impact	Mitigation Measure	Residual Impact
	<p>If burrowing owls are detected during the pre-construction clearance surveys, avoidance buffers will be implemented in accordance with the CDFW (2012) and Burrowing Owl Consortium (1993) minimization mitigation measures. Coordination with the CDFW by a qualified biologist shall occur to establish the appropriate avoidance buffer distances specific for the project's activities and level of expected disturbance.</p> <p>If avoidance of burrowing owls is not feasible, a Burrowing Owl Exclusion Plan and Mitigation and Monitoring Plan will be developed by a qualified biologist in accordance with the CDFW (2012) and Burrowing Owl Consortium (1993). The Plan shall be provided to the applicable local CDFW office prior to implementation. A qualified biologist shall coordinate with the CDFW to determine the appropriate exclusion methods (passive or active relocation) for the project to relocate burrowing owls to a suitable offsite location. Relocation of owls can only occur during the non-breeding season.</p> <p>B-1(i) Western Pond Turtle, Western Spadefoot, San Joaquin Coachwhip and Coast Range Newt Survey, Capture, and Relocation. Not less than 14 days prior to the start of all construction activities for the Regional Park and/or the River Parkway (including staging and mobilization), a San Benito County approved biologist shall conduct surveys for western pond turtle, western spadefoot, San Joaquin coachwhip and Coast Range newt within suitable habitat. The biologist shall also oversee installation of exclusion fencing where suitable habitat is present to prevent these species from entering active work areas. If any of these species are identified within the work area they shall be captured and relocated to suitable habitat within the same or nearest suitable habitat. CNDDDB Field Survey Forms shall be submitted to the CDFW for all special status animal species observed. The relocation site shall include suitable micro habitat and ecological features for each species as follows:</p> <ul style="list-style-type: none"> • Western pond turtle habitat shall include a pool surrounded by vegetation for escape cover. • Western spadefoot habitat shall include open sandy or gravelly areas within the San Benito River or Tres Pinos Creek basins • San Joaquin coachwhip habitat shall include suitable small mammal burrows to provide immediate escape and cover 	

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Impact	Mitigation Measure	Residual Impact
	<ul style="list-style-type: none"> Coast Range newt habitat shall include moist woodland habitat with abundant moist ground cover. <p>During the rainy season (approximately November 1 to April 15), western pond turtles and Coast Range newts may actively move through upland habitats outside of drainages. Western spadefoot and San Joaquin coachwhip can occur in upland habitat at any time of the year. If any of these species are observed by construction personnel within or adjacent to the project area, the animal's location shall be communicated to the San Benito County approved biologist. Only the San Benito County-approved biologist shall capture and relocate wildlife. Construction personnel are not permitted to handle animals.</p> <p>A report of all pre-construction survey efforts for each segment shall be submitted to the implementing entity within 30 days of completion of the survey effort to document compliance. The report shall include the dates, times, weather conditions, and personnel involved in the surveys and monitoring. The report shall also include for each captured special status animal, the UTM coordinates and habitat descriptions of the capture and release site (in UTM coordinates), the length of time between capture and release, and the general health of the individual(s).</p> <p>B-1 (j) Special Status Bat Surveys and Impact Avoidance. A San Benito County approved biologist shall conduct a bat roost-habitat assessment and conduct presence/absence surveys for special status bats where suitable roosting habitat is present. Bat surveys shall be conducted in consultation with the CDFW. Surveys shall be conducted using acoustic detectors and by searching tree cavities, crevices, and other areas where bats may roost. Surveys shall be conducted not less than 30 days prior to initiation of construction activities for each trail segment.</p> <p>Areas where special status bats are located shall be avoided where feasible. If impacts to bats cannot be avoided, exclusionary devices, such as netting, shall be installed by a San Benito County approved biologist around the roost(s) after the bats have left the roost in the evening and shall be monitored for a minimum of three days to ensure that no bats return to the roost. Once it has been determined that the roost is clear of bats, the roost shall be removed immediately. Exclusion of bats must commence prior to establishment of maternity colonies, which varies by</p>	

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Summary of Significant Environmental Impacts, Mitigation Measures, and Residual Impacts

Impact	Mitigation Measure	Residual Impact
	<p>species. If a maternity colony has become established, all construction activities shall be postponed within a 500-foot buffer around the maternity colony until it is determined by a qualified biologist that the young have dispersed. Bat roosts shall be removed after the breeding season has ended but before the onset of winter when temperatures are too cold for bat movement.</p> <p>If a roost is determined by a qualified biologist to be used by a large number of bats (large hibernaculum), bat boxes near the impacted roost shall be installed to reduce the impact to the bat species present. Bat boxes shall be species-specific in dimensions and should mimic a tree hollow or crevice. Bat boxes shall be installed at a height that is appropriate for the bat species and anti-predator measures, such as small metal spikes on the top, shall be included to protect bats.</p> <p>A report of survey efforts shall be submitted to the implementing entity within 30 days of completion of the surveys for each segment to document compliance. The report shall include the dates, times, weather conditions, and personnel involved in the surveys. If exclusion devices and/or bat boxes are utilized, the report shall describe how these methods were employed.</p> <p>B-1 (k) American Badger Pre-construction Surveys and Impact Avoidance. A qualified biologist shall conduct pre-construction clearance surveys for American badger within the Regional Park Site and within suitable habitat within the final River Parkway impact areas (once the final trail alignment has been determined). Clearance surveys should be conducted for American badger, within 14 days of the start of any ground-disturbing activity. Surveys need not be conducted for all areas of suitable habitat at one time; they may be phased so that surveys occur within 14 days of that portion of the site being disturbed. If no potential American badger or kit fox dens are present, no further mitigation is necessary. If special status species are detected or potential American badger dens are present, the following measures will be implemented:</p> <ul style="list-style-type: none"> • If the qualified biologist determines that potential American badger dens are inactive, the biologist shall excavate these dens during the first clearance survey. The dens shall be excavated by hand with a shovel to prevent badgers from re-use during construction. • If the qualified biologist determines that potential dens may be active, 	

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Impact	Mitigation Measure	Residual Impact
	<p>an on-site passive relocation program shall be implemented. This program shall consist of excluding badgers from occupied burrows by installation of one way doors at burrow entrances, monitoring of the burrow for one week to confirm usage has been discontinued, and excavation and collapse of the burrow to prevent reoccupation. After the qualified biologist determines that badgers have stopped using active dens within the project boundary, the dens shall be hand-excavated with a shovel to prevent re-use during construction.</p> <ul style="list-style-type: none"> • Construction activities shall not occur within 30 feet of active badger dens. <p>B-1(l) Pre-construction Surveys for Nesting Birds. For construction activities occurring during the nesting season (generally February 1 to August 31), surveys for nesting birds covered by the CFGC and the MBTA (including, but not limited to, Cooper's hawk, Swainson's hawk, tricolored blackbird, California horned lark and loggerhead shrike) shall be conducted by a qualified biologist no more than 14 days prior to initiation of construction activities for the Regional Park, and/or within the final River Parkway impact area (once the final trail alignment is determined), including construction staging and vegetation removal. The surveys shall include the entire disturbance areas plus a 200-foot buffer around any disturbance areas. If active nests are located, all construction work shall be conducted outside a buffer zone from the nest to be determined by the qualified biologist. The buffer shall be a minimum of 50 feet for non-raptor bird species and at least 150 feet for raptor species. Larger buffers may be required depending upon the status of the nest and the construction activities occurring in the vicinity of the nest. The biologist shall have full discretion for establishing a suitable buffer. The buffer area(s) shall be closed to all construction personnel and equipment until the adults and young are no longer reliant on the nest site. A qualified biologist shall confirm that breeding/nesting is completed and young have fledged the nest prior to removal of the buffer.</p> <p>B-1(m) Worker Environmental Awareness Program (WEAP). Prior to initiation of construction activities for each trail segment (including staging and mobilization), all personnel associated with the Regional Park or River Parkway construction shall attend WEAP training, conducted by a qualified biologist, to aid workers in recognizing special status resources that may occur in the applicable project area. The specifics of this program shall include identification of the sensitive species and habitats, a description of</p>	

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Impact	Mitigation Measure	Residual Impact
	the regulatory status and general ecological characteristics of sensitive resources, and careful review of the limits of construction and mitigation measures required to reduce impacts to biological resources within the work area. A fact sheet conveying this information shall also be prepared for distribution to all contractors, their employers, and other personnel involved with construction of the project. All employees shall sign a form documenting that they have attended the WEAP training and understand the information presented to them. The form shall be submitted to San Benito County to document compliance.	
<p>Impact B-2 Implementation of the proposed River Parkway and Regional Park project could result in impacts to riparian and other habitats considered sensitive by local, state, and/or federal agencies, including federally protected wetlands. This impact would be Class II, significant but mitigable.</p>	<p>B-2 (a) Jurisdictional Delineation. Once the final design has been developed for the River Parkway (or for each individual trail segment), but prior to the start of construction of the River Parkway, a qualified biologist shall conduct a jurisdictional delineation of the entire segment disturbance area at those locations where construction activity could affect jurisdictional waters. The jurisdictional delineation shall determine if features are under the jurisdiction of the USACE, RWQCB, and/or CDFW. The result shall be a preliminary jurisdictional delineation report that shall be submitted to San Benito County, USACE, RWQCG and CDFW, as appropriate, for review and approval. Permits shall be obtained from each agency where applicable.</p> <p>B-2(b) Wetland and Riparian Habitat Restoration. Impacts to jurisdictional wetland and riparian habitat shall be mitigated at a ratio of 2:1 for each segment, and shall occur as close to the impacted habitat as possible but within the same watershed. A Habitat Restoration Plan shall be developed by an biologist approved by San Benito County in accordance with mitigation measure B-1(a) above and shall be implemented for no less than five years after construction of the segment, or until San Benito County and/or the permitting authority (e.g., CDFW or USACE) has determined that restoration has been successful.</p> <p>B-2(c) Landscaping Plan. If landscaping is proposed for any portion of the River Parkway, a qualified biologist/landscape architect shall prepare a landscape plan for that segment(s) where landscaping is proposed. This plan shall indicate the locations and species of plants to be installed throughout the segment(s). Drought tolerant, locally native plant species shall be used. Noxious, invasive, and/or non-native plant species that are recognized on the Federal Noxious Weed List, California Noxious Weeds List, and/or California Invasive Plant Council Lists 1, 2, and 4 shall not be permitted. Species selected for planting shall be similar to those species</p>	Less than significant

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Impact	Mitigation Measure	Residual Impact
	<p>found in adjacent native habitats.</p> <p>B-2(d) Invasive Weed Prevention and Management Program. Prior to start of construction of each segment, an Invasive Weed Prevention and Management Program shall be developed by a qualified biologist approved by San Benito County to prevent invasion areas adjacent native habitat by non-native plant species. A list of target species shall be included, along with measures for early detection and eradication before any species can gain a foothold and out-compete native plant species for resources.</p> <p>All disturbed areas shall be hydroseeded with a mix of locally native species upon completion of work in those areas. In areas where construction is ongoing, hydroseeding shall occur where no construction activities have occurred within six (6) weeks since ground disturbing activities ceased. If exotic species invade these areas prior to hydroseeding, weed removal shall occur in consultation with a qualified biologist and in accordance with the restoration plan.</p> <p>B-2(e) Compensatory Mitigation for Loss of Purple Needle Grass Grassland Habitat. If the proposed Regional Park cannot be designed to avoid purple needlegrass grasslands on-site, the total acreage that will be impacted shall be determined once the final design of the Regional Park is completed and prior to initiation of ground disturbance activities. The compensatory mitigation ratios have been designed to provide for no-net-loss of valley needlegrass grassland habitat. To achieve this goal, a 1.5:1 (area restored/created/enhanced: area impacted) mitigation ratio is required. The restoration plan shall include, at a minimum, the following components:</p> <ul style="list-style-type: none"> • Description of the project/impact site (i.e., location, responsible parties, areas to be impacted by habitat type); • Goal(s) of the compensatory mitigation project [type(s) and area(s) of habitat to be established, restored, enhanced, and/or preserved; specific functions and values of habitat type(s) to be established, restored, enhanced, and/or preserved]; • Description of the proposed compensatory mitigation site (location and size, ownership status, existing functions and values); • Implementation plan for the compensatory mitigation site (rationale for expecting implementation success, responsible parties, schedule, site 	

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Impact	Mitigation Measure	Residual Impact
	<p>preparation, planting plan);</p> <ul style="list-style-type: none"> • Maintenance activities during the monitoring period, including weed removal as appropriate (activities, responsible parties, schedule); • Monitoring plan for the compensatory mitigation site, including no less than quarterly monitoring for the first year (performance standards, target functions and values, target acreages to be established, restored, enhanced, and/or preserved, annual monitoring reports); • Success criteria based on the goals and measurable objectives; said criteria to be, at a minimum, at least 80 percent survival of all planted material and 30 percent relative cover by vegetation type equivalent to impact area; • An adaptive management program and remedial measures to address any shortcomings in meeting success criteria; • Notification of completion of compensatory mitigation and agency confirmation; and • Contingency measures (initiating procedures, alternative locations for contingency compensatory mitigation, funding mechanism). <p>The restoration plan shall be implemented for a period of at least five years or until restoration has been deemed complete based on the established success criteria.</p>	
<p>Impact B-3 Implementation of the proposed River Parkway Plan and Regional Park could result in impacts to wildlife movement or nursery sites. This impact would be Class II, <i>significant but mitigable</i>.</p>	<p>B-3(a) Fence Design. All project fencing shall be designed to facilitate wildlife movement through the proposed River Parkway and Regional Park and shall include:</p> <ul style="list-style-type: none"> • A minimum 16 inches between the ground and the bottom of the fence to provide clearance for small animals; • A minimum 12 inches between the top two wires, or top the fence with a wooden rail or mesh instead of wire to prevent animals from becoming entangled; and • If privacy fencing is required near open space areas, openings at the bottom of the fence measure at least 16 inches in diameter shall be installed at reasonable intervals to allow wildlife movement. <p>The final fence design shall be reviewed by a San Benito County-approved biologist for approval.</p> <p>B-3(b) Fish Passage. If it is determined that components of the River Parkway component of the project are to be located within the San Benito</p>	<p>Less than significant</p>

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Impact	Mitigation Measure	Residual Impact
	<p>River or its tributaries, they shall be designed in a manner to allow for unimpeded fish passage (e.g. no structures that are perpendicular to stream flow be exposed or at a depth with moderate to high risk for exposure during high flow events).</p> <p>B-3(c) Construction Best Management Practices. The following construction Best Management Practices (BMPs) shall be incorporated into all grading and construction plans for each segment of the River Parkway component and Regional Park:</p> <ul style="list-style-type: none"> • Designation of a 15 mile per hour speed limit in all construction areas. • All vehicles and equipment shall be parked on pavement, existing roads, and previously disturbed areas, and clearing of vegetation for vehicle access shall be avoided to the greatest extent feasible. • The number of access routes, number and size of staging areas, and the total area of the activity shall be limited to the minimum necessary to achieve the goal of the project. • Designation of equipment washout and fueling areas to be located within the limits of grading at a minimum of 100 feet from waters, wetlands, or other sensitive resources as identified by a qualified biologist. Washout areas shall be designed to fully contain polluted water and materials for subsequent removal from the site. • Daily construction work schedules shall be limited to daylight hours only [consistent with mitigation measure N-1(a) (Construction Hours) in Section 4.10, Noise]. • Mufflers shall be used on all construction equipment and vehicles shall be in good operating condition. • Drip pans shall be placed under all stationary vehicles and mechanical equipment. • All trash shall be placed in sealed containers and shall be removed from the project site a minimum of once per week. • No pets are permitted on project site during construction. 	
<p>Impact B-4 Implementation of the proposed River Parkway Plan and Regional Park could conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. This impact would be Class II, <i>significant but mitigable</i>.</p>	<p>B-4 (a) Compliance with the Interim Woodlands Management Ordinance. If either of the proposed Regional Park and River Parkway components of the project cannot be designed to avoid woodlands on-site, the total acreage and type of the habitat, number of trees (including the species and each trees diameter at breast height) and canopy coverage that will be impacted shall be determined once the final design of the project component at issue is completed and prior to initiation of ground disturbance activities. This information shall be submitted to the County of</p>	<p>Less than significant</p>

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Impact	Mitigation Measure	Residual Impact
	San Benito to determine whether a tree pruning/ removal permit will be necessary. If a permit is necessary for impacts to woodlands, the County and/or implementing entity shall apply for and pay all associated fees for the acquisition of a permit. The fees would be applied to restoration activities that assure no net loss of woodlands habitat value.	
CULTURAL RESOURCES		
<p>Impact CR-1 Construction of the River Parkway and Regional Park components of the proposed project would involve surface excavation, which has the potential to unearth or adversely impact identified archaeological or historic structures. Impacts would be Class II, significant but mitigable.</p>	<p>CR-1(a) Pre-Construction Prehistoric and Archaeological Resources Survey. Prior to the issuance of any grading permit for portions of the River Parkway trail segments which would involve land that has not been previously surveyed for cultural resources the County of San Benito and/or implementing entity shall contract with a qualified archaeologist to perform a Phase I cultural resources assessment. In the event that prehistoric or archaeological cultural resources are identified during the Phase I assessment, the implementing agency shall implement a Phase II subsurface testing program to determine the resource boundaries within the trail corridor/impact area, assess the integrity of the resource, and evaluate the site's significance through a study of its features and artifacts.</p> <p>If the site is determined significant, the County of San Benito and/or implementing entity may choose to cap the resource area using culturally sterile and chemically neutral fill material and shall include open space accommodations and interpretive displays for the site to ensure its protection from development. A qualified archaeologist shall be retained to monitor the placement of fill upon the site and to make open space and interpretive recommendations. If a significant site will not be capped, the results and recommendations of the Phase II study shall determine the need for a Phase III data recovery program designed to record and remove significant prehistoric or archaeological cultural materials that could otherwise be tampered with. If the site is determined insignificant, no capping or further archaeological investigation shall be required, though archaeological monitoring may still be required. The results and recommendations of the Phase II and/or Phase III studies shall determine the need for construction monitoring.</p> <p>CR-1(b) Alteration of Potential Historical Bridges/Structures. Prior to issuing permits for development of trail segments that would result in alteration of existing rail bridges, trestle structures, or other structures greater than 50 years old (at the time development is anticipated to occur), a qualified architectural historian shall inventory and evaluate the</p>	Less than significant

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Impact	Mitigation Measure	Residual Impact
	<p>significance of potentially historical bridges and other structures located along the proposed trail alignment.</p> <p>Preliminary investigations have identified one bridge, the Southside bridge (P-35-00327) within the River Parkway component study area. This bridge has been recommended ineligible for listing in the CRHR and therefore impacts to this resource would not be significant under CEQA. In addition, the Master Plans identified four bridges (Highway 156 Bridge, 4th Street Bridge, Nash Road Bridge, and Union Road Bridge) within the River Parkway component that may be altered as part of the proposed project.</p> <p>If these bridges or any other structures located along the proposed trail alignment are determined to be historical resources, the following shall be conducted prior to any rehabilitation, changes, alterations, or additions:</p> <p>A report shall be prepared by a professional architectural historian and shall be accompanied by requisite sets of large format camera Historic American Engineering Record (HAER) Level II black-and-white 8-by-10 inch archival quality prints taken by a professional photographer. A minimum of twelve views shall be documented (two profiles, two centerline shots, four abutment shots, and four engineering details) and two sets of prints shall be sent to the California State Library in Sacramento. Measured drawings shall be prepared of the structure under the supervision of a qualified architectural historian.</p> <p>After this effort, any proposed rehabilitation, changes, alterations, and additions to historical structures shall comply with the Secretary of the Interior Standards for Rehabilitation. Alterations shall be similar to the surrounding historical landscape and consistent with the character-defining features of the bridge/structure, as determined by procedures implementing the National Historic Preservation Act. Adjacent property owners and local government shall be consulted about the design details of any alterations to existing historical resources. Alterations shall be consistent with applicable local historic preservation policies and guidelines.</p>	
<p>Impact CR-2 Construction of the River Parkway and Regional Park components of the proposed project would involve surface excavation. Project related construction activities have the potential to unearth or impact previously unidentified archaeological resources.</p>	<p>CR-2(a) Archaeological Resource Construction Monitoring. Prior to the commencement of construction activities for each project component, if areas within each project component are identified in the Phase I or Phase II cultural resources assessments completed for the site as sensitive for cultural resources and archaeological monitoring of construction activities</p>	<p>Less than significant</p>

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Impact	Mitigation Measure	Residual Impact
Impacts would be Class II, significant but mitigable.	<p>is recommended, the following procedures shall be followed:</p> <p>An orientation meeting shall be conducted by an archaeologist, general contractor, subcontractor, and construction workers associated with earth disturbing activities. The orientation meeting shall describe the potential of exposing archaeological resources, the types of cultural materials that may be encountered, and directions on the steps that shall be taken if such a find is encountered.</p> <p>A qualified archaeologist shall be present during all initial earth moving activities with the culturally sensitive areas. In the event that unearthed prehistoric or archaeological cultural resources or human remains are encountered during project construction, Mitigation Measure CR-2(b) shall take effect.</p> <p>CR-2(b) Unanticipated Discovery of Cultural Remains. If cultural resource remains are encountered during construction or land modification activities, work shall stop and the County of San Benito and appropriate City or County planning, building department (depending on the jurisdiction in which the discovery occurs) or implementing entity shall be notified at once to assess the nature, extent, and potential significance of any cultural remains. The implementing entity shall implement a Phase II subsurface testing program to determine the resource boundaries within the trail corridor/impact area, assess the integrity of the resource, and evaluate the site's significance through a study of its features and artifacts.</p> <p>If the site is determined significant, the County of San Benito and/or implementing entity may choose to cap the resource area using culturally sterile and chemically neutral fill material and shall include open space accommodations and interpretive displays for the site to ensure its protection from development. A qualified archaeologist shall be retained to monitor the placement of fill upon the site and to make open space and interpretive recommendations. If a significant site will not be capped, the results and recommendations of the Phase II study shall determine the need for a Phase III data recovery program designed to record and remove significant cultural materials that could otherwise be tampered with. If the site is determined insignificant, no capping and or further archaeological investigation shall be required. The results and recommendations of the Phase II study shall determine the need for construction monitoring.</p>	

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Impact	Mitigation Measure	Residual Impact
Impact CR-3 Construction of the proposed project would involve surface excavation. Although unlikely, these activities have the potential to unearth and/or impact paleontological resources. Impacts would be Class II, significant but mitigable.	<p>CR-3 Paleontological Resource Construction Monitoring. Any excavations exceeding three feet in depth at the River Parkway component of the project shall be monitored on a full-time basis by a qualified paleontological monitor. Ground disturbing activity that does not exceed three feet in depth shall not require paleontological monitoring. If no fossils are observed during the first 50 percent of excavations exceeding three feet in depth, paleontological monitoring shall be reduced to weekly spot-checking under the discretion of the qualified paleontologist.</p> <p>If fossils are discovered, the qualified paleontologist (or paleontological monitor) shall recover them. Typically fossils can be safely salvaged quickly by a single paleontologist and not disrupt construction activity. In some cases larger fossils (such as complete skeletons or large mammal fossils) require more extensive excavation and longer salvage periods. In this case the paleontologist shall have the authority to temporarily direct, divert or halt construction activity to ensure that the fossil(s) can be removed in a safe and timely manner. Once salvaged, fossils shall be identified to the lowest possible taxonomic level, prepared to a curation-ready condition and curated in a scientific institution with a permanent paleontological collection, along with all pertinent field notes, photos, data, and maps.</p>	Less than significant
GEOLOGY/SOILS		
Impact GEO-1 Future seismic activity could result in fault rupture along the Calaveras Fault, which underlies the Regional Park Site and Reaches Three, Four, and Five of the River Parkway corridor. Because fault rupture could affect human-occupied structures at the proposed Regional Park, impacts would be Class II, significant but mitigable.	<p>GEO-1 Fault Evaluation and Structural Setbacks. Prior to the issuance of a grading permit for the proposed Regional Park and related Access Road, a detailed fault evaluation shall be completed on-site by a registered civil or geotechnical engineer pursuant to applicable County Code and state law requirements. This evaluation shall include excavation of subsurface sediment through Holocene-age alluvium in an attempt to located Holocene-age fault displacements. A geologic report describing the potential for surface fault displacement throughout the Regional Park Site shall be prepared and reviewed by San Benito County. If fault displacement is identified, all human-occupied structures shall be set back a minimum of 50 feet from the fault break, in conformance with the Alquist-Priolo Earthquake Fault Zoning Act.</p>	Less than significant
Impact GEO-2 Seismically induced ground-shaking could destroy or damage structures in the proposed River Parkway and Regional Park, including bridges and	None required	Less than significant

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Impact	Mitigation Measure	Residual Impact
a community center, resulting in loss of property or risk to human health. All structures would be required to comply with California Building Code standards to address risk from seismic ground-shaking. This would be a Class III, less than significant impact.		
Impact GEO-3 A substantial part of the River Parkway corridor, and a portion of the Regional Park Site, are at risk for seismic-related ground failure. Seismic activity could produce ground-shaking sufficient to cause liquefaction, subsidence, or settlement in these areas. This is a Class II, significant but mitigable impact.	GEO-3 Geotechnical Report. Prior to site development of each reach of the River Parkway, and of the Regional Park (including the Access Road), a site-specific geotechnical report shall be prepared by a registered civil or geotechnical engineer and reviewed by San Benito County. This report shall include confirmation of the extent of any liquefaction, subsidence, and settlement potential of the underlying materials. To the extent determined appropriate by the engineer preparing the report, adequate techniques to minimize the identified hazards shall be prescribed and implemented. Suitable measures to reduce ground-failure impacts could include, but are not limited to, the following: <ul style="list-style-type: none"> • Specialized design of foundations by a structural engineer • Removal or treatment of liquefiable soils to reduce the potential for liquefaction • In-situ densification of soils • Replacement or recompaction of soils, or • Other alterations to the ground characteristics. 	Less than significant
Impact GEO-4 The River Parkway corridor would be vulnerable to unstable soils where the San Benito River has incised slopes, where agricultural fields abut the riverbank and terrace, and where lateral scour has oversteepened the riverbank. Impacts resulting from slope instability in these areas would be Class II, significant but mitigable.	GEO-4 Slope Stability Evaluation. Prior to issuance of grading permits for each reach of the River Parkway, a site-specific evaluation of the stability of riverbanks and adjacent terraces shall be performed by a registered engineering geologist or a registered professional civil or geotechnical engineer. If the potential for slope failure is found to exist, then setbacks or retaining walls, where approved by a registered engineering geologist or registered professional civil or geotechnical engineer, shall be identified and implemented as part of the project. The setback distance or design of the retaining walls shall be determined on a site-specific basis by the results of the landslide evaluation study.	Less than significant
Impact GEO-5 The proposed River Parkway would be vulnerable to erosion from lateral scouring along waterways. Construction and operation of the River Parkway and Regional Park (including the Access Road) also could increase soil erosion due to grading activities and impervious surfaces. However, adherence to the Master Plans' guidelines and local regulations,	Implementation of Mitigation Measure GEO-4.	Less than significant

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Impact	Mitigation Measure	Residual Impact
and completion of site-specific geological surveys would ensure that impacts would be Class II, significant but mitigable.		
Impact GEO-6 The proposed project could result in on- or off-site liquefaction, subsidence, and collapse. Impacts would be Class II, significant but mitigable.	Mitigation Measure GEO-3 requires preparation of a geotechnical study prior to development of each segment. If the segment under study is confirmed to be in an area prone to seismically-induced liquefaction, subsidence, or settlement, then appropriate techniques to minimize hazards shall be prescribed and implemented. Refer to Impact GEO-3 for the complete mitigation measure.	Less than significant
Impact GEO-7 Soils in the River Parkway corridor have a moderate to high potential to expand when wet or contract when dry. Shrinking and swelling of soils could create substantial risks to life or proposed facilities. This is a Class II, significant but mitigable impact.	GEO-7 Soil Expansion Evaluation and Minimization. The site-specific geotechnical report required in Mitigation Measure GEO-3 shall include an evaluation of the potential for soil expansion of the underlying materials. If the segment under study is confirmed as being subject to expansive soil hazards, appropriate techniques to minimize hazards shall be prescribed and implemented. Suitable measures to reduce expansive soil hazards could include, but not be limited to: design of foundations by a structural engineer and/or the replacement of soils beneath the segment.	Less than significant
GREENHOUSE GAS EMISSIONS		
Impact GHG-1 The proposed project would generate greenhouse gas emissions during construction and operation. Construction emissions would primarily be generated by construction equipment, truck trips, grading, and paving. Operational emissions would be generated by vehicle trips by trail and park users, energy use, water use, and solid waste generated at the park use and along the trails. Nevertheless, overall greenhouse gas emissions from the proposed project would not exceed significance thresholds. Impacts would be Class III, less than significant.	None required	Less than significant
Impact GHG-2 The proposed project would be consistent with the Climate Action Team GHG reduction strategies and the 2008 Attorney General Greenhouse Gas Reduction Measures. As a result, the project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions. Impacts would be Class III, less than significant.	None required	Less than significant
HAZARDS AND HAZARDOUS MATERIALS		
Impact HAZ-1 Grading associated with the project's construction could expose construction workers and	HAZ-1(a) Soil Sampling and Remediation. . Prior to issuance of grading permits for each trail segment and the park (including permits for the	Less than significant

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Impact	Mitigation Measure	Residual Impact
passersby to health hazards by releasing contaminants that could be present in the soil. This construction-related hazard is a Class II, significant but mitigable impact.	Access Road), a soil assessment shall be completed for that segment under the supervision of a professional geologist or professional civil engineer to determine the presence or absence of contaminated soil along the proposed trail. If soil sampling indicates the presence of any contaminant in quantities not in compliance with applicable laws or regulations, coordination with San Benito County Environmental Health Services to develop and implement a program to remediate or manage the contaminated soil during construction. Disposal shall occur at an appropriate facility licensed to handle such contaminants and remedial excavation shall proceed under the supervision of an environmental consultant licensed to oversee such remediation. The remediation/disposal program shall be approved by San Benito County Environmental Health Services. All correspondence shall be submitted to San Benito County Environmental Health Services prior to issuance of grading permits. All proper waste handling and disposal procedures shall be followed. Upon completion of the remediation/disposal, a qualified environmental consultant shall prepare a report summarizing the project, the remediation/disposal approach implemented, and the analytical results after completion of the remediation, including all waste disposal or treatment manifests.	
Impact HAZ-2 Roadway accidents that involve hazardous materials could potentially create a public safety hazard by exposing people to contaminants. Due to the transient nature of trail use, and regulations already in place, impacts would be Class III, less than significant.	None required	Less than significant
Impact HAZ-3 The proposed project would not be sited on a location included on a list of hazardous materials sites. Impacts would be Class IV, no impact.	None required	No impact
Impact HAZ-4 The proposed project would utilize chemicals for the proposed pool and turf near a school and residences. These chemicals are typical of residential areas and impacts would be Class III, less	None required	Less than significant

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Impact	Mitigation Measure	Residual Impact
than significant.		
Impact HAZ-5 The proposed project would introduce a recreational use into areas designated as moderate and high wildland fire hazard areas. However, compliance with applicable laws and regulations would ensure Class III, less than significant impacts.	None required	Less than significant
HYDROLOGY AND WATER QUALITY		
Impact H-1 Construction of the proposed project would increase stormwater runoff due to the increase in impervious surface in the project site, which could also degrade water quality. Compliance with federal, state, and local laws and regulations would ensure historic runoff volumes are maintained and water quality standards and waste discharge requirements are met. Impacts related to surface runoff volumes and water quality would be Class III, less than significant.	None required	Less than significant
Impact H-2 According to the 2010 Integrated Report [CWA Section 303(d) List/305(b) Report], the water quality of sections of the San Benito River and Tres Pinos Creek is impaired. E. coli, sediment, and fecal coliform are a few of the pollutants of concern. However, construction and operation of the proposed project would not significantly increase pollutants of concern in these waterways. Potential construction impacts on water quality would be temporary. Impacts associated with the degradation of water quality would be Class III, less than significant.	None required	Less than significant
Impact H-3 Portions of the proposed project would be constructed within the 100-year flood plain and would be subject to periodic inundation during major storm events. Construction of the proposed River Parkway bridge crossings could also alter the flow characteristics of the waterways they would cross, possibly resulting in greater upstream flooding during major flood events. This is a Class II, significant but mitigable impact.	<p>H-3(a) Bridge Design. The plans for proposed trail bridges shall be submitted to the planning and/or building department of the jurisdiction in which the segment is located for review and approval. Bridges shall be designed to ensure that pre-project flood flows are not exceeded, such that upstream flooding does not occur. All bridge design requirements of the reviewing municipality, as well as all other applicable laws and regulations, shall be implemented. These may include, but would not be limited to: structural anchoring, increase in base-flood elevation, and floodproofing techniques, such as the use of paints, membranes or mortars to reduce seepage, reinforcement to resist water pressure, and addition of mass or weight to structure to resist flotation.</p> <p>H-3(b) Trail Inspection Program. Within 10 calendar days following any</p>	Less than significant

Table ES-1
Summary of Significant Environmental Impacts, Mitigation Measures, and Residual Impacts

Impact	Mitigation Measure	Residual Impact
	<p>flooding event, the trail shall be inspected by the County or its designee to determine if damage has occurred or if debris has collected and constricted water flow around the bridges. If damage or debris is found, it shall be promptly repaired or cleared. If repair is required, temporary signage shall be posted to indicate the trail's closure until damage is repaired. Routine bridge inspections shall be conducted by the Trail Manager or its designee on an annual basis.</p> <p>H-3(c) Recreational Structure Location. The recreational structures included in the Regional Park shall not be located within the 100-year floodplain.</p>	
NOISE		
<p>Impact N-1 Construction of the proposed project would create temporary noise level and vibration increases that could exceed applicable noise standards. This is a Class I, significant and unavoidable impact.</p>	<p>N-1(a) Acoustical Shelters. Air compressors and generators used for construction shall be surrounded by temporary acoustical shelters if within 1,500 feet of a sensitive receptor (including residential and institutional land uses).</p> <p>N-1(b) Construction Equipment. Stationary construction equipment that generates noise that exceeds 60 dBA Ldn at the boundaries of adjacent sensitive receptors in the City or 65 dBA Ldn at the boundaries of adjacent sensitive receptors in the County shall be baffled to reduce noise and vibration levels. All construction equipment powered by internal combustion engines shall be properly muffled and maintained. Unnecessary idling of internal combustion engines shall be prohibited. Whenever feasible, electrical power shall be used to run air compressors and similar power tools.</p>	<p>Construction related noise effects would be temporary. In addition, with implementation of the above mitigation measures, noise generated by construction equipment would be limited to daytime hours and would be muffled to the extent practicable. Nevertheless, impacts would remain significant and unavoidable.</p>
<p>Impact N-2 Operational (non-mobile source) use of the proposed trails would create intermittent noise. However, this noise is not expected to result in a measurable increase in ambient noise levels. Impacts would therefore be Class III, less than significant.</p>	<p>None required</p>	<p>Less than significant</p>
<p>Impact N-3 The proposed park would include uses that would create new noise sources near sensitive receptors that could exceed applicable noise standards. Mitigation regarding the design and use of the amphitheater will reduce these impacts to Class II, less than significant with mitigation.</p>	<p>N-3 Amplified Noise Reduction. Prior to issuance of building permits for ball fields or any use that may involve amplified noise, the project proponent shall submit a sound control plan specifying sound level limits, permitted hours of operation, and noise monitoring requirements that ensure compliance with San Benito County noise standards. This plan shall include specifications showing the design of the amplification system, and identified sound barriers, as necessary.</p>	<p>Less than significant</p>

Table ES-1
Summary of Significant Environmental Impacts, Mitigation Measures, and Residual Impacts

Impact	Mitigation Measure	Residual Impact
Impact N-4 The proposed project would incrementally increase traffic in the vicinity of roadways around the park. However, this additional traffic would not increase ambient noise levels above applicable noise standards. This is a Class III, less than significant impact.	None required	Less than significant
PUBLIC SAFETY AND SERVICES		
Impact PS-1 The proposed River Parkway and Regional Park project would not generate the need to construct new or altered police, fire or ambulance service facilities in order to maintain acceptable service ratios, response times or other performance objectives. Impacts to police and fire protection services would be Class III, less than significant.	None required	Less than significant
Impact PS-2 Water use associated with the River Parkway and Regional Park Project would generate a net increase in water demand estimated at 122.02 AFY. The water supply in the area would be adequate to serve the project. Therefore, water supply impacts would be Class III, less than significant.	None required	Less than significant
TRANSPORTATION/TRAFFIC		
Impact T-1 Under the “Existing plus Project” scenario, the proposed Regional Park would add trips to intersections in the vicinity of the site. However, the increase in traffic would not result in the exceedance of LOS standards at any study area intersections. Impacts would be Class III, less than significant.	None required	Less than significant
Impact T-2 The proposed Regional Park would increase demand for pedestrian and bicycle facilities in the vicinity. Physical improvements to such facilities would be needed to ensure the safety of users. Impacts would be Class II, significant but mitigable.	T-2 Bike Lanes. During construction of the Regional Park, the striping on San Benito Street shall be renewed on its existing alignment from Union Road to Nash Road, and Class II bike lane signage and pavement markings shall be provided on San Benito Street from Sally Street to Nash Road.	Less than significant
Impact T-3 The proposed Regional Park Site would include driveways that provide access from the Access Road (Baler Alley). A minimum storage capacity for vehicles on these driveways would be necessary to prevent excessive queuing at entrances otherwise there may be unacceptable peak hour levels of service. Impacts would be Class II, significant but mitigable.	T-3 Minimum Vehicle Storage Length. A minimum of two vehicle storage length (or 50 feet) shall be provided for the northbound driveway approach from the Access Road (Baler Alley) and for the driveway approach from the Westside Boulevard Extension.	Less than significant

Table ES-1
Summary of Significant Environmental Impacts, Mitigation Measures, and Residual Impacts

Impact	Mitigation Measure	Residual Impact
<p>Impact T-4 The proposed River Parkway would generate minimal vehicle traffic primarily during weekends (daylight hours only) that would not significantly impact the surrounding roadways and intersections, exceed County congestion management level of service standards, or impact Congestion Management Plans. Therefore, impacts would be Class III, less than significant.</p>	<p>None required</p>	<p>Less than significant</p>
<p>Impact T-5 Under the "Cumulative Base" and "Cumulative plus Project" scenarios, the proposed Regional Park would add trips to intersections that would be operating at LOS D or worse, including the intersections of Nash Road with Westside Boulevard, West Street, Monterey Street, and San Benito Street. Because right-of-way is not available to institute mitigation at the Nash Road/San Benito Street intersection, impacts would be Class I, significant and unavoidable.</p>	<p>T-5(a) Nash Road/Westside Boulevard Intersection. Prior to the issuance of a grading permit for the proposed Regional Park, the Nash Road/Westside Boulevard intersection shall be converted to an All-Way-Stop-Controlled (AWSC) intersection.</p> <p>T-5(b) Nash Road/West Street Intersection. Prior to the issuance of a grading permit for the proposed Regional Park, Nash Road shall be striped and modified through this intersection to include a two-way-left-turn (TWLT) median-lane. Alternatively, this intersection shall be signalized, with east-west and north-south permissive phasing.</p> <p>T-5(c) Nash Road/Monterey Street Intersection. Prior to the issuance of a grading permit for the proposed Regional Park, Nash Road shall be striped and modified through this intersection to include a two-way-left-turn (TWLT) median-lane. Alternatively, this intersection shall be signalized, with east-west and north-south permissive phasing.</p> <p>T-5(d) Nash Road/San Benito Street Intersection. Prior to the issuance of a grading permit for the proposed Regional Park, a westbound right-turn and a second eastbound through lane shall be added at the intersection of Nash Road and San Benito Street.</p>	<p>With implementation of Mitigation Measure T-5(a), the Nash Road/Westside Boulevard intersection is projected to operate at acceptable LOS "C" or better conditions under the "Cumulative plus Project" scenario. Likewise, implementation of mitigation measure T-5(b) and T-5(c) would improve conditions at the Nash Road/West Street and Nash Road/Monterey Street intersections to LOS "C" or better. At the Nash Road/San Benito Street intersection, the addition of a westbound right-turn lane and a second eastbound through lane at this intersection would hypothetically improve operations during peak hours to LOS "C" or better under all analyzed cumulative scenarios. However, because all quadrants of this intersection are built-out and occupied, the above improvements may require substantial right-of-way acquisition and may not be feasible. Since no feasible improvements are known at this time, the proposed Regional Park would contribute to a significant and unavoidable exceedance of LOS standards under cumulative traffic conditions at the Nash Road/San Benito Street intersection. Therefore, although the proposed River Parkway</p>

Table ES-1
Summary of Significant Environmental Impacts, Mitigation Measures, and Residual Impacts

Impact	Mitigation Measure	Residual Impact
		would facilitate a change in travel modes from driving to bicycling, overall cumulative impacts to traffic would remain significant and unavoidable.

1.0 INTRODUCTION

This document is an Environmental Impact Report (EIR) for the proposed River Parkway and Regional Park Project. The project consists of two components: (1) the approximately 20-mile River Parkway, and (2) a Regional Park located along the River Parkway. Based on the availability of information and as further described below in Section 1.3, *Type of EIR*, for the River Parkway, the analysis of environmental impacts in this EIR is at a programmatic level. For the Regional Park component of the project, the analysis for environmental impacts is at a project level because project-level detail is currently available.

The San Benito County River Parkway is planned to be an approximately 20-mile-long trail corridor in northwestern San Benito County. The River Parkway would extend through unincorporated County land, primarily along the winding San Benito River, and through City of Hollister land near the 4th Street bridge. The guiding vision for the River Parkway is to provide multi-use (hiking/bicycling/equestrian) public trails, open space and parks along an approximately 20-mile corridor of the San Benito River and Tres Pinos Creek.

The location of the proposed approximately 31-acre Regional Park (“Regional Park Site”) would be located between the proposed River Parkway to the south and San Benito High School to the north, and west of San Benito Street. A proposed “Access Road” would be built within the Regional Park Site and would provide access to the Regional Park from the north on Nash Road; in addition, two access points from San Benito Street would allow entry from the east and southeast, respectively. The Regional Park Site is shown in Figure 2-8; see also further discussion below in Section 2.3, *Project Characteristics*.

1.1 PROJECT BACKGROUND

The concept of a River Parkway within San Benito County has been discussed for many years. Within more recent years, County residents expressed desire for trails, including opportunities for walking, hiking, biking and equestrian use during public outreach for the San Benito County Parks and Recreation Facilities Master Plan. One of the recommendations in the Parks and Recreation Facilities Master Plan, adopted in 2010, is that the County should develop a “San Benito River Parkway Master Plan to plan locations and alignments of trails and other parks and recreation facilities proposed for the future San Benito River Parkway.” Trail Planning and Design Guidelines in the Countywide Parks and Recreation Facilities Master Plan further recommended trail development rely on the use of existing public lands and easements, and future acquisition from willing sellers.

In 2011, San Benito County issued a Request for Proposals to prepare a conceptual San Benito River Parkway Master Plan for the entire 20-mile corridor including all five reaches of the River Parkway and a separate conceptual River Parkway Focus Area and Regional Park Master Plan that focused on Reach 3 of the River Parkway and the Regional Park site. For this EIR, these two conceptual Master Plans are collectively referred to as the “Master Plans.” A consultant team, led by SSA Landscape Architects, Inc., was selected to prepare the Master Plans. Both the Master Plans are available for review on the County’s website at: <http://cosb.us/san-benito-river-parkway-master-plan/#.UqENXvRDs9I>, and are herein incorporated by reference. Please note that these Master Plans are conceptual plans intended to guide the future planning and



development of both the entire River Parkway (all five reaches) and Reach 3 which includes the Regional Park. The intended use of the Master Plans is to provide the general setting, opportunities and constraints for the River Parkway and Regional Park site and to provide general guidelines and concepts rather than a detailed alignment and design of the trail corridor and park amenities. Specific project design of the trail corridor and specific park amenities would occur in the future. However, the Master Plans and the analysis in this EIR are intended to provide the general concepts and the anticipated environmental impacts associated with the River Parkway and Regional Park allowing for the planning and future development of the trail corridor and park.

San Benito County prepared a Notice of Preparation (NOP) of an EIR for the proposed River Parkway and Regional Park Project and distributed the NOP for agency and public review on September 25, 2013 for a 30-day review period. The County received one comment letter in response to the NOP, from the California Department of Transportation (Caltrans). The County also conducted a public scoping meeting during the NOP comment period, which took place in Hollister (October 7, 2013). Comments on the scope of the EIR (both written letters and a summary of the verbal comments from the Scoping Meeting) are provided in Appendix A.¹

1.2 PURPOSE AND LEGAL AUTHORITY

In order to implement the proposed project, discretionary approval of the project is required. This renders the project subject to the requirements of the California Environmental Quality Act (CEQA). In accordance with Section 15121 of the *State of California Environmental Quality Act (CEQA) Guidelines*, the purpose of an EIR is to serve as an informational document that:

"...will inform public agency decision-makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project..."

This EIR serves as an informational document for the public and the San Benito County decision makers. The San Benito County Board of Supervisors will review and consider the information in the EIR, along with any other relevant information, in making final decisions regarding the proposed River Parkway and Regional Park Project. The process will culminate with a Board of Supervisors hearing to consider certification of a Final EIR, adoption of a Statement of Overriding Considerations (and other relevant documentation and findings required under CEQA), and also consider approval of the River Parkway and Regional Park project.

¹ The Project Description included in the NOP circulated for the proposed project in 2013 originally stated that the project would include a 52 acre park including an approximately 21-acre parcel that has since been developed for use as a solar power generating facility. Thus, for this EIR, this parcel has been excluded from the project area and will not be analyzed in this EIR. The proposed Regional Park (as further defined in Section 2.0, Project Description), is now proposed to be approximately 31 acres in size rather than 52 acres. Since this change from the NOP's project description reduced the overall project area, and would therefore reduce any potential impacts that were analyzed in the attached IS, the NOP does not need to be revised and recirculated. The Initial Study (contained in Appendix A) has been updated in the EIR to reflect the current proposed project (with an approximately 31 acre park).



1.3 TYPE OF EIR

This document is an Environmental Impact Report (EIR) for the proposed River Parkway and Regional Park Project. The project consists of two components: (1) the approximately 20-mile River Parkway, and (2) a Regional Park located along the River Parkway. Based on the availability of information and as further described below, for the River Parkway, the analysis of environmental impacts in this EIR is at a programmatic level. For the Regional Park component of the project, the 31-acre Regional Park Site will be evaluated on a project level basis for environmental impacts.

The degree of specificity required in this EIR corresponds to the degree of specificity involved in the underlying activity (the proposed River Parkway and Regional Park Project) which is described more fully in Chapter 2.0 (Project Description) of the EIR. The *CEQA Guidelines* provide the standard for the degree of specificity on which this document is based. Section 15146 of the *CEQA Guidelines* states:

- (a) An EIR on a construction project will necessarily be more detailed in the specific effects of the project than will be an EIR on the adoption of a local general plan or comprehensive zoning ordinance because the effects of the construction can be predicted with greater accuracy.*
- (b) An EIR on a project such as the adoption or amendment of a comprehensive zoning ordinance or a local general plan should focus on the secondary effects that can be expected to follow from the adoption or amendment, but the EIR need not be as detailed as an EIR on the specific construction projects that might follow.*

The analysis provided in this EIR is intended to provide sufficient information to understand the environmental impacts of the proposed River Parkway and Regional Park Project and to permit a reasonable choice of alternatives so far as the environmental aspects are concerned and is intended to allow informed decision making and public participation. As discussed in more detail throughout this DEIR, the following table (Table 1-1) provides a general summary where in the EIR the analysis will be programmatic compared to where the analysis will be more project-level based on the availability of information.

Table 1-1 Programmatic and Project Level Analysis in the EIR

Project Component	Impacts Analyzed at a Project-Level	Impacts Analyzed at a Programmatic Level
River Parkway (all 5 Reaches/entire 20-mile corridor)	<p style="text-align: center;"><i>None</i></p> <p>*While some impact analysis in the EIR discusses specific resources or other environmental constraints within individual reaches (1-5), the analysis focuses on the impacts of the entire corridor as a whole since the individual segments/reaches are not defined yet to a level that warrants project level analysis.</p>	<ul style="list-style-type: none"> • <i>Aesthetics</i> • <i>Agricultural Resources</i> • <i>Air Quality</i> • <i>Biological Resources</i> • <i>Cultural Resources</i> • <i>Geology/Soils</i> • <i>Greenhouse Gas Emissions</i> • <i>Hazards and Hazardous Materials</i> • <i>Hydrology and Water Quality</i> • <i>Noise</i> • <i>Public Safety and Services</i> • <i>Transportation/Traffic</i>
Regional Park (31-acre Regional Park Site including the proposed "Access Road")	<ul style="list-style-type: none"> • <i>Aesthetics</i> • <i>Agricultural Resources</i> • <i>Air Quality</i> • <i>Biological Resources</i> • <i>Cultural Resources</i> • <i>Geology/Soils</i> • <i>Greenhouse Gas Emissions</i> • <i>Hazards and Hazardous Materials</i> • <i>Hydrology and Water Quality</i> • <i>Noise</i> • <i>Public Safety and Services</i> • <i>Transportation/Traffic</i> 	<p style="text-align: center;"><i>None</i></p>

1.4 SCOPE AND CONTENT

This EIR addresses the issues determined to be potentially significant by the Initial Study (refer to Appendix A). The analysis is guided by input gathered during the NOP and scoping process, and consultation with San Benito County and City of Hollister staff and other relevant documentation included in the administrative record. The issues that have been identified to be addressed in this EIR include:

- *Aesthetics*
- *Agricultural Resources*
- *Air Quality*
- *Biological Resources*
- *Cultural Resources*
- *Geology/Soils*
- *Greenhouse Gas Emissions*
- *Hazards and Hazardous Materials*
- *Hydrology and Water Quality (including impacts related to drainage systems)*



- *Noise*
- *Public Safety and Services (including impacts related to water supply)*
- *Transportation/Traffic*

Land Use and Planning, Mineral Resources, Population and Housing, Recreation, and Utilities and Service Systems have been scoped out of this EIR as these topics were discussed and determined to have a less than significant impact in the Initial Study that was circulated for this project. See Appendix A for a copy of the NOP and Initial Study.

This EIR addresses the issues referenced above and identifies potentially significant environmental impacts, including individual and cumulative effects, of the project in accordance with the provisions set forth in the *CEQA Guidelines*. In addition, this EIR recommends feasible mitigation measures that would reduce or eliminate significant adverse environmental effects.

EIR preparers consulted pertinent San Benito County policies and guidelines, background documents prepared by the County of San Benito and the City of Hollister, as well as previously certified EIRs within these jurisdictions, as well as other relevant documentation. Documentation is incorporated by reference, as appropriate. In addition, a reference list is contained in Section 7.0 of this EIR.

An alternatives analysis has been completed in accordance with Section 15126(d) of the *CEQA Guidelines*. The analysis can be found in Section 6.0 of this EIR. The alternatives evaluated include the CEQA-required “No Project” Alternative, two alternatives to the River Parkway, and three alternatives to the Regional Park. In accordance with the requirements of CEQA, the EIR also identifies the “Environmentally Superior Alternative” among the alternatives assessed.

1.5 LEAD, RESPONSIBLE AND TRUSTEE AGENCIES

The *CEQA Guidelines* define “lead,” “responsible” and “trustee” agencies. San Benito County is the lead agency for the project because it has the principal agency responsibility for acting on the proposed River Parkway and Regional Park Project.

A “responsible agency” refers to a public agency other than the “lead agency” that has discretionary approval over the project. As some portions of the trail reaches will be located in Hollister, the City of Hollister would be a responsible agency for the proposed project. In addition, if individual segments proposed for implementation encroach onto properties managed by other agencies or otherwise fall within their respective jurisdictions, these agencies may also be responsible agencies for those segments. Possible responsible agencies include, but are not limited to, the California Department of Parks and Recreation, Bureau of Land Management, Caltrans, and/or United States Fish and Wildlife Service.

A “trustee agency” refers to a state agency having jurisdiction by law over natural resources affected by a project. As biological resources may be affected by the proposed project, the California Department of Fish and Wildlife would be a trustee agency.

1.6 ENVIRONMENTAL REVIEW PROCESS

The major steps in the environmental review process, as required under CEQA, are outlined below. The steps are presented in sequential order.

1. **Notice of Preparation (NOP).** After deciding that an EIR is required, the lead agency must file an NOP soliciting input on the EIR scope to the State Clearinghouse, other interested agencies, and parties previously requesting notice in writing (*CEQA Guidelines* Section 15082; Public Resources Code Section 21092). The NOP may be accompanied by an Initial Study that identifies the issue areas for which the proposed project could create significant environmental impacts. An NOP for the proposed project was released on September 25, 2013 for a 30-day review period.
2. **Draft Environmental Impact Report (DEIR) Prepared.** The DEIR must contain: a) table of contents or index; b) summary; c) project description; d) environmental setting; e) discussion of significant impacts (direct, indirect, cumulative, growth-inducing and unavoidable impacts); f) a discussion of alternatives; g) feasible mitigation measures; and, h) discussion of irreversible changes.
3. **Notice of Completion.** A lead agency must file a Notice of Completion with the State Clearinghouse when it completes a Draft EIR and prepare a Public Notice of Availability of a Draft EIR. The lead agency must place the Notice in the County Clerk's office for 30 days (Public Resources Code Section 21092) and send a copy of the Notice to anyone requesting it (*CEQA Guidelines* Section 15087). Additionally, public notice of DEIR availability must be given through at least one of the following procedures: a) publication in a newspaper of general circulation; b) posting on and off the project site; and c) direct mailing to owners and occupants of contiguous properties. The lead agency must solicit input from other agencies and the public, and respond in writing to all comments received (Public Resources Code Sections 21104 and 21253). When a Draft EIR is sent to the State Clearinghouse for review, the public review period must be 45 days unless the Clearinghouse (Public Resources Code Section 21091) approves a shorter period. For purposes of this Draft EIR, there will be a 45-day public comment period.
4. **Final EIR.** A Final EIR (FEIR) must include: a) the Draft EIR; b) copies of comments received during public review; c) list of persons and entities commenting; and, d) responses to comments that raise significant environmental issues.
5. **Certification of FEIR.** Prior to making a decision on a proposed project, the lead agency must certify that: a) the FEIR has been completed in compliance with CEQA; b) the FEIR was presented to the decision-making body of the lead agency; and, c) the decision making body reviewed and considered the information in the FEIR prior to approving a project (*CEQA Guidelines* Section 15090).
6. **Lead Agency Project Decision.** A lead agency may: a) disapprove a project because of its significant environmental effects; b) require changes to a project to reduce or avoid significant environmental effects; or, c) approve a project despite its significant

environmental effects, if the proper findings and a statement of overriding considerations are adopted (*CEQA Guidelines* Sections 15042 and 15043).

7. **Findings/Statement of Overriding Considerations.** For each significant impact of the project identified in the EIR, the lead or responsible agency must find, based on substantial evidence, that either: a) the project has been changed to avoid or substantially reduce the magnitude of the impact; b) changes to the project are within another agency's jurisdiction and such changes have or should be adopted; or c) specific economic, social, or other considerations make the mitigation measures or project alternatives infeasible (*CEQA Guidelines* Section 15091). If an agency approves a project with unavoidable significant environmental effects, it must prepare a written Statement of Overriding Considerations that sets forth the specific social, economic, or other reasons supporting the agency's decision.
8. **Mitigation Monitoring Reporting Program.** When an agency makes findings on significant effects identified in the EIR, it must adopt a reporting or monitoring program for mitigation measures that were adopted or made conditions of project approval to mitigate significant effects.
9. **Notice of Determination.** An agency will file a Notice of Determination after deciding to approve a project for which an EIR is prepared (*CEQA Guidelines* Section 15094). A local agency must file the Notice with the County Clerk. The Notice must be posted for 30 days and sent to anyone previously requesting notice. Posting of the Notice starts a 30-day statute of limitations on CEQA legal challenges [Public Resources Code Section 21167(c)].

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2.0 PROJECT DESCRIPTION

The proposed project is the San Benito County River Parkway and Regional Park Project (collectively, the “project”). The project consists of two components: (1) the approximately 20-mile River Parkway, and (2) an approximately 31-acre Regional Park located along the River Parkway. This section describes the proposed project, including information about the project proponent/lead agency, project location, major characteristics, and a list of discretionary approvals needed to implement the project.

2.1 PROJECT PROPONENT/LEAD AGENCY

San Benito County
Attn: Resource Management Agency
2301 Technology Parkway
Hollister, California 95023

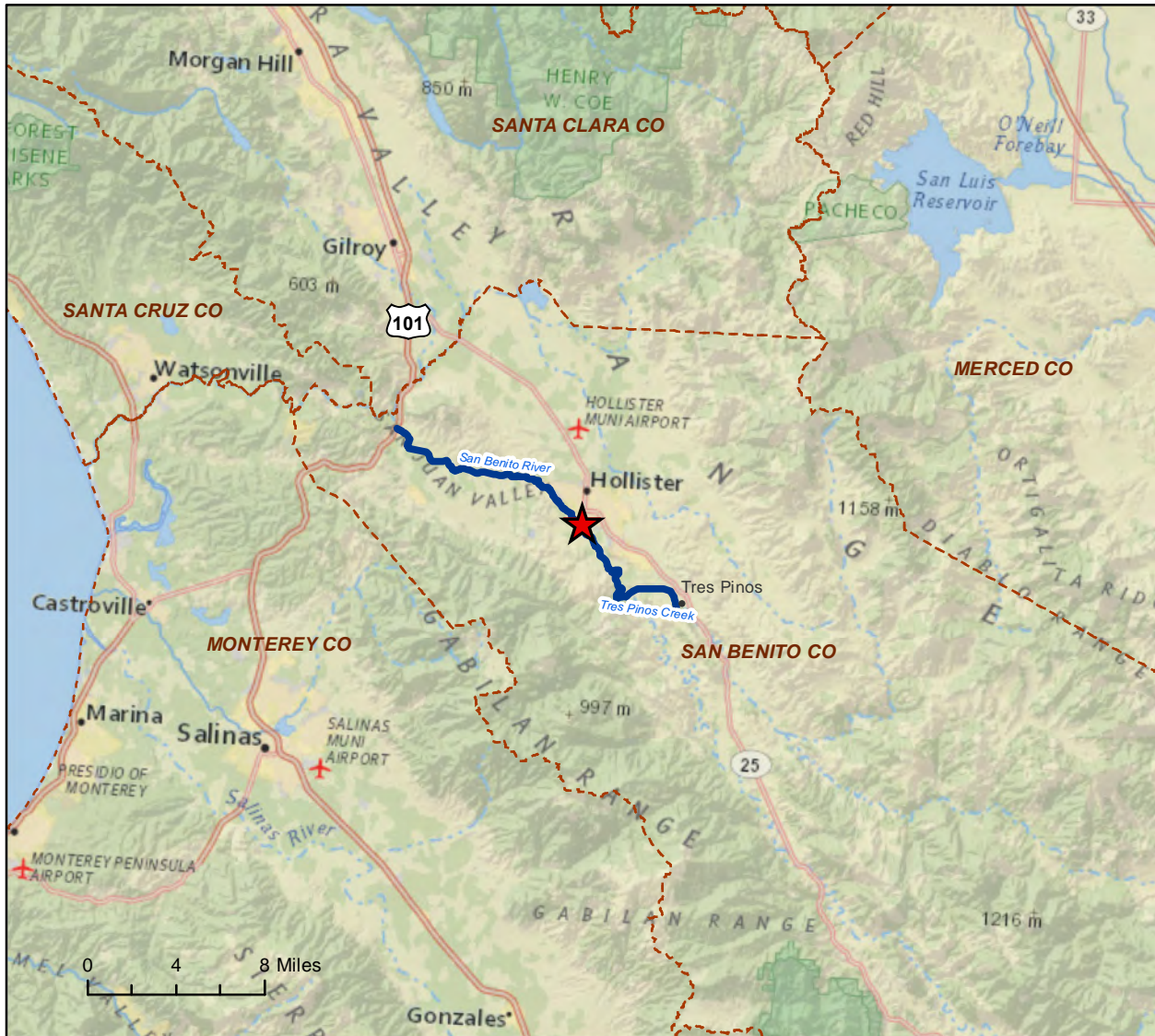
2.2 PROJECT LOCATION

The land upon which the proposed project would be developed (“project site”) is located in San Benito County, California (see Figure 2-1, Regional Location). The following describes both the project site and the surrounding land uses.



As described more fully below, the proposed San Benito County River Parkway would be constructed on an approximately 20-mile-long trail corridor in northwestern San Benito County (“River Parkway”). The River Parkway would extend through unincorporated County land, primarily along the winding San Benito River, and through City of Hollister land near the 4th Street bridge. The River Parkway is separated into five reaches, as shown in Figure 2-2:

- Reach 1 begins at the San Juan Highway, which is located just to the east of Highway 101, and features approximately 3.75 miles of the San Benito River extending upstream (eastward) to Lucy Brown Lane;
- Reach 2 begins at Lucy Brown Lane and extends approximately 4.75 miles upstream to the 4th Street bridge;
- Reach 3 extends along the San Benito River from the 4th Street bridge upstream approximately 3.75 miles to Hospital Road;
- Reach 4 begins at Hospital Road and extends approximately 4.5 miles along the San Benito River and Tres Pinos Creek to the Southside Bridge; and
- Reach 5 extends along Tres Pinos Creek from the Southside Road Bridge for approximately 3.5 miles upstream to the San Benito County Historical Park.

The River Parkway would extend through a variety of landscapes along the San Benito River and Tres Pinos Creek. Reach One, at the western portion of the River Parkway, is adjacent to agricultural uses. Reach Two is adjacent to agricultural, rural residential, and municipal and light industrial uses including the City of Hollister’s Domestic Water Reclamation Facility and sand and gravel mining operations. Reach Three passes alongside residential neighborhoods, the proposed Regional Park Site, and public facilities in the City of Hollister (such as the



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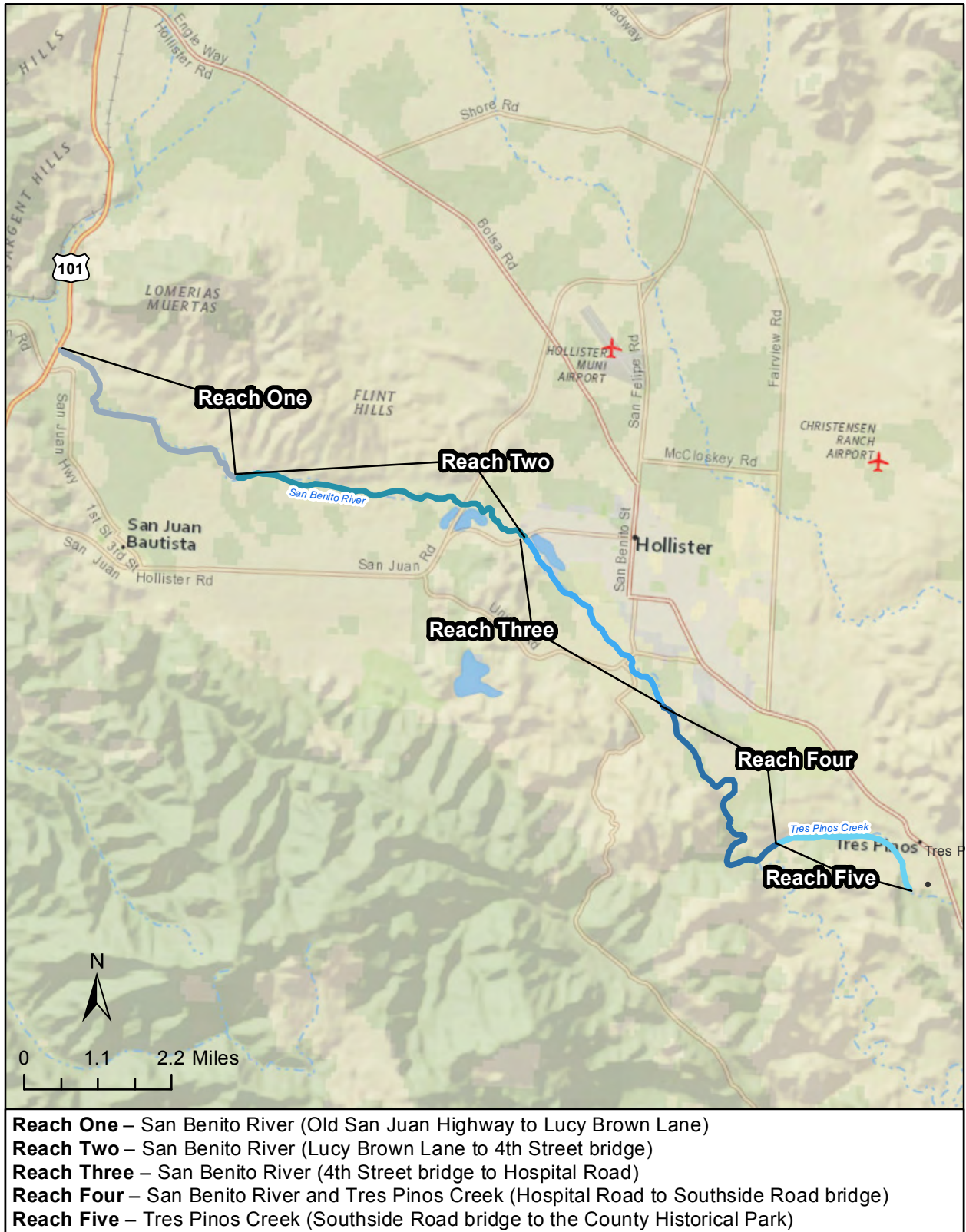
-  Project Location
-  River Parkway Corridor



Regional Location

Figure 2-1





River Parkway Reaches

Figure 2-2

Hollister Industrial Wastewater Treatment Plant) to the north, as well agricultural fields, rural residences, and the Riverside Park to the north. Reach Four is bordered by agricultural fields and rural residences. Reach Five is surrounded by agricultural fields, orchards, rangeland, rural residences, sand and gravel mining operations, and the County Historical Park.

The location of the proposed approximately 31-acre Regional Park (“Regional Park Site”) would be located between the proposed River Parkway to the south and San Benito High School to the north, and west of San Benito Street. A proposed “Access Road” would be built within the Regional Park Site and would provide access to the Regional Park from the north on Nash Road; in addition, two access points from San Benito Street would allow entry from the east and southeast, respectively. The Regional Park Site and vicinity is shown in Figure 2-8; see also further discussion below in Section 2.3, *Project Characteristics*. For the EIR, given the extent to which information is available for this component of the proposed project, the Regional Park will be evaluated on a project level basis for environmental impacts.

The Regional Park Site is bordered by an approximately 21-acre solar power generation facility (with solar panels covering the 21-acre site), rural residential uses and the First Presbyterian Church of Hollister to the east, single family residences to the northwest, undeveloped former agricultural land and the San Benito High School to the north and northwest, the San Benito River corridor to the southwest, and commercial uses to the southeast. Figure 2-8 shows the Regional Park Site and the surrounding land uses.

2.3 PROJECT CHARACTERISTICS

The proposed project includes two related components: the approximately 20-mile River Parkway and the adjacent approximately 31-acre Regional Park. Each component is described below.

2.3.1 River Parkway

The guiding vision for the River Parkway is to provide multi-use (hiking/bicycling/equestrian) public trails, open space and parks along an approximately 20-mile corridor of the San Benito River and Tres Pinos Creek. As discussed under Section 2.2, *Project Location*, the River Parkway would be divided into five reaches. Reach Three would traverse a more urban environment near the southern limits of the City of Hollister, while the remaining reaches would mainly pass through rural and agricultural areas. It is anticipated that full implementation of all five reaches would require a phased approach and therefore certain improvements would be built in each reach over time. Interim trail access may be provided on the River Parkway until full improvements can be funded, designed, and constructed. Primary and secondary staging areas would be established to provide convenient access for trail users.

Potential trail users may include walkers, hikers, joggers, trail runners, birdwatchers, equestrians, mountain bicyclists, road bicyclists, people with disabilities, commuters, and others. Where feasible and in accordance with applicable laws and regulations, a paved trail surface accessible to persons with disabilities would serve as the primary artery of the River Parkway. According to the conceptual draft of the San Benito River Parkway Master Plan and the River Parkway Focus Area and Regional Park Master Plan (hereafter, collectively referred to as the “Master Plans”), a paved trail width of 10 feet is preferred to accommodate multiple uses and users, with eight feet being the minimum width. Paved trails would have an adjacent

unpaved buffer or shoulder. Other preferred surfaces would include crusher fines (composed of compacted, stabilized crushed rock) and unpaved natural surfaces.

The exact alignment of the primary trail in the River Parkway would be defined in each of the reaches as part of the final design process. However, the applicable Master Plan Guidelines (as described further in the Master Plans and below) would be incorporated into the planning process to ensure consistency.

General Corridor/Trail Guidelines and Corridor Settings. The proposed River Parkway would pass through a range of settings, from more urbanized communities to rural agricultural lands. Site conditions also vary, featuring upper river terraces, lower river terraces, broad floodplains, and rolling terrain. Depending on the setting and site conditions, different trail design guidelines are appropriate. The following describes the general guidelines for each of the reach conditions, which are consistent with the applicable provisions in the Master Plans.

- *Upper Geological Terrace: Refers to upper terrace lands along the San Benito River and Tres Pinos Creek which are higher in elevation than lower terraces and floodplain. In these areas, develop primary trail route on upper river terrace lands where feasible. If the paved surface trail is located on lower terrace lands, design trail to withstand periodic flooding and recognize that trail washouts may periodically occur requiring trail repair.*
- *Unstable and Steep River Banks: Areas between the upper terrace and lower terrace. Provide stability setback from unstable and steep river bank slopes. A minimum setback width of 25 feet should be provided as necessary, however, the width of the setback should be based on site specific conditions.*
- *Lower Geologic Terrace: Refers to lower geological terraces which are lower in elevation than the upper terraces and often within the 100-year floodplain. In these areas, avoid or minimize impacts to mature native trees, riparian woodland, and mulefat scrub. Installation of fencing on lower terraces within floodplain should be avoided. No lighting should be installed on lower terraces within floodplain.*
- *Primary Low Flow: Area of flowing river or creek. In this area, do not install fencing within the river floodway/primary low flow channel. Provide vegetated buffer between trail and low flow channel within floodplain.*

Five unique trail corridor settings that would be relevant to the design process for the proposed River Parkway are further addressed in the Master Plans, including:

- *Agricultural/Rural Setting*
- *Urban/Park Setting*
- *Confined Corridor in Urban Setting*
- *Floodplain Setting*
- *Roadway Trail Corridor Setting*

For each setting, several design options are provided, which would be considered as part of the final design process for each reach. Options would include providing a pedestrian/bicycle trail and equestrian trail within the same trail corridor, or separating the trail types. A range of trail widths is also provided for each trail corridor. In general, wider trails are appropriate for urbanized areas and trail segments closer to staging areas which have a higher level of use. Narrower width trails may be appropriate in rural/agricultural and lower terrace/river floodplain

trail corridors which have lower levels of trail use. Trail widths may also vary due to specific site constraints. Table 2-1 provides a summary of the five corridor settings and the various design options associated with each setting. In addition, Figures 2-3 through 2-7 provide a visual representation of the design options for each of the five corridor settings.

Reach One. The westernmost reach of the River Parkway Site travels along extensive riparian woodlands and scrub vegetation, with the base of the Flint Hills to the north and agricultural fields in the San Juan Valley to the south. A specific trail alignment within Reach One would be identified as part of the final design process; and, since land within Reach One is currently in private ownership, then the specific trail alignment would be dependent on negotiations with interested landowners and/or willing sellers. The primary multi-use trail system would be developed on level river terrace lands on the south side of the San Benito River, with alternate routes as needed along existing public roadways such as the San Juan Highway, Highway 156, San Justo Road, and Duncan Lane to provide continuous trail access. A pedestrian/bicycle connection would be provided from the River Parkway to the community of San Juan Bautista to the south and to the Juan Bautista de Anza National Historic Trail. Existing stands of riparian woodland, particularly large mature native trees, would be retained in Reach One.

Reach Two. The second reach features a broad expanse of floodplain, which abuts the rangeland of the Flint Hills to the north and agricultural lands to the south. In the eastern portion of the reach toward the City of Hollister, land uses transition from open grasslands to rural residential properties on the north side of the river. On the south side, land uses transition from agricultural fields and rural residences to municipal and light industrial uses, including the City of Hollister's Domestic Water Reclamation Facility. Much of the land within Reach Two (i.e., from Bixby Lane eastward and continuing along the Domestic Water Reclamation Facility) is presently owned by a company which includes sand and gravel mining operations. Measures would be implemented to prevent off-highway vehicles from accessing the River Parkway corridor.

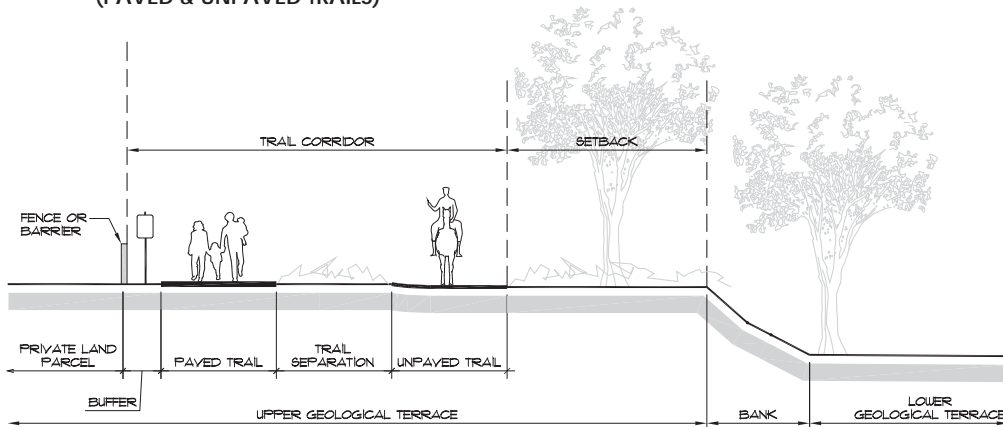
A specific alignment for a multi-use trail within Reach Two would be identified as part of the final design process; and since portions of the land within Reach Two are currently in private ownership and/or held by the City of Hollister, then the specific trail alignment would be dependent on mutually acceptable negotiations with these entities. The primary multi-use trail system would be developed on the level river terrace lands along the south side of the San Benito River, with alternate routes as needed along existing public roadways such as Duncan Lane to provide continuous trail access. Reach Two would include a designated river crossing for pedestrians, bicyclists and equestrians in the vicinity of the 4th Street Bridge to provide a trail connection to Reach Three. Measures would be implemented to prevent off-highway vehicles from accessing the riparian corridor.

**Table 2-1
Trail Corridor Settings**

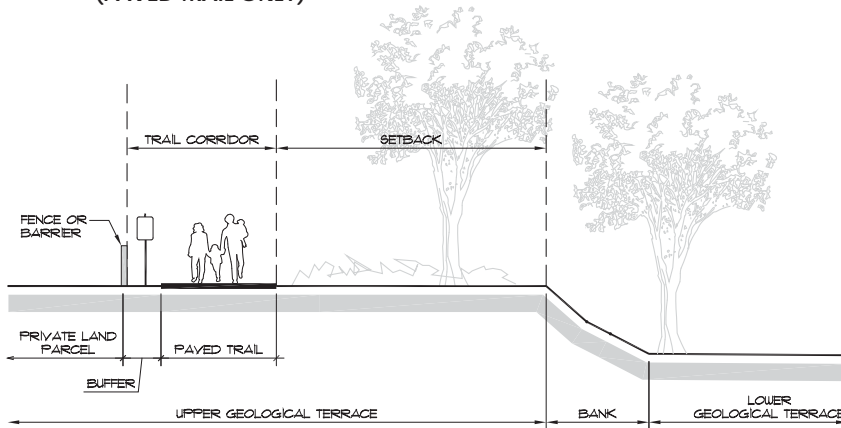
Corridor Setting	A. Agricultural/Rural			B. Urban Park		C. Confined Corridor		D. Floodplain		E. Roadway		
Trail/User Type	Pedestrian, Bike & Separated Equestrian	Pedestrian & Bike	Pedestrian, Mountain Bike & Equestrian	Pedestrian, Bike & Equestrian	Pedestrian & Bike	Pedestrian, Bike & Equestrian	Pedestrian & Bike	Pedestrian, Mountain Bike & Equestrian	Pedestrian, Mountain Bike & Equestrian	Pedestrian, Bike & Equestrian	Pedestrian & Bike	Pedestrian & Separated Bike
Setting ID	A1	A2	A3	B1	B2	C1	C2	D1	D2	E1	E2	E3
Trail Corridor	18'-35'	10'-15'	10'-15'	18'-35'	10'-15'	18'-35'	10'-15'	4'-10'	4'-10'	12'-15'	20'-40'	10'-15'
Paved Trail Width	8'-10'	8'-10'	8'-10'	8'-10'	8'-10'	8'-10'	8'-10'	-	-	8'-10'	8'-10'	8'-10'
Unpaved Trail Width	4'-10'	-	4'-10'	4'-10'	-	4'-10'	-	4'-10'	4'-10'	4'-10'	4'-10'	
Trail Separation	10' or 4' (w/ fence)	-	-	10' or 4' (w/ fence)	-	10' or 4' (w/ fence)	-	-	-	10' or 4' (w/ fence)	10' or 4' (w/ fence)	10' or 4' (w/ fence)
Buffer Width	2'-5'	2'-5'	2'-5'	2'-5'	2'-5'	2'-5'	2'-5'	-	-	2'-5'	2'-5'	2'-5'
Vertical Clearance General	8'	8'	-	8'	8'	8'	8'	12'	12'	8'	8'	8'
Vertical Clearance Equestrian	12'	-	12'	12'	-	12'	-	-	-	12'	12'	-

Source: Figure 3-8, River Parkway Master Plan, San Benito County, June 2013.

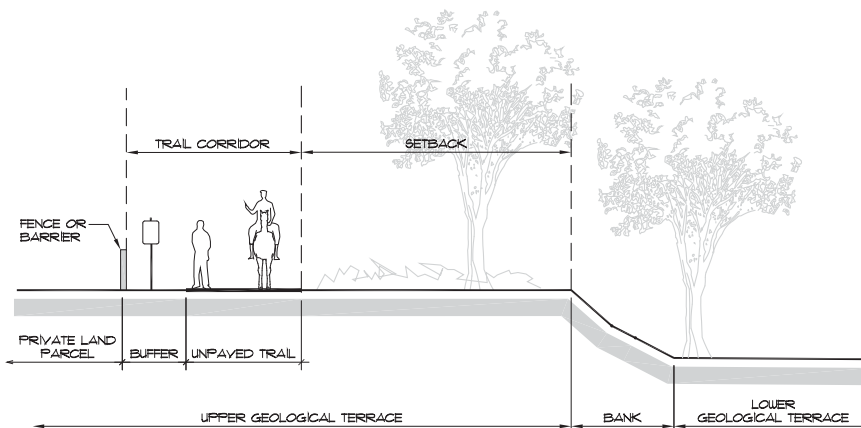
A1 PEDESTRIAN, BICYCLE, & SEPARATED EQUESTRIAN
(PAVED & UNPAVED TRAILS)



A2 PEDESTRIAN & BICYCLE
(PAVED TRAIL ONLY)

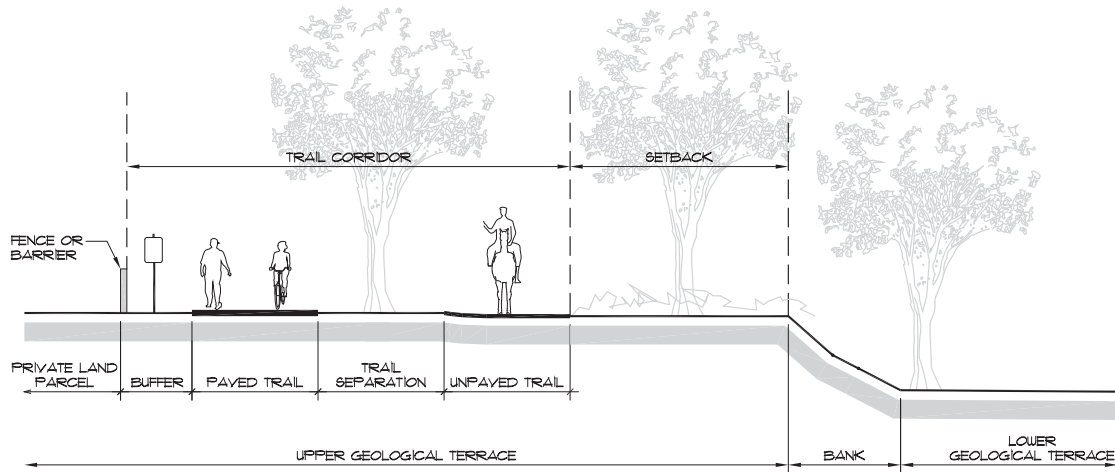


A3 PEDESTRIAN, MOUNTAIN BIKE & EQUESTRIAN
(UNPAVED TRAIL ONLY)

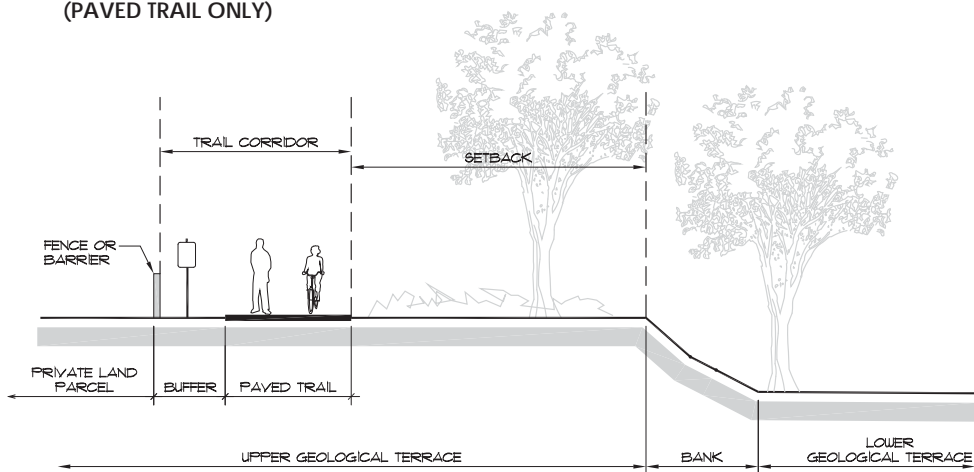


Source: River Parkway Master Plan, San Benito County, June 2013

B1 PEDESTRIAN, BICYCLE & EQUESTRIAN (PAVED & UNPAVED TRAILS)

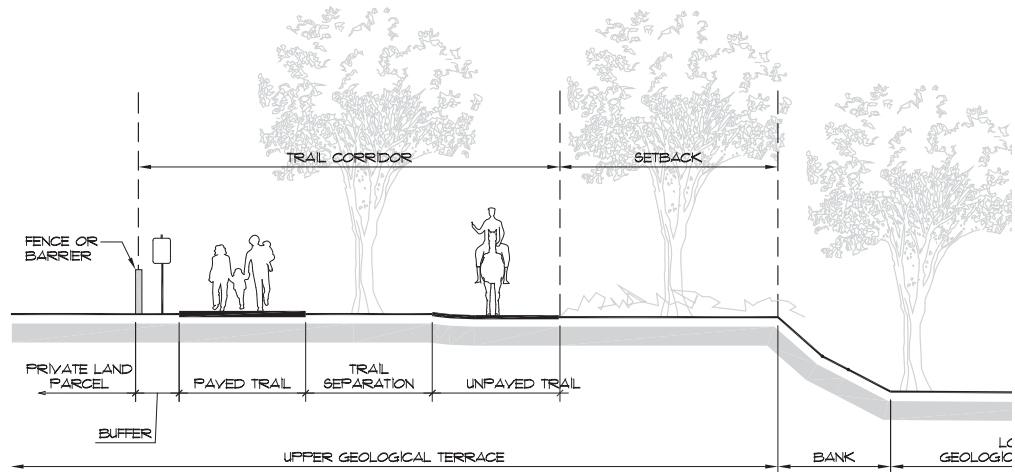


B2 PEDESTRIAN & BICYCLE (PAVED TRAIL ONLY)

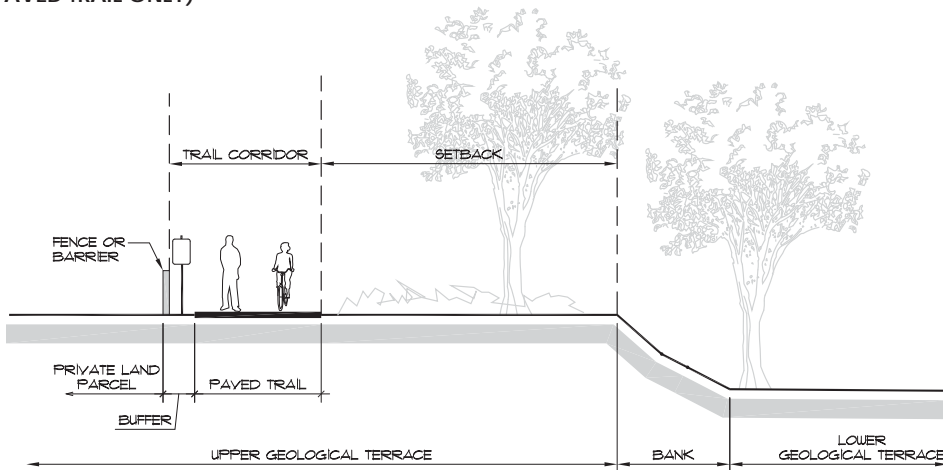


Source: River Parkway Master Plan, San Benito County, June 2013

C1 PEDESTRIAN, BICYCLE & EQUESTRIAN
(PAVED & UNPAVED TRAILS)

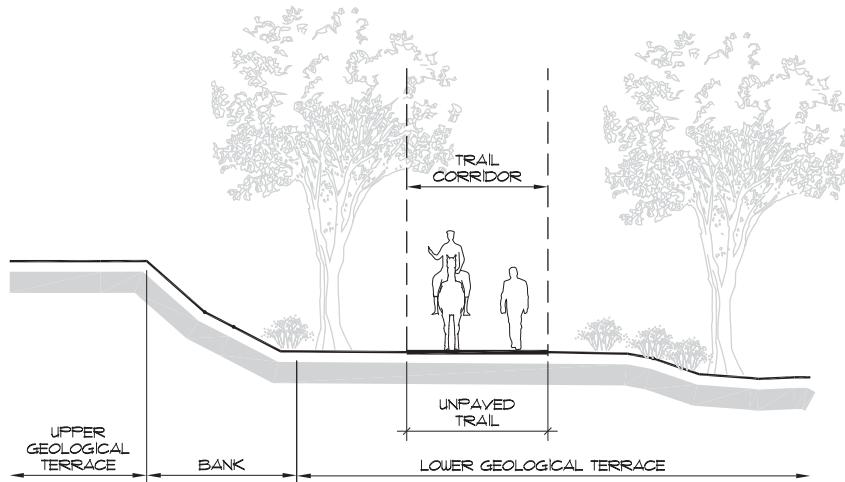


C2 PEDESTRIAN & BICYCLE
(PAVED TRAIL ONLY)

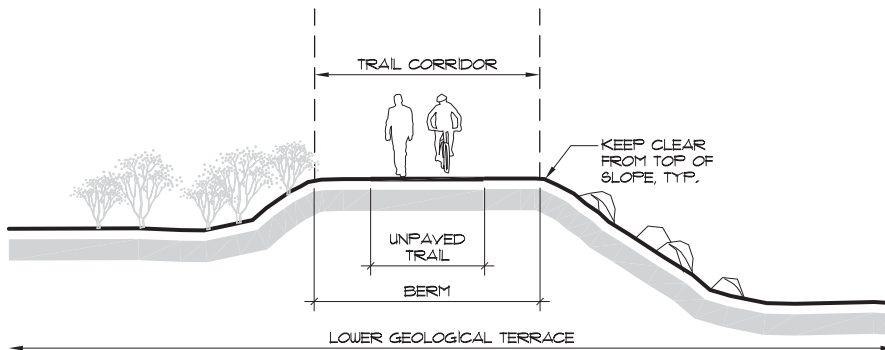


Source: River Parkway Master Plan, San Benito County, June 2013

D1 PEDESTRIAN & EQUESTRIAN (MOUNTAIN BIKE WHERE SUITABLE CONDITIONS)
(UNPAVED TRAIL ONLY)

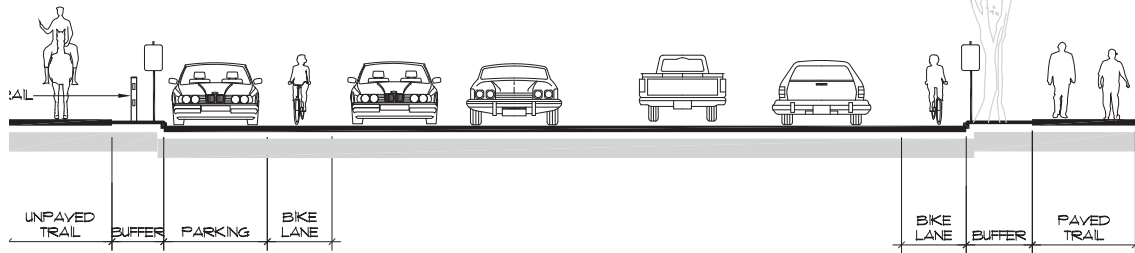


D2 EXISTING BERM
PEDESTRIAN & MOUNTAIN BIKE (EQUESTRIAN WHERE SUITABLE CONDITIONS)
(UNPAVED TRAIL ONLY)

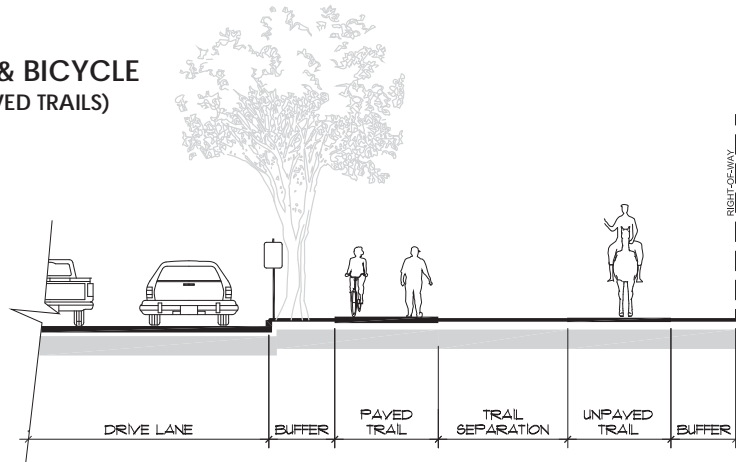


Source: River Parkway Master Plan, San Benito County, June 2013

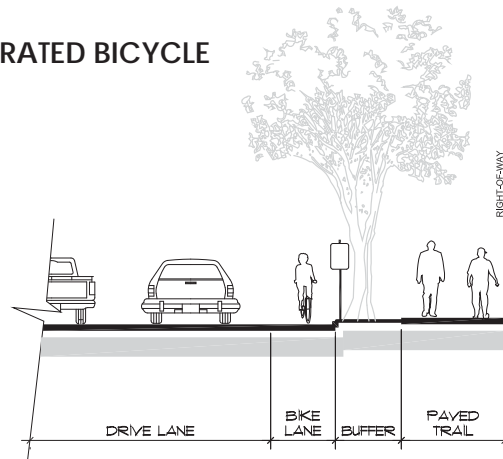
E1 PEDESTRIAN, BICYCLE, & EQUESTRIAN
(PAVED & UNPAVED TRAILS)



E2 PEDESTRIAN & BICYCLE
(PAVED & UNPAVED TRAILS)



E3 PEDESTRIAN & SEPARATED BICYCLE
(PAVED TRAIL ONLY)



Source: River Parkway Master Plan, San Benito County, June 2013

Reach Three. In contrast to other reaches of the River Parkway, Reach Three has a more urbanized setting including residential neighborhoods and public facilities in the City of Hollister to the north. An undeveloped area, proposed for the Regional Park and open space, presently exists within the central portion of Reach Three, adjacent to San Benito High School. Across the river from Hollister city limits, the setting features agricultural fields, rural residences, and an unnamed park commonly known as “Riverside Park.” Between Union Road and Hospital Road, both sides of the river feature primarily agricultural fields. While much of the river corridor within Reach Three is in private ownership, some of the land is owned by public agencies. These lands include Riverside Park, the City of Hollister Industrial Wastewater Treatment Plant, school district lands, and river crossing rights-of-way. A substantial area within Reach Three is owned by mining companies, much of which has been previously mined for sand and gravel. Active mining operations also are present within Reach Three.

The primary multi-use trail system would be developed on level river terrace lands along the north side of the San Benito River, with alternate routes as needed along existing public roadways such as Apricot Lane and Westside Boulevard to provide continuous trail access. Reach Three also would include a new pedestrian/bicycle bridge crossing of the San Benito River connecting Riverside Park to the City of Hollister Industrial Wastewater Treatment Plant, as well as a direct pedestrian/bicycle connection from the multi-use trail to the proposed Regional Park. This connection may require crossing a future Westside Boulevard extension. Measures would be implemented to prevent off-highway vehicles from accessing the river corridor¹.

Reach Four. Reach Four travels along the San Benito River to its confluence with Tres Pinos Creek and then follows the latter waterway upstream to the northeast. This reach features a broad floodplain and is bordered by agricultural fields and rural residences in unincorporated San Benito County. The lands within Reach Four are privately owned, with the exception of the rights-of-way for the Hospital Road and Southside Road crossings. The primary trail system would be developed along the northeastern side of the San Benito River corridor, with pedestrian/bicycle access across Tres Pinos Creek at the Southside Bridge crossing. If a trail route is not feasible along some segments of the San Benito River and Tres Pinos Creek within this reach, the primary route may follow along the Southside Road corridor. Future opportunities also would be explored to provide a trail connection from the River Parkway to the Hollister Hills State Vehicular Recreation Area (SVRA) trail system.

Reach Five. The creek corridor in Reach Five is bordered by rural landscapes including rolling hills and terrace lands to the north, and level terrace lands and hillsides to the south. Land uses along Reach Five include agricultural fields, orchards, rangeland, rural residences, active sand and gravel mining operations, and the County Historical Park. The mining

¹ Please note that the potential temporary closure of Nash Road from West Street to Monterey Street (Nash Road Closure) is not a part of the proposed project. However, the potential closure of this segment and how the closure may impact the operations of the proposed project are discussed in the Traffic Impact Study (see Appendix E). The trail would be almost 0.75 miles from the possible Nash Road Closure and would similarly not be impacted by the Access Road (off of Nash Road running through the park site). The Westside Boulevard Extension is a separate project and is not a component of the proposed project (and thus not covered or analyzed within this EIR. Rather the Westside Boulevard Extension is mentioned here (and in the Master Plans) as it is a possible constraint to consider for both the River Parkway and the Regional Park since it could provide an additional access roadway into the Regional Park site and to the River Parkway (along Reach 3) and would be located directly adjacent to the River Parkway and Regional Park site.



operation company also owns approximately 2 miles of the 3.5-mile creek corridor within this reach. The creek corridor in the southernmost end of the reach is publicly owned as part of the County Historical Park. The primary trail system would be developed along either the north or south side of Tres Pinos Creek from the Southside Road Bridge to the at-grade creek crossing, and along the northeast side of Tres Pinos Creek between the Southside Road at-grade crossing and the San Benito County Historical Park. Public roadways to be considered for access improvements include Southside Road and Bolado Road. A trail route connection would be provided between the River Parkway and the historic community of Tres Pinos.

2.3.2 Regional Park

The proposed Regional Park is intended to have a casual, yet sophisticated, feel with a formal layout at its core and a more natural, curvilinear layout closer to its perimeter. The landscape would be intended to create a native looking environment suited to San Benito County with oaks and sycamore trees. Ornamental plantings would be kept to a minimum and would be located around high profile areas such as entries. The Regional Park is intended to be a diversified regional park that supports opportunities for active and passive recreation and conserves and enhances significant environmental or historical resources and features. The Regional Park would include various components which may include such features as asphalt basketball or multi-use courts, sand and/or turf areas for volleyball courts, ball fields or other sports activities, a swimming pool, playground(s), buildings / structures for community center activities such as gathering rooms or small classrooms, restrooms or administrative offices, garden areas, picnic areas, and surface parking lots. The Regional Park would be a total of approximately 31 acres in size.

Access. As shown on Figure 2-8, the proposed Regional Park would include entries from San Benito Street to the northeast at Baler Alley, and from San Benito Street to the southeast. In addition, as shown on Figure 2-9, the proposed Regional Park would include construction and operation of a proposed “Access Road” which would be a new road that would extend for approximately 0.6 mile from Nash Road, west of San Benito High School and connect to San Benito Street. This would be the primary entry into the Regional Park. The eastern reach of the new roadway would align with the existing Baler Alley (near the north part of the central hub) thus providing circulation through to San Benito Street. Vehicles would be able to access the Regional Park from Nash Road to the north. The proposed Access Road would likely be a two- or three-lane roadway, with provisions for pedestrians and bikes, and use existing Baler Alley, suitably modified, to connect with San Benito Street to the east. In addition, the proposed Access Road would provide an alternative route to travel around San Benito High School if the segment of Nash Road from West Street to Monterey Street (which currently bisects the high school campus) were to be closed for safety reasons associated with pedestrians/students crossing the street. Please note that the potential temporary closure of Nash Road from West Street to Monterey Street is not a part of the proposed project. However, the potential closure of this segment and how the closure may impact the operations of the proposed project are discussed in individual impact discussions (specifically see Section 4.10, *Noise*, and Section 4.12, *Traffic and Transportation*).

A possible future connection via the Westside Boulevard Extension could provide long-term access to the Regional Park site from the northwest. However, this potential future connection



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Regional Park Site Boundary
and Surrounding Land Uses

Figure 2-8
San Benito County



Source: County of San Benito Resource Management Agency, 2012

Proposed Access Road

Figure 2-9

San Benito County

is not a part of the proposed project and environmental impacts associated with that potential future connection are not evaluated as part of the project in this EIR. The proposed Westside Boulevard Extension would connect through the site to San Benito Street (at the proposed point of access at the southeast portion of the site as described above). It should be noted that while this access point could be available in the future, the Westside Boulevard Extension is not anticipated to be developed for approximately 15 years. Thus, this EIR does not assume this extension/access point to be available at the time of construction of the Regional Park. For the purposes of this EIR, the two access points from San Benito Street and the proposed Access Road are considered a part of the proposed project. However, the possibility that the Westside Boulevard Extension could be constructed during the life of the proposed project (and thus provide an additional access point to the Regional Park) is considered and discussed within this EIR as part of the cumulative analysis (specifically as discussed in Section 4.12, *Traffic and Transportation*), as determined appropriate.

In addition to the two proposed access points on San Benito Street and the access from the north via the proposed Access Road, pedestrian connections would also be provided to San Benito High School to the north.

2.4 GENERAL PROJECT GOALS

The Master Plans state that the trail's vision is to provide recreation and a broad range of benefits including economic, health and fitness, educational, environmental, and cultural/historic benefits. The following general goals for the Master Plans are organized under these general categories.

- *Recreation*
 - *Provide a continuous multi-use trail for as much of the corridor length as feasible.*
 - *Provide a variety of trails, spaces, and experiences for all types of users. Provide ADA compliant and universally accessible trail opportunities that encourage use by all ages and abilities.*
 - *Include playful and fun concepts into the River Parkway.*
 - *Where conditions and space allow, create separate equestrian/hiking and bike trails.*
 - *Provide access to the river corridor where compatible with environmental and safety considerations.*
 - *Provide convenient staging areas, including staging areas for equestrians.*
 - *Provide clear access points along the River Parkway, with bilingual signage (English and Spanish).*
 - *Ensure trails provide access points and routes for emergency response.*
- *Economic*
 - *Develop themes along reaches of the River Parkway which reflect the character of the surrounding area.*
 - *Promote community awareness to preserve and enhance the ecological, scenic and recreational resources of the River Parkway.*
 - *Promote economic opportunities which will benefit the community and the River Parkway.*
 - *Promote tourism through the River Parkway, including providing special events.*
 - *Ensure the Parkway and trail access is compatible with adjacent agricultural operations and fields*

- *Health and Fitness*
 - *Promote a healthy lifestyle through the River Parkway.*
 - *Provide options for users of all abilities and ages to encourage walking or biking instead of driving.*
 - *Provide spur trails that promote connectivity with the adjacent communities, including neighborhoods, schools, business centers, local, state, and national parks, etc.*
 - *Provide outdoor opportunities for youth as a therapeutic aspect.*
 - *Coordinate trail access with school athletic programs, such as cross-country running.*
- *Educational*
 - *Provide educational components for all users, ages and abilities.*
 - *Showcase positive features and attributes of the region.*
 - *Feature hydrologic, geologic, ecological, and historic/cultural interpretive themes.*
 - *Include various educational components such as interpretive displays, interactive electronic applications, and volunteer docents.*
 - *Coordinate educational programs with schools and community organizations.*
- *Environmental*
 - *Promote conservation of natural resources and habitat enhancement.*
 - *Encourage environmental stewardship.*
 - *Coordinate with the water district to increase summer flow.*
 - *Use sustainable trail building techniques.*
 - *Use native and non-invasive planting along the Parkway, which minimizes water use and maintenance needs.*
 - *Trail amenities should use natural materials and complement the natural surroundings.*
- *Cultural/Historic*
 - *Provide opportunities to share the region's cultural/historic heritage along the River Parkway.*
 - *Include opportunities to learn about the Native American heritage.*
 - *Connectivity to County Historical Park and the Juan Bautista de Anza National Historic Trail.*

The project goals/ objectives for the proposed Regional Park include the following:

- *Provide a quality, diversified regional park that supports opportunities for active and passive recreation and conserves and enhances significant environmental or historical resources and features.*
- *Incorporate features and amenities into the park that fit the local context, contribute to environmental sustainability, and are accessible, safe, and easy to maintain for the long term.*
- *Promote, coordinate, facilitate, or provide recreation programs at the park that serve regional needs, support community livability, connect the community with the park, and encourage greater recreation participation in areas not served in the area.*



2.5 REQUIRED APPROVALS and PERMITS

The proposed project requires the certification of an EIR and adoption of the Master Plans by San Benito County prior to the initiation of the project.

In addition, the following discretionary approvals from other agencies may be required in connection with the project:

- *U.S. Army Corps of Engineers Section 404 Clean Water Act Permit(s);*
- *U.S. Fish and Wildlife Service Federal Endangered Species Act authorization or incidental take statement for take of federally listed species;*
- *California Department of Fish and Wildlife Section 1600 California Fish and Game Code Permit(s) (Streambed Alteration Agreement) ; and/or*
- *California Department of Fish and Wildlife authorization or permit to take State-listed species subject to the California Endangered Species Act.*

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3.0 ENVIRONMENTAL SETTING

This section provides a general overview of the environmental setting for the project. More detailed descriptions of the environmental setting for each environmental issue area can be found in Section 4.0, *Environmental Impact Analysis*.

3.1 REGIONAL SETTING

Both components of the proposed project are located in San Benito County, California. San Benito County is located in the Coast Range mountains, south of San Jose and west of the Central Valley. The county is surrounded by Santa Cruz and Monterey Counties to the west, Santa Clara County to the north, and Merced and Fresno Counties to the east and south. The county is served by State Route 25, which runs north/south through the middle of the county, State Highways 152 and 156, which run east/west through the northern portion of the county, and U.S. Highway 101, which runs north/south through the northwest corner of the county. U.S. Highway 101 provides a major connection between the San Francisco Bay Area and the coastal communities within the Monterey Peninsula. San Benito County occupies over 890,000 acres or 1,391 square miles, of which approximately 882,675 acres or 99.5 percent of all the land is unincorporated (San Benito County General Plan EIR, February 2013).

The climate of the region varies by season, with rainfall concentrated in the winter months. Summer conditions in San Benito County are typically characterized by warm temperatures and low humidity, with temperatures averaging in the low 80s°F during the day and in the 50s°F at night. During the summer months, the prevailing winds are typically from the south and/or west. Winter conditions are characterized by occasional rainstorms interspersed with stagnant and sometimes foggy weather. The daytime average temperature is in the low 60s°F and nighttime temperatures average in the upper 40s°F. During winter, winds predominate from the south, but north winds frequently occur. Rainfall occurs mainly from late October to early May, with an average of approximately 13 inches per year. This amount can vary significantly from year to year.

3.2 PROJECT SITE SETTING

The River Parkway is approximately 20-miles-long in northwestern San Benito County. The River Parkway would extend through unincorporated County land, primarily along the winding San Benito River, and through City of Hollister land near the 4th Street Bridge. Each of the five reaches is described below:

- Reach 1 begins at the San Juan Highway, which is located just to the east of Highway 101, and features approximately 3.75 miles of the San Benito River extending upstream (eastward) to Lucy Brown Lane;
- Reach 2 begins at Lucy Brown Lane and extends approximately 4.75 miles upstream to the 4th Street bridge;
- Reach 3 extends along the San Benito River from the 4th Street bridge upstream approximately 3.75 miles to Hospital Road;

- Reach 4 begins at Hospital Road and extends approximately 4.5 miles along the San Benito River and Tres Pinos Creek to the Southside Bridge; and
- Reach 5 extends along Tres Pinos Creek from the Southside Road Bridge 3.5 miles upstream to the San Benito County Historical Park.

The River Parkway would extend through a variety of landscapes and would be adjacent to a variety of land uses along the San Benito River and Tres Pinos Creek. The topography of this corridor is generally flat, sloping gradually upward from approximately 140 feet above mean sea level (msl) near Highway 101 to 440 feet above msl near Tres Pinos. Within the River Parkway corridor, the current landscape consists of active channels of the San Benito River and Tres Pinos Creek, with adjacent floodplains and uplifted terraces from geologic activity. The San Benito River functions as a seasonal waterway and its riverbed is dry for much of the year. Reach One, at the western portion of the River Parkway, is adjacent to agricultural uses. Reach Two is adjacent to agricultural, rural residential, and municipal and light industrial uses including the City of Hollister's Domestic Water Reclamation Facility and sand and gravel mining operations. Reach Three passes alongside residential neighborhoods, the proposed Regional Park Site, and public facilities in the City of Hollister to the north, as well agricultural fields, rural residences, and Riverside Park to the north. Reach Four is bordered by agricultural fields and rural residences, while Reach Five is surrounded by agricultural fields, orchards, rangeland, rural residences, sand and gravel mining operations, and the County Historical Park.

The location of the proposed approximately 31-acre Regional Park ("Regional Park Site") would be located between the proposed River Parkway to the south and San Benito High School to the north, and west of San Benito Street. A proposed "Access Road" would be built within the Regional Park Site and would provide access to the Regional Park from the north on Nash Road; in addition, two access points from San Benito Street would allow entry from the east and southeast, respectively. The Regional Park Site is bordered by a solar power generation facility (with solar panels across the site¹), rural residential uses and the First Presbyterian Church of Hollister to the east, single family residences to the northwest, undeveloped former agricultural land and the San Benito High School to the north and northwest, the San Benito River corridor to the southwest, and commercial uses to the southeast.

3.3 CUMULATIVE PROJECTS SETTING

In addition to the specific impacts of individual projects, CEQA requires an EIR to consider potential cumulative impacts. CEQA defines "cumulative impacts" as two or more individual impacts that, when considered together, are considerable or will compound other environmental impacts. Cumulative impacts are the changes in the environment that result from the incremental impact of development of the proposed project and other nearby projects.

¹ The Project Description included in the NOP circulated for the proposed project in 2013 originally stated that the project would include a 52 acre park including this approximately 21-acre parcel that has since been developed for use as a solar power generating facility. Thus, for this EIR, this parcel has been excluded from the project area and will not be analyzed in this EIR. The proposed Regional Park (as further defined in Section 2.0, Project Description), is now proposed to be approximately 31 acres in size rather than 52 acres. Since this change from the NOP's project description reduced the overall project area, and would therefore reduce any potential impacts that were analyzed in the attached IS, the NOP does not need to be revised and recirculated. The Initial Study (contained in Appendix A) has been updated in the EIR to reflect the current proposed project (with an approximately 31 acre park).

For example, traffic impacts of two nearby projects may be insignificant when analyzed separately, but could have a significant impact when analyzed together. Cumulative impact analysis allows the EIR to provide a reasonable forecast of future environmental conditions and can more accurately gauge the effects of a series of projects.

Due to the long-term and multi-phased characteristics of the proposed project, for most of the environmental topic areas, this EIR examines cumulative impacts based on a summary of projections in accordance with the long-range general plan buildout of San Benito County and the City of Hollister, which are consistent with the Association of Monterey Bay Area Governments (AMBAG) Monterey Bay Area 2014 Regional Forecast (AMBAG Regional Forecast) through the year 2035. Full buildout of both the City of Hollister and San Benito County General Plans would include currently planned and pending projects in unincorporated San Benito County and the surrounding areas (including the City of Hollister). The development potential associated with General Plan buildout is considered in the cumulative analyses in Section 4.0, *Environmental Impact Analysis*. Table 3-1 summarizes the potential General Plan buildout of the City of Hollister and San Benito County consistent with the AMBAG Growth Forecast. The potential buildout through the year 2035 in unincorporated San Benito County and the City of Hollister would result in a population increase of approximately 25,833, approximately 7,071 new housing units, and approximately 3,241 new employment opportunities.

Table 3-1
Approximate Cumulative Development associated with
General Plan Buildout for Unincorporated San Benito County
and City of Hollister

Data		2010 Total	2035 Total	Net New
Population	Unincorporated San Benito County	18,479	33,843	15,364
	City of Hollister	34,928	45,397	10,469
	Total	53,407	79,240	25,833
Housing Units	Unincorporated San Benito County	6,724	11,576	4,852
	City of Hollister	10,401	12,620	2,219
	Total	17,125	24,196	7,071
Employment	Unincorporated San Benito County	5,292	5,999	707
	City of Hollister	10,497	13,031	2,534
	Total	15,789	19,030	3,241

Source: AMBAG, Monterey Bay Area 2014 Regional Forecast, 2014.

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4.0 ENVIRONMENTAL IMPACT ANALYSIS

This section discusses the potential environmental effects of the proposed project for the specific environmental issue areas that were identified through the Initial Study process (or otherwise determined to be appropriate to include in this analysis) as having the potential to experience significant impacts.

“Significant effect” is defined by the *State CEQA Guidelines* §15382 as:

“a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment, but may be considered in determining whether the physical change is significant.”

The assessment of each issue area begins with the setting and is followed by the impact analysis. Within the impact analysis, the first subsection identifies the methodologies used and the “significance thresholds,” which are those criteria adopted by San Benito County (as the CEQA Lead Agency) or other public agencies, as determined appropriate. Other thresholds are generally recognized or have been developed specifically for this analysis. The next subsection describes each impact of the proposed project, feasible mitigation measures for significant impacts, and the level of significance after mitigation. Each effect under consideration for an issue area is separately listed in bold text, with the discussion of the effect and its significance following. Each bolded impact listing also contains a statement of the significance determination for the environmental impact as follows:

Significant and Unavoidable: *An impact that cannot be reduced to below the significance threshold level with implementation of reasonably available and feasible mitigation measures. Such an impact requires a Statement of Overriding Considerations to be issued if the project is approved per §15093 of the State CEQA Guidelines.*

Significant but Mitigable: *An impact that can be reduced to below the significance threshold level with implementation of reasonably available and feasible mitigation measures. Such an impact requires findings to be made under §15091 of the State CEQA Guidelines.*

Less than Significant: *An impact that may be adverse, but does not exceed the significance threshold levels and does not require mitigation measures. However, mitigation measures that could further lessen the environmental effect may be suggested if readily available and easily achievable.*

No Impact: *No impact would occur.*

Beneficial Impact: *The project would result in a beneficial impact on the environment.*

Following each environmental effect discussion is a listing of feasible mitigation measures (if required) and the residual effects or level of significance remaining after the implementation of the measures. In those cases where the mitigation measure for an impact could have a significant environmental impact in another issue area, this impact is discussed as a residual effect. The impact analysis concludes with a discussion of cumulative effects, which evaluates

the impacts associated with the proposed project in conjunction with other past, present and probable future development in the area.

4.1 AESTHETICS

4.1.1 Setting

a. Overall Visual Character of River Parkway Corridor. The proposed River Parkway corridor follows an approximately 20-mile course along the San Benito River and its primary tributary, Tres Pinos Creek, in northwestern San Benito County. The topography of this corridor is generally flat, sloping gradually upward from approximately 130 feet above mean sea level (msl) near Highway 101 to approximately 500 feet above msl near Tres Pinos. Within the River Parkway corridor, the existing landscape consists of active channels of the San Benito River and Tres Pinos Creek, with adjacent floodplains and uplifted terraces from geologic activity. The San Benito River functions as a seasonal waterway and its riverbed is dry for much of the year.

The River Parkway corridor affords views of landscapes that are representative of San Benito County as a whole. According to the San Benito County General Plan Background Report, agricultural land and rangeland account for approximately 75 percent of all land in San Benito County and serve as scenic resources (San Benito County, 2010). Consistent with the County's rural character, undeveloped rangelands, large agricultural fields and croplands, natural ridgelines, and annual grasslands are visible from the majority of the River Parkway (San Benito County, 2010). In the San Juan Valley, the corridor affords views of agricultural uses on river terraces in the foreground (as shown in Figure 4.1-1) and rangeland on the Flint Hills to the north.

The River Parkway corridor also provides views of natural open space, both along the San Benito River and Tres Pinos Creek (as shown in Figure 4.1-2) and of the Hollister Hills and Gabilan Mountains to the south and the foothills of the Diablo Mountains to the east. Both mountain ranges provide high scenic value (San Benito County, 2010). Urban areas in San Benito County are concentrated around Hollister, the southern extent of which is visible from the central reach of the River Parkway. Figure 4.1-3 shows representative views of relatively urbanized areas of the River Parkway.

The specific visual character of each reach of the River Parkway is discussed below.

Reach One. The western leg of the River Parkway corridor follows the base of the Flint Hills to the north, which feature agricultural rangeland on rolling hills. Although the terrain on the north side of the San Benito River is relatively gentle, farther to the east the slopes steepen closer to the river. Several intermittent drainages, creating ravines on the hillsides, flow into the river from the Flint Hills.

On the south side of the San Benito River, the terrain of the valley is relatively level in comparison to the Flint Hills. The landscape along the south side features lower and old river terraces. The lower terraces lie closer to the active river channel and feature fertile agricultural fields. In both the Flint Hills to the north and the lower river terraces to the south, the setting of Reach One retains a rural agricultural character reflecting the ranching and farming heritage of the San Juan Valley.



Photo 1: Northward view of farmland in the San Juan Valley, with Reach 2 of the River Parkway in the background, at the feet of the Flint Hills.



Photo 2: Southward view over agricultural land on the Regional Park site adjoining riparian woodland in Reach 3 of the River Parkway.





Photo 1: Westward view of the San Benito River channel and terraces from the Nash Road crossing in Reach 3.



Photo 2: At the junction of reaches 4 and 5, views of the riparian woodland southwest of the crossing of Southside Road over Tres Pinos Creek.

Views of Natural Open Space Along River Parkway

Figure 4.1-2

San Benito County





Photo 1: In Reach 2, southeastward views from the State Route 156 crossing of the San Benito River, including the City of Hollister Wastewater Treatment Plant grounds.



Photo 2: Views to the southwest of the Union Road bridge over the San Benito River in Reach 3.



Within the River Parkway corridor itself, Reach One features extensive riparian woodland habitat. Dense stands of willows, black cottonwoods and mulefat scrub grow along the channel, often with patches of in-stream freshwater marsh (cattail patches). Some areas disturbed by previous sand and gravel mining support ruderal (weedy) vegetation and former mining pits; other mined areas have been colonized by mulefat scrub. As the river channel widens within the eastern segment of Reach One, the willow-cottonwood riparian woodland transitions to mulefat scrub.

Reach Two. As with Reach One, this stretch of the River Parkway corridor retains a rural agricultural character, with views of undeveloped rangeland on the Flint Hills to the north and cultivated fields to the south. Steep hillsides rise above the north side of the San Benito River along much of this reach. Intermittent drainages in the Flint Hills have created several deep ravines, resulting in a landscape of steep hillsides and canyons along the north side of the river. The physical setting along the south side of the San Benito River is relatively level as compared to the north side. The segment of this reach to the east of Bixby Lane is characterized by a wide river corridor. In the eastern portion of the reach towards the City of Hollister, open grasslands to the north of the River Parkway corridor transition to rural residential properties. On the south side, land uses change from agricultural fields and rural residences to municipal and light industrial uses.

This reach features a broad expanse of floodplain. Mulefat scrub vegetation predominates in the active channel bed and in flood terraces. Cottonwood and willow-dominated woodland line the south bank of the river and occupy some in-channel areas in the Bixby Road area and upstream of the 4th Street bridge. The woodland is interspersed with nonnative tree groves, such as the large eucalyptus trees near Mitchell Road.

Reach Three. In contrast to the rest of the River Parkway corridor, Reach Three has a more urbanized character due to its proximity to Hollister. Much of the northern side of the corridor in Hollister is developed with residential neighborhoods and public facilities including the City of Hollister Industrial Wastewater Treatment Plant and school district lands. On the southern side of the San Benito River, agricultural fields, rural residences, and parkland are visible. The segment of the River Parkway between Union Road and Hospital Road offers views of farmland on both sides of the river. Photo 2 in Figure 4.1-3 shows views of Reach Three and surrounding urban uses from the Union Road bridge.

The landscape within Reach Three is characterized by level river terraces on the north and south sides of the San Benito River. To the southwest, rolling hillsides rise up beyond the upper terrace. To the east, the level terrain of the Hollister Valley opens up and the foothills of the Diablo Mountains rise in the distance. Similar to Reach Two, the lower terraces and floodplain are relatively broad. In Figure 4.1-2, Photo 1 shows a representative view of natural open space in the river channel and its floodplain.

Although the river corridor in Reach Three consists of open space, with an unconfined channel and a braided floodplain, human use of the river channel has altered the landscape. Within the riverbed and on the riverbanks, prior sand and gravel mining operations have created mining pits or settling basins, levees, unpaved mining roads, and piles of spoils. According to the Master Plans (both the River Parkway Master Plan and the Focus Area and Regional Park

Master Plan), reclamation of the mining area has not yet been completed. In addition, a mosaic of unpaved roads, social trails, and disturbed areas has altered the natural scrub habitat between Nash Road and Hospital Road.

The dominant habitat within this reach is mulefat scrub; however, there are also stands of riparian woodland habitat, particularly along the south bank and upstream of Union Road. Mature willow and cottonwood trees occur in the upstream area and a large stand of riparian woodland is establishing north of Hospital Road.

Reach Four. This stretch of the River Parkway is bordered by rural landscapes to the southeast of Hollister. To the south of Blossom Lane, Reach Four offers westward views of undeveloped foothills and steep slopes, as well as eastward views of rural residences and agricultural fields. Along Tres Pinos Creek, rural residences, orchards, and agricultural fields are visible to the north and south.

Within the northern portion of Reach Four, the San Benito River features a broad floodplain with generally level terrace lands along both sides of the river. The northernmost segment of this reach, just south of Hospital Road, was previously mined for sand and gravel. This mining reclamation area features former mining pits, levees, piles of spoils and unpaved mining roads. Further upstream (southward), the river corridor has been less disturbed.

As shown by Photo 2 in Figure 4.1-2, taken near the crossing of Southside Road over Tres Pinos Creek, Reach Four features more varied topography along the River Parkway corridor in comparison to the other reaches. The northern portion of this reach features a broad river corridor. Further to the south, the San Benito River corridor narrows as the river flows along the steeply rising Cienega foothills of the Gabilan Range, located to the west. The Tres Pinos Creek corridor features a relatively broad floodplain within this segment as compared to the San Benito River just upstream.

The vegetation within Reach Four is a mix of mulefat scrub and riparian woodland, with upland areas supporting grassland and patches of sagebrush and mixed scrub. Oak woodland abuts the riparian woodland in the upstream (south) portion of the reach. Previously mined areas within the northernmost segment of the reach are naturally recolonizing with native riparian trees and shrubs; although some invasive, non-native plant species, such as tamarisk and giant reed, have also colonized the woodland area. Just to the south of Hospital Road, Reach Four features freshwater marsh habitat within former off-channel mining pits.

Reach Five. Similar to Reach Four, the easternmost segment of the River Parkway is set in a rural landscape, including agricultural fields, orchards, rangeland, rural residences, sand and gravel mining operations, and the County Historical Park. A large quarry operation is located along the north side of Tres Pinos Creek within the area between the Southside bridge and at-grade road crossing.

This reach features a relatively broad floodplain between the Southside Road bridges eastward to the Southside Road at-grade creek crossing. Upstream of the at-grade road crossing, the creek corridor narrows and bends toward the southeast to the County Historical Park. The creek corridor features a narrow wooded channel in the segment bordered by the park and Highway

25. The north side of Tres Pinos Creek is bordered by rolling hills and terrace lands. The south side is bordered by level terrace lands in the downstream portion, while further upstream the creek corridor is situated along the base of more steeply rising hillsides.

The habitat along this reach of Tres Pinos Creek is a mix of mulefat scrub and riparian woodland. In some areas, the scrub habitat has been trampled and the habitat fragmented by a mosaic of user-created trails and otherwise disturbed areas.

b. Visual Character of the Regional Park Site. The Regional Park Site is located in a relatively urbanized area adjacent to the southern city limits of Hollister. Reach Three of the River Parkway corridor borders the Regional Park Site to the south and west, with San Benito High School to the north and San Benito Street to the east. As shown by Figure 4.1-4a, the approximately 31-acre Regional Park Site is undeveloped and consists of flat grassland, former cultivated farmland, and dispersed clusters of trees. As shown by Figure 4.1-4b, a raised berm where the proposed Access Road would be constructed lines the northern edge of the Regional Park Site. From the east, the Access Road's alignment follows the existing paved Baler Alley and continues westward on a dirt road at the top of the raised berm (see Photo 3), before swinging northward adjacent to existing residences and disked fields (see Photo 4) and finally intersecting with Nash Road. Adjacent to the southeast of the Regional Park Site is an approximately 21-acre solar power generation facility that was recently developed with rows of solar panels, as shown by Photo 2 in Figure 4.1-5. The athletic fields on the campus of San Benito High School are visible across Baler Alley to the north. Views of the foothills and ridgelines of the Gabilan Mountains to the south also are available through and from the Regional Park Site.

c. Scenic Highways. In San Benito County, no roadways are designated for inclusion in the California Scenic Highway System. However, the following roadways in the vicinity of the River Parkway corridor have been identified as eligible for scenic highway designation:

- State Route 25 from the Monterey County line to State Highway 156; and
- State Route 156 from the Monterey County line to the Santa Clara County line (Caltrans, 2013).

State Route 25 runs adjacent to the eastern end of the River Parkway corridor in Reach 5, near the San Benito County Historical Park. In this area, riparian woodlands are visible to the immediate west of State Route 25.

State Route 156 intersects the River Parkway corridor where the Ed Hanna Memorial Bridge crosses the San Benito River in Reach 2, near the western city limits of Hollister. In Figure 4.1-3, Photo 1 shows views to the southeast from the river crossing. For eastbound motorists on State Route 156, this crossing offers an expansive view of riparian vegetation in the foreground, with views of rolling hillsides and canyons in the Flint Hills to the north. For westbound motorists, the riparian corridor is visible as well as the Gabilan Mountains to the south.

Highway 101 is the only local scenic route, as designated by San Benito County or the City of Hollister, located in the vicinity of the proposed project. The County's General Plan designates



Photo 1: Northward view from southwest portion of the Regional Park site. In the distance, the Rajkovich Agricultural Building is visible on the San Benito High School campus.



Photo 2: Southward view over Regional Park site from Baler Alley, with the Gabilan Mountains in the background.





Photo 3: Eastward view along raised berm where proposed Access Road would be constructed.



Photo 4: Westward view of proposed Access Road route, including adjacent residences.





Photo 1: View of the athletic field at San Benito High School to the north of the Regional Park site.



Photo 2: View of the solar array southeast of the Regional Park site, from the perspective of the First Presbyterian Church.

Visual Character of Land Uses Adjacent to Regional Park Site

Figure 4.1-5



Highway 101 as a scenic roadway where unique or outstanding scenic qualities should be protected (San Benito County, 2015). However, the western end of Reach One of the River Parkway (at San Juan Highway) would be located approximately 1,400 feet east of Highway 101, which is outside of the 400-foot-wide scenic corridor from the highway's centerline as defined in Section 25.14.062 of the County Code (San Benito County, Code of Ordinances, 2015). Moreover, intervening riparian vegetation would obstruct views of the River Parkway from this scenic highway. Although State Route 156, which crosses the River Parkway corridor, is eligible for State designation as a scenic highway, the County has not designated this roadway as scenic (San Benito County, 2015).

d. Scenic Vistas within and across the Project Site. In general, most of the County's scenic vistas and corridors are associated with the open space and agricultural resources throughout the County, which are generally considered as a valued local asset. Relevant scenic vistas and corridors consist of the following:

- Expansive agricultural lands, including rangeland and row crops;
- Rangeland and open space; and
- Hillsides in the background.

The scenic features are typical of the greater San Juan and Hollister valleys and surrounding hillsides. Furthermore, the County's General Plan does not identify any specifically protected scenic vistas within or across the Project Site itself.

e. Lighting. The extent of existing lighting along the River Parkway corridor varies between rural and urban reaches. In rural areas, the River Parkway corridor receives minimal lighting from adjacent agricultural uses. Near Hollister, however, adjacent urban lighting, including from roadways, public facilities, and residences, results in a greater level of ambient light within the River Parkway corridor. Likewise, at the Regional Park Site, spillover from lighting at adjacent urban uses illuminates the site at times. The most prominent source of light near the Regional Park Site is from floodlights at the outdoor athletic fields of San Benito High School, as shown by Photo 1 in Figure 4.1-5. Neither the River Parkway corridor nor the Regional Park Site currently contributes to any significant night lighting or daytime glare in the project vicinity.

f. Regulatory Setting.

State.

Sections 65560–65568, Government Code: Open Space Lands. This part of the State Government Code defines open space and requires every city and county to prepare open space plans as a required element of their General Plans. Building permits, subdivision approvals, and zoning ordinance approvals must be consistent with the local open space plan.

Section 5076, Public Resources Code: California Trails Act. This law requires every city and county to consider trail oriented recreational uses and consider such demands in developing specific open space programs in their General Plan. Every city, county, and district must also

consider the feasibility of integrating trail routes with appropriate segments of the State trail system.

Streets and Highways Code, Section 260, et. seq. A California highway may be designated as scenic depending on how much of the natural landscape can be seen by travelers, the scenic quality of the landscape, and the extent to which development intrudes on the traveler's enjoyment of the view. When a city or county nominates an eligible scenic highway for official designation, it must identify and define the scenic corridor of the highway, defined by the motorist's line of vision (a reasonable boundary is selected when the view extends to a distant horizon). The city or county must also adopt ordinances to preserve the scenic quality of the corridor, including: 1) regulation of land use and density of development; 2) detailed land and site planning; 3) control of outdoor advertising (including a ban on billboards); 4) careful attention to and control of earth moving and landscaping; and 5) careful attention to design and appearance of structures and equipment.

County.

San Benito County General Plan. The San Benito County General Plan (2015) includes policies intended to ensure that new development is compatible with scenic corridors, in terms of building massing, appropriate visual buffers, buildings heights and setbacks, landscaping, utility lines. Other policies seek to protect scenic resources including hillsides and ridgelines, to preserve the appearance of agricultural and rural areas, and reduce light pollution.

San Benito County Code of Ordinances. Title 19, Chapter 19.31 of the County Code contains regulations for lighting in developments. The purpose of this chapter is to encourage lighting practices and systems that will minimize light pollution, glare, and light trespass, and curtail the degradation of the visual environment (San Benito County, 2010). Development projects in the County are required to submit a lighting plan to the Planning and Building Inspection Department, demonstrating conformance with the applicable lighting regulations. All proposed new land uses, developments, buildings, structures or building additions must conform to a number of requirements pertaining to the direction, shielding, timing, and intensity of outdoor lighting. Furthermore, the illumination of outdoor recreational facilities must conform to the shielding standards of Table 19.31.006(1). Title 25, Chapter 25.14.062 of the County Code designates the scenic corridors and their widths within the County. This includes all land within 400 feet on either side of the centerline of Highway 101, all land within 340 feet on either side of the centerline of a portion of Highway 129, and all land within 340 feet of either side of the centerline of Highway 146.

City of Hollister. Because a portion of the River Parkway would be located within the City of Hollister, the City's General Plan is relevant to this analysis. In the Land Use and Community Design Element of Hollister's General Plan, Implementation Measure LU.J requires new developments and projects that propose new lighting to prepare a lighting plan for review by City planning staff. All light sources must be fully shielded from off-site view and downcast where they might adversely affect other parcels. In addition, the escape of light to the atmosphere should be minimized.

4.1.2 Impact Analysis

a. Methodology and Significance Thresholds. A significant effect on the environment is generally defined as a substantial or potentially substantial adverse change in the physical environment (*CEQA Guidelines* Section 15358). “Environment” in this instance is meant to include objects of aesthetic significance (both natural and man-made). The assessment of aesthetic impacts involves qualitative analysis that is inherently subjective in nature. Different viewers react to viewsheds and aesthetic conditions differently. Visual or aesthetic resources generally are defined as both the natural and built features of the landscape. Depending on the extent to which a project’s presence would alter the perceived visual character and quality of the environment, a visual or aesthetic impact may occur, but the significance of the impact may vary with the nature of the area to be affected. Views may be characterized in terms of foreground, middleground, and background views. Foreground views are those immediately presented to the viewer, and include objects at close range. Middleground views occupy the center of the viewshed, and tend to include objects that dominate the viewshed in normal circumstances. Background views include distant objects and other objects that make up the horizon.

This analysis focuses on adopted aesthetic policies and the questions in the recommended *State CEQA Guidelines* checklist concerning Aesthetics in order to make determinations, as set forth below.

Evaluation Criteria. A significant impact would occur if the proposed River Parkway and Regional Park project would result in any of the following conditions:

- 1) *Have a substantial adverse effect on a scenic vista;*
- 2) *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway;*
- 3) *Substantially degrade the existing visual character or quality of the site and its surroundings; and/or*
- 4) *Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.*

b. Project Impacts and Mitigation Measures.

Impact AES-1 **The proposed project could potentially be visible from scenic vistas, including roadways which are eligible for designation as state scenic highways. However, adverse effects on scenic vistas would not be significant due to the narrowness of the trail corridor, the location and scale of the Regional Park, and implementation of project design features. Impacts on scenic vistas would be Class III, less than significant.**

River Parkway. As noted above, there are no state scenic highways in the project vicinity. In addition, there are no County-designated scenic corridors located within viewing distance of the project site.

However, scenic views of and through the River Parkway corridor may be available from public areas in San Benito County, including two roadways (State Routes 25 and 156) that are eligible



for designation as scenic highways although motorists' views typically would be brief given fairly high speeds of travel. In Reach Five, the River Parkway corridor is parallel to and visible from State Route 25 near the County Historical Park. In Reach Two, a broad scenic view of the River Parkway is available from the State Route 156 bridge over the San Benito River, as shown by Photo 1 in Figure 4.1-3. Eastbound motorists on this bridge can see scenic rangelands on the Flint Hills beyond the San Benito River, while westbound motorists can see the scenic Gabilan Mountains in the distance. The bridge also offers views of riparian woodland, scrub vegetation, and agricultural fields in the San Juan Valley.

Implementation of the project could affect scenic vistas from the vantage point of the State Route 156 bridge, due to the removal of existing vegetation to build the trail corridor. In the eastern portion of Reach Two, where State Route 156 crosses the San Benito River, it is anticipated that the paved trail "artery" in this area would have a preferred width of 10 feet, and a minimum width of 8 feet, to accommodate multiple uses (pursuant to the Master Plans' Urban/Park guidelines), and would be constructed on the upper geological terrace near the San Benito River. Where site conditions allow for a wider trail corridor and equestrian use is compatible with surrounding uses, the River Parkway corridor also may include a separated unpaved trail of four to 10 feet in width. Therefore, it is anticipated that the total width of the trail corridor could be between approximately 10 and 15 feet around a single paved trail, and between a total of approximately 18 and 35 feet where separated paved and unpaved trails are both built.

Structural improvements associated with the River Parkway also could potentially affect scenic views from the State Route 156 crossing. In accordance with the applicable guidelines in the Master Plans, fencing would only be erected where needed, such as areas along steep and unstable riverbank slopes and areas adjacent to sensitive wildlife areas. Any fencing would not exceed 42 inches in height. To minimize visual impacts to the extent feasible, recommended fencing types include wood split rail and wood/metal post and wire. Signage providing information to trail users also would be constructed at appropriate intervals, as well as amenities such as benches, picnic tables, and shade structures that would be designed to coordinate with and compliment the natural surroundings. These structural improvements would not rise to a height that would obstruct or substantially degrade long-distance scenic vistas of the Flint Hills to the north or the Gabilan Mountains to the south.

Furthermore, existing vegetation and proposed landscaping, which would be incorporated into the design of the project, would minimize the visibility of the trail and associated structures from the perspective of motorists traveling on State Route 156. Dense riparian woodland and scrub vegetation on both sides of the trail corridor would largely screen the trail corridor from view. For example, the project would be constructed in accordance with applicable guidelines in the Master Plans that call for preserving and enhancing willow-cottonwood riparian woodland and mulefat scrub within the River Parkway corridor, retaining existing stands of riparian woodland, and encouraging passive restoration of riparian woodland and mulefat scrub. In addition, landscaping would be installed as needed for buffers and revegetation (see pages 35, 42, 47, 51, and 55 of the River Parkway Master Plan. Where landscaped trails are located adjacent to native habitat areas, native trees and shrubs would be used for landscaping. Due to the screening effect of vegetation, implementation of the River Parkway would not substantially impair scenic vistas of the San Benito River valley.

As discussed above, the proposed project also could potentially affect scenic views from State Route 25. According to the River Parkway Master Plan, the primary multi-use trail in Reach Five near the County Historical Park would be developed along the northeast side of Tres Pinos Creek, which is nearest to State Route 25. Here, construction would follow the Master Plans' guidelines for an Agricultural/Rural Setting. Similar to the proposed trail types in Urban/Park corridors, the Master Plans would allow trail corridors approximately 10 and 15 feet around a single paved trail, and between a total of approximately 18 and 35 feet where separated paved and unpaved trails are both built. Fencing that blends with the rural agricultural setting, or landscape plantings, would be provided as a buffer between trails and agricultural fields. Although implementation of a trail route in this location would result in the removal of vegetation within the trail corridor, potentially altering scenic riparian views available to motorists on State Route 25, existing riparian woodlands and shrubs next to the shoulder of the roadway and compatible fencing or a landscaped buffer around the trail corridor would partially screen the corridor from view.

Furthermore, pursuant to Policy NCR-8.11 in the Natural and Cultural Resources Element of the County's General Plan, the County would ensure that new structures associated with the River Parkway in areas designated for agriculture or rural land uses are screened and/or developed in a manner to appear similar to existing agricultural, rural, or low intensity uses in the vicinity. With implementation of guidelines in the Master Plans and County policies, the trail corridor would be consistent with and would not degrade the scenic rural character of the Tres Pinos Creek valley.

Regional Park. The proposed Regional Park would involve implementation of recreational facilities such as asphalt basketball or multi-use courts, sand and/or turf areas for volleyball courts, ball fields or other sports activities, a swimming pool, playground(s), buildings / structures for community center activities, restrooms or administrative offices, garden areas, picnic areas, and surface parking lots. However, the potential structures at the Regional Park would not rise to a height at which they would substantially degrade public views of ridgelines in the Gabilan Mountains from the high school, which is the key scenic resource at issue in this viewshed.

Therefore, the proposed project would not have a substantial adverse effect on scenic vistas. Overall impacts on scenic vistas would be less than significant.

Mitigation Measures. No mitigation measures are required.

Significance After Mitigation. Impacts would be less than significant without mitigation.

Impact AES-2 The project site includes scenic resources such as riparian and oak woodland habitats. Although the implementation of recreational facilities would remove some existing vegetation, guidelines in the Master Plans would preserve these resources overall. The Regional Park would not involve removal of prominent trees that have scenic value from nearby public viewpoints. Impacts are therefore Class III, *less than significant*.



The River Parkway corridor includes a total of approximately 561 acres of willow cottonwood riparian woodland, as discussed in the *Setting*, and approximately 14 acres of oak woodland. The Regional Park Site also includes oak woodlands along the northern side of the San Benito River. These riparian and oak woodlands lining the San Benito River and Tres Pinos Creek constitute a scenic resource in San Benito County.

Implementation of the project could potentially affect scenic riparian and oak woodlands that are visible to the public from nearby roadways and other publicly available areas. The construction of a trail system in the River Parkway and recreational facilities in the Regional Park would necessitate the clearing of existing natural vegetation. In addition, the construction of the proposed Access Road at the Regional Park Site could require the removal of remnant hedge-row vegetation, as identified in Figure 4.4-2 and depicted in Photo 3 of Figure 4.1-4b.

Nevertheless, the implementation of guidelines in the Master Plans would preserve and enhance existing woodlands in the River Parkway corridor overall. According to the Habitat Protection and Enhancement Guidelines, the trail alignment would be selected to minimize the removal of native riparian woodland, and mature trees would be preserved to the extent feasible for the benefit of wildlife. The Master Plans also call for retaining existing areas of riparian woodland, locating pedestrian/bicycle bridges in areas that lack mature vegetation, and planting native trees and shrubs for landscaping near native habitats.

As shown in Figures 4.1-4a, 4.1-4b, and 4.1-5, the Regional Park Site is almost entirely devoid of mature trees, although small patches of oak woodland currently exist at the northwest corner of the site and near the San Benito River in the southern part of the site, and remnant hedge-rows line a portion of the Access Road's alignment. As discussed in Section 4.4, *Biological Resources*, development of the Regional Park could potentially involve removal of native trees in approximately one acre of riparian woodland. However, as shown by site photographs in figures 4.1-4(a), 4.1-4(b), and 4.1-5, existing trees on the Regional Park Site are not prominent features from nearby public viewpoints, including San Benito High School and San Benito Street, and do not have substantial scenic value. Furthermore, Mitigation Measure B-4(a) would require that if the Regional Park cannot be designed to avoid woodlands on-site, tree restoration and replacement activities would assure no net loss of woodlands habitat value. Implementation of this measure would reduce any long-term effects on scenic resources. Therefore, the proposed project would have a less than significant impact on scenic resources.

Mitigation Measures. No mitigation measures are required. Implementation of Mitigation Measure B-4(a) to restore and replace trees that are removed from the Regional Park site would further reduce the less than significant impact on scenic resources.

Significance After Mitigation. Impacts would be less than significant without mitigation.

Impact AES-3 The proposed project would introduce physical improvements in the form of a multi-purpose trail, fencing, landscaping, signage, and other recreational facilities in scenic areas through northern San Benito County. These features would not substantially degrade the existing visual character or quality of the project site or vicinity. Impacts would be Class III, less than significant.

The visual character of the River Parkway corridor and surrounding landscapes is scenic and primarily rural. Typical agricultural views in the corridor, as shown in Figure 4.1-1, include cultivated farmland and grassland in the San Juan and Hollister valleys and rangelands on rolling hills that overlook the valleys. The River Parkway corridor also traverses and provides views of natural open space, including riparian woodlands, scrub vegetation, and grassland along the San Benito River and Tres Pinos Creek, in addition to undeveloped slopes in the Gabilan and Diablo mountain ranges.

By contrast, Reach Three of the River Parkway and the eastern end of Reach Two have a relatively urban character, due to their proximity to residences, public facilities, and roads in the Hollister area. Figure 4.1-3 shows representative urban views at the crossings of State Route 156 and Union Road with the River Parkway corridor. Historic and ongoing human activities also have altered parts of the River Parkway landscape. Sand and gravel mining operations have created pits, settling basins, unpaved roads, and levees in Reaches One, Three, Four, and Five. In addition, off-road vehicle use has established social trails and trampled vegetation in the corridor.

In this setting, construction of the project may temporarily impair the visual quality of the project site and vicinity, as a result of grading activities, removal of vegetation, road construction, building construction, and storage of equipment and materials. Due to the temporary nature of construction, these activities would not permanently degrade or modify the existing aesthetic image of the region, nor generate substantial long-term contrast with the visual character of the surrounding area.

Over the long term, implementation of the project would introduce a multi-use trail system and associated structures. Where feasible, the primary trail would be paved with a minimum width of 8 feet and a preferred width of 10 feet. For paved trails, consistent with guidelines in the River Parkway Master Plan, the trail surfaces would likely be composed of concrete or asphalt. Alternative materials include crushed rock (known as crusher fines) and natural, unpaved surfaces.

In all settings, trails would be designed to fit with the surrounding landscape and site conditions. Accordingly, the Master Plans provide different guidelines for trail design in the following locations: agricultural and rural areas, urban areas and parks, confined corridors with space constraints, floodplains, and roadways. The total width of trail corridors in the River Parkway would range from approximately 10 to 35 feet in rural areas, urban areas, and confined corridors; from approximately four to 10 feet in floodplains; and from approximately 10 to 40 feet on roadways. As discussed in Impact AES-1, fencing would be limited to areas where needed, such as along steep and unstable riverbank slopes and areas adjacent to sensitive wildlife areas, in part to maintain a sense of open space. Any fencing would not exceed 42

inches in height. The project would not use chain-link fencing within the River Parkway unless absolutely necessary for security purposes.

According to the Staging Area and Amenity Guidelines in the Master Plans, signage along the River Parkway would be consistent in theme, reflective of San Benito County, and designed to create an aesthetic appropriate to the natural setting. Similarly, site furnishings in the River Parkway would be designed to complement the natural setting and could include benches, picnic tables, shade structures, drinking fountains, bike racks, horse hitching posts and water troughs, trash receptacles, and dog waste bag receptacles.

As discussed in Impact AES-2, the construction of a trail system would entail some clearing of existing vegetation; however, guidelines for the protection and enhancement of habitat call for avoiding or minimizing the removal of mature native trees, riparian woodland, mulefat scrub vegetation, and in-channel wetlands. Moreover, the project would employ passive restoration and re-vegetation of areas degraded from historic or current land uses consistent with the Master Plans. Landscaping also would consist of native trees and shrubs where trails and staging areas approach native habitats.

Given the self-mitigating design features for vegetation, site furnishings, and signage, trail improvements throughout the length of the proposed River Parkway would be visually compatible with their surroundings and would not have a substantial adverse impact on the visual quality of the area. Maintenance and operation of the project facilities would be funded through an acceptable mechanism to ensure long-term maintenance is adequate and quality aesthetic conditions proposed as part of the project are protected.

In addition to the River Parkway, the proposed project would involve development of multiple recreational facilities on the Regional Park Site. Currently, this site is vacant and covered with former agricultural fields, grassland, and occasional trees. Although a conceptual site plan for the Regional Park is not available at this initial stage of planning, the park may include such features as asphalt basketball or multi-use courts, sand and/or turf areas for volleyball courts, ball fields or other sports activities, a swimming pool, playground(s), buildings / structures for community center activities such as gathering rooms or small classrooms, restrooms or administrative offices, garden areas, picnic areas, and surface parking lots. A proposed Access Road to the Regional Park would extend for approximately 0.6 mile from Nash Road, west of San Benito High School and connect to San Benito Street. Additional features of the Regional Park are described in Section 2.0, *Project Description*.

With the implementation of the above features, the visual character of the Regional Park Site itself would change from rural and agricultural to somewhat urbanized. However, the site is located adjacent to the southern boundary of the City of Hollister, with the San Benito High School immediately to the north and several residences and a church along San Benito Street to the east. Therefore, the development of recreational facilities at the Regional Park Site would be consistent with the intensity and character of surrounding land uses to the north and east and would not be viewed as a substantial impairment to the existing visual character in the area.

Mitigation Measures. The proposed trail, landscaping, and relatively minor structural improvements, and the potential Regional Park facilities, would be visually compatible with the

surrounding environment and would therefore not substantially degrade the existing visual character or quality of the site and its surroundings. No mitigation measures are required.

Significance After Mitigation. Impacts would be less than significant without mitigation.

Impact AES-4 The proposed project would introduce new sources of lighting and glare which could increase nighttime ambient light visible to surrounding uses, especially due to lighting from parking lots at the Regional Park Site. Preparation of a lighting plan would be necessary to ensure compliance with County requirements to minimize light pollution. Impacts related to night lighting would be Class II, *significant but mitigable*.

As discussed in the *Setting*, the River Parkway corridor and the Regional Park Site currently lack on-site sources of lighting, although lighting from adjacent urban uses results in some illumination of the general project vicinity, especially near the City of Hollister. In particular, the Regional Park Site occasionally receives light from floodlights at the athletic fields at the neighboring San Benito High School, which are shown by Photo 1 in Figure 4.1-5.

The proposed Regional Park would introduce its own sources of illumination and glare. Parking lots at the Regional Park and along areas of the Access Road also may include lighting fixtures for safety and security reasons. Adverse impacts on nighttime views and visual conditions as experienced from surrounding public viewpoints, including San Benito High School to north and could potentially occur. Headlights and windows on cars at the Regional Park could produce infrequent glare visible from off-site locations, although such glare would not substantially add to existing glare from vehicles traveling on adjacent roadways and parking at San Benito High School and other surrounding urban land uses. Buildings with highly reflective and glare-producing glass or metal surfaces would not be constructed at the Regional Park.

The County would require that all lighting at the project site (including along roadways such as the Access Road) be consistent with Chapter 19.31 of its Code of Ordinances, which encourages lighting practices and systems that will minimize light pollution, glare, and light trespass, and curtail the degradation of the visual environment (San Benito County, 2010). The project site falls within the County's lighting Zone II, which imposes a set of standards for lighting fixtures to preserve dark skies in light-sensitive areas such as Pinnacles National Monument and Fremont Peak State Park (San Benito County, 2013). Thus, outdoor recreational facilities must be illuminated with fully shielded light fixtures, preferably low-pressure sodium lamps. A lighting plan must be submitted to the County's Planning and Building Inspection Department, demonstrating conformance with the applicable lighting regulations. If lighting is included in the portion of the River Parkway corridor within the City of Hollister, southeast of SR 156, then Implementation Measure LU.J in the City's General Plan would require preparation of a lighting plan consistent with the applicable requirements for review and approval by City planning staff.

In addition to regulatory requirements, the Master Plans include guidelines to minimize light pollution in the River Parkway corridor. In agricultural/rural, urban/park, and confined corridor settings, trail use would be limited to daylight hours. Any lighting along trails and

bridges would be shielded to prevent light spillage and limited to low bollard-style, security-type fixtures. In all areas, lighting would be minimized and would meet “Dark Sky” standards by not shining light up into the sky.

Since lighting at the Regional Park Site and along the Access Road would increase nighttime ambient light levels visible from surrounding uses, impacts related to lighting of the Regional Park and related Access Road would be potentially significant.

Mitigation Measures. The following mitigation measures would reduce potential lighting and glare impacts associated with the proposed project.

AES-4 Lighting Plans and Specifications. Prior to the issuance of any building permits for the project, lighting plans and specifications for all exterior lighting fixtures and light standards shall be submitted to the San Benito County Planning & Building Department for review and approval. Consistent with lighting requirements in Chapter 19.31 of the County Code of Ordinances, the plans shall demonstrate that all outdoor light fixtures, except streetlights, shall be located, aimed or shielded so as to minimize stray light trespass across property boundaries. Lighting plans for any exterior lighting fixtures in the River Parkway corridor within the city limits of Hollister shall be submitted to the City of Hollister Planning Division for review and approval. These lighting plans shall show all light sources fully shielded from off-site view and downcast where they might adversely affect adjacent properties.

Significance After Mitigation. Impacts would be less than significant with implementation of the required mitigation.

c. Cumulative Impacts. For aesthetic impacts, the geographical scope of the cumulative analysis is the viewshed of the River Parkway and Regional Park site, or the area in which the Project Site is visible. Additional development resulting from buildout of San Benito County and the City of Hollister General Plans (as described in Section 3.0) would allow currently undeveloped areas adjacent to the corridor to be developed. This nearby, cumulative development may include the conversion of some open space areas along the River Parkway corridor. If this occurs, the visual quality along the trail corridor would be altered by an increasingly urbanized condition. This could have a potentially significant impact on the aesthetic resources in the Project vicinity. Although urban development in the vicinity of the River Parkway corridor could have an adverse cumulative impact on visual quality, the proposed project would not considerably contribute to any significant cumulative impact. If the currently proposed design features for the River Parkway and Regional Park are implemented (as they are required to be under the proposed Master Plans), and with additional mitigation to minimize light pollution, the proposed trail and recreational facilities would not have a substantial negative effect on the aesthetic character and scenic value of the project site and vicinity. Consequently, the proposed project’s contribution to cumulative adverse aesthetic impacts would be less than significant.

4.2 AGRICULTURAL RESOURCES

4.2.1 Setting

a. **Overview of Agriculture in San Benito County.** San Benito County's gross agricultural production in 2012 totaled \$297.8 million (San Benito County Crop Report, 2013). The highest grossing agricultural commodity was vegetable and row crops, representing 70 percent of total agricultural sales, followed by fruit and nut crops, field crops, cattle, and other livestock/livestock and poultry products. By acreage, however, pasture and rangeland comprises the majority of agricultural land (at approximately 508,000 acres).

According to the California Department of Conservation (DOC), 674,330 acres of land in San Benito County were classified as "agricultural land" in 2006, accounting for approximately 76 percent of land in the County (DOC, 2008). Of this land, 30,432 acres were classified as "Prime Farmland" and 9,106 acres were classified as "Farmland of Statewide Importance." The majority of San Benito County's Prime Farmland (as classified by the DOC) is located near already developed areas. From 1990 to 2004, almost half of the land that was converted to urban uses in San Benito County was Prime Farmland.

b. **Agriculture along the River Parkway Corridor and Regional Park Site.** The River Parkway corridor abuts agricultural uses along the majority of its approximately 20-mile length. In Reaches One and Two, cultivated fields line the River Parkway corridor to the south, with rangelands primarily in the Flint Hills to the north. Reach Three, although relatively urbanized, passes through grazing lands along both sides of the San Benito River. Reaches Four and Five primarily abut agricultural uses as well. As discussed in Section 4.4, *Biological Resources*, the Regional Park Site contains disked lands that are suitable for agricultural cultivation, fallow agricultural lands, and grasslands.

Important Farmlands. The DOC identifies and designates important farmlands throughout the State as part of its Farmland Mapping and Monitoring Program (FMMP). The FMMP rating system classifies farmland according to the following criteria:

- **Prime Farmland.** *Farmland with the best combination of physical and chemical features able to sustain long term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. These are Class I and Class II soils.*
- **Farmland of Statewide Importance.** *Farmland similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.*
- **Unique Farmland.** *Farmland of lesser quality soils used for the production of the state's leading agricultural crops. This land is usually irrigated, but may include non-irrigated orchards or vineyards as found in some climactic zones in California.*
- **Urban and Built-Up Land.** *Land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. This land is used for residential, industrial, commercial, construction, institutional, public administration, railroad and other transportation yards, cemeteries, airports, golf*

courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes.

- **Other Land.** *Land not included in any other mapping category. Common examples include low density rural developments; brush, timber, wetland, and riparian areas, not suitable for livestock grazing; confined livestock, poultry or aquaculture facilities; strip mines, borrow pits; and water bodies smaller than 40 acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land.*

Figure 4.2-1 depicts FMMP classifications in the vicinity of the River Parkway corridor. Since the ultimate width of the trail corridor is not currently known, the ultimate acreage of each agricultural classification within the River Parkway corridor that may be impacted cannot be quantified at this point to any degree of certainty. However, Figure 4.2-1 shows that the River Parkway would include or be adjacent to Prime Farmland across much of the San Juan Valley and in smaller portions of Reaches Four and Five. Grazing lands also line much of the River Parkway corridor in all five reaches. The Regional Park Site includes Prime Farmland, Unique Farmland, Farmland of Local Importance, and Grazing Land. A total of approximately 18.2 acres of Important Farmland occur on the 31-acre Regional Park Site, including 16.6 acres of Prime Farmland and 1.6 acres of Unique Farmland.

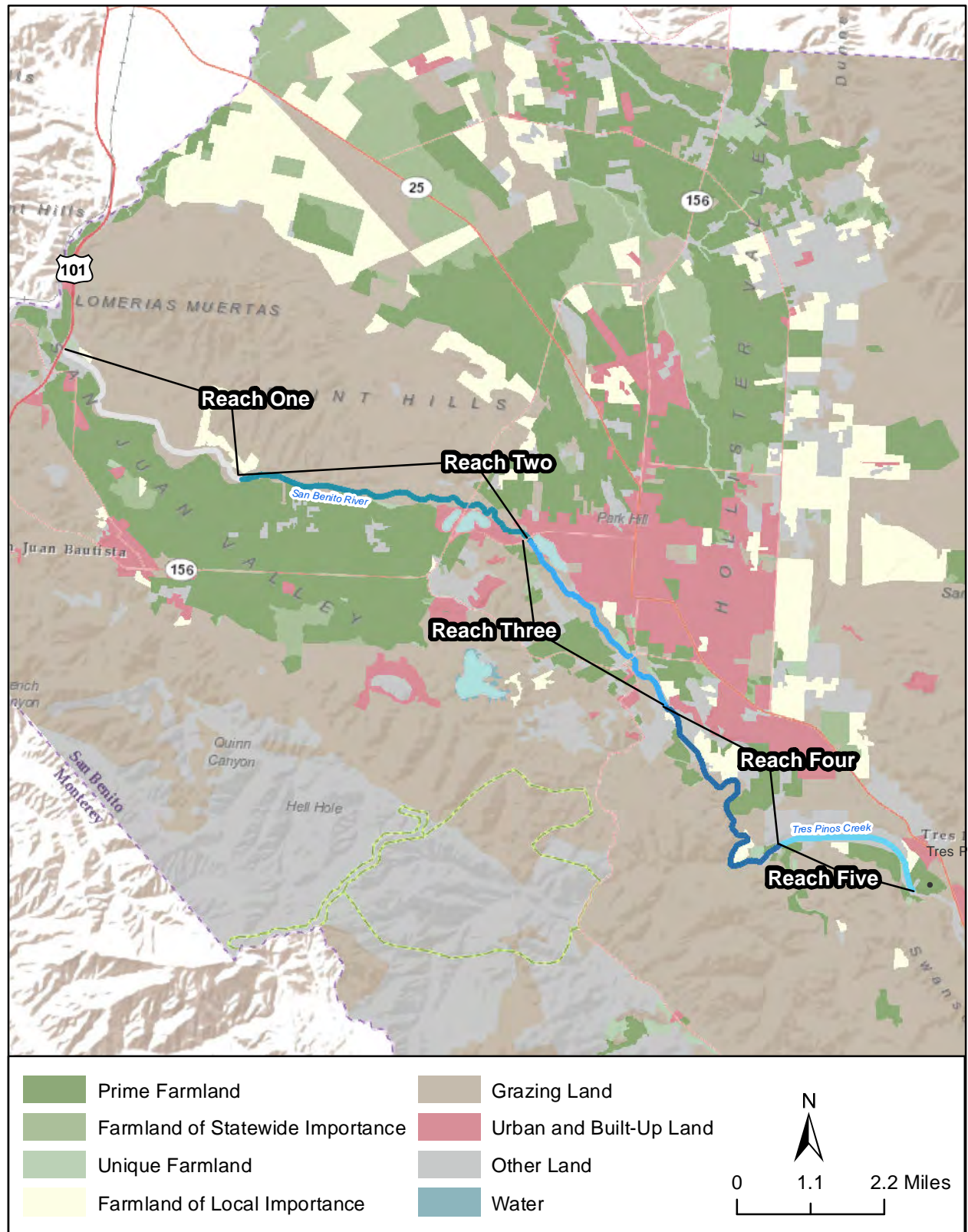
c. Regulatory Framework.

State.

Farmland Mapping and Monitoring Program. The DOC's FMMP monitors the conversion of the State's farmland to and from agricultural use. County-level data is collected and a series of maps are prepared that identify eight classifications and uses based on a minimum mapping unit size of 10 acres. The program also produces a biennial report on the amount of land converted from agricultural to non-agricultural use. The program maintains an inventory of state agricultural land and updates the Important Farmland Series Maps every two years. The FMMP is an informational service only and does not constitute state regulation of local land use decisions. Agricultural land is rated according to several variables, including soil quality and irrigation status with Prime Farmland being considered the most optimal for farming practices. Other FMMP designations include Farmland of Local Importance, Grazing Land, and Water.¹ For further detail see Section 4.2.1(b) (Agriculture along the River Parkway and Regional Park).

California Land Conservation Act of 1965 (Williamson Act). The California Land Conservation Act of 1965—commonly referred to as the Williamson Act—enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use. In return, landowners receive property tax assessments that are much lower than normal because they are based upon farming and open space uses as opposed to full market value. Local governments receive an annual subvention of forgone property tax revenues from the State via the Open Space Subvention Act of 1971. Participation in this program is voluntary, requiring 100 contiguous acres of agricultural land under one or more ownerships to file an application for agricultural preserve status. After an agricultural preserve has been established, the land within the

¹ This is another FMMP classification used to describe perennial water bodies with an extent of at least 40 acres.



Imagery provided by ESRI and its licensors © 2013. Additional data from California Department of Conservation Farmland Mapping and Monitoring Program, 2010.

Important Farmland

Figure 4.2-1
San Benito County



preserve is automatically restricted to agricultural and agriculturally compatible uses and the landowners may enter into a Williamson Act land use contract. The land may also be subject to agricultural rezoning.

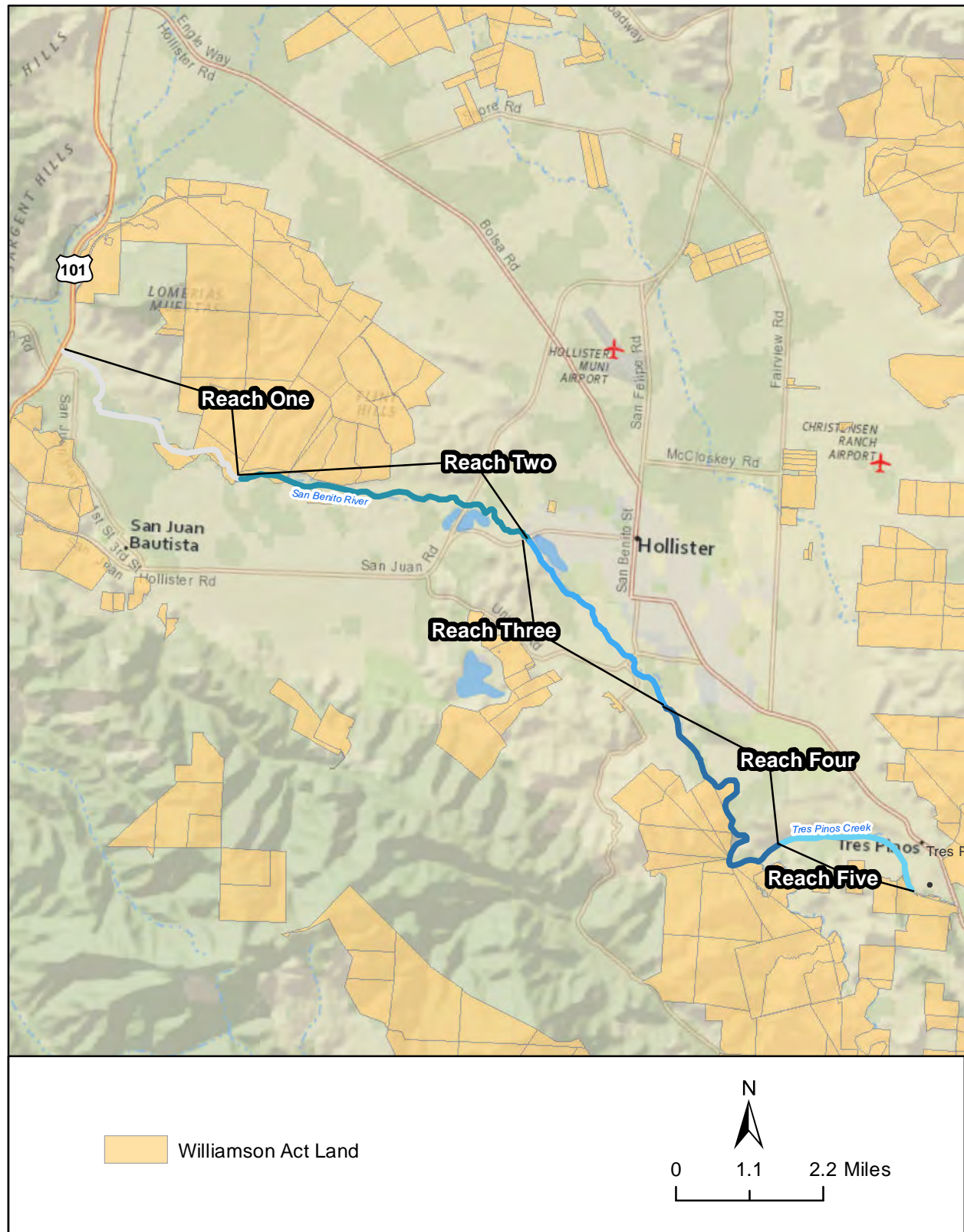
After a contract has expired, the landowners may remove the subject property from an agricultural preserve. Prior to the expiration of a contract, a landowner also has the option to petition for the cancellation of the contract. Contract cancellation will require the landowner to pay a substantial fee as outlined in the California Government Code §§ 51280-51287.

As shown in Figure 4.2-2, portions of agricultural land adjacent to Reaches One, Two, Four, and Five of the River Parkway corridor are currently under Williamson Act contract. The Regional Park Site is not under a Williamson act contract nor is it adjacent to any properties under a Williamson Act contract. Pursuant to Section 19.01.023(B)(2) of the County Code, outdoor recreational uses that are incidental rather than detrimental to agricultural use are allowable in lands under Williamson Act contracts (San Benito County, 2013). In San Benito County as a whole, more than 580,000 acres of agricultural land were under Williamson Act as of 2009, which constitutes about 70 percent of all agricultural land in the County (San Benito County, 2010). On the peripheries of cities and unincorporated communities, including along Reach Three, little agricultural land is enrolled in Williamson Act contracts.

San Benito County. The San Benito County General Plan (2015) includes, among others, goals and policies to ensure the long-term preservation of agricultural resources by encouraging 1:1 mitigation for conversion of Prime Farmland, protecting agricultural land from incompatible urban uses, and allowing farmers to manage the land and operations in an efficient, economically viable manner.

San Benito County Code. The San Benito County Code regulates agricultural resources in Title 19 (Land Use and Environmental Regulations), Chapter 19.01 (Agricultural Provisions), Article I (Agricultural Community Disclosure [Right-To-Farm Ordinance]) and Article II (Agricultural Preserves [Williamson Act Implementing Ordinance]), as well as in Title 25 ("Zoning Ordinance") provisions related to agriculturally zoned lands.

Right-To-Farm Ordinance. Similar to many other cities and counties in agricultural areas, San Benito County has an adopted Right-To-Farm Ordinance, codified as Title 19 (Land Use and Environmental Regulations), Chapter 19.01 (Agricultural Provisions), Article I (Agricultural Community Disclosure) of the County Code. This Ordinance protects commercial agricultural operations against nuisance lawsuits, and requires disclosure to potential land buyers that agricultural operations are protected from such actions. To resolve potential landowner disputes, the Agricultural Commissioner's office is to provide non-binding mediation. While the County Right-to-Farm Ordinance specifically applies to commercial agricultural operations within the unincorporated area, all commercial agricultural operations that comply with agricultural standards currently are protected from nuisance claims under State law (Section 3482.5 of the California Civil Code), whether located within cities or unincorporated areas.



Imagery provided by ESRI and its licensors © 2013. Additional data from Department of Conservation - Division of Land Resource Protection, 2012.

Williamson Act Lands

Figure 4.2-2
San Benito County

Williamson Act Implementing Ordinance. San Benito County's Williamson Act implementing ordinance is codified as Title 19 (Land Use and Environmental Regulations), Chapter 19.01 (Agricultural Provisions), Article II (Agricultural Preserves) of the County Code. This Ordinance implements the provisions of the Williamson Act's restrictions applicable to agricultural preserve lands under their respective contracts. The minimum length of Williamson Act contracts is ten years. Because the contract term automatically renews on each anniversary date (unless certain steps are taken), the actual contract length is essentially indefinite. The County's ordinance requires certain minimum parcel sizes, minimum income generation, and land uses restrictions. Under the County's ordinance, a preserve must be comprised of a minimum of ten acres of orchards, vineyards or irrigated vegetable and field crops; 40 acres of irrigated pasture or dry-land farmed land; or 160 acres of grazing land; or a combination of actual acreage in any of these categories, provided that the sum equals or exceeds 100% of the required acreage. Also, the preserve must produce a minimum of \$3500 annual gross income from the sale of agricultural commodities for three out of every immediately preceding five consecutive year period. In addition to commercial agricultural operations, the ordinance specifies certain land uses that are deemed to be compatible with agricultural use of the lands subject to the preserves.

Zoning Ordinance. The County has adopted regulations pertaining to agricultural land in its Zoning Ordinance, codified as Title 25 (Zoning) of the County Code. The Zoning Ordinance specifies permitted and conditional uses of agricultural land, and standards applicable specifically to designated agricultural uses, such as building site areas, height limitations, building setbacks, accessory buildings and agricultural employee housing.

City of Hollister.

City of Hollister General Plan. The Open Space and Agriculture Element of the City of Hollister General Plan includes several policies to protect agricultural resources, as listed below.

- OS1.1 *Open Space Preservation. Retain and protect open space areas whenever practical through the protection of prime farmlands, the prevention of new development in areas subject to natural hazards, that serve as wildlife habitat or as visual assets for the community, and where the development of additional parks and trails is possible. Open space areas can also function as connections between neighborhoods, for example with the creation of pathways in environmentally appropriate areas.*
- OS2.1 *Premature Conversion of Prime Farmland. Whenever possible, minimize the premature conversion of prime farmland to non-agricultural uses by directing urban growth toward portions of the Hollister Planning Area which have not been identified as prime farmland.*
- OS2.2 *Coordination with San Benito County to Preserve Prime Farmlands. Encourage the County of San Benito to maintain existing County land use policies that discourage urban development in rural areas within the County as a way to ensure continuing agricultural operations within portions of the Hollister Planning Area. Coordinate with the County of San Benito in efforts to maintain prime farmlands in active agricultural use whenever possible and in all efforts to maintain the continued economic viability of agriculture within the Hollister Planning Area.*

4.2.2 Impact Analysis

a. Methodology and Significance Thresholds.

Evaluation Criteria. The following thresholds are based on Appendix G of the *State CEQA Guidelines*. Impacts would be significant if the proposed River Parkway and Regional Park project would result in any of the following:

- 1) *Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use;*
- 2) *Conflict with existing zoning for agricultural use, or a Williamson Act contract; and/or*
- 3) *Involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use;*
- 4) *Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g));*
- 5) *Result in the loss of forest land or conversion of forest land to non-forest use; and/or*
- 6) *Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use.*

It should be noted that the proposed project would not conflict with designated forestry or timberland resources, as the project is not located in an area with such resources. As a result, these thresholds (#4, 5) are not evaluated further in this DEIR. Additional discussion as to the basis for scoping out these topic areas can be found in the Initial Study (Appendix A of this document).

Potential health and safety impacts resulting from pesticide drift and other pesticide applications are discussed in Section 4.8, *Hazards and Hazardous Materials*.

b. Project Impacts and Mitigation Measures.

Impact AG-1 Development of the proposed project would involve conversion of Important Farmland. Due to this irreversible loss of important farmland, impacts would be Class I, significant and unavoidable.

Regional Park. Based on the map of Important Farmland in Figure 4.2-1, construction on the Regional Park Site and Access Road would involve conversion of Prime Farmland, Unique Farmland, Farmland of Local Importance, and Grazing Land. A total of approximately 18.2 acres of Important Farmland occur on the 31-acre Regional Park Site that would be developed, including 16.6 acres of Prime Farmland and 1.6 acres of Unique Farmland.

It should be noted that the Regional Park Site is currently zoned Residential Rural, which allows for large-lot residences in areas of the County that are generally unsuitable for productive



agriculture because of existing small property sizes, multiple property owners, and proximity to other more intensive residential development. Consistent with this zoning, the site is located adjacent to urban uses immediately to the north (at the San Benito High School) and to the east (with single-family residences and a church along San Benito Street), and is in close proximity to the southern city limits of Hollister. However, the northern portion of the Regional Park Site, which contains Prime Farmland, was formerly under agricultural cultivation and is currently disked but not currently used for cultivation, as shown by Photo 2 in Figure 4.1-4. Therefore, despite its residential zoning and the presence of adjacent urban uses, the Regional Park Site remains potentially suitable for agriculture.

The City of Hollister's General Plan also specifically identifies agricultural operations in neighboring unincorporated areas as a target for preservation. Policy OS2.2 in the City's Open Space and Conservation Element encourages San Benito County "to discourage urban development in rural areas within the County as a way to ensure continuing agricultural operations within portions of the Hollister Planning Area" (Hollister, 2005). Moreover, Policy OS2.1 calls for minimizing "the premature conversion of farmland to non-agricultural uses by directing growth toward portions of the Hollister Planning Area which have not been identified as prime farmland." While the proposed project would not necessarily be viewed as an "urban" use and intrinsically incompatible with agricultural uses, the proposed project would convert Important Farmland to non-agricultural uses. Accordingly, while as a technical matter, the City's General Plan does not govern land uses on unincorporated County lands, given the joint nature of the project and the project's location, consistency with the City's General Plan is considered in this analysis. By resulting in the conversion of Important Farmland and farmland suitable for agricultural cultivation, the proposed Regional Park could be viewed as inconsistent with the above-referenced City of Hollister policies for agricultural preservation.

River Parkway. In the River Parkway corridor, the amount of farmland and grazing land that would be converted as a result of constructing the trail system would depend on the width of the corridor, which is currently undefined. The trail corridor would vary from as narrow as four feet in floodplains to as wide as 35 feet in some agricultural and rural areas. However, it is expected that the trail system would result in minimal conversion of agricultural land because it would be aligned in riparian corridors which are not in agricultural use.

Due to the permanent conversion of Important Farmland to non-agricultural uses as a result of the proposed project, impacts from this loss of Important Farmland would be significant.

Mitigation Measures. For projects that would result in the significant conversion of agricultural land, the preferred method of mitigation is to offset this conversion by protecting off-site agricultural land from urban development. Agricultural conservation easements could potentially be secured to protect DOC-designated Important Farmland in the vicinity of the Regional Park Site, provided that the landowner consents to the transaction and a land trust holds the easement. 2035 General Plan Policy LU3.10 recommends that the loss of Prime Farmland be avoided and replaced at a ratio of up to 1 to 1 to protect this important resource in the County. In San Benito County, the San Benito Agricultural Land Trust currently protects approximately 5,454 acres of working ranches and farms and is working to acquire additional acreage. The Land Trust is devoted to providing financial options to landowners in order to protect the agricultural heritage of San Benito County. The Land Trust may be a potential holder of such easements or fee title for

Important Farmland. This type of mitigation has been found to be feasible in many California communities facing suburban development pressures in traditional agricultural areas with Important Farmland. The mitigation ratios in those communities can range from 1 to 1 (as suggested in the 2035 General Plan) to higher levels reported up to 3 to 1.

Therefore, the following mitigation is required:

AG-1 Agricultural Conservation. Prior to issuance of any grading permits, San Benito County shall provide that for every one (1) acre of Important Farmland (Prime Farmland, Farmland of Statewide Importance, and Unique Farmland) on the Regional Park Site that is permanently converted to non-agricultural use as a result of project development, one (1) acre of land of comparable agricultural productivity shall be preserved in perpetuity. Said mitigation shall be satisfied by the applicant through:

- 1) Granting a perpetual conservation easement(s), deed restriction(s), or other farmland conservation mechanism(s) to the qualifying entity which has been approved by the County, such as the San Benito County Agricultural Trust, for the purpose of permanently preserving agricultural land. The required easement(s) area or deed restriction(s) shall therefore total a minimum of 18.2 acres of Prime Farmland for purposes of the Regional Park Site as well as account for (on a 1:1 basis) any Prime Farmland that is converted as a result of the River Parkway. The land covered by said off-site easement(s) or deed restriction(s) shall be located in San Benito County; or
- 2) Making an in-lieu payment to a qualifying entity which has been approved by the County, such as the San Benito County Agricultural Trust, to be applied toward the future purchase of a minimum of 18.2 acres of Prime Farmland in San Benito County (to mitigate losses related to the Regional Park as well as account for (on a 1:1 basis) any Prime Farmland that is converted as a result of the River Parkway), together with an endowment amount as may be required. The payment amount shall be determined by the qualifying entity or a licensed appraiser; or
- 3) Making an in-lieu payment to a qualifying entity which has been approved by the County, such as the San Benito County Agricultural Trust, to be applied toward a future perpetual conservation easement, deed restriction, or other farmland conservation mechanism to preserve a minimum of 18.2 acres of Prime Farmland in San Benito County (to mitigate losses related to the Regional Park as well as account for (on a 1:1 basis) any Prime Farmland that is converted as a result of the River Parkway). The amount of the payment shall be equal to

- 110% of the amount determined by the qualifying entity or a licensed appraiser; or
- 4) Any combination of the above.

Prior to issuance of any grading permits for the project, the applicant shall provide evidence of the recorded easement(s), deed restriction(s), or evidence of payment to the County Planning Department or qualifying entity, such as the San Benito County Agricultural Trust, for approval to demonstrate compliance with this Mitigation Measure AG-1.

Significance After Mitigation. Impacts would be unavoidably significant due to the permanent loss of Important Farmland.

Impact AG-2 While the Regional Park Site is zoned Rural Residential, much of the proposed River Parkway would pass through areas under agricultural zoning. In addition, portions of the River Parkway would be adjacent to or would skirt the boundaries of properties under Williamson Act contracts. However, the River Parkway would serve as a compatible use with agricultural zoning and preserves, and thus would not trigger premature conversion of surrounding agricultural lands. Therefore, impacts related to conflicts with existing zoning or Williamson Act contracts would be Class III, *less than significant*.

River Parkway. The proposed River Parkway corridor travels through land zoned Agricultural Rangeland (AR) in the San Juan Valley and through land zoned Agricultural Productive (AP) to the southeast (San Benito County, 2010). The AR zone is intended to provide for the use of land as agricultural rangeland, while the AP zone is intended to support agricultural production of any type.

Pursuant to sections 25.07.005(BB), 25.07.022, and 25.29.106 of the County Code, parks, playground, and recreational community centers may, after a public hearing, be allowed as additional permitted uses in the AR and AP zones, if they are “deemed essential or desirable to the public convenience or welfare, and are in harmony with the various elements or objectives of the general plan.” The proposed River Parkway would provide recreational facilities for public use, consistent with policies supporting recreational paths and bicycling facilities in the County’s Transportation Element and Open Space and Conservation Element. Therefore, the River Parkway may be considered consistent with criteria in the County Code for additional permitted uses in agricultural zones.

As shown in Figure 4.2-2, much of the River Parkway also would be adjacent to or would skirt the boundaries of properties under Williamson Act contracts. While the final width of the River Parkway corridor has not been defined at this stage, it is assumed for purposes of this DEIR that the primary trail corridor would be located alongside the San Benito River and Tres Pinos Creek, where it is unlikely to pass through land actively used for agricultural purposes, consistent with the applicable guidelines in the Master Plans (see pages 35, 42, 47, 51, and 55 of



the River Parkway Master Plan). For the above reasons, and given the recreational nature of the project, construction of the River Parkway would not be expected to trigger conversion of nearby agricultural land currently under LCA contracts.

Furthermore, outdoor recreational use is compatible with Williamson Act contracts, pursuant to Section 19.01.023(B)(2) of the County Code, provided that such use “is incidental, and not detrimental to the agricultural use.” Any recreational activity on a trail corridor at the margins of properties under Williamson Act contract, alongside the San Benito River and Tres Pinos Creek, would be incidental to agricultural production and would not preclude the primary agricultural use. Although a portion of the Regional Park Site is currently under agricultural cultivation, the site is not subject to a Williamson Act contract nor is it located near a property under Williamson Act contract.

Regional Park. The Regional Park Site is zoned Rural Residential (RR), which applies to areas in proximity to urban services and is intended to provide a mixture of single-family housing and limited agricultural uses. Pursuant to Section 25.09.042(H) of the County Code, parks, playground, and recreational community centers may, after a public hearing, be allowed as additional permitted uses in the RR zone, if they are “deemed essential or desirable to the public convenience or welfare, and are in harmony with the various elements or objectives of the general plan.” The proposed park would be consistent with General Plan policies to serve the active recreational needs of the County population. Therefore, the Regional Park may be considered compatible with its zoning designation. In addition, as discussed below in Impact AG-3, there would be no significant impacts related to potential conflicts between recreational and agricultural uses as proposed by the project.

Therefore, the proposed River Parkway and Regional Park project would have a less than significant impact related to agricultural zoning and the Williamson Act.

Mitigation Measures. No mitigation measures are required.

Significance After Mitigation. Impacts would be less than significant without mitigation.

Impact AG-3 Operation of the proposed project may result in the conversion of farmland to non-agricultural use through direct and indirect impacts on agricultural productivity. This is a Class II, *significant but mitigable* impact.

The proposed River Parkway would be located near or adjacent to cultivated farmland and grazing lands, particularly in the San Juan Valley and to the southeast of Hollister. The interface of trail users on the River Parkway and agricultural operations could result in several types of land use conflicts, affecting both agricultural resources and trail users.

The Regional Park Site is not located adjacent to agricultural properties, except at the northeast corner of the site where Baler Alley connects with San Benito Street. An orchard is located across San Benito Street to the east of the alley. The project would align the Access Road on the paved alley, which would be suitably modified to accommodate a two- or three-lane roadway,

with provisions for pedestrians and bikes. Modification of the alley could generate dust during construction. However, any adverse impacts on growing conditions from fugitive dust would be temporary and limited to grading activities. As discussed in Impact AQ-2 in Section 4.3, *Air Quality*, construction of the project would not significantly affect local air quality. Furthermore, the project would continue vehicular use on Baler Alley/the proposed Access Road and would not introduce a new land use that is incompatible with adjacent agricultural cultivation.

Anticipated conflicts between the River Parkway and agricultural uses are described below.

Impacts to Agricultural Uses. Development adjacent to farmland can induce a range of adverse impacts on continued farm operations. Direct physical impacts could include vandalism to farm equipment or fencing, and theft of products. Trespassing by trail users could occur, particularly on isolated stretches of the River Parkway corridor where security may be more limited. Such trespassing may be by trail users who become fatigued and find the shade of adjacent property to be an attractive place to rest. In some areas, row crops may also present informal shortcuts to major roadways from the trail alignment. In addition to the potential for vandalism and theft, direct impacts from trespassers could include soil compaction and contamination, which can damage crop potential. Direct impacts may also include littering on farmland, particularly along portions of the trail that do not have ready access to trash receptacles. Unintentional littering could also occur if litter deposited by trail users in trash receptacles is carried by winds onto nearby farmland.

Indirect impacts to agriculture from the proximity of trail users can also affect the long-term viability of such operations. Increased regulations and liability insurance to protect the farmers from adjacent uses may cost time and money. As a result of increased public access, some farmers may voluntarily avoid cultivating or spraying the portions of their property closest to the trail, in effect establishing formal or informal buffer zones on their own. This could incrementally lower the crop yield of the agricultural operation. Additionally, use of ornamental landscaping along the trail could bring pests into the agricultural areas, which could adversely affect agricultural production.

Impacts to Trail Users. Impacts of the existing environment on project users is not, under most circumstances, an impact that requires evaluation under CEQA. Therefore, the following is being provided for informational purposes only. Adjacent agricultural operations could create health-related and nuisance conflicts with trail users, including from closure of segments of the trail to accommodate agricultural activities. In particular, the use of pesticides on adjacent row crops and the suspension of dust from operation of farm equipment could present adverse health concerns.

The San Benito County Agricultural Commissioner's office is responsible for issuing pesticide spraying permits and regulating the use of pesticides and other agricultural chemicals. As the regulating and enforcement entity for the County, the Agricultural Commissioner's office would not place additional restrictions upon the agricultural operators as a result of the proposed River Parkway as long as pesticides and other agricultural chemicals are applied in compliance with the label, worker safety requirements, weather conditions, drift restrictions, and all other safety requirements as required by federal, state and local laws. Nor would the Agricultural Commissioner's office require specific agricultural or pesticide buffers from the proposed trail. Rather, pesticide spray restrictions listed on the pesticide label would be

enforced. These buffers are greatest for fumigants, which have a greater potential for drifting into the trail area.

Regardless of whether agricultural operators follow all restrictions on the pesticide label, the potential exists for trail users to trespass onto adjacent agricultural property after pesticides have been applied, thereby becoming exposed to potentially dangerous chemicals. The health effects of pesticide exposure are further discussed in Section 4.8, *Hazards and Hazardous Materials*.

It should be noted that while ongoing agricultural operations could impact trail users, these impacts are not unique to this project. Agricultural operations in the region may also result in nuisance impacts to adjacent urban development. Homeowners typically note conflicts with adjacent agricultural operations more frequently than do transitory trail users, who voluntarily enter and leave agricultural areas of their own accord, and therefore are more likely to accept short-term odor and noise nuisances.

Project Design Features. The proposed River Parkway contains several design features intended to limit potential conflicts between agricultural operators and trail users. In agricultural and rural sections of the River Parkway, guidelines in the Master Plans would be implemented, which would provide for fencing as a buffer between trails and agricultural fields, as needed and in coordination with adjacent agricultural operations. Fencing would be designed so as to blend with the rural and agricultural setting. Alternatively, planting may be used as a buffer in lieu of fencing, and coordinated with the adjacent landowner. Landscaping adjacent to agricultural operations would not require the permanent installation of irrigation or the use of plant species that may attract insect pests.

The trail system also would be limited to daytime hours in agricultural areas, with gated entrances installed at primary and secondary staging areas and at access nodes with parking lots, for the purpose of securing the corridor during closure hours. Thus, these same resources could be utilized to help coordinate pesticide spraying, agricultural dust and debris, and burning activities in accordance with State and local laws and ordinances, by temporarily closing the trail system to public use. In accordance with standard practice, the Agricultural Commissioner's office would inform the Trail Manager of all spraying of federally restricted pesticides adjacent to the trail corridor, so that appropriate action can be taken (e.g., posting notices or closure of that segment of the trail).

Trail access points and primary and secondary staging areas also would be located in close proximity to the trail alignment, and would include features such as parking for vehicles; gathering areas with picnic tables, group benches, and/or shade structures; drinking water; trash receptacles; welcome and regulatory signage; and other amenities. These areas could help reduce trespassing and other potential conflicts identified above. In addition, a maintenance plan would be adopted to ensure the adequate maintenance of the trail system and its associated facilities, thereby reducing litter-related conflicts.

While the above design features helped to reduce potential land use conflicts that could impair agricultural operations, mitigation is required to reduce impacts to a less than significant level.

Mitigation Measures. The following mitigation measures are required to reduce the potential impacts from agricultural land use conflicts to a less than significant level:

AG-3(a) Notice of Agricultural Activities. At trail entrances in agricultural portions of the River Parkway, the following information shall be added to notices about on-going agricultural activities:

- Trail users are advised to stay on the trail and be alert to operating machinery and equipment near the trail.
- The legal ramifications for trespassing or being on the trail after it is closed.

AG-3(b) Landscaping Coordination. For portions of the River Parkway adjacent to agricultural operations, any ornamental plant material used along the trail shall be comprised of native and indigenous species. The selected plant palette shall be reviewed by the Agricultural Commissioner's office prior to approval of landscape plans. Any plant material which may host pests destructive to agriculture shall be prohibited.

Significance After Mitigation. Implementation of the above mitigation measures would reduce impacts to a less than significant level.

c. Cumulative Impacts. Urbanization in San Benito County is causing a significant cumulative loss of agricultural land countywide. The proposed project would result in a significant and unavoidable impact from the conversion of Important Farmland as discussed in Impact AG-1, despite the off-site preservation of Prime Farmland under Mitigation Measure AG-1 at a 1:1 ratio to Important Farmland converted at the Regional Park site. As a result, the project would have a cumulatively considerable contribution to the significant cumulative loss of agricultural land within the County. The project would also contribute to conflicts between agricultural and non-agricultural uses, as discussed in Impact AG-3, although the mitigation measures prescribed above would reduce impacts to a less than significant level. For cumulative development projects, San Benito County's Right-to-Farm Ordinances (Art. 1 of Chap. 17.01 of the County Code) is a regulatory mechanism intended to ensure the viability of agriculture, and would provide some degree of mitigation for any potential impacts. It should be noted that the viability of agriculture involves more than merely prohibiting development in areas designated for agriculture. For agriculture to remain viable as an industry in the County, farmers must be able to farm, which necessitates the use of pesticides and equipment, with associated nuisance effects. Nonetheless, the loss of Important Farmland represents a cumulatively considerable impact on agricultural resources.

4.3 AIR QUALITY

4.3.1 Setting

a. Climate and Topography. The proposed project would be located within the North Central Coast Air Basin (NCCAB). The NCCAB is composed of Monterey, Santa Cruz and San Benito Counties and covers an area of more than 5,100 square miles. The air basin features varied vegetation, climate and geography and includes portions of several mountain ranges: the Santa Lucia and Gabilan Ranges in Monterey and San Benito Counties, the southern portion of the Santa Cruz Mountains in Santa Cruz County, and the Diablo Range in the eastern half of San Benito County.

A semi-permanent high pressure cell in the eastern Pacific is the basic controlling factor in the climate of the NCCAB. In the summer, the high-pressure cell is dominant and causes persistent west and northwest winds over the entire California coast. Air descends from the Pacific High, forming a stable temperature inversion of warm air over a cooler coastal layer of air. The onshore air currents pass over cool ocean waters to bring fog and relatively cool air into the coastal valleys. The warmer air aloft acts as a lid that inhibits vertical air movement and allows air pollutants to concentrate in the lower level.

The generally northwest-southeast orientation of mountainous ridges tends to restrict and channel the summer onshore air currents. Surface heating in the interior portion of the Salinas and San Benito Valleys creates a weak low pressure that intensifies the onshore air flow during the afternoon and evening.

In the fall, the surface winds become weak, and the marine layer grows shallow, dissipating altogether on some days. The airflow is occasionally reversed in a weak offshore movement, and the relatively stationary air mass is held in place by the Pacific High pressure cell, which allows pollutants to build up over a period of a few days. It is most often during this season that north or east winds develop, which transport pollutants from either the San Francisco Bay area or the Central Valley into the NCCAB.

During the winter, the Pacific High migrates southward and so has less influence on the NCCAB. Air frequently flows in a southeasterly direction out of the Salinas and San Benito Valleys, especially during night and morning hours. The general absence of deep, persistent inversions and occasional storm systems usually result in good air quality for the basin as a whole in winter and early spring.

b. Air Pollutants of Primary Concern. The state and federal Clean Air Acts mandate the control and reduction of certain air pollutants. Under these Acts, the U.S. Environmental Protection Agency (U.S. EPA) and the California Air Resources Board (CARB) have established ambient air quality standards for certain “criteria” pollutants. Ambient air pollutant concentrations are affected by the rates and distributions of corresponding air pollutant emissions, as well as by the climactic and topographic influences discussed above. The primary determinant of concentrations of non-reactive pollutants (such as CO and PM₁₀) is proximity to major sources. Ambient CO levels in particular usually closely follow the spatial and temporal distributions of vehicular traffic. A discussion of primary criteria pollutants is provided below.

Ozone. Ozone is a colorless gas with a pungent odor. Most ozone in the atmosphere is formed as a result of the interaction of ultraviolet light, reactive organic gases (ROG), and oxides of nitrogen (NO_x). ROG (the organic compound fraction relevant to ozone formation, and sufficiently equivalent for the purposes of this analysis to volatile organic compounds, or VOC^1) is composed of non-methane hydrocarbons (with some specific exclusions), and NO_x is made of different chemical combinations of nitrogen and oxygen, mainly NO and NO_2 . A highly reactive molecule, ozone readily combines with many different components of the atmosphere. Consequently, high levels of ozone tend to exist only while high ROG and NO_x levels are present to sustain the ozone formation process. Once the precursors have been depleted, ozone levels rapidly decline. Because these reactions occur on a regional rather than local scale, ozone is considered a regional pollutant.

Carbon Monoxide. Carbon monoxide (CO) is an odorless, colorless, gas. CO causes a number of health problems including fatigue, headache, confusion, and dizziness. The incomplete combustion of petroleum fuels in on-road vehicles and at power plants is a major cause of CO. CO is also produced during the winter from wood stoves and fireplaces. CO tends to dissipate rapidly into the atmosphere; consequently, violations of the state CO standard are generally associated with major roadway intersections during peak hour traffic conditions.

Localized carbon monoxide “hotspots” can occur at intersections with heavy peak hour traffic. Specifically, hotspots can be created at intersections where traffic levels are sufficiently high such that the local CO concentration exceeds the federal Ambient Air Quality Standards (AAQS) of 35.0 parts per million (ppm) or the state AAQS of 20.0 ppm.

Nitrogen Dioxide. Nitrogen dioxide (NO_2) is a by-product of fuel combustion, with the primary source being motor vehicles and industrial boilers and furnaces. The principal form of nitrogen oxide produced by combustion is nitric oxide (NO), but NO reacts rapidly to form NO_2 , creating the mixture of NO and NO_2 commonly called NO_x . Nitrogen dioxide is an acute irritant. A relationship between NO_2 and chronic pulmonary fibrosis may exist, and an increase in bronchitis in young children at concentrations below 0.3 parts per million (ppm) may occur. Nitrogen dioxide absorbs blue light and causes a reddish brown cast to the atmosphere and reduced visibility. It can also contribute to the formation of PM_{10} and acid rain.

Lead. Lead is a metal found naturally in the environment, as well as in manufacturing products. The major sources of lead emissions historically have been mobile and industrial sources. As a result of the phase-out of leaded gasoline, as discussed below, metal processing currently is the primary source of lead emissions. The highest level of lead in the air is generally found near lead smelters. Other stationary sources are waste incinerators, utilities, and lead-acid battery manufacturers. Twenty years ago, mobile sources were the main contributor to ambient lead concentrations in the air. In the early 1970s, the U.S. EPA set national regulations to gradually reduce the lead content in gasoline. In 1975, unleaded gasoline was introduced for motor vehicles equipped with catalytic converters. U.S. EPA completed the ban prohibiting the use of leaded gasoline in highway vehicles in December 1995.² As a result of U.S. EPA’s regulatory efforts to remove lead from gasoline, lead concentrations have declined substantially over the past several decades. The most dramatic reductions in lead emissions occurred prior to

¹ ROG is equivalent to volatile organic compounds (VOC) per MBUAPCD Rule 101, 2.32.

² 40 CFR Part 80, <http://www.epa.gov/otaq/regs/fuels/additive/lead/pbbandfr.text>, assessed 2/27/2013.



1990 in the transportation sector due to the removal of lead from gasoline sold for most highway vehicles. Lead emissions were further reduced substantially between 1990 and 2008, with significant reductions occurring in the metals industries at least in part as a result of national emissions standards for hazardous air pollutants.³

Sulfur Dioxide. SO₂ is produced by such stationary sources as coal and oil combustion, steel mills, refineries and pulp and paper mills. The major adverse health effects associated with SO₂ exposure pertain to the upper respiratory tract. SO₂ is a respiratory irritant with construction of the bronchioles occurring with inhalation of SO₂ at 5ppm or more. On contact with the moist mucous membranes, SO₂ produces sulfurous acid, which is a direct irritant. Concentration rather than duration of the exposure is an important determinant of respiratory effects.

Particulate Matter. Suspended particulate matter (airborne dust) consists of particles small enough to remain suspended in the air for long periods. Fine particulate matter includes particles small enough to be inhaled, pass through the respiratory system, and lodge in the lungs, with resultant health effects. Particulate matter can include materials such as sulfates and nitrates, which are particularly damaging to the lungs. Health effects studies resulted in revision of the Total Suspended Particulate (TSP) standard in 1987 to focus on particulates that are small enough to be considered “inhalable,” i.e. 10 microns or less in size (PM₁₀). In July of 1997, a further revision of the federal standard added criteria for PM_{2.5}, reflecting recent studies that suggested that particulates less than 2.5 microns in diameter are of particular concern.

Federal and state standards have been established for ozone, carbon monoxide (CO), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), lead, and fine particulates (PM₁₀ and PM_{2.5}). Table 4.3-1 summarizes the current federal and state standards for each of these pollutants. Standards have been set at levels intended to be protective of public health. California standards are more restrictive than federal standards for each of these pollutants except for lead and the eight-hour average for CO. Depending on whether the standards are met or exceeded, the local air basin is classified as in “attainment” or “nonattainment.”

c. Current Ambient Air Quality. Within the NCCAB, ambient air quality is monitored at seven Monterey Bay Unified Air Pollution Control District (MBUAPCD) operated monitoring stations located in Salinas, Hollister, Carmel Valley, Santa Cruz, Scotts Valley, Watsonville, and Davenport. In addition, the National Park Service operates a station at the Pinnacles National Monument and an industry consortium operates a station in King City. The MBUAPCD monitors air pollutant levels to assure that air quality standards are met, and if they are not met, to also develop strategies to meet the standards. As indicated above, depending on whether or not the standards are met or exceeded, the air basin is classified as being in “attainment” or as “non-attainment.” Table 4.3-2 summarizes the State and Federal attainment status for criteria pollutants.

As shown in Table 4.3-2, although the NCCAB is in attainment or unclassifiable for all federal ambient air quality standards (AAQS), it is designated as nonattainment with respect to the more stringent state PM₁₀ AAQS and is designated as nonattainment with respect to the state’s

³ U.S. EPA 2013. *Policy Assessment for the Review of the Lead National Ambient Air Quality Standards – External Review Draft.* EPA – 452/P-13-001.



eight-hour ozone AAQS.

Table 4.3-1
Current Federal and State Ambient Air Quality Standards

Pollutant	Averaging Time	Federal Primary Standards	California Standard
Ozone	1-Hour	---	0.09 ppm
	8-Hour	0.070 ppm	0.070 ppm
Carbon Monoxide	8-Hour	9 ppm	9.0 ppm
	1-Hour	35 ppm	20.0 ppm
Nitrogen Dioxide	Annual	0.053 ppm	0.030 ppm
	1-Hour	0.10 ppm	0.18 ppm
Sulfur Dioxide	24-Hour	0.14 ppm	0.04 ppm
	1-Hour	0.075 ppm	0.25 ppm
PM ₁₀	Annual	---	20 µg/m3
	24-Hour	150 µg/m3	50 µg/m3
PM _{2.5}	Annual	12 µg/m3	12 µg/m3
	24-Hour	35 µg/m3	---
Lead	30-Day Average	---	1.5 µg/m3
	3-Month Average	0.15 µg/m3	---

ppm= parts per million

µg/m3 = micrograms per cubic meter

Source: California Air Resources Board, <http://www.arb.ca.gov/research/aaqs/aaqs2.pdf>, 2015

Table 4.3-2
Attainment Status of the North Central Coast Air Basin

Pollutant	State Standard	Federal Standard
Ozone (O ₃)	Non-attainment	Attainment/Unclassified
Inhalable Particulates (PM ₁₀)	Non-attainment	Attainment
Fine Particulates (PM _{2.5})	Attainment	Attainment/Unclassified
Carbon Monoxide (CO)	Attainment (Monterey County)/ Unclassified (San Benito County)	Attainment/Unclassified
Nitrogen Dioxide (NO _x)	Attainment	Attainment/Unclassified
Sulfur Dioxide (SO _x)	Attainment	Attainment
Lead	Attainment	Attainment/Unclassified

Note: Non-attainment pollutants are highlighted in **Bold**.

Table 4.3-3 summarizes the annual air quality data for the NCCAB over the years of 2012-2014 (the most current available data). The Hollister-Fairview Road monitoring site, located at 1979 Fairview Road in the City of Hollister, was chosen as representative of the ambient air conditions of the project vicinity because it is the monitoring station closest to the middle segments of the proposed trail network and the Regional Park Site. However, carbon monoxide and nitrogen dioxide are not monitored at the Hollister-Fairview Road station. Thus, an average for the entire NCCAB for these pollutants was utilized. The data collected at the MBUAPCD-operated stations, shown below in Table 4.3-3, is considered to be generally



representative of the baseline air quality experienced in the project vicinity.

**Table 4.3-3
Ambient Air Quality Data**

Pollutant	2012	2013	2014
Ozone, ppm - Worst Hour	0.074	0.076	0.083
Number of days of State exceedances (>0.09 ppm)	0	0	0
Ozone, ppm – Worst 8 Hour Average	0.064	0.070	0.071
Number of days of State exceedances (>0.07 ppm)	0	0	2
Number of days of Federal exceedances (>0.075 ppm) ⁴	0	0	0
Particulate Matter <10 microns, µg/m ³ Worst 24 Hours	105	98.4	48.4
Number of samples of State exceedances (>50 µg/m ³)	N/A	N/A	N/A
Number of samples of Federal exceedances (>150 µg/m ³)	0	0	0
Particulate Matter <2.5 microns, µg/m ³ Worst 24 Hours	28.6	21.2	24.3
Number of days Federal exceedances	0	0	0
Nitrogen Dioxide, ppm – Worst Hour ^a	0.042	0.042	0.038
Number of days of State exceedances (>0.18 ppm)	0	0	0
Carbon Monoxide, ppm – Worst 8 hour ^a	1.39	N/A	N/A
Number of days State/Federal exceedances (>9.0 ppm)	0	0	0

Source: California Air Resources Board. Top 4 Summary. Accessed January 2016. Air Quality Monitoring Station: Hollister-Fairview Road.

^a Nitrogen Dioxide and Carbon Monoxide sampling does not occur daily; for these two pollutants the average for the entire NCCAB region was used.

N/A = There was insufficient data to determine a value.

Given that the NCCAB is designated as nonattainment for state ozone and PM₁₀ AAQS, these are the primary pollutants of concern for the NCCAB. As indicated in Table 4.3-3, there were no Federal or State ozone exceedances in 2012 or 2013, but there were exceedances in 2014. The State and Federal standards for PM₁₀ and the Federal standards for PM_{2.5} were not exceeded in 2012, 2013, or 2014.

d. Hazardous Air Pollutants/Toxic Air Contaminants. Both the U.S. EPA and CARB regulate hazardous air pollutants (HAPs)/ toxic air contaminants (TACs). According to Section 39655 of the California Health and Safety Code, a toxic air contaminant is “an air pollutant which may cause or contribute to an increase in mortality or an increase in serious illness, or which may pose a present or potential hazard to human health.” In addition, 189 substances that have been listed as federal hazardous air pollutants (HAPs) pursuant to Section 7412 of Title 42 of the United States Code are TACs under the State’s air toxics program pursuant to Section 39657 (b) of the California Health and Safety Code.

TACs can cause various cancers, depending on the particular chemicals, their type and duration of exposure. Additionally, some of the TACs may cause other health effects with short or long term exposure. The ten TACs posing the greatest health risk in California are acetaldehyde, benzene, 1-3 butadiene, carbon tetrachloride, hexavalent chromium, para-dichlorobenzene, formaldehyde, methylene chloride, perchlorethylene, and diesel particulate matter. Mobile sources of TACs include freeways and other roads with high traffic volumes, while stationary sources include distribution centers, rail yards, ports, refineries, dry cleaners, and large gas

⁴ On October 1, 2015, the EPA strengthened the NAAQS for ground-level ozone to 70 parts per million through the adoption of a new standard. The Final Rule went into effect on December 28, 2015.



dispensing facilities. The project site is not located near any major sources of TACs. For cancer health effects, the risk is expressed as the number of chances in a population of a million people who might be expected to get cancer over a 70-year lifetime.

e. Regulatory Setting.

Federal and State. The federal and state governments have been empowered by the federal and state Clean Air Acts to regulate the emission of airborne pollutants and have established ambient air quality standards for the protection of public health. The United States Environmental Protection Agency (U.S. EPA) is the federal agency designated to administer air quality regulation, while the California Air Resources Board (CARB) is the state equivalent in California. Local control in air quality management is provided by CARB through county-level or regional (multi-county) air pollution control districts (APCDs). CARB establishes air quality standards and is responsible for control of mobile emission sources, while the local APCDs are responsible for enforcing standards and regulating stationary sources. CARB has established 14 air basins statewide.

Federal Clean Air Act. The U.S. EPA is charged with implementing national air quality programs. The U.S. EPA's air quality mandates are drawn primarily from the federal Clean Air Act (CAA). The CAA was passed in 1963 by the U.S. Congress and has been amended several times. The 1970 CAA amendments strengthened previous legislation and laid the foundation for the regulatory scheme of the 1970s and 1980s. In 1977, Congress again added several provisions, including non-attainment requirements for areas not meeting NAAQS and the Prevention of Significant Deterioration program. The 1990 CAA amendments represent the latest in a series of federal efforts to regulate the protection of air quality in the U.S. The CAA allows states to adopt more stringent standards or to include other pollution species.

NAAQS. As discussed above, the federal CAA requires the U.S. EPA to establish primary and secondary NAAQS for a number of criteria air pollutants. The air pollutants for which standards have been established are considered the most prevalent air pollutants that are known to be hazardous to human health. NAAQS have been established for the following pollutants: O₃, CO, SO₂, PM₁₀, PM_{2.5}, and lead (Pb).

Title III of the Federal CAA. As discussed above, hazardous air pollutants (HAPs) are the air contaminants identified by the U.S. EPA as known or suspected to cause cancer, other serious illnesses, birth defects, or death. The federal CAA requires the U.S. EPA to set standards for these pollutants and reduce emissions of controlled chemicals. Specifically, Title III of the CAA requires the U.S. EPA to promulgate National Emissions Standards for Hazardous Air Pollutants (NESHAP) for certain categories of sources that emit one or more pollutants that are identified as HAPs. The federal CAA also requires the U.S. EPA to set standards to control emissions of HAPs through mobile source control programs. These include programs that reformulated gasoline, national low emissions vehicle standards, Tier 2 motor vehicle emission standards, gasoline sulfur control requirements, and heavy-duty engine standards.

HAPs tend to be localized and are found in relatively low concentrations in ambient air. However, they can result in adverse chronic health effects if exposure to low concentrations occurs for long periods. Many HAPs originate from human activities, such as fuel combustion and solvent use. Emission standards may differ between "major sources" and "area sources" of



the HAPs/TACs. Under the federal CAA, major sources are defined as stationary sources with the potential to emit more than 10 tons per year (tpy) of any one HAP or more than 25 tpy of any combination of HAPs; all other sources are considered area sources. Mobile source air toxics (MSATs) are a subset of the 188 HAPs. Of the 21 HAPs identified by the U.S. EPA as MSATs, a priority list of six priority HAPs were identified that include: diesel exhaust, benzene, formaldehyde, acetaldehyde, acrolein, and 1,3-butadiene. While vehicle miles traveled in the United States is expected to increase by 64 percent over the period 2000 to 2020, emissions of MSATs are anticipated to decrease substantially as a result of efforts to control mobile source emissions (by 57 percent to 67 percent depending on the contaminant).

California Clean Air Act. The California Clean Air Act (CCAA), signed into law in 1988, requires all areas of the State to achieve and maintain the CAAQS by the earliest practical date. CARB is the State air pollution control agency and is a part of the California Environmental Protection Agency (Cal EPA). CARB is the agency responsible for coordination and oversight of State and local air pollution control programs in California, and for implementing the requirements of the CCAA. CARB oversees local district compliance with California and federal laws, approves local air quality plans, submits the SIPs to the U.S. EPA, monitors air quality, determines and updates area designations and maps, and sets emissions standards for new mobile sources, consumer products, small utility engines, off-road vehicles, and fuels.

CAAQS. The CCAA requires CARB to establish CAAQS. Similar to the NAAQS, CAAQS have been established for the following pollutants: O₃, CO, NO₂, SO₂, PM₁₀, PM_{2.5}, Pb, vinyl chloride, hydrogen sulfide, sulfates, and visibility-reducing particulates. In most cases, the CAAQS are more stringent than the NAAQS pollutants. The CCAA requires that all local air districts in the State endeavor to achieve and maintain the CAAQS by the earliest practical date. The CCAA specifies that local air districts should focus particular attention on reducing the emissions from transportation and area-wide emission sources, and provides districts with the authority to regulate indirect sources.

Tanner Air Toxics Act and Air Toxics Hot Spots Information and Assessment Act. Toxic air contaminants (TACs)⁵ in California primarily are regulated through the Tanner Air Toxics Act (AB 1807) and the Air Toxics Hot Spots Information and Assessment Act of 1987 (AB 2588) (Hot Spots Act). As discussed above, HAPs/TACs are a broad class of compounds known to cause morbidity or mortality (cancer risk). HAPs/TACs are found in ambient air, especially in urban areas, and are caused by industry, agriculture, fuel combustion, and commercial operations (e.g., dry cleaners). Because chronic exposure can result in adverse health effects, TACs are regulated at the regional, State and federal level.

AB 1807 sets forth a formal procedure for CARB to designate substances as TACs. Research, public participation, and scientific peer review are necessary before CARB can designate a substance as a TAC. To date, CARB has identified more than 21 TACs and adopted the U.S. EPA's list of HAPs as TACs. In 1998, diesel particulate matter (DPM) was added to CARB's list of TACs. Once a TAC is identified, CARB adopts an Airborne Toxic Control Measure for sources that emit that particular TAC. If a safe threshold exists at which no toxic effect occurs from a substance, the control measure must reduce exposure below that threshold. If no safe threshold exists, the measure must incorporate Best Available Control Technology (BACT) to

⁵ TACs are referred to as HAPs under the federal CAA.



minimize emissions.

The Hot Spots Act requires for existing facilities that emit toxic substances above a specified level to prepare a toxic emissions inventory and a risk assessment if the emissions are significant, notify the public of significant risk levels, and prepare and implement risk reduction measures.

Diesel Exhaust and Diesel Particulate Matter. Diesel exhaust is the predominant TAC in urban air and is estimated to represent about two-thirds of the cancer risk from TACs (based on the statewide average). According to CARB, diesel exhaust is a complex mixture of gases, vapors, and fine particles. This complexity makes the evaluation of health effects of diesel exhaust a complex scientific issue. Some chemicals in diesel exhaust, such as benzene and formaldehyde, have been previously identified as TACs by CARB, and are listed as carcinogens either under State Proposition 65 or under the Federal Hazardous Air Pollutants programs.

CARB reports that recent air pollution studies have shown an association that diesel exhaust and other cancer-causing toxic air contaminants emitted from vehicles are responsible for much of the overall cancer risk from TACs in California. Particulate matter emitted from diesel-fueled engines (DPM) was found to comprise much of that risk. CARB has adopted and implemented a number of regulations for stationary and mobile sources to reduce emissions of DPM. Several of these regulatory programs affect medium and heavy duty diesel trucks that represent the bulk of DPM emissions from California highways. These regulations include the solid waste collection vehicle (SWCV) rule, in-use public and utility fleets, and the heavy-duty diesel truck and bus regulations. In 2011, CARB approved the latest regulation to reduce emissions of DPM and nitrogen oxides from existing on-road heavy-duty diesel fueled vehicles.⁶ The regulation requires affected vehicles to meet specific performance requirements between 2012 and 2023, with all affected diesel vehicles required to have 2010 model-year engines or the equivalent by 2023. These requirements are phased in over the compliance period and depend on the model year of the vehicle. With implementation of CARB's Risk Reduction Plan, DPM concentrations are expected to be reduced by 85 percent in 2020 from the estimated year-2000 level.⁷ As emissions are reduced, risks associated with exposure to emissions also are expected to be reduced.

CARB Air Quality and Land Use Handbook. In April 2005, CARB released the final version of its *Air Quality and Land Use Handbook: A Community Health Perspective*. This guidance document is intended to encourage local land use agencies to consider the risks from air pollution before they approve the siting of sensitive land uses (e.g., residences) near sources of air pollution, particularly TACs (e.g., freeway and high traffic roads, commercial distribution centers, rail yards, ports, refineries, dry cleaners, gasoline stations and industrial facilities). These advisory recommendations include general setbacks or buffers from air pollution sources.

CAPCOA Health Risk Assessments for Proposed Land Use Projects. The California Air Pollution Control Officer's Association (CAPCOA) is a consortium of air district managers throughout California, which provide guidance material to addressing air quality issues in the State. As a follow up to CARB's 2005 *Air Quality and Land Use Handbook*, CAPCOA prepared the

⁶ Title 13, Section 2205. <http://www.arb.ca.gov/msprog/onrdiesel/onrdiesel>. Website accessed in July 2014.

⁷ CARB. 2000. *Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles*.



*Health Risk Assessments for Proposed Land Use Projects.*⁸ This guidance document was released to ensure that the health risk of projects be identified, assessed, and avoid or mitigated, if feasible, through the CEQA process. The CAPCOA guidance document provides recommended methodologies for evaluating health risk impacts for development projects.

Regional. The MBUAPCD regulates air quality in the NCCAB, and is responsible for attainment planning related to criteria air pollutants, and for district rule development and enforcement. It also reviews air quality analyses prepared for CEQA assessments, and has published the *CEQA Air Quality Guidelines* document (last revised February 2008) for use in evaluation of air quality impacts. The purpose of the *Guidelines* is to assist in the review and evaluation of air quality impacts from projects which are subject to CEQA. Its guidance applies to the North Central Coast Air Basin (NCCAB), which is comprised of Monterey, Santa Cruz, and San Benito Counties. The *Guidelines* are an advisory document intended to provide lead agencies, consultants, and project proponents with uniform procedures for assessing potential air quality impacts and preparing the air quality section of environmental documents. The *Guidelines* are also intended to help these entities anticipate areas of concern from the MBUAPCD in its role as a lead, commenting and/or responsible agency for air quality.

Air Quality Management Plan. Under state law, the MBUAPCD is required to prepare a plan for air quality improvement for pollutants for which the District is in non-compliance. The MBUAPCD has adopted an Air Quality Management Plan (AQMP) that provides a strategy for the attainment of state and federal air quality standards. MBUAPCD updates the AQMP every three years. Each iteration of the plan is an update of the previous plan and has a 20-year horizon. In April 2013, the District Board of Directors adopted the 2009-2011 Triennial Plan Revision, which is an update to the 2008 AQMP. The primary elements from the 2008 AQMP updated in the triennial revision include the air quality trends analysis, emission inventory, and mobile source programs.

The 2009-2011 Triennial Plan Revision was prepared to ensure continued progress towards clean air and compliance with state and federal requirements. This AQMP builds upon the approaches taken in the 2008 AQMP, but only addresses attainment of the State ozone air quality standard since the NCCAB was designated by the EPA as attainment of the current national 8-hour ozone standard in 2012. This AQMP highlights the ozone precursor (NO_x and ROG) emissions inventory trend over time compared to the 2008 AQMP inventory. The data show an overall decline in emissions of both NO_x and ROG. This decrease corresponds to the general improvement in ambient ozone levels in the NCCAB as a result of key programs and rules regulating cleaner exhaust standards for automobiles and improving new technologies to reduce vehicle fuel consumption. The decrease is most pronounced for NO_x, while the decrease in ROG is not as rapid and is projected to flatten out after 2020. The 1990 to 2035 reduction in ROG is expected to be about 55 tons per day or about a 47 percent reduction, while the corresponding reduction in NO_x is expected to be about 93 tons per day or approximately a 74 percent reduction.

f. Sensitive Receptors. Certain population groups are more sensitive to air pollution than others, in particular, children, the elderly, and acutely ill and chronically ill persons, especially those with cardio-respiratory diseases. MBUAPCD defines a sensitive

⁸ CAPCOA. 2009. *Health Risk Assessments for Proposed Land Use Projects*.



receptor as any residence including private homes, condominiums, apartments, and living quarters; education resources such as preschools and kindergarten through grade twelve (k-12) schools; daycare centers; and health care facilities such as hospitals or retirement and nursing homes.

CARB recommends evaluating potential impacts to sensitive receptors located within 1,000 feet of the subject site (CARB, 2005). Sensitive receptors in the project vicinity include residences located adjacent to the proposed trail corridor, which are located approximately 25 feet from the corridor. In addition, the closest sensitive receptors to the Regional Park Site are located within 50 feet of the site and include San Benito High School (adjacent to the north of the site), residences along San Benito Street (adjacent to the west of the site), and the First Presbyterian Church on San Benito Street (located southwest of the site). In addition, single family residences are located within approximately 25 feet to the west of the proposed Access Road.

4.3.2 Impact Analysis

a. Methodology and Significance Thresholds.

Methodology. The analysis of air quality impacts conforms to the methodologies recommended in the MBUAPCD's *CEQA Air Quality Guidelines* (2008). The handbook includes thresholds for emissions associated with both construction and operation of proposed projects.

Construction Emissions. The California Emissions Estimator Model (CalEEMod) 2013 Version 2013.2.2 was used to estimate construction emissions for the proposed project and is based on parameters such as the duration of construction activity, area of disturbance, and anticipated equipment use during construction. These construction emissions are analyzed using the regional thresholds established by the MBUAPCD and published in the *CEQA Air Quality Guidelines*. The construction activities associated with development would generate diesel emissions and dust. Construction equipment that would generate criteria air pollutants includes excavators, graders, dump trucks, and loaders. Some of this equipment would be used during both grading and construction. For purposes of a conservative analysis, it is assumed that all of the construction equipment used would be diesel-powered.

Although the River Parkway trail corridor would vary from approximately four feet up to a maximum width of 40 feet, 25 feet represents an average expected disturbance area for trail components (multi-use, paved path, unpaved (decomposed granite) path, landscaping, trail furnishings, and signage). Therefore, for the purposes of estimating emissions, it was assumed that the area of disturbance for the entire length of the proposed River Parkway trail network would be 25 feet wide. Based on this width and a total trail length of approximately 20 miles, the total area of disturbance would be approximately 60.6 acres. This is considered a conservative estimate, as this trail length would vary and primarily be less than 25 feet wide along most segments.

As discussed in Section 2.0, *Project Description*, it is anticipated that construction of the entire River Parkway would be phased with interim trail access possibly to be provided on the River Parkway until full improvements can be funded, designed, and constructed. Similarly, for the Regional Park, the precise order of construction would depend on funding. Complete build out

of the Regional Park and River Parkway (all segments) may not be achieved for up to 20 years. However, for this analysis, as a reasonable worst-case scenario, construction of the entire project at the same time was assumed over approximately one year and using the default number of construction days (five days per week) in CalEEMod. It should be noted that, depending on funding availability and other local factors, because more than one segment of the trail could be constructed at one time, the potential for all segments and the Regional Park to be constructed at once was determined to result in a conservative, reasonable worst case scenario as this approach would result in the greatest amount of air emissions (as more onsite construction would occur simultaneously). Construction of approximately 60.6 acres of trail and the 31-acre Regional Park (including all components described in Section 2.0, *Project Description* as well as the Access Road) was estimated to occur over approximately 12 months (one year). This default construction length is considered conservative, as actual construction would likely occur in phases rather than all at the same time and would likely occur over a greater amount of time (thus dispersing emissions over time rather than concentrating them in one year).

Operational Emissions. Operational emissions associated with on-site development were estimated using the CalEEMod computer model and the information provided in the traffic study prepared by Wood Rodgers (June 2014, see Appendix E). Operational emissions would be comprised of mobile source emissions, energy emissions, and area source emissions. Mobile source emissions are generated by the increase in motor vehicle trips to and from the project site as a result of the proposed project. Emissions attributed to energy use include electricity and natural gas consumption for lighting and space and water heating and cooling. Area source emissions are generated by landscape maintenance equipment, consumer products, and architectural coating.

To determine whether a significant regional air quality impact would occur, the increase in emissions generated by the proposed project was compared with the MBUAPCD's recommended regional thresholds for both construction and operational emissions.

A limitation on the quantitative analysis of operational impacts is that emission models, such as CalEEMod, evaluate aggregate emissions, meaning that all vehicle trips and related emissions assigned to a project are assumed to be new trips and emissions generated by the project itself. Such models do not demonstrate, with respect to a regional air quality impact, what proportion of these emissions are actually "new" emissions, specifically attributable to the project in question. For most projects, a primary contributor to regional air quality emissions is from motor vehicles; however, the quantity of vehicle trips appropriately characterized as "new" is usually uncertain as traffic associated with a project may be relocated trips from other locales. This is the case with the proposed project as recreation is a land use with inherent demand. In other words, many of the vehicle trips associated with the proposed project would be relocated from other existing recreational opportunities as people begin to use the proposed trails and park instead.

Significance Thresholds. In accordance with Appendix G of the *CEQA Guidelines*, impacts created by the project would be significant if project implementation would:

- *Conflict with or obstruct implementation of the applicable air quality plan;*
- *Violate any air quality standard or contribute substantially to an existing or*

- projected air quality violation;*
- *Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors);*
- *Expose sensitive receptors to substantial pollutant concentrations; or*
- *Create objectionable odors affecting a substantial number of people.*

Air Quality Management Plan Consistency. A project would conflict with or obstruct implementation of the 2012 *Air Quality Management Plan* (AQMP) for the Monterey Bay Region (MBUAPCD's Triennial Plan Revision, April 2013) if it is inconsistent with the growth assumptions, in terms of population, employment, or regional growth in vehicle miles traveled. These population forecasts were developed, in part, using data obtained from local jurisdictions on projected land uses and population projections identified in community plans. Projects that result in an increase in population that is inconsistent with local community plans would be considered inconsistent with the AQMP.

Construction Impacts. Emissions from construction activities represent temporary impacts that are typically short in duration, depending on the size, phasing, and type of project. Air quality impacts can nevertheless be acute during construction periods, resulting in significant localized impacts to air quality. In accordance with the MBUAPCD *CEQA Air Quality Guidelines*, construction activities (e.g., excavation, grading, on-site vehicles) which directly generate 82 pounds per day or more of PM₁₀ would have a significant impact on local air quality when they are located nearby and upwind of sensitive receptors. In addition, construction projects which may cause or substantially contribute to the violation of other State or national AAQS or that could emit toxic air contaminants could result in temporary significant impacts. Use of equipment that is not typical construction equipment⁹ as specified in Section 5.3 of the MBUAPCD *CEQA Guidelines* may also result in significant air quality impacts, specifically related to ROG and NOx. For purposes of this analysis, it is assumed that the proposed project would use typical construction equipment.

Operational Impacts. Emissions from long-term operations generally represent a project's most substantial air quality impact. Table 4.3-4 summarizes MBUAPCD's project-level thresholds of significance for operational impacts by pollutant. An exceedance of any threshold would represent a significant impact on local or regional air quality.

⁹ Typical construction equipment includes dump trucks, scrapers, bulldozers, compactors and front-end loaders that temporarily emit precursors of ozone (i.e., ROG or NOx). Non-typical equipment includes grinders and portable equipment (MBUAPCD, 2008).



Table 4.3-4
MBUAPCD Air Quality Significance Thresholds for Criteria
Pollutants of Concern - Operational Impacts

Pollutant Source	Threshold(s) of Significance
NO _x , as NO ₂	137 lbs/day (direct + indirect)
ROG	137 lbs/day (direct + indirect)
PM ₁₀	82 lbs/day (on-site)
SO _x , as SO ₂	150 lbs/day (direct)
CO	550 lbs/day (direct)

Source: MBUAPCD, 2008

MBUAPCD recommends that a local CO hotspot analysis be conducted if any of the following scenarios would occur:

- 1) *Intersections or road segments that operate at LOS D or better would operate at LOS E or F with the project's traffic,*
- 2) *Intersections or road segments that operate at LOS E or F where the volume-to-capacity (V/C) ratio would increase 0.05 or more with the project's traffic,*
- 3) *Intersections that operate at LOS E or F where delay would increase by 10 seconds or more with the project's traffic,*
- 4) *Unsignalized intersections which operate at LOS E or F where the reserve capacity would decrease by 50 or more with the project's traffic,*
- 5) *The project would generate substantial heavy duty truck traffic or generate substantial traffic along urban street canyons or near a major stationary source of CO.*

In addition to criteria pollutants, the MBUAPCD regulates TACs from new or modified sources under Rule 1000. Rule 1000 applies to any source which requires a permit to construct or operate pursuant to District Regulation II (Permits) and has the potential to emit carcinogenic or noncarcinogenic TACs. The District also implements Rule 1003, Air Toxic Emissions Inventory and Risk Assessments, which establishes and implements the Air Toxics Hot Spots Act, and Rule 424, which applies to demolition and/or renovation activities which are subject to the asbestos NESHAP in Rule 306. The proposed project would be required to comply with Rules 1000, 1003, and 424, if and to the extent applicable.

Cumulative Impacts. The criteria for assessing cumulative impacts on localized air quality (i.e., carbon monoxide, PM₁₀) are the same as those for assessing project impacts (listed in Table 4.2-3 above), since air quality impacts are cumulative in nature. Projects that do not exceed MBUAPCD's construction or operational thresholds are considered consistent with the AQMP (personal communication with Amy Clymo, Supervising Air Quality Planner, MBUAPCD, October 29, 2013), and are not treated as making a cumulatively considerable contribution to cumulative impacts.

b. Project Impacts and Mitigation Measures.

Impact AQ-1 The proposed project would not contribute to population growth, and would therefore be consistent with the growth



assumptions in the *Air Quality Management Plan (AQMP)*. Furthermore, the project implements opportunities for alternative modes of transportation which may reduce vehicle trips in the region consistent with the AQMP. Thus, the project would be consistent with and would also help to implement the AQMP. Impacts would be Class III, *less than significant*.

As noted in Section 4.3.2(a) (Methodology and Significance Thresholds), a project would conflict with or obstruct implementation of the AQMP for the Monterey Bay Region if it is inconsistent with the growth assumptions included in the AQMP, in terms of population, employment, or regional growth in vehicle miles traveled (VMT) (MBUAPCD, April 2013). The proposed project does not contain a residential component and would therefore not increase the residential population of the area. In addition, as noted in Section 5.0, *Long-Term Impacts*, no direct growth inducement is expected to result from project implementation. Therefore, the proposed project would not exceed growth assumptions in the AQMP directly (through population growth) or indirectly (through employment or regional growth in VMT).

The proposed project would be consistent with AQMP growth assumptions and is therefore accommodated within (and consistent with) the AQMP. The impact would be less than significant.

Mitigation Measures. No mitigation measures are required.

Significance After Mitigation. Impacts would be less than significant.

Impact AQ-2 Construction of the proposed project would result in the temporary generation of air pollutants, which would affect local air quality. However, construction emissions would not exceed MBUAPCD thresholds and would not expose sensitive receptors to substantial pollutant concentrations. Impacts would therefore be Class III, *less than significant*.

Construction of the proposed project would result in the temporary generation of air pollutants. Construction of the project would be anticipated to involve the following construction activities: demolition (removal of existing vegetation or other materials), site preparation, grading, building construction (including restrooms, the Community Center, swimming pool and other amenities at the Regional Park), paving, and architectural coating. Given the nature of the proposed project, the use of equipment that is not “typical construction equipment” as specified in Section 5.3 of the MBUAPCD *Guidelines* is not expected. The ozone precursors NO_x and ROG would be emitted by the operation of construction equipment, while PM₁₀ would be emitted by activities that disturb the soil, such as grading and excavation. Emissions would also be generated by construction employees traveling to and from the construction sites, as well as trucks hauling materials to and from the sites. Construction-related emissions could result in adverse health risks to nearby sensitive receptors if emission thresholds are exceeded.

Construction duration was determined using the default number of days assigned by CalEEMod. Construction of approximately 60.6 acres of trail and the 31-acre Regional Park



(including all components described in Section 2.0, *Project Description* and the Access Road) was estimated to occur over approximately one year (12 months). This construction length is considered conservative, as actual construction would likely occur in phases rather than all at the same time and would likely occur over approximately 10 – 20 years.

The MBUAPCD uses a threshold of 82 pounds per day of PM₁₀ for determining significance of construction related emissions (MBUAPCD *CEQA Air Quality Guidelines*, 2008). Table 4.3-5 illustrates the estimated maximum daily PM₁₀ emissions during construction of the proposed project. As shown in Table 4.3-5, construction of the proposed project would result in a maximum of 31.25 lbs/day of PM₁₀, which is below the MBUAPCD significance threshold of 82 lbs/day of PM₁₀. It should also be noted that this is a conservative estimate assuming that all construction would occur within one year. It is more likely that construction of different segments of the River Parkway and the Regional Park would occur in phases over time and thus the emissions would be spread out or dispersed such that the daily maximum would be less than estimated in Table 4.3-5. Nevertheless, maximum PM₁₀ emissions would not exceed MBUAPCD significance thresholds and would not expose sensitive receptors to substantial pollutant concentrations. Further, because impacts for PM₁₀ would be below MBUAPCD thresholds, construction emissions would not substantially contribute to the violation of other State or national AAQS nor would construction activities emit toxic air contaminants. Therefore, impacts during construction would be less than significant.

Table 4.3-5
Estimated Construction Emissions

Year	Maximum Daily PM₁₀ Emissions (lbs/day)
Year 1	31.25
Maximum Emissions	31.25
<i>MBUAPCD Thresholds</i>	82
Threshold Exceeded?	No

Source: CalEEMod version 2013.2.2 See Appendix B for calculations.

Mitigation Measures. No mitigation measures are required. However, the MBUAPCD recommends the use of the following “best management practices” for the control of short-term construction generated emissions, which would be incorporated into either the River Parkway or the Regional Park’s project design. In addition, implementation of such measures would also be consistent with the 2035 General Plan Goal HS-5 which requires all feasible measure to be included to reduce construction related emissions in accordance with MBUAPCD policies and regulations.

- Water all active construction areas at least twice daily. The frequency should be based on the type of operation, soil and wind exposure.
- Prohibit all grading activities during periods of high wind (over 15 mph).
- Apply chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days).

- Apply non-toxic binders (e.g., latex acrylic copolymer) to exposed areas after cut and fill operations and hydroseed areas.
- Haul trucks shall maintain at least 2'0" of freeboard.
- Cover all trucks hauling soil, sand, and other loose materials.
- Plant tree windbreaks on the windward perimeter of construction projects if adjacent to open land.
- Plant vegetative ground cover in disturbed areas as quickly as possible.
- Cover inactive storage piles.
- Install wheel washers at the entrance to construction sites for all existing trucks.
- Pave all roads on construction sites.
- Sweep streets, if visible soil material is carried out from the construction site.
- Post a publicly visible sign which specifies the telephone number and person to contact regarding dust complaints. This person shall respond to complaints and take corrective action within 48 hours. The phone number of the Monterey Bay Unified Air Pollution Control District shall be visible to ensure compliance with Rule 402 (Nuisance).
Limit the area under construction at any one time.

Implementation of the above recommended best-available control measures for the control of construction-related emissions would further reduce construction-related particulate emissions and would ensure that short-term construction emissions would be less than significant.

Significance After Mitigation. Impacts would be less than significant without mitigation.

Impact AQ-3 The proposed project would generate criteria air pollutant emissions. However, emissions would not exceed MBUAPCD operational significance thresholds and would not expose sensitive receptors to substantial pollutant concentrations. Therefore, operational impacts would be Class III, less than significant.

Long-term operational emissions associated with the proposed project are those attributed to vehicle trips (mobile emissions), the use of natural gas and electricity (energy emissions), and consumer products, architectural coatings, and landscape maintenance equipment (area emissions). The proposed River Parkway would result in the construction of new facilities for active modes of transportation in San Benito County, including bicycle, pedestrian, and equestrian paths. In addition, the proposed Regional Park would provide additional recreation facilities in the County and would provide a new Access Road. As noted in Section 4.12, *Transportation/Traffic*, the proposed project would incrementally increase the number of vehicles travelling to the River Parkway staging areas and to the Regional Park Site from recreational users, commuters, and for general maintenance purposes. In addition, the Regional Park would include facilities such as a swimming pool, community center, playground equipment, landscaped areas and other amenities that may utilize energy, water/wastewater, and require routine maintenance which may result in operational emissions. Lighting at the park site, parking areas and along the River

Parkway staging areas may also result in energy use that would increase operational emissions compared to existing conditions.

Table 4.3-6 illustrates the estimated operational emissions associated with the River Parkway and Regional Park Project.

**Table 4.3-6
Estimated Project Operational Emissions**

Sources	Estimated Emissions (lbs/day)					
	ROG	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Area	0.25	<0.0001	0.06	0.0	0.0002	0.0002
Energy	<0.001	<0.0001	0.0	0.0	0.0	0.0
Mobile	4.26	12.33	67.73	0.07	3.89	1.16
Total Emissions (lbs/day)	4.51	12.33	67.79	0.07	3.89	1.16
MBUAPCD Thresholds	137	137	550	150	82	N/A
Threshold Exceeded?	No	No	No	No	No	No

See Appendix B for CalEEMod output.

As shown in Table 4.3-6, the project would not exceed the daily emissions thresholds established by the MBUAPCD and would not expose sensitive receptors to substantial pollutant concentrations. Further, because emissions would be below MBUAPCD thresholds, operational emissions would not substantially contribute to the violation of other State or national AAQS nor would construction activities emit toxic air contaminants. Impacts would therefore be less than significant.

Mitigation Measures. No mitigation measures are required.

Significance After Mitigation. Impacts would be less than significant without mitigation.

Impact AQ-4 The proposed project could result in a scenario related to an increase in traffic at congested roadways or intersections that warrants a CO hotspot analysis. However, with mitigation incorporated that improves traffic conditions at the Access Road/San Benito Street intersection, a quantitative CO hotspot analysis is not required, and impacts related to CO hotspots would therefore be Class II, *significant but mitigable*.

As noted in Section 4.3.2(a) (Methodology and Significance Thresholds), a significant CO impact would occur if project-generated traffic would degrade LOS operations at County roadways or

intersections, such that those roadways or intersections would degrade from LOS D or better to LOS E or F with the addition of project-generated traffic. In addition, a significant CO impact would occur if project generated traffic would increase delay by 10 seconds or more on any intersections that currently operate at LOS E or F. As noted in Section 4.12, *Transportation/Traffic*, the proposed project would increase traffic in the project vicinity. However, as shown under the “Existing Plus Project” conditions (as shown in Tables 4.12-7 through 4.12-9), the project’s increase of traffic would not degrade any existing roadways or intersections from LOS D or better to LOS E or F, and the project would not result in a delay of 10 seconds or more. Although it currently operates at LOS “F” during the weekday PM Peak hour, the unsignalized Access Road (Baler Alley) at San Benito Street intersection is projected to operate at LOS “F” during the weekday PM peak under the “Existing plus Project with the Access Road and Closure of Nash Road between West Street and Monterey Street” scenario. Further the delay increase would be approximately 17.3 seconds as a result of the proposed project (as shown in Table 4.12-9). Because the proposed project would result in an increase in delay of 10 seconds or more at this intersection, which currently operates at LOS F, impacts related to CO hotspots could be significant unless mitigation is incorporated.

Mitigation Measures. Mitigation Measure T-1 in Section 4.12, *Traffic and Transportation*, would be required to reduce traffic impacts at the Access Road at San Benito Street intersection. Mitigation Measure T-1 would require that prior to operation of the Regional Park, San Benito Street shall be modified through this intersection to include a two-way-left-turn (TWLT) median-lane. Implementation of Mitigation Measure T-1 is projected to improve operations during the PM peak hour at the Access Road/San Benito Street intersection to LOS “C” under the Existing Plus Project Access Road and Closure scenario. Thus, with implementation of Mitigation Measure T-1, impacts related to CO hotspots would be reduced to a less than significant level.

Significance After Mitigation. Impacts would be reduced to a less than significant level with implementation of Mitigation Measure T-1 in Section 4.12, *Traffic and Transportation*.

Impact AQ-5 The proposed project would not result in any land uses that would generate odors affecting a substantial number of people. Equestrian use on the River Parkway and trash facilities at staging areas and at the Regional Park may result in some odors. However, routine maintenance at these proposed facilities would reduce odors and would therefore not affect a substantial number of people. Impacts would therefore be Class III, less than significant.

Construction of trail facilities in the River Parkway corridor, and of the recreational facilities in the Regional Park, may generate some odors associated with paving or painting activities. However, impacts from construction would be temporary and would not affect a substantial number of people. Staging areas for equestrian users of the River Parkway may generate objectionable odors during operation of the project, but any such odors would not affect a substantial number of people. In addition, trash cans and waste receptacles along trails, staging areas or within the Regional Park may result in some odors; however, these typical types of odor would be minor in nature, temporary, and would not affect a substantial number of people. Therefore, the proposed project would not generate objectionable odors affecting a

substantial number of people and impacts would be less than significant.

Mitigation Measures. No mitigation measures are required.

Significance After Mitigation. Impacts would be less than significant without mitigation.

d. Cumulative Impacts. The MBUAPCD *2008 CEQA Air Quality Guidelines* includes guidelines on analyzing cumulative impacts pertaining to ozone and localized pollutants. As described therein, inconsistency with the AQMP is considered a cumulative adverse air quality impact. As discussed in Impact AQ-1, the proposed project would be consistent with, and in fact would help to implement, the AQMP. Therefore, based on the *2008 CEQA Air Quality Guidelines*, the project would not result in a cumulative adverse air quality impact.

As noted in the *2008 CEQA Air Quality Guidelines*, consistency with the AQMP does not necessarily mean that a project will not have a project-specific adverse air quality impact. As described in Impacts AQ-2 and AQ-3 above, impacts related to construction and operational emissions would be less than significant. In addition, as indicated in Impact AQ-4, with implementation of Mitigation Measure T-1, the proposed project would not cause operations at County roadways or intersections to degrade to LOS E or F, and would also incorporate traffic improvements as mitigation to ensure that all intersections operate at acceptable levels and thus would not result in impacts related to CO hotspots with the incorporation of the identified mitigation. Further, as indicated in Impact AQ-5, the proposed project would not create objectionable odors affecting a substantial number of people. Therefore, individual project-specific air quality impacts from the proposed project would also be less than significant.

Because the proposed project would be consistent with the AQMP and would result in less than significant impacts pertaining to ozone and localized pollutants, the project's contribution to cumulative air quality impacts would be less than significant.

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4.4 BIOLOGICAL RESOURCES

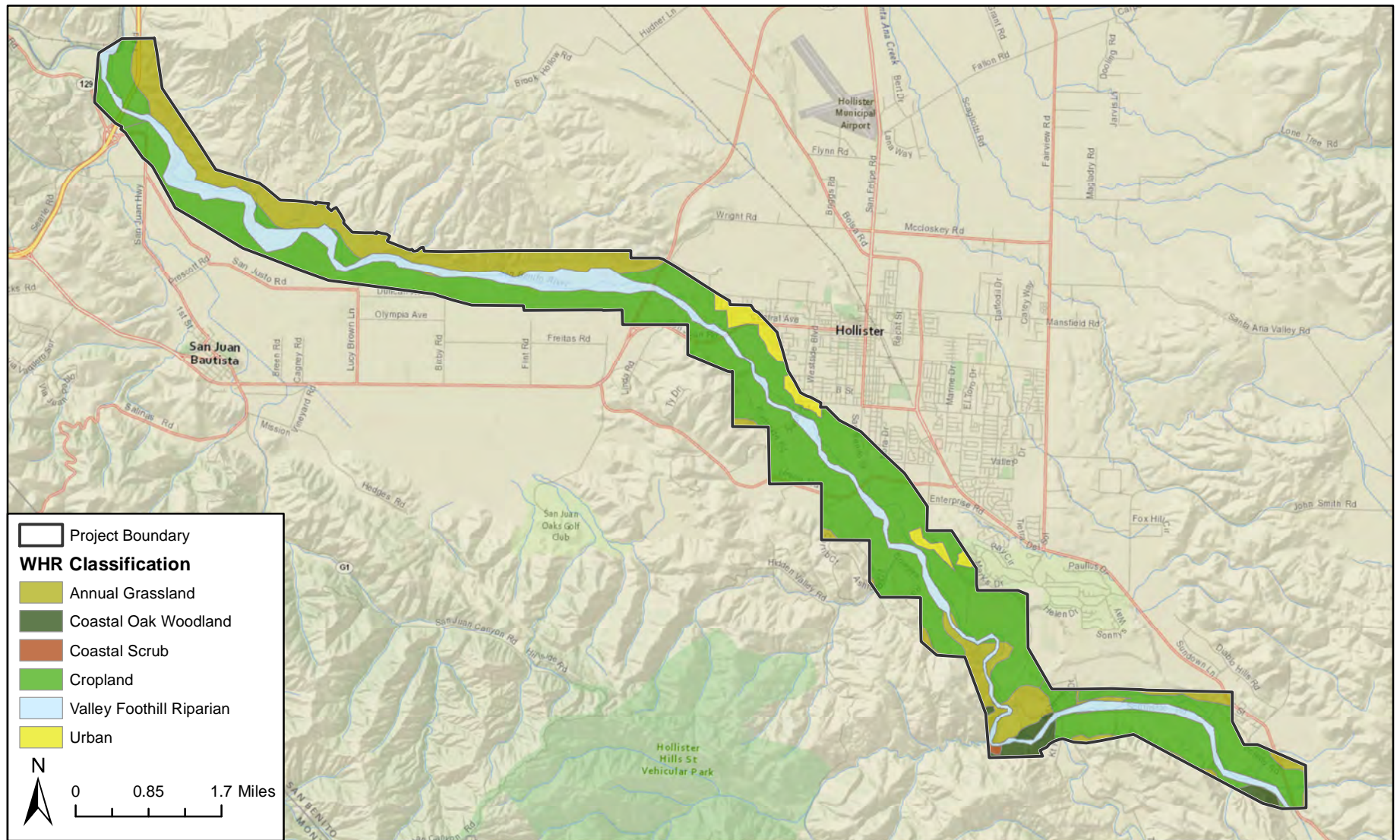
4.4.1 Setting

a. River Parkway Corridor Vegetation Communities. As described in Section 2.0, *Project Description*, the project consists of two components: (1) the approximately 20-mile River Parkway, and (2) a Regional Park located along the River Parkway. This section addresses the habitats and vegetation communities within the River Parkway component of the proposed San Benito County River Parkway and Regional Park. The River Parkway has been subdivided into 5 segments (Reach 1 through Reach 5) as described in Section 2.2, *Project Location*. Vegetation community mapping for the River Parkway component is based on aerial imagery, California Department of Fish and Wildlife (CDFW) California Wildlife Habitat Relationships (CWHR) habitat classification system data, and desktop review of available biological information. Habitat types were broadly confirmed during a windshield reconnaissance survey. For purposes of the River Parkway component of the project, because the specific trail alignment is not yet known, detailed vegetation mapping was not conducted and the analysis contained in this DEIR is programmatic in nature. Therefore, this analysis uses the less specific CWHR data for discussions of habitat and vegetation communities in evaluating this component of the project. The CWHR habitat classification system includes 59 identified habitats, and does not represent a comprehensive classification scheme for mapping all possible California terrestrial vegetation communities. Therefore, vegetation mapping for the River Parkway component provides a general and approximate description of vegetation communities present within the River Parkway corridor study area, and provides the basis to assess the potential for special status species occurrences within this corridor. The proposed River Parkway ranges in elevation from 130 feet above mean sea level (amsl) to approximately 500 feet amsl throughout the corridor.

The proposed River Parkway component contains six habitats mapped using the CWHR habitat classification system (Figure 4.4-1). A description of each of the habitats adapted from *A Guide to Wildlife Habitats of California* (Mayer and Laudenslayer, 1988) is presented below. The vegetation classifications from *A Manual of California Vegetation, Second Edition* (Sawyer et al., 2009) that most closely resemble those classified by the CWHR are also presented in each description. It should be noted that these habitats are generalized and that site-specific variation is present. Also note that the CWHR classification system characterizes habitats from a broad perspective and that in many areas it is expected that two or more habitats may blend with one another. Habitats which occur within populated areas can also show variation because of a greater exposure to anthropogenic influences such as the introduction of exotic plant species.

Tree Dominated Habitats. Tree-dominated habitats can support diverse wildlife populations. One such type includes riparian habitats which are generally the terrestrial areas adjacent to fresh water bodies forming a vegetated corridor from stream edge to floodplain edge. Riparian habitats occur in and along the San Benito River, as well as along the many of its tributaries. Riparian areas are rich in wildlife species, providing foraging, migration, roosting, and nesting/breeding habitat. The following are descriptions of types of tree-dominated habitats that occur within the River Parkway.





Imagery provided by ESRI and its licensors, 2013.
 Additional data derived from the California Gap Analysis,
 Biogeography Lab, University of California,
 Santa Barbara 1998.

California Wildlife Habitat Relationship Classifications for the
 River Parkway Plan Area Component

Figure 4.4-1

Coastal Oak Woodland. Coastal oak woodlands are common to mesic coastal foothills of California. The woodlands do not form a continuous belt, but occur in a mosaic closely associated with mixed chaparral, coastal scrub and annual grasslands. South of Sonoma County these woodlands are commonly dominated by coast live oak (*Quercus agrifolia*). At drier sites other species such as blue oak (*Quercus douglasii*) and foothill pine (*Pinus sabiniana*) may also be interspersed. The understory of dense stands tends to be composed of shade tolerant shrubs and herbaceous plant species such as California blackberry (*Rubus ursinus*) and miner's lettuce (*Claytonia perfoliata*). In areas with more open canopies the understory may be more dominated by grassland and drought tolerant shrub species such as wild oats (*Avena* spp.) and coyote brush (*Baccharis pilularis*). Coastal oak woodland typically corresponds to the *Quercus agrifolia* alliance as described by Sawyer et al. (2009). This habitat type occurs primarily in the southern portions of the River Parkway near Reach Four and Reach Five (see Figure 4.4-1).

Valley Foothill Riparian. This habitat type is associated with drainages, particularly those with low velocity flows, flood plains, and gentle topography. This habitat is generally comprised of a sub-canopy tree layer dominated by cottonwoods (*Populus* spp.), western sycamore (*Platanus racemosa*), and/or valley oak and an understory shrub layer typically consisting of willows (*Salix* spp.) and/or mulefat (*Baccharis salicifolia*). Valley foothill riparian can correspond to multiple alliances as described by Sawyer et al. (2009) depending upon the species composition. These alliances can include, but are not limited to, *Platanus racemosa* Woodland Alliance, and the various *Populus* alliances depending upon dominant species present. Within the River Parkway this habitat type is located along the San Benito River and occurs in all reaches. This habitat exhibits wide-ranging variation in physiognomy within the River Parkway. In the more northern areas (Reaches One and Two) the valley foothill riparian is comprised of a more developed tree canopy consisting of willow (*Salix* sp.) and cottonwood (*Populus* sp.) species with an understory primarily comprised of mulefat (see Figure 4.4-1). Further south (Reaches Three, Four and Five), the tree canopy becomes less prominent and the landscape is primarily an open shrubland dominated by mulefat and interspersed with patches of willows and cottonwoods.

Shrub Dominated Habitats. Shrub-dominated habitats, such as chaparral and coastal scrub, are comprised primarily of woody, evergreen shrubs. The following are descriptions of shrub-dominated habitats that occur within the River Parkway.

Coastal Scrub. This habitat type is typically dominated by shrub species with mesophytic leaves and shallow root systems. This habitat type can differ in composition depending upon proximity to the coastline. California sagebrush (*Artemisia californica*) tends to be common in all coastal scrub habitats. From Mount Diablo south to Santa Barbara County, black sage (*Salvia mellifera*) and California buckwheat (*Eriogonum fasciculatum*) become more abundant in mesic areas. Coastal scrub can correspond to multiple alliances as described by Sawyer et al. (2009) depending upon the species composition. These alliances can include, but are not limited to, *Artemisia californica* Shrubland Alliance, *Baccharis pilularis* Shrubland Alliance and the *Salvia mellifera* Shrubland Alliance. This habitat type occurs primarily in the southern portions of the River Parkway near Reach Four (see figure 4.4-1, and figure 2-2 in Section 2.2, *Project Location*).

Herbaceous Dominated Habitats. These habitats are generally comprised of areas dominated by grasses and other non-woody species. The majority of this habitat within the River Parkway is comprised of non-native grasslands. Native perennial grasslands which are

dominated by perennial bunch grasses such as purple needlegrass (*Stipa pulchra* [= *Nassella pulchra*]) were historically abundant within San Benito County but are now currently patchy in distribution. The following are descriptions of the herbaceous dominated habitats that occur within the River Parkway.

Annual Grasslands. This habitat type is composed primarily of non-native annual grasses and forbs and typically lacks shrub or tree cover. The physiognomy and species composition of annual grasslands is highly variable and also varies considerably on a temporal scale. Grazing is a common land use within this habitat type. Common grass species include wild oats, soft chess brome (*Bromus hordeaceus*), ripgut brome (*Bromus diandrus*), and red brome (*Bromus madritensis*). Common forb species can include species of filaree (*Erodium* spp.) and bur clover (*Medicago* spp.). California poppy (*Eschscholzia californica*) can also be quite common in this habitat type. Annual grassland can correspond to multiple alliances as described by Sawyer et al. (2009) depending upon the species composition. These alliances can include, but are not limited to, *Avena (barbata, fatua)* semi-natural stands and *Bromus (diandrus, hordeaceus)* – *Brachypodium distachyon* semi-natural stands. This habitat type occurs near Reaches One, Two, Four, and Five of the River Parkway corridor (see figure 4.4-1, and figure 2-2 in Section 2.2, *Project Location*).

Developed/Non-vegetated Habitats. Developed and sparsely/non-vegetated habitats are abundant in the vicinity of the River Parkway corridor. Developed habitats are usually sparsely or non-vegetated and are associated with urban and agricultural areas and are highly disturbed. Species that occur in these areas are typically adapted to anthropogenic disturbance and/or comprised of ornamental species. Sparsely vegetated habitats can also be associated with rock outcrops and cliffs. The following are descriptions of developed and sparsely/non-vegetated habitats that occur within the River Parkway corridor and vicinity.

Cropland. This habitat type is characterized by areas in active agriculture and is an entirely man-made habitat. The structure of vegetation can vary in size, shape, and growing pattern. The dominant cropland use is row crops. Typical crops consist of grasses and forbs. Subcategories of cropland habitat classifications include, but are not limited to, *dryland grain crop*, *irrigated hayfield crop* and *irrigated row and field crop*. Croplands are the most abundant habitat within the River Parkway and associated with all reaches of the proposed trail (see Figure 4.4-1).

Urban. This habitat type is also a completely man-made habitat comprising residential, commercial, and industrial developed areas. Plant species within urban habitats are typically comprised of ornamental and other non-native invasive plant species, with large developed areas lacking vegetation. Native species such as coast live oak may also be planted as ornamentals or simply retained within urban areas.

b. Regional Park Vegetation Communities. As described in Section 2.0, *Project Description*, the project consists of two components: (1) the approximately 20-mile River Parkway, and (2) a Regional Park located along the River Parkway. This section addresses the habitats and vegetation communities within the Regional Park component of the proposed project. Vegetation community mapping for the Regional Park component is based on aerial imagery, on-the-ground vegetation mapping conducted in November 2013, and desktop review

of available biological information. The proposed Regional Park occurs at approximately 300 feet amsl.

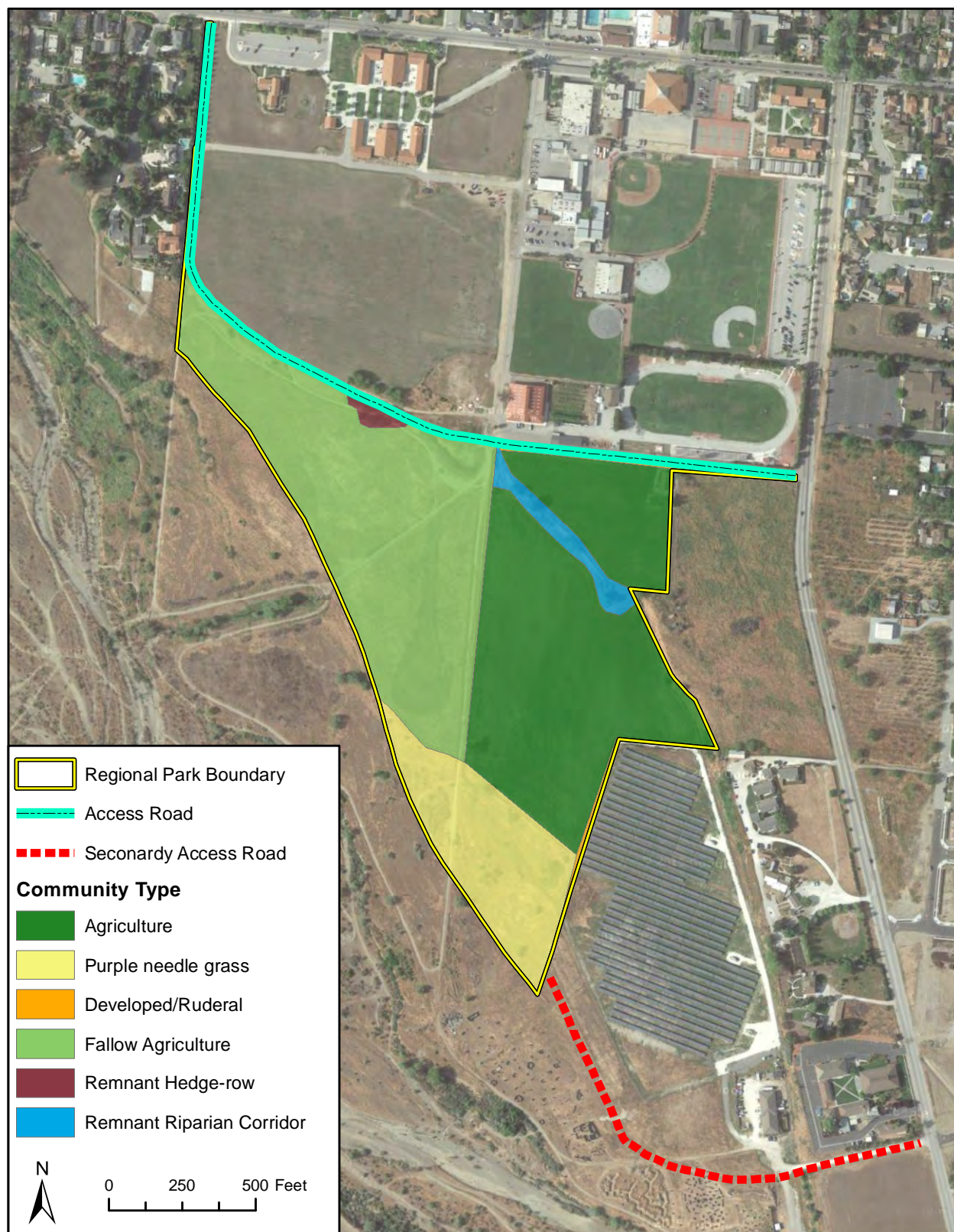
Five terrestrial vegetation communities were identified on-site during the field survey (Table 4.4-1 shows acreages for each of these communities within the Regional Park Site (including the Access Road alignment). Vegetation classification was based on *A Manual of California Vegetation, Second Edition* (Sawyer et al., 2009) and *Preliminary Descriptions of the Terrestrial Communities of California* (Holland, 1986); but has been modified as needed to accurately describe the existing habitats observed onsite. Because a specific site has been identified for this portion of the project, field-based vegetation mapping of the Regional Park Site was conducted, and the more specific vegetation classification system of Sawyer et al. (2009) was used for this component of the project. A map illustrating the extent of terrestrial vegetation communities within the proposed Regional Park component is presented in Figure 4.4-2, and each community is discussed in greater detail below.

Table 4.4-1
Acreages of Vegetation Communities Found within the Proposed
Regional Park (Including Access Road)

Vegetation Community	Acres (Approx.)
Purple Needle Grass Grassland	5.75
Agricultural Field	15.88
Developed/Ruderal	22.20
Fallow Agricultural Field	18.16
Remnant Hedge-row	0.73
Remnant Riparian Corridor	0.97

Purple Needle Grass Grassland. The purple needlegrass grassland community within the 31-acre Regional Park Site is characterized by low growing native and non-native grasses and forbs. This vegetation community is defined as a mid-height (up to 2 feet) grassland dominated by perennial, tussock-forming purple needlegrass at > 10% relative cover. Native and introduced annuals occur between the perennials, often actually exceeding the bunchgrasses in cover. The grassland was dominated by purple needlegrass with several co-dominant shrub and forb species including California wild rose (*Rosa californica*), summer mustard (*Hirschfeldia incana*), common fiddleneck (*Amsinckia menziesii*), deerweed (*Acmispon glaber*), sandbar willow (*Salix exigua*) and coyote brush (*Baccharis pilularis*). The purple needle grass grassland, or *Nassella pulchra* Herbaceous Alliance as described by Sawyer et al. (2009), most closely corresponds to Valley Needlegrass Grassland as described by Holland (1986).

Agricultural Field. On the Regional Park Site, this community type refers to land that has been recently disked, predominantly consists of bare dirt, and is suitable for agricultural cultivation. The community type is not naturally occurring, and therefore is not described in either the Holland (1986) or Sawyer et al. (2009) classification systems. This habitat primarily consists of bare ground and encompasses the entirety of the central portion of the Regional Park Site and a segment of the Access Road alignment to the north. At the time of the field survey, most of this habitat type had recently been plowed and consisted of entirely bare dirt. Only non-native forb and grass species were observed within the Regional Park Site in low numbers mainly along the edge of this habitat type. These non-native species included cheeseweed (*Malva parviflora*) and summer mustard.



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Vegetation Communities within the
Regional Park Project Component Site

Figure 4.4-2
San Benito County

Developed/Ruderal. This community type is not naturally occurring, and therefore is not described in either the Holland (1986) or Sawyer et al. (2009) classification systems. The developed area is located along the eastern and northern portions of the proposed Access Road alignment. The eastern portion of the proposed Access Road alignment is paved and devoid of any vegetation. The northern portion of this area is partially paved and partial undeveloped dirt lot. This portion of the Access Road alignment is adjacent to a row of ornamental trees (*Pinus* sp.) and shrubs, but no vegetation is present within boundaries of the proposed alignment.

Fallow Agricultural Field. This community type is not naturally occurring, therefore is not described in either the Holland (1986) or Sawyer et al. (2009) classification systems. This habitat type is located in the northwestern portion of the Regional Park Site. The field shows evidence of previous plowing but is currently not in active agriculture. This habitat type resembles typical annual grassland in species composition and physiognomy; however, previous plowing and agricultural activity has resulted in a more intense disturbance regime than natural annual grassland habitats experience. Plant species associated with this habitat type include purple needle grass, wild oats, bromes (*Bromus* spp.), summer mustard, and common fiddleneck.

Remnant Riparian Corridor. Because this community represents only a remnant of a historical vegetation community and includes a number of different species, the specific characteristics of the original community cannot be identified and therefore the community is not easily described with either the Holland (1986) or Sawyer et al. (2009) classification systems. The community is located in the northern part of the Regional Park Site and includes coyote brush, blue elderberry (*Sambucus nigra* ssp. *caerulea*), sandbar willow, red willow (*Salix laevigata*), tree tobacco (*Nicotiana glauca*) and northern California black walnut (*Juglans hindsii*). The species occur as isolated individuals and none can be considered dominant in this isolated community; therefore, nomenclature deviated from the known classification systems to best represent the observed vegetation community.

Remnant Hedge-row. This community type is not naturally occurring, therefore is not described in either the Holland (1986) or Sawyer et al. (2009) classification systems. It occurs as an isolated stand of black locust (*Robinia pseudoacacia*) in the northern portion of the Regional Park Site. Other plants associated with this community include native and non-native grasses dominated by purple needle grass and brome.

c. Drainages and Wetlands.

Regional Park Site Drainages. The Regional Park Site is located just east of the San Benito River drainage; however, no drainages or wetlands were mapped within the Regional Park Site and therefore no further discussion of these resources is provided for this component of the project.

River Parkway Drainages. The proposed River Parkway would be located within the San Benito River watershed. The stretch of the San Benito River which occurs within the River Parkway corridor extends from just north of U.S. 101 south to its confluence with the Tres Pinos Creek. The San Benito River within the River Parkway is an intermittent drainage that confluences with the Pajaro River just north of the River Parkway. Flows from the San Benito

River ultimately drain into the Pacific Ocean. The San Benito River and its tributaries are of biological importance considering they are utilized by species such as south-central California coast steelhead Distinct Population Segment (*Oncorhynchus mykiss*) and California red-legged frog (*Rana draytonii*) when sufficient water is present.

River Parkway Wetlands. Wetlands are regarded as important biological resources both because of their rarity and because they serve a variety of functions that contribute to habitat values. Several types of wetlands are present within the San Benito River watershed, including freshwater marshes, vernal pools, and riparian habitats. The following are descriptions of those wetlands mapped by the U.S. Fish and Wildlife Service (USFWS) National Wetlands Inventory (NWI) (U.S. Fish and Wildlife Service, 2013c) within the River Parkway corridor. These areas are closely associated with the San Benito River and occur in all reaches in the corridor. Given the programmatic nature of the analysis as it relates to the River Parkway component, no detailed GIS mapping, field mapping, field checks of NWI data, or formal jurisdictional delineations were conducted for this analysis. The following discussions of wetlands present within the River Parkway corridor are based on existing information available through the USFWS NWI database, and provide general information to assess the potential for special status species to occur within the River Parkway, and to assess the potential for impacts to jurisdictional waters and other sensitive habitats. Wetland types in the USFWS NWI database are based on those described in Cowardin et al. (1979).

Freshwater Emergent. Freshwater emergent wetlands are a palustrine system which includes all non-tidal waters dominated by trees, shrubs, emergent plant species, mosses or lichens. Wetlands of this type are also low in salinity and any ocean derived salts are less than 0.5 parts per thousand (ppt); brackish water has a salinity levels of 0.5 to 30.0 ppt. Wetlands which lack vegetation can be included in this class if they are less than 20 acres, do not have an active wave-formed or bedrock shoreline feature, have a low water depth less than 6.6 feet and have salinities less than 0.5 ppt. The vegetation that occurs in freshwater emergent wetlands includes generally erect, rooted, perennial herbaceous hydrophytes such as cattails (*Typha* spp.).

Freshwater Forested/Shrub. These wetlands are also a palustrine system. Wetlands of this type are also low in salinity and any ocean derived salts are less than 0.5 ppt. Wetlands which lack vegetation can be included in this class if they are less than 20 acres, do not have an active wave-formed or bedrock shoreline feature, have a low water depth less than 6.6 feet and have salinities less than 0.5 ppt. The vegetation found in freshwater forested/shrub wetlands are generally dominated by woody vegetation such as shrubs and trees that are less than 20 feet tall such as willows (*Salix* spp.).

Freshwater Ponds. Freshwater ponds are also a palustrine system. Wetlands of this type are also low in salinity and any ocean derived salts are less than 0.5 ppt. Wetlands which lack vegetation can be included in this class if they are less than 20 acres, do not have an active wave-formed or bedrock shoreline feature, have a low water depth less than 6.6 feet and have salinities less than 0.5 ppt. These wetlands are dominated by plants that grow on or below the surface of the water, such as duckweeds (*Lemna* spp.), and exhibit large areas of open water.

Riverine. Riverine habitats are a riverine system which includes all wetlands and deep water habitats contained in natural or artificial channels that contain periodically or

continuously flowing water. This system may also form a connecting link between two bodies of standing water. Substrates generally consist of rock, cobble, gravel or sand.

d. Special Status Species. For the purpose of this EIR, special status species are those plants and animals listed, proposed for listing, or candidates for listing as threatened or endangered by the USFWS or National Marine Fisheries Service (NMFS) under the federal Endangered Species Act (ESA); those listed or proposed for listing as rare, threatened, or endangered by the CDFW under the California Endangered Species Act (CESA); animals designated as “Species of Special Concern,” “Fully Protected,” or “Watch List” by the CDFW; and plants with a California Rare Plant Rank (CRPR) of 1 or 2 which are defined as:

- *List 1A = Plants presumed extinct in California;*
- *List 1B.1 = Rare or endangered in California and elsewhere; seriously endangered in California (over 80 percent of occurrences threatened/high degree and immediacy of threat);*
- *List 1B.2 = Rare or endangered in California and elsewhere; fairly endangered in California (20-80 percent occurrences threatened);*
- *List 1B.3 = Rare or endangered in California and elsewhere, not very endangered in California (<20 percent of occurrences threatened or no current threats known);*
- *List 2 = Rare, threatened or endangered in California, but more common elsewhere;*

Queries of the USFWS Information, Planning, and Conservation System (IPaC) (U.S. Fish and Wildlife Service, 2013b), CDFW California Natural Diversity Database (CNDDDB) (California Department of Fish and Wildlife, 2003), and California Native Plant Society (CNPS) *Online Inventory of Rare, Threatened and Endangered Plants of California* (California Native Plant Society, 2013) were conducted to obtain comprehensive information regarding special status species considered to have potential to occur within the River Parkway corridor and Regional Park Site.

Sensitive Communities and Critical Habitat. No communities considered sensitive by the CDFW and tracked in the CNDDDB occur within five miles (which is the radius used for projects of this size as it is the standard practice for Biological Resource Assessments) of the River Parkway corridor or the Regional Park Site (Figures 4.4-3). However, field mapping of vegetation communities on the Regional Park Site identified approximately 5.7 acres of purple needlegrass grassland, which is considered a sensitive vegetation community by CDFW (see figure 4.4-2). Federally designated critical habitat for three special status animal species are also mapped within five miles of the River Parkway corridor and Regional Park Site (U.S. Fish and Wildlife Service, 2013a). The critical habitats present within the project components are listed in Table 4.4-2.

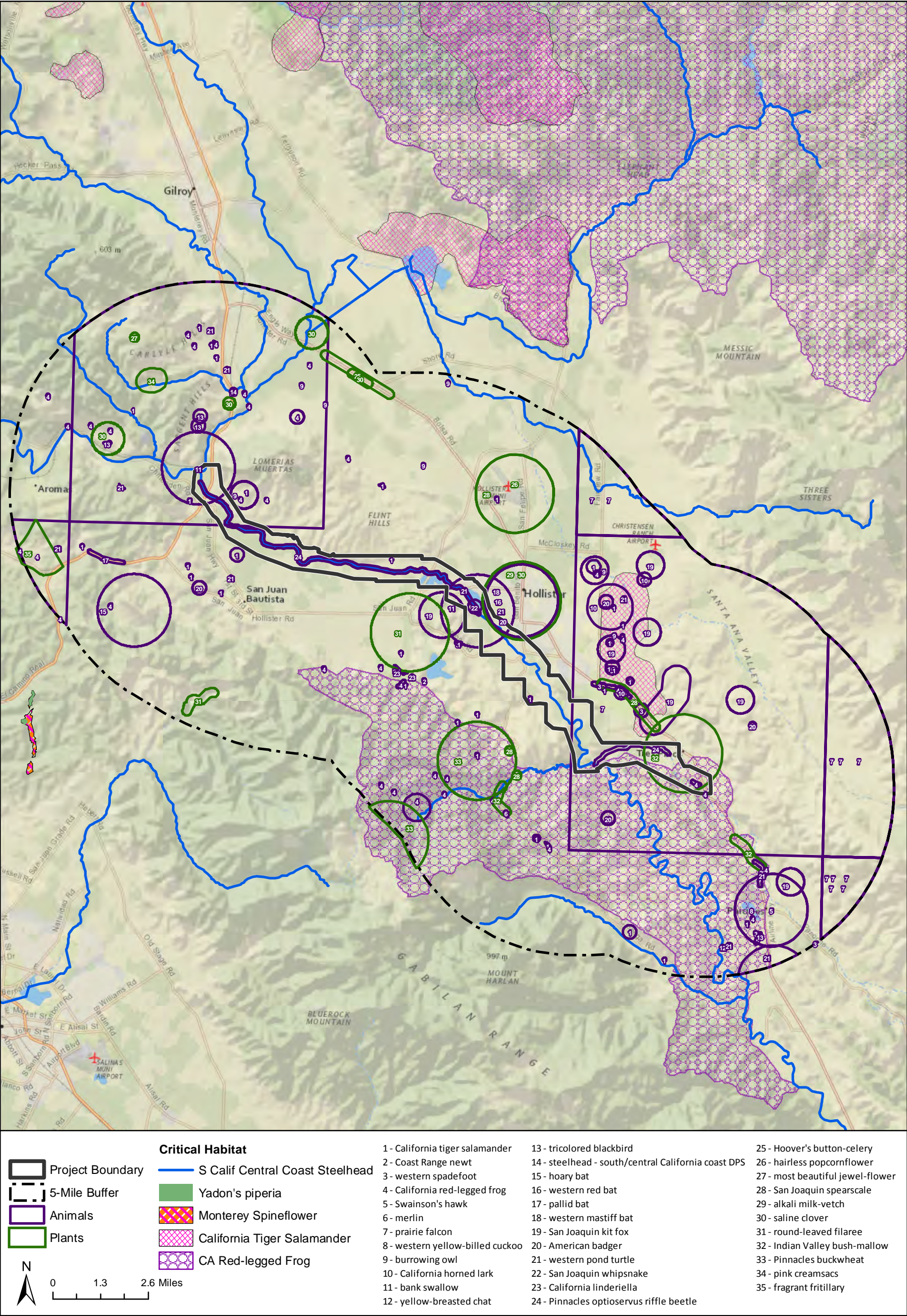
**Table 4.4-2
Critical Habitat**

Species Critical Habitat	Present within 5 miles of River Parkway	Present within River Parkway	Present within 5 miles of Regional Park	Present within Regional Park
California red-legged frog (<i>Rana draytonii</i>)	X	X	X	
Steelhead (<i>Oncorhynchus mykiss</i>)	X	X	X	
California tiger salamander (<i>Ambystoma californiense</i>)	X		X	

Special Status Plants and Animals. Queries of the USFWS IPaC (2013b), CDFW CNDDb (2003), and CNPS *Online Inventory of Rare, Threatened and Endangered Plants of California* (2013) were conducted to obtain comprehensive information regarding special status species with potential to occur within the Hollister, California United States Geological Survey (USGS) 7.5-minute topographic quadrangle and the surrounding eight quadrangles (Chittenden, San Felipe, Three Sisters, San Juan Bautista, Tres Pinos, Natividad, Mt. Harlan, and Paicines). Twenty special status plant species and 29 special status animal species have been observed or have the potential to occur within the nine-quad search area which includes the River Parkway corridor. Thirty five of those species have been documented within five miles of the River Parkway corridor, and nine species have been documented within the River Parkway corridor (Figure 4.4-3). Table 4.4-3 provides the status, habitat requirements, and the assessment of potential for occurrence for each species within both the River Parkway corridor and the Regional Park Site. Within the River Parkway corridor, some reference to the five reaches of this area is discussed. See Figure 2-2 in Section 2.0, *Project Description* for areas defined as Reaches 1-5.

Wildlife Movement Corridors. Wildlife movement corridors, or habitat linkages, are generally defined as connections between habitat patches that allow for physical and genetic exchange between otherwise isolated animal populations. Such linkages may serve a local purpose, such as providing a linkage between foraging and denning areas, or they may be regional in nature. Some habitat linkages may serve as migration corridors, wherein animals periodically move away from an area and then subsequently return. Others may be important as dispersal corridors for young animals. A group of habitat linkages in an area can form a wildlife corridor network.

Habitats within a habitat linkage do not necessarily need to be identical to those habitats being linked. Rather, the linkage needs only contain sufficient cover and forage to allow temporary utilization by terrestrial species moving between core habitat areas. Habitat linkages are typically contiguous strips of natural areas, though dense plantings of landscape vegetation can be used by certain disturbance-tolerant species. Some species may require specific physical resources (such as rock outcroppings, vernal pools, or oak trees) within the habitat link, for the linkage to serve as an effective movement corridor, while other more mobile or aerial species may only require discontinuous patches of suitable habitat to permit effective dispersal and/or migration. Wildlife movement corridors may occur at either large or small scales. The mountainous regions of San Benito County may support wildlife movement on a regional scale while riparian corridors and waterways, may provide local small-scale dispersal corridors for wildlife movement among habitat patches throughout the County.



Imagery provided by ESRI and its licensors, 2013.
Additional data from the California Natural Diversity Database,
November, 2013, and the U.S. Fish and Wildlife Service, 2013.
Critical habitat shown is that most recently available from U.S. FWS.
Check with U.S. FWS or Federal Register to confirm.

Sensitive Elements Reported by the California Natural Diversity Database
and Federally Designated Critical Habitat within 5 Miles of the Project Boundary

Figure 4.4-3

Table 4.4-3
Special Status Species Known or with Potential to Occur Within the Regional Project Site and along the River Parkway Corridor

Scientific Name Common Name	Status* Fed/State ESAs Global/State Rank CRPR or CDFW	Habitat Requirements	Potential for Occurrence within the Regional Park Site	Potential for Occurrence within the River Parkway Corridor
Plants				
<i>Arctostaphylos gabilanensis</i> Gabilan Mountains manzanita	--/-- G1/S1 1B.2	Occurs in granitic soils within chaparral and cismontane woodland at elevations of 984-2296 feet.	Not Expected To Occur. No suitable habitat occurs within the Regional Park Site. This species was not observed during the site reconnaissance visit.	Not Expected To Occur. Cismontane woodland occurs within the River Parkway corridor; however, no suitable soils occur and the corridor is outside of the elevation range of the species.
<i>Arctostaphylos pajaroensis</i> Pajaro manzanita	--/-- G2/S2.1 1B.1	Occurs in sandy chaparral at elevations of 98-2493 feet.	Not Expected To Occur. No suitable habitat occurs within the Regional Park Site. This species was not observed on during the site reconnaissance visit.	Not Expected To Occur. No suitable habitat occurs within the River Parkway corridor, and the corridor is also outside of the elevation range of the species.
<i>Astragalus tener</i> var. <i>tener</i> Alkali milk-vetch	--/-- G2T2/S2 1B.2	Occurs in alkaline soils within playas, valley and foothill grassland (adobe clay), and vernal pools at elevations of 3-196 feet.	May Occur. Potentially suitable valley and foothill grassland habitat occurs within the Regional Park Site. This species was not observed on during the site reconnaissance visit.	Present. This species has been documented by the CNDDDB (2013) within the River Parkway corridor. Suitable valley and foothill grassland occurs within the River Parkway corridor; however, no suitably alkaline soils occur. This species has a greater potential to occur within Reaches One, Two, Four and Five where suitable natural habitat is present.
<i>Atriplex joaquinensis</i> San Joaquin spearscale	--/-- G2/S2 1B.2	Occurs in alkaline soils within chenopod scrub, meadows and seeps, playas as well as valley and foothill grassland at elevations of 3-2739 feet.	May Occur. Potentially suitable valley and foothill grassland habitat occurs within the Regional Park Site. This species was not observed on during the site reconnaissance visit.	May Occur. Potentially suitable valley and foothill grassland occurs within the River Parkway corridor. The species has a higher potential to occur within Reaches One, Two, Four and Five where natural habitat is present.
<i>California macrophylla</i> Round-leaved filaree	--/-- G2/S2 1B.1	Occurs in clay soils within cismontane woodland and valley and foothill grassland at elevations of 49-3937 feet.	May Occur. Potentially suitable valley and foothill grassland habitat occurs within the Regional Park Site. This species was not observed on during the site reconnaissance visit.	May Occur. Potentially suitable valley and foothill grassland, cismontane woodland and clay soils occur within the River Parkway corridor. The species has a greater potential to occur within Reaches One, Two, Four and Five where natural habitat is present.

Table 4.4-3
Special Status Species Known or with Potential to Occur Within the Regional Project Site and along the River Parkway Corridor

Scientific Name Common Name	Status* Fed/State ESAs Global/State Rank CRPR or CDFW	Habitat Requirements	Potential for Occurrence within the Regional Park Site	Potential for Occurrence within the River Parkway Corridor
<i>Castilleja rubicundula</i> var. <i>rubicundula</i> Pink creamsacs	--/-- G5T2/S2 1B.2	Occurs in serpentinite soils within chaparral (openings), cismontane woodland, meadows and seeps, as well as valley and foothill grassland. Elevations: 65-2985feet.	Not Expected To Occur. Valley and foothill grassland habitat occurs within the Regional Park Site; however, no suitable serpentinite soils occur.	Not Expected To Occur. Cismontane woodland occurs within the River Parkway corridor; however, no suitable serpentinite soils occur.
<i>Centromadia parryi</i> ssp. <i>congdonii</i> Congdon's tarplant	--/-- G3T2/S2 1B.1	Occurs in valley and foothill grassland at elevations of 0-754 feet.	May Occur. Potentially suitable valley and foothill grassland habitat occurs within the Regional Park Site. This species was not observed on during the site reconnaissance visit.	May Occur. Potentially suitable valley and foothill grassland occurs within the River Parkway corridor. The species has a greater potential to occur within Reaches One, Two, and Four where suitable natural habitat is present.
<i>Chorizanthe biloba</i> var. <i>immemora</i> Hernandez spineflower	--/-- G3T1?/S1? 1B.2	Occurs in chaparral and cismontane woodland. Elevations: 1968-2624feet.	Not Expected To Occur. No suitable habitat occurs within the Regional Park Site. This species was not observed on during the site reconnaissance visit.	May Occur. Potentially suitable cismontane woodland such as the coast live oak woodlands occurs within the River Parkway corridor. The species has a greater potential to occur within Reaches Four and Five where suitable natural habitat is present.
<i>Chorizanthe pungens</i> var. <i>pungens</i> Monterey spineflower	FT/-- G2T2/S2 1B.2	Occurs in maritime chaparral, cismontane woodland, coastal dunes, coastal scrub, and valley and foothill grassland; sandy soils in coastal dunes or more inland within chaparral or other habitats at elevations of 9-1476 feet.	May Occur. Potentially suitable valley and foothill grassland habitat occurs within the Regional Park Site. This species was not observed on during the site reconnaissance visit.	May Occur. Potentially suitable coastal scrub and sandy soils occur within the River Parkway corridor.. The species has a greater potential to occur in Reach Four where suitable natural habitat is present.
<i>Eriogonum nortonii</i> Pinnacles buckwheat	--/-- G2/S2.3 1B.3	Occurs in sandy soils, often on recent burns within chaparral and valley and foothill grassland at elevations of 984-3198 feet.	May Occur. Potentially suitable valley and foothill grassland habitat occurs within the Regional Park Site. This species was not observed on during the site reconnaissance visit.	May Occur. Potentially suitable valley and foothill grassland and soils occur within the River Parkway corridor. The species has a greater potential to occur in Reaches One, Two, and Four where suitable natural habitat is present.

Table 4.4-3
Special Status Species Known or with Potential to Occur Within the Regional Project Site and along the River Parkway Corridor

Scientific Name Common Name	Status* Fed/State ESAs Global/State Rank CRPR or CDFW	Habitat Requirements	Potential for Occurrence within the Regional Park Site	Potential for Occurrence within the River Parkway Corridor
<i>Eryngium aristulatum</i> var. <i>hooveri</i> Hoover's button-celery	--/-- G5T1/S1 1B.1	Occurs in vernal pools at elevations of 10-147 feet.	Not Expected To Occur. No suitable habitat occurs within the Regional Park Site. This species was not observed on during the site reconnaissance visit.	Not Expected To Occur. No suitable habitat occurs within the River Parkway corridor.
<i>Fritillaria liliacea</i> Fragrant fritillaria	--/-- G2/S2 1B.2	Often occurs in serpentinite soils within cismontane woodland, coastal prairie, coastal scrub and valley and foothill grassland at elevations of 10-1345 feet.	Not Expected To Occur. Valley and foothill grassland habitat occurs within the Regional Park Site; however, no suitable serpentinite soils occur. This species was not observed on during the site reconnaissance visit.	Not Expected To Occur. Cismontane woodland occurs within the River Parkway corridor; however, no suitable soils occur.
<i>Hoita strobilina</i> Loma Prieta hoita	--/-- G2/S2 1B.1	Usually occurs in serpentine, mesic soils within chaparral, cismontane woodland and riparian woodland at elevations of 98-2821 feet.	Not Expected To Occur. No suitable habitat occurs within the Regional Park Site. This species was not observed on during the site reconnaissance visit.	Not Expected To Occur. No suitable serpentine soils occur within the River Parkway corridor.
<i>Malacothamnus aboriginum</i> Indian Valley bush-mallow	--/-- G2/S2 1B.2	Occurs in rocky, granitic soils often in burned areas within chaparral and cismontane woodland at elevations of 492-5577 feet.	Not Expected To Occur. No suitable habitat occurs within the Regional Park Site. This species was not observed on during the site reconnaissance visit.	Present. This species has been documented by the CNDDDB (2013) within the River Parkway corridor, and potentially suitable cismontane woodland occurs within the River Parkway. The species has a higher potential to occur in Reaches Four and Five where suitable natural habitat is present.
<i>Navarretia prostrata</i> Indian Valley bush-mallow	--/-- G2/S2 1B.1	Occurs in mesic soils within coastal scrub, meadows and seeps, vernal pools as well as valley and foothill grassland (alkaline) at elevations of 49-3969 feet.	May Occur. Potentially suitable valley and foothill grassland habitat occurs within the Regional Park Site. This species was not observed on during the site reconnaissance visit.	May Occur. Potentially suitable valley and foothill grassland and coastal scrub occur within the River Parkway corridor. The species has a higher potential to occur in Reaches One, Two, and Four where suitable natural habitat is present.

**Table 4.4-3
Special Status Species Known or with Potential to Occur Within the Regional Project Site and along the River Parkway Corridor**

Scientific Name Common Name	Status* Fed/State ESAs Global/State Rank CRPR or CDFW	Habitat Requirements	Potential for Occurrence within the Regional Park Site	Potential for Occurrence within the River Parkway Corridor
<i>Plagiobothrys glaber</i> Hairless popcorn flower	--/-- GH/SH 1A	Occurs in meadows and seeps (alkaline) and marshes and swamps (coastal salt) at elevations of 49-590 feet.	Not Expected To Occur. No suitable habitat occurs within the Regional Park Site. This species was not observed on during the site reconnaissance visit.	Not Expected To Occur. No suitable habitat occurs within the River Parkway corridor.
<i>Streptanthus albidus</i> spp. <i>Peramoenus</i> Most beautiful jewel-flower	--/-- G2T2/S2.2 1B.2	Occurs in serpentinite soils within chaparral, cismontane woodland, as well as valley and foothill grassland at elevations of 311-3280 feet.	Not Expected To Occur. Valley and foothill grassland habitat occurs within the Regional Park Site; however, no suitable serpentinite soils occur. This species was not observed on during the site reconnaissance visit.	Not Expected To Occur. Cismontane woodland occurs within the River Parkway corridor; however, no suitable soils occur.
<i>Trifolium hydrophilum</i> Saline clover	--/-- G2/S2 1B.2	Occurs in marshes and swamps, valley and foothill grassland (mesic, alkaline), and vernal pools at elevations of 0-984 feet.	May Occur. Potentially suitable valley and foothill grassland habitat occurs within the Regional Park Site. This species was not observed on during the site reconnaissance visit.	Present. This species has been documented by the CNDDDB within the River Parkway corridor and potentially suitable valley and foothill grassland occurs within the River Parkway corridor. The species has a higher potential to occur in Reaches One, Two, Four and Five where suitable natural habitat is present.
Birds				
<i>Accipiter cooperi</i> Cooper's hawk	--/-- G5/S3 --	Occurs in mainly open, interrupted or marginal type woodlands. Nests mainly in riparian growths of deciduous trees, such as canyon bottoms and river flood plains.	Present (foraging). May Occur (nesting). The species was observed flying directly over the Regional Park Site during the reconnaissance site visit. Suitable nesting habitat occurs within the trees found within the Regional Park Site, and suitable foraging habitat is present throughout the site.	Present. Suitable nesting and foraging habitat occurs within the oak woodland and riparian habitats found within the River Parkway corridor. This species may occur in all reaches of the corridor. This species was observed during the site visit within the River Parkway.

Table 4.4-3
Special Status Species Known or with Potential to Occur Within the Regional Project Site and along the River Parkway Corridor

Scientific Name Common Name	Status* Fed/State ESAs Global/State Rank CRPR or CDFW	Habitat Requirements	Potential for Occurrence within the Regional Park Site	Potential for Occurrence within the River Parkway Corridor
<i>Agelaius tricolor</i> Tricolored blackbird	--/-- G2G3/S2 SSC	Requires open water, protected nesting substrate, and foraging area with insect prey within a few miles of the colony.	Not Expected To Occur. The Regional Park Site does not contain aquatic habitat with suitable vegetation for nesting. This species was not observed on during the site reconnaissance visit.	Present. Many man-made agricultural ponds occur within the River Parkway corridor that may provide suitable nesting areas if sufficient vegetation is present for nesting. This species has potential to forage throughout most of the River Parkway corridor.
<i>Aquila chrysaetos</i> Golden eagle	--/-- G5/S3 FP	Uncommon resident of mountainous and valley-foothill areas; nests on cliff ledges and overhangs or in large trees; forages in open terrain where small rodent prey is seen while soaring high above ground.	May Occur (foraging). No nesting habitat occurs within the Regional Park Site, however the site does include suitable foraging habitat. A golden eagle was observed flying directly above the Regional Park Site during the reconnaissance site visit, and the species is known to nest in the Gabilan Range west of the site. Individual eagles would likely occur only as transients during foraging.	May Occur. Suitable foraging habitat occurs within the River Parkway, and some of the larger trees within the plan area may provide marginal nesting habitat for this species. A golden eagle was observed flying directly above the Regional Park Site (which is located near Reach 3 of the corridor) during the reconnaissance site visit, and the species is known to nest in the Gabilan Range west of the site. Golden eagles likely occur throughout the River Parkway while foraging.
<i>Athene cunicularia</i> Burrowing owl	--/-- G4/S2 SSC	Burrow sites in open dry annual or perennial grasslands, deserts and scrublands characterized by low growing vegetation. Also inhabits anthropogenic habitats such as campuses, golf courses, cemeteries, airports and grazed pastures.	May Occur. Suitable habitat occurs in all of the open habitats including grassland and agricultural areas that have not been developed. Ground squirrel burrows were observed in very high concentrations within the northern part of the Regional Park Site; however, no individuals or sign (pellets, whitewash, feathers) of this species were observed during the site reconnaissance visit.	Likely to Occur. Suitable habitat occurs in all of the open habitats such as the grassland and rangeland areas that have not been developed and have sufficient ground squirrel activity or other available burrows. Agricultural fields can also be utilized by this species as foraging habitat, and margins of agricultural fields often provide suitable nesting and wintering burrowing habitat. This species has potential to occur in all reaches of the River Parkway corridor.

**Table 4.4-3
Special Status Species Known or with Potential to Occur Within the Regional Project Site and along the River Parkway Corridor**

Scientific Name Common Name	Status* Fed/State ESAs Global/State Rank CRPR or CDFW	Habitat Requirements	Potential for Occurrence within the Regional Park Site	Potential for Occurrence within the River Parkway Corridor
<i>Buteo swainsoni</i> Swainson's hawk	--/ST G5/S2 --	Breeds in grasslands with scattered trees, juniper-sage flats, riparian areas, savannahs and agricultural or ranch lands. Requires adjacent suitable foraging areas such as grasslands, or alfalfa or grain fields that support rodent populations.	May Occur. Suitable nesting and foraging habitat occurs within the Regional Park Site. The Regional Park Site includes several large trees that could provide nesting habitat for this species; however, no individuals of this species, and no large raptor nests were observed on the site during site reconnaissance visit.	May Occur. Suitable nesting and foraging habitat occurs within the River Parkway corridor. Much of the western and eastern portions of the River Parkway corridor include abundant large trees and stands of trees within the riparian corridor along the San Benito River and Tres Pinos Creek, and the adjacent open grasslands and agricultural fields provide abundant high quality foraging habitat for this species. This species has the potential to occur throughout the entire River Parkway corridor.
<i>Coccyzus americanus occidentalis</i> western yellow-billed cuckoo	FC/SE G5T3Q/S1 --	Riparian forest nester, along the broad, lower flood-bottoms of larger river systems. Nests in riparian comprised of willow and often mixed with cottonwoods, with an understory of blackberry, nettles, or wild grape.	Not Expected To Occur. No suitable habitat for this species occurs within the Regional Park Site, and the species was not observed during the site reconnaissance visit.	May Occur. Suitable nesting habitat occurs within the riparian areas along the San Benito River. This species has potential to occur within suitable riparian habitat present throughout the entire length of the River Parkway corridor.
<i>Elanus leucurus</i> White-tailed kite	--/-- G5/S3 FP	Occurs throughout most of California's coastal and valley regions excluding the Cascade, Sierra Nevada, Mojave Desert, and Peninsular Ranges. Grasslands, dry farmed agricultural fields, savannahs and relatively open oak woodlands, and other relatively open lowland scrublands.	May Occur. Suitable nesting and foraging habitat occurs within the Regional Park Site. This species was not observed during the site reconnaissance visit.	May Occur. Suitable nesting and foraging habitat occurs within the River Parkway corridor. This species has potential to occur throughout the entire River Parkway corridor.
<i>Eremophila alpestris actia</i> California horned lark	--/-- G5T3Q/S3 --	Occurs in coastal regions, chiefly from Sonoma County to San Diego County and inland to San Joaquin Valley and east to foothills. Uses short-grass prairie, "bald" hills, mountain meadows, open coastal plains, fallow grain fields and alkali flats.	May Occur. Suitable nesting and foraging habitat occurs within the Regional Park Site. This species was not observed during the site reconnaissance visit.	May Occur. Suitable habitat occurs within the open habitats such as grasslands, rangelands and agricultural fields found within the River Parkway corridor.



Table 4.4-3
Special Status Species Known or with Potential to Occur Within the Regional Project Site and along the River Parkway Corridor

Scientific Name Common Name	Status* Fed/State ESAs Global/State Rank CRPR or CDFW	Habitat Requirements	Potential for Occurrence within the Regional Park Site	Potential for Occurrence within the River Parkway Corridor
<i>Falco columbarius</i> Merlin	--/-- G5/S3 --	Occurs along sea coasts, tidal estuaries, open woodlands, savannahs, edges of grasslands and deserts, as well as farms and ranches. Clumps of trees or windbreaks are required for roosting in open country.	May Occur. Suitable nesting and foraging habitat occurs within the Regional Park Site. This species was not observed during the site reconnaissance visit.	May Occur. Suitable nesting and foraging habitat occurs within the River Parkway corridor. This species has potential to forage throughout the entire River Parkway corridor.
<i>Falco mexicanus</i> Prairie falcon	--/-- G5/S3 --	Inhabits dry grasslands, shrub-steppe, deserts, and other open areas up to about 10,000 feet elevation. Utilizes cliffs for nesting. Will fly far afield to forage.	May Occur (foraging). No suitable nesting habitat occurs within the Regional Park Site; however the grassland habitat provides suitable foraging habitat. This species was not observed during the site reconnaissance visit.	May Occur (foraging). No suitable nesting habitat occurs within the River Parkway corridor; however suitable foraging habitat occurs within the open habitats such as agricultural fields, grasslands and rangelands. The species is known to breed within the Gabilan Range west of the corridor, and this species has potential to forage throughout most of the corridor.
<i>Icteria virens</i> Yellow-breasted chat	--/-- G5/S3 SSC	Occurs as a summer resident; inhabits riparian thickets of willow and other brushy tangles near watercourses. Nests in low, dense riparian, consisting of willow, blackberry, wild grape; forages and nests within 10 feet of ground.	Not Expected To Occur. No suitable habitat for this species occurs within the Regional Park Site. This species was not observed during the site reconnaissance visit.	May Occur. Suitable nesting habitat occurs within riparian habitat present along the San Benito River and its tributaries. This species has potential to occur in suitable riparian habitat present along the entire length of the River Parkway corridor.
<i>Lanius ludovicianus</i> Loggerhead shrike	--/-- G4/S4 SSC	Inhabits broken woodlands, savannah, pinyon-juniper, Joshua tree and riparian woodlands, desert oases, scrub and washes. Prefers open country for hunting, with perches for scanning, and fairly dense shrubs and brush for nesting.	Present. Suitable foraging and nesting habitat occurs within the Regional Park Site. This species was observed during the reconnaissance site visit within the Regional Park Site. The location of the observation is demarked on Figure 4.4-2.	Present. The species was observed within the Regional Park Site (which is near Reach 3 of the River Parkway corridor), and suitable foraging and nesting habitat for this species occurs throughout the entire length of the River Parkway corridor.
<i>Riparia riparia</i> Bank swallow	--/ST G5/S2S3 --	A colonial nester that nests primarily in riparian and other lowland habitats west of the desert. Requires vertical banks/cliffs with fine-textured/sandy soils near streams, rivers, lakes, ocean to dig nesting hole.	Not Expected To Occur. No suitable habitat for this species occurs within the Regional Park Site. This species was not observed during the site reconnaissance visit.	Present. Documented by the CNDDDB (2013) nesting within the northern most part of the River Parkway corridor near the confluence of the Pajaro and San Benito Rivers (nearest to Reach One). Suitable nesting and foraging habitat occurs within the River Parkway corridor, but is limited by the specific requirements for nesting conditions.

Table 4.4-3
Special Status Species Known or with Potential to Occur Within the Regional Project Site and along the River Parkway Corridor

Scientific Name Common Name	Status* Fed/State ESAs Global/State Rank CRPR or CDFW	Habitat Requirements	Potential for Occurrence within the Regional Park Site	Potential for Occurrence within the River Parkway Corridor
<i>Vireo bellii pusillus</i> Least Bell's vireo	FE/SE G5T2/S2 --	Occurs as a summer resident of southern California in low riparian in vicinity of water or in dry river bottoms below 2000 feet. Nests are built along margins of bushes or on twigs projecting into pathways.	Not Expected To Occur. No suitable habitat for this species occurs within the Regional Park Site. This species was not observed during the site reconnaissance visit.	Not Expected to Occur. Suitable riparian habitat occurs along the San Benito River and its tributaries within the River Parkway corridor, especially in the western and eastern portions. This species could potentially nest in suitable habitat present throughout the entire length of the River Parkway; however there are very few known occurrences of this species nesting north of the Santa Ynez River, and the species is considered to have a low likelihood of nesting in the project vicinity.
Amphibians				
<i>Ambystoma californiense</i> California tiger salamander	FT/ST G2G3/S2S3 SSC	Occurs in vernal and seasonal pools and associated grasslands, oak savanna, woodland, and coastal scrub. Needs underground refuges (i.e., small mammal burrows, pipes) in upland areas such as grassland and scrub habitats.	May Occur. No suitable aquatic breeding habitat occurs within the Regional Park site. Grassland habitat present in the Regional Park Site could provide suitable upland habitat if suitable breeding areas occur in the vicinity. There are multiple occurrences of this species recorded in the CNDDDB from within 5 miles of the site. The Regional Park Site is located approximately 2.5 miles west of designated critical habitat for this species; however, the site is isolated from the critical habitat by urban development along SR-25. This species was not observed during the site reconnaissance visit; however, there is a low potential for the species to occur during dispersal from suitable breeding habitat in the vicinity.	Present. There are multiple occurrences of this species recorded in the CNDDDB from within 5 miles of the River Parkway corridor, two CNDDDB records within the River Parkway corridor, and designated critical habitat for this species is present immediately north of the eastern portion of the corridor. Numerous man-made ponds and other ponded water features are present within the River Parkway corridor and vicinity. These areas may provide suitable aquatic breeding habitat for this species. Grasslands and rangeland in the vicinity of these water bodies provides an abundance of suitable CTS upland habitat within the River Parkway corridor. This species has potential to occur in suitable breeding and upland habitat throughout the entire River Parkway corridor.

Table 4.4-3
Special Status Species Known or with Potential to Occur Within the Regional Project Site and along the River Parkway Corridor

Scientific Name Common Name	Status* Fed/State ESAs Global/State Rank CRPR or CDFW	Habitat Requirements	Potential for Occurrence within the Regional Park Site	Potential for Occurrence within the River Parkway Corridor
<i>Rana draytonii</i> California red-legged frog	FT/-- G2G3/S2S3 SSC	Occurs in semi-permanent or permanent water at least 2 feet deep, bordered by emergent or riparian vegetation, and upland grassland, forest or scrub habitats for estivation and dispersal.	May Occur. No suitable aquatic breeding habitat occurs within the Regional Park Site, however the site could provide suitable upland habitat if sufficient ponding were present within the vicinity. There are multiple occurrences of this species recorded in the CNDDDB from within 5 miles of the site, and the site is located approximately 2.5 miles north of designated critical habitat for this species. This species was not observed during the site reconnaissance visit; however, there is a low potential for the species to occur during dispersal from suitable breeding habitat in the vicinity.	Present. There are multiple occurrence records for this species documented by the CNDDDB (2013) within the River Parkway corridor. Numerous man-made ponds, other ponded features, and the San Benito River and its tributaries provide potentially suitable breeding habitat within the River Parkway and in the vicinity. Suitable upland dispersal habitat in the vicinity of these water bodies also occurs within the River Parkway. Most of the River Parkway corridor is not more than 2.5 miles from California red-legged frog Federally Designated Critical Habitat, and this critical habitat extends into the corridor in the east.
<i>Spea hammondi</i> Western spadefoot toad	--/-- G3/S3 SSC	Occurs in open areas with sandy or gravelly soils, including mixed woodlands, grasslands, coastal sage scrub, chaparral, sandy washes, lowlands, river floodplains, alluvial fans, playas, alkali flats, foothills, and mountains. Rain pools that do not support bullfrogs, fish or crayfish are required for breeding.	May Occur. No suitable aquatic breeding habitat occurs within the Regional Park Site; however, the site could provide suitable upland habitat. If sufficient ponding was present within the San Benito River or in the vicinity of the site, this species has potential to occur transiently. This species was not observed on during the site reconnaissance visit.	May Occur. There are multiple occurrences of this species recorded in the CNDDDB from within 5 miles of the River Parkway. Man-made ponds and ponded areas present along the San Benito River within the River Parkway corridor provide suitable breeding habitat for this species. The sandy areas adjacent to these water sources also provide suitable upland estivation and refuge habitat.
<i>Taricha torosa</i> Coast Range newt	--/-- G4/S4 SSC	Inhabits coastal drainages from Mendocino County to San Diego County. Lives in terrestrial habitats and will migrate over 1 kilometer to breed in ponds, reservoirs and slow moving streams.	Not Expected To Occur. No suitable habitat for this species occurs within the Regional Park Site. This species was not observed during the site reconnaissance visit.	May Occur. Suitable breeding habitat occurs in the San Benito River and its tributaries within the River Parkway corridor, as does suitable upland habitat (particularly coastal oak woodlands). This species has the potential to occur throughout the entire length of the River Parkway corridor.

**Table 4.4-3
Special Status Species Known or with Potential to Occur Within the Regional Project Site and along the River Parkway Corridor**

Scientific Name Common Name	Status* Fed/State ESAs Global/State Rank CRPR or CDFW	Habitat Requirements	Potential for Occurrence within the Regional Park Site	Potential for Occurrence within the River Parkway Corridor
Reptiles				
<i>Actinemys marmorata</i> Western pond turtle	--/-- G3G4/S3 SSC	Occurs in rivers, ponds, freshwater marshes and nests in upland areas (sandy banks or grassy open fields) up to 1,640 feet from water.	May Occur. No suitable aquatic habitat occurs within the Regional Park Site, however it does contain suitable nesting habitat in the grassland areas considering the proximity to the San Benito River. This species was not observed on during the site reconnaissance visit.	Present. This species has been documented by the CNDDDB (2013) within the River Parkway corridor. Suitable breeding habitat occurs in the San Benito River and its tributaries as well as the man-made ponds located within the corridor. Suitable upland/nesting habitat also occurs within the River Parkway corridor. This species has potential to occur in all reaches of the corridor.
<i>Coluber flagellum ruddocki</i> San Joaquin whipsnake	--/-- G5T2T3/S2? SSC	Occurs in open, dry habitats with little or no tree cover. Found in valley grassland & saltbush scrub in the San Joaquin Valley. Needs mammal burrows for refuge and oviposition sites.	May Occur. Suitable habitat occurs within the Regional Park Site. The site also contains sufficient burrows that this species can utilize for refuge and oviposition. This species was not observed on during the site reconnaissance visit.	Present. This species has been documented by the CNDDDB (2013) within the River Parkway corridor. Suitable habitat is located in much of the corridor, especially in areas with abundant small mammal burrows. Open habitats such as grasslands, and scrub areas provide higher quality habitat. The drier more open stretches of the San Benito River dominated by shrub species also provide high quality habitat. This species has the potential to occur in all Reaches of the corridor.
Mammals				
<i>Antrozous pallidus</i> Pallid bat	--/-- G5/S3 SSC	Occurs in deserts, grasslands, shrublands, woodlands and forest. Most common in open, dry, habitats with rocky area for roosting. Roost must protect bats from high temperatures. Very sensitive to disturbance of roosting sites.	May Occur (foraging). The Regional Park Site could provide suitable foraging habitat for this species. No suitable roosting habitat occurs on site. This species was not observed on during the site reconnaissance visit.	May Occur (foraging). The open scrub and grassland habitat within the River Parkway corridor have potential to provide foraging habitat for this species however no suitable roosting areas occur.

Table 4.4-3
Special Status Species Known or with Potential to Occur Within the Regional Project Site and along the River Parkway Corridor

Scientific Name Common Name	Status* Fed/State ESAs Global/State Rank CRPR or CDFW	Habitat Requirements	Potential for Occurrence within the Regional Park Site	Potential for Occurrence within the River Parkway Corridor
<i>Eumops perotis californicus</i> Western mastiff bat	--/-- G5T4/S3? SSC	Occurs in open semi-arid to arid habitats such as coniferous and deciduous woodlands, coastal scrub and chaparral. Roosting sites are usually crevices in cliff faces, high buildings, trees and tunnels.	May Occur. The Regional Park Site could provide suitable foraging habitat for this species. The trees found within the site could provide roosting habitat for this species as well. This species was not observed on during the site reconnaissance visit.	May Occur. Suitable foraging habitat occurs throughout the River Parkway. Trees and building found within the River Parkway corridor can also provide suitable roosting areas.
<i>Lasiurus blossevillei</i> Western red bat	--/-- G5/S3? SSC	Roosts primarily in trees. Prefers habitat edges and mosaics with open areas for foraging and trees that are protected from above and open below.	May Occur. The Regional Park Site could provide suitable foraging habitat for this species. The trees found within the site could provide roosting habitat for this species as well. This species was not observed on during the site reconnaissance visit.	May Occur. Suitable foraging habitat occurs throughout the River Parkway corridor. Trees found within the River Parkway corridor can also provide suitable roosting areas.
<i>Lasiurus cinereus</i> Hoary bat	--/-- G5/S4? --	Roosts in dense foliage of large trees. Requires water. Prefers open habitats or habitat mosaics with access to trees for cover and open areas of habitat edge for feeding.	May Occur. The Regional Park Site could provide suitable foraging habitat for this species. The trees found within the site could provide roosting habitat for this species as well. This species was not observed on during the site reconnaissance visit.	May Occur. Suitable foraging habitat occurs throughout the River Parkway corridor. Trees found within the corridor can also provide suitable roosting areas, especially in the vicinity of the San Benito River.
<i>Taxidea taxus</i> American badger	--/-- G5/S4 SSC	Most abundant in drier open stages of most shrub, forest, and herbaceous habitats with friable soils. Needs sufficient food, friable soils, and open uncultivated ground. Cannot live in frequently plowed fields. Preys on burrowing rodents.	May Occur. The Regional Park Site could provide suitable foraging habitat for this species. The areas that are less disturbed such as the grassland and fallow agricultural field could provide suitable denning for this species. This species was not observed on during the site reconnaissance visit, and no burrows suitable for this species were observed.	May Occur. This species has been recorded within five miles of River Parkway corridor, and can occur in a wide variety of habitats present within the River Parkway corridor. Areas that are frequently plowed may only provide foraging habitat.

Table 4.4-3
Special Status Species Known or with Potential to Occur Within the Regional Project Site and along the River Parkway Corridor

Scientific Name Common Name	Status* Fed/State ESAs Global/State Rank CRPR or CDFW	Habitat Requirements	Potential for Occurrence within the Regional Park Site	Potential for Occurrence within the River Parkway Corridor
<i>Vulpes macrotis mutica</i> San Joaquin kit fox	FE/ST G4T2T3/S2S3 --	Occurs in annual grasslands or open stages with scattered shrubby vegetation. Requires loose sandy textured soils for burrowing.	May Occur. The Regional Park Site could provide suitable foraging habitat for this species. The areas that are less disturbed such as the grassland and fallow agricultural field could provide suitable denning for this species. An abundance of abandoned ground squirrel burrows were observed along the northern margin of the site and some of these burrows had sign of occupation by fox. Based on the available data it could not be determined if this was red fox or kit fox sign.	May Occur. The River Parkway corridor includes an abundance of grassland habitat suitable for kit fox breeding, and all other habitat except highly urbanized areas provides suitable foraging habitat. Agricultural areas provide marginal foraging habitat.
Invertebrates				
<i>Helminthoglypta sequoicola consors</i> Redwood shoulderband	--/-- G2T1/S1 --	Limited information is available regarding this species' habitat requirements. Known only from the south slope of San Juan Grade northwest of the City of Salinas.	Not Expected To Occur. This species is highly localized to the San Juan Grade. This species was not observed on during the site reconnaissance visit.	Not Expected To Occur. This species is highly localized to the San Juan Grade.
<i>Linderiella occidentalis</i> California linderiella	--/-- G3/S2S3 --	Occurs in seasonal pools in unplowed grasslands with old alluvial soils underlain by hardpan or in sandstone depressions. Water in the pools has very low alkalinity, conductivity, and total dissolved solids (TDS).	Not Expected To Occur. No suitable habitat for this species occurs within the Regional Park Site. This species was not observed on during the site reconnaissance visit.	May Occur. Suitable vernal pool habitat may occur within grasslands present within the River Parkway corridor may provide suitable habitat for this species.
<i>Optioservus canus</i> Pinnacles optioservus riffle beetle	--/-- G1/S1 --	Aquatic species that is found on rocks and in gravel of riffles in cool, swift, clear streams.	Not Expected To Occur. No suitable habitat for this species occurs within the Regional Park Site. This species was not observed on during the site reconnaissance visit.	Present. This species has been documented by the CNDDDB within the River Parkway corridor. CNDDDB records document this species within the San Benito River in the western half of the corridor, and in Tres Pinos Creek in the eastern portion of the corridor.

**Table 4.4-3
Special Status Species Known or with Potential to Occur Within the Regional Project Site and along the River Parkway Corridor**

Scientific Name Common Name	Status* Fed/State ESAs Global/State Rank CRPR or CDFW	Habitat Requirements	Potential for Occurrence within the Regional Park Site	Potential for Occurrence within the River Parkway Corridor
Fish				
<i>Oncorhynchus mykiss irideus</i> Steelhead – South/Central California Coast DPS	FT/-- G5T2Q/S2 SSC	Occurs in fresh water, fast flowing, highly oxygenated, clear, cool streams where riffles tend to predominate pools; small streams with high elevation headwaters close to the ocean that have no impassible barriers; spawning and high elevation headwaters.	Not Expected To Occur. No suitable habitat for this species occurs within the Regional Park Site. This species was not observed on during the site reconnaissance visit.	May Occur. The San Benito River is accessible to steelhead assuming sufficient flows and water depths are present such as those in years of high precipitation. The San Benito River is considered South/central California coast steelhead Federally Designated Critical Habitat. Depending on flows within the San Benito River, steelhead has the potential to occur in all reaches of the corridor.

***Status Definitions:**

FE = Federally Endangered

FT = Federally Threatened

D = Delisted

SE = State Endangered

ST = State Threatened

SR = State Rare

SA = Special Animal

FP = Fully Protected

SSC = Species of Special Concern

CS = Regional State Focal Corridor Species

G-Rank/S-Rank = Global Rank and State Rank as per NatureServe and CDFW's CNDDDB RareFind3.

CRPR (California Rare Plant Rank):

1A=Presumed Extinct in California

1B=Rare, Threatened, or Endangered in California and elsewhere

2=Rare, Threatened, or Endangered in California, but more common elsewhere

3=Need more information (a Review List)

4=Plants of Limited Distribution (a Watch List)

CRPR Threat Code Extension:

.1=Seriously endangered in California (over 80 percent of occurrences threatened / high degree and immediacy of threat)

.2=Fairly endangered in California (20-80 percent occurrences threatened)

.3=Not very endangered in California (<20 percent of occurrences threatened)



Biologists reviewed the CDFW BIOS (2013) and the *California Essential Habitat Connectivity Project: A Strategy For Conserving A Connected California* (Spencer et al., 2010) for information on wildlife corridors in the region. Missing Linkages: Restoring Connectivity to the California Landscape (Penrod et al., 2001) identifies movement corridors throughout California, and this report was also reviewed for information on regional wildlife movement and known wildlife corridors. No Essential Habitat Connectivity Areas or Linkages as identified by Penrod et al. (2001) were mapped within the River Parkway corridor or Regional Park Site.

The proposed River Parkway would generally follow the San Benito River. The river is generally undeveloped and is comprised of expanses of undeveloped natural habitat including riparian corridors that would be considered important for wildlife movement. Although the adjacent uplands along much of the San Benito River have been developed for agricultural purposes, the river bed and banks remain relatively undisturbed and form an effective wildlife movement corridor for a large number of species, including but not limited to black-tailed deer (*Odocoileus hemionus*), coyote (*Canis latrans*), red fox (*Vulpes vulpes*), cougar (*Puma concolor*), and, to a lesser extent, American badger (*Taxidea taxus*) and San Joaquin kit fox (*Vulpes macrotis mutica*). The undisturbed riparian habitats present along the San Benito River likely provide important linkages for passerine dispersal (including such species as yellow-billed cuckoo [*Coccyzus americanus occidentalis*] throughout the central Coast Ranges. The section of the San Benito River within the River Parkway corridor may also provide an important wildlife linkage between the undeveloped Flint Hills at the north end of the River Parkway, with portions of the Gabilan Range south of Tres Pinos Creek.

e. Regulatory Framework. Federal, state, and local authorities under a variety of statutes and guidelines share regulatory authority over biological resources. The primary authority for general biological resources lies within the land use control and planning authority of local jurisdictions, which in this instance is San Benito County and the City of Hollister. The CDFW is a trustee agency for biological resources throughout the State as defined in the California Environmental Quality Act (CEQA) and also has direct jurisdiction under the California Fish and Game Code (CFGC), which includes, but is not limited to, resources protected by the State of California under the California Endangered Species Act (CESA).

Federal and State.

United States Fish and Wildlife Service. The USFWS implements the Migratory Bird Treaty Act (16 United States Code [USC] Section 703-711) and the Bald and Golden Eagle Protection Act (16 USC Section 668). The USFWS and NMFS share responsibility for implementing the Federal Endangered Species Act (FESA) (16 USC § 153 *et seq.*). The USFWS generally implements the FESA for terrestrial and freshwater species, while the NMFS implements the FESA for marine and anadromous species. Projects that would result in “take” of any federally listed threatened or endangered species are required to obtain permits from the USFWS or NMFS through either Section 7 (interagency consultation with a federal nexus) or Section 10 (Habitat Conservation Plan) of FESA, depending on the involvement by the federal government in permitting and/or funding of the project. The permitting process is used to determine if a project would jeopardize the continued existence of a listed species and what measures would be required to avoid jeopardizing the species. “Take” under federal definition means to harass, harm (which includes habitat modification), pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. Proposed or candidate species do not have

the full protection of FESA; however, the USFWS and NMFS advise project applicants that they could be elevated to listed status at any time.

National Marine Fisheries Service. The NMFS is a component of the National Oceanic and Atmospheric Administration (NOAA) and has jurisdiction over projects in which federally listed marine or anadromous fish may be affected, including coho salmon and steelhead.

United States Army Corps of Engineers. Under Section 404 of the Clean Water Act (CWA), the U.S. Army Corps of Engineers (USACE) has authority to regulate activities that result in discharge of dredged or fill material into wetlands or other “waters of the United States.” Perennial and intermittent creeks are considered waters of the United States if they are hydrologically connected to other jurisdictional waters. The USACE also implements the federal policy embodied in Executive Order 11990, which is intended to result in no net loss of wetlands. In achieving the goals of the CWA, the USACE seeks to avoid adverse impacts and offset unavoidable adverse impacts on existing aquatic resources. Any discharge into wetlands or other “waters of the United States” that are hydrologically connected and/or demonstrate a significant nexus to jurisdictional waters would require a permit from the USACE prior to the start of work. Typically, when a project involves impacts to waters of the United States, the goal of no net loss of wetlands is met through compensatory mitigation involving creation or enhancement of similar habitats.

California Department of Fish and Wildlife (formerly the California Department of Fish and Game). The CDFW derives its authority from the CFGC. The CESA (Fish and Game Code Section 2050 *et seq.*) prohibits take of state listed species. Take under CESA is restricted to direct mortality of a listed species and does not prohibit indirect harm by way of habitat modification. The CDFW prohibits take for species designated as Fully Protected under the CFGC.

The CFGC sections 3503, 3503.5, and 3511 describe unlawful take, possession, or destruction of birds, nests, and eggs. Fully protected birds (Section 3511) may not be taken or possessed except under specific permit. Section 3503.5 of the CFGC protects all birds-of-prey and their eggs and nests against take, possession, or destruction of nests or eggs. Species of Special Concern (SSC) is a category used by the CDFW for those species which are considered to be indicators of regional habitat changes or are considered to be potential future protected species. Species of Special Concern do not have any special legal status except that which may be afforded by the CFGC as noted above. The SSC category is intended by the CDFW for use as a management tool to include these species into special consideration when decisions are made concerning the development of natural lands. The CDFW also has authority to administer the Native Plant Protection Act (NPPA) (Fish and Game Code Section 1900 *et seq.*). The NPPA requires the CDFW to establish criteria for determining if a species, subspecies, or variety of native plant is endangered or rare. Under Section 1913(c) of the NPPA, the owner of land where a rare or endangered native plant is growing is required to notify the department at least 10 days in advance of changing the land use to allow for salvage of the plant(s).

Perennial and intermittent streams and associated riparian vegetation, when present, also fall under the jurisdiction of the CDFW. Section 1600 *et seq.* of the CFGC (Lake and Streambed Alteration Agreements) gives the CDFW regulatory authority over work within the stream zone (which could extend to the 100-year flood plain) consisting of, but not limited to, the diversion

or obstruction of the natural flow or changes in the channel, bed, or bank of any river, stream or lake.

Regional Water Quality Control Board. The State Water Resources Control Board (SWRCB) and each of nine local Regional Water Quality Control Boards (RWQCB) have jurisdiction over “waters of the State” pursuant to the Porter-Cologne Water Quality Control Act which are defined as any surface water or groundwater, including saline waters, within the boundaries of the State. The SWRCB has issued general Waste Discharge Requirements (WDRs) regarding discharges to “isolated” waters of the State (Water Quality Order No. 2004-0004-DWQ, Statewide General Waste Discharge Requirements for Dredged or Fill Discharges to Waters Deemed by the U.S. Army Corps of Engineers to be Outside of Federal Jurisdiction). The local RWQCB enforces actions under this general order for isolated waters not subject to federal jurisdiction, and is also responsible for the issuance of water quality certifications pursuant to Section 401 of the CWA for waters subject to federal jurisdiction.

Local. General Plans are created by cities and counties to guide the growth and land development of their communities. As such General Plans typically contain elements which address protection of biological resources. Typically these elements comprise of goals, policies and actions which protect natural resources such as environmentally sensitive habitats, special status species, native trees, creeks, wetland, and riparian habitats. Local jurisdictions approve development as long as it is consistent with those elements of the General Plan.

San Benito County. The Natural and Cultural Resources Element of the County of San Benito 2015 General Plan Update includes goals to protect the biological resources found within the County. The goals include preservation of natural resources,

Natural and Cultural Resources Element:

- NCR-1.1 *Integrated Network of Open Space. The County shall maintain an integrated network of open space lands that support natural resources, recreation, tribal resources, wildlife habitat, water management, scenic quality, and other beneficial uses.*
- NCR-1.2 *Conservation Easements. The County shall support and encourage the use of conservation easements to protect open space that contains valuable natural resources.*
- NCR-1.3 *Open Space Overlay District. The County shall continue to protect and preserve the rural landscape and implement open space policies for: public health, safety, and welfare; continued agricultural uses; scenic viewscape preservation, including scenic highway corridors, park and recreation uses; conservation of significant natural resources; the containment and definition of limits to urbanization; and the preservation of the natural habitat for threatened and/or endangered plant and animal species.*
- Goal NCR-2 *To protect and enhance wildlife communities through a comprehensive approach that conserves, maintains, and restores important habitat areas.*



- NCR-2.1 *Coordination for Habitat Preservation. The County shall work with property owners and Federal and State agencies to identify feasible and economically-viable methods of protecting and enhancing natural habitats and biological resources in the county.*
- NCR-2.2 *Habitat Protection. The County shall require major subdivisions within potential habitat of Federal- or State-listed rare, threatened, or endangered plant or animal species to mitigate the effects of development. Mitigation for impacts to species may be accomplished on land preserved for open space, agricultural, or natural resources protection purposes.*
- NCR-2.4 *Maintain Corridors for Habitat. The County shall protect and enhance wildlife migration and movement corridors to ensure the health and long-term survival of local animal and plant populations, in particular contiguous habitat areas, in order to increase habitat value and lower land management costs. As part of this effort, the County shall require road and development sites in rural areas to:*
- a. Be designed to maintain habitat connectivity with a system of corridors for wildlife or plant species and avoiding fragmentation of open space areas; and*
- b. Incorporate measures to maintain the long-term health of the plant and animal communities in the area, such as buffers, consolidation of/rerouting access, transitional landscaping, linking nearby open space areas, and habitat corridors.*
- NCR-2.5 *Mitigation for Wetland Disturbance or Removal. The County shall require development to avoid encroachment on wetlands to the extent practicable and shall require mitigation for any development proposals that have the potential to reduce wetland habitat.*
- NCR-2.6 *Regeneration of Oak Woodland Communities. The County shall promote the restoration, restocking, and protection of oak woodland habitat on public and private lands in the county through a combination of habitat conservation planning, inter-agency coordination, and updated development review or tree preservation procedures.*
- NCR-2.7 *Mitigation of Oak Woodlands. The County shall encourage development near oak woodlands to be clustered to avoid, where technically or economically practical, the loss of heritage oak trees. The County shall require transitional buffers to help maintain viable ecosystems where appropriate. Where removal of trees cannot be avoided, the County shall require project applicants to prepare a mitigation plan that identifies on- or off-site tree replacement.*
- NCR-4.1 *Mitigation for Wetland Disturbance or Removal. The County shall consider implementing Regional Water Quality Control Board Basin Plan policies to improve areas of low water quality, maintain water quality on all drainage, and protect and enhance habitat for fish and other wildlife on major tributaries to the Pajaro River (San Benito River, Pacheco Creek) and the Silver Creek watershed.*

- NCR-4.4 *Open Space Conservation. The County shall encourage conservation and, where feasible, creation or restoration of open space areas that serve to protect water quality such as riparian corridors, buffer zones, wetlands, undeveloped open space areas, and drainage canals.*
- NCR-4.7 *Best Management Practices. The County shall encourage new development to avoid significant water quality impacts and protect the quality of water resources and natural drainage systems through site design, source controls, runoff reduction measures, and best management practices (BMPs).*

City of Hollister. The Natural Resource and Conservation Element of the City of Hollister General Plan 2005 includes goals to protect the biological resources found within the City. The following goals are applicable to the River Parkway and the County Regional Park.

Goal NRC1 - Assure enhanced habitat for native plants and animals, and special protection for threatened or endangered species.

Policies

Policy NRC 1.1 - Protection of Environmental Resources Protect or enhance environmental resources, such as wetlands, creeks and drainage ways, and habitat for threatened and endangered species.

Policy NRC 1.2 - Protection of Endangered Species Habitat Identify and protect the habitats of endangered species which may be found within the Hollister Planning Area, in cooperation with the U.S. Fish and Wildlife Service and the California Department of Fish and Game, through the review all development proposals for compliance with regulations established by the U.S. Fish and Wildlife Service and the California Department of Fish and Game as they apply to the protection of endangered species and their habitats.

Policy NRC 1.3 - Compensatory Habitat, Habitat Enhancement or Habitat Protection Require developers to assure the provision of compensatory habitat, habitat enhancement or habitat protection if impacts to sensitive species that could result from proposed development cannot be avoided.

Policy NRC 1.4 - Other Habitat Planning Measures Utilize regional planning and the use of concepts such as mitigation banking to offset the cumulative effects of piecemeal development on the habitat of special status species.

Policy NRC 1.5 - Wetlands Preservation - Maintain existing riparian areas in their natural state to provide for wildlife habitat, groundwater percolation, water quality, aesthetic relief and recreational uses that are environmentally compatible with

wetland preservation. Require appropriate public and private wetlands preservation, restoration and/or rehabilitation through compensatory mitigation in the development process for unavoidable impacts. Support and promote acquisition from willing property owners, and require those development projects, which may result in the disturbance of delineated seasonal wetlands to be redesigned to avoid such disturbance.

Policy NRC 1.6 - Enhancement of Creeks and Drainage ways Explore enhancement of, and support continuous upgrades to, drainage ways to serve as wildlife habitat corridors for wildlife movement and to serve as flood control facilities to accommodate storm drainage and groundwater recharge. Require setbacks, creek enhancement and associated riparian habitat restoration/creation for projects adjacent to creeks to maintain storm flows, reduce erosion and maintenance and improve habitat values, where feasible. Generally, all new structures and paved surfaces should be set back 100 feet from wetlands and creeks.

Policy NRC 1.7 - Specialized Surveys for Special Status Species Require specialized surveys for special status species for those projects that have been proposed in areas that contain suitable habitat for such species. All surveys should take place during appropriate seasons to determine nesting or breeding occurrences.

Local Ordinances. Some resources are afforded protection through local ordinances such as those that protect trees, riparian corridors, and environmentally sensitive habitats. The County of San Benito has municipal codes which protect natural resources and addresses compliance with environmental regulations.

San Benito County Code.

Chapter 19.19 – Habitat Conservation Plan Study Area

The purpose of this chapter is to:

(A) Provide a method for financing development and implementation of a habitat conservation plan and a § 10(a) permit under the Endangered Species Act of 1973 (16 U.S.C. §§ 1531 et seq.) for the San Benito County habitat conservation plan study area. It is the further purpose of this chapter to provide a method for mitigation of adverse impacts to federally protected endangered species caused by development of habitat during the preparation of a habitat conservation plan, and provide for habitat mitigation as identified in the habitat conservation plan.

(B) Provide for the establishment of fees which, upon payment, will satisfy U.S. Fish and Wildlife Service, as well as county, mitigation requirements for



endangered species and their habitats which may occur within the area of the county designated herein pending completion and adoption of a habitat conservation plan and issuance of a § 10(a) permit.

Chapter 19.33 – Management and Conservation of Woodlands

The purpose of this chapter is to:

(A) Establish regulations for the conservation and protection of woodlands in the unincorporated areas of San Benito County by limiting tree removal in a manner which allows for reasonable use and enjoyment of the property. The Interim Woodlands Management Ordinance codified in this chapter will stay in effect until such time as it is replaced by a successor woodland management ordinance.

(B) This chapter is intended to:

- (1) Control the removal of protected woodlands and maintain and enhance tree cover on improved and unimproved property to ensure that values and benefits provided by native trees are realized;*
- (2) Prevent the unpermitted wholesale removal of a majority of native trees on a parcel prior to application for a development permit;*
- (3) Protect woodland environments on agricultural land through an educational outreach program; and*
- (4) Educate residents of the county about the functions, benefits and values of woodlands to further the protection, conservation and regeneration of trees.*

(C) The Board of Supervisors of the County of San Benito finds it in the public interest to adopt a woodland conservation and protection ordinance for the purpose of promoting the health, safety and general welfare of the residents of San Benito County.

4.4.2 Impact Analysis

a. Methodology and Significance Thresholds. Data on biological resources were collected from numerous sources, including relevant literature, maps of natural resources, and data on special status species and sensitive habitat information obtained from the CNDDB (California Department Fish and Wildlife, 2003), BIOS (California Department Fish and Wildlife, 2013), CWHR (California Department Fish and Wildlife, 2008), *Online Inventory of Rare, Threatened, and Endangered Plants of California* (California Native Plant Society, 2013), and IPaC (U.S. Fish and Wildlife Service, 2013b). The USFWS Critical Habitat Mapper (2013a) and NWI (2013c) were also queried. In conjunction with these queries, information gathered during the site visit conducted on November 21, 2013 to generally characterize the existing conditions within the project site was used to identify potential biological resource occurrences and to determine whether an impact may occur as a result of the implementation of the project.

Evaluation Criteria. The following thresholds are based on Appendix G of the *State CEQA Guidelines*. Impacts would be significant if the proposed project would result in any of the following:



- 1) *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;*
- 2) *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service;*
- 3) *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;*
- 4) *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;*
- 5) *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; and/or*
- 6) *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.*

The project would not occur within a region with an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. The San Benito County Habitat Conservation Plan is currently in the planning phases. Therefore, no impact to such plans would occur, and this threshold (#6) is not discussed further in this analysis.

The following section presents a broad discussion of the potential for impacts to sensitive biological resources within the River Parkway corridor and Regional Park Site. The discussion under each impact statement is organized by project component; however, the mitigation measures are applicable to both where sensitive biological resources are determined to be or may be present in both areas.

b. Project Impacts and Mitigation Measures.

Impact B-1 Implementation of the proposed project could result in impacts to special status plant and animal species. This impact is Class II, *significant but mitigable*.

Thirty eight special status species (nine plant species and 29 animal species) may occur within and adjacent to the proposed River Parkway, primarily in those areas where the trail design would be developed in natural riparian habitat or cross drainages or other sensitive habitats. A fewer number of special status species have the potential to occur within the Regional Park, predominantly within the natural needlegrass grassland habitat and remnant riparian corridor. Potential impacts to sensitive species are discussed for each area below.

River Parkway. The River Parkway corridor includes several special status plant and animal species that are present or have the potential to occur within the corridor (refer to Table 4.4-4). Most of these species are associated with either annual grassland habitat or riparian habitat and drainages associated with San Benito River and Tres Pinos Creek. Additionally,



other habitat that may support special status species is present at many other locations within the River Parkway corridor; however, because it is anticipated that the final trail design will be more limited as compared to the River Parkway corridor overall, the final trail footprint may not impact all species presented in Table 4.4-4. Therefore, this analysis can be considered conservative. For most species the potential for impact is low but will depend on the final trail design of the proposed River Parkway corridor and the extent of disturbance to habitat along the trail route. While 15 special status animal species are either present or may occur within the River Parkway that may be potentially impacted by project development, only one of the special status plant species that may occur within the River Parkway has potential to be impacted by project development. The Monterey spineflower is the only listed plant species (federally threatened). The remaining eight special status plant species are not federally or state listed, and impacts to these species would only be considered significant if the regional population was at risk from project impacts. Development of the regional trail system could impact individuals or small numbers of individual plants, but would not result in impacts at a scale sufficient to pose a risk at the population level for these species.

Plant and animal species with a moderate or high potential for impact are discussed below.

Monterey spineflower (Chorizanthe pungens var. pungens). Monterey spineflower is federally threatened and is also recognized as a CRPR list 1B.2 species. This species is most likely to occur in openings within oak woodlands, valley and foothill grasslands as well as coastal scrub habitats within the River Parkway corridor. Impacts could result if construction of the proposed River Parkway occurs within these habitat types.

White-tailed kite (Elanus leucurus). White-tailed kites are Fully Protected under the CFGC. Numerous nesting opportunities are available within the River Parkway corridor especially those larger trees found near the San Benito River. If white-tailed kites are nesting near the San Benito River, construction of the proposed River Parkway may be disruptive and cause nest failure due to noise and above-normal human presence. The impact could be substantial if a breeding site were located near this project component. These impacts would only occur during the nesting season; however, removal of a nest site outside of the nesting season could be significant as white-tailed kites tend to return to the same nest sites during subsequent years. Impacts to foraging habitat would be less than significant due to the relatively small disturbance area (the trail is anticipated to be only approximately 10 feet wide) of the proposed trail project component area.

Cooper's hawk (Accipiter cooperi). The Cooper's hawk is a state Watch List species that typically occurs and nests in woodland habitats such as riparian growths within river floodplains. Within the River Parkway corridor, this species is most likely to nest in the riparian growths of deciduous tree species located along the San Benito River floodplain. Impacts could result if construction of the proposed River Parkway occurs in or adjacent to nest habitat; however, the potential for impacts would be limited to the nesting season.

Swainson's hawk (Buteo swainsoni). The Swainson's hawk is state Threatened species and nests and forages in open habitats containing suitable nesting trees such as grasslands, riparian areas, savannahs and agricultural/ranchlands. Suitable nesting trees are found throughout the

River Parkway corridor and associated with a variety of habitats including grasslands, riparian areas and tree groves in agricultural areas. Impacts could result if construction of the proposed River Parkway occurs in or adjacent to nest habitat; however, the potential for impacts would be limited to the nesting season.

Burrowing owl (Athene cunicularia). The burrowing owl is a state Species of Special Concern that typically occurs in open habitats with low growing vegetation such as grasslands and shrublands. This species nests in and is highly dependent on the burrows of small mammals, most notably California ground squirrel (*Otospermophilus beecheyi*). This species would nest in any of the grassland and shrubland type habitats that are found within the River Parkway corridor containing suitable nesting burrows. Other grassland and shrubland areas in the vicinity of suitable nesting habitat likely also provide suitable foraging habitat. Impacts could result if construction of the proposed River Parkway occurs in or adjacent to nest habitat; however, the potential for impacts would be limited to the nesting season.

Loggerhead shrike (Lanius ludovicianus). The loggerhead shrike is a state Species of Special Concern that occurs in a variety of habitats, but nests in those that contain dense shrubs and brush. Loggerhead shrikes are commonly observed foraging in open habitats that contain perches. Suitable nesting habitat within the River Parkway corridor is located within the coastal scrub areas associated with Reach Four and also within the San Benito River floodplain where the valley foothill riparian habitats resemble shrublands. Impacts could result if construction of the proposed River Parkway occurs in or adjacent to nest habitat; however, the potential for impacts would be limited to the nesting season.

Western yellow-billed cuckoo. The western yellow-billed cuckoo is a federal Candidate and state Endangered species that nests within riparian habitats of the lower flood-bottoms of large river systems. Nesting habitat typically is thick forests of willow trees with interspersed cottonwoods. Suitable nesting habitat is found within the River Parkway corridor along the San Benito River. The greatest amount of nesting habitat occurs in the northern portions of the River Parkway corridor. Impacts could result if construction of the proposed River Parkway occurs in or adjacent to nest habitat; however, the potential for impacts would be limited to the nesting season.

Yellow-breasted chat (Icteria virens). The yellow-breasted chat is a state Species of Special Concern that nest is riparian thickets. Suitable nesting habitat is found within the River Parkway corridor along the San Benito River. The greatest amount of nesting habitat occurs in the northern portions of the River Parkway corridor where willow and cottonwood species form a dense canopy. Impacts could result if construction of the proposed River Parkway occurs in or adjacent to nest habitat; however, the potential for impacts would be limited to the nesting season.

Tricolored blackbird (Agelaius tricolor). The tricolored blackbird is a state Species of Special Concern that nests in emergent vegetation in submerged areas. Tricolored blackbirds are colonial nesters, and most colonies are greater than 50 nesting pairs. Within the River Parkway corridor, this species would most likely nest within agricultural ponds that have emergent vegetation with sufficient density and height. Impacts could result if construction of the

proposed River Parkway occurs in or adjacent to nest habitat; however, the potential for impacts would be limited to the nesting season.

California red-legged frog (Rana draytonii). The California red-legged frog (CRLF) is federally Threatened and a state Species of Special Concern. Critical habitat for the CRLF is mapped in the southernmost area of the River Parkway corridor along a portion of Reach Five, and it is also known to occur within the River Parkway corridor within the vicinity of the same Reach. This species is likely to occur within the San Benito River and have the potential to breed in backwaters of the San Benito River and its tributaries, assuming sufficient water was present. The agricultural ponds that are scattered throughout the River Parkway corridor also provide potentially suitable breeding habitat. In addition, the upland areas in the vicinity of the San Benito River and agricultural ponds provide dispersal habitat as CRLF individuals move from one aquatic habitat to another. It should be noted that CRLF are not precluded from traversing agricultural areas (Bulger et al., 2003). Based on the presence of suitable aquatic and upland habitats within the River Parkway corridor, this species is likely present in multiple locations along or near the proposed River Parkway. If CRLF occur within this project component, construction could result in harassment or injury and/or death of individuals.

California tiger salamander (Ambystoma californiense). The California tiger salamander (CTS) is federally and state Threatened. CTS require vernal and seasonal pools for breeding and upland habitats, such as grasslands and scrub habitats, with small mammal burrows for dispersal and refuge during the non-breeding season. CTS have also been known to breed in man-made agricultural ponds as well. CTS have been documented within ponds in the Flint Hills Area as well as in the vicinity of Hospital Road just south of the City of Hollister. Impacts would likely only occur if CTS are found within the construction footprint for the River Parkway when dispersing between breeding ponds and upland habitats. If present, individuals could also be unearthed if ground disturbing activities were to occur during the non-breeding season.

Western spadefoot (Spea hammondi). The western spadefoot is a state Species of Special concern. Western spadefoots require vernal and seasonal pools for breeding and upland habitats that contain loose sandy soils for refuge during the non-breeding season. Western spadefoots have also been known to breed in man-made agricultural ponds. Portions of the San Benito River and its tributaries with sufficient pools of water as well as agricultural ponds may be suitable breeding habitat for this species. Terrestrial habitats with adequate soils in the vicinity of these suitable aquatic habitats would also provide suitable non-breeding habitat for this species. This species could be impacted during construction of the proposed River Parkway if construction occurred within or in the vicinity of suitable aquatic habitats or adjacent terrestrial upland refuge.

Coast Range newt (Taricha torosa). The Coast Range newt is a state Species of Special Concern. This species typically inhabits coastal drainages and breeds in ponds reservoirs, and slow moving streams. During the non-breeding season this species inhabits moist terrestrial habitats up to 1 kilometer from breeding sites. Agricultural ponds, the San Benito River and its tributaries within the River Parkway corridor may provide suitable breeding habitat for this species. Terrestrial habitats with sufficient moisture in the vicinity of suitable aquatic habitats would also provide suitable non-breeding habitat for this species. This species could be

impacted during construction of the proposed River Parkway if construction occurred within or in the vicinity of suitable aquatic habitats or adjacent non-breeding habitat.

Western pond turtle (Emys marmorata). The western pond turtle is a state Species of Special Concern that prefers pools and slow-moving deep water with vegetation and debris that can serve as basking sites. Portions of the San Benito River and its tributaries with openings in the canopy and pools of water may be suitable for this species. Agricultural ponds within the River Parkway corridor may also provide suitable habitat for this species. Terrestrial habitats in the vicinity of suitable aquatic habitats would also provide suitable nesting habitat for this species. This species could be impacted during construction of the proposed River Parkway if construction occurred within or in the vicinity of suitable aquatic habitats or adjacent terrestrial nesting areas.

San Joaquin coachwhip (Coluber flagellum ruddocki). The San Joaquin coachwhip is a state Species of Special Concern. This species is typically found in open habitats such as grasslands and shrublands that contain little or no trees. These habitat types that contain small mammal burrows are also important for refuge as well as oviposition. Suitable habitat within the River Parkway corridor is located within the grassland habitats and also within the San Benito River floodplain where the valley foothill riparian habitats resemble shrublands. Impacts could result if construction of the proposed River Parkway occurs in or adjacent these habitats.

Pallid bat (Antrozous pallidus). The pallid bat is a state Species of Special Concern and commonly roosts under bridges. Several roadway bridge structures that cross over the San Benito River could support roosting pallid bats, and these bats could be disturbed if construction of the proposed River Parkway were to occur at or in the vicinity of these bridges. These structures occur in Reaches One, Two, Three and Five. This impact would be substantially greater if any of these bridges are used as a maternity roost. The areas in the vicinity of these potential roosting areas would be utilized as foraging habitat; however it is unlikely construction of the proposed River Parkway would impact foraging pallid bats considering construction hours would most likely occur outside of this species nocturnal feeding period.

Steelhead – south-central California coast Distinct Population Segment (DPS) (Oncorhynchus mykiss). The south-central California Coast steelhead DPS is federally Threatened and a state Species of Special Concern. Critical Habitat for this species is mapped and consists of the San Benito River. Steelhead require fast flowing, highly oxygenated, clear, cool streams where riffles tend to predominate pools. Suitable spawning areas typically consist of substrates with coarse gravels in relatively swift water. Steelhead would most likely occur within the San Benito River and originating from the Pajaro River if sufficient flows were present. Steelhead would most likely only occur transiently within the San Benito River as the flow regime within the river is generally unfavorable for spawning and development. Individuals of this species could be impacted during construction of the proposed River Parkway if construction occurred within the San Benito River or its tributaries.

Table 4.4-4
Potential for Impacts to Special Status Plant and Animal Species:
River Parkway Component

Common Name	Potential for Impact	Common Name	Potential for Impact
Plant Species			
Alkali milk-vetch	None. Impacts would only occur if the proposed River Parkway permanently disturbs grassland habitat to a level sufficient to effect the regional population of this species and the trail corridor is unlikely to impact large areas of annual grassland within the River Parkway.	Hernandez spineflower	None. Impacts would only occur if the trail permanently disturbs grassland or cismontane woodland habitats to a level sufficient to effect the regional population of this species. The trail corridor is unlikely to impact large areas of cismontane woodland within the River Parkway.
San Joaquin spearscale	None. Impacts would only occur if the proposed River Parkway permanently disturbs grassland habitat to a level sufficient to effect the regional population of this species. The trail corridor is unlikely to impact large areas of annual grassland within the River Parkway.	Monterey spineflower	Moderate. Impacts could occur during trail construction within annual grassland, coastal scrub, and coastal oak woodland habitats. This is a federally threatened species, and impacts to individual plants would be considered significant.
Round-leaved filaree	None. Impacts would only occur if the proposed River Parkway permanently disturbs grassland or cismontane woodland habitats to a level sufficient to effect the regional population of this species. The trail corridor is unlikely to impact large areas of annual grassland or cismontane woodland within the River Parkway.	Pinnacles buckwheat	None. Impacts would only occur if the proposed River Parkway permanently disturbs grassland or chaparral habitats to a level sufficient to effect the regional population of this species and the trail corridor is unlikely to impact large areas of annual grassland or chaparral within the River Parkway.
Indian Valley bush-mallow	None. Impacts would only occur if the proposed River Parkway permanently disturbs grassland or cismontane woodland habitats to a level sufficient to effect the regional population of this species. The trail corridor is unlikely to impact large areas of cismontane woodland within the River Parkway.	Saline clover	None. Although the species has been documented within the River Parkway corridor, impacts would only occur if the proposed River Parkway permanently disturbs grassland or wetland habitats to a level sufficient to effect the regional population of this species. Because the trail width is only anticipated to be approximately 10 feet wide, the trail corridor is unlikely to impact large areas of annual grassland or marshes within the River Parkway.
Congdon's tarplant	None. Impacts would only occur if the proposed River Parkway permanently disturbs grassland habitat to a level sufficient to effect the regional population of this species. The trail corridor is unlikely to impact large areas of annual grassland within the River Parkway.		



**Table 4.4-4
Potential for Impacts to Special Status Plant and Animal Species:
River Parkway Component**

Common Name	Potential for Impact	Common Name	Potential for Impact
Animals			
tricolored blackbird	Low to None. Impacts may occur if trail construction activities are disruptive to nearby nesting colonies; however, construction within breeding habitat is unlikely.	golden eagle	None. Although the species may forage in the area, primarily in the grasslands, there is no suitable nesting habitat.
burrowing owl	Moderate. Suitable nesting and foraging habitat is present throughout the River Parkway corridor, primarily in open grassland habitat scrub. Development of the River Parkway along the San Benito River in these habitats has a moderate potential to impact burrowing owls.	Cooper's hawk	Moderate. Suitable breeding and foraging habitat is located throughout much of the riparian habitat along the San Benito River and Tres Pinos Creek. Construction activity adjacent to active cooper's hawk nest that resulted in nest failure would be considered a significant impact.
Swainson's hawk	Moderate. Swainson's hawk is a state threatened species. Suitable breeding and foraging habitat is located throughout much of the riparian habitat along the San Benito River and Tres Pinos Creek, especially where it occurs adjacent to agricultural or grassland foraging areas. Construction activity adjacent to active Swainson's hawk nests that resulted in nest failure would be considered a significant impact. The project would not significantly impact foraging habitat.	western yellow-billed cuckoo	Moderate. Suitable nesting habitat is present within the riparian habitat along the San Benito River and Tres Pinos Creek. Impacts may occur during construction of the River Parkway if cuckoos are nesting in riparian habitat. Vegetation removal and ground clearing activity within riparian habitat could result in direct impacts to nesting cuckoos
white-tailed kite	Low to Moderate. White-tailed kite is a California fully protected species. Construction of the River Parkway is not likely to disrupt foraging activity or significantly impact foraging habitat. Trail construction may be disruptive to nesting kites, and nest failure would be considered a significant impact.	California horned lark	Low to None. Impacts would only occur in the grassland habitats that are primarily outside of the San Benito River corridor and less likely to be developed since the trail would be generally within the corridor.
Merlin	Low. Construction of the River Parkway within riparian habitat may be disruptive to nesting merlins.	Prairie falcon	None. Suitable breeding habitat is located sufficiently far away from the River Parkway corridor such that trail construction would not impact nesting falcons. Trail development would not significantly impact foraging habitat.



Table 4.4-4
Potential for Impacts to Special Status Plant and Animal Species:
River Parkway Component

Common Name	Potential for Impact	Common Name	Potential for Impact
bank swallow	Low. Construction of the River Parkway in suitable habitat may be disruptive to nesting swallows.	Yellow-breasted chat	Moderate. Suitable nesting habitat is present within the riparian habitat along the San Benito River and Tres Pinos Creek. Impacts may occur during construction of the River Parkway if chats are nesting in riparian habitat. Vegetation removal and ground clearing activity within riparian habitat could result in direct impacts to nesting chats.
Loggerhead shrike	Moderate. Suitable nesting habitat is present within the riparian habitat along the San Benito River and Tres Pinos Creek. Impacts may occur during construction of the River Parkway if shrikes are nesting in riparian habitat. Vegetation removal and ground clearing activity within riparian habitat could result in direct impacts to nesting shrikes.	Least Bell's vireo	Low. Suitable nesting habitat is present within the riparian habitat along the San Benito River and Tres Pinos Creek, however there are very few occurrences of this species nesting north of the Santa Ynez River. Vegetation removal and ground clearing activity within riparian habitat could result in direct impacts to nesting vireo if they are nesting in the vicinity.
western pond turtle	Moderate. The species is known to occur within the River Parkway corridor. May be affected by construction within and adjacent to wetlands along the San Benito River and other man-made ponds present in the River Parkway corridor, and by ground disturbance in suitable upland habitat near breeding habitat.	California red-legged frog	Moderate. The species is known to occur within the River Parkway corridor and designated critical habitat is present within and adjacent to the River Parkway corridor. May be affected by construction within and adjacent to wetlands along the San Benito River and by ground disturbance in suitable upland habitat (grasslands) near (within 2 miles) of breeding habitat.
California tiger salamander	Moderate. The species is known to occur within the River Parkway and designated critical habitat is present within 2.5 miles of the River Parkway corridor. May be affected by construction within and adjacent to wetlands along the San Benito River and by ground disturbance in suitable upland habitat (grasslands) near (within 2 miles) of breeding habitat.	Western spadefoot toad	Moderate. May be affected by construction of the River Parkway within the San Benito River basin in sandy/gravelly areas and adjacent floodplain.
steelhead – south-central California coast DPS	Low to Moderate. May be affected by construction of trail drainage/river crossings within the San Benito River and Tres Pinos Creek basins. Impacts can be avoided if drainages are spanned.	Coast Range newt	Moderate. Suitable habitat is present within the riparian corridors along San Benito River and Tres Pinos Creek, and within coastal oak woodlands in the southeastern part of the River Parkway corridor. Development of the River Parkway in any of these habitats may affect this species.



**Table 4.4-4
Potential for Impacts to Special Status Plant and Animal Species:
River Parkway Component**

Common Name	Potential for Impact	Common Name	Potential for Impact
American badger	Low. The species would occur in the grassland and oak woodland habitats within the River Parkway corridor. These areas are unlikely to include significant trail development.	San Joaquin coachwhip	Moderate. May be affected during ground disturbance in suitable habitat along the entire length of trail development, especially in areas with abundant small mammal burrows.
San Joaquin kit fox	Low. The species would primarily occur in the grassland and oak woodland habitats within the River Parkway corridor. These areas are unlikely to include significant trail development; however construction activity may affect foxes foraging along the San Benito river drainages	pallid bat	Moderate. May roost on bridges and hollow trees within the River Parkway corridor. Development of the River Parkway along the San Benito River may affect roosting bats if construction activity occurs adjacent to bridges.
Western red bat	Low. This species roosts in trees adjacent to streams fields and urban areas. Vegetation removal along San Benito River could affect this species.	Western mastiff bat	Low. Primarily roosts in cliff faces, high buildings and tunnels, but may also roost in large trees. Removal of large trees within the corridor may affect this species.
California linderiella	Low to None. This species would be restricted to vernal pools within grassland habitat where construction will be limited. Avoidance of vernal pools during trail development would prevent impacts to this species.	hoary bat	Low. Roosts in dense foliage of medium to large trees. May occur within the denser riparian habitats in the east and west portions of the River Parkway corridor. Vegetation removal during construction of the River Parkway may affect this species.
Pinnacles optioservus riffle beetle	Low. Would only be impacted by trail development within active streambed. Impacts could be avoided by spanning any stream crossings.		

Regional Park. The Regional Park Site is predominantly agricultural and fallow agricultural lands with little potential to support special status species. However, the Regional Park Site does include a small area of purple needlegrass grassland habitat, a small remnant riparian corridor, and several isolated trees that do have potential to support special status species and nesting birds. Furthermore, the fallow agricultural lands on the northern portion of the site and near the proposed Access Road also have the potential to provide suitable upland habitat for CRLF, CTS and western spadefoot. Twenty-seven special status plant and animal species were determined to have the potential to occur within the Regional Park Site; however, twenty one of those species are considered to have a low potential to be impacted by project development. The remaining six special status animal species have a moderate potential to be impacted by the project (refer to Table 4.4-5), and these species are described below.

Monterey spineflower. The Monterey spineflower is federally Threatened and is listed as a 1B.2 species by the CNPS. This species is most likely to occur in purple needle grass grassland in the southern portion of the Regional Park Site and impacts could result if construction of the proposed Regional Park occurs within this area.



White-tailed kite. White tailed kites are Fully Protected under the CFGC. Numerous nesting opportunities are available within and adjacent to the proposed Regional Park Site and consist of larger trees found in the northern portion of the site. If white-tailed kites are nesting near or within the Regional Park Site, construction of the proposed Regional Park component may be disruptive and cause nest failure due to noise and above-normal human presence. The impact could be substantial if a breeding site were located near the proposed Regional Park component. These impacts would only occur during the nesting season; however, removal of a nest site outside of the nesting season could be significant as white-tailed kites tend to return to the same nest sites during subsequent years. Impacts to foraging habitat would be less than significant due to the relatively small disturbance area of the proposed Regional Park component.

Cooper's hawk. The Cooper's hawk is a state Watch List species that typically occurs and nests in woodland habitats such as riparian growths within river floodplains. This species was observed flying overhead within the Regional Park Site. Within the Regional Park Site, this species is most likely to nest in the large trees found within the site and can utilize the entire site as foraging habitat. Impacts could result if construction of the proposed Regional Park component occurs in or adjacent to nest habitat; however, the potential for impacts would be limited to the nesting season.

Swainson's hawk. The Swainson's hawk is state Threatened species and nests and forages in open habitats containing suitable nesting trees such as grasslands, riparian areas, savannahs and agricultural/ranchlands. Suitable nesting and foraging habitat occurs within the Regional Park Site. The Regional Park Site includes several large trees that could provide nesting habitat for this species. Impacts could result if construction of the proposed Regional Park component occurs in or adjacent to nest habitat; however, the potential for impacts would be limited to the nesting season.

Burrowing owl. The burrowing owl is a state Species of Special Concern that typically occurs in open habitats with low growing vegetation such as grasslands and shrublands. This species nests in and is highly dependent on the burrows of small mammals, most notably California ground squirrel (*Otospermophilus beecheyi*). California ground squirrel burrows were observed within the Regional Park Site that provides suitable nesting opportunities. The Regional Park Site also provides suitable foraging habitat. Impacts could result if construction of the proposed Regional Park component occurs in or adjacent to nest habitat; however, the potential for impacts would be limited to the nesting season.

Loggerhead shrike. The loggerhead shrike is a state Species of Special Concern that occurs in a variety of habitats, but nests in those that contain dense shrubs and brush. Suitable foraging and nesting habitat occurs within the Regional Park Site. This species was observed during the reconnaissance site visit within the Regional Park Site. Nesting habitat consist of dense shrubs that are more concentrated in the southern portion of the Regional Park within the purple needlegrass grassland. Impacts could result if construction of the proposed Regional Park component occurs in or adjacent to nest habitat; however, the potential for impacts would be limited to the nesting season.

California red-legged frog. The CRLF is federally Threatened and a state Species of Special Concern. No suitable aquatic habitat occurs within the Regional Park Site, however because of the proximity of the Regional Park to the San Benito River, CRLF, if present, could utilize the Regional Park Site as upland habitat as they disperse. In this case, CRLF are expected to only occur within the Regional Park Site transiently when sufficient moisture is present (e.g. rain events and high humidity). That said, based on the condition of the site, the potential for CRLF to traverse the site is low and therefore the potential for this project component to impact CRLF is low. If CRLF occur within the Regional Park Site, construction could result in harassment or injury and/or death of individuals.

California tiger salamander. The California tiger salamander (CTS) is federally and state Threatened species. CTS require vernal and seasonal pools for breeding and upland habitats, such as grasslands and scrub habitats, with small mammal burrows for dispersal and refuge during the non-breeding season. No suitable aquatic breeding habitat occurs within the Regional Park Site. However the grassland habitats which also contain California ground squirrel burrows, could provide suitable upland refuge habitat if suitable breeding areas occur in the vicinity. Impacts would likely only occur if CTS are found within the construction footprint, dispersing between breeding ponds and upland habitats. If present, individuals could also be unearthed if ground disturbing activities were to occur during the non-breeding season.

Western spadefoot toad. The western spadefoot toad is a state Species of Special Concern. Western spadefoot toads require vernal and seasonal pools for breeding and upland habitats that contain loose sandy soils for refuge during the non-breeding season. No suitable aquatic breeding habitat occurs within the Regional Park Site; however, the Regional Park Site could provide suitable upland habitat. If sufficient ponding was present within the San Benito River or in the vicinity of the Regional Park Site, this species has potential to occur transiently or may utilize the Regional Park Site as aestivation habitat. This species could be impacted during construction of the proposed Regional Park if individuals were unearthed during the non-breeding season or when individuals are moving between breeding and non-breeding habitat.

Western pond turtle. The western pond turtle is a state Species of Special Concern that prefers pools and slow-moving deep water with vegetation and debris that can serve as basking sites. Portions of the San Benito River and its tributaries with openings in the canopy and pools of water may be suitable for this species. Based on the distance of the Regional Park Site to the San Benito River, this species could utilize the Regional Park Site for nesting as well as upland refuge. This species could be impacted during construction of the proposed Regional Park if construction occurred within the nesting season or if individuals are dispersing or moving from aquatic habitat to nesting sites.

San Joaquin whipsnake. The San Joaquin coachwhip is a state Species of Special Concern. This species is typically found in open habitats such as grasslands and shrublands that contain little or no trees. These habitat types that contain small mammal burrows are also important for refuge as well as oviposition. Suitable habitat occurs within the Regional Park Site. The Regional Park Site also contains sufficient burrows that this species can utilize for refuge and oviposition. Impacts could result if construction of the Regional Park component unearths brumating individuals or injures/kills individuals traversing the site.

**Table 4.4-5
Potential for Impacts to Special Status Plant and Animal Species:
Regional Park Component**

Common Name	Potential for Impact	Common Name	Potential for Impact
Plant Species			
Alkali milk-vetch	None. Impacts would only occur if the park development permanently disturbs grassland habitat to a level sufficient to effect the regional population of this species. There is only a small area of annual grassland within the Regional Park Area and this level of development would not affect the regional population.	Saline clover	None. Impacts would only occur if the Regional Park development permanently disturbs grassland or cismontane woodland habitats to a level sufficient to effect the regional population of this species, which is not expected from development of this site. In other words, the project site development would not hinder the regional population
San Joaquin spearscale	None. Impacts would only occur if the Regional Park development permanently disturbs grassland, scrub or meadows habitats to a level sufficient to effect the regional population of this species, which is not expected from development of this site. The level of development for the Regional Park project would not affect the regional population.	Monterey spineflower	Moderate. Impacts could occur during Regional Park construction within annual grassland if the species is present on the project site. This is a federally threatened species, and impacts to individual plants would be considered significant.
Round-leaved filaree	None. Impacts would only occur if the Regional Park development permanently disturbs grassland or cismontane woodland habitats to a level sufficient to effect the regional population of this species, which is not expected from development of this site. The level of development for the Regional Park project would not affect the regional population.	Pinnacles buckwheat	None. Impacts would only occur if the Regional Park development permanently disturbs grassland or chaparral habitats to a level sufficient to effect the regional population of this species, which is not expected from development of this site. The level of development for the Regional Park project would not affect the regional population.
Congdon's tarplant	None. Impacts would only occur if the Regional Park development permanently disturbs grassland habitat to a level sufficient to effect the regional population of this species, which is not expected from development of this site. The level of development for the Regional Park project would not affect the regional population.		
Animals			
Prairie falcon	None. Suitable breeding habitat is not located onsite and thus would far enough away from the Regional Park Site such that development would not impact nesting falcons, or significantly impact foraging habitat.	golden eagle	None. Although the species may forage in the area, primarily in the grasslands, there is no suitable nesting habitat.

**Table 4.4-5
Potential for Impacts to Special Status Plant and Animal Species:
Regional Park Component**

Common Name	Potential for Impact	Common Name	Potential for Impact
burrowing owl	Moderate. Suitable nesting and foraging habitat is present on the Regional Park Site, primarily in open grassland habitat and along the northern margin of the site where abundant burrows were observed. Construction activity in these areas could impact burrowing owls.	Cooper's hawk	Moderate. Suitable breeding and foraging habitat is located within the Regional Park Site. Construction activity adjacent to active cooper's hawk nest that resulted in nest failure would be considered a significant impact. Loss of foraging habitat would be considered negligible compared to available habitat in the region.
Swainson's hawk	Moderate. Swainson's hawk is a state threatened species. Several trees suitable for nesting are present on the Regional Park Site, and foraging habitat is also present. Construction activity adjacent to active Swainson's hawk nests that resulted in nest failure would be considered a significant impact. . Loss of foraging habitat would be considered negligible compared to available habitat in the region.	Merlin	Low. Park construction within riparian habitat may be disruptive to nesting merlins.
white-tailed kite	Low to Moderate. White-tailed kite is a California fully protected species. Regional Park development is not likely to disrupt foraging activity or significantly impact foraging habitat because the disturbance area of the proposed Regional Park would be relatively small. Construction activity may be disruptive to nesting kites if there is an active nest on site, and nest failure would be considered a significant impact.	California horned lark	Low to None. Impacts would only occur in the grassland habitats if nesting horned larks are present during ground disturbing activity.
Loggerhead shrike	Moderate. Suitable nesting habitat is present within the purple needle grass grassland, remnant riparian, and remnant hedge-row habitats on the site. Impacts may occur during construction if shrikes are nesting on site. Vegetation removal and ground clearing activity within riparian habitat could result in direct impacts to nesting shrikes.	western pond turtle	Moderate. The species is known to occur within 5 miles of the Regional Park. May be affected by construction ground disturbance in suitable upland habitat within the purple needle grass grassland.
California tiger salamander	Moderate. The species has multiple recorded occurrences within 5 miles of the Regional Park Site and designated critical habitat is present within 2.5 miles. May be affected by construction ground disturbance in suitable upland habitat (purple needle grass grasslands) on the site.	California red-legged frog	Moderate. The species has multiple recorded occurrences within 5 miles of the Regional Park Site and designated critical habitat is present within 2.5 miles. May be affected by construction ground disturbance in suitable upland habitat (purple needle grass grasslands) on the site.

Table 4.4-5
Potential for Impacts to Special Status Plant and Animal Species:
Regional Park Component

Common Name	Potential for Impact	Common Name	Potential for Impact
Western spadefoot toad	Low. The Regional Park Site does not include any suitable habitat, but the purple needle grass grassland is adjacent to the San Benito River drainage and associated high quality spadefoot habitat. There is a low possibility that individuals of this species may disperse through the site.	San Joaquin whipsnake	Moderate. May be affected during ground disturbance in suitable habitat within the Regional Park Site, especially in areas with abundant small mammal burrows.
hoary bat	Low. Roosts in dense foliage of medium to large trees. May occur within the denser riparian habitats in the east and west portions of the River Parkway. Vegetation removal during park construction may affect this species.	American badger	Low. The species could occur in the grassland habitats within the Regional Park Site; however no badger burrows were observed during the site visit.
Western red bat	Low. This species roosts in trees adjacent to streams fields and urban areas. Vegetation removal along in the purple needle grass grassland has a low potential to affect this species.	San Joaquin kit fox	Low to Moderate. The species could occur in the grassland habitat within the Regional Park Site. Sign of fox was observed on the project site; however the sign could not be identified to species. Large abandoned ground squirrel burrow complexes along the northern margin of the project site burrow
Western mastiff bat	Low. Primarily roosts in cliff faces, high buildings and tunnels, but may also roost in large trees. Removal of large trees within the Regional Park Site may affect this species.	pallid bat	Moderate. May roost in hollow trees within the Regional Park Site. Removal of trees from the purple needle grass grassland and remnant riparian corridor may affect roosting bats if present.

Mitigation Measures. The following mitigation measures are required:

- B-1(a) Special Status Plant Species Surveys.** Prior to any vegetation removal, grubbing, or other construction activity for the Regional Park and/or River Parkway components of the project (including staging and mobilization), seasonally-timed special status plant surveys shall be conducted by a qualified biologist no more than two years before initial ground disturbance. These surveys shall be conducted for Monterey spineflower within annual grassland and coastal oak woodland habitat where project impacts will occur. The purpose of these surveys is to document the location(s), acreage(s), and approximate number(s) of Monterey spineflower within construction and mitigation areas so that mitigation can be accomplished. The surveys shall coincide within the bloom period for this species (April through July) and all Monterey spineflower identified on-site shall be mapped onto a site-specific aerial photograph and topographic map at a scale of no less than 1"=200'.



Surveys shall be conducted in accordance with the County, CDFW, and USFWS protocols (California Department of Fish and Wildlife, 2009; U.S. Fish and Wildlife Service, 2000). A report of the survey results shall be submitted to San Benito County and/or the implementing entity for review and approval.

B-1(b) Special Status Plant Species Avoidance, Minimization, and Mitigation. If Monterey spineflower or other special status plants are found during special status plant surveys [pursuant to mitigation measure B-1(a)], the implementing entity shall redesign the segment to avoid impacting these plant species to the greatest extent feasible. Rare plant occurrences that are not within the immediate disturbance footprint, but are located within 50 feet of disturbance limits shall have bright orange protective fencing installed at least 30 feet beyond their extent to protect them from harm.

If avoidance is not feasible, seed and/or other plant material (whole plants, underground root structures, etc.) shall be collected from on-site rare plants prior to removal, and/or from other local populations of plant species to be impacted. Seed shall be distributed in areas not proposed for development that have the appropriate habitat characteristics necessary to support the restoration. Seed collection shall be conducted by a qualified biologist holding a rare plant collection voucher/permit. Topsoil may also be salvaged and distributed over temporarily disturbed areas following completion of construction activities provided it is free of non-native invasive species.

The total number and/or total acreage for each special status plant species that will be impacted shall be confirmed once the final design of the project is completed and prior to initiation of ground disturbance activities. Impacted species shall be restored on-site at a minimum of a 2:1 ratio (number of acres/individuals restored to number of acres/individuals impacted) for each species as a component of habitat restoration. A restoration plan shall be prepared and submitted to San Benito County for approval and/or implementing entity. The restoration plan shall include, at a minimum, the following components:

- *Description of the project/impact site (i.e., location, responsible parties, areas to be impacted by habitat type);*
- *Goal(s) of the compensatory mitigation project [type(s) and area(s) of habitat to be established, restored, enhanced, and/or preserved; specific functions and values of habitat type(s) to be established, restored, enhanced, and/or preserved];*
- *Description of the proposed compensatory mitigation site (location and size, ownership status, existing functions and values);*

- *Implementation plan for the compensatory mitigation site (rationale for expecting implementation success, responsible parties, schedule, site preparation, planting plan);*
- *Maintenance activities during the monitoring period, including weed removal as appropriate (activities, responsible parties, schedule);*
- *Monitoring plan for the compensatory mitigation site, including no less than quarterly monitoring for the first year (performance standards, target functions and values, target acreages to be established, restored, enhanced, and/or preserved, annual monitoring reports);*
- *Success criteria based on the goals and measurable objectives; said criteria to be, at a minimum, at least twice the approximate total number of impacted plants and/or percent relative cover and/or density equivalent to impacted site;*
- *An adaptive management program and remedial measures to address any shortcomings in meeting success criteria;*
- *Notification of completion of compensatory mitigation and agency confirmation; and*
- *Contingency measures (initiating procedures, alternative locations for contingency compensatory mitigation, funding mechanism).*

The restoration plan shall be implemented for a period of at least five years or until restoration has been deemed complete based on the established success criteria.

B-1(c) California Red-Legged Frog and California Tiger Salamander Avoidance and Minimization. The following avoidance and minimization measures are adapted from the *Programmatic Formal Endangered Species Act Consultation on Issuance of Permits under Section 404 of the Clean Water Act or Authorizations under the Nationwide Permit Program for Projects that May Affect the California Red-legged Frog* issued on January 1999 by the USFWS. Consultation shall occur with the USFWS to determine that 1) the project is covered under the above programmatic formal consultation through issuance of USACE permits under Section 404 of the Clean Water Act, or 2) take of federally protected species is not anticipated through implementation of the measures below as determined through informal consultation with the USFWS if no federal permits are pursued. Consultation shall also occur with the CDFW for state protected species to either obtain a state Incidental Take Permit or establish concurrence that take would not occur.

- *Within two weeks of the initiation of construction activities of each segment (including mobilization and staging), a CDFW/USFWS-approved biologist shall conduct a survey of the construction area for all life stages of CRLF and CTS. All areas where these species occur shall be avoided until the approved biologist has determined that*

these species are no longer present. No life stages of these species shall be relocated without a take authorization from the USFWS and/or CDFW. If relocation is authorized, a suitable relocation site shall be identified prior to initiation of construction activities and shall be located within the same watershed/streamcourse greater than 500 feet from the project site.

- Work activities in or adjacent to suitable habitat shall be completed between April 1 and November 1 to the greatest extent feasible.*
- A CDFW/USFWS-approved biologist shall be present on-site during all ground disturbing activities, including vegetation removal, grading, and exclusion fence installation and removal. Once these activities have been completed, the approved biologist shall conduct periodic inspections of the work site of not less than once per week when construction activities are occurring in/adjacent to suitable habitat. Additional site visits should occur during rain events when special status amphibians are likely to be mobile to ensure that they are not entering work areas.*
- The implementing entity shall designate a representative who will oversee implementation of all avoidance and minimization measures when the CDFW/USFWS-approved biologist is not present. This representative shall be trained by the CDFW/USFWS-approved biologist in the identification of special status amphibians and in the implementation of all avoidance and minimization measures. This representative shall not have the authority to handle special status species.*
- Both the implementing entity's representative and the CDFW/USFWS-approved biologist shall have the authority to halt any action which may result in the take of special status species.*
- Prior to start of construction, exclusion fencing shall be placed along the project boundaries in areas where suitable habitat is present. This fence shall consist of solid silt fencing placed at a minimum of 3 feet above grade and 2 feet below grade and shall be attached to wooden stakes placed at intervals of not more than 5 feet. The fence shall be inspected weekly and following rain events and high wind events and shall be maintained in good working condition until all construction activities are complete.*
- All vehicle maintenance/fueling/staging shall occur not less than 100 feet from any riparian habitat or water body. Suitable containment procedures shall be implemented to prevent spills. A minimum of one spill kit shall be available at each work location near riparian habitat or water bodies.*
- At the end of each work day, excavations shall be secured with cover or a ramp provided to prevent wildlife entrapment.*
- All trenches, pipes, culverts or similar structures shall be inspected for animals prior to burying, capping, moving, or filling.*
- The CDFW/USFWS-approved biologist shall remove invasive aquatic species such as bullfrogs and crayfish from suitable aquatic*

habitat whenever observed and shall dispatch them in a humane manner and dispose of properly.

- *If any federally and/or state protected species are harmed, the CDFW/USFWS-approved biologist shall document the circumstances that led to harm and shall determine if project activities should cease or be altered in an effort to avoid additional harm to these species. Dead or injured special status species shall be disposed of at the discretion of the CDFW and USFWS. All incidences of harm shall be reported to the CDFW and USFWS within 48 hours.*

B-1(d) Steelhead Habitat Assessment and Impact Avoidance and Minimization. Once the final design for the trail alignment for the River Parkway has been determined, a USFWS-approved steelhead biologist shall conduct a habitat assessment of the project impact areas to confirm suitable habitat for steelhead. If suitable habitat for steelhead cannot be avoided, any in-stream portions of the proposed River Parkway (where drainage crossings require in-stream work) shall be dewatered/diverted. A dewatering/diversion plan shall be prepared and submitted to the NMFS, and CDFW for review and approval. All dewatering/diversion activities shall be monitored by a qualified fisheries biologist. The fisheries biologist shall be responsible for capture and relocation of fish species out of the work area during dewatering/diversion installation.

- *The implementing entity shall designate a representative to monitor on-site compliance of all avoidance and minimization measures. This representative shall be trained by a qualified fisheries biologist in the identification of the target species and the assessment of the potential for take based on the proposed activities. The representative shall consult with the biologist as necessary to ensure compliance. The representative and the biologist shall have the authority to halt any action which may result in the take of listed species.*
- *Only NMFS/CDFW-approved biologists shall participate in the capture and handling of listed species.*
- *No equipment shall be permitted to enter wetted portions of any affected drainage channel.*
- *All equipment operating within streams shall be in good conditions and free of leaks. Spill containment shall be installed under all equipment staged within stream areas and extra spill containment and clean up materials shall be located in close proximity for easy access.*
- *Work within and adjacent to streams shall not occur between November 1 and May 1, unless otherwise approved by NMFS and the CDFW.*
- *If project activities could degrade water quality, water quality sampling shall be implemented to identify the pre-project baseline, and to monitor during construction for comparison to the baseline.*

- *If water is to be pumped around work sites, intakes shall be completely screen with wire mesh not larger than five millimeters to prevent animals from entering the pump system.*
- *If any steelhead are harmed during implementation of the project, the project biologist shall document the circumstances that led to harm and shall determine if project activities should cease or be altered in an effort to avoid further harm to steelhead.*

B-1(e) Least Bell's Vireo and Western Yellow-billed Cuckoo Surveys.

Development activities within 500 feet of the San Benito River and Tres Pinos Creek riparian corridors shall be avoided during the least Bell's vireo (April 10 to July 31) and western yellow-billed cuckoo (May 15 to July 17) breeding season. If breeding season avoidance is not feasible, a permitted biologist shall conduct focused presence/absence surveys in accordance with the USFWS protocols for least Bell's vireo (2001) and standardized methods for yellow-billed cuckoo survey (Halterman et al, 2009; Laymon, 1998). Any survey methodology that deviates from these protocols shall be approved by the USFWS prior to initiation of the first survey. Surveys shall focus on riparian habitat associated with the San Benito River and Tres Pinos Creek within the River Parkway corridor and adjacent suitable habitat out to 500 feet. Protocol surveys shall be conducted within one year of start of construction (i.e. breeding season prior to), and will continue annually until completion of construction activities if presence is documented in the first year. Documentation of findings, including a negative finding, must be submitted to the USFWS for review. If neither species is detected, no further actions are required.

If least Bell's vireo or western yellow-billed cuckoo are found nesting within the survey area, all activities associated with the River Parkway component shall be halted within 500 feet of the nest site and territory for the remainder of the breeding season. The USFWS and CDFW shall be notified immediately. Should development activities within this zone be required during the breeding season, then additional consultation with USFWS and CDFW shall be required to establish suitable monitoring procedures and buffers to ensure that "take" does not occur.

If "take" of least Bell's vireo or western yellow-billed cuckoo is necessary to complete development activities, the applicant is required to obtain the applicable regulatory take permit(s). Compensatory mitigation, if necessary, would be determined in coordination with the wildlife agencies.

B-1(f) San Joaquin Kit Fox Surveys and Avoidance Measures. Once the final design has been developed for the proposed project, but prior to the start of construction, a CDFW/USFWS approved biologist shall



conduct a SJKF early evaluation as well as surveys for SJKF in accordance with the *USFWS San Joaquin Kit Fox Survey Protocol for the Northern Range* (USFWS, 2009). The results of the early evaluation and surveys shall be submitted to the USFWS and CDFW. If the regulatory agencies determine that “take” of SJKF is likely as a result of either the proposed Regional Park or the proposed River Parkway project, the applicant is required to obtain the applicable regulatory take permit(s). Compensatory mitigation, if necessary, would be determined in coordination with the wildlife agencies.

The following avoidance and minimization measures for SJKF shall be implemented during construction of the Regional Park and any sections of the River Parkway considered to be suitable SJKF habitat. These measures are adapted from the *USFWS Standard Recommendations for Protection of the San Joaquin Kit Fox Prior to or During Ground Disturbance* (USFWS, 1999):

- *San Joaquin kit fox pre-construction surveys shall be conducted not more than 14 days prior to the beginning of ground disturbance and/or construction associated with the proposed River Parkway project and the proposed Regional Park to determine if potential or occupied dens are present on-site or within 250 feet of the project sites. If an occupied den is located on-site, an avoidance buffer shall be established as follows:*
 1. *Potential den: 50 feet – demarcated with flagged stakes*
 2. *Atypical den: 50 feet – demarcated with flagged stakes*
 3. *Known den: 100 feet – demarcated with orange construction fencing that fully encircles the den, but allows for passage of kit foxes should they be present.*
 4. *Natal/pupping den: at least 500 feet – USFWS must be contacted*

Essential vehicles may operate on existing roads and necessary foot traffic will be permitted. All other construction, vehicle operation, material storage, or any other type of surface-disturbing activity shall be prohibited within avoidance buffer. A qualified biologist will monitor the den site to determine when the den site has been vacated. Once it has been confirmed that SJKF are no longer present, the avoidance buffer may be removed and construction may proceed.

- *To prevent inadvertent entrapment of kit foxes or other animals during the construction phase of the Project, all excavated, steep-walled holes or trenches more than 2-feet deep should be covered at the close of each working day by plywood or similar materials. If the trenches cannot be closed, one or more escape ramps constructed of earthen-fill or wooden planks should be installed. Before such holes or trenches are filled, they should be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, the*

USFWS and the CDFW should be contacted as noted under measure No. 9 referenced below.

- Kit foxes are attracted to den-like structures such as pipes and may enter stored pipes and become trapped or injured. All construction pipes, culverts, or similar structures with a diameter of 4-inches or greater that are stored at a construction site for one or more overnight periods should be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe should not be moved until the USFWS has been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved only once to remove it from the path of construction activity, until the fox has escaped.*
- All food-related trash items such as wrappers, cans, bottles, and food scraps should be disposed of in securely closed containers and removed at least once a week from a construction or Project site.*
- No pets, such as dogs or cats, should be permitted on the Project site to prevent harassment, mortality of kit foxes, or destruction of dens.*
- Use of rodenticides and herbicides in Project areas should be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds should observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and Federal legislation, as well as additional Project-related restrictions deemed necessary by the USFWS. If rodent control must be conducted, zinc phosphide should be used because of a proven lower risk to kit fox.*
- In the case of trapped animals, escape ramps or structures should be installed immediately to allow the animal(s) to escape, or the USFWS should be contacted for guidance.*
- Any contractor, employee, or military or agency personnel who are responsible for inadvertently killing or injuring a San Joaquin kit fox should immediately report the incident to their representative. This representative should contact the CDFW immediately in the case of a dead, injured or entrapped kit fox. The CDFW contact for immediate assistance is State Dispatch at (916) 445-0045. They will contact the local warden or the wildlife biologist at (530) 934-9309. The USFWS should be contacted at Endangered Species Division, 2800 Cottage Way, Suite W2605, Sacramento, CA 95825, (916) 414-6620 or (916) 414-6600.*
- The Sacramento Fish and Wildlife Office and CDFW should be notified in writing within three working days of the accidental death or injury to a San Joaquin kit fox during project related activities. Notification must include the date, time, and location of the incident*

or of the finding of a dead or injured animal and any other pertinent information.

- New sightings of kit fox should be reported to the CNDDDB. A copy of the reporting form and a topographic map clearly marked with the location of where the kit fox was observed should also be provided to the USFWS at the address listed under measure number 7.*
- Fencing of the project site shall incorporate wildlife-friendly fencing design. Fencing plans may use one of several potential designs that would allow SJKF to pass through the fence while still providing for Project security and exclusion of other unwanted species (i.e. domestic dogs and coyotes). Raised fences or fences with entry/exit points of at least 6 inches in diameter spaced along the bottom of the fence to allow species such as San Joaquin kit fox access into and through the project site would be appropriate designs.*
- All project lighting shall be directed downward and towards the interior of the project site, thus avoiding light pollution into adjacent open areas. Use of lighting shall be the minimum necessary to achieve safety and security on the site.*

B-1(g) FESA and CESA Consultation. To ensure compliance with FESA and CESA, San Benito County shall obtain either Incidental Take Permits (ITP) or written concurrence that implementation of the River Parkway component of the project will not require permits for CRLF, SJKF, CTS, steelhead, western yellow-billed cuckoo, and least Bell's vireo, and that the Regional Park component of the project will not require permits for CRLF, SJKF or CTS. Issuance of ITPs for these species may involve compensatory mitigation, habitat restoration, and/or development of habitat conservation plans in consultation with CDFW and/or USFWS. ITPs may include a variety of other required mitigation that would be generally consistent with those measures outlined above.

B-1(h) Conduct Burrowing Owl Surveys. A qualified biologist shall conduct pre-construction clearance surveys prior to ground disturbance activities within all suitable habitat to confirm the presence/absence of burrowing owls. The surveys shall be consistent with the recommended survey methodology provided by CDFW (2012). Clearance surveys shall be conducted within 14 days prior to construction and ground disturbance activities. If no burrowing owls are observed, no further actions are required.

If burrowing owls are detected during the pre-construction clearance surveys, avoidance buffers will be implemented in accordance with the CDFW (2012) and Burrowing Owl Consortium (1993) minimization mitigation measures. Coordination with the CDFW by a qualified biologist shall occur to establish the appropriate avoidance

buffer distances specific for the project's activities and level of expected disturbance.

If avoidance of burrowing owls is not feasible, a Burrowing Owl Exclusion Plan and Mitigation and Monitoring Plan will be developed by a qualified biologist in accordance with the CDFW (2012) and Burrowing Owl Consortium (1993). The Plan shall be provided to the applicable local CDFW office prior to implementation. A qualified biologist shall coordinate with the CDFW to determine the appropriate exclusion methods (passive or active relocation) for the project to relocate burrowing owls to a suitable offsite location. Relocation of owls can only occur during the non-breeding season.

B-1(i) Western Pond Turtle, Western Spadefoot, San Joaquin Coachwhip and Coast Range Newt Survey, Capture, and Relocation. Not less than 14 days prior to the start of all construction activities for the Regional Park and/or the River Parkway (including staging and mobilization), a San Benito County approved biologist shall conduct surveys for western pond turtle, western spadefoot, San Joaquin coachwhip and Coast Range newt within suitable habitat. The biologist shall also oversee installation of exclusion fencing where suitable habitat is present to prevent these species from entering active work areas. If any of these species are identified within the work area they shall be captured and relocated to suitable habitat within the same or nearest suitable habitat. CNDDDB Field Survey Forms shall be submitted to the CDFW for all special status animal species observed. The relocation site shall include suitable micro habitat and ecological features for each species as follows:

- *Western pond turtle habitat shall include a pool surrounded by vegetation for escape cover.*
- *Western spadefoot habitat shall include open sandy or gravelly areas within the San Benito River or Tres Pinos Creek basins*
- *San Joaquin coachwhip habitat shall include suitable small mammal burrows to provide immediate escape and cover*
- *Coast Range newt habitat shall include moist woodland habitat with abundant moist ground cover.*

During the rainy season (approximately November 1 to April 15), western pond turtles and Coast Range newts may actively move through upland habitats outside of drainages. Western spadefoot and San Joaquin coachwhip can occur in upland habitat at any time of the year. If any of these species are observed by construction personnel within or adjacent to the applicable project area, the animal's location shall be communicated to the San Benito County approved biologist. Only the San Benito County-approved biologist shall capture and

relocate wildlife. Construction personnel are not permitted to handle animals.

A report of all pre-construction survey efforts for each segment shall be submitted to the implementing entity within 30 days of completion of the survey effort to document compliance. The report shall include the dates, times, weather conditions, and personnel involved in the surveys and monitoring. The report shall also include for each captured special status animal, the UTM coordinates and habitat descriptions of the capture and release site (in UTM coordinates), the length of time between capture and release, and the general health of the individual(s).

B-1(j) Special Status Bat Surveys and Impact Avoidance. A San Benito County approved biologist shall conduct a bat roost-habitat assessment and conduct presence/absence surveys for special status bats where suitable roosting habitat is present. Bat surveys shall be conducted in consultation with the CDFW. Surveys shall be conducted using acoustic detectors and by searching tree cavities, crevices, and other areas where bats may roost. Surveys shall be conducted not less than 30 days prior to initiation of construction activities for each trail segment.

Areas where special status bats are located shall be avoided where feasible. If impacts to bats cannot be avoided, exclusionary devices, such as netting, shall be installed by a San Benito County approved biologist around the roost(s) after the bats have left the roost in the evening and shall be monitored for a minimum of three days to ensure that no bats return to the roost. Once it has been determined that the roost is clear of bats, the roost shall be removed immediately. Exclusion of bats must commence prior to establishment of maternity colonies, which varies by species. If a maternity colony has become established, all construction activities shall be postponed within a 500-foot buffer around the maternity colony until it is determined by a qualified biologist that the young have dispersed. Bat roosts shall be removed after the breeding season has ended but before the onset of winter when temperatures are too cold for bat movement.

If a roost is determined by a qualified biologist to be used by a large number of bats (large hibernaculum), bat boxes near the impacted roost shall be installed to reduce the impact to the bat species present. Bat boxes shall be species-specific in dimensions and should mimic a tree hollow or crevice. Bat boxes shall be installed at a height that is appropriate for the bat species and anti-predator measures, such as small metal spikes on the top, shall be included to protect bats.

A report of survey efforts shall be submitted to the implementing entity within 30 days of completion of the surveys for each segment to document compliance. The report shall include the dates, times, weather conditions, and personnel involved in the surveys. If exclusion devices and/or bat boxes are utilized, the report shall describe how these methods were employed.

B-1(k) American Badger Pre-construction Surveys and Impact Avoidance.

A qualified biologist shall conduct pre-construction clearance surveys for American badger within the Regional Park Site and within suitable habitat within the final River Parkway impact areas (once the final trail alignment has been determined). Clearance surveys should be conducted for American badger, within 14 days of the start of any ground-disturbing activity. Surveys need not be conducted for all areas of suitable habitat at one time; they may be phased so that surveys occur within 14 days of that portion of the site being disturbed. If no potential American badger or kit fox dens are present, no further mitigation is necessary.

If special status species are detected or potential American badger dens are present, the following measures will be implemented:

- *If the qualified biologist determines that potential American badger dens are inactive, the biologist shall excavate these dens during the first clearance survey. The dens shall be excavated by hand with a shovel to prevent badgers from re-use during construction.*
- *If the qualified biologist determines that potential dens may be active, an on-site passive relocation program shall be implemented. This program shall consist of excluding badgers from occupied burrows by installation of one way doors at burrow entrances, monitoring of the burrow for one week to confirm usage has been discontinued, and excavation and collapse of the burrow to prevent reoccupation. After the qualified biologist determines that badgers have stopped using active dens within the project boundary, the dens shall be hand-excavated with a shovel to prevent re-use during construction.*
- *Construction activities shall not occur within 30 feet of active badger dens.*

B-1(l) Pre-construction Surveys for Nesting Birds. For construction activities occurring during the nesting season (generally February 1 to August 31), surveys for nesting birds covered by the CFGC and the MBTA (including, but not limited to, Cooper's hawk, Swainson's hawk, tricolored blackbird, California horned lark and loggerhead shrike) shall be conducted by a qualified biologist no more than 14 days prior to initiation of construction activities for the Regional Park, and/or within the final River Parkway impact area (once the final trail alignment is determined), including construction staging and vegetation removal. The surveys shall include the entire disturbance

areas plus a 200-foot buffer around any disturbance areas. If active nests are located, all construction work shall be conducted outside a buffer zone from the nest to be determined by the qualified biologist. The buffer shall be a minimum of 50 feet for non-raptor bird species and at least 150 feet for raptor species. Larger buffers may be required depending upon the status of the nest and the construction activities occurring in the vicinity of the nest. The biologist shall have full discretion for establishing a suitable buffer. The buffer area(s) shall be closed to all construction personnel and equipment until the adults and young are no longer reliant on the nest site. A qualified biologist shall confirm that breeding/nesting is completed and young have fledged the nest prior to removal of the buffer.

- B-1(m) Worker Environmental Awareness Program (WEAP).** Prior to initiation of construction activities for each trail segment (including staging and mobilization), all personnel associated with the Regional Park or River Parkway construction shall attend WEAP training, conducted by a qualified biologist, to aid workers in recognizing special status resources that may occur in the applicable project area. The specifics of this program shall include identification of the sensitive species and habitats, a description of the regulatory status and general ecological characteristics of sensitive resources, and careful review of the limits of construction and mitigation measures required to reduce impacts to biological resources within the work area. A fact sheet conveying this information shall also be prepared for distribution to all contractors, their employers, and other personnel involved with construction of the project. All employees shall sign a form documenting that they have attended the WEAP training and understand the information presented to them. The form shall be submitted to San Benito County to document compliance.

Significance After Mitigation. With implementation of the above mitigation measures, potential impacts to sensitive plant and animal species would be reduced to a less than significant level.

- Impact B-2 Implementation of the proposed River Parkway and Regional Park project could result in impacts to riparian and other habitats considered sensitive by local, state, and/or federal agencies, including federally protected wetlands. This impact would be Class II, significant but mitigable.**

The Regional Park does not include any wetlands, drainages or jurisdictional waters; however it does include approximately 5.5 acres of purple needlegrass grassland, a community considered sensitive by CDFW. However, because there are no wetlands or other jurisdictional waters within the Regional Park Site, no mitigation is required for this project component. Permanent impacts to the approximately 5.5 acres of purple needlegrass grassland would be considered a significant impact.

The River Parkway corridor includes the San Benito River between State Highway 101 (just east of its confluence with the Pajaro River) and its confluence with Tres Pinos Creek. Tres Pinos Creek is within the eastern portion of the River Parkway and converges with the San Benito River. The San Benito River converges with the Pajaro River which empties into the Pacific Ocean. As such both the San Benito River and Tres Pinos Creek would fall under the jurisdiction of the USACE as they have connectivity to a Traditional Navigable Water, the Pacific Ocean. Additionally, the River Parkway corridor includes a number of other natural and man-made wetlands mapped by the NWI. The final River Parkway trail design has not been completed, but it is likely that portions of the trail will be developed within or immediately adjacent to jurisdictional waters and/or wetlands resulting in potentially significant impacts to such sensitive habitats. Therefore, assuming this to be the case, the River Parkway component of the project would require regulatory permits and compensatory mitigation, as applicable.

Mitigation Measures. The following measures are required.

- B-2(a) Jurisdictional Delineation.** Once the final design has been developed for the River Parkway (or for each individual trail segment), but prior to the start of construction of the River Parkway, a qualified biologist shall conduct a jurisdictional delineation of the entire segment disturbance area at those locations where construction activity could affect jurisdictional waters. The jurisdictional delineation shall determine if features are under the jurisdiction of the USACE, RWQCB, and/or CDFW. The result shall be a preliminary jurisdictional delineation report that shall be submitted to San Benito County, USACE, RWQCG and CDFW, as appropriate, for review and approval. Permits shall be obtained from each agency where applicable.
- B-2(b) Wetland and Riparian Habitat Restoration.** Impacts to jurisdictional wetland and riparian habitat shall be mitigated at a ratio of 2:1 for each segment, and shall occur as close to the impacted habitat as possible but within the same watershed. A Habitat Restoration Plan shall be developed by an biologist approved by San Benito County in accordance with mitigation measure B-1(a) above and shall be implemented for no less than five years after construction of the segment, or until San Benito County and/or the permitting authority (e.g., CDFW or USACE) has determined that restoration has been successful.
- B-2(c) Landscaping Plan.** If landscaping is proposed for any portion of the River Parkway, a qualified biologist/landscape architect shall prepare a landscape plan for that segment(s) where landscaping is proposed. This plan shall indicate the locations and species of plants to be installed throughout the segment(s). Drought tolerant, locally native plant species shall be used. Noxious, invasive, and/or non-native plant species that are recognized on the Federal Noxious Weed List, California Noxious Weeds List, and/or California Invasive Plant

Council Lists 1, 2, and 4 shall not be permitted. Species selected for planting shall be similar to those species found in adjacent native habitats.

- B-2(d) Invasive Weed Prevention and Management Program.** Prior to start of construction of each segment, an Invasive Weed Prevention and Management Program shall be developed by a qualified biologist approved by San Benito County to prevent invasion areas adjacent native habitat by non-native plant species. A list of target species shall be included, along with measures for early detection and eradication before any species can gain a foothold and out-compete native plant species for resources.

All disturbed areas shall be hydroseeded with a mix of locally native species upon completion of work in those areas. In areas where construction is ongoing, hydroseeding shall occur where no construction activities have occurred within six (6) weeks since ground disturbing activities ceased. If exotic species invade these areas prior to hydroseeding, weed removal shall occur in consultation with a qualified biologist and in accordance with the restoration plan.

- B-2(e) Compensatory Mitigation for Loss of Purple Needle Grass Grassland Habitat.** If the proposed Regional Park cannot be designed to avoid purple needlegrass grasslands on-site, the total acreage that will be impacted shall be confirmed once the final design of the Regional Park is completed and prior to initiation of ground disturbance activities. The compensatory mitigation ratios have been designed to provide for no-net-loss of valley needlegrass grassland habitat. To achieve this goal, a 1.5:1 (area restored/created/enhanced: area impacted) mitigation ratio is required. The restoration plan shall include, at a minimum, the following components:

- *Description of the project/impact site (i.e., location, responsible parties, areas to be impacted by habitat type);*
- *Goal(s) of the compensatory mitigation project [type(s) and area(s) of habitat to be established, restored, enhanced, and/or preserved; specific functions and values of habitat type(s) to be established, restored, enhanced, and/or preserved];*
- *Description of the proposed compensatory mitigation site (location and size, ownership status, existing functions and values);*
- *Implementation plan for the compensatory mitigation site (rationale for expecting implementation success, responsible parties, schedule, site preparation, planting plan);*
- *Maintenance activities during the monitoring period, including weed removal as appropriate (activities, responsible parties, schedule);*
- *Monitoring plan for the compensatory mitigation site, including no*

less than quarterly monitoring for the first year (performance standards, target functions and values, target acreages to be established, restored, enhanced, and/or preserved, annual monitoring reports);

- *Success criteria based on the goals and measurable objectives; said criteria to be, at a minimum, at least 80 percent survival of all planted material and percent relative cover equivalent to impact area;*
- *An adaptive management program and remedial measures to address any shortcomings in meeting success criteria;*
- *Notification of completion of compensatory mitigation and agency confirmation; and*
- *Contingency measures (initiating procedures, alternative locations for contingency compensatory mitigation, funding mechanism).*

The restoration plan shall be implemented for a period of at least five years or until restoration has been deemed complete based on the established success criteria.

Significance After Mitigation. With implementation of the above mitigation measures, potential impacts to sensitive habitats would be reduced to a less than significant level.

Impact B-3 Implementation of the proposed River Parkway Plan and Regional Park could result in impacts to wildlife movement or nursery sites. This impact would be Class II, *significant but mitigable.*

No major wildlife movement corridors or nursery sites are mapped within the proposed River Parkway or Regional Park; however, the San Benito River and its tributaries provide a suitable corridor for wildlife movement in the area. The San Benito River within the River Parkway is also accessible to native fish species such as steelhead when sufficient flows are present. Establishment of residential, agricultural and other developed areas that animals generally avoid has reduced the value of many of the adjacent upland areas present along the San Benito River for wildlife movement. Fencing, river crossings, and/or construction activities could adversely affect wildlife movement or nurseries within the river corridor.

Mitigation Measures. Mitigation Measure B-1(l) addresses impacts to nesting birds and provides protection of wildlife movement corridors along the San Benito River and Tres Pinos Creek. In addition to MM B-1(l), the following measures are also required to address potential impacts to wildlife movement and habitat connectivity:

B-3(a) Fence Design. All project fencing shall be designed to facilitate wildlife movement through the proposed River Parkway and Regional Park and shall include:

- *A minimum 16 inches between the ground and the bottom of the fence to provide clearance for small animals;*

- *A minimum 12 inches between the top two wires, or top the fence with a wooden rail or mesh instead of wire to prevent animals from becoming entangled; and*
- *If privacy fencing is required near open space areas, openings at the bottom of the fence measure at least 16 inches in diameter shall be installed at reasonable intervals to allow wildlife movement.*

The final fence design shall be reviewed by a San Benito County-approved biologist for approval.

B-3(b) Fish Passage. If it is determined that components of the River Parkway component of the project are to be located within the San Benito River or its tributaries, they shall be designed in a manner to allow for unimpeded fish passage (e.g. no structures that are perpendicular to stream flow be exposed or at a depth with moderate to high risk for exposure during high flow events).

B-3(c) Construction Best Management Practices. The following construction Best Management Practices (BMPs) shall be incorporated into all grading and construction plans for each segment of the River Parkway component and Regional Park:

- *Designation of a 15 mile per hour speed limit in all construction areas.*
- *All vehicles and equipment shall be parked on pavement, existing roads, and previously disturbed areas, and clearing of vegetation for vehicle access shall be avoided to the greatest extent feasible.*
- *The number of access routes, number and size of staging areas, and the total area of the activity shall be limited to the minimum necessary to achieve the goal of the project.*
- *Designation of equipment washout and fueling areas to be located within the limits of grading at a minimum of 100 feet from waters, wetlands, or other sensitive resources as identified by a qualified biologist. Washout areas shall be designed to fully contain polluted water and materials for subsequent removal from the site.*
- *Daily construction work schedules shall be limited to daylight hours only [consistent with mitigation measure N-1(a) (Construction Hours) in Section 4.10, Noise].*
- *Mufflers shall be used on all construction equipment and vehicles shall be in good operating condition.*
- *Drip pans shall be placed under all stationary vehicles and mechanical equipment.*
- *All trash shall be placed in sealed containers and shall be removed from the project site a minimum of once per week.*
- *No pets are permitted on project site during construction.*

Significance After Mitigation. With implementation of the above mitigation measures, potential impacts to wildlife movement and nursery sites would be reduced to a less than significant level.

Impact B-4 Implementation of the proposed River Parkway Plan and Regional Park could conflict with the County Interim Woodlands Management Ordinance by adversely affecting woodlands. This impact would be Class II, *significant but mitigable*.

The San Benito County Code contains an Interim Woodlands Management Ordinance which is intended to control the removal of protected woodlands and maintain and enhance tree cover within unincorporated areas of the County. The Regional Park Site includes approximately one acre of remnant riparian corridor which contains native trees. Permanent impacts to the one acre remnant riparian corridor would be considered a significant impact. The River Parkway corridor also includes a riparian corridor associated with the San Benito River and its tributaries. The majority of the wooded riparian areas are located in the northern reaches of the River Parkway corridor. The River Parkway corridor also contains oak woodlands. The final River Parkway design has not been completed, but it is likely that portions of the trail will be developed within or immediately adjacent to woodlands resulting in potentially significant impacts.

Mitigation Measures. The following measures are required.

B-4(a) Compliance with the Interim Woodlands Management Ordinance.
If either of the proposed Regional Park and River Parkway components of the project cannot be designed to avoid woodlands on-site, the total acreage and type of the habitat, number of trees (including the species and each trees diameter at breast height) and canopy coverage that will be impacted shall be confirmed once the final design of the project component at issue is completed and prior to initiation of ground disturbance activities. This information shall be submitted to the County of San Benito to determine whether a tree pruning/ removal permit will be necessary. If a permit is necessary for impacts to woodlands, the County and/or implementing entity shall apply for and pay all associated fees for the acquisition of a permit. The fees would be applied to restoration activities that assure no net loss of woodlands habitat value.

Significance After Mitigation. With implementation of the above mitigation measure, potential conflicts with local policies or ordinances would be reduced to a less than significant level.

c. Cumulative Impacts. The proposed River Parkway and Regional Park, in combination with other cumulative development in the vicinity of the project site, would incrementally alter biological habitats in the area. Trail development would potentially impact sensitive riparian habitat along the San Benito River and Tres Pinos Creek. Development of the Regional Park would predominantly impact active and fallow agricultural lands; however, the project would result in



the permanent loss of approximately 5.5 acres of purple needlegrass grassland and roughly one acre of remnant riparian corridor. These impacts combined with the full build-out of the San Benito County General Plan and full build out of the City of Hollister General Plan would result in significant cumulative impacts without the application of appropriate mitigation and avoidance measures. However, compliance with applicable federal, state, and local regulations relating to preservation of sensitive species in these areas, and adherence to the proposed mitigation measures outlined above for each of the specific potential impacts to biological resources would help ensure that each individual cumulative development would reduce impacts to biological resources to the extent feasible. In addition, compliance with federal and state regulations and their respective permitting processes would help to ensure protection of sensitive habitat. For these reasons, the project is not anticipated to result in any cumulative impacts to biological resources.

4.5 CULTURAL RESOURCES

4.5.1 Setting

a. Environmental Setting. The project site is located entirely within San Benito County; most of the project site is located on unincorporated County lands, although a portion of the River Parkway would extend through the City of Hollister.

The Regional Park component of the project is located at an elevation of approximately 90 meters (300 feet) above mean sea level (amsl). As described more fully in Section 2.0, Project Description, the Regional Park Site consists of a total of approximately 31 acres. The Regional Park Site is bordered by rural residential uses and the First Presbyterian Church of Hollister to the east, single family residences to the northwest, undeveloped former agricultural land and the San Benito High School to the north and northwest, the San Benito River to the southwest, and a solar facility and commercial uses to the southeast. Access to the Regional Park would be provided from two points along San Benito Street and through the construction of a proposed Access Road which would be a new road that would extend for approximately 0.6 mile from Nash Road (west of San Benito High School) and connect to Baler Alley and thus provide access to San Benito Street. The proposed Access Road would be the primary entry into the Regional Park. The eastern reach of the new Access Road would align with the existing Baler Alley. Vegetation within the Regional Park Site currently consists of low grasses and shrubs in the uncultivated portions of the site.

The River Parkway component of the project is situated at elevations ranging between approximately 130 to 500 feet) amsl. Vegetation communities within the River Parkway corridor include willow cottonwood riparian woodland, freshwater marsh, mulefat scrub, coyote brush scrub, sagebrush scrub, grassland, and oak woodland, as described more fully in Section 4.4, *Biological Resources*.

b. Historical Background.

Prehistory. The project site is located in the Central Coast region of California (Jones and Klar 2007). The Central Coast has been defined as extending from south of San Francisco Bay to the northern edge of the Southern California Bight. The region extends inland to include the Central Coast Ranges west of the Central Valley (Jones et al. 2007:125). Following Jones et al. (2007:137), the prehistoric cultural chronology for the Central Coast can be generally divided into six periods: Paleo-Indian (ca. 10000–8000 B.C.), Millingstone/Early Archaic (8000-3500 B.C.), Early (3500-600 B.C.), Middle (600 B.C.- A.D. 1000), Middle-Late Transition (A.D. 1000- A.D. 1250), and Late (A.D. 1250-contact [ca. A.D. 1769]).

The Paleo-Indian Period economy is characterized by a diverse mixture of hunting and gathering, with a major emphasis on aquatic resources in many coastal areas (e.g., Jones et al. 2002) and on Pleistocene lake shores in eastern California (Moratto 1984:90–92). Although few Clovis-like or Folsom-like fluted points have been found along the Central Coast (e.g., Erlandson et al. 1987), it is generally considered that the emphasis on hunting may have been greater during the Paleo-Indian Period than in later periods.

The Millingstone Period is characterized by an ecological adaptation to collecting suggested by the appearance and abundance of well-made milling implements. Millingstones occur in large numbers for the first time in the region's archaeological record, and are even more numerous near the end of this period. Aside from millingstones, typical artifacts during this period include crude core and cobble-core tools, flake tools, large side-notched projectile points, and pitted stones (Jones et al. 2007).

Early period sites within the Central Coast region provide evidence for continued exploitation of inland plant and coastal marine resources. Artifacts include milling slabs and handstones, as well as mortars and pestles, which were used for processing a variety of plant resources. Bipointed bone gorge hooks were used for fishing. Assemblages also include a suite of Olivella beads, bone tools, and pendants made from talc schist. Square abalone shell (*Haliotis* spp.) beads have been found in Monterey Bay, but not yet in the Big Sur or San Luis Obispo areas (Jones and Waugh 1997:122). Shell beads and obsidian are hallmarks of the trade and exchange networks of the central and southern California coasts. The archaeological record indicates that there was a substantial increase in the abundance of obsidian at Early period sites in the Monterey Bay and San Luis Obispo areas (Jones and Waugh 1997:124-126). Obsidian trade continued to increase during the following the Middle Period.

The Middle Period saw a pronounced trend toward greater adaptation to regional or local resources occurred during the Middle Period. For example, the remains of fish, land mammals, and sea mammals are increasingly abundant and diverse in archaeological deposits along the coast. Related chipped stone tools suitable for hunting were more abundant and diversified, and shell fishhooks became part of the toolkit during this period. Larger knives, a variety of flake scrapers, and drill-like implements are common during this period. Projectile points include large side-notched, stemmed, and lanceolate or leaf-shaped forms. Bone tools, including awls, are more numerous than in the preceding period, and the use of asphaltum adhesive became common. Sites from this period show a retention of stemmed points and the disappearance of the larger side-notched points (Jones and Klar 2005; Jones et al. 2007).

The Middle-Late Transition Period is marked by relative instability and change, with major changes in diet, settlement patterns, and interregional exchange. The relatively ubiquitous Middle Period shell midden sites found along the Central Coast were abandoned by the end of the Middle-Late Transition period, so most Transition Period and Late Period sites were first occupied during those periods (Jones and Ferneau 2002:213, 219).

Late Period sites are marked by small, finely worked projectile points, such as Desert side-notched and Cottonwood points, as well as temporally diagnostic shell beads. The small projectile points are associated with bow and arrow technology and indicate influence from the Takic migration from the deserts into southern California. Common artifacts identified at Late Period sites include bifacial bead drills, bedrock mortars, hopper mortars, lipped and cupped *Olivella* shell beads, and steatite disk beads. The presence of beads and bead drills suggest that low-level bead production was widespread throughout the Central Coast region (Jones et al. 2007).

Ethnography. The project site lies within an area traditionally occupied by the Ohlone (or Costanoan) people. Ohlone territory extends from the point where the San Joaquin and

Sacramento Rivers issue into the San Francisco Bay to Point Sur, with the inland boundary most likely constituted by the interior Coast Ranges (Kroeber 1925:462). The Ohlone language belongs to the Penutian family, with several distinct dialects throughout the region (Kroeber 1925: 462).

The pre-contact Ohlone were semi-sedentary, with a settlement system characterized by base camps of tule reed houses and seasonal specialized camps (Skowronek 1998). Villages were divided into small polities, each of which was governed by a chief responsible for settling disputes, acting as a war leader (general) during times of war, and supervising economic and ceremonial activities (Skowronek 1998, Kroeber 1925:468). Social organization appeared flexible to ethnographers and any sort of social hierarchy was not apparent to mission priests (Skowronek 1998).

Ohlone subsistence was based on hunting, gathering, and fishing (Kroeber 1925: 467, Skowronek 1998). Mussels were a particularly important food resource (Kroeber 1925: 467). Sea mammals were also important; sea lions and seals were hunted and beached whales were exploited (Kroeber 1925: 467). Like the rest of California, the acorn was an important staple and was prepared by leaching acorn meal both in openwork baskets and in holes dug into the sand (Kroeber 1925: 467). The Ohlone also practiced controlled burning to facilitate plant growth (Kroeber 1925: 467, Skowronek 1998).

Seven Franciscan missions were built within Ohlone territory in the late 1700s, and all members of the Ohlone group were eventually brought in to the mission system (Kroeber 1925: 462, Skowronek 1998). After the establishment of the missions, the Ohlone population dwindled from roughly 10,000 people in 1770 to 1,300 in 1814 (Skowronek 1998). In 1973, the population of people with Ohlone descent was estimated at fewer than 300 (Levy 1978:487). The descendants of the Ohlone united in 1971 and have since arranged political and cultural organizations to revitalize aspects of their culture (Skowronek 1998).

History. Juan Rodriguez Cabrillo in 1542 led the first European expedition to observe what was known by the Spanish as Alta (upper) California. For more than 200 years, Cabrillo and other Spanish, Portuguese, British, and Russian explorers sailed the Alta California coast and made limited inland expeditions, but they did not establish permanent settlements (Bean 1968; Rolle 2003). In 1769, Gaspar de Portolá and Franciscan Father Junipero Serra established the first Spanish settlement in Alta California at Mission San Diego de Alcalá. This was the first of 21 missions erected by the Spanish between 1769 and 1823. It was during this time that initial Spanish settlement of the project vicinity began.

In November of 1795, Friar Danti and Lieutenant Hemenegildo Sal led a party out of Monterey into the San Benito Valley to identify locations for a new mission. The party found two suitable locations, one on the San Benito River and the other near the present town of Gilroy. After much deliberation, the site on the San Benito River was chosen and on June 24, 1797, Mission San Juan Bautista was founded (Barrows and Ingersoll 1893). The site is located approximately eight miles west of the present city of Hollister, near the Mitsun Costanoan village of Popeloutchom (Pentacle Press 2013). Historic records indicate there were 958 (530 male and 428 female) Indian neophytes at the mission in 1802. The records also indicate that within three and half years of its founding the mission baptized nearly 650 Indians and had 23 rancherias (Indian villages) under

its sphere of influence. During intervening years since its founding, the mission flourished and by 1820 boasted a population of about 1,000, mostly Christianized, native inhabitants, over 40,000 head of cattle, nearly 1,400 tame horses, and 70,000 head of sheep (Barrow and Ingersoll 1893). However, mission influence in the region began wane when calls for the secularization of mission lands in California were enacted by the newly formed Mexican Republic.

The Mexican Period commenced when news of the success of the Mexican Revolution (1810-1821) against the Spanish crown reached California in 1822. This period saw the privatization of mission lands in California with the passage of the Secularization Act of 1833. This Act enabled Mexican governors in California to distribute mission lands to individuals in the form of land grants. Successive Mexican governors made more than 700 land grants between 1822 and 1846, putting most of the state's lands into private ownership for the first time (Shumway 2007). San Benito County saw no more than 14 land grants (ranchos) during this period. One of them, San Justo, includes the project site. The San Justo land grant was conferred to Jose Castro in 1839 by Governor Juan B. Alvarado and consisted of 34,620 acres. Castro held the land until 1850 when he sold it to Francisco Perez Pacheco for the sum of \$1,400 (San Benito County Historical Society 2013). The presence of so many ranchos in the county meant that much of the land remained rural, serving as grazing land for livestock, and would remain so until the American Period of California history.

The American Period officially began with the signing of the Treaty of Guadalupe Hidalgo in 1848, in which the United States agreed to pay Mexico \$15 million for the conquered territory, including California, Nevada, Utah, and parts of Colorado, Arizona, New Mexico, and Wyoming. Settlement within California increased dramatically during the American Period with the discovery of gold in the Sierra Nevada range in 1848 which led to the California Gold Rush (Workman 1935:26). This period saw many ranchos in California sold or otherwise acquired by Americans and the land subdivided into agricultural parcels or towns.

The San Justo rancho was no exception, in 1855 Flint-Bixby and Company, consisting of Dr. Thomas Flint, his brother Benjamin Flint, and their cousin Llewellyn Bixby, bought the rancho from Francisco Perez Pacheco for the sum of \$25,000 with the understanding that Colonel William Welles Hollister would buy one half of the interest in the rancho in 1857. The rancho was held jointly for three years until it was divided in 1861. The partnership soon dissolved however, with Flint taking all land east of the San Benito River and Hollister taking all land to the west. Later, Hollister protested the split of assets which was resolved by swapping lands and Hollister paying Flint \$10,000. In 1868, Hollister sold his part of the rancho, approximately 20,773 acres, to the San Justo Homestead Association for the sum of \$370,000. The association promptly divided the property into 50 homestead lots of approximately 172 acres each and reserved about 100 acres for the newly formed town of Hollister. In 1870, the Southern Pacific Railroad laid track from Carnadero (three miles south of Gilroy) to Hollister and then extended to Tres Pinos in 1873 (San Benito County Historical Society 2013).

c. Existing Conditions.

Archaeological Resources. Rincon requested a records search for the project site at the California Historical Information System (CHRIS), Northwestern Information Center located at Sonoma State University. The records search indicates at least portions of both the Regional

Park Site and the River Parkway corridor have been previously surveyed for cultural resources and there are previously recorded cultural resources located within these sites.

River Parkway Corridor. The records search indicated that 52 previous cultural resource studies have been conducted that included at least portions of the five reaches of the River Parkway Corridor. There are 19 previously recorded cultural resources located within four of the five reaches; however, no previously recorded cultural resources were identified within Reach 2. These resources include both archaeological sites and built environment resources such as lithic scatter, Winters Ranch, Perkins Ranch, Highway 101, the Town of Tres Pinos, Tres Pinos Ranch House, stables, chicken coop, wood storage building, garage, metal storage building, walnut processing building, barn, Southside Road Bridge over Tres Pinos Creek, and a single family residence. These resources are summarized in Appendix G Cultural Resources Study. None of these resources have been recommended as being eligible for listing on the National Register of Historic Places (NRHP) or the California Register of Historic Resources (CRHR).

Regional Park Site. The records search indicated that three previous cultural resource studies have been conducted that included at least portions of the Regional Park Site. No previously recorded cultural resources were located within the Regional Park Site.

Paleontological Resources.

River Parkway Corridor. A review of geologic maps has identified areas within the River Parkway component considered to have a high sensitivity for paleontological resources (Dibblee and Minch 2006a-b). These areas are mapped as Pleistocene aged Older Surficial Sediments (Qos), Pleistocene aged Older Alluvial Terrace Deposits (Qoa 1-3), Latest Pliocene/Pleistocene aged Santa Clara Gravel (QTs), Pliocene aged Etchegoin Fm (Te), Unnamed Pliocene Sediments (Tn; equivalent to Oro Loma Fm), and Eocene aged Tres Pinos Sandstone (Ttp).

Regional Park Site. The Regional Park Site is mapped as alluvial pebble gravel, sand and clay of Holocene age (Dibblee and Minch 2007), which has no paleontological sensitivity.

d. Regulatory Setting.

There are a number of federal, state and local laws and regulations that are relevant to this cultural resources analysis, which are briefly discussed below.

Federal.

National Historic Preservation Act. The federal law which governs the treatment of cultural resources is Section 106 of the National Historic Preservation Act (NHPA). Under Section 106, when a federal agency is involved in an undertaking, it must take into account the effects of the undertaking on historic properties, which are defined as those properties that meet criteria for inclusion on the National Register of Historic Places (National Register). Properties are not required to be listed on the National Register to be considered historic properties, however. The National Register is administered by the National Park Service (NPS).

Properties eligible for listing in the National Register possess integrity of location, design, setting, materials, workmanship, feeling and association, and:

- *are associated with important historical events (Criterion A); or*
- *are associated with the lives of significant persons in our past (Criterion B); or*
- *embody the distinct characteristics of a type, period, or method of construction (Criterion C); or*
- *may yield information important in prehistory or history (Criterion D).*

Listing in the NRHP does not guarantee specific protection or assistance for a property, but it helps to ensure its recognition in the planning process for federal or federally-assisted projects (see Section 106), eligibility for federal tax benefits, and qualification for federal historic preservation assistance. In addition, the NRHP also is designed to achieve uniform standards of documentation and evaluation for historic properties. A project's effects on properties listed in the NRHP must be evaluated under CEQA.

Executive Order 11593 (May 13, 1971), 36 Code of Federal Regulations, Section 8921 as incorporated into Title 7, United States Code. Executive Order 11593, Protection of the Cultural Environment, orders the protection and enhancement of the cultural environment through providing leadership, establishing State offices of historic preservation, and developing criteria for assessing resource values.

American Indian Religious Freedom Act, Title 42, United States Code, Section 1996. The American Indian Religious Freedom Act protects Native American religious practices, ethnic heritage sites, and land uses.

Native American Graves Protection and Repatriation Act (NAGPRA) (1990), Title 25, United States Code. Native American Graves Protection and Repatriation Act (NAGPRA) defines "cultural items," "sacred objects," and "objects of cultural patrimony"; establishes an ownership hierarchy; provides for review; allows excavation of remains under certain conditions, but stipulates return of the remains according to ownership; sets penalties for violations; calls for inventories; and provides for return of specified cultural items.

State.

California Register of Historical Resources. The California Register of Historical Resources (California Register) is a guide to cultural resources that must be considered when a government agency undertakes a discretionary action subject to CEQA. The California Register helps government agencies identify, evaluate, and protect California's historical resources, and indicates which properties are to be protected from substantial adverse change (Pub. Resources Code, Section 5024.1(a)). The California Register is administered through the State Office of Historic Preservation (SHPO) that is part of the California State Parks system.

A cultural resource is evaluated under four California Register criteria to determine its historical significance. A resource must be significant at the local, state, or national level in accordance with one or more of the following criteria set forth in the *State CEQA Guidelines* at Section 15064.5(a)(3):



- 1) *It is associated with events that have made a significant contribution to the broad pattern of California's history and cultural heritage;*
- 2) *It is associated with the lives of persons important in our past;*
- 3) *It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or*
- 4) *It has yielded, or may be likely to yield, information important in prehistory or history.*

In addition to meeting one or more of the above criteria, the California Register requires that sufficient time must have passed to allow a “scholarly perspective on the events or individuals associated with the resource.” Fifty years is used as a general estimate of the time needed to understand the historical importance of a resource according to SHPO publications. The California Register also requires a resource to possess integrity, which is defined as “the authenticity of a historical resource’s physical identity evidenced by the survival of characteristics that existed during the resource’s period of significance. Integrity is evaluated with regard to the retention of location, design, setting, materials, workmanship, feeling, and association.” Archaeological resources can sometimes qualify as “historical resources” [*State CEQA Guidelines*, Section 15064.5(c)(1)]. In addition, Public Resources Code Section 5024 requires consultation with SHPO when a project may impact historical resources located on State-owned land.

Two other programs are administered by the state: California Historical Landmarks and California “Points of Interest.” California Historical Landmarks are buildings, sites, features, or events that are of statewide significance and have anthropological, cultural, military, political, architectural, economic, scientific or technical, religious, experimental, or other historical value. California Points of Interest are buildings, sites, features, or events that are of local (city or county) significance and have anthropological, cultural, military, political, architectural, economic, scientific or technical, religious, experimental, or other historical value.

Native American Consultation. Prior to the adoption or amendment of a general plan proposed on or after March 1, 2005, Government Code Sections 65352.3 and 65352.4 require a city or county to consult with local Native American tribes that are on the contact list maintained by the Native American Heritage Commission. The purpose is to preserve or mitigate impacts to places, features, and objects described in Public Resources Code Sections 5097.9 and 5097.993 (Native American sanctified cemetery, place of worship, religious or ceremonial site, or sacred shrine located on public property) that are located within a city or county’s jurisdiction. As the proposed project does not entail a General Plan amendment, no such consultation is required.¹

Human Remains. Section 7050.5 of the California Health and Safety Code states that in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the remains are discovered has determined whether or not the remains are subject to the coroner’s authority. If the human remains are of Native American origin, the coroner must notify the

¹ In 2014, California Governor Brown signed Assembly Bill 52 (AB 52). The NOP for this project was circulated on September 25, 2013 for public review. Therefore, compliance with AB 52 is not required.



Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Native American Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods. *CEQA Guidelines* Section 15064.5 directs the lead agency (or applicant), under certain circumstances, to develop an agreement with the Native Americans for the treatment and disposition of the remains.

Public Resources Code Section 5097.5. California Public Resources Code Section 5097.5 prohibits excavation or removal of any “vertebrate paleontological site...or any other archaeological, paleontological or historical feature, situated on public lands, except with express permission of the public agency having jurisdiction over such lands.” Public lands are defined to include lands owned by or under the jurisdiction of the state or any city, county, district, authority or public corporation, or any agency thereof. Section 5097.5 states that any unauthorized disturbance or removal of archaeological, historical, or paleontological materials or sites located on public lands is a misdemeanor.

Title 14, Penal Code, Section 622.5. According to Penal Code Section 622.5, anyone (except the owner of the item at issue) who willfully damages or destroys an item of archaeological or historic interest or value is guilty of a misdemeanor.

California Historical Building Code, California Code of Regulations, Title 24, Part 8. The California Historical Building Code, defined in Sections 18950 to 18961 of Division 13, Part 2.7 of the Health and Safety Code, provides regulations and standards for the rehabilitation, preservation, restoration (including related reconstruction) or relocation of historical buildings or structures deemed by any level of government as having importance to the history, architecture, or culture of an area.

California Environmental Quality Act (CEQA). The *State CEQA Guidelines* Section 15064.5 definition of a “historical resource” is presented in Section 4.5.2(a) (Methodology and Significance Thresholds) below. CEQA requires that historical resources and unique archaeological resources be taken into consideration during the CEQA review process (Public Resources Code, Section 21083.2). If feasible, adverse effects to the significance of historical resources must be avoided, or significant effects mitigated [*CEQA Guidelines* Section 15064.5(b)(4)].

If the cultural resource in question is an archaeological resource, *CEQA Guidelines* Section 15064.5(c)(1) requires that the lead agency first determine if the resource is a historical resource as defined in Section 15064.5(a). If the resource qualifies as a historical resource, potential adverse impacts must be considered in the same manner as a historical resource (California Office of Historic Preservation 2001a:5). If the archaeological resource does not qualify as a historical resource but does qualify as a “unique archaeological resource,” then the archaeological resource is treated in accordance with Public Resources Code Section 21083.2 [see also *CEQA Guidelines* Section 15069.5(c)(3)]. “Unique archaeological resource” means an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

- *Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.*
- *Has a special and particular quality such as being the oldest of its type or the best available example of its type.*
- *Is directly associated with a scientifically recognized important prehistoric or historic event or person.*

In practice, most archaeological sites that meet the definition of a unique archaeological resource will also meet the definition of a historical resource (Bass, Herson, and Bogdan, 1999).

Treatment options under Public Resources Code Section 21083.2 include activities that preserve such resources in place in an undisturbed state. Other acceptable methods of mitigation include excavation and curation or study in place without excavation and curation (if the study finds that the artifacts would not meet one or more of the criteria for defining a “unique archaeological resource”).

Advice on procedures to identify cultural resources, evaluate their importance, and estimate potential effects is given in several agency publications such as the series produced by the Governor’s Office of Planning and Research (OPR). The technical advice series produced by OPR strongly recommends that Native American concerns and the concerns of other interested persons and corporate entities, including but not limited to, museums, historical commissions, associations and societies, be solicited as part of the process of cultural resources inventory.

Local.

San Benito County General Plan. The Natural and Cultural Resources Element and Land Use Element of the San Benito County General Plan Update includes goals and policies to protect archaeological and historical resources. The goals, objectives and policies that are relevant to this analysis are discussed below.

Land Use Element:

LU-1.10 *Development Site Suitability. The County shall encourage specific development sites to avoid natural and manmade hazards, including, but not limited to, active seismic faults, landslides, slopes greater than 30 percent, and floodplains. Development sites shall also be on soil suitable for building and maintaining well and septic systems (i.e., avoid impervious soils, high percolation or high groundwater areas, and provide setbacks from creeks). The County shall require adequate mitigation for any development located on environmentally sensitive lands (e.g., wetlands, erodible soil, archaeological resources, important plant and animal communities).*

Natural and Cultural Resources Element:

Goal NCR-7 *To protect, preserve, and enhance the unique cultural and historic resources in the county.*



- NCR-7.9 *Tribal Consultation. The County shall consult with Native American tribes regarding proposed development projects and land use policy changes consistent with the State's Local and Tribal Intergovernmental Consultation requirements.*
- NCR-7.11 *Prohibit Unauthorized Grading. The County shall prohibit unauthorized grading, collection, or degradation of Native American, archaeological, or paleontological resources.*
- NCR-7.12 *Archaeological Artifacts. The County shall require an archaeological report prior to the issuance of any project permit or approval in areas determined to contain significant historic or prehistoric archaeological artifacts and when the development of the project may result in the disturbance of the site. The report shall be written by a qualified cultural resource specialist and shall include information as set forth in the county's archaeological report guidelines available at the County Planning Department.*

San Benito County Code. Chapter 19.05 of the County Code, denominated "Archaeological Site Review," includes a number of provisions for the protection of archaeological resources in the County and makes compliance mandatory.

The purpose of this chapter is to:

To protect, preserve and show respect for Native American, Spanish, Mexican, Euroamerican and other archaeological sites and resources within the county of San Benito. There exist in the county areas known and yet to be discovered which contain significant cultural and archaeological sites which contain unique, irreplaceable, or religious resources significant to the history of the county and for the cultural heritage of the citizens of the county and state. This archaeological resource is fast disappearing as a result of public and private land development. It is the policy of San Benito County to preserve the county's historic identity and integrity. This chapter establishes regulations for the protection, enhancement, and perpetuation of archaeological sites in order to promote the public welfare, and to implement General Plan policy and state law.

City of Hollister. The Land Use Element of the City of Hollister General Plan 2005 includes goals to protect cultural resources found within the city. The following goals and policies are relevant to this analysis:

- Goal LU1 *Maintain and enhance Hollister's small town charm and identity. Organize and design the city with an attractive and positive image*
- Policy LU1.2 *Historical Preservation Ordinance, Supplement the existing Historical Preservation Ordinance with an inventory and designation of potential sites and structures of architectural, historic, archeological and cultural significance.*

4.5.2 Impact Analysis

a. Methodology and Significance Thresholds.



Evaluation Criteria. Based on Appendix G of the *State CEQA Guidelines*, a significant impact could occur if the proposed San Benito River Parkway and Regional Park project would result in any of the following:

- 1) *Cause a substantial adverse change in the significance of an historical resource as defined in Section 15064.5;*
- 2) *Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5;*
- 3) *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature of paleontological or cultural value;*
- 4) *Disturb any human remains, including those interred outside of formal cemeteries; or*

The significance of a cultural resource deposit and subsequently the significance of any impact is determined by whether or not that deposit can increase our knowledge of the past. The determining factors are site content and degree of preservation. A finding of archaeological significance follows the criteria established in the *State CEQA Guidelines*.

CEQA Guidelines Section 15064.5 (Determining the Significance of Impacts to Archaeological Resources) states:

(3) [...] Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the California Register of Historical Resources (Pub. Res. Code, § 5024.1, Title 14 CCR, Section 4852) including the following:

- (A) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;*
- (B) Is associated with the lives of persons important in our past;*
- (C) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or*
- (D) Has yielded, or may be likely to yield, information important in prehistory or history.*

(4) The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources (pursuant to section 5020.1(k) of the Public Resources Code), or identified in an historical resources survey (meeting the criteria in section 5024.1(g) of the Public Resources Code) does not preclude a lead agency from determining that the resource may be an historical resource as defined in Public Resources Code sections 5020.1(j) or 5024.1.

(b) A project with an effect that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment.

Historical resources are "significantly" affected if there is demolition, destruction, relocation, or alteration of the resource or its surroundings. Generally, impacts to historical resources can be mitigated to below a level of significance by following the Secretary of the Interior's *Guidelines for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings* or the Secretary of the Interior's *Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* [13 PRC 15064.6 (b)]. In some circumstances,



documentation of an historical resource by way of historic narrative photographs or architectural drawings will not mitigate the impact of demolition below the level of significance [13 PRC 15126.4 (b)(3)]. Preservation in place is the preferred form of mitigation for a “historical resource of an archaeological nature” as it retains the relationship between artifact and context, and may avoid conflicts with groups associated with the site [PRC 15126.4 (b)(3)(A)]. Historic resources of an archaeological nature and “unique archaeological resources” can be mitigated to below a level of significance by:

- *Relocating construction areas such that the site is avoided;*
- *Incorporation of sites within parks, greenspace, or other open space;*
- *“Capping” or covering the site with a layer of chemically stable soil before building; or*
- *Deeding the site into a permanent conservation easement. [PRC 15126.4 (b)(3)(B)]*

In the event that resources cannot be preserved, “unique archaeological resources” can only be excavated as mitigation if they are threatened with damage or destruction by the proposed project. The time and cost limitations that may apply to the excavation of archaeological resources do not apply to activities that determine whether the archaeological resources are “unique” [PRC 15064.5 (c)(3)].

If an archaeological resource does not meet either the historic resource or the more specific “unique archaeological resource” definition, impacts do not need to be mitigated [13 PRC 15064.5 (e)].

The following section presents a discussion of the potential for impacts to cultural resources as a result of the project. The discussion under each impact statement is organized by each project component; however, the mitigation measures are applicable to both project components where cultural resources are determined to be or may be present in both the River Parkway corridor and the Regional Park Site, as explained more fully below.

b. Project Impacts and Mitigation Measures.

Impact CR-1 Construction of the proposed project would involve surface excavation, which has the potential to unearth or adversely impact identified archaeological or historic structures. Impacts would be Class II, *significant but mitigable*.

River Parkway. Development activities associated with the River Parkway component of the proposed project could affect cultural resources along the trail corridor. Potential impacts to cultural resources within each reach are described below.

Reach 1. Reach 1 is approximately 3.75 miles long and would extend along the San Benito River between San Juan Highway and Lucy Brown Lane. Reach 1 is the northernmost reach, passing through primarily rural, agricultural lands. A specific trail alignment has not yet been identified. For purposes of a conservative analysis, it is assumed in this DEIR that a potential alignment could run along either the northern or southern side of the San Benito River. In addition to trail construction, other improvements would include construction of restroom facilities, paved trails, and staging areas.



Previous research indicates that approximately 20 percent of Reach 1 has been previously surveyed for cultural resources and there are two previously recorded cultural resources (P-35-000327 and P-35-000579) that could potentially be impacted by the proposed project. Based on the presence of cultural resources and given the overall sensitivity for cultural resources throughout the project vicinity, for purposes of a conservative analysis, it is assumed that there is potential for discovery of and impact to significant cultural resources. Impacts are potentially significant.

Reach 2. Reach 2 is approximately 4.75 miles long and would extend along the San Benito River between Lucy Brown Lane and the 4th Street Bridge. This reach is similar to Reach 1 as it would pass through rural, predominantly agricultural lands. A specific trail alignment has not been identified for this reach. For purposes of a conservative analysis, it is assumed in this DEIR that a potential alignment could be located along either the north or south side of the San Benito River. However, the level river terrace on the south side of the San Benito River would offer the most feasible and sustainable location. In addition to trail construction, other trail related improvements would include staging areas.

Previous research indicates that approximately five percent of Reach 2 has been previously surveyed for cultural resources. There are no previously recorded cultural resources within Reach 2. Nevertheless, given the overall sensitivity for cultural resources throughout the project vicinity, for purposes of a conservative analysis, it is assumed that there is potential for discovery of and impact to significant cultural resources. Impacts are potentially significant.

Reach 3. Reach 3 is approximately 3.75 miles long and would extend along the San Benito River between the 4th Street Bridge and Hospital Road. In contrast to Reaches 1 and 2, Reach 3 is more urbanized and has been impacted by sand and gravel mining as well as other human-related activities. The majority of this reach lies within the City of Hollister and is adjacent to residential neighborhoods and public facilities. A specific trail alignment has not been identified for this reach. However, it appears the northern side of the San Benito River would be the most feasible due to its proximity to neighborhoods, schools, and downtown Hollister. In addition to trail construction, trail related improvements would include staging areas.

Previous research indicates that approximately 40 percent of Reach 3 has been previously surveyed for cultural resources. There is one previously recorded cultural resource (P-35-000534) within Reach 3 that could potentially be impacted by the proposed project. Considering the presence of previously recorded cultural resources and given the overall sensitivity for cultural resources throughout the project vicinity, for purposes of a conservative analysis, it is assumed that there is potential for discovery of and impact to significant cultural resources. Impacts are potentially significant.

Reach 4. Reach 4 is approximately 4.25 miles long and would extend along the San Benito River and Tres Pinos Creek between Hospital Road and Southside Bridge. This reach passes through predominantly rural sections of San Benito County. The northern portion of this reach has been impacted by former sand and gravel mines with the southern section less disturbed. Within Reach 4 the proposed trail transitions from following along the San Benito River to Tres Pinos Creek. A specific trail alignment has not been identified for this reach. However, it

appears the northern side of the San Benito River would be the most feasible. In addition to trail construction, other trail related improvements would include staging areas.

Previous research indicates that approximately 10 percent of Reach 4 has been previously surveyed for cultural resources. There are five previously recorded cultural resources (P-35-000003, P-35-000004, P-35-000298, P-35-000299, and P-35-000300) within Reach 2 that could potentially be impacted by the proposed project. Considering the presence of previously recorded cultural resources and given the overall sensitivity for cultural resources throughout the project vicinity, for purposes of a conservative analysis, it is assumed that there is potential for discovery of and impact to significant cultural resources. Impacts are potentially significant.

Reach 5. Reach 5 is approximately 3.5 miles long and would extend along Tres Pinos Creek between Southside Bridge and the County Historical Park. This reach passes through predominantly rural sections of San Benito County. Land use consists of agricultural fields, orchards, rural residences, sand and gravel mining, and the County Historical Park. A specific trail alignment has not been identified for this reach and it appears both sides of Tres Pinos Creek are suitable for trail development. In addition to trail construction, other trail related improvements would include staging areas.

Previous research indicates that approximately five percent of Reach 5 has been previously surveyed for cultural resources. There are 11 previously recorded cultural resources (P-35-000363, P-35-000364, P-35-000365, P-35-000366, P-35-000367, P-35-000368, P-35-000369, P-35-000370, P-35-000383, P-35-000329, and P-35-000045) within Reach 5 that could potentially be impacted by the proposed project. Considering the presence of numerous previously recorded cultural resources and given the overall sensitivity for cultural resources throughout the project vicinity, for purposes of a conservative analysis, it is assumed that there is great potential for discovery of and impact to significant cultural resources. Impacts are potentially significant.

Regional Park. The Regional Park component of the proposed project would be located on approximately 31 acres, north of the proposed River Parkway component. A recent Phase I archaeological study for the Regional Park component (Ramirez et al. 2013) surveyed the 31-acre Regional Park Site, including the proposed Access Road. The unsurveyed portions of the Access Road were paved. The results of the study did not identify any previously recorded or newly identified cultural resources within the area surveyed. Therefore impacts at the Regional Park site related to known identified archaeological or historic structures would be less than significant.

Mitigation Measures. The following mitigation measures are required to reduce impacts to archaeological resources (CR-1(a)) and historic resources (CR-1(b)) prior to commencement of project construction activities.

- CR-1(a) Pre-Construction Prehistoric and Archaeological Resources Survey.**
Prior to the issuance of any grading permit for portions of the River Parkway trail segments which would involve land that has not been previously surveyed for cultural resources the County of San Benito and/or implementing entity shall contract with a qualified archaeologist to perform a Phase I cultural resources assessment. In

the event that prehistoric or archaeological cultural resources are identified during the Phase I assessment, the implementing agency shall implement a Phase II subsurface testing program to determine the resource boundaries within the trail corridor/impact area, assess the integrity of the resource, and evaluate the site's significance through a study of its features and artifacts.

If the site is determined significant, the County of San Benito and/or implementing entity may choose to cap the resource area using culturally sterile and chemically neutral fill material and shall include open space accommodations and interpretive displays for the site to ensure its protection from development. A qualified archaeologist shall be retained to monitor the placement of fill upon the site and to make open space and interpretive recommendations. If a significant site will not be capped, the results and recommendations of the Phase II study shall determine the need for a Phase III data recovery program designed to record and remove significant prehistoric or archaeological cultural materials that could otherwise be tampered with. If the site is determined insignificant, no capping or further archaeological investigation shall be required, though archaeological monitoring may still be required. The results and recommendations of the Phase II and/or Phase III studies shall determine the need for construction monitoring.

CR-1(b) Alteration of Potential Historical Bridges/Structures. Prior to issuing permits for development of trail segments that would result in alteration of existing rail bridges, trestle structures, or other structures greater than 50 years old (at the time development is anticipated to occur), a qualified architectural historian shall inventory and evaluate the significance of potentially historical bridges and other structures located along the proposed trail alignment.

Preliminary investigations have identified one bridge, the Southside bridge (P-35-00327) within the River Parkway component study area. This bridge has been recommended ineligible for listing in the CRHR and therefore impacts to this resource would not be significant under CEQA. In addition, the Master Plans identified four bridges (Highway 156 Bridge, 4th Street Bridge, Nash Road Bridge, and Union Road Bridge) within the River Parkway component that may be altered as part of the proposed project.

If these bridges or any other structures located along the proposed trail alignment are determined to be historical resources, the following shall be conducted prior to any rehabilitation, changes, alterations, or additions:

A report shall be prepared by a professional architectural historian and shall be accompanied by requisite sets of large format camera Historic American Engineering Record (HAER) Level II black-and-white 8-by-10 inch archival quality prints taken by a professional photographer. A minimum of twelve views shall be documented (two profiles, two centerline shots, four abutment shots, and four engineering details) and two sets of prints shall be sent to the California State Library in Sacramento. Measured drawings shall be prepared of the structure under the supervision of a qualified architectural historian.

After this effort, any proposed rehabilitation, changes, alterations, and additions to historical structures shall comply with the Secretary of the Interior Standards for Rehabilitation. Alterations shall be similar to the surrounding historical landscape and consistent with the character-defining features of the bridge/structure, as determined by procedures implementing the National Historic Preservation Act. Adjacent property owners and local government shall be consulted about the design details of any alterations to existing historical resources. Alterations shall be consistent with applicable local historic preservation policies and guidelines.

Significance After Mitigation. Implementation of Mitigation Measure CR-1(a) would reduce impacts to known archaeological resources to a less than significant level. Implementation of Mitigation Measure CR-1(b) would reduce impacts to known historical resources to a less than significant level.

Impact CR-2 Construction of the proposed project would involve surface excavation. Project related construction activities have the potential to unearth or impact previously unidentified cultural resources. Impacts would be Class II, *significant but mitigable*.

Project construction activities within the River Parkway and Regional Park components, including ground clearing, grading and excavation, could have significant adverse impacts on previously unidentified cultural resources. Pre-construction reconnaissance can only confidently assess the potential for encountering surface cultural resource remains. Therefore, the possibility remains for encountering subsurface cultural resources during construction activities.

In addition to the potential discovery of other previously identified cultural resources, if human remains are unearthed, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur near the find until the City or County Coroner (depending on the jurisdiction in which the discovery occurs) has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the NAHC. The NAHC will then identify the person(s) thought to be the Most Likely Descendent (MLD) of the deceased Native

American, who will then help determine what course of action should be taken in dealing with the remains.

Adverse impacts would occur if the implementation of the proposed project would result in construction activities that would damage previously unidentified cultural resources. Impacts to such resources would be potentially significant.

Mitigation Measures. The following mitigation measures are required to reduce impacts to previously unidentified cultural resources.

CR-2(a) Archaeological Resource Construction Monitoring. Prior to the commencement of construction activities for each project component, if areas within each project component are identified in the Phase I or Phase II cultural resources assessments completed for the site as sensitive for cultural resources and archaeological monitoring of construction activities is recommended, the following procedures shall be followed:

An orientation meeting shall be conducted by an archaeologist, general contractor, subcontractor, and construction workers associated with earth disturbing activities. The orientation meeting shall describe the potential of exposing archaeological resources, the types of cultural materials that may be encountered, and directions on the steps that shall be taken if such a find is encountered.

A qualified archaeologist shall be present during all initial earth moving activities within the identified culturally sensitive areas. In the event that unearthed prehistoric or archaeological cultural resources or human remains are encountered during project construction, Mitigation Measure CR-2(b) shall take effect.

CR-2(b) Unanticipated Discovery of Cultural Remains. If cultural resource remains are encountered during construction or land modification activities, work shall stop within 50 feet of the find and the County of San Benito and appropriate City or County planning, building department (depending on the jurisdiction in which the discovery occurs) or implementing entity shall be notified at once to assess the nature, extent, and potential significance of any cultural remains. The implementing entity shall implement a Phase II subsurface testing program to determine the resource boundaries within the trail corridor/impact area, assess the integrity of the resource, and evaluate the site's significance through a study of its features and artifacts.

If the site is determined significant, the County of San Benito and/or implementing entity may choose to cap the resource area using culturally sterile and chemically neutral fill material and shall include

open space accommodations and interpretive displays for the site to ensure its protection from development. A qualified archaeologist shall be retained to monitor the placement of fill upon the site and to make open space and interpretive recommendations. If a significant site will not be capped, the results and recommendations of the Phase II study shall determine the need for a Phase III data recovery program designed to record and remove significant cultural materials that could otherwise be tampered with. If the site is determined insignificant, no capping and or further archaeological investigation shall be required. The results and recommendations of the Phase II study shall determine the need for construction monitoring.

Significance After Mitigation. Implementation of mitigation measures CR-2(a) and CR-2(b) would reduce impacts to previously unidentified archaeological resources to a less than significant level.

Impact CR-3 Construction of the proposed project would involve surface excavation. Although unlikely, these activities have the potential to unearth and/or impact paleontological resources. Impacts would be Class II, *significant but mitigable*.

Paleontological sensitivity refers to the potential for a geologic unit to produce scientifically significant fossils. Direct impacts to paleontological resources occur when earthwork activities, such as grading or trenching, cut into the geologic deposits (formations) within which fossils are buried and physically destroy the fossils. Since fossils are the remains of prehistoric animal and plant life, they are considered to be nonrenewable. Sensitivity is determined by rock type, past history of the geologic unit in producing significant fossils, and fossil localities recorded from that unit.

River Parkway Corridor. The geologic units underlying the River Parkway component of the project may contain paleontological resources. A review of geologic maps has identified areas within the River Parkway component considered to have a high sensitivity for paleontological resources (Dibblee and Minch 2006a-b). These areas are mapped as Pleistocene aged Older Surficial Sediments (Qos), Pleistocene aged Older Alluvial Terrace Deposits (Qoa 1-3) , Latest Pliocene/Pleistocene aged Santa Clara Gravel (QTs), Pliocene aged Etchegoin Fm (Te), Unnamed Pliocene Sediments (Tn; equivalent to Oro Loma Fm), and Eocene aged Tres Pinos Sandstone (Ttp).

Excavations and grading that extends beyond the depth of surface soils (typically 3 to 5 feet) have a likelihood of disturbing geologic units with high paleontological sensitivity. Based on the above information, the River Parkway corridor contains areas with high paleontological sensitivity; therefore, there is a potential to disturb scientifically significant paleontological resources. As a result, project construction, including ground clearing, grading and excavation, could have adverse impacts on paleontological resources.

Regional Park Site. The Regional Park Site is mapped as alluvial pebble gravel, sand and clay of Holocene age (Dibblee and Minch 2007), which has no paleontological sensitivity.



Impacts from this component with respect to paleontological resources would therefore be less than significant.

Mitigation Measures. The following mitigation measures are required in connection with the River Parkway component of the project.

CR-3 Paleontological Resource Construction Monitoring. Any excavations exceeding three feet in depth at the River Parkway component of the project shall be monitored on a full-time basis by a qualified paleontological monitor. Ground disturbing activity that does not exceed three feet in depth shall not require paleontological monitoring. If no fossils are observed during the first 50 percent of excavations exceeding three feet in depth, paleontological monitoring shall be reduced to weekly spot-checking under the discretion of the qualified paleontologist.

If fossils are discovered, the qualified paleontologist (or paleontological monitor) shall recover them. Typically fossils can be safely salvaged quickly by a single paleontologist and not disrupt construction activity. In some cases larger fossils (such as complete skeletons or large mammal fossils) require more extensive excavation and longer salvage periods. In this case the paleontologist shall have the authority to temporarily direct, divert or halt construction activity near the find to ensure that the fossil(s) can be removed in a safe and timely manner. Once salvaged, fossils shall be identified to the lowest possible taxonomic level, prepared to a curation-ready condition and curated in a scientific institution with a permanent paleontological collection, along with all pertinent field notes, photos, data, and maps.

Significance After Mitigation. Implementation of the above mitigation measures would reduce impacts to a less than significant level.

c. Cumulative Impacts. The proposed project, in conjunction with other cumulative projects in the County of San Benito, including, among others, within the City of Hollister, would have the potential to adversely impact cultural resources. However, similar to the above-referenced mitigation measures, it is assumed that each individual development proposal within the County and City would undergo environmental review as required under applicable law as part of its entitlement process and appropriate mitigation measures would be imposed to mitigate any identified significant impacts. In addition, cumulative developments would be required to adhere to the comprehensive regulatory framework in place to protect cultural resources. Further, to the extent that cumulative projects could combine to result in a cumulative impact, the project's contribution to any such impact would not be cumulatively considerable with the implementation of the above-referenced mitigation measures, coupled with the adherence to all applicable laws and regulations that are in place to protect cultural resources. Therefore, impacts in this regard would be considered less than significant.

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4.6 GEOLOGY/SOILS

In addition to other relevant information and technical documentation, the following analysis is based on a Summary of Geologic Constraints prepared by Rogers E. Johnson and Associates in May 2012 and on a Preliminary Civil Engineering Assessment prepared by Mesiti-Miller Engineering, Inc., in June 2012. These technical documents were prepared for both the River Parkway corridor and the Regional Park Site for purposes of this analysis and are included as Appendix F.

4.6.1 Setting

a. Topography. The River Parkway corridor ranges in elevation from approximately 130 feet above mean sea level (amsl) at Highway 101 near San Juan Bautista up to approximately 500 feet amsl near Tres Pinos (Mesiti-Miller, 2012). The trail slope is generally mild and the average slope along the corridor varies between +1% and -1%. In certain locations, where the trail must climb over banks, berms, roads, hills, and banks, the slope of the River Parkway corridor increases for short distances to up to +7% and -7%.

The lower reaches of the proposed trail corridor in the San Juan Valley are generally flat. Near Hollister, the trail corridor generally follows close to the southern bank of the San Benito River as it weaves across the broad floodplain between active farm land and the main river channel. The Regional Park Site generally slopes gradually down toward the San Benito River, from approximately 300 to approximately 280 feet amsl in elevation, with the exception of a pronounced bank dividing the site into two levels and a large storm drainage channel bisecting the site.

Heading further south and out of Hollister, the River Parkway corridor's topography becomes more steep, and the river valley closes to a narrow canyon. Upstream of its confluence with the San Benito River, the trail corridor passes through a broader and flatter floodplain alongside Tres Pinos Creek.

b. Geology. The proposed River Parkway corridor extends from the narrow gap between the Sargent Hills and Lomerias Muertas in the southern portion of the Santa Cruz Mountains to the southern end of the Hollister Valley within the California Coast Ranges province (Johnson, 2012). The Coast Ranges are most noticeable as a series of rugged, linear ridges and valleys following the pronounced northwest to southeast structural grain of central California geology.

Throughout the Cenozoic Era, this portion of California has been dominated by tectonic forces associated with lateral or "transform" motion between the North American and Pacific crustal plates, producing long, northwest-trending faults such as the San Andreas and Calaveras, with horizontal displacements measured in tens to hundreds of miles (Johnson, 2012).

Accompanying the northwest-southeast direction of the horizontal (strike-slip) movement between the plates were episodes of compressive stress, causing repeated uplift, deformation, erosion and subsequent redeposition of sedimentary rocks. This tectonic deformation is most evident in the mountainous areas above the San Benito River where sedimentary rocks older than Pleistocene are found. These rocks show evidence of steeply dipping folds, overturned

bedding, faulting, jointing, and fracturing. Along the river, the ongoing tectonic activity is most evident in the formation of a series of elevated terraces. The Loma Prieta earthquake of 1989 and its aftershocks are the most recent reminders of the geologic unrest in the region.

The area immediately adjacent to the active channels of the San Benito River and Tres Pinos Creek consists of floodplain and uplifted terraces and/or lakebeds which are all Quaternary in age (recent and up to about 700,000 years old) (Johnson, 2012). The elevations of the various deposits are controlled by the Calaveras, Sargent, and San Andreas Faults, which have caused tectonic uplift and subsidence within the San Juan and Hollister Valleys. The fault-controlled topography affects the gradient of the rivers which in turn affects their propensity to form a straight braided channel or a broad meandering channel. Tres Pinos Creek and the San Benito River typically exhibit both channel types as they course through the River Parkway corridor.

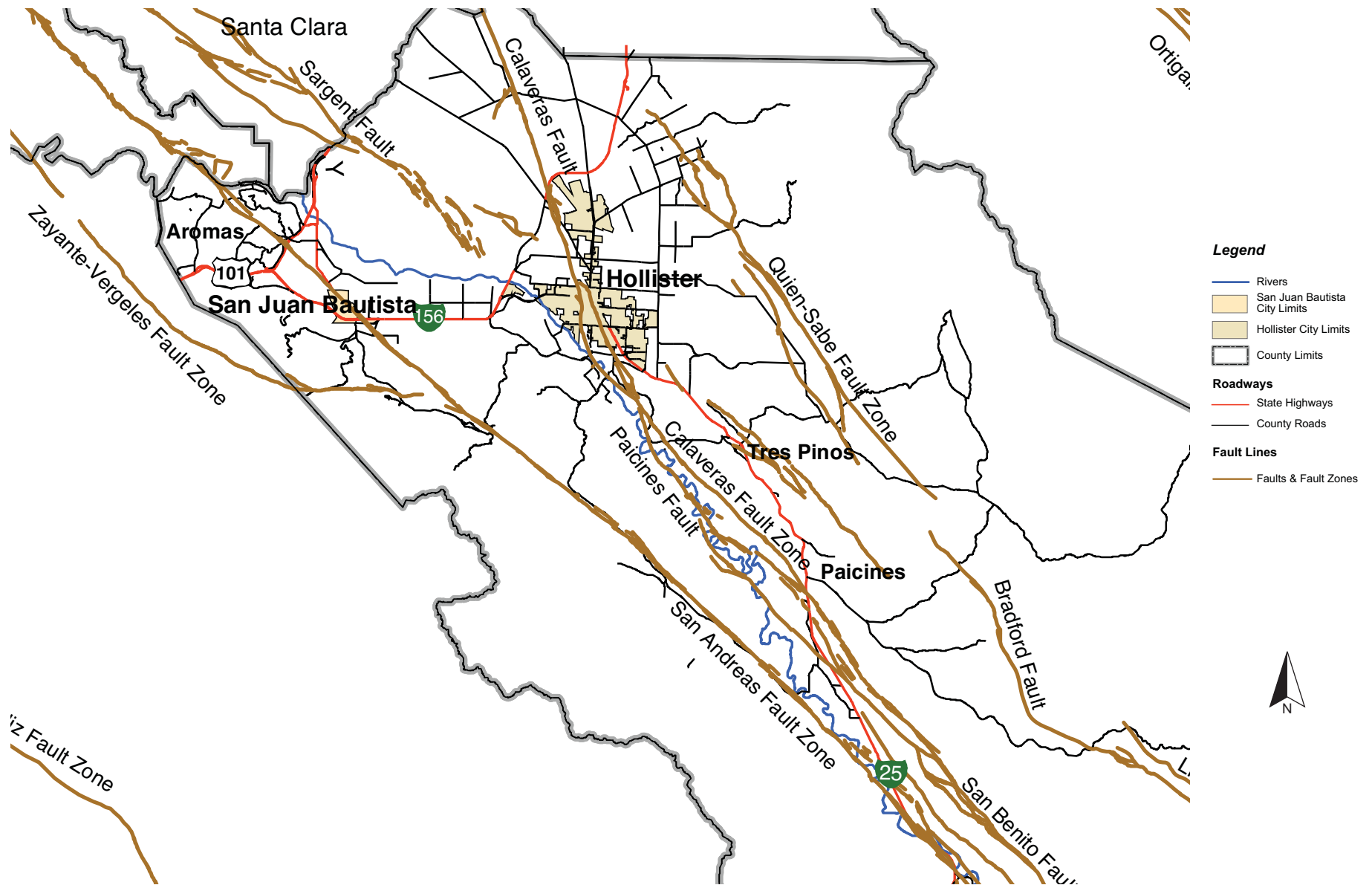
On a local scale, sand and gravel mining have modified the geologic substrate of the River Parkway corridor (Johnson, 2012). As discussed in Section 4.1, *Aesthetics*, these activities have created mining pits or settling basins, levees, unpaved mining roads, and piles of spoils in Reaches One, Three, Four, and Five of the corridor.

c. Geologic Hazards

Faulting and Seismically Induced Ground-Shaking. The United States Geological Survey (USGS) defines active faults as those that have had surface displacement within Holocene time (approximately within the last 11,000 years). Surface displacement can be recognized by the existence of cliffs in alluvium, terraces, offset stream courses, fault troughs and saddles, the alignment of depressions, sag ponds, and the existence of steep mountain fronts. Active faults as defined by the State Geologist have been designated as Alquist-Priolo Fault Zones and require special regulation and study for projects proposed in these zones. Further discussion of the Alquist-Priolo Earthquake Fault Zoning Act is provided in the Regulatory Setting. Potentially active faults are those that have had surface displacement during Quaternary time (the last 1.6 million years). Inactive faults have not had surface displacement within the last 1.6 million years.

Several well-known geologic features traverse San Benito County. The most substantial is the San Andreas Fault Zone, a principal active fault identified by the Alquist-Priolo Earthquake Fault Zoning Act. The fault is a right lateral strike slip fault and runs the length of the county (San Benito County, 2010). Other notable faults in San Benito County include the Calaveras (principal active fault), Sargent, Paicines, Bear Valley, Zayante-Vergeles, and Quien-Sabe.

As shown in the map of regional faults in Figure 4.6-1, the River Parkway corridor crosses the Calaveras fault zone. This fault zone is considered active and capable of generating earthquakes with associated ground rupture along the surface trace of the fault (Johnson, 2012). Any structures or improvements situated across an active fault are subject to damage caused by fault rupture. The Calaveras fault has also been identified as a creeping fault, which means that displacement may occur slowly. According to the California Department of Conservation's map of faults in the Hollister Quadrangle, the Regional Park Site falls within an Alquist-Priolo Fault Zone around the Calaveras fault (California Department of Conservation, 1982). A trace or traces of the Calaveras fault transect the area of the proposed Regional Park, just south of San Benito High School (Johnson, 2012).



Source: San Benito County, General Plan Background Report, Figure 11-1-2, 2010.

Regional Faults

Figure 4.6-1
 County of San Benito

In addition to surface rupture, faults can generate ground-shaking, which is the greatest cause of widespread damage in an earthquake. Whereas surface rupture affects a narrow area above an active fault, ground-shaking covers a wide area and is greatly influenced by the distance of the site to the seismic source, soil conditions, and depth to groundwater. Figure 4.6-2 shows the predicted shaking as a result of ground motion in northern San Benito County. Shaking is expressed as the Peak Ground Acceleration (PGA) measured as a percentage (or fraction) of acceleration due to gravity (%g) from ground motion that has a 10 percent probability of being exceeded in 50 years (San Benito County, 2010).

PGA in San Benito County ranges from 30 percent to greater than 80 percent of g (g is acceleration due to gravity, 32.2 ft/s^2) (San Benito County, 2010). As shown in Figure 4.6-2, the portion of the River Parkway corridor in the San Juan Valley and near Hollister could experience ground-shaking at between 70 to 80 percent of g . By comparison, the majority of the Bay Area has a higher likelihood of exceeding 100 percent of g . It should be noted that both lower and higher peak ground accelerations could be experienced in different areas of the trail, and the park, based on proximity to active faults.

Seismic-Related Ground Failure. Seismic shaking along the River Parkway corridor and at the Regional Park Site would be intense during the next major earthquake along one of the local fault systems. Shock waves from an earthquake of sufficient magnitude and duration could lead to liquefaction, a temporary but substantial loss of shear strength in granular solids, such as sand, silt, and gravel. In effect, liquefaction compacts and decreases the volume of the soil. If drainage cannot occur, this reduction in soil volume will increase the pressure exerted on the water contained in the soil, forcing it upward to the ground surface. This process can transform stable granular material into a fluid-like state. The potential for liquefaction to occur is greatest in areas with loose, granular, low-density soil, where the water table is within the upper 40 to 50 feet of the ground surface. Liquefaction can result in slope and/or foundation failure.

In San Benito County, the risk of liquefaction is highest near Quaternary alluvial deposits where soil saturation is close to the land surface. Much of the River Parkway corridor is underlain by unconsolidated fluvial sands and silts which are moderately to very highly susceptible to liquefaction (Johnson, 2012). According to the City of Hollister's Health and Safety Element, the course of the San Benito River south of the city, including the southwestern corner of the Regional Park Site, has sediments with "Very High" susceptibility to liquefaction (Hollister, 2005). Historically, liquefaction has been reported from earthquakes near the cities of San Juan Bautista and Hollister (San Benito County, 2010).

In the event of an earthquake, liquefaction may induce subsidence when unconsolidated sands and silts lie within and above the water table (Johnson, 2012). Subsidence refers to the withdrawal of fluid such as oil, natural gas, or water from compressible sediments. As water is withdrawn and the water table lowered, the effective pressure in the drained sediments is increased. Compressible layers then compact under the over-pressure burden that is no longer compensated by hydrostatic pressure. The resulting land subsidence is most pronounced in compacted sediments.

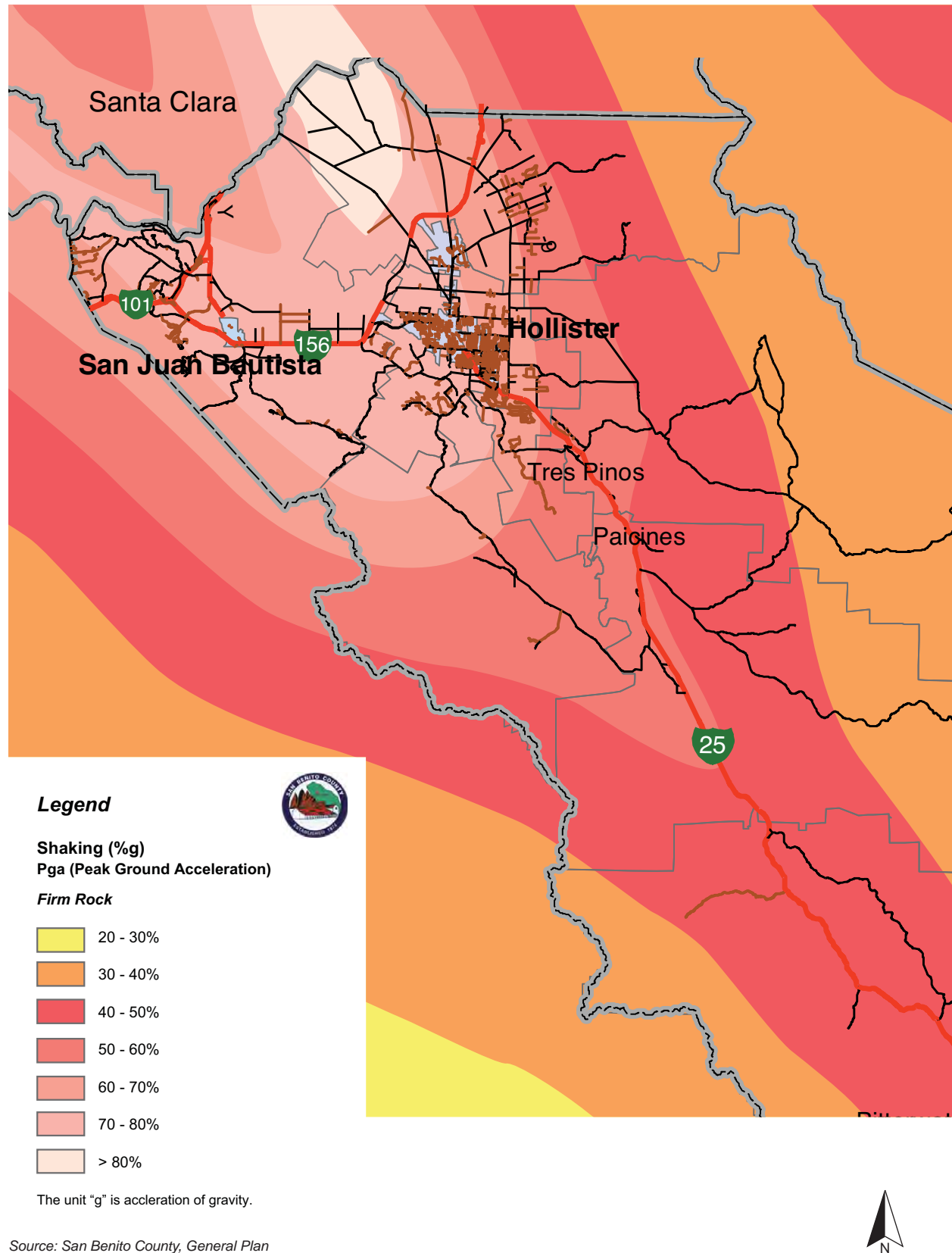
In addition, lateral spreading can occur when a liquefied layer and its overlying deposits flows toward a free face, such as a river bank (Johnson, 2012).

Slope Stability. “Landslide” is a general term for the dislodging and falling of rock and soil down a sloped surface. “Mudslide” is a general term used for a flow of very wet rock or soil. Landslides can occur from natural conditions such as heavy rainfall, hillside water table fluctuation, and seismic activity. Upstream from Hollister, the San Benito River cuts through hilly terrain within the Calaveras and Paicines fault zones (Johnson, 2012). The earth materials within the fault zones are weak and, where slopes have been incised by the river, landsliding is occurring.

In addition, the banks of the San Benito River and Tres Pinos Creek may be prone to failure in portions of the River Parkway corridor. Where agricultural fields abut the top of the natural riverbank and terrace, the bank is potentially unstable due to the existence of non-engineered fill and debris which has been pushed out to the edge of the bank (Johnson, 2012). Lateral scour and flood events have also resulted in oversteepening of the riverbanks in some areas. The Regional Park Site is not located along the banks of the San Benito River and would not be subject to these hazards, except in the event of extreme lateral scour of several hundred feet, as occurred elsewhere along the San Benito River during the 1998 El Niño winter storms (see the *Erosion* discussion below).

Expansive Soils. Expansive soils are soils that are generally clayey, swell when wetted and shrink when dried. Wetting can occur in a number of ways (i.e., absorption from the air, rainfall, groundwater fluctuations, lawn watering, broken water or sewer lines, etc.). Soils in the River Parkway corridor and Regional Park Site, as shown in Figure 11-1 of the County’s General Plan Background Report, have a moderate to high potential for expansiveness.

Erosion. Soil erosion is the removal of soil by water and wind. The rate of erosion is estimated from four soil properties: texture, organic matter content, soil structure, and permeability data. Other factors that influence erosion potential include the amount of rainfall and wind, the length and steepness of the slope, and the amount and type of vegetative cover. In the River Parkway corridor, soil erosion occurs from lateral scour along the riverbanks where the current becomes focused either by obstructions (natural or artificial) or during floods (Johnson, 2012). Aerial photos taken during the 1998 El Niño winter storms indicate substantial scouring in several locations within the corridor. Most of the scours were located along the San Benito River immediately west of Hollister, where up to 330 feet of lateral scour was measured. In addition, a lateral scour of up to 650 feet occurred during the 1998 floods along a portion of Tres Pinos Creek near Highway 25. It is apparent that past scours have occurred on the outside of meander bends and within straight channels where obstructions may have existed. As discussed above, it is unlikely that the Regional Park Site would be subject to lateral scour, due to its distance from the banks of the San Benito River.



Regional Groundshaking Intensity

Figure 4.6-2

d. Regulatory Setting.

Federal.

National Earthquake Hazards Reduction Program. The National Earthquake Hazards Reduction Program (NEHRP) was established by the U.S. Congress when it passed the Earthquake Hazards Reduction Act of 1977, Public Law 95-124. In establishing the NEHRP, Congress recognized that earthquake-related losses could be reduced through improved design and construction methods and practices, land use controls and redevelopment, prediction techniques and early warning systems, coordinated emergency preparedness plans, and public education and involvement programs. The four basic goals remain unchanged:

- Develop effective practices and policies for earthquake loss reduction and accelerate their implementation.
- Improve techniques for reducing earthquake vulnerabilities of facilities and systems.
- Improve earthquake hazards identification and risk assessment methods, and their use.
- Improve the understanding of earthquakes and their effects.

Several key federal agencies contribute to earthquake mitigation efforts. There are four primary NEHRP agencies:

- National Institute of Standards and Technology of the Department of Commerce
- National Science Foundation
- United States Geological Survey (USGS) of the Department of the Interior
- Federal Emergency Management Agency (FEMA) of the Department of Homeland Security

Implementation of NEHRP priorities is accomplished primarily through original research, publications, and recommendations to assist and guide state, regional, and local agencies in the development of plans and policies to promote safety and emergency planning.

Clean Water Act – National Pollutant Discharge Elimination System. Stormwater discharges from construction activities (such as clearing, grading, excavating, and stockpiling) that disturb one or more acres, or smaller sites that are part of a larger common plan of development or sale, are regulated under the National Pollutant Discharge Elimination System (NPDES) stormwater program. Prior to discharging stormwater, construction operators must obtain coverage under a NPDES permit. Most states are authorized to implement the NPDES Stormwater permitting program. In California, the General Permit for Discharges of Stormwater Associated with Construction Activity are regulated by the State Water Resources Control Board and administered through the local Regional Water Quality Control Board.

The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP should contain a site map(s) which shows the construction site perimeter, existing and proposed buildings, lots, roadways, storm water collection and discharge points, general topography both before and after construction, and drainage patterns across the project site. The SWPPP must list Best Management Practices (BMPs) that the discharger will use to protect storm water runoff and the placement of those BMPs. Additionally, the SWPPP must contain a visual monitoring program; a chemical monitoring program for "non-visible" pollutants to be implemented if there is a failure of BMPs; and a sediment monitoring plan if the site discharges directly to a water body listed on the 303(d) list for sediment. Section A of the Construction General Permit describes the elements that must be contained in a SWPPP.

American Association of State Highway and Transportation Officials (AASHTO). AASHTO provides design guidelines and standards for the construction of bicycle and pedestrian pathways, including bridges.

State.

California Building Code (CBC). The California Building Code provides standards for building construction, including design guidelines and specifications to meet earthquake standards. The CBC requires, among other things, seismically resistant construction and foundation and soil investigations prior to construction. The CBC also establishes grading requirements that apply to excavation and fill activities, and requires the implementation of erosion control measures. The County and City is each responsible for enforcing the 2013 CBC in the case of the project, as it relates to land that falls within their respective jurisdictions.

Caltrans Highway Design Manual. The Caltrans Highway Design Manual provides design guidelines and standards for the construction of bicycle and pedestrian pathways, including bridges.

Alquist-Priolo Earthquake Fault Zoning (AP) Act. The AP Act was passed into law in 1971 following the destructive San Fernando earthquake. The AP Act provides a mechanism for reducing losses from surface fault rupture on a statewide basis. The intent of the AP Act is to ensure public safety by prohibiting the siting of most structures for human occupancy across traces of active faults that constitute a potential hazard to structures from surface faulting or fault creep.

Seismic Hazards Mapping Act. In 1990, following the 1989 Loma Prieta earthquake, the California Legislature enacted the Seismic Hazards Mapping Act to protect the public from the effects of strong ground shaking, liquefaction, landslides and other seismic hazards. The Seismic Hazards Mapping Act established a statewide mapping program to identify areas subject to violent shaking and ground failure; the program is intended to assist cities and counties in protecting public health and safety. The Seismic Hazards Mapping Act requires the State Geologist to delineate various seismic hazard zones and requires cities, counties, and other local permitting agencies to regulate certain development projects within these zones. As a result, the CGS is mapping Seismic Hazards Mapping Act Zones and has completed seismic

hazard mapping for the portions of California most susceptible to liquefaction, ground shaking, and landslides, primarily the San Francisco Bay Area and Los Angeles basin.

San Benito County.

San Benito County General Plan. The San Benito County General Plan Update (2015) includes goals and implementation measures intended to minimize risks resulting from geologic and soil hazards. These include requiring structures be set back from fault traces, studies be completed for liquefaction risk and all proposed critical structures be built with earthquake resistant design.

San Benito County Code. Several chapters of the San Benito County Code address geology and soils, including the Grading Ordinance (Title 19 [Land Use and Environmental Regulations], Chapter 17 [Grading, Drainage and Erosion Control]); Building Regulations Ordinance (Title 21 [Building and Engineering], Chapter 21.01 [Building Regulations]); and the Subdivision Ordinance (Title 23 [Subdivision]).

The County's Grading Ordinance (Chapter 19.17 of the San Benito County Code) regulates excavation, grading, drainage and erosion control measures and activities. The purpose of these regulations is to minimize erosion, protect fish and wildlife, and to otherwise protect public health, property, and the environment. A grading permit is required for all activities that would exceed 50 cubic yards of grading. Grading activity is prohibited within 50 feet from the top of the bank of a stream, creek, or river, or within 50 feet of a wetland or body of water in order to protect riparian areas. Additionally, development is limited in areas of high landslide potential and slopes greater than 30%, unless approved under special conditions. All proposed developments are required to submit an erosion control plan and drainage plan prior to issuance of a grading permit. These requirements are codified in Chapter 19.17 of the San Benito County Code, which requires that all areas disturbed in connection with grading related activities shall be consistently maintained to control erosion.

Subdivision design standards and road standards are set forth in the Subdivision Ordinance (San Benito County Code of Ordinances, Title 23). Road standards designed to minimize on-site hazardous geological or soil conditions and to provide erosion control measures regarding excavation, grading, and drainage, are set forth in Chapter 23.25 (Design Standards), sections 23.25.009 (Streets) and 23.25.013 (Grading and Erosion Control); and Chapter 23.31 (Improvement Designs), Article II (Roadway Design Standards). Additionally, Chapter 23.31 (Improvement Designs), Article III (Storm Drainage Design Standards) pertain to the prevention of erosion caused by flooding.

City of Hollister.

City of Hollister General Plan. The Health and Safety Element and the Natural Resources and Conservation Element of the City of Hollister General Plan include policies pertaining to geologic and seismic hazards. These policies include requiring studies to identify hazards, ensuring new and existing structures are designed to protect people from seismic hazards, and requiring watering of exposed earth to ensure the reduction of particulate matter pollution.

4.6.2 Impact Analysis

a. Methodology and Significance Thresholds. This evaluation is based on, among other things, review of existing information that has been developed for the proposed project and other available regional sources as well as technical studies prepared in connection with the proposed project. In accordance with Appendix G of the *State CEQA Guidelines*, impacts would be considered potentially significant if the proposed project would:

- 1) *Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:*
 - a. *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;*
 - b. *Strong seismic ground-shaking;*
 - c. *Seismic-related ground failure, including liquefaction; and/or*
 - d. *Landslides.*
- 2) *Result in substantial soil erosion or the loss of topsoil;*
- 3) *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; and/or*
- 4) *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.*
- 5) *Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water.*

It should be noted that compliance with existing San Benito County Health & Human Services Agency regulations, including required permitting, and Regional Water Quality Control Board policies and regulations, would eliminate impacts related to soils adequately supporting septic tanks, which are proposed in the Regional Park and along the River Parkway. As a result, the checklist item related to this condition (Threshold #5) was not evaluated further in this analysis, and further discussion can be found in the Initial Study (Appendix A of this document).

b. Project Impacts and Mitigation Measures.

Impact GEO-1 **Future seismic activity could result in fault rupture along the Calaveras Fault, which underlies the Regional Park Site and Reaches Three, Four, and Five of the River Parkway corridor. Because fault rupture could affect human-occupied structures at the proposed Regional Park, impacts would be Class II, significant but mitigable.**

The portion of the Calaveras Fault that underlies the Regional Park Site and Reaches Three, Four, and Five of the River Parkway corridor are all in an Alquist-Priolo Fault Zone. The Alquist-Priolo Act was established to mitigate the hazard of surface rupture to structures for human occupancy. Construction in Alquist-Priolo Fault Zones is regulated by the State Geologist and requires special study for structures planned over active faults. Other than the Calaveras Fault, geologic mapping of the Hollister Quadrangle does not indicate the presence of

other Alquist-Priolo fault zones or known active faults along the River Parkway corridor (California Department of Conservation, 1982).

The reaches of the River Parkway corridor that cross the Calaveras Fault would not include any structures that would be inhabited by people, but rather a paved primary trail, secondary unpaved trails, bridge crossings, and associated amenities such as site furnishings, signage, staging areas, and restrooms. Although a fault rupture could result in damage to pavement on the trail system and the other proposed improvements and amenities, it would not expose people to potential substantial adverse effects given that the only structures would be restrooms visited only occasionally and briefly within the River Parkway corridor.

However, the proposed Regional Park would involve construction of a community center, which would be frequently occupied by people. Due to the potential for human occupancy of the community center during a fault rupture beneath the Regional Park Site, this component of the project could expose people or structures to potential substantial adverse effects. Section 25.14.081 of the San Benito County Code forbids the placement of a building used for human occupancy across an active fault trace (San Benito County, 2013). Further, the area within 50 feet of an active fault trace is “assumed to be underlain by active branches of that fault trace unless and until proven otherwise by an appropriate geological investigation and submission of a report by a geologist registered in the State of California.”

In compliance with the County Code and other applicable laws and regulations, a geological investigation would be required to be prepared to verify the presence of an active fault under the site (as indicated by Holocene-age fault displacements approximately within the last 11,000 years), and if necessary, to propose recommendations related to set backs of proposed structures from any active fault traces. To ensure this occurs, the following mitigation measure would be imposed on the project:

Mitigation Measures.

GEO-1 Fault Evaluation and Structural Setbacks. Prior to the issuance of a grading permit for the proposed Regional Park and related Access Road, a detailed fault evaluation shall be completed on-site by a registered civil or geotechnical engineer pursuant to applicable County Code and state law requirements. This evaluation shall include excavation of subsurface sediment through Holocene-age alluvium in an attempt to located Holocene-age fault displacements. A geologic report describing the potential for surface fault displacement throughout the Regional Park Site shall be prepared and reviewed by San Benito County. If fault displacement is identified, all human-occupied structures shall be set back a minimum of 50 feet from the fault break, in conformance with the Alquist-Priolo Earthquake Fault Zoning Act.

Significance After Mitigation. In addition to the project’s compliance with all applicable laws and regulations, with implementation of Mitigation Measure GEO-1, involving a detailed evaluation of faults on the Regional Park Site, and implementation of structural setbacks from

faults if identified, impacts related to surface rupture would be reduced to a less than significant level.

Impact GEO-2 Seismically induced ground-shaking could destroy or damage structures in the proposed River Parkway and Regional Park, including bridges and a community center, resulting in loss of property or risk to human health. All structures would be required to comply with California Building Code standards to address risk from seismic ground-shaking. This would be a Class III, *less than significant* impact.

As discussed in Impact GEO-1, the active Calaveras Fault runs through the Regional Park Site and through Reaches Three, Four, and Five of the River Parkway corridor. Ground-shaking produced by earthquakes along this fault, as well as on the San Andreas and other faults in the greater region, could result in potentially significant impacts to structures. Earthquakes on these faults could produce peak ground accelerations, as depicted in Figure 4.6-2, estimated at 70 to 80 percent of *g*.

Ground-shaking could put structures at risk in both the proposed Regional Park and the River Parkway. In the Regional Park, any proposed structures such as a community center could be occupied by people during an earthquake. Similar risks would apply to multiple proposed bridge improvements for pedestrians, bicyclists, and/or equestrians in the River Parkway, including at the San Juan Highway crossing of the San Benito River, near the 4th Street bridge, between Riverside Park and the City of Hollister Industrial Wastewater Treatment Plant, and a potential new footbridge near the Southside Road bridge over Tres Pinos Creek. The River Parkway corridor also would include restroom facilities at staging areas.

Although nothing can ensure that structures do not fail under seismic stress, proper engineering can minimize the risk to life and property. As such, building standards have been developed for construction in areas subject to seismic ground-shaking. Adherence to the then-most recent California Building Code requirements would ensure that new structures are engineered to withstand the expected ground acceleration at a given location. In addition, the bicycle and pedestrian bridges would be constructed in compliance with applicable federal and state standards, including the American Association of State Highway and Transportation Officials (AASHTO) Load and Resistance Factor Design (LRFD) Bridge Design Specifications, the AASHTO Guide Specifications for the Design of Pedestrian Bridges (which provides standards for bridges which are designed for and intended to carry primarily pedestrians, bicyclists, equestrian riders, and light maintenance vehicles, but not designed and intended to carry typical highway traffic), and the Caltrans LRFD. Compliance with all applicable provisions of federal, state, and local construction and design standards would ensure that impacts are less than significant.

Mitigation Measures. No mitigation measures are required.

Significance After Mitigation. Impacts would be less than significant without mitigation.

Impact GEO-3 A substantial part of the River Parkway corridor, and a portion of the Regional Park Site, are at risk for seismic-related ground failure. Seismic activity could produce ground-shaking sufficient to cause liquefaction, subsidence, or settlement in these areas. This is a Class II, *significant but mitigable impact*.

According to the Summary of Geologic Constraints prepared for the project, much of the River Parkway corridor has unconsolidated soils which are moderately to very highly susceptible to liquefaction (Johnson, 2012). The potential for liquefaction is also very high throughout Reach Three of the River Parkway, near Hollister, and in a portion of the Regional Park Site (Hollister, 2005). Seismic subsidence and settlement also occur in the loose, alluvial soils that are typically associated with liquefaction hazards. Thus, these same areas may be subject to these hazards. The risk to structures, property, and people located in these areas would be potentially significant.

In areas prone to liquefaction, current structural engineering methods for foundation design may not be sufficient to prevent a building's foundation from failing in a larger earthquake which results in stronger and longer ground-shaking. However, as with ground-shaking hazards, compliance with standard design and engineering practices in the California Building Code, AASHTO LRFD Bridge Design Specifications, AASHTO Guide Specifications for the Design of Pedestrian Bridges (which provides standards for bridges which are designed for and intended to carry primarily pedestrians, bicyclists, equestrian riders, and light maintenance vehicles, but not designed and intended to carry typical highway traffic), Caltrans LRFD, and Caltrans Highway Design Manual would reduce impacts to structures, bridges, paved multi-use paths, and trail furnishings located in liquefaction hazard zones. San Benito County and the City of Hollister also have policies in place to regulate construction in areas with known soil hazards, such as liquefaction. Policies include preparation of site-specific reports on the potential for liquefaction and related geological hazards, and compliance with recommendations contained therein. Nonetheless, mitigation is required to reduce impacts associated with seismic-related ground failure to a less than significant level.

Mitigation Measures. The following mitigation measure is required.

GEO-3 Geotechnical Report. Prior to site development of each reach of the River Parkway, and of the Regional Park (including the Access Road), a detailed, site-specific geotechnical report shall be prepared by a registered civil or geotechnical engineer and reviewed by San Benito County. This report shall include confirmation of the extent of any liquefaction, subsidence, and settlement potential of the underlying materials. To the extent determined appropriate by the engineer preparing the report, adequate techniques to minimize the identified hazards shall be prescribed and implemented. Suitable measures to reduce ground-failure impacts could include, but are not limited to, the following:

- *Specialized design of foundations by a structural engineer*

- *Removal or treatment of liquefiable soils to reduce the potential for liquefaction*
- *In-situ densification of soils*
- *Replacement or recompaction of soils, or*
- *Other alterations to the ground characteristics.*

Significance After Mitigation. In addition to the project's compliance with all applicable laws and regulations, implementation of the above mitigation measure would address anticipated impacts related to seismic-related ground failure to the extent of industry standards, and as such, would reduce impacts to a less than significant level.

Impact GEO-4 The River Parkway corridor would be vulnerable to unstable soils where the San Benito River has incised slopes, where agricultural fields abut the riverbank and terrace, and where lateral scour has oversteepened the riverbank. Impacts resulting from slope instability in these areas would be Class II, significant but mitigable.

The proposed River Parkway corridor would be located in an area that could become unstable as a result of the project and potentially result in on- or off-site landslides or collapse, given the three types of slope instability along the banks of the San Benito River. First, where San Benito River cuts through hilly terrain within the Calaveras and Paicines fault zones in Reach Four, slopes which have been incised by the river may be subject to landsliding. Second, in stretches of the River Parkway corridor where agricultural fields abut the top of the natural riverbank and terrace, non-engineered fill and debris at this interface may cause instability in the riverbank. Third, soils may be unstable where lateral scour and flood events have resulted in oversteepening of the riverbanks. It should be noted that the Regional Park Site would not be vulnerable to riparian slope failure because it is not located along the bank of the San Benito River.

As a project design feature, the Master Plans' general trail guidelines call for a minimum setback of 25 feet from unstable and steep riverbank slopes; the project would adhere to this self-mitigating guideline, although the actual, ultimate width of the setback would be based on site-specific conditions. In order to ensure that implementation of this design feature would result in impacts being less than significant, mitigation would be required to confirm site-specific susceptibility to unstable slopes and to identify appropriate setbacks or stabilization.

Mitigation Measures. The following mitigation measure is required.

GEO-4 Slope Stability Evaluation. Prior to issuance of grading permits for each reach of the River Parkway, a detailed, site-specific evaluation of the stability of riverbanks and adjacent terraces shall be performed by a registered engineering geologist or a registered professional civil or geotechnical engineer. If the potential for slope failure is found to exist, then setbacks or retaining walls, where approved by a registered engineering geologist or registered professional civil or geotechnical engineer, shall be identified and implemented as part of the project. The setback distance or design of the retaining walls shall

be determined on a site-specific basis by the results of the landslide evaluation study.

Significance After Mitigation. With implementation of the above mitigation measure, the potential impacts from unstable slopes would be reduced to a less than significant level.

Impact GEO-5 The proposed River Parkway would be vulnerable to erosion from lateral scouring along waterways. Construction and operation of the River Parkway and Regional Park (including the Access Road) also could increase soil erosion due to grading activities and impervious surfaces. However, adherence to the Master Plans' guidelines and local regulations, and completion of site-specific geological surveys would ensure that impacts would be Class II, *significant but mitigable*.

The proposed River Parkway and Regional Park would be located in an area that is susceptible to soil erosion from existing environmental conditions and could potentially result in additional soil erosion from construction and operation of the project. In both the San Benito River and Tres Pinos Creek corridors, lateral scour of riverbanks may occur where the current becomes focused either by obstructions (natural or artificial) and during flood events. Grading of the River Parkway and Regional Park Site has the potential to increase soil erosion and sedimentation of waterways, if disturbed soil is not properly managed.

The proposed project also would result in a long-term increase in the amount of impervious surface in the River Parkway corridor. At the Regional Park Site, impervious or built-over areas would include the Access Road, concession/ restroom building, the community center, the amphitheater, the recreation center, basketball courts, the skate park, other potential amenities, and parking lots. On the River Parkway, the paved primary trail (with a minimum width of eight feet and a preferred width of 10 feet) and associated structures such as parking lots and staging areas could result in an increase in the volume and speed of off-site stormwater runoff, leading to additional scouring of waterways. Finally, as noted by the Master Plans, any unpaved, natural trail surfaces in the River Parkway would be susceptible to erosion. Impacts related to stormwater runoff are described in greater detail in Section 4.9, *Hydrology and Water Quality*.

To minimize the risk of erosion, the Master Plans' guidelines, which would be implemented as part of the project, include the avoidance of gradients greater than 10 percent slope on natural surface trails. In addition, native grasses and groundcovers would be planted wherever feasible for erosion control. Furthermore, it should be noted that portions of the River Parkway may be located in existing roadway corridors, which would reduce susceptibility to erosion. The implementation of Mitigation Measure GEO-4, as discussed above, also would involve imposing setbacks or stabilizing riverbanks if necessary to minimize susceptibility to lateral scouring along waterways.

In addition to applicable state and regional provisions, San Benito County and the City of Hollister have policies in place designed to eliminate and prevent erosion. For example, Policy PFS-6.8 in the County's Public Facilities and Services Element would require that all

development proposals include drainage systems that are designed and maintained to minimize soil erosion and sedimentation. Compliance with local regulatory policies, and implementation of the Master Plans' drainage and erosion control methods and trail design standards and of Mitigation Measure GEO-4, would reduce impacts related to soil erosion to a less than significant level.

Mitigation Measures. Implementation of Mitigation Measure GEO-4 would adequately address the risk of lateral scouring. No additional mitigation measures are required.

Significance After Mitigation. In addition to the project's compliance with all applicable laws and regulations, with implementation of the above mitigation measure, the potential impacts related to soil erosion would be reduced to a less than significant level after incorporation of Mitigation Measure GEO-4.

Impact GEO-6 The proposed project could result in on- or off-site liquefaction, subsidence, and collapse. Impacts would be Class II, significant but mitigable.

The same areas that are subject to seismic-related ground failure (as described in Impact GEO-3) would also be subject to non-seismically induced liquefaction, subsidence, and settlement. Refer to the discussion under Impact GEO-3 for a description of the location of these hazards along each reach.

In areas prone to liquefaction, current structural engineering methods for foundation design may not be sufficient to prevent a building's foundation from failing in a larger earthquake which results in stronger and longer ground-shaking. However, as with ground-shaking hazards, compliance with standard design and engineering practices in the California Building Code, AASHTO LRFD Bridge Design Specifications, AASHTO Guide Specifications for the Design of Pedestrian Bridges (which provides standards for bridges which are designed for and intended to carry primarily pedestrians, bicyclists, equestrian riders, and light maintenance vehicles, but not designed and intended to carry typical highway traffic), Caltrans LRFD, and Caltrans Highway Design Manual would reduce impacts to structures, bridges, paved multi-use paths, and trail furnishings located in liquefaction hazard zones. San Benito County and the City of Hollister also have policies in place to regulate construction in areas with known soil hazards, such as liquefaction. Policies include preparation of site-specific reports on the potential for liquefaction and related geological hazards, and compliance with recommendations contained therein. Nonetheless, mitigation would be required to reduce impacts associated with non-seismically induced liquefaction, subsidence, and settlement to a less than significant level.

Due to the nature of the project and the fact that excavation would not be required, the project would not increase the offsite risk of liquefaction, subsidence, or collapse.

Mitigation Measure. Mitigation Measure GEO-3 requires preparation of a geotechnical report prior to development of each reach of the River Parkway and of the Regional Park Site. To the extent determined necessary to address any seismically-induced liquefaction, subsidence, or settlement issues, then appropriate techniques to minimize hazards shall be prescribed and implemented. Refer to Impact GEO-3 for the complete mitigation measure.



Significance After Mitigation. In addition to the project's compliance with all applicable laws and regulations, implementation of mitigation measure GEO-3 would address anticipated impacts related to non-seismically induced liquefaction, subsidence, and settlement to the extent of industry standards, and as such, would reduce impacts to a less than significant level.

Impact GEO-7 Soils in the River Parkway corridor have a moderate to high potential to expand when wet or contract when dry. Shrinking and swelling of soils could create substantial risks to life or proposed facilities. This is a Class II, *significant but mitigable* impact.

As shown in Figure 11-1 of the County's General Plan Background Report, the River Parkway corridor has a moderate to high potential for expansive soils (San Benito County, 2010). These soils possess clay particles that react to moisture changes by shrinking (when they dry) or swelling (when they become wet). To the extent the project would be located in areas with expansive soils, new trail features, such as paved multi-use paths, bridges, fences, restrooms, or other trail furnishings, as well as recreational facilities on the Regional Park Site, this could create substantial risks to life or property as a result of the shrinking or swelling of soil.

Standard engineering practices in the California Building Code and the Caltrans Highway Design Manual would help reduce impacts to structures and pavement resulting from expansive soils. In addition, mitigation would be required to further reduce impacts resulting from expansive soils.

Due to the nature of the project and the fact that excavation would not be required, the project would not increase the offsite risk of expansive soils.

Mitigation Measures. The following mitigation measure is required.

GEO-7 Soil Expansion Evaluation and Minimization. The site-specific geotechnical report required in Mitigation Measure GEO-3 shall include an evaluation of the potential for soil expansion of the underlying materials. If the segment under study is confirmed as being subject to expansive soil hazards, appropriate techniques to minimize hazards shall be prescribed and implemented. Suitable measures to reduce expansive soil hazards could include, but not be limited to: design of foundations by a structural engineer and/or the replacement of soils beneath the segment.

Significance After Mitigation. In addition to the project's compliance with all applicable laws and regulations, with implementation of the above mitigation measure, impacts related to soil expansion would be reduced to a less than significant level.

c. Cumulative Impacts. Buildout of San Benito County (both in Hollister and in the unincorporated areas) will introduce new buildings, roadways, and structures that would cumulatively increase the potential for exposure to seismic and soil-related hazards. The proposed River Parkway and Regional Park would incrementally contribute to this cumulative

effect. However, seismic and soil-related hazards are typically site-specific and all new development would be subject to independent environmental review and a comprehensive regulatory framework to minimize any potential health risks to the extent feasible. Impacts associated with individual developments would be addressed on a case-by-case basis, depending upon the type and severity of geologic and soil hazards present, with implementation of appropriate mitigation measures, similar to those identified in connection with the project. Furthermore, the project's individual impacts related to geology and soils would be reduced to a less than significant level. Accordingly, the project would not have a cumulatively considerable contribution to any cumulative effect related to geology and soils and therefore no significant cumulative impacts would occur.

4.7 GREENHOUSE GAS EMISSIONS/CLIMATE CHANGE

4.7.1 Setting

a. Climate Change and Greenhouse Gases. Climate change is the observed increase in the average temperature of the Earth's atmosphere and oceans along with other substantial changes in climate (such as wind patterns, precipitation, and storms) over an extended period of time. The term "climate change" is often used interchangeably with the term "global warming," but "climate change" is preferred to "global warming" because it helps convey that there are other changes in addition to rising temperatures. The baseline against which these changes are measured originates in historical records identifying temperature changes that have occurred in the past, such as during previous ice ages. The global climate is continuously changing, as evidenced by repeated episodes of substantial warming and cooling documented in the geologic record. The rate of change has typically been incremental, with warming or cooling trends occurring over the course of thousands of years. The past 10,000 years have been marked by a period of incremental warming, as glaciers have steadily retreated across the globe. However, scientists have observed acceleration in the rate of warming during the past 150 years. Each of the past three decades has been significantly warmer than all the previous decades, and the first decade of the 21st century has been the warmest. Per the United Nations Intergovernmental Panel on Climate Change (IPCC, 2013), the understanding of anthropogenic warming and cooling influences on climate has led to a high confidence (95% or greater chance) that the global average net effect of human activities has been the dominant cause of warming since the mid-20th century (IPCC, 2013).

Gases that absorb and re-emit infrared radiation in the atmosphere are called greenhouse gases (GHGs). GHGs are present in the atmosphere naturally, are released by natural sources, or are formed from secondary reactions taking place in the atmosphere. The gases that are widely seen as the principal contributors to human-induced climate change include carbon dioxide (CO₂), methane (CH₄), nitrous oxides (N₂O), fluorinated gases such as hydrofluorocarbons (HFCs) and perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆). Water vapor is excluded from the list of GHGs because it is short-lived in the atmosphere and its atmospheric concentrations are largely determined by natural processes, such as oceanic evaporation.

GHGs are emitted by both natural processes and human activities. Of these gases, CO₂ and CH₄ are emitted in the greatest quantities from human activities. Emissions of CO₂ are largely by-products of fossil fuel combustion, whereas CH₄ results from off-gassing associated with agricultural practices and landfills. Observations of CO₂ concentrations, globally-averaged temperature, and sea level rise are generally well within the range of the extent of the earlier IPCC projections. The recently observed increases in CH₄ and N₂O concentrations are smaller than those assumed in the scenarios in the previous assessments. Each IPCC assessment has used new projections of future climate change that have become more detailed as the models have become more advanced.

Man-made GHGs, many of which have greater heat-absorption potential than CO₂, include fluorinated gases and sulfur hexafluoride (SF₆) (California Environmental Protection Agency [CalEPA], 2006). Different types of GHGs have varying global warming potentials (GWPs). The GWP of a GHG is the potential of a gas or aerosol to trap heat in the atmosphere over a specified timescale (generally, 100 years). Because GHGs absorb different amounts of heat, a common

reference gas (CO₂) is used to relate the amount of heat absorbed to the amount of the gas emissions, referred to as “carbon dioxide equivalent” (CO₂E), and is the amount of a GHG emitted multiplied by its GWP. Carbon dioxide has a 100-year GWP of one. By contrast, methane CH₄ has a GWP of 25, meaning its global warming effect is 25 times greater than carbon dioxide on a molecule per molecule basis (IPCC, 2006).

The accumulation of GHGs in the atmosphere regulates the earth’s temperature. Without the natural heat trapping effect of GHG, Earth’s surface would be about 34° C cooler (CalEPA, 2006). However, it is believed that emissions from human activities, particularly the consumption of fossil fuels for electricity production and transportation, have elevated the concentration of these gases in the atmosphere beyond the level of naturally occurring concentrations. The following discusses the primary GHGs of concern.

Carbon Dioxide. The global carbon cycle is made up of large carbon flows and reservoirs. Billions of tons of carbon in the form of CO₂ are absorbed by oceans and living biomass (i.e., sinks) and are emitted to the atmosphere annually through natural processes (i.e., sources). When in equilibrium, carbon fluxes among these various reservoirs are roughly balanced (United States Environmental Protection Agency [U.S. EPA], April 2012). CO₂ was the first GHG demonstrated to be increasing in atmospheric concentration, with the first conclusive measurements being made in the last half of the 20th Century. Concentrations of CO₂ in the atmosphere have risen approximately 40% since the industrial revolution. The global atmospheric concentration of CO₂ has increased from a pre-industrial value of about 280 parts per million (ppm) to 391 ppm in 2011 (IPCC, 2007; Oceanic and Atmospheric Association [NOAA], 2010). The average annual CO₂ concentration growth rate was larger between 1995 and 2005 (average: 1.9 ppm per year) than it has been since the beginning of continuous direct atmospheric measurements (1960–2005 average: 1.4 ppm per year), although there is year-to-year variability in growth rates (NOAA, 2010). Currently, CO₂ represents an estimated 82.8% of total GHG emissions (Department of Energy [DOE] Energy Information Administration [EIA], August 2010). The largest source of CO₂, and of overall GHG emissions, is fossil fuel combustion.

Methane. Methane (CH₄) is an effective absorber of radiation, though its atmospheric concentration is less than that of CO₂ and its lifetime in the atmosphere is limited to 10 to 12 years. It has a global warming potential approximately 25 times that of CO₂. Over the last 250 years, the concentration of CH₄ in the atmosphere has increased by 148 percent (IPCC, 2007), although emissions have declined from 1990 levels. Anthropogenic sources of CH₄ include enteric fermentation associated with domestic livestock, landfills, natural gas and petroleum systems, agricultural activities, coal mining, wastewater treatment, stationary and mobile combustion, and certain industrial processes (U.S. EPA, April 2012).

Nitrous Oxide. Concentrations of nitrous oxide (N₂O) began to rise at the beginning of the industrial revolution and continue to increase at a relatively uniform growth rate (NOAA, 2010). N₂O is produced by microbial processes in soil and water, including those reactions that occur in fertilizers that contain nitrogen, fossil fuel combustion, and other chemical processes. Use of these fertilizers has increased over the last century. Agricultural soil management and mobile source fossil fuel combustion are the major sources of N₂O emissions. The GWP of nitrous oxide is approximately 298 times that of CO₂ (IPCC, 2007).

Fluorinated Gases (HFCS, PFCS and SF₆). Fluorinated gases, such as hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfurhexafluoride (SF₆), are powerful GHGs that are emitted from a variety of industrial processes. Fluorinated gases are used as substitutes for ozone-depleting substances such as chlorofluorocarbons (CFCs), hydrochlorofluorocarbons (HCFCs), and halons, which have been regulated since the mid-1980s because of their ozone-destroying potential and are phased out under the Montreal Protocol (1987) and Clean Air Act Amendments of 1990. Electrical transmission and distribution systems account for most SF₆ emissions, while PFC emissions result from semiconductor manufacturing and as a by-product of primary aluminum production. Fluorinated gases are typically emitted in smaller quantities than CO₂, CH₄, and N₂O, but these compounds have much higher GWPs. SF₆ is the most potent GHG the IPCC has evaluated.

Greenhouse Gas Emissions Inventory. Worldwide anthropogenic emissions of GHGs were approximately 40,000 million metric tons (MMT) CO₂E in 2004, including ongoing emissions from industrial and agricultural sources, but excluding emissions from land use changes (i.e., deforestation, biomass decay) (IPCC, 2007). CO₂ emissions from fossil fuel use accounts for 56.6 percent of the total emissions of 49,000 MMT CO₂E (includes land use changes) and CO₂ emissions from all sources account for 76.7 percent of the total. Methane emissions account for 14.3 percent of GHGs and N₂O emissions account for 7.9 percent (IPCC, 2007).

Total U.S. GHG emissions were 6,821.8 MMT CO₂E in 2009 (U.S. EPA, April 2012). Total U.S. emissions have increased by 10.5 percent since 1990; emissions rose by 3.2 percent from 2009 to 2010 (U.S. EPA, April 2012). This increase was primarily due to (1) an increase in economic output resulting in an increase in energy consumption across all sectors; and (2) much warmer summer conditions resulting in an increase in electricity demand for air conditioning. Since 1990, U.S. emissions have increased at an average annual rate of 0.5 percent. In 2010, the transportation and industrial end-use sectors accounted for 32 percent and 26 percent of CO₂ emissions from fossil fuel combustion, respectively. Meanwhile, the residential and commercial end-use sectors accounted for 22 percent and 19 percent of CO₂ emissions from fossil fuel combustion, respectively (U.S. EPA, April 2012).

Based upon the California Air Resources Board (CARB) California Greenhouse Gas Inventory for 2000-2011 (CARB, October 2011), California produced 448 MMT CO₂E in 2011. The major source of GHG in California is transportation, contributing 38 percent of the state's total GHG emissions. Industrial activity is the second largest source, contributing 21 percent of the state's GHG emissions (CARB, October 2012). California emissions are due in part to its large size and large population compared to other states. However, a factor that reduces California's per capita fuel use and GHG emissions, as compared to other states, is its relatively mild climate. The CARB has projected statewide unregulated GHG emissions for the year 2020 will be 507 MMT CO₂E (CARB, August 2013). These projections represent the emissions that would be expected to occur in the absence of any GHG reduction actions.

Potential Effects of Climate Change. Globally, climate change has the potential to affect numerous environmental resources through potential impacts related to future air temperatures and precipitation patterns. Scientific modeling predicts that continued GHG emissions at or above current rates would induce more extreme climate changes during the 21st century than were observed during the 20th century. Long-term trends have found that each of the past three

decades has been warmer than all the previous decades in the instrumental record, and the decade from 2000 through 2010 has been the warmest. The global combined land and ocean temperature data show an increase of about 0.89°C (0.69°C–1.08°C) over the period 1901–2012 and about 0.72°C (0.49°C–0.89°C) over the period 1951–2012 when described by a linear trend. Several independently analyzed data records of global and regional Land-Surface Air Temperature (LSAT) obtained from station observations are in agreement that LSAT as well as Sea Surface Temperatures (SSTs) have increased. In addition to these findings, there are identifiable signs that global warming is currently taking place, including substantial ice loss in the Arctic over the past two decades (IPCC, 2013).

According to the CalEPA's 2010 *Climate Action Team Biennial Report*, potential impacts of climate change in California may include loss in snow pack, sea level rise, more extreme heat days per year, more high ozone days, more large forest fires, and more drought years (CalEPA, April 2010). Below is a summary of some of the potential effects that could be experienced in California as a result of climate change.

Sea Level Rise. According to *The Impacts of Sea-Level Rise on the California Coast*, prepared by the California Climate Change Center (CCCC) (May 2009), climate change has the potential to induce substantial sea level rise in the coming century. The rising sea level increases the likelihood and risk of flooding. Sea levels are rising faster now than in the previous two millennia, and the rise is expected to accelerate, even with robust GHG emission control measures. The most recent IPCC report (2013) predicts a mean sea-level rise of 11-38 inches by 2100. This prediction is more than 50% higher than earlier projections of 7-23 inches, when comparing the same emissions scenarios and time periods. The previous IPCC report (2007) identified a sea level rise on the California coast over the past century of approximately eight inches. Based on the results of various global climate change models, sea level rise is expected to continue. The California Climate Adaptation Strategy (December 2009) estimates a sea level rise of up to 55 inches by the end of this century.

Air Quality. Higher temperatures, which are conducive to air pollution formation, could worsen air quality in California. Climate change may increase the concentration of ground-level ozone, but the magnitude of the effect, and therefore its indirect effects, are uncertain. If higher temperatures are accompanied by drier conditions, the potential for large wildfires could increase, which, in turn, would further worsen air quality. However, if higher temperatures are accompanied by wetter, rather than drier conditions, the rains would tend to temporarily clear the air of particulate pollution and reduce the incidence of large wildfires, thereby ameliorating the pollution associated with wildfires. Additionally, severe heat accompanied by drier conditions and poor air quality could increase the number of heat-related deaths, illnesses, and asthma attacks throughout the state (CEC March, 2009).

Water Supply. Analysis of paleoclimatic data (such as tree-ring reconstructions of stream flow and precipitation) indicates a history of naturally and widely varying hydrologic conditions in California and the west, including a pattern of recurring and extended droughts. Uncertainty remains with respect to the overall impact of climate change on future water supplies in California. However, the average early spring snowpack in the Sierra Nevada decreased by about 10 percent during the last century, a loss of 1.5 million acre-feet of snowpack storage. During the same period, sea level rose eight inches along California's coast.

California's temperature has risen 1°F, mostly at night and during the winter, with higher elevations experiencing the highest increase (California Department of Water Resources [DWR], 2008; CCCC, May 2009).

This uncertainty complicates the analysis of future water demand, especially where the relationship between climate change and its potential effect on water demand is not well understood. The Sierra snowpack provides the majority of California's water supply by accumulating snow during our wet winters and releasing it slowly when we need it during our dry springs and summers. Based upon historical data and modeling DWR projects that the Sierra snowpack will experience a 25 to 40 percent reduction from its historic average by 2050. Climate change is also anticipated to bring warmer storms that result in less snowfall at lower elevations, reducing the total snowpack (DWR, 2008).

Hydrology. As discussed above, climate change could potentially affect: the amount of snowfall, rainfall, and snow pack; the intensity and frequency of storms; flood hydrographs (flash floods, rain or snow events, coincidental high tide and high runoff events); sea level rise and coastal flooding; coastal erosion; and the potential for salt water intrusion. The rate of increase of global mean sea levels over the 2001-2010 decade, as observed by satellites, ocean buoys and land gauges, was approximately 3.2 mm per year, which is double the observed 20th century trend of 1.6 mm per year (World Meteorological Organization, 2013). As a result, sea levels averaged over the last decade were about 8 inches higher than those of 1880 (WMO, 2013). Sea level rise may be a product of climate change through two main processes: expansion of sea water as the oceans warm and melting of ice over land. A rise in sea levels could result in coastal flooding and erosion and could jeopardize California's water supply due to salt water intrusion. Increased CO₂ emissions can cause oceans to acidify due to the carbonic acid it forms. Increased storm intensity and frequency could affect the ability of flood-control facilities, including levees, to handle storm events.

Agriculture. California has a \$30 billion agricultural industry that produces half of the country's fruits and vegetables. Higher CO₂ levels can stimulate plant production and increase plant water-use efficiency. However, if temperatures rise and drier conditions prevail, water demand could increase; crop-yield could be threatened by a less reliable water supply; and greater air pollution could render plants more susceptible to pest and disease outbreaks. In addition, temperature increases could change the time of year certain crops, such as wine grapes, bloom or ripen, and thereby affect their quality (CCCC, 2006).

Ecosystems and Wildlife. Climate change and the potential resulting changes in weather patterns could have ecological effects on a global and local scale. Increasing concentrations of GHGs are likely to accelerate the rate of climate change. Scientists project that the average global surface temperature could rise by 1.0-4.5°F (0.6-2.5°C) in the next 50 years, and 2.2-10°F (1.4-5.8°C) in the next century, with substantial regional variation. Soil moisture is likely to decline in many regions, and intense rainstorms are likely to become more frequent. Rising temperatures could have four major impacts on plants and animals: (1) timing of ecological events; (2) geographic range; (3) species' composition within communities; and (4) ecosystem processes, such as carbon cycling and storage (Parmesan, 2004; Parmesan, C. and H. Galbraith, 2004).

Effects Within San Benito County. Increasing temperatures in California would indirectly affect the County through changes in water supply, sea levels, water quality, agriculture, and energy consumption rates. Although various climate change models predict some increase in variability of weather patterns and an increasing incidence of extreme weather events, there is no consistency among the model results, with some predicting increased incidents of droughts and others predicting increased frequency of severe storm events. Given the uncertainty associated with projecting the type and extent of changes in climatic variability and the speculative nature of predicting incidents of extreme weather events, the effect on the country of changing patterns of storms and other extreme weather remains unclear. Based on the results of a variety of regional climate models and literature, it is reasonably foreseeable that snowpack will be reduced and/or will melt earlier or more rapidly in watersheds that feed the Central Valley Project (CVP). Consequently, changes in snowpack could affect the County indirectly by altering the timing and volume of runoff that feeds the CVP, which supplies much of the northern portion of San Benito County's water supply. As a result, CVP deliveries to the County may decrease over time (San Benito County, November 2010).

Increased risk of drought presents increased risk of wildfire hazards. However, most urbanized areas of the county are bounded by agricultural land that is actively farmed or fallow, and are not generally adjacent to any wildlands. As the county continues to grow and development encroaches further into wildland interface areas, the potential for wildland fires will increase (San Benito County, November 2010).

b. Regulatory Setting. The following regulations address both climate change and GHG emissions.

Federal Regulations. The United States is currently using a voluntary and incentive-based approach toward emissions reductions. The Climate Change Technology Program (CCTP) is a multi-agency research and development coordination effort (led by the Secretaries of Energy and Commerce) that is charged with carrying out the President's National Climate Change Technology Initiative (U.S. EPA, December 2007). However, the voluntary approach to address climate change and greenhouse gas emissions may be changing. The United States Supreme Court in *Massachusetts et al. v. Environmental Protection Agency et al.* ([2007] 549 U.S. 05-1120) held that the U.S. EPA has the authority to regulate motor-vehicle GHG emissions under the federal Clean Air Act.

The U.S. EPA issued a Final Rule for mandatory reporting of GHG emissions in October 2009. This Final Rule applies to fossil fuel suppliers, industrial gas suppliers, direct GHG emitters, and manufacturers of heavy-duty and off-road vehicles and vehicle engines, and requires annual reporting of emissions. The first annual reports for these sources were due in March 2011.

On May 13, 2010, the U.S. EPA issued a Final Rule that took effect on January 2, 2011, setting a threshold of 75,000 metric tons (MT) CO₂E per year for GHG emissions. New and existing industrial facilities that meet or exceed that threshold will require a permit after that date. On November 10, 2010, the U.S. EPA published the "PSD and Title V Permitting Guidance for Greenhouse Gases." The U.S. EPA's guidance document is directed at state agencies responsible for air pollution permits under the Federal Clean Air Act to help them understand how to

implement GHG reduction requirements while mitigating costs for industry. It is expected that most states will use the U.S. EPA's new guidelines when processing new air pollution permits for power plants, oil refineries, cement manufacturing, and other large pollution point sources.

On January 2, 2011, the U.S. EPA implemented the first phase of the Tailoring Rule for GHG emissions Title V Permitting. Under the first phase of the Tailoring Rule, all new sources of emissions are subject to GHG Title V permitting if they are otherwise subject to Title V for another air pollutant and they emit at least 75,000 MT CO₂E per year. Under Phase 1, no sources were required to obtain a Title V permit solely due to GHG emissions. Phase 2 of the Tailoring Rule went into effect July 1, 2011. At that time new sources were subject to GHG Title V permitting if the source emits 100,000 MT CO₂E per year, or they are otherwise subject to Title V permitting for another pollutant and emit at least 75,000 MT CO₂E per year.

On July 3, 2012 the U.S. EPA issued the final rule that retains the GHG permitting thresholds that were established in Phases 1 and 2 of the GHG Tailoring Rule. These emission thresholds determine when Clean Air Act permits under the New Source Review Prevention of Significant Deterioration (PSD) and Title V Operating Permit programs are required for new and existing industrial facilities.

California Regulations. California Air Resources Board (CARB) is responsible for the coordination and oversight of State and local air pollution control programs in California. Various statewide and local initiatives to reduce the State's contribution to GHG emissions have raised awareness about climate change and its potential for severe long-term adverse environmental, social, and economic effects.

Assembly Bill (AB) 1493 (2002), referred to as "Pavley," requires CARB to develop and adopt regulations to achieve "the maximum feasible and cost-effective reduction of GHG emissions from motor vehicles." On June 30, 2009, EPA granted the waiver of Clean Air Act preemption to California for its greenhouse gas emission standards for motor vehicles beginning with the 2009 model year. Pavley I took effect for model years starting in 2009 to 2016 and Pavley II, which is now referred to as "LEV (Low Emission Vehicle) III GHG" will cover 2017 to 2025. Fleet average emission standards would reach 22 percent reduction by 2012 and 30 percent by 2016. The Advanced Clean Cars program coordinates the goals of the Low Emissions Vehicles (LEV), Zero Emissions Vehicles (ZEV), and Clean Fuels Outlet programs and would provide major reductions in GHG emissions. By 2025, when the rules would be fully implemented, new automobiles would emit 34% fewer GHGs. Statewide CO₂E emissions would be reduced by 3% by 2020 and by 12% by 2025. The reduction increases to a 27% in 2035 and even further to a 33% reduction in 2050 (CARB, 2013).

In 2005, former Governor Schwarzenegger issued Executive Order (EO) S-3-05, establishing statewide GHG emissions reduction targets. EO S-3-05 provides that by 2010, emissions shall be reduced to 2000 levels; by 2020, emissions shall be reduced to 1990 levels; and by 2050, emissions shall be reduced to 80 percent of 1990 levels (CalEPA, 2006). In response to EO S-3-05, CalEPA created the Climate Action Team (CAT), which in March 2006 published the Climate Action Team Report (the "2006 CAT Report") (CalEPA, 2006). The 2006 CAT Report identified a recommended list of strategies that the state could pursue to reduce GHG emissions. These are strategies that could be implemented by various state agencies to ensure that the emission

reduction targets in EO S-3-05 are met and can be met with existing authority of the state agencies. The strategies include the reduction of passenger and light duty truck emissions, the reduction of idling times for diesel trucks, an overhaul of shipping technology/infrastructure, increased use of alternative fuels, increased recycling, and landfill methane capture, etc.

California's major initiative for reducing GHG emissions is outlined in Assembly Bill 32 (AB 32), the "California Global Warming Solutions Act of 2006," signed into law in 2006. AB 32 codifies the Statewide goal of reducing GHG emissions to 1990 levels by 2020 (essentially a 15% reduction below 2005 emission levels; the same requirement as under S-3-05), and requires CARB to prepare a Scoping Plan that outlines the main State strategies for reducing GHGs to meet the 2020 deadline. In addition, AB 32 requires CARB to adopt regulations to require reporting and verification of statewide GHG emissions.

After completing a comprehensive review and update process, CARB approved a 1990 statewide GHG level and 2020 limit of 427 MMT CO₂E. The Scoping Plan was approved by CARB on December 11, 2008, and includes measures to address GHG emission reduction strategies related to energy efficiency, water use, and recycling and solid waste, among other measures. The Scoping Plan includes a range of GHG reduction actions that may include direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, and market-based mechanisms.

In May 2014, CARB approved the first update to the AB 32 Scoping Plan. The 2013 Scoping Plan update defines CARB's climate change priorities and sets the groundwork to reach post-2020 goals set forth in Executive Orders S-3-05. The update highlights California's progress toward meeting the "near-term" 2020 GHG emission reduction goals defined in the original Scoping Plan (2008). It also evaluates how to align the State's longer-term GHG reduction strategies with other State policy priorities, such as for water, waste, natural resources, clean energy and transportation, and land use (CARB, 2014). The Scoping Plan includes a comprehensive list of recommended actions for each of the major sectors of the State-wide emissions inventory, including energy actions, transportation actions, agriculture actions, water actions, waste management actions, natural and working lands actions, short-lived climate pollutants actions, green building actions, cap-and-trade actions, and evaluations actions.

The AB 32 Scoping Plan also identifies a cap-and-trade program as one of the strategies California will employ to reduce the GHG emissions. Under the cap-and-trade program, an overall limit on GHG emissions from capped sectors will be established and facilities subject to the cap will be able to trade permits (allowances) to emit GHGs. The program began on January 1, 2012, with an enforceable compliance obligation beginning with the 2013 GHG emissions.

Executive Order S-01-07 was enacted on January 18, 2007. The order mandates that a Low Carbon Fuel Standard ("LCFS") for transportation fuels be established for California to reduce the carbon intensity of California's transportation fuels by at least 10 percent by 2020.

Senate Bill (SB) 97, signed in August 2007, acknowledges that climate change is an environmental issue that requires analysis in California Environmental Quality Act (CEQA) documents. In March 2010, the California Resources Agency (Resources Agency) adopted amendments to the State CEQA Guidelines for the feasible mitigation of GHG emissions or the effects of GHG

emissions. The adopted guidelines give lead agencies the discretion to set quantitative or qualitative thresholds for the assessment and mitigation of GHGs and climate change impacts.

CARB Resolution 07-54 establishes 25,000 metric tons of GHG emissions as the threshold for identifying the largest stationary emission sources in California for purposes of requiring the annual reporting of emissions. This threshold is just over 0.005 percent of California's total inventory of GHG emissions for 2004.

Senate Bill (SB) 375, signed in August 2008, enhances the State's ability to reach AB 32 goals by directing CARB to develop regional greenhouse gas emission reduction targets to be achieved from vehicles for 2020 and 2035. In addition, SB 375 directs each of the state's 18 major Metropolitan Planning Organizations (MPO) to prepare a "sustainable communities strategy" (SCS) that contains a growth strategy to meet these emission targets for inclusion in the Regional Transportation Plan (RTP). On September 23, 2010, CARB adopted final regional targets for reducing greenhouse gas emissions from 2005 levels by 2020 and 2035. The Monterey Bay Unified Air Pollution Control District (MBUAPCD) was assigned targets of a 0% reduction in GHGs from transportation sources from 2005 levels by 2020 and a 5% reduction in GHGs from transportation sources from 2005 levels by 2035.

In April 2011, Governor Brown signed SB 2X requiring California to generate 33% of its electricity from renewable energy by 2020.

For more information on the Senate and Assembly bills, Executive Orders, and reports discussed above, and to view reports and research referenced above, please refer to the following websites: www.climatechange.ca.gov and www.arb.ca.gov/cc/cc.htm.

California Regulations and Building Codes

California has a long history of adopting regulations to improve energy efficiency in new and remodeled buildings. These regulations have kept California's energy consumption relatively flat even with rapid population growth.

Title 24

California Code of Regulations Title 24 Part 6: California's Energy Efficiency Standards for Residential and Nonresidential Buildings, was first adopted in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy efficient technologies and methods. Energy efficient buildings require less electricity; therefore, increased energy efficiency reduces fossil fuel consumption and decreases GHG emissions. The newest version of Title 24 was adopted by the California Energy Commission (CEC) on May 31, 2012 and was scheduled to become effective on January 1, 2014. On December 11, 2013, the CEC extended the compliance date to July 1, 2014 to allow more time for the building industry and local building departments to prepare.

Title 20

California Code of Regulations, Title 20: Division 2, Chapter 4, Article 4, Sections 1601-1608: Appliance Efficiency Regulations regulates the sale of appliances in California. The Appliance Efficiency Regulations include standards for both federally regulated appliances and non-

federally regulated appliances. Twenty-three categories of appliances are included in the scope of these regulations. The standards within these regulations apply to appliances that are sold or offered for sale in California, except those sold wholesale in California for final retail sale outside the state and those designed and sold exclusively for use in recreational vehicles or other mobile equipment (CEC 2012).

California Green Building Standards Code

The California Green Building Standards Code is a comprehensive and uniform regulatory code for all residential, commercial, and school buildings that went in effect January 1, 2011. It does not prevent a local jurisdiction from adopting a more stringent code as state law provides methods for local enhancements. The Code recognizes that many jurisdictions have developed existing construction and demolition ordinances, and defers to them as the ruling guidance provided they provide a minimum 50-percent diversion requirement. The code also provides exemptions for areas not served by construction and demolition recycling infrastructure. State building code provides the minimum standard that buildings need to meet in order to be certified for occupancy. Enforcement is generally through the local building official.

Heavy Duty Vehicle Aerodynamic Efficiency

This measure would require existing trucks/trailers to be retrofitted with the best available technology and/or ARB approved technology. Technologies that reduce GHG emissions and improve the fuel efficiency of trucks may include devices that reduce aerodynamic drag and rolling resistance. The 2020 estimated GHG reductions could be up to 6.4 MMTCO₂e nationwide, of which about 0.93 MMTCO₂e or about 15 percent would occur within California.

Medium and Heavy Duty Vehicle Hybridization

Hybrid technology provides the greatest benefit when used in vocational applications that have significant urban, stop-and-go driving, idling, and power take-off operations in their duty cycle. Such applications include parcel delivery trucks and vans, utility trucks, garbage trucks, transit buses, and other vocational work trucks. The CARB Scoping Plan estimates that hybridization provides an estimated reduction of 0.5 MMTCO₂e per year in 2020.

High GWP Gas Regulations

The State has adopted refrigerant management regulations that apply to commercial air conditioning and refrigeration systems. The regulations require increased leak detection and related repairs and maintenance. CARB estimated that the regulation would reduce emissions from regulated sources by 50 percent.

California Environmental Quality Act. Pursuant to the requirements of SB 97, the Resources Agency has adopted amendments to the *State CEQA Guidelines* for the feasible mitigation of GHG emissions or the effects of GHG emissions. As noted previously, the adopted *CEQA Guidelines* provide general regulatory guidance on the analysis and mitigation of GHG emissions in CEQA documents, while giving lead agencies the discretion to set quantitative or qualitative thresholds for the assessment and mitigation of GHGs and climate change impacts. To date, the Bay Area Air Quality Management District (BAAQMD), the South Coast Air Quality Management District (SCAQMD), the San Luis Obispo Air Pollution Control District

(SLOAPCD), and the San Joaquin Air Pollution Control District (SJVAPCD) have adopted quantitative significance thresholds for GHGs. The MBUAPCD, as the regional air agency for the North Central Coast Air Basin, has air-permitting authority in San Benito County. In February 2008, the MBUAPCD issued revised adopted guidance for assessing and reducing the impacts of project-specific air quality emissions: CEQA Air Quality Guidelines. This document included a reserved section to address project-specific GHG emissions: Climate Change and Assessment of Project Impacts from Greenhouse Gases. To date, the MBUAPCD has not adopted guidance for GHG emissions inventory, or established significance thresholds for GHG emissions.

Local Regulations.

MBUAPCD Air Quality Planning Documents. As described above, MBUAPCD provides guidance for assessing and reducing the impacts of project-specific air quality emissions: CEQA Air Quality Guidelines. However, MBUAPCD has not established significance thresholds for GHG emissions.

2035 County General Plan Update. The 2035 General Plan Update Land Use Element, Circulation Element, Public Facilities and Services Element, and Health and Safety Element, provide the following goals, policies and objectives pertaining to greenhouse gas emissions.

Land Use Element:

- LU-1.2 *Sustainable Development Patterns. The County shall promote compact, clustered development patterns that use land efficiently; reduce pollution and the expenditure of energy and other resources; and facilitate walking, bicycling, and transit use; and encourage employment centers and shopping areas to be proximate to residential areas to reduce vehicle trips. Such patterns would apply to infill development, unincorporated communities, and the New Community Study Areas. The County recognizes that the New Community Study Areas comprise locations that can promote such sustainable development.*
- Goal LU-2 *To promote energy efficiency through innovative and sustainable building and site design.*
- LU-2.1 *Sustainable Building Practices. The County shall promote, and where appropriate, require sustainable building practices that incorporate a “whole system” approach to designing and constructing buildings that consume less energy, water, and other resources; facilitate natural ventilation; use daylight efficiently; and are healthy, safe, comfortable, and durable.*
- LU-2.2 *Green Sustainable Building Practices. The County shall encourage sustainable building practices that go beyond the minimum requirements of the Title 24 CalGreen Code (i.e., Tier 1 or Tier 2 measures) and to design new buildings to achieve a green building standard such as Leadership in Energy and Environmental Design (LEED).*

LU-2.6. *Green Building Standard. The County shall require all new County buildings be constructed to green building standards, such as Leadership in Energy and Environmental Design (LEED), and all existing County buildings to be retrofitted with energy efficient technologies.*

LU-2.7 *Sustainable Location Factor. The County shall encourage new development in locations that provide connectivity between existing transportation facilities to increase efficiency, reduce congestion, and improve safety.*

Circulation Element:

C-2.1 *Bicycle, Pedestrian, and Equestrian Systems. The County shall encourage complete, safe, and interconnected bicycle, pedestrian, and equestrian systems, as appropriate to the context, that serve both commuter travel and recreational use, and provide access to major destinations in the county.*

C-2.2 *Pedestrian and Bike Path Construction. The County shall plan, design, and construct pedestrian routes and bikeways consistent with the 2009 County Bikeway and Pedestrian Master Plan or its succeeding plan. Priority shall be given to bicycle commuting routes, routes to schools, bike lanes on all new streets classified as arterials or collectors, and bike lanes on or adjacent to existing heavily traveled roads.*

Public Facilities and Services Element:

PFS-7.5 *Waste Diversion. The County shall require waste reduction, recycling, composting, and waste separation to reduce the volume and toxicity of solid wastes sent to landfill facilities and to meet or exceed State waste diversion requirements of 50 percent.*

PFS-7.6 *Construction Materials Recycling. The County shall encourage recycling and reuse of construction waste, including recycling materials generated by the demolition of buildings, with the objective of diverting 50 percent to a certified recycling processor. The County shall encourage salvaged and recycled materials for use in new construction.*

PFS-8.7 *Renewable Energy Grid-Connections. The County shall coordinate with public utility providers to design their facilities so that private and public onsite renewable energy facilities (e.g. solar, wind, biomass, geothermal) can connect to the larger electricity grid.*

Health and Safety Element:

HS-5.7. *Greenhouse Gas Emission Reductions. The County shall promote greenhouse gas emission reductions by supporting carbon efficient farming methods (e.g., methane capture systems, no-till farming, crop rotation, cover cropping); supporting the installation of renewable energy technologies; and protecting grasslands, open space, oak woodlands, riparian forest and farmlands from conversion to urban uses.*

- HS-5.8. *GHG Reduction Targets. The County shall strive to reduce greenhouse gas (GHG) emissions by 15 percent below 2010 levels by 2020, and establish a long-term goal to reduce GHG emissions by 80 percent below 1990 levels by 2050.*
- HS-5.9. *GHG Reduction Monitoring. The County shall monitor progress in meeting its greenhouse gas reduction targets and make appropriate adjustments to its programs and standards to further efforts to achieve GHG reduction targets.*

4.7.2 Impact Analysis

a. Methodology and Significance Thresholds. The *State CEQA Guidelines* provides for the analysis and feasible mitigation of GHG emissions or the effects of GHG emissions. Section 15064.4, and Appendix G of the *State CEQA Guidelines* provide guidance regarding the criteria that may be used to assess whether a project's impacts on climate change are significant. These guidelines are used in evaluating the cumulative significance of GHG emissions from the proposed Project. Section 15064.4(a) provides lead agencies with the discretion to determine, in the context of a particular project, whether to:

- 1) *Use a model or methodology to quantify greenhouse gas emissions resulting from a project, and which model or methodology to use. The lead agency has discretion to select the model or methodology it considers most appropriate provided it supports its decision with substantial evidence. The lead agency should explain the limitations of the particular model or methodology selected for use; and/or*
- 2) *Rely on a qualitative analysis or performance based standards.*

Section 15064.4(b) states that a lead agency should consider the following factors when assessing the significance of impacts from GHG emissions:

- 1) *The extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting.*
- 2) *Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project.*
- 3) *The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions.*

According to the adopted CEQA Guidelines, impacts related to GHG emissions from the proposed project would be significant if the project would:

- *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; and/or*
- *Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.*

The vast majority of individual projects do not generate sufficient GHG emissions to create an individual (non-cumulative) project-specific impact through a direct influence to climate change; therefore, the issue of climate change typically involves an analysis of whether a



project's contribution towards an impact is cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, other current projects, and probable future projects (CEQA Guidelines, Section 15355).

For probable future projects, the significance of GHG emissions may be evaluated based on locally adopted quantitative thresholds, or consistency with a regional GHG reduction plan (such as a Climate Action Plan).

Neither the State, MBUAPCD, nor San Benito County have adopted GHG emissions thresholds, and no GHG emissions reduction plan with established GHG emissions reduction strategies has yet been adopted. The MBUAPCD is currently in the process of developing GHG emissions thresholds for evaluating projects under CEQA. According to an MBUAPCD staff report to the District Board of Directors, MBUAPCD currently recommends a threshold of 10,000 metric tons (MT) of CO₂e per year for stationary source projects and a threshold of 2,000 MT CO₂e per year for land-use projects or compliance with an adopted GHG Reduction Plan/Climate Action Plan. MBUAPCD is currently evaluating a percentage-based threshold option (MBUAPCD, 2013). However, MBUAPCD does not have a formally adopted policy recommending specific thresholds; therefore neither of these thresholds is in effect at this time.

In April 2012, SLOAPCD, which is adjacent to MBUAPCD to the south, adopted quantitative emissions thresholds for carbon dioxide equivalent (MT CO₂e) for most land use projects (SLOAPCD *CEQA Handbook*, Section 3.5.1, Significance Thresholds for Project-Level Operational Emissions, April 2012). The SLOAPCD *CEQA Handbook* includes a bright-line threshold of 1,150 MT CO₂e.

The MBUAPCD encourages lead agencies to consider a variety of metrics for evaluating GHG emissions and related mitigation measures as they best apply to the specific project. As identified in §15064.7(c) of the CEQA Guidelines, a lead agency may consider thresholds of significance previously adopted or recommended by other public agencies or recommended by experts, provided the decision of the lead agency to adopt such thresholds is supported by substantial evidence. The County, in its discretion, has determined that given the nature of the proposed project, the most appropriate threshold available to evaluate potential GHG emissions impacts is the SLOAPCD's adopted bright-line threshold of 1,150 MT CO₂e. The SLOAPCD "bright-line threshold" was developed to help reach the AB 32 emission reduction targets by attributing an appropriate share of the GHG reductions needed from new land use development projects subject to CEQA. Land use sector projects that comply with this threshold would not be "cumulatively considerable" because they would be helping to solve the cumulative problem by helping to reach the AB 32 emission reduction targets. Such small sources would not significantly add to global climate change and would not hinder the state's ability to reach the AB 32 goal, even when considered cumulatively. The threshold is intended to assess small and average-sized projects, whereas the per-service population guideline is intended to avoid penalizing larger projects that incorporate GHG-reduction measures such that they may have high total annual GHG emissions, but would be relatively efficient, as compared to projects of similar scale. Therefore, the bright-line threshold is the most appropriate threshold for the project, and the project's contribution to cumulative impacts

related to GHG emissions and climate change would be cumulatively considerable if the project would result in emissions in excess of 1,150 metric tons of CO₂e per year.

Study Methodology. Calculations of CO₂, CH₄, and N₂O emissions are provided to identify the magnitude of potential project effects. The analysis focuses on CO₂, CH₄, and N₂O because these make up 98.9 percent of all GHG emissions by volume (IPCC, 2007) and are the GHG emissions that the project would emit in the largest quantities. Fluorinated gases, such as HFCs, PFCs, and SF₆, were also considered for the analysis. However, because the project is a trail and park project, the quantity of fluorinated gases would not be significant since fluorinated gases are primarily associated with industrial processes. Emissions of all GHGs are converted into their equivalent weight in CO₂ (CO₂E). Minimal amounts of other main GHGs (such as chlorofluorocarbons [CFCs]) would be emitted; however, these other GHG emissions would be nominal and not substantially add to the calculated CO₂E amounts. Calculations are based on the methodologies discussed in the California Air Pollution Control Officers Association (CAPCOA) *CEQA and Climate Change* white paper (January 2008) and included the use of the California Climate Action Registry (CCAR) General Reporting Protocol (January 2009).

On-Site Operational Emissions. Operational emissions from energy use (electricity and natural gas use) for the project were estimated using the California Emissions Estimator Model (CalEEMod) 2011 Version 2013.2.2 software program (see Appendix B for calculations). The default values on which the CalEEMod software program are based include the California Energy Commission (CEC) sponsored California Commercial End Use Survey (CEUS) and Residential Appliance Saturation Survey (RASS) studies. CalEEMod provides operational emissions of CO₂, N₂O and CH₄. This methodology is considered reasonable and reliable for use, as it has been subjected to peer review by numerous public and private stakeholders, and in particular by the CEC. It is also recommended by CAPCOA (January 2008).

Emissions associated with area sources, including consumer products, landscape maintenance, and architectural coating were calculated in CalEEMod and utilize standard emission rates from CARB, U.S. EPA, and district supplied emission factor values (CalEEMod User Guide, 2011).

Emissions from waste generation were also calculated in CalEEMod and are based on the IPCC's methods for quantifying GHG emissions from solid waste using the degradable organic content of waste (CalEEMod User Guide, 2011). Waste disposal rates by land use and overall composition of municipal solid waste in California was primarily based on data provided by the California Department of Resources Recycling and Recovery (CalRecycle).

Emissions from water and wastewater usage calculated in CalEEMod were based on the default electricity intensity from the CEC's 2006 Refining Estimates of Water-Related Energy Use in California using the average values for Northern and Southern California.

Direct Emissions from Mobile Combustion. Emissions of CO₂ and CH₄ from transportation sources for the proposed project were quantified using the CalEEMod software model. Because the CalEEMod software program does not calculate N₂O emissions from mobile sources, N₂O emissions were quantified using the California Climate Action Registry General Reporting Protocol (January 2009) direct emissions factors for mobile combustion (see Appendix B for calculations). The estimate of total daily trips associated with the proposed project was based on

the traffic study prepared by Wood Rodgers (June 2014) and was calculated and extrapolated to derive total annual mileage in CalEEMod. Emission rates for N₂O emissions were based on the vehicle mix output generated by CalEEMod and the emission factors found in the California Climate Action Registry General Reporting Protocol.

A limitation of the quantitative analysis of emissions from mobile combustion is that emission models, such as CalEEMod, evaluate aggregate emissions, meaning that all vehicle trips and related emissions assigned to a project are assumed to be new trips and emissions generated by the project itself. Such models do not demonstrate, with respect to a regional air quality impact, what proportion of these emissions are actually “new” emissions, specifically attributable to the project in question. For most projects, the main contributor to regional air quality emissions is from motor vehicles; however, the quantity of vehicle trips appropriately characterized as “new” is usually uncertain as traffic associated with a project may be relocated trips from other locales. In other words, vehicle trips associated with the project may include trips relocated from other existing locations, as people begin to use the proposed project instead of similar existing recreational uses. Therefore, because the proportion of “new” versus relocated trips is unknown, the VMT estimate generated by CalEEMod (and based upon the daily traffic trip rates provided in the traffic study prepared by Wood Rodgers (June 2014) is used as a conservative, reasonable “worst-case” estimate.

Construction Emissions. Although construction activity is addressed in this analysis, CAPCOA does not discuss whether any of the suggested threshold approaches (as discussed below in *GHG Cumulative Significance*) adequately address impacts from temporary construction activity. As stated in the *CEQA and Climate Change* white paper, “more study is needed to make this assessment or to develop separate thresholds for construction activity” (CAPCOA, 2008). For purposes of this analysis, in order to estimate the annual emissions that would result from construction activity associated with the Project, GHGs from construction projects are quantified and amortized over the life of the Project. The amortized construction emissions are added to the annual average operational emissions and then compared to the applicable operational threshold. To amortize the emissions over the life of the project, the total GHG emissions for the construction activities are quantified, then divided by the project life then added to the annual operational phase GHG emissions. For the purpose of this analysis, the estimated project lifetime was assumed to be 50 years. A 50-year project lifetime is within the range used by air districts that employ this methodology for annualizing short-term emissions, including SLOAPCD (SLOAPCD, April 2012).

Construction of the proposed project would generate temporary GHG emissions primarily due to the operation of construction equipment, paving, grading and truck trips. Site preparation and grading typically generate the greatest amount of emissions due to the use of grading equipment and soil hauling. The CalEEMod software program was used to estimate emissions associated with the construction period, based on parameters such as the duration of construction activity, area of disturbance, and anticipated equipment use during construction. As described in Section 4.3, *Air Quality*, for purposes of a conservative analysis, construction of the entire River Parkway (all five segments) and the Regional Park at the same time was assumed to occur over approximately one year in CalEEMod. It should be noted that, depending on funding availability and other local factors, because more than one segment of the trail could be constructed at one time, the potential for all segments and the Regional Park to be constructed at once was determined to result in a conservative, reasonable worst case

scenario as this approach would result in the greatest amount of GHG emissions (as more onsite construction would be utilized simultaneously). Complete results from CalEEMod and assumptions can be viewed in Appendix B.

b. Project Impacts and Mitigation Measures.

Impact GHG-1 The proposed project would generate greenhouse gas emissions during construction and operation. Construction emissions would primarily be generated by construction equipment, truck trips, grading, and paving. Operational emissions would be generated by vehicle trips by trail and park users, energy use, water use, and solid waste generated at the park use and along the trails. Nevertheless, overall greenhouse gas emissions from the proposed project would not exceed significance thresholds. Impacts would be Class III, *less than significant*.

Construction GHG Emissions. Construction of the proposed project would result in the generation of greenhouse gas emissions, primarily from construction equipment emissions, truck trips, grading, and paving. As a reasonable worst-case scenario, construction of the entire River Parkway (all five segments) and the Regional Park (including the Access Road) was modeled to represent the largest area of disturbance and was assumed to occur over approximately one year. The construction length is consistent with the analysis in Section 4.3, *Air Quality*. Greenhouse gas modeling assumptions and results are included in Appendix B.

Table 4.7-1 illustrates the estimated annual and total CO₂E emissions during construction of the proposed project. Based on CalEEMod results, construction activity for the project would generate an estimated 3,802 metric tons of carbon dioxide equivalent (CO₂E) units (as shown in Table 1). Amortized over a 50-year period (the assumed life of the project), construction of the proposed project would generate about 76 metric tons of CO₂E per year.

**Table 4.7-1
 Estimated GHG Construction Emissions**

Year	MT CO ₂ E
Year 1	3,802
Total Construction Emissions	3,802
Amortized over 50 years	76 metric tons per year

Source: CalEEMod v.2013.2.2. See Appendix B for Calculations

Operational Indirect and Stationary Direct Emissions.

Area Source Emissions. The CalEEMod model was used to calculate direct sources of air emissions for the project. This includes landscape maintenance equipment. The project would involve recreation facilities, which do not typically have large rates of emissions associated with consumer products (other types of area source emissions); therefore, emissions from the

proposed project associated with consumer products would be negligible. As shown in Table 4.7-2, area sources would generate approximately 0.015 metric tons CO₂E per year.

Table 4.7-2
Estimated Area Source Greenhouse Gas Emissions

Emission Source	Annual Unmitigated Emissions (Carbon Dioxide Equivalent (CO₂E))
Landscaping	0.0152 metric tons
Total	0.0152 metric tons

Source: See Appendix B for calculations and for GHG emission factor assumptions.

Energy Use. Operation of the River Parkway and the Regional Park project would consume electricity (see Appendix B for calculations). The generation of electricity through combustion of fossil fuels typically yields CO₂, and to a smaller extent, N₂O and CH₄. As discussed above, annual electricity can be calculated using default values from the CEC sponsored CEUS and RASS studies which are built into CalEEMod. As shown in Table 4.7-3, electricity consumption associated with the project would generate approximately 121 metric tons of CO₂E per year. Thus, overall energy use at the project site would generate approximately 121 metric tons of CO₂E per year.

Table 4.7-3
Estimated Annual Energy-Related Greenhouse Gas Emissions

Emission Source	Annual Unmitigated Emissions (Carbon Dioxide Equivalent (CO₂E) (approx.)
Electricity	121 metric tons
Total	121 metric tons

Source: See Appendix B for calculations and for GHG emission factor assumptions.

Solid Waste Emissions. For solid waste generated onsite, it is anticipated that the project would generate approximately 32 metric tons of solid waste per year according to CalEEMod output. As shown in Table 4.7-4, based on this estimate, the project would generate approximately 15 metric tons of CO₂E per year.

**Table 4.7-4
Estimated Annual Solid Waste Greenhouse Gas Emissions**

Emission Source	Annual Unmitigated Emissions (Carbon Dioxide Equivalent (CO₂E) (approx.))
Solid Waste	15 metric tons

Source: See Appendix B for calculations and GHG emission factor assumptions.

Water Use Emissions. It is anticipated that the project would use approximately 40 million gallons of water per year. Based on the amount of electricity generated in order to supply this amount of water, as shown in Table 4.7-5, the project would generate approximately 46 metric tons of CO₂E per year.

**Table 4.7-5
Estimated Greenhouse Gas Emissions from Water Use**

Emission Source	Annual Unmitigated Emissions (Carbon Dioxide Equivalent (CO₂E) (approx.))
Water Use	46 metric tons

Source: See Appendix B for calculations and GHG emission factor assumptions.

Transportation Emissions. Mobile source GHG emissions were estimated using the average daily trips derived from the traffic analysis prepared by Wood Rodgers (June 2014) and by the total vehicle miles traveled (VMT) estimated in CalEEMod. Based on the CalEEMod estimate, onsite development would generate approximately 1,379,356 annual VMT.

Table 4.7-6 shows the estimated mobile emissions of GHGs for the project based on the estimated annual VMT.

**Table 4.7-6
Estimated Annual Mobile Emissions of Greenhouse Gases**

Emission Source	Annual Unmitigated Emissions (Carbon Dioxide Equivalent (CO₂E) (approx.))
Mobile Emissions (CO ₂ & CH ₄) ¹	794 metric tons
Mobile Emissions (N ₂ O) ²	35 metric tons
Total	829 metric tons

Source:

¹ See Appendix B for calculations in CalEEMod Model output.

² See Appendix B for calculations, which were made in accordance with California Climate Action Registry General Reporting Protocol, Reporting Entity-Wide Greenhouse Gas Emissions, Version 3.1, January 2009, page 30-35.

As noted above, CalEEMod does not calculate N₂O emissions related to mobile sources. As such, N₂O emissions were calculated based on the project's VMT using calculation methods



provided by the California Climate Action Registry General Reporting Protocol (January 2009). As shown in Table 4.7-6 below, the project would generate approximately 829 metric tons of CO₂E units associated with mobile emissions.

Combined Construction, Stationary and Mobile Source Emissions. Table 4.7-7 combines the construction, stationary and mobile GHG emissions associated with onsite development for the proposed project. Construction emissions associated with construction activity (approximately 3,802 metric tons CO₂E) are amortized over 50 years (the anticipated life of the project).

**Table 4.7-7
 Combined Annual Emissions of Greenhouse Gases**

Emission Source	Annual Unmitigated Emissions
Construction	76 metric tons CO ₂ E
Stationary	
Area	0.02 metric tons CO ₂ E
Energy	121 metric tons CO ₂ E
Solid Waste	15 metric tons CO ₂ E
Water	46 metric tons CO ₂ E
Mobile	829 metric tons CO ₂ E
Total	1,087 metric tons CO₂E

Sources: See Appendix for calculations and for GHG emission factor assumptions.

For the proposed project, the combined annual emissions would total approximately 1,087 metric tons per year in CO₂E units. These emission projections indicate that the majority of the project's GHG emissions are associated with vehicular travel approximately (73%). However, as noted above, mobile emissions are in part a redirection of existing travel to other locations, and so are already a part of the total California GHG emissions, and thus this figure is considered conservative. Nevertheless, because the proposed project's increase of total GHG emissions (approximately 1,087 metric tons CO₂E) would not exceed the SLOAPCD's suggested total threshold of 1,150 metric tons CO₂E, overall impacts related to the contribution to regional GHG emissions would be less than significant.

Mitigation Measures. No mitigation measures are required.

Significance After Mitigation. The proposed project's contribution to cumulative GHG emissions would be less than significant without mitigation.

Impact GHG-2 The proposed project would be consistent with the Climate Action Team GHG reduction strategies and the 2008 Attorney General Greenhouse Gas Reduction Measures. As a result, the project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions. Impacts would be Class III, *less than significant*.

San Benito County has not adopted a Climate Action Plan or other GHG reduction plan. In addition, AMBAG has prepared a regional Sustainable Communities Strategy (SCS) designed to

help the region achieve its SB 375 GHG emissions reduction target, thereby contributing to the overall GHG emissions reduction goals identified in AB 32. The 2035 MTP/SCS (adopted 2014) redistributes growth within the region to focus growth within existing urban areas. The proposed project would be consistent with the intent of the AMBAG SCS as it would provide infill development for the park site, providing additional recreation opportunities in a location in close proximity to residential uses. In addition, the River Parkway would provide additional pedestrian and bicycle access throughout the County and may help to reduce vehicle miles traveled (VMT) (and associated greenhouse gas emissions associated with those vehicle trips) as residents of the region could utilize this trail network for commute purposes in addition to recreation purposes.

CalePA's Climate Action Team (CAT) published the 2006 CAT Report which includes GHG emissions reduction strategies intended for projects emitting less than 10,000 tons CO₂e/year. In addition, the California Attorney General's Office has developed Global Warming Measures (2008) and OPR's CEQA and Climate Change (CAPCOA, 2008) document includes greenhouse gas reduction measures intended to reduce GHG emissions in order to achieve statewide emissions reduction goals. All of these measures aim to curb the GHG emissions through suggestions pertaining to land use, transportation, renewable energy, and energy efficiency. Several of these actions are already required by California regulations, such as:

- AB 1493 (Pavley) requires the state to develop and adopt regulations that achieve the maximum feasible and cost-effective reduction of climate change emissions emitted by passenger vehicles and light duty trucks.
- In 2004, CARB adopted a measure to limit diesel-fueled commercial motor vehicle idling.
- The Integrated Waste Management Act of 1989, (AB 939, Sher, Chapter 1095, Statutes of 1989) established a 50% waste diversion mandate for California.
- Public Resources Code 25402 authorizes the CEC to adopt and periodically update its building energy efficiency standards (that apply to newly constructed buildings and additions to and alterations to existing buildings).
- California's Renewable Portfolio Standard (RPS), established in 2002, requires that all load serving entities achieve a goal of 33 percent of retail electricity sales from renewable energy sources by 2020, within certain cost constraints.
- Green Building Executive Order, S-20-04 (CA 2004), sets a goal of reducing energy use in public and private buildings by 20 percent by the year 2015, as compared with 2003 levels.

The proposed project would be required to comply with these existing State regulations to the extent applicable, which have been adopted to achieve the overall GHG emissions reduction goals identified in AB 32.

In addition, as described in Section 4.7.1(e), the 2035 General Plan Update include several goals and policies that encourage energy and water conservation techniques and energy efficiency in all new building design, orientation and construction, and establish development and construction standards which encourage energy conservation. Consistent with the above-referenced General Plan goals and policies, any buildings associated with the proposed Regional Park would be required to incorporate energy-efficient features including roof colors

and materials that meet or exceed Energy Star requirements to reduce the heat island effect; energy and water-efficient appliances, fixtures, lighting, and windows that meet or exceed state energy performance standards; high-efficient air conditioners; and Energy Star bath fans in restrooms. Further, the project would provide additional opportunities in the County for pedestrians and bicyclists that may utilize the proposed trail segments of the River Parkway. Further, any buildings or structures that would be part of the proposed Regional Park would be required to be constructed to green building standards, such as Leadership in Energy and Environmental Design (LEED) as suggested by Policy LU-2.2. Further, any buildings at the Regional Park would be required to be consistent with the most recent version of Title 24 ensuring building energy efficiency and any appliance used at the Regional Park would need to be consistent with Title 20 requirements. As such, the proposed project would comply with the above-referenced General Plan goals and policies, and result in indirect GHG emission reductions consistent with the County's GHG reduction goals and targets.

As described in Section 4.7.1(e), MBUAPCD has not established significance thresholds for GHG emissions, nor has MBUAPCD adopted specific goals or policies designed to reduce GHG emissions; however, the River Parkway and Regional Park would be required to comply with applicable state regulations and MBUAPCD AQMP Plans and policies intended to reduce criteria pollutant emissions (refer to Section 4.3, *Air Quality*, for additional detail regarding adopted MBUAPCD Plans) which would also reduce GHG emissions from the proposed project. Because the proposed project would be required to comply with State regulations adopted to achieve the overall GHG emissions reduction goals identified in AB 32, as well as applicable state regulations and MBUAPCD AQMP Plans and policies to reduce criteria pollutant emissions, and would also implement adopted County goals and policies that encourage energy and water conservation techniques and energy efficiency in all new building design, orientation and construction, and establish development and construction standards which encourage energy conservation, the proposed project would not conflict with any applicable plan, policy or regulation intended to reduce GHG emissions. Therefore, this impact would be less than significant.

Mitigation Measures. No mitigation would be required.

Significance After Mitigation. Impacts would be less than significant without mitigation.

c. Cumulative Impacts. Greenhouse gases and climate change are, by definition, cumulative impacts. As discussed in Impact GHG-1, the proposed project's contribution to regional GHG emissions would be less than significant. In addition, the proposed project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions. Active transportation has been credited with not producing greenhouse gases (GHGs) that contribute to climate change, and are therefore modes that are generally consistent with statewide emissions reduction goals pursuant to AB 32. Moreover, long-term use of the proposed project's River Parkway would divert commute, utilitarian and recreational trips towards the use of non-motorized transportation modes to a certain extent. Therefore, the greenhouse gas emissions from the proposed River Parkway and Regional Park project would not be cumulatively considerable.

4.8 HAZARDS/HAZARDOUS MATERIALS

4.8.1 Setting

The San Benito County River Parkway corridor is an approximately 20-mile-long trail corridor in northwestern San Benito County. The River Parkway component of the project would extend through unincorporated County land, primarily along the winding San Benito River, and through City of Hollister land near the 4th Street bridge. The project also includes a regional park along the trail corridor. The River Parkway corridor is separated into five reaches. Reach One, at the western portion of the River Parkway corridor, is adjacent to agricultural uses. Reach Two is adjacent to agricultural, rural residential, and municipal and light industrial uses including the City of Hollister's Domestic Water Reclamation Facility and sand and gravel mining operations. Reach Three passes alongside residential neighborhoods, the proposed Regional Park Site, and public facilities in City of Hollister to the north, as well as agricultural fields, rural residences, and Riverside Park to the north. Reach Four is bordered by agricultural fields and rural residences, while Reach Five is surrounded by agricultural fields, rural residences, sand and gravel mining operations, and the County Historical Park. The Regional Park Site is located between the River Parkway corridor to the south and San Benito High School to the north, and west of San Benito Street and would include an Access Road that would connect Nash Road to San Benito Street through the park site.

a. General Hazards Associated with Historical Uses Onsite and Adjacent Land Uses.

The San Benito River Parkway corridor abuts agricultural uses along the majority of the length of the corridor and adjacent to the proposed Regional Park Site. The corridor primarily aligns with the San Benito River and Tres Pinos Creek.

Historical agricultural operations in the project vicinity likely involved the use of organochlorine pesticides. Furthermore, herbicides were commonly used as a defoliant to control weeds along railroad corridors. Residual amounts of these chemicals could exist in surficial soils along the proposed trail corridor and in the Regional Park Site.

b. Hazards Associated with Current Adjacent Land Uses. Adjacent current land uses include agricultural operations adjacent to the proposed trail and park, as well as adjacent industrial uses in Reach Two (through the City of Hollister) and Reach 5 near sand and gravel mining operations. A variety of chemicals are used on agricultural crops in San Benito County. Chemicals are used as pesticides, herbicides, and nutrients. Due to the large amount of agricultural land uses, the variety of crops, and the changing agricultural techniques used in the project vicinity, compilation of a complete list of the chemicals used is beyond the scope of this analysis. Chemicals used in industrial operations are dependent on the type of operation and associated manufacturing processes. The potential hazards associated with these and other adjacent land uses are described below.

Agricultural Pesticides. In general, pesticide use can result in health impacts to those who come in contact with such chemicals. The San Benito County Agricultural Commissioner's office retains a registry of pesticides used on individual agricultural parcels in the County.

The California Office of the U.S. Environmental Protection Agency (Cal EPA), Department of



Pesticide Regulations (DPR) is the state agency that sets regulatory standards for pesticides, whether in homes or agriculture. DPR establishes regulatory practices that determine when and how a pesticide is applied and establishes safety precautions. The California Occupational Health and Safety Administration (Cal/OSHA) also establishes workplace standards for pesticide use to protect farm workers. DPR uses “signal words” to classify pesticides. This classification ranges, in order of decreasing severity, from “danger,” to “warning,” to “caution”. These classifications are based upon testing of the entire formulation, active and inactive ingredients, and indicate acute, short term health hazards, such as those resulting from inhalation, eye contact, ingestion, dermal absorption, and dermal irritation. Additionally, the long term effects of exposure to some of these pesticides may be considered carcinogenic. A lifetime exposure to a pesticide (70 years) is assumed for a carcinogen.

People can be exposed to agricultural chemicals through ingestion, inhalation, and dermal contact. The most likely paths of exposure are ingestion and inhalation of the chemicals during and after they are applied to the crops, either by aircraft or by more conventional methods. Some chemicals used can produce acute effects on humans exposed to elevated levels. For instance, methyl bromide has been publicized as creating nausea and other effects for residents adjacent to areas in which fumigation has occurred. Initial acute effects may include headache, dizziness, nausea or vomiting, chest and abdominal pain, and irritated eyes, nose, and throat. With sufficient exposure, symptoms of slurred speech, blurred vision, temporary blindness, mental confusion, and sweating may occur.

Symptoms of acute exposure to organophosphate may include: numbness, tingling sensations, incoordination, headache, dizziness, tremor, nausea, abdominal cramps, sweating, blurred vision, difficulty breathing or respiratory depression, and slow heartbeat. Very high doses may result in unconsciousness, incontinence, and convulsions or fatality. Persons with respiratory ailments, recent exposure to cholinesterase inhibitors, cholinesterase impairment, or liver malfunction are at increased risk from exposure. Some organophosphates may cause delayed symptoms beginning one to four weeks after an acute exposure, which may or may not have produced immediate effects.

Industrial and Commercial Uses. Users of hazardous materials include commercial manufacturing, petroleum exploration, industrial fabrication, biotechnology, and agribusinesses. Potentially hazardous materials used by businesses may include petroleum based fuels, chlorinated solvents, acrylic coatings, corrosive or caustic additives, and to a lesser extent, chemical fertilizers, pesticides, and herbicides. Users of hazardous materials include gas stations and other automotive service-related business, utilities, agribusinesses, and other commercial and industrial uses.

The proposed project would pass by industrial areas in Reach 2 (in the City of Hollister), and in Reach 5 where the trail would pass by sand and gravel mining operations. These uses have the potential to use hazardous materials which could affect the proposed project.

Household Products. The most common hazardous materials are those found or used in the home and similar settings. Waste oil is a common hazardous material that is often improperly disposed and can contaminate surface water through runoff. Other household hazardous wastes (used paint, pesticides, cleaning products, and other chemicals) are common and often improperly stored in garages, storage areas and homes.

c. Other Potential Hazards. Other hazards that are relevant to this analysis are hazardous materials transported on rail or roadways and underground utilities.

Hazardous Materials Transport. Both the U.S. EPA and the U.S. Department of Transportation (DOT) regulate the transportation of hazardous waste and material, including transport via rail and highway. The U.S. EPA administers permitting, tracking, reporting, and operations requirements established by the Resource Conservation and Recovery Act (RCRA). DOT regulates the transportation of hazardous materials through implementation of the Hazardous Materials Transportation Act. This Act administers container design, and labeling and driver training requirements. These established regulations are intended to track and manage the safe interstate transportation of hazardous materials and waste.

Adjacent Hazardous Materials Sites. A Corridor Study was completed by EDR, Inc. (Appendix C) in November 2013 in connection with this DEIR. This study found 29 locations with hazardous materials records within one mile (which is a standard distance for a project area of this size) of the project site. Most of the sites are located near the City of Hollister. However, as explained more fully in the Corridor Study, all of these sites have been either (1) adequately remediated pursuant to the applicable laws and regulations and thus are not considered contaminated under the applicable regulatory framework, or (2) are permitted hazardous waste generators or haulers (such as industrial manufacturing facilities or trucking companies), which are subject to numerous standards and requirements to help ensure that these permitted uses do not contaminate the surrounding area.

Wildland Fire Hazards. Wildfires are large-scale brush and grass fires in undeveloped areas. Wildfires are usually caused by human activities such as equipment use and smoking, and can result in loss of valuable wildlife habitat, soil erosion, and damage to life and property. The River Parkway corridor travels through areas of open space and wildland areas, which pose a potential fire hazard to adjacent development.

The level of wildland fire risk is determined by a number of factors, including:

- *Frequency of critical fire weather;*
- *Percentage of slope;*
- *Existing fuel (vegetation, ground cover, building materials);*
- *Adequacy of access to fire suppression services; and*
- *Water supply and water pressure.*

The California Department of Forestry and Fire Protection (CAL FIRE) has mapped the relative wildfire risk in areas of significant population by intersecting residential housing density with proximate fire threat. The CAL FIRE Fire Hazard Severity Zone map for state responsibility areas (SRAs) in San Benito County (CAL FIRE, November 2007) shows three risk levels: moderate, high, and very high. According to this map, most of the proposed trail corridor would fall within the Moderate to High range. However, the proposed Regional Park Site and portions of the trail are unmapped. The CAL FIRE Fire Hazard Severity Zone map for local responsibility areas (LRAs) in San Benito County (CAL FIRE, November 2007) shows the same three risk levels. According to this map, most of the proposed trail corridor would fall within

the Moderate to High range. Once again, the Regional Park Site and portions of the trail corridor are unmapped.

The San Benito County Fire Safe Council prepared the Community Wildfire Protection Plan (May, 2010). Appendix B of this Plan includes the San Benito County Fire Threat Rating map. The map classifies the fire threat of the project site as little or no threat, moderate, and high, depending on the respective location(s).

d. Regulatory Setting. The management of hazardous materials and hazardous wastes is regulated at federal, state, and local levels through programs administered by the U.S. Environmental Protection Agency (U.S. EPA), agencies within the California Environmental Protection Agency (CalEPA), such as the Department of Toxic Substances Control (DTSC), federal and state occupational safety agencies, and San Benito County Environmental Health Division. The regulatory setting pertaining to flood hazards is discussed in Section 4.9, *Hydrology and Water Quality*, and the regulatory setting for geologic and soil-related hazards is discussed in Section 4.6, *Geology and Soils*.

Definition of Hazardous Materials. A material is considered hazardous if it appears on a list of hazardous materials prepared by a Federal, State, or local agency, or if it has characteristics defined as hazardous by such an agency. A hazardous material is defined in Title 22 of the CCR as follows:

A substance or combination of substances which, because of its quantity, concentration, or physical, chemical or infectious characteristics, may either (1) cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness; or (2) pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported or disposed of or otherwise managed. (California Code of Regulations, Title 22, Section 66261.10)

Chemical and physical properties cause a substance to be considered hazardous. Such properties include toxicity, ignitability, corrosivity, and reactivity. CCR, Title 22, Sections 66261.20-66261.24 define the aforementioned properties. The release of hazardous materials into the environment could potentially contaminate soils, surface water, and groundwater supplies.

Federal. The Federal Toxic Substances Control Act (1976) and the Resource Conservation and Recovery Act of 1976 (RCRA) established a program administered by the EPA for the regulation of the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA was amended in 1984 by the Hazardous and Solid Waste Act (HSWA), which affirmed and extended the “cradle to grave” system of regulating hazardous wastes. The use of certain techniques for the disposal of some hazardous wastes was specifically prohibited by HSWA.

The Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), commonly known as the Superfund, was enacted by Congress on December 11, 1980. This law provided broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. CERCLA established requirements concerning closed and abandoned hazardous waste sites, provided for

liability of persons responsible for releases of hazardous waste at these sites, and established a trust fund to provide for cleanup when no responsible party could be identified. CERCLA also enabled revision of the National Contingency Plan (NCP), which provided the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, or contaminants. The NCP also established the National Priorities List (NPL). CERCLA was amended by the Superfund Amendments and Reauthorization Act (SARA) on October 17, 1986.

State. The California Hazardous Waste Control Law (HWCL) is administered by the California EPA to regulate hazardous wastes. While the HWCL is generally more stringent than the RCRA, until the EPA approves the California program, both state and federal laws apply in California. The HWCL lists 791 chemicals and approximately 300 common materials that may be hazardous; establishes criteria for identifying, packaging, and labeling hazardous wastes; prescribes management controls; establishes permit requirements for treatment, storage, disposal, and transportation; and identifies some wastes that cannot be disposed of in landfills.

Hazardous materials are defined by ignitability, corrosivity, or reactivity. Hazardous wastes are hazardous substances that no longer have a practical use, such as material that has been abandoned, discarded, spilled, or contaminated or is being stored prior to proper disposal.

If any soil is excavated from a site containing hazardous materials, it would be considered a hazardous waste if it exceeded specific Title 22 criteria. Remediation of hazardous wastes found at a site may be required if excavation of these materials is performed; it may also be required if certain other activities are proposed. Even if soil or groundwater at a contaminated site does not have the characteristics required to be defined as hazardous waste, remediation of the site may be required by regulatory agencies subject to jurisdictional authority. Cleanup requirements are determined on a case-by-case basis by the agency taking lead jurisdiction.

The California Department of Toxic Substances Control (DTSC) is charged with the task of restoring, protecting, and enhancing the environment; ensuring public health, environmental quality, and economic vitality by regulating hazardous waste; conducting and overseeing cleanups; and developing and promoting pollution prevention. DTSC meets these goals through implementing programs aimed at overseeing cleanups; preventing releases by ensuring waste is properly generated, handled, transported, stored and disposed of; enforcing laws against those who inappropriately manage hazardous wastes; promoting pollution reduction; encouraging reuse and recycling; performing toxicological evaluations on a site; and involving the public in DTSC's decision making.

Government Code Section 65962.5 requires the DTSC, the State Department of Health Services, the SWRCB, and CalRecycle to compile and annually update lists of hazardous waste sites and land designated as hazardous waste property throughout the state. The Secretary for Environmental Protection consolidates the information submitted by these agencies and distributes it to each city and county where sites on the lists are located. Before the lead agency accepts an application for any development project as complete, the applicant must consult these lists to determine if the site at issue is included. If any soil is excavated from a site containing hazardous materials, it would be considered a hazardous waste if it exceeded specific criteria in Title 22 of the California Code of Regulations. Remediation of hazardous

wastes found at a site may be required if excavation of these materials is performed; it may also be required if certain other activities are proposed. Even if soil or groundwater at a contaminated site does not have the characteristics required to be defined as hazardous waste, remediation of the site may be required by regulatory agencies subject to jurisdictional authority. Cleanup requirements are determined on a case-by-case basis by the agency taking lead jurisdiction.

The State of California Public Resources Code Section 4291 requires that owners of property located within the responsibility area of CAL FIRE create defensible spaces around structures where firefighters can provide protections during a wildfire (San Benito Fire Safe Council, 2010). CAL FIRE guidelines for compliance with Section 4291 have been incorporated into the San Benito County Community Wildfire Protection Plan, which the County Board of Supervisors approved in 2010. According to these guidelines, a firebreak should be maintained by removing and clearing away all flammable vegetation and other combustible growth within 30 feet of each building or structure. Single specimens of trees or other vegetation may be retained if they are well-spaced, well-pruned, and not conducive to the spread of fire. At a distance of 30 to 100 feet from a structure, Section 4291 requires maintenance of a Reduced Fuel Zone with clearing treatments.

The State of California Food and Agricultural Code regulates the use of pesticides. Section 12972 requires that the use of pesticides not result in substantial drift to non-target areas. Section 12977 empowers the Agricultural Commissioner to enforce this provision. In addition, Section 12982 states that the local health officer shall investigate any health hazard from pesticide use and take necessary action, in cooperation with the Agricultural Commissioner, to abate the hazard.

Local.

San Benito County General Plan. The 2035 General Plan Land Use Element, Circulation Element, Natural and Cultural Resources Element, and Health and Safety Element provide goals, policies and objectives pertaining to hazards and hazardous materials. These goals, policies and objectives include avoidance of natural or manmade hazards; maintaining necessary levels and states of readiness of fire, emergency medical services, law enforcement, and disaster preparedness; and minimization of wildland and urban fire hazards.

San Benito County Code of Ordinances. Several chapters of the San Benito County Code address hazards and hazardous materials, including the Hazardous Waste Facilities Consistency Ordinance (Title 11 [Public Health and Safety], Chapter 7 [Hazardous Substances]); the Flood Damage Prevention Ordinance (Title 19 [Land Use and Environmental Regulations], Chapter 15 [Flood Damage Prevention]); and the Subdivision Ordinance (Title 23 [Subdivision]).

The Hazardous Waste Facilities Consistency Ordinance (San Benito County Code, Title 11, Chapter 7), adopts by reference the relevant provisions of state law and the State Water Resources Control Board's associated regulations pertaining to the underground storage of hazardous substances and off-site hazardous waste facilities, and further requires consistency with the County's Hazardous Waste Management Plan. The San Benito County Environmental Health Division (SBCEHD) has been designated the lead agency for CUPA (Certified Unified



Program Agency) for hazardous materials programs, pursuant to section 11.07.002 of the County Code, and acts as the single point of contact for issuance of permits at the local level. Site inspections of all hazardous materials programs (i.e., aboveground tanks and underground tanks, hazardous waste treatment, hazardous waste generators, hazardous materials management plans, etc.) are consolidated and accomplished by a single inspection. The program provides emergency response to chemical events to furnish substance identification; health and environment risk assessment; air, soil, water and waste sample collection; incident mitigation and cleanup feasibility options and on-scene coordination for state superfund incidents. The program also provides for the oversight, investigation and remediation of unauthorized releases from underground tanks.

Subdivision design standards and road standards, implementing the General Plan Policies identified above, are set forth in the Subdivision Ordinance (San Benito County Code of Ordinances, Title 23). Road standards applicable to minimizing on-site hazardous conditions and implementing the County's emergency response and evacuation plans, are set forth in Chapter 23.25 (Design Standards), section 23.25.009 (Streets); Chapter 23.27 (Fire Design Standards), section 23.27.004 (Standards); Chapter 23.29 (Road Standards); and Chapter 23.31 (Improvement Designs), Article II (Roadway Design Standards). Additionally, Chapter 23.31 (Improvement Designs), Article III (Storm Drainage Design Standards), implements General Plan policies pertaining to the prevention of flooding hazards. These standards focus on the 100-year design storm standard for the sizing of detention basins used to provide peak flow attenuation.

Additionally, the County of San Benito County Agricultural Commissioner regulates the use of pesticides for the production of food, as well as for structural and landscape uses, for the purpose of protecting public health and safety in the County (County of San Benito, Agriculture Programs, 2014). The Agricultural Commissioner requires that all pesticides be used pursuant to the manufacturers' instructions and that the pesticides are sprayed so as to prevent drift onto nearby properties. In addition, the Agricultural Commissioner's *Pesticide Use Compliance Guide for Employers and Businesses* restricts application of pesticides when there is a reasonable possibility of substantial drift to non-target areas or when application would contaminate public or private property, including the creation of a health hazard that prevents normal usage of that property. Regulations for some chemicals do not permit any human contact with the area sprayed until the chemical has dissipated down to acceptable levels. The re-entry periods (i.e., the period of time after which an employee may re-enter the area in which the chemical was applied) following application of the chemical are specified on the chemical label and by regulation. The Agricultural Commissioner's office requires that pesticide users strictly adhere to the chemical label and other applicable regulations. The Agricultural Commissioner's office also is responsible for issuing pesticide spraying permits and regulating the use of pesticides and other agricultural chemicals.

Chapter 21.01 (Building Regulations), Article II (California Building Standards Code) of the San Benito County Code also incorporates by reference the 2010 California Building Code, which includes requirements to improve fire safety for buildings in Fire Hazard Severity Zones. Pursuant to Chapter 7A (Materials and Construction Methods for Exterior Wildfire Exposure) in the 2010 California Building Code, buildings shall be constructed using noncombustible, fire-resistant, and ignition-resistant materials for roofing, exterior coverings, exterior windows and

doors, and decking, and vents designed to resist ignition from the intrusion of burning embers and flame.

City of Hollister General Plan. The Health and Safety Element of the City of Hollister General Plan include policies pertaining to hazards. These policies include requiring studies to identify hazards and evaluation of soils prior to construction to ensure that no hazardous materials are present.

4.8.2 Impact Analysis

a. Methodology and Significance Thresholds. Assessment of impacts is based on, among other things: 1) review of site information and conditions; 2) a review of the Corridor Study completed by EDR, Inc.; and 3) review of the San Benito County General Plan and other County or city information regarding hazards and hazardous materials issues.

Evaluation Criteria. The following thresholds are based on Appendix G of the *State CEQA Guidelines*. A significant impact would occur if the proposed project would result in any of the following conditions:

- 1) *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;*
- 2) *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;*
- 3) *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;*
- 4) *Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment;*
- 5) *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, result in a safety hazard for people residing or working in the project area;*
- 6) *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;*
- 7) *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; and/or*
- 8) *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.*

The proposed project would not interfere with any existing emergency or evacuation plan, as no project element would alter or otherwise substantially impair any existing routes (Threshold #7). Also, additional access would be created via the new Access Road, which could enhance access to the project site in the event of an emergency. Impacts related to emergency access would therefore be less than significant, and thus are not evaluated further in this analysis. In addition, the project would not affect an airport or private airstrip (Thresholds #6, 7). As a result, the checklist items related to these thresholds are not analyzed further in this DEIR, although further discussion as to the basis for scoping out these topic areas can be found in the

Initial Study (Appendix A of this document).

Potential operational conflicts between the proposed project and nearby agricultural operations (other than pesticide hazards) are discussed in Section 4.2, *Agricultural Resources*. Hazards related to potential conflicts between trail users and automobiles are addressed in Section 4.12, *Transportation/Traffic*. Hazards related to potential conflicts among and between different types of trail users and emergency access to the trail network are addressed in Section 4.11, *Public Safety and Services*. Flood hazards are evaluated in Section 4.9, *Hydrology and Water Quality*, and geologic and soil-related hazards are discussed in Section 4.6, *Geology and Soils*.

b. Project Impacts and Mitigation Measures.

Impact HAZ-1 Grading associated with the project's construction could expose construction workers and passersby to health hazards by releasing contaminants that could be present in the soil. This construction-related hazard is a Class II, *significant but mitigable impact*.

Construction of the proposed project would involve grading. The proposed trail corridor would primarily align with the San Benito River and Tres Pinos Creek. The trail would extend for approximately 20 miles. The proposed park would abut the trail near the City of Hollister; the new Access Road would provide access to the park from Nash Road (located to the north of the park site) and would connect to San Benito Street (to the east of the site). Most of the proposed trail and park would be adjacent to current or former agricultural uses. This agricultural use presents the potential that the property contains residual pesticides or other chemicals routinely used in agricultural production. Construction workers and passersby could therefore be exposed to these substances in on-site soils during construction of the project.

Ground disturbing activities during construction could result in contaminants being spread via dust particulates. In addition, improper handling and disposal of any contaminated soils could create a significant hazard to construction workers as well as the general public in the vicinity. Mitigation is required to ensure proper handling during construction and to reduce risks associated with any hazardous materials in the soil. In addition, because some segments of the trail would not be constructed for several years, the potential for previously unidentified hazardous conditions to be identified could arise. Therefore, segment-specific due diligence is required to ensure that future hazards are mitigated to a less than significant level.

Mitigation Measures. The following mitigation measures are required to reduce human health impacts during construction of the proposed project and apply to all components of the project.

HAZ-1 **Soil Sampling and Remediation.** Prior to issuance of grading permits for each trail segment and the park (including permits for the Access Road), a detailed site-specific soil assessment shall be completed for that segment under the supervision of a professional geologist or professional civil engineer to determine the presence or absence of contaminated soil along the proposed trail. If soil sampling indicates the presence of any contaminant in quantities not in compliance with

applicable laws or regulations, coordination with San Benito County Environmental Health Services to develop and implement a program to remediate or manage the contaminated soil during construction. Disposal shall occur at an appropriate facility licensed to handle such contaminants and remedial excavation shall proceed under the supervision of an environmental consultant licensed to oversee such remediation. The remediation/disposal program shall be approved by San Benito County Environmental Health Services. All correspondence shall be submitted to San Benito County Environmental Health Services prior to issuance of grading permits. All proper waste handling and disposal procedures shall be followed. Upon completion of the remediation/disposal, a qualified environmental consultant shall prepare a report summarizing the project, the remediation/disposal approach implemented, and the analytical results after completion of the remediation, including all waste disposal or treatment manifests.

Significance After Mitigation. With implementation of the above measure, impacts related to exposure of hazardous materials during construction would be reduced to a less than significant level.

Impact HAZ-2 Roadway accidents that involve hazardous materials could potentially create a public safety hazard by exposing people to contaminants. Due to the transient nature of trail use, and regulations already in place, impacts would be Class III, less than significant.

The proposed project includes the construction and operation of a park and trail system in San Benito County, including adjacent to the City of Hollister. Given the nature of the project, the trails and park (including the Access Road) would not require the routine transport, use, or disposal of hazardous materials during construction or operation. The trail corridor is proposed to cross major roadways in three places; at Highway 156, San Juan Hollister Road, and at Union Road. Further, the proposed Access Road would provide access through the park site (connecting from Nash Road through to San Benito Street).

While there would be some routine transport of common hazardous materials during construction and operation such as construction trips to remove soil or debris removed from the sites (which may have some contamination as described in Impact HAZ-1), construction equipment that may contain diesel fuel, gasoline or oil), maintenance vehicles that contain fuels, cleaning solvents, pesticides for landscape maintenance, or chemicals such as chlorine (for a swimming pool), the use and management of such materials would be governed by the applicable federal, state and local laws and regulations, which would help ensure that no significant hazards to the public or the environment would be created.

Mitigation Measures. No mitigation is required.

Significance After Mitigation. Compliance with applicable federal, state and local laws would ensure less than significant impacts.



Impact HAZ-3 The proposed project would not be sited on a location included on a list of hazardous materials sites. Impacts would be Class IV, *no impact*.

As noted above, EDR completed a Corridor Study for the project site (including the reaches and the park site). This study searched available databases to determine what hazardous materials sites are located in or within one mile of the proposed corridor. The study did not find any sites within the project site. The study did find 29 separate sites within one mile of the project site. However, as explained more fully in the Corridor Study, all of these sites either: (1) have been deemed to be adequately remediated by the applicable regulatory agencies, or (2) contain permitted hazardous waste handling companies, which are heavily regulated to help ensure that no hazardous waste or other contamination is introduced into the surrounding environment. Further, the proposed project would not disturb or disrupt any of the listed sites, and such sites are not considered to present any significant hazards to the public or environment. Therefore, impacts with respect to listed hazardous materials sites would be less than significant.

Mitigation Measures. No mitigation is required.

Significance After Mitigation. Impacts related to hazardous materials sites would be less than significant.

Impact HAZ-4 The proposed project would utilize chemicals for the proposed pool and turf near a school and residences. These chemicals are typical of residential areas and impacts would be Class III, *less than significant*.

The proposed project includes uses that may involve the use of typical household chemicals, solvents or other materials for maintenance use. For example, restroom facilities, a swimming pool and large areas of turf may require the use of chemicals for regular maintenance. Cleaning solvents may be used for cleaning restroom facilities or other interior uses for any buildings (such as a Community Center) at the Regional Park. Chemicals for a swimming pool at the Regional Park would likely include chlorine. And chemicals for turf and other landscape areas may include the use pesticides or fertilizer. The Regional Park Site is located adjacent to a high school and multiple residences. However, the chemicals used to maintain restrooms/buildings, the pool and the landscape and turf areas would be typical of those used in residential areas. Construction of the trails could potentially result in the demolition or modification of existing bridges. There is a possibility that the bridges could contain lead or asbestos. If so, the project would be required to comply with applicable laws and regulations during demolition and construction, including, but not limited to, the Hazardous Materials Transportation Act, Resource Conservation and Recovery Act, the California Hazardous Material Management Act, California Code of Regulations Title 22, and California Code of Regulations Title 8 Section 1532.1. With compliance with standard application safety practices and adherence to all applicable laws and regulations related to handling and disposal of such materials, impacts would be less than significant.

Mitigation Measures. No mitigation is required.



Significance After Mitigation. Impacts would be less than significant.

Impact HAZ-5 The proposed project would introduce a recreational use into areas designated as moderate and high wildland fire hazard areas. However, compliance with applicable laws and regulations would ensure Class III, *less than significant* impacts.

According to the CAL FIRE Fire Hazard Severity Zone maps for SRAs and LRAs in San Benito County (CAL FIRE, November 2007), the project site contains a mix of moderate and high hazard severity designations. The San Benito County Fire Safe Council's Community Wildfire Protection Plan designates the project site as having little or no threat, moderate threat and high threat areas primarily in the northern reaches of the trail, although a portion of the project area near the Regional Park Site and Reach 3 is unmapped as this area is close to the urbanized area near Hollister. The proposed project would not include the construction of any buildings throughout most of the trail reaches on the River Parkway and therefore no structures would be subject to wildland fire hazards. Construction on the proposed park would include a variety of amenities which may include structures for restrooms, a Community Center and other auxiliary buildings for park amenities. However, these would be located adjacent to the more urbanized City of Hollister and thus would have a reduced risk to wildland fire as the site would not be surrounded by vegetation that would act as a fuel for fire. Therefore, the project would not expose structures to a significant wildland fire risk. Nevertheless, development of a multi-use trail in this area could expose people to risk of loss, injury or death involving wildland fire hazards, particularly in locations where the project would be located in a high-threat area where trail users may smoke; in addition, the trail system could be accessed by recreational vehicle users. However, as discussed in Section 4.11, *Public Safety and Services*, emergency service providers with jurisdiction over the northern reach would have sufficient access to the trail in the case of an emergency, such as a wildfire, and the proposed project would not be expected to significantly impair emergency response times. In addition, due to the relative infrequency of wildfires and the transient nature of trail use, the potential for exposing trail users to a significant wildland fire hazard would be low. In the event of a wildland fire near the northern reach, the Trail Manager would be responsible for closing the trail, in accordance with Fire Department direction, and would only reopen the trail after the Fire Department with jurisdiction over the fire indicates that it is safe to do so. If a wildfire did occur in the area, the Trail Manager would be responsible for closing the portion(s) of the trail nearest the wildfires.

Mitigation Measures. No mitigation is required.

Significance After Mitigation. Compliance with applicable federal, state and local laws would ensure less than significant impacts.

d. Cumulative Impacts. Additional development resulting from buildout of the unincorporated portions of San Benito County and the City of Hollister General Plans will cumulatively increase the potential for exposure to existing soil and groundwater contamination and wildland fire hazards. Cumulative development in the area would also increase the interface among recreational, agricultural, commercial, and industrial uses along

the project's trail corridor. Therefore, an overall increase in the potential for exposure to hazards, hazardous materials, and wildland fires will occur as urbanization occurs. The proposed project would incrementally contribute to this cumulative effect. However, all new development would be subject to review by the relevant agencies and as well as to any applicable laws and regulations in place to minimize any potential hazards to the extent feasible. Impacts associated with individual developments would be addressed on a case-by-case basis and appropriate mitigation would be designed to mitigate impacts resulting from individual projects, depending upon the type and severity of hazards present. Therefore, cumulative impacts related to hazards and hazardous materials are would be less than significant.

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4.9 HYDROLOGY AND WATER QUALITY

4.9.1 Setting

a. Regional Hydrology.

Watersheds. The project site is located in the San Benito River and Tres Pinos Creek watersheds, which are within the jurisdiction of the Central Coast Regional Water Quality Control Board (RWQCB). The RWQCB establishes requirements prescribing the quality of point and nonpoint sources of discharge and establishes water quality objectives through the Water Quality Control Plan for the local basin. A point source is defined as waste emanating from a single, identifiable point such as a wastewater treatment plant. A nonpoint source of discharge results from drainage and percolation of activities such as agriculture and stormwater runoff.

Groundwater. Groundwater is a major source of water supply in San Benito County (the other major source is water imported from the Central Valley Project [CVP]). Groundwater is generally available throughout the county for limited domestic and livestock supplies. San Benito County includes all or portions of 12 groundwater basins where groundwater is available. The groundwater basins drain northward as part of the San Benito River and Pajaro River systems. More groundwater production occurs in the northern part of San Benito County in the Gilroy-Hollister groundwater basin. Groundwater levels have been recorded in the basin since at least 1913; water levels are currently reported by the San Benito County Water District (SBCWD), which manages groundwater resources of San Benito County. Water levels have varied over time in response to changes in precipitation, groundwater pumping and artificial recharge conditions; levels were at historic highs prior to 1913, declined more than 150 feet from the estimated highs in some areas, and by 1998 had recovered close to historic highs as a result of decreased pumping, importation, increased precipitation, and artificial recharge. In the water year 2015 (October 2014 through September 2015), groundwater accounted for approximately 86 percent of SBCWD's total water supply (Todd Groundwater, 2015). Current groundwater levels are reduced due to a multi-year drought. Water levels continue to decline in the San Juan, Hollister West, Bolsa SE, and Tres Pinos groundwater subbasins but remain above historical lows. The San Juan subbasin continues to rely on groundwater use to offset limited supplies of imported water. Since the beginning of this multiple year drought in 2012, groundwater levels have decreased as much as 38 feet in parts of the subbasin and on average 28 feet decline across the subbasin. Water levels in wells typically fluctuate five to fifteen feet on a seasonal basis except in the Bolsa subbasin where water levels in confined aquifers have seasonal fluctuations of approximately 30 to 40 feet (Hollister Urban Area Urban Water Management Plan, 2011). SBCWD anticipates that additional wet years with snowpack in the Sierra and responsive water conservation (among other factors) will be needed before imported water supplies are replenished and depleted groundwater storage is recovered (Todd Engineers, 2015).

Sources of natural ground water recharge in the Hollister and San Juan Valleys are infiltration from streams, direct infiltration of rain and subsurface flows from surrounding areas, such as the Flint Hills. Although recharge from rain varies from year to year, the U.S. Geological Survey estimated that it could average from 20% to as much as 40% of the total available recharge from all sources. This figure indicates the value of surface water percolation and conversely, the inherent dangers with excessive covering of soils by impervious surfaces. In the northern

basins, ground water is derived mainly from rainfall and stream flow. The most likely source for stream flow recharge is from Arroyo dos Picachos, Santa Ana Creek, Tres Pinos Creek, and the San Benito River.

The Gilroy-Hollister groundwater basin is the primary geologic feature relating to water resources and encompasses most of the northern portion of the county. This basin lies within the Coast Ranges of California, which are a series of elongated ranges and valleys with a predominantly northwesterly trend. The Hollister Valley's origin and shape has been controlled by folding and faulting of basement rocks in the area, resulting in low-lying areas that have been infilled with unconsolidated to poorly consolidated alluvium of Tertiary and Quaternary age. The Quaternary alluvial deposits compose the valley floor and generally define the groundwater basin. The San Andreas Fault and additional faults that are related to the San Andreas System, which have a trace that trends north-northwest from Hollister to the Pajaro River at San Felipe Lake, are thought to impact groundwater flow locally, perhaps due to the presence of low permeability rock fragments and blocks displaced upward and adjacent to more permeable alluvial material along the fault zone.

Surface Water. The San Benito River runs northward through the county and joins the Pajaro River near Chittenden Gap in the northwest. The river is dry most of the year, flowing mainly during wet winter conditions. The drainage for the river is over 600 square miles. Local surface water from the San Benito River is captured and stored in two reservoirs. These reservoirs are operated by SBCWD for flood control and to recharge downstream areas.

b. Flood Hazards. Flood hazards in San Benito County are similar in origin and intensity to other portions of the Central Coast Range of California. There are three general origins for flood hazards in the county. The first includes flooding along river and stream floodplains from excess storm runoff. The second includes flooding that might follow landslide blockage of stream canyons. The third is potential flooding of low-lying lands downstream of dams in the event of a dam failure. Possible dam failure mechanisms in this region include the landslide processes that might also produce flooding independently of their potential effect on the structural integrity of dams.

Floodplain Flooding. Flooding along river and stream corridors is a natural occurrence in the major river valleys and tributary basins within San Benito County. The largest low-lying area of the county is at its north end. In this area the topography between the Gabilan Range to the west and the Diablo Range to the east is dominated by two structural basins, the San Juan Valley and the Hollister Valley. The generally level topography on these valley floors contributes to flooding problems, since once water rises above (or flows around) streambanks or levees, it may spread out over very large areas. However, the valley margins have low foothills and sloping alluvial fans. The southern portion of the county has relatively confined valleys and narrow tributary canyons, with local basins and floodplains at moderate elevations within the watersheds.

Normal flooding processes in San Benito County are driven by rainfall precipitation associated with regional frontal storm systems that occur from November through April. While the surrounding mountain ranges reach relatively high elevations, the regional climate is relatively warm and snowmelt processes are not common. In the headwater areas, steep terrain, narrow

canyons, and unstable geologic materials can result in landslides that temporarily block drainage. These temporary blockages can then fail, thereby releasing sediment-laden floodwaters.

Floodplains within San Benito County are generally narrow. In the two northern valleys the floodplains do not cover the entire valley floors, although some of the more densely populated communities and cities have small portions within designated floodplains.

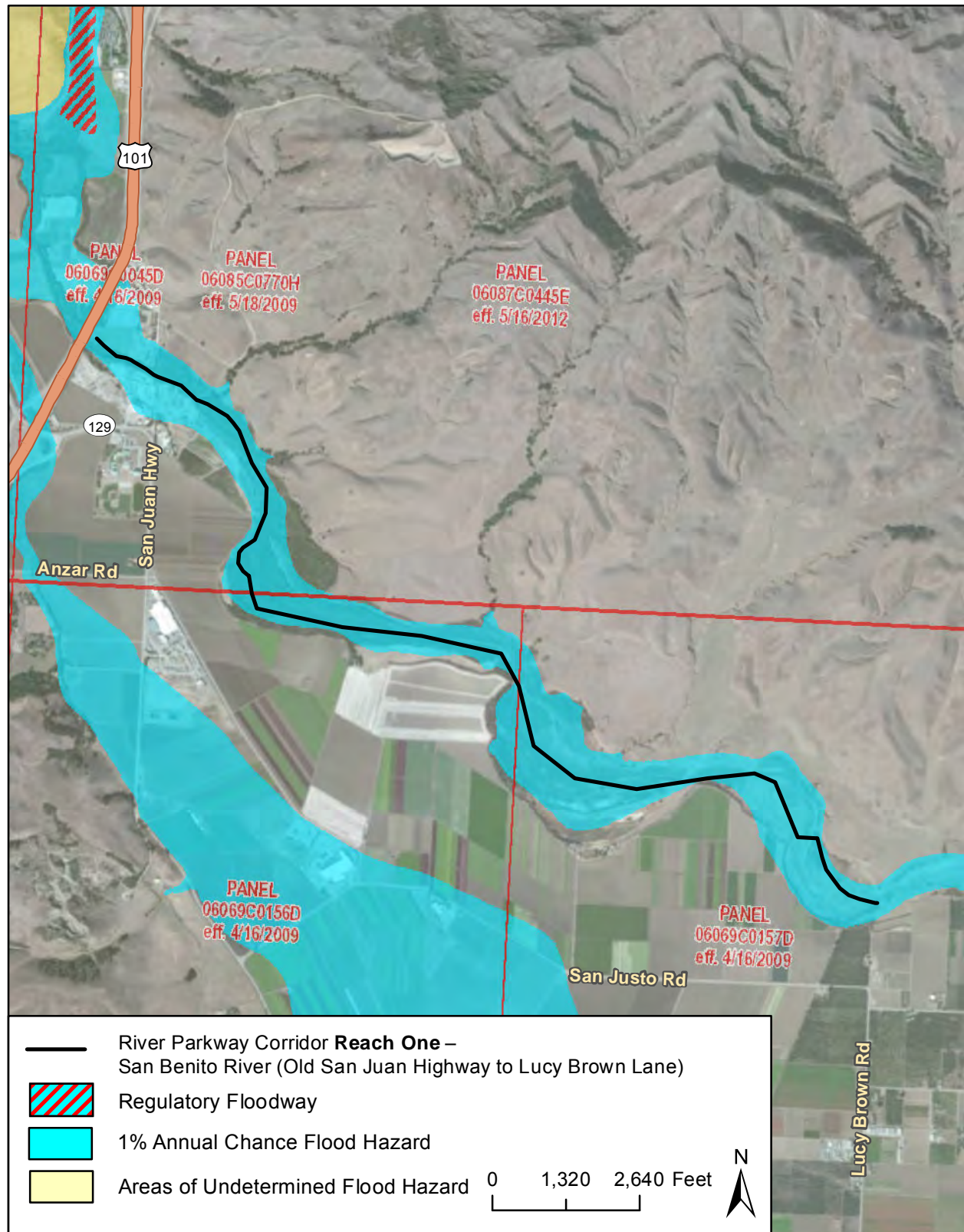
Dam Failure Inundation. Several dams in or adjacent to San Benito County provide beneficial water supply storage and serve irrigation and recreation needs. However, the reservoirs could inundate portions of the county in the event of a catastrophic dam failure. Dam failure can occur as a result of various natural or human causes. Dams are evaluated regularly to verify their structural integrity, including additional stresses that may result from local or regional earthquakes.

Flooding associated with dam failure on one of the local or upstream dams has a low probability for occurrence. The dams and reservoirs affecting San Benito County include several that are isolated in remote valleys and two (San Justo and Leroy Anderson Dams) that are larger and close to populated areas. Water from the San Justo Dam, in the event of a complete failure, could inundate the unincorporated lands throughout the San Juan Valley (San Benito County, 2035 San Benito County General Plan Draft PEIR, 2015). The western portion of Reach One of the River Parkway also is within the predicted inundation area for the Leroy Anderson Dam, although the Regional Park site is outside of this area (Santa Clara Valley Water District, 2009). Little damage would be expected from a complete failure of the Hernandez Reservoir or other remotely located reservoirs in San Benito County in terms of existing developed areas and/or existing infrastructure (San Benito County, General Plan Draft PEIR, 2015).

Emergency planning and preparedness by the San Benito County Emergency Services Department includes consideration of possible dam failure inundation areas.

FEMA Flood Hazard Zones. The Federal Emergency Management Agency (FEMA) establishes base flood heights for the 100-year flood zone. The 100-year flood zone is defined as the area that could be inundated by the flood which has a one percent probability of occurring in any given year.

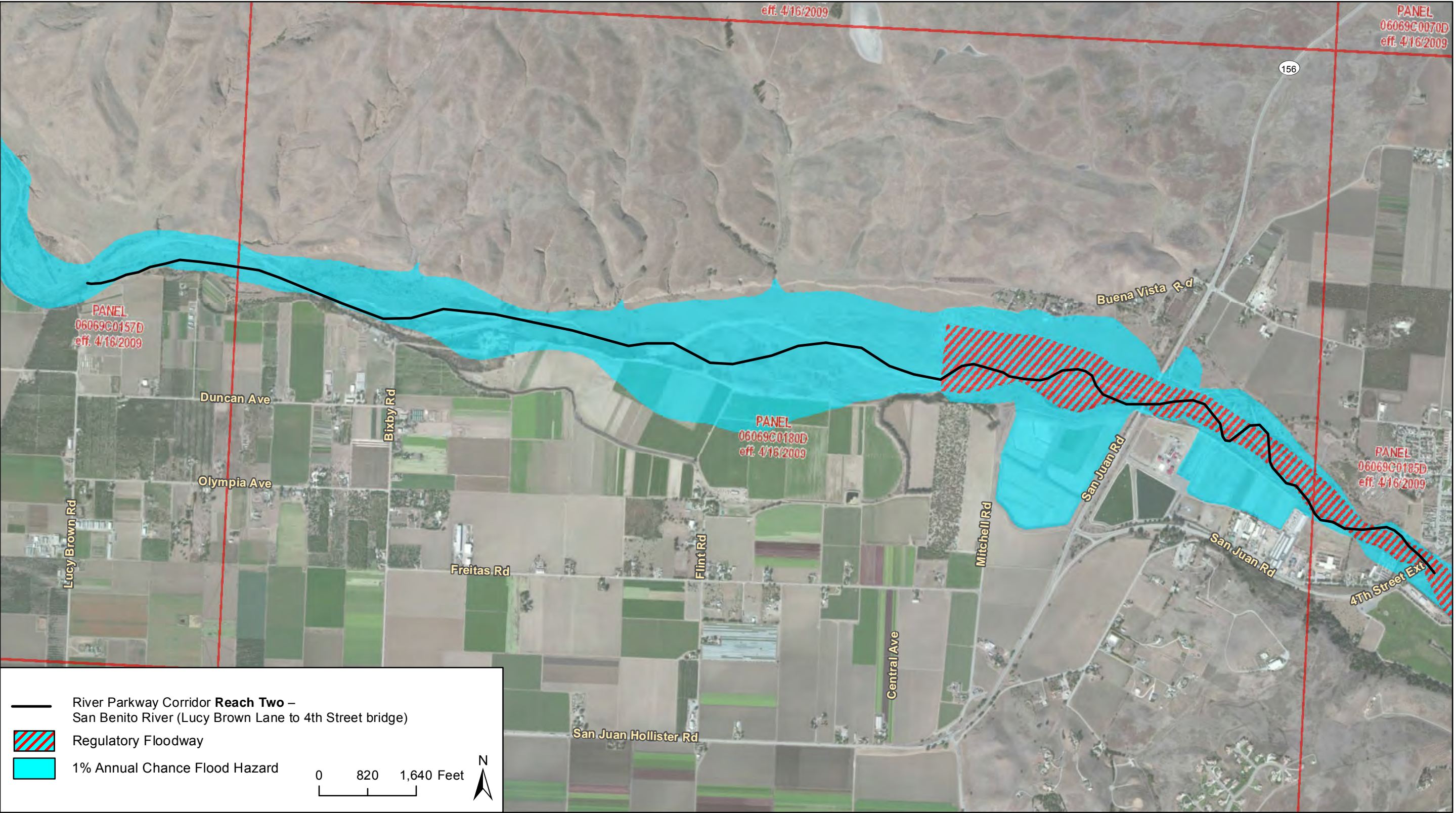
The largest continuous area of 100-year floodplain in the project region is along the San Benito River corridor, to which the reaches of the proposed River Parkway would run parallel (see Figures 4.9-1a through 4.9-1e). Therefore, all reaches would be located within 100-year flood zones. In addition, the Regional Park Site includes a small section at its southern point that is located in a 100-year flood zone. The floodplain is confined through the headwaters, the Hernandez Reservoir, and middle reach of the river. Downstream of Willow Creek the floodplain broadens, and there are contiguous floodplain connections at the Pescadero/Thompson Creek and Tres Pinos Creek confluences. The San Benito 100-year floodplain skirts the west side of the City of Hollister, and remains moderately broad along the north side of the San Juan Valley until it meets the Pajaro River along the northern edge of the county. A narrow 100-year floodplain is present on several of the tributaries to the San Benito River, including some isolated valleys with broad floodplains on Quien Sabe Creek and Las Aguilas Creek, both tributaries to Tres Pinos Creek. Figures 4.9-1a through 4.9-1e show the FEMA 100-year flood hazard zones in the region.



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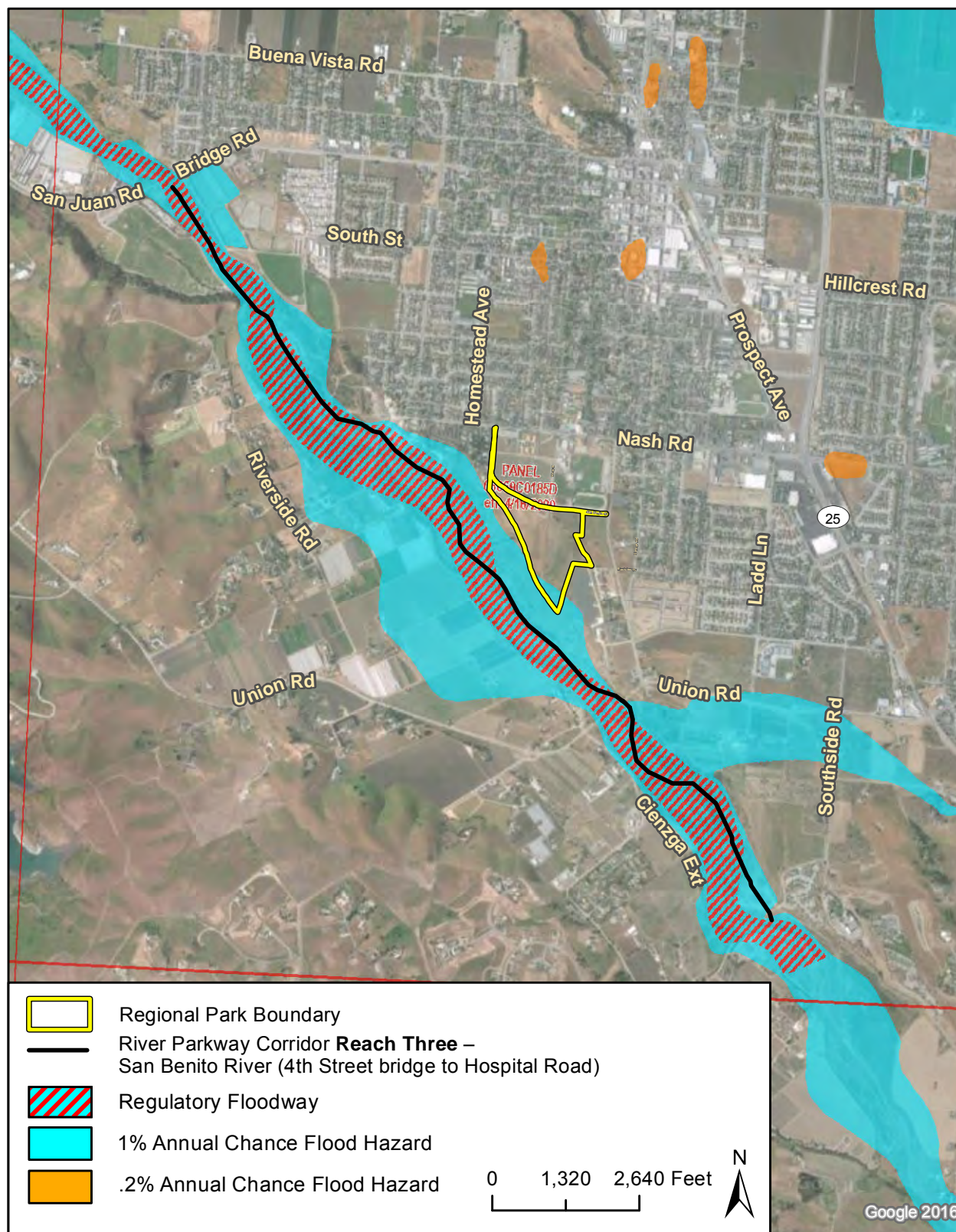
Flood Hazard Zones

Figure 4.9-1a



Flood Hazard Zones

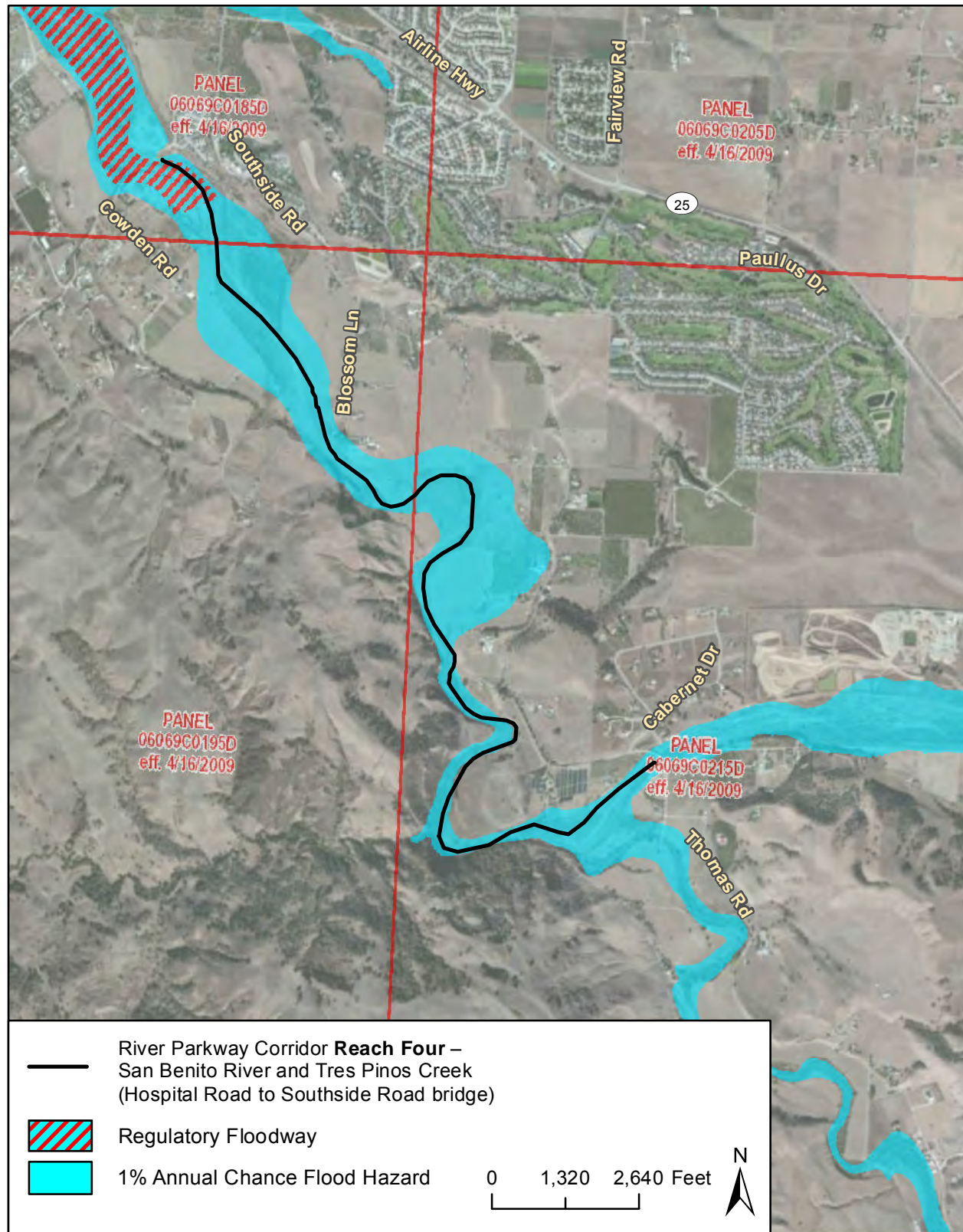
Figure 4.9-1b
San Benito County



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Flood Hazard Zones

Figure 4.9-1c
San Benito County



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Flood Hazard Zones

Figure 4.9-1d
San Benito County



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Flood Hazard Zones

Figure 4.9-1e
San Benito County



c. Stormwater Drainage. Storm water runoff is one of the leading causes of pollution in surface waters. In fields and forests, most rain is absorbed by the soil or is taken up by plants and trees. Rainwater that flows overland is called storm water runoff. However, developed urban areas contain many impervious surfaces like roofs, parking lots, and streets. This increase in impervious coverage can cause both water quantity and quality problems. The added impervious coverage prevents rain from infiltrating into the ground and concentrates the runoff so that most of the water rapidly runs off the property and into storm drain systems, creeks or the ocean in unnaturally large amounts.

Storm water can quickly become polluted by picking up chemicals, fertilizers, soil, and litter while traveling overland. Even low concentrations of pollutants that accumulate on roads, parking lots, and sidewalks can be transported into nearby streams, rivers, wetlands, and the ocean potentially causing water quality problems. Storm water pollution is non-point source pollution, meaning the sources are varied and widespread.

Erosion is a normal, ongoing process that should be considered in land use planning. Major problems can be avoided if the process is understood. The erosion potential throughout the valley floors of San Benito County is generally low (San Benito County, General Plan Draft PEIR, 2015). For this reason, the potential for erosion and siltation occurring during excavations would generally be low. However, during periods of heavy rainfall, runoff can occur which can then result in erosion. Moderate potential exists on lower slopes at the sides of valleys, while the mountainous areas on either side are highly erodible. Stream bank erosion may occur during periods of high water and during floods, waterborne sediment may be deposited on valley floors, principally within the flood plain.

d. Regulatory Setting.

Federal.

Clean Water Act (CWA). The CWA, enacted in 1972, regulates the discharge of pollutants to waters of the United States from any point source. Section 401 of the CWA requires water quality certification for any activity, including the construction or operation of a facility, which may result in any discharge into navigable waters (Title 33 CFR §1341). Section 404 of the CWA requires a permit for the discharge of dredged fill material into navigable waters at specified disposal sites (Title 33 CFR §1344). In 1987, amendments to the CWA added Section 402(p), which establishes a framework for regulating non-point source stormwater discharges under the National Pollutant Discharge Elimination System (NPDES). The NPDES stormwater program is further described below under the “State Regulations” subsection.

Federal Emergency Management Agency (FEMA). FEMA is a former independent agency that became part of the new Department of Homeland Security in March 2003 and is tasked with responding to, planning for, recovering from, and mitigating against disasters. Formed in 1979, FEMA is responsible for determining flood elevations and floodplain boundaries based on U.S. Army Corps of Engineers studies and approved agencies’ studies and for coordinating the federal response to floods, earthquakes, hurricanes, and other natural or man-made disasters. FEMA also provides disaster assistance to states, communities and individuals. FEMA distributes the Flood Insurance Rate Maps (FIRMS), which identify the locations of special flood hazard areas (SFHAs), including the 100-year flood zone. Executive Order 11988 (Flood Plain



Management) links the need to protect lives and property with the need to restore and preserve natural and beneficial flood plain values. Specifically, federal agencies are directed to avoid conducting, allowing, or supporting actions on the base floodplain unless the agency finds that the base floodplain is the only practicable alternative location. Similarly, Department of Transportation (DOT) Order 5650.2, which implements Executive Order 11988 and was issued pursuant to the National Environmental Policy Act of 1969, the National Flood Insurance Act of 1968, and the Flood Disaster Protection Act of 1973, prescribes policies and procedures for ensuring that proper consideration is given to avoidance and mitigation of adverse floodplain impacts in agency actions, planning programs, and budget requests.

State.

Water Board. The California State Water Resources Control Board (SWRCB) and the nine Regional Water Quality Control Boards (RWQCB) have the responsibility in California to protect and enhance water quality, both through their designation as the lead agencies in implementing the Section 319 non-point source program of the federal Clean Water Act, and through the state's primary water pollution control legislation, the Porter-Cologne Water Quality Control Act. The SWRCB establishes statewide policies and regulations for the implementation of water quality control programs mandated by federal and state water quality statutes and regulations. The RWQCBs develop and implement Water Quality Control Plans (Basin Plans) that consider regional beneficial uses, water quality characteristics, and water quality problems. All projects resulting in discharges, whether to land or water, are subject to Section 13263 of the California Water Code and are required to obtain approval of Waste Discharge Requirements (WDRs) by the RWQCBs. Land and groundwater-related WDRs (i.e., non-NPDES WDRs) regulate discharges of privately or publicly treated domestic wastewater and process and wash-down wastewater. WDRs for discharges to surface waters also serve as NPDES permits, which are further described below.

The Central Coast (Region 3) office of the RWQCB guides and regulates water quality in streams and aquifers throughout the central coast of California and the Monterey Bay region, including San Benito County, through designation of beneficial uses, establishment of water quality objectives, and administration of the NPDES permit program for stormwater and construction site runoff. The RWQCB is also responsible for providing permits and water quality certifications (Section 401) pursuant to the CWA.

All dischargers of waste to waters of the State are subject to regulation under the Porter-Cologne Act and the requirement for WDRs is incorporated into the California Water Code. This includes both point and non-point source (NPS) dischargers. All current and proposed non-point source (NPS) discharges to land must be regulated under WDRs, waivers of WDRs, a Basin Plan prohibition, or some combination of these administrative tools. Dischargers of waste directly to state waters would be subject to an individual or general NPDES permit, which also serves as WDRs. The RWQCBs may issue individual WDRs to cover individual discharges or general WDRs to cover a category of discharges. WDRs may include effluent limitations or other requirements that are designed to implement applicable water quality control plans, including designated beneficial uses and the water quality objectives established to protect those uses and prevent the creation of nuisance conditions. Violations of WDRs may be addressed by issuing Cleanup and Abatement Orders or Cease and Desist Orders, assessing

administrative civil liability, or seeking imposition of judicial civil liability or judicial injunctive relief.

Construction activity on projects that disturb one or more acres of soil, or less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, must obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit, 99-08-DWQ). Construction activity subject to this permit includes clearing, grading, and disturbances to the ground such as stockpiling or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of a facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Program (SWPPP). The SWPPP should identify stormwater collection and discharge points, drainage patterns across the project, and best management practices (BMPs) that the discharger will use to protect stormwater runoff and the placement of those BMPs.

As mandated by Section 303(d) of the federal Clean Water Act, the SWRCB maintains and updates a list of “impaired water bodies” (i.e., water bodies that do not meet State and Federal water quality standards). This list is known as the Section 303(d) list of impaired waters. The State is then required to prioritize waters/watersheds for development of Total Maximum Daily Load (TMDL) regulations. This information is compiled in a list and submitted to the U.S. Environmental Protection Agency for review and approval. The SWRCB and RWQCBs monitor and assess water quality on an ongoing basis. According to the 2010 Integrated Report [CWA Section 303(d) List/305(b) Report], the water quality of sections of the San Benito River and Tres Pinos Creek is impaired.

California Building Code (CBC). The California Building Code provides standards for building construction, including design guidelines and specifications to meet earthquake standards.

Caltrans Highway Design Manual. The Caltrans Highway Design Manual provides design guidelines and standards for the construction of bicycle and pedestrian facilities, including bridges.

Local.

San Benito County. The portion of the Hollister-Gilroy groundwater basin that is within the county is managed by the San Benito County Water District (SBCWD). The District Act, passed by the State Legislature in 1953, established SBCWD and provided formal responsibility for the management of surface and groundwater resources and flood control in the county. SBCWD is active in regional water management planning, including the Pajaro Watershed Integrated Regional Water Management Plan with Santa Clara Valley Water District and Pajaro Valley Water Management Agency. It also collaborated with the City of Hollister and Sunnyslope County Water District to prepare the Hollister Area Urban Water Master Plan. SBCWD also has active programs, often in cooperation with other agencies, to conduct various investigations and promote water conservation, irrigation efficiency, salt management, and water recycling. SBCWD is the designated Enforcing Agency for the inspection and

enforcement of water related ordinances, and defined in County Code Section 15.05. SBCWD produces annual groundwater reports summarizing their activities.

In 2003, a Groundwater Management Plan Update was prepared by the Water Resources Association of San Benito County. The purpose of the plan is to maintain and enhance the agricultural and economic productivity of San Benito County in an environmentally responsible manner. The plan presents specific objectives and criteria for water quantity and quality and identifies and evaluates potential projects that can be implemented to meet the objectives.

The Natural and Cultural Resources Element of the 2035 San Benito County General Plan (2015) also includes goals and policies to protect water quantity and quality in natural water bodies and groundwater basins and avoid overdraft of groundwater resources. Policy NCR-4.7 “encourage[s] new development to avoid significant water quality impacts and protect the quality of water resources and natural drainage systems through site design, source controls, runoff reduction measures, and best management practices (BMPs).”

San Benito County Code of Ordinance. Chapter 19.17 (Grading, Drainage and Erosion Control Ordinance) of Title 19 (Land Use and Environmental Regulations) of the San Benito County Code of Ordinances sets forth rules and regulations to control excavation, grading, drainage, and erosion, establishes the administrative procedure for issuance of permits, and provides for approval of plans and inspection of grading construction, drainage measures, and erosion control methods. Pursuant to Section 19.17.011(c), in granting a grading permit, the County may attach such conditions as necessary to prevent creation of a public nuisance or hazard to public or private property. The conditions may include, but are not limited to:

- The use of check dams, cribbing, rip rap or other devices to prevent erosion;
- Application of mulching, fertilizing, watering or other methods to establish new vegetation, and stockpiling and reapplication of top soil;
- Restricting the locations of where earth or organic material may be deposited;
- Requiring the preparation of erosion control plans indicating proposed methods for the control of runoff, erosion and sediment control;
- Requiring the preparation of revegetation plans detailing the revegetation of all exposed surfaces during development; and
- Requiring the preparation of drainage plans that include on-site retention of water to pre-development levels.

Increases in peak stormwater flows are addressed in the San Benito County Code of Ordinances, Title 23 (Subdivision Ordinance), Chapter 23.31 (Improvement Designs), Article III (Storm Drainage Design Standards). These standards focus on the 100-year design storm standard for the sizing of detention basins used to provide peak flow attenuation. Chapter 15.05 of the San Benito County Code governs the utilization of water resources in the County. It provides for a permitting system for the extraction of groundwater as well as measures intended to protect these resources.

City of Hollister. In the Natural Resources and Conservation Element of the City of Hollister’s General Plan (2005), Policy NRC 1.6 requires “setbacks, creek enhancement and associated riparian habitat restoration/creation for project adjacent to creeks to maintain storm



flows, reduce erosion and maintenance and improve habitat values, where feasible.” This policy adds that all new structures and paved structures should generally be set back 100 feet from wetlands and creeks.

4.9.2 Impact Analysis

a. Methodology and Significance Thresholds. The following thresholds are based on Appendix G of the *State CEQA Guidelines*. Impacts would be significant if the proposed River Parkway and Regional Park project would result in any of the following:

- 1) *Violate any water quality standards or waste discharge requirements;*
- 2) *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;*
- 3) *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;*
- 4) *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;*
- 5) *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;*
- 6) *Otherwise substantially degrade water quality;*
- 7) *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;*
- 8) *Place within a 100-year flood hazard area structures which would impede or redirect flood flows;*
- 9) *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;*
- 10) *Be subject to inundation by seiche, tsunami, or mudflow;*
- 11) *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.*

Although the project would result in impervious surfaces for the Regional Park and River Parkway, as discussed in the Initial Study (Appendix A) the amount of new impervious surfaces would be minor compared to proposed turf areas and surrounding unpaved surfaces, and would not result in impacts related to groundwater recharge. Therefore, this issue is not discussed further in the impact analysis.

As discussed in Section IX, *Hydrology and Water Quality*, of the Initial Study for the proposed project (Appendix A), the project vicinity would not be at risk from a seiche (an inundating wall of water caused by dam failure) due to the lack of large reservoirs in San Benito County. Furthermore, the County as a whole is too far removed from the Pacific Ocean to experience tsunamis. Therefore, tsunamis and seiches are not discussed further in the impact analysis.

b. Project Impacts and Mitigation Measures.

Impact H-1 **Construction of the proposed project would increase stormwater runoff due to the increase in impervious surface in the project site, which could also degrade water quality. Compliance with federal, state, and local laws and regulations would ensure historic runoff volumes are maintained and water quality standards and waste discharge requirements are met. Impacts related to surface runoff volumes and water quality would be Class III, less than significant.**

The proposed project would increase impervious surfaces within the region by adding paved trails along the river, of up to ten feet in width, and various paved surfaces for recreational uses and a two-to-three lane Access Road at the Regional Park Site. Conservatively assuming a ten-foot-wide main trail that is entirely paved throughout the approximately 20-mile River Parkway corridor, this trail would introduce a maximum of approximately 1,056,000 square feet (or approximately 24.2 acres) of impervious surface. New impervious surfaces would increase the amount of runoff following storm events and could degrade water quality as a result.

Construction of the River Parkway and use of the trail and Regional Park could generate polluted runoff that discharges to nearby drainages. Grading and stockpiling of soils during construction would have the potential to result in discharges of sediment to nearby drainages. During operation of the project, water quality impacts would be minimized because the trail would not allow the use of motorized vehicles (with the exception of authorized patrol and maintenance vehicles), and because maintenance activities would only include the routine use of industrial or hazardous chemicals for maintenance of a recreational buildings, a pool and landscaping. As discussed in Impact HAZ-2 and HAZ-4 in Section 4.8, *Hazards and Hazardous Materials*, the use of chemicals would be required to comply with standard application safety practices and applicable laws and regulations for the proper handling and disposal of such materials. However, polluted runoff could still result from litter or animals such as dogs and horses on the trail. The River Parkway would travel alongside the San Benito River and would cross the river at various locations. Given the number of stream crossings throughout the trail, polluted runoff would remain a concern.

Although the River Parkway trail would introduce an estimated maximum of 24.2 acres of impervious surface, its linear nature and relatively narrow width, would minimize the change in site-specific runoff potential at any given location. In addition, the Regional Park would also increase the amount of impervious surface compared to existing conditions for possible parking areas, walking paths, the Access Road, and for some recreation amenities such as a possible swimming pool or community center. However, other amenities at the Regional Park Site would be pervious surfaces (such as grass for ball fields or landscaped areas). Both the River Parkway and the Regional Park would be within the jurisdiction of the County of San Benito, SWRCD and RWQCB, which would impose applicable drainage standards that would prevent an increase in on-site runoff volumes for new development or re-development projects, as mentioned in Section 4.9.1(d) (Regulatory Setting), as compared to pre-project volumes. The project would be required to comply with the applicable policies and standards pertaining to stormwater runoff. By complying with these drainage standards, the project would not generate

an increase in on-site runoff and therefore would not require or result in the construction of new or expanded stormwater drainage facilities.

Laws and regulations under the CWA would ensure that the proposed project obtain any required CWA permits, (e.g., Section 401, Section 404, and NPDES permits). Permits would be required for each phase of construction and would be obtained by the implementing entity prior to construction. Construction activities associated with each segment would also require a General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit, 99-08-DWQ), even if the segment under construction would disturb less than one acre of soil (as it would be part of a larger plan of development that disturbs more than one acre). The Construction General Permit requires the development and implementation of a SWPPP. The SWPPP would identify stormwater collection and discharge points, drainage patterns across the project, and BMPs that the discharger will use to prevent pollution of stormwater runoff and the placement of those BMPs. BMPs could include:

- Rain gardens: shallow depressions planted with native vegetation that treat and capture runoff, which should be located in well-drained soils;
- Pervious pavement: permeable pavement that can provide temporary storage for runoff and promote infiltration; and
- Vegetated swales: shallow densely planted channels, which promote infiltration, reduce runoff volume and filter pollutants.

With implementation of BMPs to control stormwater discharges, the project would be consistent with Policy NCR-4.7 in the County's General Plan to avoid significant water quality impacts "through site design, source controls, runoff reduction measures, and best management practices (BMPs)." In addition, the proposed restoration of riparian woodland and mulefat scrub in Reach Three, which passes through the City of Hollister, would be consistent with Policy NRC 1.6 in the City's General Plan to protect restore and create riparian habitat adjacent to creeks to maintain storm flows and reduce erosion.

In addition to federal and state laws and regulations regarding stormwater runoff and pollution prevention measures, the region has a Storm Water Management Plan (SWMP) in place to further guide runoff control measures during construction and operation of the River Parkway and Regional Park. The SWMPs are supported by municipal/county code regulations in each jurisdiction, which provide the legal framework for stormwater runoff control. Although the River Parkway would introduce an estimated maximum of 24.2 acres of impervious surface in its 20-mile corridor and the Regional Park would introduce additional impervious surfaces, the project would be unlikely to create substantial localized stormwater runoff, as only eight to ten feet of trailway would be graded (in addition to limited grading associated with restrooms and related amenities) and the trails would be surrounded by natural buffers and vegetative filters. While the Regional Park would provide natural filtration in features such as turf areas, educational gardens, and other open spaces, there may be large areas of impervious surface, such as basketball courts, a community center building, parking lots, and an Access Road. Implementation of BMPs such as those listed above, and adherence to existing federal, state, and local laws and regulations regarding stormwater runoff would ensure that impacts are less than significant level.

Mitigation Measures. No mitigation measures are required.

Significance After Mitigation. Impacts would be less than significant with adherence to federal, state and local laws and regulations.

Impact H-2 According to the 2010 Integrated Report [CWA Section 303(d) List/305(b) Report], the water quality of sections of the San Benito River and Tres Pinos Creek is impaired. E. coli, sediment, and fecal coliform are a few of the pollutants of concern. However, construction and operation of the proposed project would not significantly increase pollutants of concern in these waterways. Potential construction impacts on water quality would be temporary. Impacts associated with the degradation of water quality would be Class III, *less than significant*.

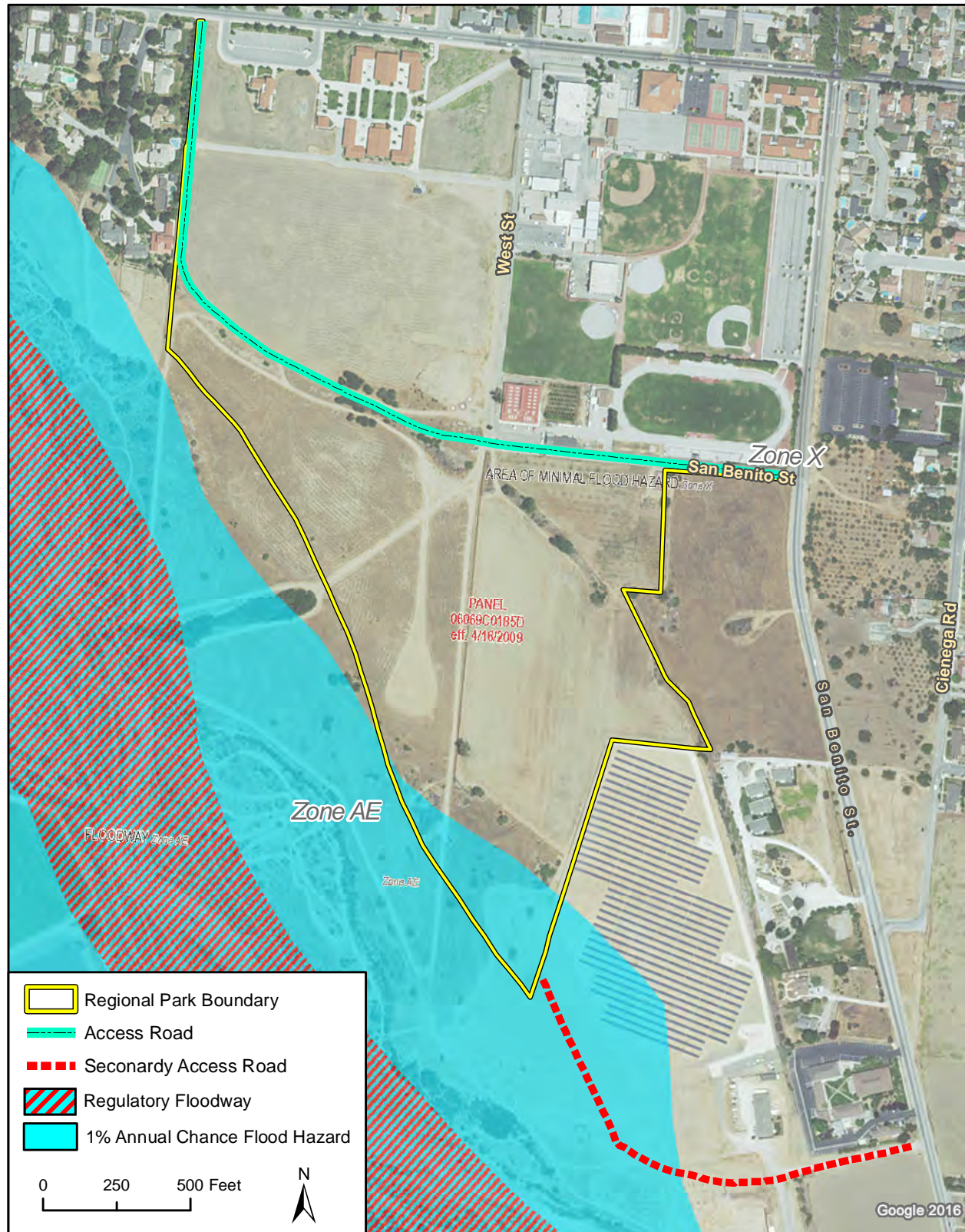
Two waterbodies within the project site, San Benito River and Tres Pinos Creek, are considered “impaired waterbodies” through the CWA Section 303(d) Listing Policy, as described in Section 4.9.1(d) (Regulatory Setting). As discussed in Impact H-1, stormwater runoff from the proposed River Parkway could contribute sediment to these waterbodies, primarily during construction activities. However, drainage and erosion control methods would be implemented during construction and operation of the River Parkway in accordance with applicable laws and regulations, such as to help reduce sedimentation/siltation. These measures would ensure that the project would not significantly contribute to water quality impacts associated with sedimentation/siltation of the San Benito River and Tres Pinos Creek such that water quality would be substantially degraded.

Mitigation Measures. No mitigation measures are required.

Significance After Mitigation. Impacts would be less than significant without mitigation.

Impact H-3 Portions of the proposed project would be constructed within the 100-year flood plain and would be subject to periodic inundation during major storm events. Construction of the proposed River Parkway bridge crossings could also alter the flow characteristics of the waterways they would cross, possibly resulting in greater upstream flooding during major flood events. This is a Class II, *significant but mitigable* impact.

The proposed project would not involve construction of residences and therefore would not place housing within a 100-year floodplain; however, recreational structures could be located within floodplain zones. As discussed in the Master Plans (both the River Parkway Master Plan and the Focus Area and Regional Park Master Plan), base flood elevations and floodplain extents have not been precisely determined for some reaches in the proposed River Parkway. For example, only approximate information is known regarding the floodplain of the San Benito River to the south of Hollister and for Tres Pinos Creek. The Regional Park Site includes a small section of a 100-year floodplain as shown on Figure 4.9-2 and would include the construction of



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Flood Hazard Zones at Regional Park Site

Figure 4.9-2

recreational structures potentially including a swimming pool, playground(s), buildings / structures for community center activities, and restrooms or administrative offices. The proposed River Parkway would include several bridge crossings of waterways for pedestrian and bicyclist users, as described above, which would likely be located in 100-year floodplains. New bridges located in floodplains could potentially alter the course or flow of waterways, increasing upstream flooding, and could be subject to structural damage during flood events.

The CBC sets forth standards for construction of buildings and structures within flood hazard zones. The proposed project would also be required to comply with standards set forth by AASHTO LRFD Bridge Design Specifications, AASHTO Guide Specifications for the Design of Pedestrian Bridges, Caltrans LRFD, and Caltrans Highway Design Manual. In addition, the County of San Benito and City of Hollister have construction standards for buildings and structures within flood hazard zones set forth in municipal codes. Compliance with existing building code standards and other applicable laws and regulations would help reduce potential flooding impacts along the River Parkway and within the Regional Park. Because the trails would not include any structures that would be inhabited by people, and trail use during storm events is anticipated to be limited, it is not anticipated that the trail or Regional Park would locate structures that would impede or redirect flood flows. However, flood impacts related to bridge crossings during storm events and trail-users after storm events, require mitigation.

Mitigation Measures. The following measures are required to reduce flood-related impacts.

- H-3(a) Bridge Design.** The plans for proposed trail bridges shall be submitted to the planning and/or building department of the jurisdiction in which the segment is located for review and approval. Bridges shall be designed to ensure that pre-project flood flows are not exceeded, such that upstream flooding does not occur. All bridge design requirements of the reviewing jurisdiction, as well as all other applicable laws and regulations, shall be implemented. These may include, but would not be limited to: structural anchoring, increase in base-flood elevation, and floodproofing techniques, such as the use of paints, membranes or mortars to reduce seepage, reinforcement to resist water pressure, and addition of mass or weight to structure to resist flotation.
- H-3(b) Trail Inspection Program.** Within 10 calendar days following any flooding event, the trail shall be inspected by the County or its designee to determine if damage has occurred or if debris has collected and constricted water flow around the bridges. If damage or debris is found, it shall be promptly repaired or cleared. If repair is required, temporary signage shall be posted to indicate the trail's closure until damage is repaired. Routine bridge inspections shall be conducted by the Trail Manager or its designee on an annual basis.
- H-3(c) Recreational Structure Location.** The recreational structures included in the Regional Park shall not be located within the 100-year floodplain.



Significance After Mitigation. The measures above would reduce potential flooding impacts to a less than significant level.

c. Cumulative Impacts. Full build out of the San Benito County General Plan and full build out of the City of Hollister General Plan would result in additional development throughout the county and city, which would create more impermeable surfaces and, therefore, more runoff within local waterways. This is anticipated to exacerbate flooding in stream channels of the area, and potentially contribute to flooding and damage of property downstream of new development, as well as potential impacts to water quality.

The proposed River Parkway and Regional Park project would incrementally contribute to this cumulative increase in surface water runoff, flood potential, and water quality degradation. The County and the City of Hollister have policies and standards that require, for example, the maintenance of historic runoff volumes. In addition, there are numerous federal and state laws and regulations that are designed to address water quality and flooding impacts. It is anticipated that all cumulative development would be required to adhere to all applicable laws, regulations, policies and standards, and would also be required to implement feasible mitigation to address any identified site-specific impacts. Addressing flooding impacts from increased runoff on a regional basis for the watersheds in San Benito County would be expected to reduce cumulative impacts to a less than significant level.

Cumulative development could incrementally increase exposure to flood hazards due to construction in flood hazard zones. New buildings or structures could be subject to damage resulting from flooding and could potentially endanger human lives. However, all new development would be subject to federal, state, and local laws and regulations regarding construction in flood hazard areas and would be addressed on a project-by-project basis. Existing regulatory policies and construction and design standards would ensure that cumulative impacts related to flood hazards would be less than significant.

4.10 NOISE

4.10.1 Environmental Setting

a. Overview of Noise. Sound is technically described in terms of the loudness (amplitude) of the sound and frequency (pitch) of the sound. The standard unit of measurement of the loudness of sound is the decibel (dB). Since the human ear is not equally sensitive to sound at all frequencies, a special frequency-dependent rating scale has been devised to relate noise to human sensitivity. The A-weighted decibel scale (dBA) performs this compensation by discriminating against frequencies in a manner approximating the sensitivity of the human ear.

Decibels are based on the logarithmic scale. The logarithmic scale compresses the wide range in sound pressure levels to a more usable range of numbers in a manner similar to the Richter scale used to measure earthquakes. In terms of human response to noise, a sound 10 dBA higher than another is judged to be twice as loud; a sound 20 dBA higher is four times as loud, and so forth. Everyday sounds normally range from 30 dB (very quiet) to 100 dB (very loud). In general, a 3 dB change in noise levels is noticeable, while 1-2 dB changes are generally not perceived. A 5 dBA increase is readily noticeable, while a difference of 10 dBA would be perceived as a doubling of loudness. Noise levels typically attenuate at a rate of 6 dBA per doubling of distance from point sources such as industrial machinery. Noise from lightly traveled roads typically attenuates at a rate of about 4.5 dBA per doubling of distance. Noise from heavily traveled roads typically attenuates at about 3 dBA per doubling of distance.

In addition to the actual instantaneous measurement of sound levels, the duration of sound is important since sounds that occur over a long period of time are more likely to be an annoyance or cause direct physical damage or environmental stress. Several rating scales have been developed to account for the known effects of noise on people. Based on these effects, the observation has been made that the potential for noise to impact people is dependent on the total acoustical energy content of the noise. A number of noise scales have been developed to account for this factor. These scales include the Equivalent Noise Level (Leq), the Day Night Noise Level (Ldn) and the Community Noise Equivalent Level (CNEL).

Leq is the sound level corresponding to a steady-state sound level containing the same total energy as a time-varying signal over a given sample period. Leq is the “energy” average noise level during the time period of the sample. Leq can be measured for any time period, but is typically measured for 15 minutes, 1 hour, or 24 hours.

Ldn is a 24-hour, time-weighted average noise level. Time-weighted refers to the fact that noise which occurs during certain sensitive time periods is penalized for occurring at these times. In the Ldn scale, those events that take place during the night (10 p.m. to 7 a.m.) are penalized by 10 dBA. This penalty was selected to attempt to account for increased human sensitivity to noise during the quieter period of day, where sleep is the most probable activity.

CNEL is similar to the Ldn scale except that it includes an additional 5 dBA penalty for events that occur during the evening (7 p.m. to 10 p.m.) time period. Thus, both the Ldn and CNEL noise measurements represent a 24-hour average of A-weighted noise levels with Ldn

providing a nighttime adjustment and CNEL providing both an evening and nighttime adjustment.

b. Fundamentals of Groundborne Vibration. Vibration is sound radiated through the ground. The rumbling sound caused by the vibration of room surfaces is called groundborne noise. The ground motion caused by vibration is measured as particle velocity in inches per second and, in the U.S., is referenced as vibration decibels (VdB).

The background vibration velocity level in residential areas is usually around 50 VdB. The vibration velocity level threshold of perception for humans is approximately 65 VdB. According to the Federal Transit Administration *Transit and Noise Vibration Impact Assessment* (May 2006), a vibration velocity level of 75 VdB is the approximate dividing line between barely perceptible and distinctly perceptible levels for many people. Most perceptible indoor vibration is caused by sources within buildings, such as operation of mechanical equipment, movement of people, or the slamming of doors. Typical outdoor sources of perceptible groundborne vibration are construction equipment, steel-wheeled trains, and traffic on rough roads. If a roadway is smooth, the groundborne vibration from traffic is barely perceptible. The range of interest is from approximately 50 VdB, which is the typical background vibration velocity level, to 100 VdB, which is the general threshold where minor damage can occur in fragile buildings. The general human response to different levels of groundborne vibration velocity levels is described in Table 4.10-1.

Table 4.10-1
Human Response to Different Levels of Groundborne Vibration

Vibration Velocity Level	Human Reaction
65 VdB	Approximate threshold of perception for many people.
75 VdB	Approximate dividing line between barely perceptible and distinctly perceptible. Many people find transit vibration at this level annoying.
85 VdB	Vibration acceptable only if there are an infrequent number of events per day.
90 VdB	Difficulty with tasks such as reading computer screens.

c. Sensitive Receptors. Noise level allowances for various types of land uses reflect the varying noise sensitivities associated with those uses. In general, noise-sensitive land uses ("sensitive receptors") are any residence, hospital, school, hotel, library, church, or similar facility where quiet is an important attribute of the environment. Such uses have more stringent noise level allowances than most commercial or agricultural uses that are not subject to impacts such as sleep disturbance. Sensitive receptors along the trail corridor vary from reach to reach, and include residences, two churches, and two schools.

Sensitive receptors nearest to each of the project's five reaches along the trail corridor and the proposed park are described below.



Reach 1. The northern reach is rural in nature with agricultural areas. This reach begins just south of the US 101 and crosses SR 56. The nearest sensitive receptor to the Reach 1 is Anzar High School, located approximately 1,300 feet south of the proposed trail corridor.

Reach 2. This reach is also primarily rural in nature, with agricultural areas and scattered residences. Sensitive receptors in close proximity to the Reach 2 include residences as close as 400 feet to the proposed corridor.

Reach 3. This reach passes through agricultural areas and some residential areas in the City of Hollister. The closest sensitive receptors to Reach 3 include residences in the City of Hollister and a church located approximately 500 feet north of the proposed corridor.

Reach 4. This reach passes through mostly agricultural areas with some scattered residences. The closest sensitive receptor to Reach 4 is a cluster of residences located approximately 300 feet north of the proposed corridor.

Reach 5. This reach passes through agricultural areas with some scattered residences. The closest sensitive receptor to Reach 5 is a residence located approximately 800 feet south of the proposed corridor.

Park Site. The Regional Park Site is located within and adjacent to the City of Hollister. The proposed park site is adjacent to a single family residential neighborhood, San Benito High School, and two church facilities, all of which would be sensitive receptors. The residences, high school, and one of the churches directly abut the project site, and the other church is located approximately 800 feet northeast of the site. The Access Road (located within the Regional Park Site) would be adjacent to single-family residences. The residences would be located within approximately 25 feet to the west of the Access Road.

c. Existing Noise Levels. Noise measurements were taken at four different locations near the Regional Park Site. This is the area that would be most affected by noise from the proposed project since it has the highest concentration of residences, as well as the adjacent high school and nearby churches. Measurements were taken in 15 minute increments on Tuesday, November 12, 2013, from 10:45 am to 1:00 pm (during a time when school was in session). Table 4.10-2 shows the noise measurements at these four locations.

**Table 4.10-2
Noise Monitoring Results**

Location	Noise Level (Leq)
1 – adjacent to San Benito High School	43.0 dB(A)
2 – adjacent to the proposed trail south of the park site	30.3 dB(A)
3 – adjacent to the church	40.8 dB(A)
4 – in the proposed park site	29.2 dB(A)

Additional noise measurements were taken in 15 minute increments on May 1st, 2014, from 2:07 to 4:05 pm, which is during the period when nearby schools are letting out and the associated



traffic is on the road, and thus represents a conservative noise estimate due to the volume of traffic on the roadway. Table 4.10-3 shows the noise measurements at five additional locations.

**Table 4.10-3
Additional Noise Monitoring Results**

Location	Noise Level (Leq)
5 – along Access Road adjacent to residences northwest of project site	54.8 dB(A)
6 – Nash Road west of West Street intersection	58.9 dB(A)
7 – West Street south of D Street intersection	52.8 dB(A)
8 – Monterey Street south of Palmtag Drive intersection	54.8 dB(A)
9 – Nash Road west of San Benito Street intersection	56.0 dB(A)

The ambient noise environment in the project vicinity is characterized by agricultural operations, traffic on roadways near the project site, and existing commercial and industrial operations adjacent to the proposed trail corridor.

Agricultural Operations. As discussed in Section 4.2, *Agricultural Resources*, the proposed trail corridor would be located adjacent to active agricultural land. Some of the more common noise sources associated with farming operations include tractors, harvesting equipment, spray equipment, aerial crop-dusters, and stationary power sources, including internal combustion pump engines. Maximum noise levels generated by farm-related tractors typically range from 77 to 85 dB at a distance of 50 feet from the tractor, depending on the horsepower of the tractor and the operating conditions. Due to the seasonal nature of the agricultural industry, there are often extended periods of time when no noise is generated on properties that are actively being farmed, followed by short-term periods of intensive mechanical equipment usage and corresponding noise generation. Due to this high degree of variability of agricultural activities, it is not feasible to reliably quantify the noise generation of agricultural uses in terms of the daily or hourly noise standards commonly utilized to assess impacts of other noise sources. However, these uses may generate short-term periods of elevated noise during all hours of the day and night.

Roadway Noise. The proposed trail alignment would run adjacent to busy roadways in several locations (including US 101), and would also intersect public roadways at multiple locations. The corridor is proposed to cross SR 156 and would pass by roadways in the City of Hollister. The Regional Park Site would be located closest to San Benito Road near the City of Hollister.

Commercial and Industrial Land Uses. Under most circumstances, CEQA is concerned about the impacts of the proposed action on the environment, as opposed to the impacts of the existing environment on the proposed project users. Accordingly, information regarding potential impacts associated with existing land uses on future users is being provided for informational purposes only. Segments of the proposed park and trail would expose future users to noise resulting from existing commercial and industrial land uses. Commercial and industrial land uses are located primarily near Reaches 2 and 3, the proposed park site, and Reach 5 near the sand and gravel mine.

d. Regulatory Setting.

Federal. The U.S. Department of Transportation Federal Transit Administration has recommended noise criteria related to traffic-generated noise. Recommendations contained in the May 2006 Transit Noise and Vibration Impact Assessment prepared by FTA can be used as guidance to determine whether or not a change in traffic would result in a substantial permanent increase in noise. Under the FTA standards, the allowable noise exposure increase is reduced with increasing ambient existing noise exposure, such that higher ambient noise levels have a lower allowable noise exposure increase. Table 4.10-4 shows the significance thresholds for increases in traffic-related noise levels. These standards are applicable to Project impacts on existing sensitive receptors.

**Table 4.10-4
Significance of Changes in Operational
Roadway Noise Exposure**

Existing Noise Exposure (dBA Ldn or Leq)	Allowable Noise Exposure Increase (dBA Ldn or Leq)
45-50	7
50-55	5
55-60	3
60-65	2
65-74	1
75+	0

Source: Federal Transit Administration. Transit Noise and Vibration Impact Assessment. May 2006.

The FTA also recommends vibration impact thresholds to determine whether groundborne vibration would be “excessive.” According to the Federal Transit Administration (FTA), groundborne vibration impact criteria for residential receptors are 72 vibration decibels (VdB) for frequent events, 75 VdB for occasional events, and 80 VdB for infrequent events (FTA, 2006). The FTA recommended 80 VdB threshold for infrequent events at residences and buildings where people normally sleep and 83 VdB at institutional buildings with primarily daytime uses are used for this analysis. In terms of groundborne vibration impacts on structures, the FTA states that groundborne vibration levels in excess of 100 VdB would damage fragile buildings and levels in excess of 95 VdB would damage extremely fragile historic buildings. The threshold for this project is 80 VdB for infrequent events at residences and buildings where people normally sleep (e.g., the existing residences near the project site).

State. As required by Section 65302 of the Government Code of California, desirable noise levels are embodied within the Noise Element of General Plans. Division 28 of the California Health and Safety Code requires that the State Office of Noise Control within the Department of Health Services develop model elements and model noise ordinances for consideration by local jurisdictions in developing noise standards. The objective of noise



standards is to provide the community with a means of judging the noise environment that it deems to be generally acceptable. The State has also adopted guidelines for land use compatibility and community noise environment, which are shown in Table 4.10-5.

**Table 4.10-5
Land Use Compatibility for Noise Environments**

Land Use Category	Community Noise Exposure Level (dBA)			
	Normally Acceptable	Conditionally Acceptable	Normally Unacceptable	Clearly Unacceptable
Residential - Low Density, Single-Family, Duplex, Mobile Homes	50-60	55-70	70-75	75-85
Residential – Multiple Family	50-65	60-70	70-75	75-85
Transient Lodging – Motel, Hotels	50-65	60-70	70-80	80-85
Schools, Libraries, Churches, Hospitals, Nursing Homes	50-70	60-70	70-80	80-85
Auditoriums, Concert Halls, Amphitheaters	NA	50-70	NA	N/A
Sports Arenas, Outdoor Spectator Sports	NA	50-75	NA	N/A
Playgrounds, Neighborhood Parks	50-70	NA	67.5-75	72.5-85
Golf Courses, Riding Stable, Water Recreation, Cemeteries	50-75	NA	70-80	80-85
Office Buildings, Business Commercial and Professional	50-70	67.5-77.5	75-85	NA
Industrial, Manufacturing, Utilities, Agriculture	50-75	70-80	75-85	NA

Source: State of California Governor's Office of Planning and Research, General Plan Guidelines, 2003

Notes: NA - Not Applicable

Normally Acceptable – Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements

Conditionally Acceptable – New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice.

Normally Unacceptable – New construction or development should be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.

Clearly Unacceptable – New construction or development should generally not be undertaken.

San Benito County.

San Benito County General Plan. The Health and Safety Element of the County's General Plan sets forth noise compatibility standards for various land uses. For residential uses, noise levels up to 60 dB CNEL/Ldn are "clearly acceptable," and noise levels of up to 65 dB CNEL/Ldn are "normally acceptable." Based upon a typical exterior to interior noise reduction from a common residential building construction, exterior noise levels within the "normally acceptable" range (65 dB CNEL/Ldn) would provide a sufficient noise level reduction to ensure that interior noise levels remain within acceptable levels. For less noise-sensitive land uses, such



as commercial uses, noise levels of up to 75 dBA CNEL/Ldn are considered “normally acceptable”.

San Benito County Zoning Ordinance – Noise Level Standards The San Benito County Zoning Ordinance (San Benito County Code, Title 25), Chapters 25.37, Article III, Section 25.37.035 specifies exterior noise level standards (hourly average Leq) for non-transportation (i.e., stationary) noise sources, based on land use designations. The County’s stationary noise source standards are shown in Table 4.10-6.

San Benito County Noise Control Regulations. The County Zoning Ordinance (Section 37.035) establishes day and night exterior noise limits for noise compatibility. To reduce construction impacts, construction is required to be limited to weekdays and Saturdays between the hours of 7:00 A.M. and 7:00 P.M. The San Benito County Noise Control Regulations (San Benito County Code, Title 19, Chapter 19.39, Section 19.39.030 specifies maximum permissible sound pressure levels standards (hourly average Leq) for non-transportation (i.e., stationary) noise sources, based on land use designations). The County’s stationary noise control regulations are shown in Table 4.10-7.

**Table 4.10-6
Stationary Noise Source Standards**

Land Use Designation	Average Hourly Noise Level (Leq)	
	Daytime 7 am to 10pm	Nighttime 10 pm to 7 am
Rural Residential	45	35
Residential	50	40
Commercial	65	55
Industrial	70	60

Note:

Noise standards identify maximum acceptable noise from any source, as it affects surrounding properties, measured at the property line of the noise generating use.

Exemptions:

- Safety signals, warning devices, emergency vehicle sirens.
- Temporary construction, demolition, or maintenance of structures between the hours of 7 a.m. and 7 p.m., except Sundays and Federal Holidays.
- Agricultural equipment, including but not limited to water well pumps, pest repelling devices, and other related necessary and agricultural oriented uses.
- Yard maintenance equipment operated between the hours of 7 a.m. and 7 p.m.

Source: San Benito County Zoning Ordinance

**Table 4.10-7
Stationary Noise Control Regulations**

Land Use Designation	Average Hourly Noise Level (Leq)	
	Daytime 7 am to 10pm	Nighttime 10 pm to 7 am
Agricultural Rangeland Agricultural Productive Rural	45	35
Rural Transitional Rural Residential	45	35
Single-Family Residential (R-1) Residential Multiple (RM) Planned Unit Development	50	40
Commercial (C-1) Commercial (C-2)	65	55
Controlled Manufacturing (CM) Light Industrial (M-1) Heavy Industrial (M-2)	70	60

Note:

Noise standards identify maximum acceptable noise from any source, subject to the exceptions set forth in Section 19.39.050 and the exemptions set forth in Sections 19.39.051 and 19.39.060, as it affects surrounding properties, measured at the property line of the noise generating use.

Source: San Benito County Code, Title 19, Chapter 19.39

City of Hollister.

City of Hollister General Plan. The Health and Safety Element of the City's General Plan sets forth noise compatibility standards for various land uses. The General Plan limits construction operations from 7:00 AM to 7:00 PM and sets policies to help reduce noise impacts within the City. These policies include setting limitations for acceptable noise level increases and controlling noise at sources.

HS 3.1 Protection of Residential Areas from Unacceptable Noise Levels. Protect the noise environment in existing residential areas, requiring the evaluation of mitigation measures for projects under the following circumstances: (a) the project would cause the Ldn to increase 3 dB(A) or more; (b) any increase would result in an Ldn greater than 60 dB(A); (c) the Ldn already exceeds 60 dB(A); and (d) the project has the potential to generate significant adverse community response.

4.10.2 Impact Analysis

a. Methodology and Significance Thresholds. The analysis of noise impacts considers the effects of both temporary construction-related noise and long-term noise associated with operation of the proposed project. Construction noise was estimated based on noise level estimates from the Federal Transit Administration's (FTA) Transit Noise and Vibration Impact Assessment (May 2006). Construction noise level estimates do not account for the presence of intervening structures or topography, which may reduce noise levels at receptor locations. Therefore, the noise levels presented herein represent a conservative, reasonable worst-case



estimate of actual temporary construction noise. Construction activities are considered to be temporary because such activities do not occur in the same location for an extended period of time. While construction on the entire project site may occur over several years, the actual location from which noise would be generated would shift as different areas are developed.

Long-term traffic-related noise was estimated based on the estimated number of vehicle trips generated by the proposed project. With regard to noise-sensitive uses adjacent to the trail corridor, the County of San Benito and City of Hollister establish different noise thresholds, as follows:

- *County of San Benito.* 65 dB Ldn (or CNEL) for all noise-sensitive land uses (including residential, institutional, and office uses).
- *City of Hollister.* 60 dB Ldn (or CNEL) for residential uses.

The County threshold of 65 dB Ldn (or CNEL) is used all noise-sensitive land uses located in the County, and the City threshold of 60 dB Ldn (or CNEL) is used for all noise-sensitive land uses in the City in this analysis. For example, noise from project-generated traffic at residential receptors along City streets are evaluated herein relative to the City's 60 dB Ldn (or CNEL) standard.

As described in Section 4.10.1(b) (Sensitive Receptors), the proposed project itself would not be classified as a noise-sensitive land use.

Pursuant to Appendix G of the *CEQA Guidelines*, potentially significant impacts would occur if the proposed project would result in any of the following conditions:

- 1) *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;*
- 2) *Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels;*
- 3) *A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project; and/or*
- 4) *A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.*
- 5) *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; and/or*
- 6) *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.*

It should be noted that the proposed project would not be located within (1) an airport land use plan; (2) two miles of a public airport or public use airport; or (3) the vicinity of a private airstrip. Therefore, the project would have no impact with respect to Thresholds 5-6; accordingly, these items are not evaluated further in this DEIR. Further discussion can be found in the Initial Study (Appendix A of this document).

b. Project Impacts and Mitigation Measures.

Impact N-1 Construction of the proposed project would create temporary noise level and vibration increases that could exceed applicable noise standards. This is a Class I, significant and unavoidable impact.

The operation of heavy equipment during construction of the proposed park (including the Access Road) and trail alignment would result in temporary increases in noise in the immediate vicinity. As illustrated in Table 4.10-8, average noise levels associated with the use of heavy equipment at construction sites can range from about 76 to 89 dBA at 50 feet from the source, depending upon the types of equipment in operation at any given time and the phase of construction. The grading phase of construction tends to create the highest noise levels because of the operation of heavy equipment. Noise levels from point sources such as construction sites typically attenuate at a rate of about 6 dBA per doubling of distance. Therefore, only areas within a few hundred feet of construction sites would be expected to be exposed to noise levels in excess of standards.

The closest sensitive receptors are the residences, high school, and church located adjacent to the Regional Park Site and the residences located adjacent to the proposed Access Road. Based on the construction noise levels presented in Table 4.10-8, the closest receptors (residences located 25 feet from the Access Road) would experience noise levels as high as 95 dBA during operation of the loudest construction equipment. This noise level, although temporary, would exceed the established threshold of 60 dBA Ldn (or CNEL).

**Table 4.10-8
Typical Construction Noise Levels (dBA)**

Equipment	Typical Level 25 Feet from the Source	Typical Level 50 Feet from the Source	Typical Level 100 Feet from the Source	Typical Level 200 Feet from the Source	Typical Level 300 Feet from the Source
Air Compressor	87	81	75	69	66
Backhoe	86	80	74	68	65
Concrete Mixer	91	85	79	73	70
Grader	91	85	79	73	70
Paver	95	89	83	77	74
Saw	82	76	70	64	61
Scraper	95	89	83	77	74
Truck	94	88	82	76	73

Source: Typical noise level 50 feet from the source was taken from FTA, May 2006. Noise levels at 25, 100 feet, 200 feet, and 300 feet were extrapolated using a 6 dBA attenuation rate for the doubling of distance.

Throughout the length of the trail and the park site, construction noise would attenuate to the exterior noise threshold of 60 or 65 dBA Ldn at a distance of approximately 1,500 feet from the source of noise. Any noise-sensitive land uses within 1,500 feet of the trail or park could therefore be exposed to noise levels above the 60 dBA Ldn threshold during construction. It should be noted, however, that this analysis does not account for intervening structures, topography, or vegetation, which may reduce noise levels at sensitive receptors located within

1,500 feet of the proposed project site. However, given the proximity of sensitive uses to the project site [including residences and institutional uses (schools and churches)], numerous receptors may be exposed to noise levels exceeding thresholds.

Equipment used to construct the proposed park and trail could cause groundborne vibrations. These vibrations would be for short periods during construction and would stop once construction was complete.

As discussed in Section 4.10.1(d) (Regulatory Setting), the San Benito County Zoning Ordinance and the City of Hollister General Plan prohibit construction noise between the hours of 7:00 PM and 7:00 AM. The prohibition of construction noise during nighttime hours would limit the effects of nighttime construction noise and vibration, thereby reducing impacts to residential land uses during the hours people are typically in their homes or normally sleep. However, construction activities may be exempt from these noise ordinance restrictions in some instances, such that construction may take place at night. In addition, daytime noise would still exceed the established threshold of 60 dB Ldn (or CNEL) at other noise-sensitive receptors (including residential and institutional uses). Therefore, impacts are potentially significant and mitigation is required.

Mitigation Measures. The following mitigation measures are required to reduce construction-related noise impacts:

- N-1(a) Acoustical Shelters.** Air compressors and generators used for construction shall be surrounded by temporary acoustical shelters if within 1,500 feet of a sensitive receptor (including residential and institutional land uses).
- N-1(b) Construction Equipment.** Stationary construction equipment that generates noise that exceeds 60 dBA Ldn at the boundaries of adjacent sensitive receptors in the City or 65 dBA Ldn at the boundaries of adjacent sensitive receptors in the County shall be baffled to reduce noise and vibration levels. All construction equipment powered by internal combustion engines shall be properly muffled and maintained. Unnecessary idling of internal combustion engines shall be prohibited. Whenever feasible, electrical power shall be used to run air compressors and similar power tools.

Significance After Mitigation. Construction related noise effects would be temporary. In addition, with implementation of the above mitigation measures, noise generated by construction equipment would be limited to daytime hours and would be muffled to the extent practicable. Nevertheless, impacts would remain significant and unavoidable.

- Impact N-2 Operational (non-mobile source) use of the proposed trails would create intermittent noise. However, this noise is not expected to result in a measurable increase in ambient noise levels. Impacts would therefore be Class III, less than significant.**

Operational noise along the proposed trails would include the sound of trail users talking, maintenance workers collecting garbage or maintaining landscapes, and dogs barking, and noises associated with equestrian uses (where allowed on the trails). These new non-mobile noise sources would be intermittent, but would contribute incrementally to the ambient noise levels in the project vicinity. The existing noise environment in the project vicinity includes agricultural operations and roadway noise from highways in the area as well as other roadways in the project vicinity. The intermittent and incremental noise caused by pedestrians, bicyclists, and equestrians as well as maintenance activities would not be expected to generate a measurable increase in ambient noise levels compared to existing conditions. Therefore, the trails portion of the project would not expose nearby sensitive receptors to noise levels above accepted standards during project operations.

Mitigation Measures. No mitigation is required.

Significance After Mitigation. Impacts would be less than significant without mitigation.

Impact N-3 The proposed park would include uses that would create new noise sources near sensitive receptors that could exceed applicable noise standards. Mitigation regarding the design and use of the amphitheater will reduce these impacts to Class II, less than significant with mitigation.

The proposed park may include general recreational uses such as basketball courts, swimming pool, ball fields, and playground(s). Most of these recreational uses are consistent with those at the adjacent high school. The basketball courts would be similar to those already existing in the area and would create consistent levels of noise. Therefore, these uses would not significantly increase the noise level in the park area.

The turf/ball fields could contain loudspeakers or amplifiers for use during games. These games are typically held in the early evening or on weekends and loudspeakers or amplifiers are used by announcers sporadically throughout the games. This would be a temporary increase in noise for the immediate area. If noise amplification is used on the site it is likely that the noise levels would exceed allowable thresholds. Therefore mitigation is required to ensure that noise levels would be under thresholds at sensitive receptors.

Mitigation Measures. The following mitigation measures are required to reduce park operation-related noise impacts:

N-3 Amplified Noise Reduction. Prior to issuance of building permits for ball fields or any use that may involve amplified noise, the project proponent shall submit a sound control plan specifying sound level limits, permitted hours of operation, and noise monitoring requirements that ensure compliance with San Benito County noise standards. This plan shall include specifications showing the design of the amplification system and identified sound barriers, as necessary.

Significance After Mitigation. With implementation of the above mitigation measure, noise generated by operation and use of the proposed park facilities would be reduced to a less than significant level.

Impact N-4 **The proposed project would incrementally increase traffic in the vicinity of roadways around the park. However, this additional traffic would not increase ambient noise levels above applicable noise standards. This is a Class III, less than significant impact.**

The proposed park and trails would generate a small increase in local traffic in the vicinity of surrounding roadways. As indicated in Section 4.12, *Traffic and Transportation*, the proposed project would generate a net increase of approximately 581 average weekday daily vehicle trips (ADT) and 430 Saturday trips.

Roadway noise for San Benito Road and Nash Road were calculated using the Federal Highway Administration Traffic Noise Model LookUp Program. These two roads were divided into eight segments as shown on Figure 4.10-1. The existing roadway noise during the PM peak hour (except where noted) was compared to the noise from existing plus project traffic. As stated in Section 2.0, *Project Description*, the project includes the construction and operation of an Access Road. The PM peak hour was chosen for comparison since this time period has the most vehicles on the road and therefore has the highest noise levels.

The results are shown in Table 4.10-9. Figure 4.10-1 shows the segments analyzed and the nearest sensitive receptors.

**Table 4.10-9
Roadway Noise**

Roadway Segment	Existing Noise Level	Existing Plus Project Noise Level	Difference	Above Threshold?
1 – Nash Road from Westside Blvd to Proposed Access Road	58.6	58.6	0	No
2 – Nash Road from Proposed Access Road to West St	59.8	59.8	0	No
3 – Nash Road from West St to San Monterey Street	60	60.5	0.5	No
4 – Nash Road from Monterey Street to San Benito Street	60.5	60.7	0.2	No
5 – San Benito Street from Nash Rd to Proposed Access Road	65.1	65.2	0.1	No
6 – San Benito Street from Proposed Access Road to Sally St	66.1	66.1	0	No



**Table 4.10-9
Roadway Noise**

Roadway Segment	Existing Noise Level	Existing Plus Project Noise Level	Difference	Above Threshold?
7 – San Benito Street from Sally St to Westside Blvd Extension	65.9	65.5	-0.4 ¹	No
8 – Access Road from Nash Road to West Street ²	58.3	58.4	0.1	No

Source: Rincon Consultants, 2016

¹This reduction in traffic noise at this segment is primarily due to additional access points (including the Access Road, the secondary access point and through entrance on Bailer Alley) to the site area including to existing uses such as the solar field. Currently only one access point exists to existing uses onsite and adjacent to the site (including the solar field) - a partially paved, partially dirt road that connects from San Benito Street.

² Existing Noise levels for the Access Road assume that the Access Road is built but without the Park operational from Nash Road to West Street were not calculated for this scenario. The Existing Plus Project Noise Level assumes the Access Road is built Plus the traffic associated with the Park once fully operational.

As shown on Table 4.10-9, segments 3 through 7 are above the City threshold of 60 dB(A) Ldn. Thus, according to City of Hollister General Plan Policy HS 3.1, the existing plus proposed project noise level would have to be 3 dB(A) above the existing noise level for this to be considered a significant impact. The proposed project would not add 3 dB(A) to any of the analyzed segments (the maximum increase of noise is less than 0.8 dB(A) at each segment). Impacts related to operational traffic noise would be less than significant.

Mitigation Measures. No mitigation is required.

Significance After Mitigation. Impacts would be less than significant without mitigation.



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Sensitive Receptors

Figure 4.10-1

c. Cumulative Impacts. Additional development resulting from buildout of San Benito County and the City of Hollister would gradually alter the scale of existing development and incrementally increase regional noise levels. However, noise-related impacts tend to be fairly limited geographically; it is anticipated that each cumulative development would be required to mitigate, to the extent feasible, identified impacts, as well as incorporate various design features to reduce noise impacts in the vicinity of the cumulative development at issue. Further, as discussed above, individual operational noise-related impacts associated with the proposed project would be less than significant. The proposed project would not constitute a new stationary source of noise, and operation of the trail would result in minimal and incremental noise from trail users (including talking and dogs barking) and maintenance workers (from garbage collection and landscape maintenance). In addition, the proposed project would incrementally increase traffic on and near the project site. Table 4.10-10 compares the cumulative roadway noise to the roadway noise with the proposed project. This table shows that while all of the analyzed segments are above the acceptable threshold, the addition of the proposed project would not cause an audible difference in the noise level. Thus, the project would not have a cumulatively considerable contribution to a cumulative impact in connection with traffic-related noise across the County.

**Table 4.10-10
Cumulative Roadway Noise**

Roadway Segment	Cumulative Noise Level	Cumulative Plus Project Noise Level	Difference	Above Threshold?
1 – Nash Road from Westside Blvd to Proposed Access Road	61.4	61.4	0	No
2 – Nash Road from Proposed Access Road to West St	54.9	54.9	0	No
3 – Nash Road from West St to San Benito St	55.6	55.6	0	No
4 - Nash Road from Monterey Street to San Benito Street	56.4	56.4	0	No
5 – San Benito Street from Nash Rd to Proposed Access Road	70.4	70.4	0	No
6 – San Benito Street from Proposed Access Road to Sally St	67.5	67.5	0	No
7 – San Benito Street from Sally St to Westside Blvd Extension	67.2	67.2	0.0	No
8 – Proposed Access Road from Nash Road to West Street	62	62.1	0.1	No

Source: Rincon Consultants, 2016

Overall, the proposed project would not result in a significant contribution to cumulative noise levels in the area. Cumulative noise impacts would therefore be less than significant.



4.11 PUBLIC SAFETY AND SERVICES

4.11.1 Setting

This section presents information on existing public safety and services within the unincorporated San Benito County, and evaluates the Project's potential impacts on police protection services, fire protection and ambulance services, and parks and recreational facilities. Impacts related to fire hazards are also discussed in Section 4.8, *Hazards/Hazardous Materials*.

a. Emergency Access.

Law Enforcement. The San Benito County Sheriff's Department would provide police protection services to the River Parkway and Regional Park. The nearest police station is the headquarters of the Sheriff's Department, located at 2301 Technology Parkway in northern Hollister, approximately 3.7 miles to the north of the Regional Park Site. Based on the most current available information, the Department is staffed by 14 full-time and part-time service enforcement personnel (sworn and non-sworn) including detectives and responders. The ratio of service enforcement personnel per thousand residents in 2013 was 0.5 service enforcement personnel per 1,000 population, assuming an emergency response service population of 28,000. The Department participates in a mutual aid agreement with the City of Hollister under emergency situations that warrant additional personnel (Sheriff Darren Thompson, personal communication, February 2015).

Emergency response times for the Sheriff's Department are dependent on where the patrol vehicles are in relation to a call, as well as the nature and priority level of the call, as well as staff availability (which has been significantly constrained in the past several years because of budget cuts that have required a reduction in overall staffing). In 2012, the average response time for incidents involving immediate threats to safety was 10 minutes and eight seconds (Sheriff Thompson, December 2013). California law enforcement does not have standardized response times and rural areas, such as the proposed project, typically have longer response times than urban areas due to the decreased density of rural environments (County Sheriff Darren Thompson, Personal Communication, February 2015).

Fire Protection and Ambulance Services. San Benito County contracts with the City of Hollister to receive fire protection services in unincorporated areas. Three fire stations would serve the River Parkway corridor and Regional Park. Fire Station #2, located near the intersection of State Route 25 and Union Road in southeastern Hollister, would serve the River Parkway corridor from Tres Pinos to Nash Road (Charlie Bedolla, City of Hollister Fire Department, personal communication, December 2013). Fire Station #1, located at 5th Street and Sally Street in central Hollister, would provide fire protection services from Nash Road to the west, while Fire Station #4 in San Juan Bautista would serve the western end of the River Parkway corridor. The City of Hollister Fire Department maintains a goal of responding to incidents within five minutes; the industry standard is a response time of 15 minutes for first responders. In practice, the Fire Department generally takes no more than seven minutes to respond. As discussed in Section 4.8, *Hazards/Hazardous Materials*, most of the proposed River Parkway falls within the Moderate to High range of fire hazard severity.

Emergency medical services in San Benito County are coordinated by the County Emergency Services (EMS) Department. The County contracts with private companies for paramedical services. San Benito County contracts with AMR for emergency medical services. The County has established standard response times based on community type as follows: urban (ten minutes), rural (30 minutes), wilderness (90 minutes), wilderness remote (120 minutes). These standards have been established by the County EMS Agency and to date, have not been incorporated into an updated EMS Plan. From January through November 2014, AMR responded to 93% of calls within this standard (Marcie Morrow, EMS Services Coordinator, personal communication, February 4, 2015).

b. Water Sources, Supply and Demand. Water in San Benito County is provided from three main sources: the underlying groundwater basin, the Central Valley Project (CVP), and other sources such as the Hernandez and Paicines Reservoirs. Groundwater is the largest source used in the county. The San Benito County Water District (SBCWD) has jurisdiction over water management throughout the majority of the county. Groundwater resources are actively monitored and managed by the SBCWD, which is also responsible for importation of water from outside the county (primarily from the CVP), and the management of surface water resources within the county. The Hollister Urban Area (HUA) (as set forth in the City of Hollister Water and Wastewater Master Plan), includes the City of Hollister and the immediately surrounding area, including the Regional Park Site and portions of the River Parkway (Reach 2 and Reach 3). Sunnyslope County Water District (Sunnyslope) and the City of Hollister provide water service as water purveyors to uses within the HUA. The Regional Park Site and portions of Reach 2 and Reach 3 would be served by the City of Hollister and Sunnyslope County Water District. Other portions of the River Parkway (those areas outside the HUA) in unincorporated San Benito County that may need water service (for drinking fountains or restrooms) that are not served by the City of Hollister or Sunnyslope would be served by other small local purveyors or rely on individual wells. Table 4.11-1 shows current water supply from each of the sources and compares overall water supplies to current and projected demand in the county (included unincorporated and incorporated areas).

**Table 4.11-1
Water Supply and Demand for San Benito County**

Conditions	2010 Average Conditions (AFY)	2035 Projected Average Conditions (AFY)
<i>Demand in County*</i>	71,115	76,960
Supply Sources		
Central Valley Project (CVP)	12,258	24,484
Groundwater	58,627	51,385
Recycled Water	230	1,091
<i>Total Supply</i>	71,115	76,960

Source: Todd Engineers, 2011. *Water Supply Evaluation for the San Benito County 2035 General Plan Update.*

*Demand in County includes unincorporated San Benito County areas and incorporated areas (Cities of San Juan Batista and Hollister).

In June 2011, the SBCWD, Sunnyslope and City of Hollister collaboratively prepared the most recent Urban Water Management Plan (UWMP) for the HUA. As discussed in the UWMP, the HUA relies on both local groundwater and imported water from the CVP for municipal water supply. Table 4.11-2 shows current water supply from each of the sources used in the HUA and compares overall water supplies to current demand in the HUA. As described above, the City of Hollister would be the primary purveyor of water associated with the proposed project and the Sunnyslope County Water District would be the secondary purveyor as the Regional Park and portions of Reach 2 and Reach 3 are located within the Hollister Urban Area.

Table 4.11-2
Water Supply and Demand for the Hollister Urban Area (HUA)

Conditions	2010 Water Deliveries (AFY)	2035 Projected Average Conditions (AFY)
<i>Demand in HUA*</i>	5,856	11,798
Supply Sources		
Central Valley Project (CVP)	1,510	8,250
Groundwater	4,098	4,004
Recycled Water	203	1,170
<i>Total Supply</i>	5,811	13,424

Source: Todd Engineers, 2011. Hollister Urban Area 2010 Urban Water Management Plan.

**Demand in HUA includes both City of Hollister and Sunnyslope County Water District service areas.*

As shown in Table 4.11-2, the HUA would nearly double in demand from existing conditions, but would have a surplus of approximately 1,626 acre-feet per year (AFY) in 2035. Due to the negligible amount of water demand generated by the River Parkway component of the project, detailed analysis of projected water supply in the other reaches is not required.

4.11.2 Regulatory Framework

a. Law Enforcement. All law enforcement agencies within California are organized and operate in accordance with the applicable provisions of the California Penal Code. This code sets forth the authority, rules of conduct, and training for police officers. Under State law, all sworn municipal and county officers are state police officers. In addition, the San Benito County General Plan and the San Benito County Code contain the following provisions applicable to the regulation of police services:

2035 General Plan. The 2035 General Plan Public Facilities and Services Element provides the goals, policies and objectives pertaining to police services. These include focusing future development around areas with existing services and infrastructure, ensuring adequate public facilities and services are available for residents, and that adequate levels of service shall be maintained.

b. Fire Protection and Ambulance Services. Fire hazards are addressed mainly through the application of the State Fire Code and the Uniform Building Code (UBC). The Fire Code addresses access, including roads, and vegetation removal in high fire hazard areas. The UBC requires development in high fire hazard areas to show proof of nearby water sources and

adequate fire flows. In addition, the San Benito County General Plan and the San Benito County Code contain the provisions applicable to the regulation of fire protection and ambulance services.

2035 General Plan. The 2035 General Plan Land Use Element, Health and Safety Element, and Public Facilities and Services Element provide goals, policies and objectives pertaining to fire protection and ambulance services. These include focusing development in areas with existing infrastructure and public services, maintaining appropriate fire protection water standards, and maintaining adequate levels of service.

The County Code Chapter Title 23 (Subdivision Ordinance), 23.27 (Fire Design Standards) contains numerous development standards that would encourage fire safety, including: roadway width, surface, grade, turning radius, and structure standards; gate entrance standards; street and road sign standards; and emergency water supply standards. Water supply thresholds for multiple residential, commercial or industrial uses include a County requirement of 2,500 GPM at 20 PSI residual.

c. Water Supply.

State.

State Water Resources Control Board, Division of Drinking Water (DDW). To the extent that portions of the project that are not within the HUA would be served by an entity other than the City of Hollister or Sunnyslope, then the water/wastewater service provider(s) for the proposed project (whether investor-owned utility or mutual water company) would be a “public water system,”¹ and therefore must obtain a permit to operate the system from the DDW (Health & Safety Code § 116525).² The permit process involves providing technical, managerial, and financial information and showing the water supply meets certain health and safety standards. After issuance of the DDW permit, the owner/operator of the public water system must ensure that the water system continuously complies with the primary and secondary drinking water standards and other requirements set forth in the Drinking Water Act (Health & Safety Code § 116555(a)). The system may only be operated by an operator holding the proper certification (See Health & Safety Code § 116555(b)).

The 2014 Sustainable Groundwater Management Act. The Sustainable Groundwater Management Act of 2014 (SGMA), enacted in October 2014, applies to all groundwater basins in the state. Any local agency that has water supply, water management or land use responsibilities within a groundwater basin may elect to be a “groundwater sustainability agency” for that basin. Local agencies have until January 1, 2017 to elect to become or form a groundwater sustainability agency. In the event a basin is not within the management area of a groundwater sustainability agency, the county within which the basin is located will be presumed to be the groundwater sustainability agency for the basin. By enacting the SGMA, the

¹ A “public water system” is defined as “system for the provision of water for human consumption through pipes or other constructed conveyances that has 15 or more service connections or regularly serves at least 25 individuals daily at least 60 days out of the year” (Water Code, § 116275(h)). Public water systems are further subdivided into two types: community and non-community water systems. Based on the number of connections and the nature of the project, the water system serving the project would be a community water system and ongoing testing requirements would be based on that classification (Health & Safety Code, § 116275(i)).

² Prior to July 1, 2014, the state’s drinking water program was a part of the Department of Public Health.



legislature intended to provide local agencies with the authority and the technical and financial assistance necessary to sustainably manage groundwater within their jurisdiction.

DWR has identified San Juan Bautista Subbasin of the Gilroy-Hollister Groundwater Basin as a “medium-priority basin.” Therefore the San Juan Bautista Subbasin is required to be managed pursuant to a groundwater sustainability plan, which must be prepared by January 31, 2022. The SGMA provides local agencies with additional tools and resources designed to ensure that groundwater in the greater San Juan Valley is sustainably managed.

The San Juan Subbasin, which is identified as the source of supply for this project, is not identified as a separate basin by DWR. As described in Section 3.2 of the WSA, the boundaries of the San Juan Subbasin, as described by SBCWD, are different from the San Juan Bautista Subbasin, which is included in DWR’s Bulletin 118. Nevertheless, it is possible that one or more local agencies such as the SBCWD or the County may elect to become the groundwater sustainability agency for a basin that includes some or all of the San Juan Subbasin. Alternatively, a local agency – for example, the SBCWD – may request that DWR revise the boundaries of a basin, including the establishment of one or more new subbasins.

Any groundwater sustainability agency established for the San Juan Subbasin, or for a portion of the San Juan Subbasin, or for an area that includes the San Juan Subbasin, would have additional powers under the SGMA to manage groundwater within the basin and regulate groundwater extractions from individual groundwater wells or wells generally. In exercising its authority under the SGMA, a groundwater sustainability agency must consider the interests of holders of overlying groundwater rights, among others, and may not make a binding determination of the water rights of any person or entity.

The SGMA also requires DWR to categorize each groundwater basin in the state as high-, medium-, low-, or very low priority. All basins designated as high- or medium- priority basins must be managed under a “groundwater sustainability plan” that complies with Water Code section 10727 *et seq.* Groundwater sustainability plans must be prepared by January 31, 2020 for all high- and medium-priority basins that are subject to critical conditions of overdraft, as determined by DWR. Groundwater sustainability plans must be prepared by January 31, 2022 for all other high- and medium-priority basins. In lieu of preparation of a groundwater sustainability plan, a local agency may submit an alternative that complies with the SGMA no later than January 1, 2017.

Local.

2035 General Plan. The San Benito County 2035 General Plan Update Land Use Element, Public Facilities and Services Element, and Natural and Cultural Resources Element goals, policies and objectives pertaining to water supply and distribution and public services. These include focusing future development around areas with existing infrastructure, using sustainable building practices, and providing sufficient fire flows and protection for new development.

San Benito County Code of Ordinances. Title 15 (Public Works) of the San Benito County Code of Ordinances sets forth requirements for Solid Waste Regulations (Chapter 15.01), Water



(Chapter 15.05), and Sewers and Sewage Disposal (15.07). Article III (Well Standards) of Chapter 15.05 (Water Ordinance) sets forth the minimum requirements for construction, reconstruction, repair and destruction of water wells, cathodic protection wells and monitoring wells. Article III requires adherence to appropriate permit application procedure, payment filing fees, and permit conditions and contains well standards which state: *“Except as otherwise specified, the standards for the construction, repair, reconstruction, or destruction of wells shall be as set forth in the California Department of Water Resources Bulletin 74-81 “Water Well Standards, State of California” except as validly modified by subsequent revisions and/or supplements.”* Article III further sets forth requirements for variances, groundwater protection, inspections, completion reports, appeals, and violation; penalty; enforcement.

Article IV (Water Conservation) of Chapter 15.05 (Water Ordinance) requires that building permits be issued in conformance with the final water conservation plan. The final water conservation plan shall specify guidelines for the issuance of building permits and shall specify certain requirements to be incorporated into the design and construction of all structures constructed in the county. Before the adoption of the final water conservation plan, the County imposes certain interim restrictions on the issuance of building permits including, but not limited to the following:

- *Prior to the adoption of the preliminary water conservation plan, the Building Department shall not issue a building permit until the Planning Commission determines that ample water of suitable quality³ exists to meet the water needs generated by the structures and the use thereof. The applicant shall have the burden of proof according to clear and convincing evidence.*

Article IV (Water System Design Standards) of Chapter 23.31 (Improvement Designs) apply to any facility or system in the County, except individual residential parcels not served by a system and small water systems servicing four or less services, that is or may be a county (or county-operated service area) owned system; and/or serves, or plans to serve, water to any land development project that is subject to approval of the county’s Board of Supervisors, Planning Commission, Fire Marshal or Department of Public Works. Section 23.31.061 sets forth water supply requirements including, but not limited to, the following:

- *Water supplied for use in domestic water systems in the County shall conform to the latest revisions of Sections 3, 4 and 5 of the United States Public Health Service Drinking Water Standards, the requirements of the California Health and Safety Code and the California Administrative Code Title 22 and local ordinances.*
- *Within an unincorporated urban center, water supply shall be provided by an existing agency or if there is no existing agency, a new district shall be formed. Article IV also sets forth requirements for water distribution system design.*
 - *Development on existing parcels shall connect to a public water system.*
 - *Main extensions for the purpose of serving development shall be constructed*

³ AMPLE WATER OF SUITABLE QUALITY means establishing the following: (1) The quantity of water to be used as a result of the use of the proposed structure on an average annual basis; (2) The quality of water necessitated by the use of the proposed structure; (3) A reliable source of the water to be used; (4) The quantity and quality of the water source; (5) The existing and potential other users of the source of water, and an estimate of the amount of water needed by these users on an average annual basis; and (6) The insignificant impact of the proposed use on existing and potential users of the water source. “Insignificant impact” includes a determination that the withdrawal of water from the water source does not exceed the replenishment of the water source, nor will the proposed withdrawal of water reduce the quality of the water source.



across the full frontage of the property served unless otherwise directed by the water purveyor. The developer shall fund needed main extension.

Section 23.31.062 of Article IV sets for requirements for water distribution system design including location of water mains, distribution system, sizing and selection of pipe, storage facilities, booster stations, telemetry and control systems and materials.

City of Hollister General Plan. The City of Hollister General Plan Community Facility and Services Element includes goals, policies and objectives pertaining to water supply and distribution and public services. These include focusing ensuring that development does not exceed the capacity of services, coordinating with responsible district and entities, and encouraging development in areas that are already served by utilities.

4.11.3 Impact Analysis

a. Methodology and Significance Thresholds. A significant impact would occur if the proposed River Parkway and Regional Park project would result in any of the following conditions:

- 1) *Result in substantial adverse physical impacts associated with the provision of new or physically altered government and public services facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection, police protection, or ambulance services;*
- 2) *Require or result in the construction of new water facilities or expansion of existing facilities, the construction of which could cause significant environmental effects;*
- 3) *Have insufficient water supplies available to serve the project from existing entitlements and resources or new or expanded entitlements would be needed; and/or*
- 4) *The project would 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.*

It should be noted that the proposed River Parkway and Regional Park project would not generate any increase in population, and therefore consideration of potential impacts on schools and library services is not warranted in this DEIR. For further information regarding these items, see the Initial Study (Appendix A). The proposed project would not generate any increase in population and rather would enhance public transportation and recreation options, and therefore the project would not create physical deterioration of existing recreation facilities, nor generate demand for new recreation facilities. Accordingly, these topics are not evaluated further in this analysis.

In addition, as discussed in the Initial Study (Appendix A) the proposed project would not exceed wastewater treatment requirements or require the construction of new wastewater treatment facilities. The capacity of wastewater facilities in the Hollister Urban Area, which encompasses Reach Three and the Regional Park site, is evaluated in the Hollister Urban Area Water and Wastewater Master Plan from November 2008. As shown in Figure 8-1 of this plan, the Domestic Wastewater Treatment Plan in the Hollister Urban Area is expected to have adequate capacity to meet projected average dry weather flows of wastewater through the year

2023. Project wastewater inputs are approximately 4 million gallons per day, while treatment capacity is anticipated to be 5.0 million gallons per day, assuming the installation of additional membranes on an as-needed basis (Hollister, 2008). Therefore, wastewater treatment providers and existing infrastructure would have additional capacity to treat and convey the minimal volume of wastewater generated by the proposed project.

Finally, the proposed River Parkway and Regional Park is not anticipated to generate significant amounts of solid waste (less than 32 metric tons per year⁴) because people tend to use parks and trails temporarily and do not sleep there. Therefore, would not cause the John Smith Road Landfill (which would serve the project area and has a remaining capacity of approximately 4,625,827 cubic yards and an estimated closure date of January 1, 2032) to exceed its permitted capacity or violate any regulations related to solid waste. As a result, the checklist items related to these conditions were excluded from the above list and further discussion can be found in the Initial Study (Appendix A of this document).

Impacts on stormwater drainage are discussed in Section 4.9, *Hydrology and Water Quality*, while impacts on commuter services are addressed in Section 4.12, *Transportation/Traffic*.

b. Project Impacts and Mitigation Measures.

Impact PS-1 The proposed River Parkway and Regional Park project would not generate the need to construct new or altered police, fire or ambulance service facilities in order to maintain acceptable service ratios, response times or other performance objectives. Impacts to police and fire protection services would be Class III, less than significant.

The proposed River Parkway and Regional Park project would involve construction of recreational facilities and amenities that would require police and fire protection services and ambulance services. For example, to ensure the safety of pedestrians, bicyclists, equestrians and other users of the River Parkway's trail system, police services would be needed. Additionally, restrooms at staging areas, benches, picnic tables, shade structures, and wooden fencing along the River Parkway corridor could require fire protection services. The Regional Park also would require police service for members of the public using facilities on-site and fire protection services for structures such as a community center, a concession/restroom building, a BMX pump track, and a group picnic area with shelters.

Although the project would not generate additional population that would depend upon emergency services, potential emergency situations in the River Parkway or Regional Park could result in altered demand for existing police and fire protection services. Consequently, the providers of police and fire protection services were contacted to ascertain whether any agency anticipates problems with emergency access or response times within their jurisdiction along the proposed River Parkway and in the Regional Park. The adequacy of emergency access and potential response times to the River Parkway and Regional Park, among other considerations, are discussed below.

⁴ See CalEEMod Results in Appendix B as well as discussion of Solid Waste Emissions in Section 4.7, *Greenhouse Gas Emissions/Climate Change*.



Both the River Parkway and Regional Park would be designed so as to ensure emergency access. The River Parkway would provide multiple primary and secondary staging areas along the approximately 20-mile-long corridor, each with a gated entrance (to secure the parkway during hours of closure). At trail entrances, removable bollards or gates with chicanes (impediments to slow the speed of traffic on trails) would be installed where emergency or patrol access is needed, while preventing unauthorized motorists from entering the trail corridor. The primary trail in the River Parkway would have a minimum paved width of eight feet, with a preferred width of 10 feet, and a buffer two to five feet in width. The Sheriff's Department would need eight to nine feet of paved surface, with adequate brush clearing on either side, to ensure that the trail corridor is drivable for patrol cars (Sheriff Thompson, December 2013). According to guidelines for trail design in the Master Plans (both the River Parkway Master Plan and the Focus Area and Regional Park Master Plan), brush would be cleared to a height of eight feet alongside multi-use trails and to 12 feet adjacent to equestrian trails. Therefore, paved trails in the River Parkway corridor would provide adequate access to patrol cars. Furthermore, portions of the River Parkway may be constructed on existing roadway rights-of-way, where emergency access would be readily available.

As discussed in Section 2.0, *Project Description*, the Regional Park would include primary vehicular entries from Nash Road to the north via the proposed Access Road, from San Benito Street to the northeast at the Access Road (Baler Alley)/San Benito Street intersection, and from San Benito Street to the southeast (to access the parking lot near the softball fields and the parking lot southwest of the central hub). In addition, possible future connections via the Westside Boulevard Extension (which is not a component of this project) could provide long-term vehicular access to the site from the northwest, although availability of this potential future connection is not being relied upon in this DEIR to find impacts would be less than significant. The Fire Department would require access roads at least 12 feet in width (Charlie Bedolla, December 2013). With at least three proposed entries for motorized vehicles (from Nash Road via the proposed Access Road and two entries from San Benito Street), the Regional Park would provide adequate emergency access for police and fire protection services.

Another concern of police and fire protection providers is the amount of time it would take to respond to emergencies on-site. For the River Parkway corridor, the Sheriff's Department would define "response time" as the time from notification of an incident up to arrival at a trail entrance (Sheriff Thompson, December 2013). It is not anticipated that response times for police officers would exceed the existing average of approximately 10 minutes, either at the River Parkway or Regional Park. Additional time may be required to travel along the trail corridor to reach the scene of any incidents. However, to facilitate emergency access, the River Parkway would employ a system to demarcate distances along the corridor, such as milepost or block numbers.

In addition to site access, the Fire Department is concerned with water supply (via hydrants) to sites (Charlie Bedolla, December 2013). As concluded below in Impact PS-3, there is sufficient water supply, including fire flow, available to serve the River Parkway and Regional Park. With the proper placement of fire hydrants, in accordance with Fire Department standards, as well as compliance with all other applicable requirements and standards, the project would have enough water to use in the event of a fire on-site.

The Sheriff's Department also has limited staff available to patrol the area. Although existing police services would be adequate for responses to calls from the River Parkway and Regional Park, provided that the trail corridor is drivable, additional staff would be necessary to conduct routine patrols of the area (Sheriff Thompson, December 2013). Nevertheless, due to the nature of trails and considering that incidents requiring emergency response on a primarily rural trail corridor would be expected to occur infrequently, routine patrols should not be necessary.

As noted above, the project would not generate additional population requiring police or fire protection services. Emergency access to the proposed trail network would be sufficient, and the project would not cause emergency providers to consistently exceed existing average response times. Because users of the River Parkway and Regional Park would generate a relatively low level of demand for emergency services, the construction of new or altered police and fire protection facilities (which could potentially result in environmental impacts) would not be required to ensure adequate service levels. Therefore, impacts would be less than significant.

Mitigation Measures. No mitigation is required.

Significance After Mitigation. Impacts would be less than significant without mitigation.

Impact PS-2 Water use associated with the River Parkway and Regional Park Project would generate a net increase in water demand estimated at 122.02 AFY. The water supply in the area would be adequate to serve the project. Therefore, water supply impacts would be Class III, less than significant.

The proposed Master Plans state that where water service is available, primary and secondary staging areas and access nodes for the River Parkway would include drinking fountains for trail users and water spigots for equestrians. At staging areas where water service is not available, vault toilets that do not require a water supply could be installed. In addition, water would be required to inhibit the generation of fugitive dust during construction activities and for landscaping maintenance during operation of the River Parkway. As described above in the setting, the Regional Park Site and portions of Reaches 2 and 3 of the corridor are located within the HUA and thus would be served by Sunnyslope and the City of Hollister. The remaining reaches would be located outside the HUA in unincorporated San Benito County and would thus be served by small local purveyors or rely on individual wells. The minimal water use associated with the River Parkway (drinking fountains, watering for fugitive dust (during construction and landscape maintenance), and landscaping maintenance) would not be anticipated to require or result in the construction of new water facilities or expansion of existing facilities.

The proposed Regional Park would be expected to consume water for use in a public swimming pool, the community center building, restrooms, drinking fountains, and watering of athletic fields and landscaping. The Regional Park (in addition to portions of Reach 2 and Reach 3 of the River Parkway) would be located within the Hollister Urban Area and would be served by the City of Hollister and Sunnyslope County Water District (the local water purveyors). Water

demand associated with potential park amenities is shown in Table 4.11-3. Water usage was calculated using the California Emissions Estimator Model (CalEEMod) 2011 Version 2013.2.2 software program (see Appendix B for calculations). The default values on which the CalEEMod software program are based include the California Energy Commission (CEC) sponsored California Commercial End Use Survey (CEUS) and Residential Appliance Saturation Survey (RASS) studies⁵ which provide average water use rate values for Northern and Southern California land use types including those pertinent to the proposed project (park, community center, swimming pool, etc.).

**Table 4.11-3
Projected Water Demand for Regional Park**

Type	Average Annual Demand (approx.) (Gallons Per Year)	Average Annual Demand (Acre Feet Per Year - AFY) (approx.)
Park – Landscape and fields irrigation, water fountains, outdoor restrooms	36,935,900	113.35
Community Center	2,666,010	8.18
Swimming Pool	159,686	0.49
Total Annual Demand		122.02
HUA Surplus Supply in Year 2030		1,626
Does Demand Exceed 2030 Supply?		NO

Source: CalEEMod Water Use Rates (See Appendix B); Todd Engineers, 2011. Hollister Urban Area 2010 Urban Water Management Plan.

As shown in Table 4.11-3, water demand would total approximately 122 AFY. Based on the anticipated demand and supply for the HUA in the year 2030, this increase of 122 AFY would not exceed the surplus supply in the HUA of 1,626. Therefore, the surplus of approximately 1,626 AFY would be adequate to serve the estimated increase in demand of 122 AFY. Therefore, there would be adequate supply of water to serve the Regional Park and the minimal amount of water associated with the River Parkway. Impacts would be less than significant.

Mitigation Measures. No mitigation measures would be required.

Significance After Mitigation. Impacts would be less than significant without mitigation.

⁵ Sources used in CalEEMod for water use rates include:

Gleick, P.H.; Haasz, D.; Henges-Jeck, C.; Srinivasan, V.; Cushing, K.K.; Mann, A. 2003. *Waste Not, Want Not: The Potential for Urban Water Conservation in California*. Published by the Pacific Institute for Studies in Development, Environment, and Security.

Dziegielewski, B.; Kiefer, J.C.; Optiz, E.M.; Porter, G.A.; Lantz, G.L.; DeOreo, W.B.; Mayer, P.W.; Nelson, J.O. 2000. *Commercial and Institutional End Uses of Water*. Published by the American Water Works Association Research Foundation.

Northern California Golf Association. *Improving California Golf Course Water Efficiency*.
<http://www.owue.water.ca.gov/docs/2004Apps/2004-079.pdf>

c. Cumulative Impacts.

Police and Fire Protection Services. New development in the County would increase demands on fire, police protection and emergency services and generate additional traffic congestion that could hinder emergency response. In addition, as development continues to occur, it could create the need for new or expanded fire, police and ambulance facilities in the future, the construction of which could cause environmental impacts. However, the location, size and type of such facilities are speculative at this point in time, and would be subject to subsequent environmental review. Furthermore, the construction of such facilities can be expected to be required to adhere to mitigation measures to address identified impacts, and would continue to be mitigated on a case-by-case basis. Project design features would in part address these impacts. In addition, the nominal demand generated by the proposed project would not necessitate the construction of new or expanded police, fire or ambulance facilities. Therefore, it is anticipated that the project's contribution to cumulative impacts across the County would be not be cumulatively considerable.

Water Supply and Infrastructure. Additional development resulting from buildout of San Benito County and the City of Hollister would increase the demand for water and the associated infrastructure. As discussed in Impact PS-2, although the proposed River Parkway is not anticipated to result in more than a nominal water demand (associated with a few water fountains and spigots for equestrian use, as well as restroom facilities at staging areas), the Regional Park would result in an increase in water demand in the region, specifically within the HUA which is serviced by the City of Hollister. However, as discussed in PS-2, future supplies through the year 2030 in the HUA have surplus supplies to accommodate anticipated demand (including enough to accommodate the proposed project). As such the proposed River Parkway and Regional Park project would not incrementally contribute to cumulative effects on water supply availability or provision of adequate infrastructure within the water service areas that serve the project area; therefore, no significant cumulative impacts are anticipated.

4.12 TRAFFIC AND TRANSPORTATION

The following analysis is based on a Transportation Impact Study of the proposed project, completed by Wood Rogers in June 2014, with a supplemental memorandum prepared in April 2016 to ensure that the conditions and impact analysis is still valid for the project as currently proposed, and both are included in their entirety in Appendix E. The Transportation Impact Study provided a quantitative, project-level analysis of traffic impacts from the proposed Regional Park and a programmatic analysis of impacts from the River Parkway. As a passive recreational facility in a largely rural area, the River Parkway would not generate an appreciable level of vehicular traffic on nearby roadways. Any vehicle trips associated with the River Parkway would be dispersed among several staging areas along its approximately 20-mile length. By contrast, the active recreational facilities at the Regional Park would generate enough vehicular traffic concentrated in one area to merit quantitative analysis. Therefore, the following discussion focuses on the proposed Regional Park for project-specific impacts, while for the River Parkway, impacts are analyzed programmatically.

4.12.1 Setting

a. Roadway Network. The county is served by State Route 25, which runs north/south through the middle of the county; State Highways 152 and 156, which run east/west through the northern portion of the county; and U.S. Highway 101, which runs north/south through the northwest corner of the county. U.S. Highway 101 provides a major connection between the San Francisco Bay Area and the coastal communities within the Monterey Peninsula.

For the River Parkway, exact staging areas and access points are not yet defined; however, it would be anticipated that the trail users would generally utilize the existing highways and roadways in close proximity to the San Benito River and Tres Pinos Creek to access the trail including but not limited to U.S. Highway 101, Chittenden Road, and San Juan Road in Reach 1, State Highway 156/San Juan Road in Reach 2, Nash Road, San Benito Street, Union Road and Cienega Road in Reach 3, Southside Road in Reach 4, and Southside Road, Bolado Road and State Route 25 in Reach 5.

The Regional Park Site and access to Reach 3 of the River Parkway is located within a roughly triangular area bounded by the San Benito River on the southwest, Nash Road on the north, and San Benito Street on the east. Roadways that currently provide primary circulation within the immediate vicinity of the site are as follows:

San Benito Street is a north-south, two-lane suburban roadway, and is one of several main north-south routes through the City of Hollister. San Benito Street forms a signal-controlled intersection with Nash Road. San Benito Street is the historic route of State Route (SR) 25, which now bypasses the City to the east via a four-lane roadway built in 2007.

Nash Road-Tres Pinos Road-Sunnyslope Road forms a continuous two-lane corridor running east-west through the City, south of the downtown area. For purposes of this analysis, this corridor will be referred to as Nash Road.

San Benito High School, and associated grounds, occupies the southwest quadrant of the Nash



Road/San Benito Street intersection, with approximately 1,400 feet of frontage on San Benito Street and 2,200 feet of frontage on Nash Road. Extension of San Benito High School is located along the northwest quadrant of Nash Road/West Street intersection.

b. Pedestrian and Bicycle Facilities. Existing pedestrian and bicycle facilities in the study area are described as follows:

Nash Road. At its intersection with Westside Boulevard, and to the east, Nash Road is a two-lane road with centerline striping, sidewalk on the north side, and striped pavement and gravel shoulder on the south side. Parking is permitted on the south side, but prohibited on the north side via red-painted curb. East of Line Street, parking is permitted on both sides. Just east of Line Street, a sidewalk begins on the south side. North and south side sidewalks continue, with parking permitted on both sides, to Quail Run. From this point, parking is prohibited on the south side, which is mostly San Benito High School frontage, via red curb. There is a Class II striped bike lane on the south side, along the school frontage. From Powell Street on, parking is prohibited on both sides of the street.

At the intersection with Monterey Street, there are marked (school) crosswalks on the north and west legs of the intersection. The Nash Road crossing is equipped with an in-roadway light system actuated by pedestrian pushbuttons at each end of the crosswalk. San Benito High School is located on the southwest quadrant of the Nash Road/San Benito Street intersection. An extension of San Benito High School is located on the northwest quadrant of Nash Road / Monterey Street intersection. There is a high volume of pedestrians crossing Nash Road at Monterey Street, during school hours.

At the signalized intersection with San Benito Street, there are marked school (yellow) crosswalks on the west and north legs of the intersection only. Crosswalks on the south and east legs are unmarked. Pedestrians on all four legs of the intersection are controlled by pedestrian pushbuttons and WALK/DON'T WALK pedestrian heads. The speed limit on Nash Road is 30 mph except at the school zones, where 25 mph school zones are posted. Nash Road is classified as a Class II Bike Route.

San Benito Street. Starting at Union Road looking north, San Benito Street is a two-lane roadway with centerline striping and no frontage improvements, running through a rural area. Along the San Benito High School frontage, the west side is improved with a vertical curb and gutter section, which becomes sidewalk, curb, and gutter at the south end of the large high school parking lot. This section continues north to the signalized intersection with Nash Road. The east side of San Benito Street has paved and gravel shoulders with some edge line striping. San Benito Street is classified as a Class II Bike Route.

c. Transit Service. The area of Hollister near the Regional Park site is served by San Benito County Express bus service, operated by the San Benito Council of Governments. Service is provided during the 5-day work week on all three (red, blue, and green) lines, at roughly 30- to 60-minute headways. The Blue and Green Lines operate (in east and west directions, respectively) on Nash Road from Line Street, east through the San Benito Street intersection, and continuing east to Ladd Lane. The Red Line operates in both directions on San Benito Street north of the Nash Road intersection. The County Express also provides Dial-a-Ride service to

the Hollister area on weekdays from 7 AM to 6 PM and weekends between 7 AM and 5 PM.
 County

d. Existing Level of Service Results. Traffic operations for the project area¹ have been quantified through the determination of "Level of Service" (LOS). Level of Service is a qualitative measure of traffic operating conditions, whereby a letter grade "A" through "F" is assigned to an intersection or roadway segment, representing progressively worsening traffic operations. LOS have been calculated for all intersection control types using methods documented in the Transportation Research Board (TRB) Publication *Highway Capacity Manual, Fourth Edition, 2010* (HCM-2010). For two-way-stop-controlled (TWSC) intersections, the "worst-case" movement delays and LOS are reported. For signalized and all-way-stop-controlled (AWSC) intersections, the intersection delays and LOS reported are the "average" values for the whole intersection. The delay-based HCM-2010 LOS criteria for different types of intersection controls are outlined in Table 4.12-1.

**Table 4.12-1
 Level of Service Definitions and Criteria for Intersections**

Level of Service	Flow Type	Operational Characteristics	Intersection Control Delay (seconds/vehicle)	
			Signal Control	Two-Way-Stop or All-Way Stop Control
"A"	Stable Flow	Free-flow conditions with negligible to minimal delays. Excellent progression with most vehicles arriving during the green phase and not having to stop at all. Nearly all drivers find freedom of operation.	< 10 0 – 10	< 10 0 – 10
"B"	Stable Flow	Good progression with slight delays. Short cycle-lengths typical. Relatively more vehicles stop than under LOS "A". Vehicle platoons are formed. Drivers begin to feel somewhat restricted within groups of vehicles.	> 10 – 20 > 10 – 15	> 10 – 20 > 10 – 15
"C"	Stable Flow	Relatively higher delays resulting from fair progression and/or longer cycle lengths. Individual cycle failures may begin to appear. The number of vehicles stopping is significant, although many still pass through without stopping. Most drivers feel somewhat restricted.	> 20 – 35 > 15 – 25	> 20 – 35 > 15 – 25

¹ The roadways selected for analysis in the project area were determined based on coordination between Wood Rodgers and San Benito County Resource Management Agency staff for those roadways in proximity to the Regional Park Site that would serve the site and may be impacted by users of the Regional Park once operational.



Table 4.12-1
Level of Service Definitions and Criteria for Intersections

Level of Service	Flow Type	Operational Characteristics	Intersection Control Delay (seconds/vehicle)	
			Signal Control	Two-Way-Stop or All-Way Stop Control
"D"	Approaching Unstable Flow	Somewhat congested conditions. Longer but tolerable delays may result from unfavorable progression, long cycle lengths, and/or high volume-to-capacity ratios. Many vehicles are stopped. Individual cycle failures may be noticeable. Drivers feel restricted during short periods due to temporary back-ups.	> 35 – 55 > 25 – 35	> 35 – 55 > 25 – 35
"E"	Unstable Flow	Congested conditions. Significant delays result from poor progression, long cycle lengths, and high volume-to-capacity ratios. Individual cycle failures occur frequently. There are typically long queues of vehicles waiting upstream of the intersection. Driver maneuverability is very restricted.	> 55 – 80 > 35 – 50	> 55 – 80 > 35 – 50
"F"	Unstable Flow	Jammed or grid-lock type operating conditions. Generally considered to be unacceptable for most drivers. Zero or very poor progression, with over-saturation or high volume-to-capacity ratios. Several individual cycle failures occur. Queue spillovers from other locations restrict or prevent movement.	> 80 > 50	> 80 > 50

Source: HCM-2010, Exhibits 18-4, 19-1 and 20-2.

Table 4.12-2 summarizes the calculations of existing peak hour service level for intersections in the study area under current conditions (without an Access Road and without closure on Nash Road between Monterey Street and West Street), based on existing weekday and weekend traffic volumes and current street geometry. Existing traffic volumes were estimated for Saturday primarily because San Benito High School, located adjacent to the Regional Park Site, is expected to generate traffic from sporting and other events on weekends.

Table 4.12-2
Existing (No Project) Intersection Peak Hour Levels of Service Summary

#	Intersection	Control Type	AM Peak Hour			PM Peak Hour			Saturday Peak Hour		
			Delay (S/V)	LOS	Warrant Met?	Delay (S/V)	LOS	Warrant Met?	Delay (S/V)	LOS	Warrant Met?
1	Nash Rd/ Westside Blvd	TWSC	10.3	B	No	10.5	B	No	10.4	B	No
2	Nash Rd/Access Rd	TWSC (future)	-	-	-	-	-	-	-	-	-
3	Nash Rd/ West St	TWSC	20.0	C	No	18.9	C	No	14.5	C	No



**Table 4.12-2
Existing (No Project) Intersection Peak Hour Levels of Service Summary**

#	Intersection	Control Type	AM Peak Hour			PM Peak Hour			Saturday Peak Hour		
			Delay (S/V)	LOS	Warrant Met?	Delay (S/V)	LOS	Warrant Met?	Delay (S/V)	LOS	Warrant Met?
4	Nash Rd/Monterey St	TWSC	13.7	B	No	8.9	A	No	14.3	B	No
5	Nash Rd/San Benito St	Signal	30.3	C	-	24.9	C	-	25.9	C	-
6	Access Rd/Project Drwy	TWSC (future)	-	-	-	-	-	-	-	-	-
7	Access Rd/San Benito St	TWSC (future)	-	-	-	-	-	-	-	-	-
8	N. Park Drwy/ Westside Blvd Extn	TWSC (future)	-	-	-	-	-	-	-	-	-
9	S. Park Drwy/ Westside Blvd Extn	TWSC (future)	-	-	-	-	-	-	-	-	-
10	Cienega Rd/San Benito St	TWSC	13.4	B	No	14.3	B	No	11.7	B	No
11	Westside Blvd Extn/San Benito St	TWSC (future)	-	-	-	-	-	-	-	-	-

Notes: 1. For TWSC (Two-Way-Stop-Control) intersections, worst-case movement delay (in seconds/vehicle) are indicated. "Average" control delays (in seconds/vehicle) are indicated for AWSC (All-Way-Stop-Control) and Signal-Control intersections.
2. Warrant = California MUTCD 2010 based Peak-hour-Volume Warrant #3 (Urban Areas).

As shown in Tables 4.12-2 the study intersections currently operate at acceptable LOS "C" or better conditions during weekday AM, weekday PM, and Saturday peak hour periods.

e. Regulatory Setting. The proposed River Parkway and Regional Park project would span across the jurisdictions of San Benito County and the City of Hollister. The General Plans from each jurisdiction outline goals and policies regarding pedestrian, bicycle, and roadway infrastructure. Each jurisdiction also establishes in the General Plan traffic operation standards through minimum Level of Service (LOS) standards. In addition, goals and policies designed to encourage walking and bicycling as a mode choice through the increasing and improving of facilities are present in the General Plans of each jurisdictions. There are no established measures of effectiveness or operational standards regarding pedestrian and bicycle facilities in either jurisdiction. Each jurisdiction establishes traffic operation standards differently in the jurisdictions' General Plans. Relevant policies and standards for each jurisdiction are discussed below.

San Benito County.



San Benito County 2035 General Plan Update. The Circulation Element of the General Plan Update states the following:

Policy C-1.12 Level of Service (LOS) Standard – The County shall endeavor to maintain a General Plan target goal of LOS D at all locations. If a transportation facility is already operating at an LOS D or E, the existing LOS should be maintained. Exceptions should be considered where achievement of these levels of service would cause unacceptable impacts to other modes of transportation, the environment, or private property.

Program C-B Monitor Intersections – The County shall monitor unsignalized intersections for the potential need for signalization or other improvements to maintain LOS C.

San Benito County Regional Transportation Plan (2014). The Regional Transportation Plan (“RTP”) was updated by the Council of San Benito County Governments in 2014. To further goals of improving access and mobility and promoting healthy communities, social equity, and safety, the RTP provides several policies that are relevant to the proposed project.

San Benito COG Traffic Impact Mitigation Fee Program (2011). San Benito COG has adopted the 2011 traffic mitigation fee program for the purpose of collecting fees to finance transportation facilities needed to accommodate new development within the City of Hollister and unincorporated San Benito County. The 2011 TIMF includes a fee schedule for projects that occur in the County area.

San Benito County Code of Ordinance. Design standards applicable to certain improvements made to or adjacent to roads and highways are set forth in the San Benito County Code of Ordinances Title 19 (Land Use and Environmental Regulations), Chapter 19.27 (Roads and Highways), Article I (In General). Requirements pertaining to dedication of streets, roads, alleys, access and abutters’ rights; drainage, public utility and other public easements; bicycle paths; transit facilities; and payment of development impact fees to help fund other facilities, are addressed in Title 23 (Subdivision Ordinance), Chapter 23.15 (Dedications, Reservations and Development Fees). Design standards for roads, bicycle and pedestrian paths, and related facilities are set forth in Title 23 (Subdivision Ordinance), Chapters 23.25 (Design Requirements), 23.27 (Fire Design Standards), 23.29 (Road Standards), and 23.31 (Improvement Designs), Article II (Roadway Design Standards). These standards focus on the safe and standardized design of streets in subdivisions, design standards for bike lanes and separated bike paths, defensible space in the event of fires, accessible roadways for fire service providers, and water systems for fire protections.

San Benito County Bikeway and Pedestrian Master Plan (2009). The Bikeway and Pedestrian Master Plan provides the following goals, policies, objectives, and standards regarding bicycle and pedestrian facilities within the County. The following goals and objectives in the Bikeway and Pedestrian Master Plan pertain to increasing access for bicyclists and pedestrians:

Objective 1-2 Expand bicycle and pedestrian facilities and access in and between neighborhoods, employment centers, shopping areas, schools, and recreational sites



Objective 1-3 Consider bicycle and pedestrian facilities in all transportation projects.

Objective 1-4 Increase the number of bicycle-transit trips and pedestrian access to transit.

Objective 4-1 Make biking and walking an integral part of daily life in San Benito County, particularly for trips less than five miles, by implementing and maintaining a bikeway network, providing end-trip facilities, improving bicycle/transit integration, encouraging bicycle use, and making bicycling safer.

City of Hollister.

City of Hollister General Plan. The Circulation Element (dated July 2005) of the City's General Plan states the following applicable policies and definitions:

Policy C1.12 LOS C or Better Arterial Roads – Ensure, to the maximum extent feasible, that the designated arterial roadway system is planned to operate at Level of Service (LOS) C or better during peak and off-peak hours as of the horizon year of the adopted General Plan. (RDR)

The term “arterial” does not appear in the functional classification of roadways elsewhere in the 2005 General Plan document. San Benito Street and Nash Road are classified as “major collectors” (Map 12). All Level of Service “C” is regarded as the minimum acceptable criteria for all segments and intersections within the City's municipal boundaries.

Policy C2.1 Bicycle Facilities – Cooperatively work with COG, Caltrans, and San Benito County to develop, implement, and maintain bicycle facilities providing direct access to major public facilities, schools, and employment centers as described in the San Benito County Bicycle Master Plan...

Policy C4.2 Public Transit – Cooperatively work with COG, Caltrans, and San Benito County to develop, implement, and maintain Public Transit Services.

Policy C4.1 Trucks to Avoid Residential Areas – Discourage or prohibit the movement and parking of large trucks within residential neighborhoods.

The City also classifies bicycle trails as follows:

Class I Bike Route (Bike Path, Bike Trail) – A bike path is completely separated from vehicular traffic for the exclusive use of bicycles. It is separated from vehicular facilities by space, plant materials, or physical barriers such as guardrails or curbing. This class of bicycle trail is often located in parks, schools or areas of scenic interest.

Class II Bike Route (Bike Lane) – A bike lane is a lane on the paved area of a road reserved for preferential use by bicycles. It is usually located along the edge of the paved area or between the parking lane and the first motor vehicle lane. It is identified by “Bike Lane” or “Bike Route” guide signs and marked by special lane lines and other pavement markings. Bicycles have exclusive use of a bike lane for longitudinal travel, but must

share it with motor vehicles and pedestrians at crossings.

Class II Bike Routes are often preferred where pavement width is adequate to accommodate a separate lane, or where speeds of auto traffic are in excess of 30 mph. Some controversy exists over the need for striping bike-lanes on a street, as opposed to simply identifying a route along an existing street with adequate lane widths. Before a route is striped, careful consideration should be given to simply designating the street as a bike route with just directional and destination signs. The decision regarding whether or not to stripe the bike lane must be made in cooperation with the traffic engineers of the jurisdiction involved.

Class III Bike Route (Shared Route) – A shared bike route is a street identified as a bicycle facility by “Bike Route” signing only. A white shoulder line may or may not be provided. There are no special lane markings, and bicycles share the roadway with motor vehicles. The local circulation system will consist of Class II and III bike routes incorporated into the local roadway system throughout the community. By providing bike lanes or extra-wide streets with shoulders sufficient to meet the design standards, these trails can be provided without adding to the operations and maintenance cost burden of the City. In areas where the roadway may be unsafe, 8-foot wide sidewalks are used as local Class I routes.

4.12.2 Impact Analysis

a. Methodology and Significance Thresholds.

Evaluation Criteria. The following thresholds are based on Appendix G of the *State CEQA Guidelines*. Impacts would be significant if the proposed project would result in any of the following:

- 1) *Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways, and freeways, pedestrian and bicycle paths, and mass transit; and/or*
- 2) *Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).*
- 3) *Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways;*
- 4) *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;*
- 5) *Result in inadequate emergency access; and/or*
- 6) *Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.*

It should be noted that the proposed River Parkway and Regional Park project would not affect public or private airport facilities given the project site’s distance from any such facilities, and



therefore would not cause a change in the directional patterns of aircraft. As a result, the checklist item related to this threshold (#4) is not evaluated further in this analysis. Additional discussion on this issue can be found in the Initial Study (Appendix A of this document).

The proposed project would have no impact related to conflicts with an applicable congestion management program because no such program has been adopted for San Benito County. In addition, although the project would nominally increase demand on commuter services, such as public transportation or Park and Ride lots, it would not require improvements in such services which could in turn generate environmental impacts, and would not otherwise conflict with policies regarding public transit. Therefore, no impacts related to public transit would occur, and this issue is not evaluated further in this analysis.

Impacts related to emergency access are discussed in Section 4.12, *Public Safety and Services*.

It should also be noted that the following thresholds/methodology and impact analysis in the EIR section follow the existing conditions, recommended guidance and methodology that was available at the time of the release of the Notice of Preparation (NOP) in September 2013 consistent with CEQA Guidelines Section 15126.2.

Trip Generation Methodology. As discussed above, as a passive recreational facility in a largely rural area, the River Parkway would not generate an appreciable level of vehicular traffic on nearby roadways. Any vehicle trips associated with the River Parkway would be dispersed among several staging areas along its approximately 20-mile length. The River Parkway is projected to generate only a few trips (less than 5 AM, PM, and/or weekend peak hour trips). Therefore, this analysis does not include a quantitative estimate of vehicle trips associated with the River Parkway. Impact T-4 provides a qualitative assessment of traffic associated with the River Parkway throughout the 20-mile trail corridor.

The number of vehicular trips that the proposed Regional Park would generate was estimated utilizing trip generation rates from the *Institute of Transportation Engineers (ITE) Publication Trip Generation* (9th Edition). ITE Trip Generation describes a “Regional Park” use (Use Code 417) as “...owned and operated by a regional park authority. Regional parks use ...[include]...hiking trails, lakes, pools, ball fields, soccer fields, camp sites, picnic facilities and general office space.” For any potential amenities such as a recreational community center within the Regional Park, ITE’s Regional Community Center use (Use Code 495) was utilized. Table 4.12-3 summarizes the applicable generation rates for the Regional Park and River Parkway.

Table 4.12-3
Regional Park Project Trip Generation Rates

Land Use Category	ITE Code	Rate Unit	Weekday Daily Trip Rate/Unit ¹	Saturday Trip Rate/Unit	Weekday AM Peak Hour Rate/Unit	Weekday PM Peak Hour Rate/Unit	Saturday Peak Hour Rate/Unit
Regional Park	417	Acre	4.57	5.65	0.15	0.20	0.34
Recreational Community Center	495	KSF	22.88	9.10	1.62	1.45	9.10

¹ The trips rates illustrated in this table are based on actual ITE Trip Generation (9th Edition) average trip rates.



The distribution of trips generated by the proposed Regional Park was estimated utilizing a review of existing and anticipated future traffic flows and travel patterns within the vicinity of the site, the distribution of local and regional residential population, and prior traffic studies prepared for the City/County. The following trip distribution was estimated for the proposed project:

- 5% to/from Nash Road, west of Westside Boulevard;
- 45% to/from development north of Nash Road/Tres Pinos Road;
- 40% to/from development east of Nash Road/San Benito Street;
- 5% to/from development southeast of Nash Road/San Benito Street; and
- 5% to/from Union Road.

Site Access. It is anticipated that regional access to/from the Regional Park Site would be primarily obtained via the State Highway system as follows:

- From the Central Valley and other locations northeast of Hollister, via SR 156 through Pacheco Pass;
- From Gilroy and the San Jose/South Bay Area region northwest of Hollister, via SR 25 and US Highway 101;
- From the Salinas/Monterey Bay area to the southwest, via SR 156; and
- From the Upper San Benito River area (sparsely populated) via SR 25.

Local access to/from the Regional Park Site would be directly via the proposed Access Road and the two access points from San Benito Street. There also may be a future access as part of the Westside Boulevard Extension project; however, that project is a separate project and thus impacts related thereto are not evaluated in this EIR and the project-level analysis does not rely on this potential future extension for purposes of its impact analysis. These roadways would be accessed from San Benito Street and Nash Road, which connect via local road systems to the State Highway system referenced above via local roads, chiefly San Felipe Road, San Juan Road, and Union Road.

Traffic Scenarios.

Existing Traffic Volumes. As part of the project's Traffic Impact Study, Wood Rodgers conducted new AM and PM peak hour vehicular, bicycle and pedestrian traffic counts at the Nash Road intersections with West Street, Monterey Street and San Benito Street on Tuesday, March 20, 2014 (when schools were in session). Wood Rodgers also conducted new Saturday peak hour vehicular, bicycle and pedestrian traffic counts at the Nash Road intersections with West Street, Monterey Street and San Benito Street on Saturday, March 22, 2014.

As part of the Santana Ranch Specific Plan Transportation Impact Analysis (revised 2010), the weekday AM and PM peak hour traffic counts collected in 2007 at Nash Road /Westside Boulevard intersection were reviewed and used in the Traffic Impact Study. Per review of 2007-2014 traffic counts and associated travel patterns, for purposes of the Traffic Impact Study (June 2014), and as discussed with County Staff, Wood Rodgers derived the weekday AM, PM and Saturday (weekend) peak hour traffic volumes at the San Benito Street/Cienega Road intersection and Saturday (weekend) peak hour traffic volumes at the Nash Road/Westside

Boulevard intersection. Based on a review and comparison of Caltrans' year 2007 counts and more recent 2012-13 traffic counts (as obtained through Caltrans' online publications and newly conducted 2014 traffic counts), it was observed that traffic volumes have generally remained steady from year 2007 through year 2012-14 within the study area (along SR 25 at Nash Road). Therefore, the 2007 ground counts are regarded as being reasonably representative of existing (year 2014) traffic conditions and are retained for use under "existing conditions" evaluated in this EIR for the intersections that were not counted in March 2014.

The AM peak hour is defined as the highest one hour of traffic flow counted between 7:00 AM and 9:00 AM on a typical weekday. The PM peak hour is defined as the highest one hour of traffic flow counted between 4:00 PM and 6:00 PM on a typical weekday, and the Saturday (weekend) peak hour is defined as the highest one hour of traffic flow counted between 12:00 PM and 2:00 PM on a typical Saturday. For purposes of this analysis, the Saturday peak hour counts were estimated to be 95 percent of the weekday PM peak hour traffic counts. Typically, trips during the Saturday peak hour are between 90 to 95 percent of weekday peak hour trips. Due to weekend trips associated with sporting and other events at San Benito High School, this analysis used a more conservative assumption of 95 percent.

Existing Plus Project Conditions. In order to estimate the "Existing plus Project" traffic volumes, the "Project-Only" traffic volumes (for the Regional Park which includes the Access Road) were superimposed on top of "Existing" traffic volumes. Please note that the Traffic Study (Appendix E) also contains additional information for the resultant "Existing plus Project" traffic conditions for other scenarios including one without the Access Road and one with the Access Road and vehicular closure of Nash Road between West Street and Monterey Street (With Access Road and Closure). Because the proposed project would include the Regional Park with the Access Road, and since the Nash Road closure is not a part of this proposed project but rather is a separate project, those two other scenarios are not presented within this EIR section as they do not represent the proposed project as described in Section 2.0, *Project Description*, but rather are included in the Traffic Impact study in Appendix E of this EIR for informational purposes.

Cumulative Base Conditions. Consistent with prior studies prepared for the City, such as the *Fairview Corners Residential TIA* (dated July 21, 2010), the *Santana Ranch Specific Plan Transportation Impact Analysis* (dated March 3, 2010) and the *City of Hollister Circulation Element* (dated December 2005), cumulative conditions are defined as the General Plan (GP) buildout of the City of Hollister and San Benito County (year 2023). The Cumulative Base scenario assumes construction of the Westside Boulevard Extension, which is identified in the City of Hollister's Circulation Element. Cumulative Base ("No Project") traffic volumes were obtained from the studies listed above, consistent with the City's year 2023 travel demand model.

Note that due to the recent downturn of the economy and the ongoing slow recovery process, the City of Hollister and San Benito County General Plan buildout have not been as rapid as originally projected; and as such, the Year 2023 General Plan buildout conditions could occur further into the future in year 2030-35, and therefore the cumulative volumes estimated in this analysis may be regarded as the year 2030-35 traffic volumes.

Evaluation of Significance at Intersections. For each traffic scenario, the level of service



at intersections was compared to LOS standards listed in Section 4.12.1.d, *Regulatory Setting*, for San Benito County and the City of Hollister. In order to determine whether “significance” should be associated with unsignalized intersection operating conditions, a supplemental *California Manual on Uniform Traffic Control Devices*, dated January 21, 2010 (CA-MUTCD 2010) traffic signal warrant analysis was also completed. The term “signal warrants” refers to the list of established criteria used by Caltrans and other public agencies to quantitatively justify or ascertain the need for installation of a traffic signal at an unsignalized intersection. The CA-MUTCD 2010 signal warrant criteria are based upon several factors including volume of vehicular and pedestrian traffic, location of school areas, frequency and type of collisions, etc. CA-MUTCD 2010 indicates that “the satisfaction of a traffic signal warrant or warrants shall not in itself require the installation of a traffic control signal.”

b. Project Impacts and Mitigation Measures.

Impact T-1 Under the “Existing plus Project” scenario, the proposed Regional Park would add trips to intersections in the vicinity of the site. However, the increase in traffic would not result in the exceedance of LOS standards at any study area intersections. Impacts would be Class III, less than significant.

Based on the trip generation methodology described in Section 4.12.2(a) (Methodology and Significance Thresholds), the estimate of vehicular trips generated by the proposed project is shown in Table 4.12-4. The Regional Park is expected to generate an average of 485 vehicle trips per day, including 343 daily trips associated with the recreational community center and 142 daily trips for the other recreational facilities at the Regional Park. The project also is expected to generate a total of 29 AM peak hour trips during weekdays and 28 PM peak hour trips during the weekday, and 67 trips during the Saturday peak hour.

**Table 4.12-4
Regional Park Trip Generation Summary**

Land Use Category	Units	Quantity	Weekday Daily Trips	Saturday Trips	Weekday AM Peak Hour Trips ¹	Weekday PM Peak Hour Trips	Saturday Peak Hour Trips
Regional Park	Acre	31	142	175	5	6	11
Recreational Community Center	KSF ²	15 ³	343	137	24	22	56
Total			485	312	29	28	67

¹ The trips illustrated in this table are based on actual ITE Trip Generation (9th Edition) average trip rates.

² KSF = 1,000 square feet

³ Assumes up to 15,000 square feet of amenities such as a community center would be located on the Regional Park site in order to provide a conservative estimate of traffic trips that may be generated by the Regional Park.

As noted in Section 2.0, *Project Description*, the Regional Park’s Access Road is a proposed new road that would extend for approximately 0.6 mile from Nash Road, west of San Benito High School. This would be the primary entry into the Regional Park. Vehicles would be able to access the Regional Park from Nash Road to the north. The proposed Access Road would likely be a two- or three-lane roadway, with provisions for pedestrians and bikes, and its eastern



reach near the northern part of the Regional Park would use the existing Baler Alley, suitably modified, to connect with San Benito Street to the east.

For the “Existing Plus Project” scenario, the trips generated by the proposed Regional Park were added to estimates of existing traffic at intersections in the vicinity of the site. Table 4.12-5 presents traffic operations for intersections given the traffic volumes, existing intersection lane geometrics, and control associated with the “Existing plus Project” scenario.

Table 4.12-5
“Existing Plus Project” Conditions’ Intersection Traffic Operations

#	Intersection	Control Type	AM Peak Hour			PM Peak Hour			Saturday Peak Hour		
			Delay (S/V)	LOS	Warrant Met?	Delay (S/V)	LOS	Warrant Met?	Delay (S/V)	LOS	Warrant Met?
1	Nash Rd/ Westside Blvd	TWSC	10.3	B	No	10.5	B	No	10.5	B	No
2	Nash Rd/Access Rd	TWSC (future)	11.5	B	No	12.1	B	No	11.8	B	No
3	Nash Rd/ West St	TWSC	19.5	C	No	17.9	C	No	14.5	B	No
4	Nash Rd/Monterey St	TWSC	13.7	B	No	9.0	A	No	14.1	B	No
5	Nash Rd/San Benito St	Signal	30.4	C	-	25.1	C	-	27.2	C	-
6	Access Rd/Project Drwy	TWSC (future)	8.9	A	No	9.0	A	No	9.2	A	No
7	Access Rd/San Benito St	TWSC (future)	13.1	B	No	13.8	B	No	11.9	B	No
8	N. Park Drwy/ Westside Blvd Extn	TWSC (future)	8.6	A	No	8.6	A	No	8.6	A	No
9	S. Park Drwy/ Westside Blvd Extn	TWSC (future)	8.6	A	No	8.6	A	No	8.6	A	No
10	Cienega Rd/San Benito St	TWSC	13.5	B	No	14.5	B	No	11.8	B	No
11	Westside Blvd Extn/San Benito St	TWSC (future)	12.1	B	No	12.5	B	No	10.6	B	No

Notes: 1. For TWSC (Two-Way-Stop-Control) intersections, worst-case movement delay (in seconds/vehicle) are indicated. “Average” control delays (in seconds/vehicle) are indicated for AWSC (All-Way-Stop-Control) and Signal-Control intersections.
2. Warrant = California MUTCD 2010 based Peak-hour-Volume Warrant #3 (Urban Areas).

As shown in Table 4.12-5, the addition of traffic related to the Regional Park would not result in a significant impact at any intersections in the study area as all study intersections are projected to operate at LOS “C” or better conditions during weekday AM, weekday PM and Saturday peak hour periods. Based on both the City and County LOS policy standards, impacts at all



intersections would be less than significant.

Mitigation Measures. No mitigation measures are required.

Significance After Mitigation. Impacts would be less than significant without mitigation.

Impact T-2 The proposed Regional Park would increase demand for pedestrian and bicycle facilities in the vicinity. Physical improvements to such facilities would be needed to ensure the safety of users. Impacts would be Class II, significant but mitigable.

Currently, Nash Road has Class II bike route signing and striping across the San Benito High School frontage only. The remainder of Nash Road within the study limits has either striped, narrow (less than 4-foot) shoulders, or curbs and gutters with parking permitted, but no bike lane striping. The project proposes no changes for bike lane or pedestrian sidewalk status on Nash Road.

As part of the planned roadway extensions in the vicinity of the Regional Park Site, bicycle lanes/facilities would be provided along the roadways fronting the site. Furthermore, pedestrian sidewalks would be provided as part of the roadway improvements fronting the site. The Westside Boulevard Extension would have fully improved frontage treatment (curbs, gutters, sidewalks, and street lights) on the regional park frontage. The rest of this roadway would have a 6-foot multi-purpose shoulder, functioning a pedestrian route, Class II bike lane, and emergency parking area. The Access Road would have fully improved frontage treatments (curbs, gutters, sidewalks, and street lights) on both sides of the road, from Nash Road to San Benito Street. There would be pavement width adequate for a motor vehicle lane, bike lane, and on-street parking lane, in each direction.

In addition to improving facilities for pedestrians and bicyclists, the Regional Park is not expected to create any hazards from design features such as sharp curves or dangerous intersections. The driveways that would provide access to the site would be constructed in accordance with County engineering and fire safety standards, including for motorists to have an adequate line of sight when approaching pedestrian and bicyclist crossings. It also should be noted that the trail system in the River Parkway would be designed to meet to same standards to minimize potential conflicts at road crossings.

However, the proposed Regional Park would generate demand for pedestrian and bicycle facilities on San Benito Street, which is not optimally designed to accommodate additional demand. San Benito Street is striped with 4- to 6-foot shoulders, but no explicit bike lane or pedestrian signage or pavement markings are proposed. Without adequate improvement in bikeway and pedestrian facilities to/from the Regional Park project site, the proposed Regional Park would have potentially significant impacts on the safety of bicyclists and pedestrians.

Mitigation Measures. The following mitigation measure would be required to improve the safety of bicyclists on San Benito Street in the vicinity of the Regional Park Site.

T-2 Bike Lanes. During construction of the Regional Park, the striping on San Benito Street shall be renewed on its existing alignment from Union Road to Nash Road, and Class II bike lane signage and pavement

markings shall be provided on San Benito Street from Sally Street to Nash Road.

Significance After Mitigation. With the striping of bike lanes on San Benito Street and addition of Class II bike lanes signage and pavement markings from Sally Street to Nash Road, impacts on pedestrian and bicycle facilities would be reduced to a less than significant level.

Impact T-3 **The proposed Regional Park Site would include driveways that provide access from the Access Road (Baler Alley). A minimum storage capacity for vehicles on these driveways would be necessary to prevent excessive queuing at entrances otherwise there may be unacceptable peak hour levels of service. Impacts would be Class II, *significant but mitigable*.**

The Regional Park would include a primary driveway that intersects with the Access Road (Baler Alley) and a southern driveway that connects from the access point from San Benito Street (to the southeast of the Regional Park site). To ensure that these driveway approaches do not induce excessive queuing such that they operate at unacceptable peak hour levels of service at entrances to/from the Regional Park Site, they should have a minimum “storage” capacity for vehicles. Traffic impacts associated with driveway intersections would therefore be Class II, *significant but mitigable*.

Mitigation Measures. The following mitigation measure would be required to address impacts at driveway intersections.

T-3 Minimum Vehicle Storage Length. A minimum of two vehicle storage length (or 50 feet) shall be provided for the northbound driveway approach from the Access Road (Baler Alley) and for the driveway approach from the Westside Boulevard Extension.

Significance After Mitigation. With implementation of Mitigation Measure T-3, potential queuing impacts at driveways to the Regional Park Site would be reduced to a less than significant level.

Impact T-4 **The proposed River Parkway would generate minimal vehicle traffic primarily during weekends (daylight hours only) that would not significantly impact the surrounding roadways and intersections, exceed County congestion management level of service standards, or impact Congestion Management Plans. Therefore, impacts would be Class III, *less than significant*.**

The proposed River Parkway would not generate substantial additional traffic because trips would be diffused along the approximately 20-mile trail. Various roadways and intersections would be utilized for vehicular access to each of the five reaches of the River Parkway including U.S. Highway 101, Chittenden Road, and San Juan Road in Reach 1, State Highway 156/San Juan Road in Reach 2, Nash Road, San Benito Street, Union Road and Cienega Road in Reach 3, Southside Road in Reach 4, and Southside Road, Bolado Road and State Route 25 in Reach 5. The minimum acceptable level of service (LOS) for these roadways and any intersections would be LOS C. Implementation of the River Parkway could generate minimal traffic from vehicle trips to proposed trails and any staging areas but would not appreciably worsen the LOS on these roadways or intersections. The River Parkway is projected to generate only a few trips

(less than 5 AM, PM, and/or weekend peak hour trips). Furthermore, the proposed River Parkway would facilitate the increased use of non-motorized modes of recreation and transportation, which could divert motorized traffic throughout the County. Therefore, impacts on LOS or a Congestion Management Plan would be less than significant. The project also would not make a cumulatively considerable contribution to significant impacts related to LOS or Congestion Management Plan .

Mitigation Measures. No mitigation measures are required.

Significance After Mitigation. Impacts would be less than significant without mitigation.

c. Cumulative Impacts.

Impact T-5 Under the “Cumulative Base” and “Cumulative plus Project” scenarios, the proposed Regional Park would add trips to intersections that would be operating at LOS D or worse, including the intersections of Nash Road with Westside Boulevard, West Street, Monterey Street, and San Benito Street. Because right-of-way is not available to institute mitigation at the Nash Road/San Benito Street intersection, impacts would be Class I, *significant and unavoidable*.

Additional development resulting from buildout of San Benito County and the City of Hollister may result in significant impacts to the local and regional circulation system, including through the exceedance of established LOS standards at intersections, streets, highways, and freeways. “Cumulative Base” intersection operations were quantified based on estimated traffic volumes under the “Cumulative Base” scenario, assuming buildout of the General Plans. Table 4.12-6 illustrates LOS operations at intersections in the study area under cumulative conditions without the proposed Regional Park.

Table 4.12-6
“Cumulative Base” Conditions’ Intersection Traffic Operations

#	Intersection	Control Type	AM Peak Hour			PM Peak Hour			Saturday Peak Hour		
			Delay (S/V)	LOS	Warrant Met?	Delay (S/V)	LOS	Warrant Met?	Delay (S/V)	LOS	Warrant Met?
1	Nash Rd/ Westside Blvd	TWSC	19.3	C	No	>80	F	Yes	56.3	F	No
2	Nash Rd/Access Road	TWSC (Future)	-	-	-	-	-	-	-	-	-
3	Nash Rd/ West St	TWSC	34.0	D	No	64.4	F	Yes	47.5	E	No
4	Nash Rd/Monterey St	Signal	>80	F	Yes	>80	F	Yes	52.8	F	Yes
5	Nash Rd/San Benito St	Future	59.4	E	-	>80	F	-	>80	F	-
6	Access Road/Project Drwy	TWSC (Future)	-	-	-	-	-	-	-	-	-
7	Access	TWSC	-	-	-	-	-	-	-	-	-



Table 4.12-6
“Cumulative Base” Conditions’ Intersection Traffic Operations

#	Intersection	Control Type	AM Peak Hour			PM Peak Hour			Saturday Peak Hour		
			Delay (S/V)	LOS	Warrant Met?	Delay (S/V)	LOS	Warrant Met?	Delay (S/V)	LOS	Warrant Met?
	Road/San Benito St	(Future)									
8	N. Park Drwy/ Westside Blvd Extn	TWSC (Future)	-	-	-	-	-	-	-	-	-
9	S. Park Drwy/ Westside Blvd Extn	TWSC (Future)	-	-	-	-	-	-	-	-	-
10	Cienega Rd/San Benito St	TWSC	18.2	C	No	21.7	C	No	20.3	C	No
11	Westside Blvd Extn/San Benito St	TWSC (Future)	16.7	C	No	19.2	C	No	18.1	C	No

Notes: 1. For TWSC (Two-Way-Stop-Control) intersections, worst-case movement delay (in seconds/vehicle) are indicated. “Average” control delays (in seconds/vehicle) are indicated for AWSC (All-Way-Stop-Control) and Signal-Control intersections.
2. Warrant = California MUTCD 2010 based Peak-hour-Volume Warrant #3 (Urban Areas).

As shown in Table 4.12-6, the Nash Road intersections with Westside Boulevard, West Street, Monterey Street, and San Benito Street are projected to operate at LOS “D” or worse conditions during weekday AM, weekday PM, and/or Saturday peak hours under the “Cumulative Base” scenario. The remaining study intersections are projected to operate at acceptable LOS “C” or better conditions during weekday AM, weekday PM, and Saturday peak hour periods. The California MUTCD based peak hour signal warrant-3 (urban areas) criterion is projected to be met at the unsignalized Nash Road intersections with Westside Boulevard, West Street, Monterey Street, and San Benito Street under the “Cumulative Base” peak hour conditions.

“Cumulative plus Project” intersection operations were then quantified under “Cumulative plus Project” traffic volumes and “Existing” intersection lane geometrics and control. Table 4.12-7 illustrates the resulting LOS operations at intersections in the study area, with the proposed Regional Park (which includes the Access Road).

Table 4.12-7
“Cumulative Plus Project” Conditions’ Intersection Traffic Operations
With Regional Park

#	Intersection	Control Type	AM Peak Hour			PM Peak Hour			Saturday Peak Hour		
			Delay (S/V)	LOS	Warrant Met?	Delay (S/V)	LOS	Warrant Met?	Delay (S/V)	LOS	Warrant Met?
1	Nash Rd/ Westside Blvd	TWSC	19.6	C	No	>80	F	Yes	63.3	F	No
2	Nash Rd/Access Road	TWSC (Future)	14.9	C	No	19.2	C	No	18.5	C	No
3	Nash Rd/ West St	TWSC	31.4	D	No	51.7	F	No	41.3	E	No



**Table 4.12-7
“Cumulative Plus Project” Conditions’ Intersection Traffic Operations
With Regional Park**

#	Intersection	Control Type	AM Peak Hour			PM Peak Hour			Saturday Peak Hour		
			Delay (S/V)	LOS	Warrant Met?	Delay (S/V)	LOS	Warrant Met?	Delay (S/V)	LOS	Warrant Met?
4	Nash Rd/Monterey St	Signal	>80	F	Yes	67.5	F	Yes	44.3	E	Yes
5	Nash Rd/San Benito St	Future	60.0	E	-	>80	F	-	78.2	E	-
6	Access Road/Project Drwy	TWSC (Future)	9.1	A	No	9.1	A	No	9.3	A	No
7	Access Road/San Benito St	TWSC (Future)	17.2	C	No	20.0	C	No	19.5	C	No
8	N. Park Drwy/ Westside Blvd Extn	TWSC (Future)	9.0	A	No	9.2	A	No	9.3	A	No
9	S. Park Drwy/ Westside Blvd Extn	TWSC (Future)	9.0	A	No	9.2	A	No	9.3	A	No
10	Cienega Rd/San Benito St	TWSC	18.4	C	No	22.0	C	No	20.6	C	No
11	Westside Blvd Extn/San Benito St	TWSC (Future)	16.8	C	No	19.4	C	No	18.4	C	No

Notes: 1. For TWSC (Two-Way-Stop-Control) intersections, worst-case movement delay (in seconds/vehicle) are indicated. “Average” control delays (in seconds/vehicle) are indicated for AWSC (All-Way-Stop-Control) and Signal-Control intersections.
2. Warrant = California MUTCD 2010 based Peak-hour-Volume Warrant #3 (Urban Areas).

As shown in Table 4.12-7, the Nash Road intersections with Westside Boulevard, West Street, Monterey Street, and San Benito Street are projected to operate at LOS “D” or worse conditions during peak hours under the “Cumulative plus Project” scenario, with the Regional Park.

The remaining study intersections are projected to operate at LOS “C” or better conditions during weekday AM, weekday PM and Saturday peak hour periods. The California MUTCD based peak hour signal warrant-3 (urban areas) criterion is projected to be met during the PM peak hour at the unsignalized Nash Road/ Westside Boulevard intersection and during the AM, PM and Saturday peak hours for the Nash Road / Monterey Street under the “Cumulative plus Project” scenario.

The Nash Road/Westside Boulevard intersection is projected to operate at LOS “F” during weekday PM and Saturday peak hours, under both the “Cumulative Base” and “Cumulative plus Project” scenarios. Based on the City’s LOS standards, the minimum acceptable standard for this intersection is LOS “C”. Since this intersection is already projected to operate at LOS “F” conditions without the addition of project trips, traffic impacts would be significant.



The Nash Road/West Street intersection is projected to operate at LOS “D” or worse conditions during AM, PM and Saturday peak hours, under the “Cumulative Base” scenario. This intersection is projected to operate at LOS “D” or worse conditions at all peak hours under the “Cumulative plus Project” scenario. Based on the City’s LOS standards, the minimum acceptable standard for this intersection is LOS “C”. Since this intersection is projected to operate at peak hour LOS “D” or worse conditions even without the addition of project trips, traffic impacts would be significant.

The Nash Road/Monterey Street intersection is projected to operate at LOS “E” or worse conditions during AM, PM and Saturday peak hours, under the “Cumulative Base” scenario. This intersection is projected to operate at LOS “E” or worse conditions at all peak hours under the “Cumulative plus Project” scenario. Based on the City’s LOS standards, the minimum acceptable standard for this intersection is LOS “C”. Since this intersection is projected to operate at peak hour LOS “E” or worse conditions even without the addition of project trips, traffic impacts would be significant.

The Nash Road/San Benito Street intersection is projected to operate at LOS “D” or worse conditions during all peak hours, under all analyzed “Cumulative Base” scenarios. This intersection is projected to operate at LOS “E” or worse conditions during all peak hours under the “Cumulative plus Project” scenario. Based on the City’s LOS standards, the minimum acceptable standard for this intersection is LOS “C”. Since this intersection is projected to operate at peak hour LOS “D” or worse conditions even without the addition of project trips, cumulative traffic impacts would be significant.

Mitigation Measures. The following mitigation measures would be required.

T-5(a) Nash Road/Westside Boulevard Intersection. Prior to the issuance of a grading permit for the proposed Regional Park, the Nash Road/Westside Boulevard intersection shall be converted to an All-Way-Stop-Controlled (AWSC) intersection.

T-5(b) Nash Road/West Street Intersection. Prior to the issuance of a grading permit for the proposed Regional Park, Nash Road shall be striped and modified through this intersection to include a two-way-left-turn (TWLT) median-lane. Alternatively, this intersection shall be signalized, with east-west and north-south permissive phasing.

T-5(c) Nash Road/Monterey Street Intersection. Prior to the issuance of a grading permit for the proposed Regional Park, Nash Road shall be striped and modified through this intersection to include a two-way-left-turn (TWLT) median-lane. Alternatively, this intersection shall be signalized, with east-west and north-south permissive phasing.

T-5(d) Nash Road/San Benito Street Intersection. Prior to the issuance of a grading permit for the proposed Regional Park, a westbound right-turn and a second eastbound through lane shall be added at the intersection of Nash Road and San Benito Street.

Significance After Mitigation. With implementation of Mitigation Measure T-5(a), the Nash Road/Westside Boulevard intersection is projected to operate at acceptable LOS “C” or better conditions under the “Cumulative plus Project” scenario. Likewise, implementation of mitigation measure T-5(b) and T-5(c) would improve conditions at the Nash Road/West Street and Nash Road/Monterey Street intersections to LOS “C” or better. At the Nash Road/San Benito Street intersection, the addition of a westbound right-turn lane and a second eastbound through lane at this intersection would hypothetically improve operations during peak hours to LOS “C” or better under all analyzed cumulative scenarios. However, because all quadrants of this intersection are built-out and occupied, the above improvements may require substantial right-of-way acquisition and may not be feasible. Since no feasible improvements are known at this time, the proposed Regional Park would contribute to a significant and unavoidable exceedance of LOS standards under cumulative traffic conditions at the Nash Road/San Benito Street intersection. Therefore, although the proposed River Parkway would facilitate a change in travel modes from driving to bicycling, overall cumulative impacts to traffic would remain significant and unavoidable.

5.0 OTHER CEQA REQUIRED SECTIONS

5.1 GROWTH-INDUCING EFFECTS

The *State CEQA Guidelines* require that an EIR include a discussion of the ways in which a project could foster economic or population growth, or the construction of additional housing, either directly or indirectly. Growth does not necessarily create significant physical changes to the environment. However, depending upon the type, magnitude, and location of growth, it can result in significant adverse environmental effects. Therefore, a proposed project's growth-inducing potential would be considered significant if it could result in significant physical effects in one or more environmental issue areas. Typical growth inducing factors include the extension of urban services or transportation infrastructure to a previously unserved or under-served area, or the removal of obstacles to development. A project would directly induce growth by resulting in construction of new housing. It is important to note that direct forms of growth can have secondary effects of expanding the size of local markets and attracting additional economic activity to the area. A project could indirectly induce growth by resulting in:

- Substantial new permanent employment opportunities (e.g., commercial or industrial);
- A construction effort with substantial short-term employment opportunities that indirectly stimulates the need for additional housing and services to support the new temporary employment demand; and/or
- Removal of an obstacle to additional growth and development, such as removing a constraint on a required public utility or service (e.g., construction of a major sewer line with excess capacity through an undeveloped area).

A project's growth-inducing potential would therefore be considered significant if it could result in significant direct or indirect adverse physical effects in one or more environmental issue areas. Typically, as noted above, the growth-inducing potential of a project would be considered significant if it fosters growth or a concentration of population above what is assumed in local and regional land use plans, or in projections made by regional planning authorities. Significant growth impacts could also occur if the project provides infrastructure or service capacity to accommodate growth levels beyond those permitted by local or regional plans and policies or the project itself.

5.1.1 Economic and Population Growth

As a multi-use trail and regional park and related improvements, the proposed River Parkway and Regional Park project would not increase the residential or employment populations of San Benito County. Rather, it would facilitate increased recreational opportunities for current residents and an alternative to passenger car travel for certain travelers within the County. Consequently, no direct growth inducement is expected to result from project implementation.

The increased recreational opportunities associated with the River Parkway and Regional Park project may, however, have indirect impacts by attracting trail and park users from outside the County. Although the proposed River Parkway would have beneficial effects on County circulation by increasing opportunities for the use of alternative modes of transportation, an



influx of visitors may result in increased recreational traffic in the County, particularly on weekends. In addition, an influx of tourists may indirectly influence the market for the development of additional commercial establishments (e.g., restaurants, hotels, bike shops) in the vicinity of the proposed River Parkway and the Regional Park, due to a minor increase in demand for such services that may be created by trail and park visitors. The proposed project would also directly generate short-term employment during construction of the trail, park, and related improvements (including, among others, the Access Road). However, given the nature of the work at issue, jobs created by this additional activity would likely be filled primarily by the local workforce and would not result in a significant source of employment or economic growth.

For the reasons described above, the proposed project would not directly induce economic growth, but has the potential to indirectly induce a limited amount of economic growth in the unincorporated San Benito County area, as well as in the City of Hollister, where the proposed River Parkway would connect to existing and under-construction trails, existing bicycle facilities, or existing commercial development in those urban areas and where the Regional Park would be located adjacent to the City of Hollister. However, such potential indirect impacts are not anticipated to be significant given the nature of the project. Further, it should be recognized that the ultimate extent of urban expansion in San Benito County will largely be dependent upon a variety of other factors, including market forces and land use policies. Therefore, the proposed project would not be growth-inducing as it would not affect long-term employment opportunities or increase the region's population.

5.1.2 Removal of Obstacles to Growth

The proposed project would result in the construction of new facilities for active modes of transportation in San Benito County, including bicycle, pedestrian, and equestrian paths as well as new recreation opportunities associated with the Regional Park and a new roadway (the proposed Access Road). The proposed Access Road would provide access to and through the Regional Park Site, but would not facilitate growth. New public restroom facilities would be constructed to serve the incremental and intermittent needs of future trail and park users. The restroom facilities would not require expansion or construction of new water or wastewater treatment infrastructure. In addition, any new water utility lines, if required, would be sized to serve the project only. Because of the nature of the project as a recreational multi-use trail and a regional park, the proposed project itself does not remove an obstacle to growth. Because the proposed project would not require the expansion or development of new infrastructure to serve the project, it would not remove an obstacle to growth.

5.2 SIGNIFICANT AND IRREVERSIBLE ENVIRONMENTAL EFFECTS

The *State CEQA Guidelines* specify that an EIR shall include a discussion of significant irreversible environmental changes which would occur if the proposed project were implemented. This includes analysis of the use of nonrenewable resources, primary and secondary impacts which commit the project area to similar uses in the future, and irreversible environmental damage.

Section 15126.2(c) of the State CEQA Guidelines requires a discussion of “significant irreversible environmental changes which would be caused by the proposed project should it be implemented. Uses of nonrenewable resources during the initial and continued phases of a project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (e.g. a highway improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also irreversible damage can result from environmental accidents associated with a project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.” The three CEQA-required categories of irreversible changes are discussed below.

1. Changes in Land Use that Commit Future Generations

The proposed River Parkway and Regional Park project would result in the conversion of agricultural land currently or formerly used for agricultural purposes to urbanized uses for recreation uses (trail or park). The change is irreversible, particularly as it relates to high-quality farmland which takes many years to develop. However, as the areas along the River Parkway and at the Regional Park Site have already been planned for future urban growth and is adjacent to already developed areas, implementation of the proposed project is not expected to result in any land use changes that would commit future generations to uses that are not already prevalent and/or planned for at the project site and its immediate vicinity.

The River Parkway and Regional Park would be fully consistent with the County’s Open Space and Conservation Element, which states the County’s intention “to acquire, develop, operate, and maintain a comprehensive space system of open space land uses and recreational facilities to provide for the low-intensity trails, picnicking, informal sports, park benches, and active recreational needs (sports fields for youth and adult league play) of the County population.”

The proposed Regional Park is located in the County’s Rural Residential (RR) zone. This zone applies to areas in proximity to urban services and is intended to provide a mixture of single-family housing and limited agricultural uses. Pursuant to Section 25.09.042(H) of the County Code, parks, playground, and recreational community centers may, after a public hearing, be allowed as additional permitted uses in the RR zone, if they are “deemed essential or desirable to the public convenience or welfare, and are in harmony with the various elements or objectives of the general plan.” The proposed park would include a variety of recreational amenities. Therefore, the Regional Park may be considered consistent with criteria in the County Code for additional permitted uses. Furthermore, as discussed above, the Regional Park would be consistent with General Plan policy to serve the active recreational needs of the County population and is therefore not expected to result in any land use changes that would commit future generations to uses that are not already prevalent and/or planned for at the project site and its immediate vicinity.

2. Irreversible Damage from Environmental Accidents

Potential environmental accidents of concern include those that would have adverse effects on the environment or public health due to the nature or quantity of material released during an accident and the receptors exposed to that release. Construction activities associated with

development of the proposed project would involve some marginal risk for environmental accidents. However, these activities would be monitored by San Benito County, State, and federal agencies, and would follow professional industry standards and rigorous statutory requirements for safety and construction. As described in Section 4.8, *Hazards/Hazardous Materials*, implementation of the proposed project would involve limited quantities of miscellaneous hazardous substances, such as gasoline, diesel fuel, and solvents. This includes the use of chemical solutions, including chlorine, as part of recreation uses such as for a swimming pool at the Regional Park Site. Considering the types and minimal quantities of hazardous materials that would be used for the proposed project, accidental releases are unlikely. Adherence to applicable federal, State and local requirements would reduce, to the extent feasible, damage as a result of environmental accidents associated with the proposed project.

As a result, the project would not pose a substantial risk of environmental accidents.

3. Large Commitment of Nonrenewable Resources

Consumption of nonrenewable resources includes issues related to increased energy consumption, conversion of agricultural lands, and lost access to mining reserves. Construction and operation of the proposed project would irreversibly commit construction materials and non-renewable energy resources. These energy resource demands would be used for construction, heating and cooling of buildings (if any are proposed at the Regional Park Site), transportation of people and goods, as well as lighting and other associated energy needs. Non-renewable and slowly renewable resources used by the project would include, but are not limited to: lumber and other forest products; sand and gravel; asphalt; petrochemical construction materials; steel; copper; lead and other metals, water; electric and gas service; etc.

Primary impacts related to consumption of non-renewable and slowly renewable resources are considered to be less than significant because the recreational aspects of the project for both the River Parkway (trail use) and the Regional Park (recreation activity) would not use unusual amounts of energy or construction materials, as development would be primarily comprised of common recreation uses. In addition, due to the escalating costs of raw building materials, it is very likely that the County in developing the River Parkway and Regional Park would conserve resources for financial reasons.

The commitment of limited, slowly renewable, and nonrenewable resources required for construction and operation of the proposed project would limit the availability of these resources for future generations or for other uses during the life of the project to a certain extent. Buildout of the project would result in the significant irreversible commitment of land to non-agricultural uses and the long-term commitment of other renewable and nonrenewable resources. Implementation of the proposed project, however, would include several features that would help offset or reduce the need for nonrenewable resources. The project would be required to comply with all applicable building and design requirements for any proposed structures, including those set forth in Title 24 relating to energy conservation. In compliance with CALGreen, the State's Green Building Standards Code, the project would be required to reduce water consumption by 20 percent, divert 50 percent of construction waste from landfills, and install low pollutant-emitting materials. The project would encourage and promote

alternative modes of transportation as it would create new bicycle facilities and pedestrian improvements throughout San Benito County.

The Regional Park Site contains agricultural land, including Department of Conservation FMMP designated Important Farmland (approximately 18 acres). The proposed future non-agricultural use represents a commitment of non-renewable resources. However, as noted above, as the Regional Park Site has already been planned for future non-agricultural growth and is adjacent to developed areas and no longer used for agriculture purposes, implementation of the proposed project is not expected to result in any land use changes that would commit future generations to uses that are not already prevalent and/or planned for in the project area and its immediate vicinity.

The project vicinity does not contain a mining reserve.

For the above reasons, the project would not result in any significant impacts as it relates to irreversible changes.

CEQA also requires decision makers to balance the benefits of a proposed project against its unavoidable environmental risks (to the extent any are identified) in determining whether to approve a project. The analysis contained in this EIR identified two Class I, *significant and unavoidable*, impacts relative to the implementation of the proposed project. As discussed in Section 4.2, *Agricultural Resources*, development of the proposed project would involve conversion of approximately 18.2 acres of important farmland, primarily on the Regional Park site. Due to this irreversible loss of important farmland, impacts would be Class I, *significant and unavoidable*. As discussed in Section 4.12, *Traffic/Transportation*, a significant and unavoidable cumulative impact would occur at the Nash Road/San Benito Street intersection. Although the addition of a westbound right-turn lane and a second eastbound through lane at this intersection would hypothetically improve operations during peak hours to LOS "C" or better, because all quadrants of this intersection are built-out and occupied, the above improvements may require substantial right-of-way acquisition and may not be feasible.

While the project would result in significant and unavoidable impacts related to conversion of Important Farmland and cumulative traffic at the Nash Road/San Benito Street intersection, the benefits of the project include, among others, providing a regional trail network that provides recreation and a broad range of benefits including economic, health and fitness, educational, environmental, and cultural/historic benefits. In addition, the project would provide a quality, diversified regional park that supports opportunities for active and passive recreation to the community, and promotes, coordinates, facilitates, or provides recreation programs that serve regional needs, support community livability, connect the community with the park, and encourages greater recreation participation in areas not served in the area.

5.3 ENERGY EFFECTS

The *CEQA Guidelines* Appendix F requires that EIRs include a discussion of the potential energy consumption and/or conservation impacts of proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful, or unnecessary consumption of energy.

As discussed previously, the proposed project would involve the use of energy during its construction and operational phases. Energy use during the construction phase would be in the form of fuel consumption (e.g., gasoline and diesel fuel) to operate heavy equipment, light-duty vehicles, machinery, and generators for lighting. In addition, temporary grid power may also be provided to any temporary construction trailers or electric construction equipment.

All equipment used during the construction phase of the project (for both the Regional Park and trail segments part of the River Parkway) would be required to comply with the then-current regulations of Title 13, Chapter 9, of the California Code of Regulations pertaining to construction equipment specifications. The regulations of Title 13, Chapter 9, of the California Code of Regulations require that new and old construction equipment be properly tested, maintained, and operated to reduce air pollutant emissions. Compliance with Title 13 would not only reduce exhaust emissions, but would also improve the fuel economy of the equipment fleet. Compliance with Title 13 would ensure that all construction equipment and activities associated with the proposed project would not be inefficient, wasteful, or unnecessary with regard to energy consumption.

While the River Parkway is not anticipated to have any permanent structures requiring energy use beyond some lighting along pathways and lighting and electricity for accessory structures (restrooms or electronic gates along the River Parkway entrances), the Regional Park would have various components that would require energy (including a potential swimming pool, structures such as restrooms or a community center building, parking lot lighting, and safety lighting). Long-term operation of the Regional Park would require permanent grid connections for electricity to power internal and exterior building lighting, heating and cooling systems, water heating, and ventilation systems. The increase in vehicle trips associated with the proposed project would increase fossil fuel consumption within the County. The required water supply for the proposed project would require electrical power as well. Based on CalEEMod default rates for energy use for the project (see Appendix B), the operation of proposed uses would generate demand for an estimated 415,330 kilowatt hours (kWh) per year of electricity. These default values for land uses are based on the California Commercial End Use Survey and Residential Appliance Saturation Survey studies, sponsored by the California Energy Commission, with adjustments to account for current Title 24 building codes (CAPCOA, 2013). CalEEMod considers energy use associated with major building envelope systems such as space heating and cooling, water heating, and ventilation; appliances and electronics; and lighting.

Electric service for the project would be provided by Pacific Gas and Electric Company (PG&E). PG&E's power mix consists of approximately 30% renewable energy sources (approximately 11% large hydroelectric facilities and approximately 19% other renewable resources such as wind, geothermal, biomass, solar, and small hydro) (PG&E website, 2016).

The proposed project would be subject to the most recent energy conservation requirements of the Title 24 of the California Code of Regulations, known as the California Building Standards Code or Title 24 which would reduce operational energy use. Given the current anticipated construction schedule, this would mean that the updated 2016 standards would apply, which will be effective statewide on January 1, 2017. The 2016 Title 24 standards will require greatly

increased energy efficiency. The proposed policies related to energy conservation would be consistent with Title 24 standards for energy-efficient windows and exterior doors, including maximum air infiltration rates and relative solar heat gain (Section 116), efficiency standards for heating and cooling systems (Section 112), water -heating systems (Section 113), and power supply efficiency standards for light-emitting diode (LED) signs (Section 148).

Furthermore, as described in Section 4.7, *Greenhouse Gas Emissions/Climate Change*, consistent with current General Plan goals and policies, any buildings associated with the proposed Regional Park would be required to incorporate energy-efficient features including roof colors and materials that meet or exceed Energy Star requirements to reduce the heat island effect; energy and water-efficient appliances, fixtures, lighting, and windows that meet or exceed state energy performance standards; high-efficient air conditioners; and Energy Star bath fans in restrooms. Further, the project would provide additional opportunities in the County for pedestrians and bicyclists that may utilize the proposed trail segments of the River Parkway. Further, any buildings or structures that would be part of the proposed Regional Park would be required to be constructed to green building standards, such as Leadership in Energy and Environmental Design (LEED) as suggested by General Plan Policy LU-2.2.

Given the nature of the project, along with adherence to General Plan policies and Title 24 energy conservation requirements as well as other applicable laws and regulations would ensure that energy is not used in an inefficient, wasteful, or unnecessary manner.

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6.0 ALTERNATIVES

As required by Section 15126(d) of the *State CEQA Guidelines*, this EIR examines a reasonable range of potentially feasible alternatives to the proposed River Parkway and Regional Park project.

In identifying suitable alternatives, potential alternatives must be reviewed to determine whether they:

- *Can avoid or substantially reduce significant environmental effects;*
- *Can attain most of the basic project objectives;*
- *Are potentially feasible; and*
- *Are reasonable and realistic.*

CEQA provides the following additional guidance for discussing project alternatives:

- *An EIR need not consider every conceivable alternative to a project. Rather, it must consider a reasonable range of potentially feasible alternatives.*
- *An EIR is not required to consider alternatives that are infeasible. The term “feasible” means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, technological and legal factors.*
- *The EIR must focus on alternatives to the project or its location that are capable of avoiding or substantially lessening any significant effects of the project.*
- *The alternatives discussed should be ones that offer substantial environmental advantages over the proposed project.*
- *The EIR should briefly describe the rationale for selecting the alternatives to be discussed, as well as any alternatives that the lead agency considered but rejected.*
- *The EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis and comparison with the proposed project.*
- *The alternatives analysis discussed must be reasonable, and selected to foster informed decision-making and public participation. An EIR need not consider an alternative where the effect cannot reasonably be ascertained or where the implementation is remote or speculative, because unrealistic alternatives do not contribute to a useful analysis.*

Taking into consideration the foregoing, included in this analysis are the CEQA-required “no project” alternative, two alignment alternatives for the River Parkway, and two alternatives to the design of the Regional Park.

The River Parkway Master Plan states that the trail’s vision is to provide recreation and a broad range of benefits including, including economic, health and fitness, educational, environmental, and cultural/historic benefits. The following general goals for the River Parkway Master Plan are organized under these general categories.

- *Recreation*
 - *Provide a continuous multi-use trail for as much of the corridor length as feasible.*



- *Provide a variety of trails, spaces, and experiences for all types of users. Provide ADA compliant and universally accessible trail opportunities that encourage use by all ages and abilities.*
 - *Include playful and fun concepts into the River Parkway.*
 - *Where conditions and space allow, create separate equestrian/hiking and bike trails.*
 - *Provide access to the river corridor where compatible with environmental and safety considerations.*
 - *Provide convenient staging areas, including staging areas for equestrians.*
 - *Provide clear access points along the River Parkway, with bilingual signage (English and Spanish).*
 - *Ensure trails provide access points and routes for emergency response.*
- *Economic*
 - *Develop themes along reaches of the River Parkway which reflect the character of the surrounding area.*
 - *Promote community awareness to preserve and enhance the ecological, scenic and recreational resources of the River Parkway.*
 - *Promote economic opportunities which will benefit the community and the River Parkway.*
 - *Promote tourism through the River Parkway, including providing special events.*
 - *Ensure the Parkway and trail access is compatible with adjacent agricultural operations and fields*
- *Health and Fitness*
 - *Promote healthy lifestyle through the River Parkway.*
 - *Provide options for users of all abilities and ages to encourage walking or biking instead of driving.*
 - *Provide spur trails that promote connectivity with the adjacent communities, including neighborhoods, schools, business centers, local, state, and national parks, etc.*
 - *Provide outdoor opportunities for youth as a therapeutic aspect.*
 - *Coordinate trail access with school athletic programs, such as cross-country running.*
- *Educational*
 - *Provide educational components for all users, ages and abilities.*
 - *Showcase positive features and attributes of the region.*
 - *Feature hydrologic, geologic, ecological, and historic/cultural interpretive themes.*
 - *Include various educational components such as interpretive displays, interactive electronic applications, and volunteer docents.*
 - *Coordinate educational programs with schools and community organizations.*
- *Environmental*
 - *Promote conservation of natural resources and habitat enhancement.*
 - *Encourage environmental stewardship.*
 - *Coordinate with the water district to increase summer flow.*
 - *Use sustainable trail building techniques.*
 - *Use native and non-invasive planting along the Parkway, which minimizes water use and maintenance needs.*
 - *Trail amenities should use natural materials and complement the natural surroundings.*
- *Cultural/Historic*



- *Provide opportunities to share the region's cultural/historic heritage along the River Parkway.*
- *Include opportunities to learn about the Native American heritage.*
- *Connectivity to County Historical Park and the Juan Bautista de Anza National Historic Trail.*

The project goals/ objectives for the proposed Regional Park include the following:

- *Provide a quality, diversified regional park that supports opportunities for active and passive recreation and conserves and enhances significant environmental or historical resources and features.*
- *Incorporate features and amenities into the park that fit the local context, contribute to environmental sustainability, and are accessible, safe, and easy to maintain for the long term.*
- *Promote, coordinate, facilitate, or provide recreation programs at the park that serve regional needs, support community livability, connect the community with the park, and encourage greater recreation participation in areas not served in the area.*

Based on the potentially significant impacts that could result from implementation of the proposed project, including the significant and unavoidable impacts to agricultural resources and cumulative traffic at the Nash Road/San Benito Street intersection, as identified in Section 4.0 of this EIR, and input from the community, six alternatives were chosen for analysis in this section. These alternatives include the following:

- *Alternative 1: No Project*
- *Alternative 2: No Regional Park/Existing Zoning*
- *Alternative 3: Reduced River Parkway*
- *Alternative 4: On-Road Trail Alignment*
- *Alternative 5: Reduced Regional Park*
- *Alternative 6: Passive Park*

As required by CEQA, this section also includes a discussion of the “environmentally superior alternative” among those studied.

6.1 ALTERNATIVE 1: NO PROJECT

6.1.1 Description

The No Project alternative assumes that the proposed River Parkway and Regional Park project is not constructed. Further the proposed Access Road that is a part of the Regional Park project would also not be constructed. However, since regional plans endorse trail construction (e.g., the San Benito County Bikeway and Pedestrian Master Plan [San Benito County Council of Governments, 2009] and the City of Hollister General Plan Transportation Element [City of Hollister, 2005]), this alternative assumes that bicycle/pedestrian trail planning and construction in areas other than the River Parkway corridor would continue as envisioned under existing plans. Under this alternative, bicyclists would either follow existing bike paths, lanes, routes or other County of San Benito and City of Hollister roadways where formal facilities do not exist. Pedestrians would utilize existing sidewalks. In addition, illegal

trespassing by pedestrians, bicyclists, and others into the San Benito River would be expected to continue under this alternative.

6.1.2 Impact Analysis

With the implementation of the No Project Alternative, no new development would occur within the River Parkway corridor or the Regional Park Site. Since new development would not occur, potential impacts related to construction and long-term site disturbances, such as aesthetics; air quality; biological resources; cultural resources; greenhouse gas emissions; hazards and hazardous materials; and noise would not occur. In addition, since no new daily vehicle trips would be added to local roadways by trail users accessing the trail or by park users accessing the park (including those on the proposed Access Road), impacts based on vehicle trip generation would not occur. These issues include air quality, greenhouse gas emissions, noise, and transportation/traffic. Since no new development would occur in or adjacent to areas currently used for agricultural production, this alternative would not result in impacts to agricultural resources.

In summary, this alternative would avoid each of the impacts identified in this EIR, which are listed in the Impact Summary Table. However, none of the project objectives would be achieved.

6.2 ALTERNATIVE 2: NO REGIONAL PARK/EXISTING ZONING

6.2.1 Description

This alternative assumes that the River Parkway trail system is constructed as proposed, but that the Regional Park is not constructed. Rather, this alternative would assume that development of the Regional Park Site would occur consistent with existing zoning. The site is currently zoned Rural Residential by the County of San Benito, which allows for residences on ½ acre minimum lots (where water and sewer services are available). The development area with this alternative would be the same as the proposed project (approximately 31 acres), and would thus accommodate up to 62 residences consistent with San Benito County Zoning Ordinance. With this alternative, access to the site would be similar to the proposed project with the Access Road providing access from Nash Road from the north as well as other access points provided by San Benito Street to the northeast at Baler Alley (connecting to the Access Road) and from San Benito Street to the southeast. Possible future connections via the Westside Boulevard Extension could provide further long-term access to the alternative from the northwest, similar to the proposed project.

6.2.2 Impact Analysis

With the implementation of the No Regional Park/Existing Zoning Alternative, the River Parkway trail would be constructed as proposed. All impacts associated with the River Parkway component of the project (including aesthetics; agricultural, biological, and cultural resources; geology/soils; hazards and hazardous materials; hydrology and water quality; noise; and public safety and services) would therefore be similar to the proposed project. In addition, because the same disturbance envelope of the Regional Park Site would be developed

(including the Access Road), impacts associated with short-term grading (including construction-related air quality, greenhouse gas emissions, and noise impacts) and long-term site disturbances (including agricultural, biological, and cultural resources) would be similar. Impacts related to agricultural conversion to non-agricultural uses would remain Class I, significant and unavoidable, and Mitigation Measure AG-1 would apply to offset the loss of Important Farmland to the extent feasible, similar to the proposed project. However, some impacts would increase as a result of the change in use on the Regional Park site. Specifically, all environmental topic areas that are impacted by population generation would have more impacts as compared to the project. The demand for public services would increase compared to the proposed project, resulting in greater impacts to police, fire protection, and ambulance services (as well as library, recreation, and school facilities). As with the proposed project, this alternative would place human-occupied structures on a site with portions overlying the Calaveras Fault. Similar mitigation to ensure that structures are not placed over the fault would be required. As with the proposed project, with this alternative, structures would be required to address soils and geotechnical constraints prior to construction, and to comply with all applicable building code standards. Impacts related to fault rupture, ground shaking, and other seismic-related ground failure (e.g., liquefaction) would be similar to the proposed project. This alternative would reduce operational noise impacts related to amplified noise compared to the proposed project, by eliminating active recreation amenities at the site. However, construction noise would be similar to the proposed project and would remain significant and unavoidable as construction would still occur for the 62 houses under this alternative.

Using the Institute of Transportation Engineers (ITE) trip generation rates for single family residences (ITE, 2012), this alternative would generate 590 daily vehicle trips compared to the proposed project's 485 trips. This represents an increase of 95 daily trips, or approximately 20%. Although minor, traffic and transportation impacts from this alternative would consequently slightly increase compared to the proposed project. Traffic impacts would be less than significant on a project level but remain significant and unavoidable on a cumulative level for the Nash Road/San Benito Street intersection. For operational air quality and greenhouse gas emissions, and traffic-generated noise impacts, however, impacts would remain less than significant/for all three of these issues.

Overall, impacts from the No Regional Park/Existing Zoning Alternative would be similar to, and both better and worse than, the proposed project. However, this alternative would not achieve the project goals/objectives for the regional park as no recreation amenities on the park site would be developed as part of this alternative.

6.3 ALTERNATIVE 3: REDUCED RIVER PARKWAY

6.3.1 Description

This alternative would construct the proposed Regional Park as proposed (including the Access Road), but would reduce the length of the proposed River Parkway by eliminating two of the five reaches of the proposed trail network. Reach Four and Reach Five, the southernmost trail segments, would be eliminated (refer to Figure 6-1). These reaches total eight miles; thus,



Alternative 3: Reduced River Parkway

Figure 6-1

removing these reaches would reduce the length of the River Parkway from 20 miles to 12 miles (a reduction of 40%). Reach One through Reach Three would be constructed as proposed, including construction of the proposed Regional Park adjacent to Reach Three. Along these three segments, the design features would be identical to the proposed project. The purpose of this alternative is to incrementally reduce environmental impacts relating to the River Parkway component while providing a connection between US Highway 101 and the City of San Juan Bautista near Reach One and the City of Hollister near Reach Three. Improvements along the remaining three reaches would be identical to the proposed project, and would include: a paved trail surface (where feasible), a trail buffer, and various amenities depending on the trail corridor setting, as outlined in the Master Plan. No improvements would be constructed along the eliminated segments.

6.3.2 Impact Analysis

a. Aesthetics. This alternative would follow the same conceptual alignment as the proposed project for approximately 12 miles in the northern and western portion of the trail, and would eliminate the remaining eight miles of the trail. Because this alternative would eliminate any improvements along Reaches Four and Five, it would reduce the potential loss of scenic riparian and oak woodlands that are visible to the public from nearby roadways and other publicly available areas. Although improvements would still occur along Reach One through Reach Three, as well as within the Regional Park Site, overall effects to scenic views, scenic resources, and visual character would be reduced when compared to the proposed project. In addition, because fewer reaches would be constructed, less overall lighting and glare would be added to the trail corridor and vicinity, although these impacts would be less than significant under both this alternative and the proposed project.

For the remaining trail reaches and the Regional Park, the Reduced River Parkway Alternative would continue to comply with design standards outlined in the River Parkway Master Plan, including: erecting fencing only where needed, limiting fencing to a maximum height of 42 inches, preserving and enhancing riparian woodland within the River Parkway corridor, locating pedestrian/bicycle bridges in areas that lack mature vegetation, and planting native trees and shrubs for landscaping near native habitats. In addition, in all settings, trails would be designed with the intention of fitting with the surrounding landscape and site conditions.

Overall, aesthetic impacts would be reduced to a certain extent when compared to the proposed project. Mitigation would continue to be required for lighting, as outlined in Section 4.1, *Aesthetics*. Remaining aesthetic impacts would be less than significant, similar to the proposed project.

b. Agricultural Resources. As described in Section 4.2, *Agricultural Resources*, the proposed project would involve conversion of approximately 18.2 acres of Important Farmland, primarily on the Regional Park Site. Because this alternative would develop the Regional Park as proposed (along with the Access Road), impacts from this component of the project would remain. Although two of the five River Parkway reaches would be eliminated under this alternative, it is expected that conversion of Important Farmland from this component of the project would be reduced. Nevertheless, the elimination of Reach Four and Reach Five would not reduce significant and unavoidable impacts associated with Important Farmland

conversion. Impacts would remain significant and unavoidable, similar to the proposed project. and Mitigation Measure AG-1 would apply to offset the loss of Important Farmland to the extent feasible.

Similarly, while the Reduced River Parkway Alternative would affect fewer properties under agricultural zoning or Williamson Act contracts, impacts would remain similar to the proposed project because (1) the Regional Park would continue to be considered a compatible use, and (2) the eliminated River Parkway reaches would be located alongside the San Benito River and Tres Pinos Creek, where it is unlikely to pass through land actively used for agricultural purposes. Accordingly, impacts related to agricultural zoning and Williamson Act contracts would be less than significant, similar to the proposed project.

Under the Reduced River Parkway Alternative, trail users would travel adjacent to fewer ongoing agricultural operations. As a result, land use conflicts between trail users and agriculture would be reduced when compared to the proposed project. However, because active agriculture would be located adjacent to the remaining reaches of the River Parkway trail, impacts would remain significant but mitigable under both scenarios, and mitigation measures outlined in Section 4.2, *Agricultural Resources*, would continue to be required.

c. Air Quality. Similar to the proposed project, the Reduced River Parkway Alternative would not contribute to population growth, and would therefore be consistent with the growth assumptions in the *Air Quality Management Plan* (AQMP). In addition, this alternative would create new opportunities for alternative transportation modes along the River Parkway trail system, similar to the proposed project. Thus the alternative would assist in implementing the AQMP by potentially reducing overall regional vehicle trips. Impacts would be similar to the proposed project and would be less than significant.

This alternative would construct 12 miles of trail compared to the proposed project's 20 miles. Construction of this alternative would therefore require less earth-moving activity, resulting in lower criteria pollutant emissions from construction. Construction-related air quality impacts would therefore be reduced when compared to the proposed project, but like the proposed project impacts would be less than significant.

Because this alternative would construct the proposed Regional Park (including the Access Road), trips associated with this facility would be the same as the proposed project (485 vehicle trips per day). However, because this alternative would construct 12 miles of trail compared to the proposed project's 20 miles, it is assumed that it would generate somewhat fewer trail users, and would therefore reduce the overall number of vehicle trips associated with this component of the project. Because this alternative would generate slightly fewer vehicle trips than the proposed project, operational air quality impacts would be incrementally reduced. However, like the proposed project, impacts would be less than significant.

Similar to the proposed project, with implementation of traffic mitigation (T-1), this alternative would not contribute to an exceedance of any level of service (LOS) standard and thus impacts related to carbon monoxide hotspots would be reduced to a less than significant level. Further, as with the proposed project, this alternative would not generate odors affecting a substantial

number of people. Impacts related to odors would therefore be less than significant, similar to the proposed project.

d. Biological Resources. This alternative would reduce the length of the River Parkway by approximately 40%. By eliminating disturbance along two reaches of the trail, this alternative would reduce impacts to special status plant and animal species, including nine plant species and 29 animal species. Impacts to riparian and other sensitive habitats would similarly be reduced when compared to the proposed project, given the overall reduction in disturbance area. However, given that three of the five reaches and the Regional Park would continue to be constructed, both impacts would remain significant but mitigable and mitigation measures outlined in Section 4.4, *Biological Resources*, would continue to be required.

As described in Section 4.4, *Biological Resources*, the San Benito River and its tributaries provide a suitable corridor for wildlife movement in the area. By eliminating two reaches of the River Parkway trail, impacts to these wildlife movement corridors would be reduced when compared to the proposed project. However, because the Reduced River Parkway Alternative would still construct three reaches adjacent to the San Benito River, impacts to wildlife movement would remain significant but mitigable. Mitigation measures outlined in Section 4.4, *Biological Resources*, would continue to be required.

e. Cultural Resources. Although this alternative would construct the Regional Park as proposed (including the Access Road), it would reduce the length of the River Parkway by approximately 40%. Thus, the potential for damaging existing archaeological resources or historic structures would be reduced when compared to the proposed project. However, because this alternative would result in ground disturbance along Reaches One through Three and at the Regional Park Site, impacts would remain potentially significant and mitigation outlined in Section 4.5, *Cultural Resources*, would be required, similar to the project.

Because this alternative would result in less overall site disturbance, the potential for unearthing previously unidentified archaeological resources would be reduced when compared to the proposed project. However, mitigation measures in Section 4.5, *Cultural Resources*, would still be required, similar to the project.

f. Geology/Soils. As described in Section 4.6, *Geology/Soils*, the Calaveras Fault underlies the Regional Park Site and Reaches Three, Four, and Five of the River Parkway corridor. The reaches of the River Parkway corridor that cross the Calaveras Fault would not include any structures that would be inhabited by people, and would therefore not pose a safety hazard for inhabitants of buildings within the River Parkway corridor. However, fault rupture could affect human-occupied structures of the Regional Park. Because this alternative would construct the Regional Park as proposed, this impact would be similar to the proposed project. Impacts would be significant but mitigable, and Mitigation Measure GEO-1 in Section 4.6, *Geology/Soils*, would be required.

This alternative would require one less bridge than the proposed project, thereby exposing one less structure to seismically induced ground shaking. This impact would be reduced, and would be less than significant, similar to the proposed project.

Because this alternative would eliminate Reaches Four and Five of the proposed River Parkway, impacts related to seismic-related ground failure (including liquefaction, subsidence, or settlement), slope stability near the riverbank, lateral scouring, soil erosion, and expansion would be slightly reduced when compared to the proposed project. However, because this alternative would still construct improvements in areas susceptible to these hazards, impacts related to seismic-related ground failure, slope stability, and expansion would be significant but mitigable, and Mitigation Measures GEO-3, GEO-4, and GEO-7 would continue to be required.

g. Greenhouse Gas Emissions. As described under the *Air Quality* discussion above, this alternative would result in lower criteria pollutant emissions from construction. In addition, because this alternative would construct 12 miles of trail compared to the proposed project's 20 miles, it is assumed that it would generate somewhat fewer trail users, and would therefore reduce the overall number of vehicle trips associated with this component of the project. Therefore, this alternative would result in fewer greenhouse gas (GHG) emissions than the proposed project. Impacts would be incrementally reduced, and would be less than significant, similar to the proposed project. In addition, this alternative would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions, similar to the proposed River Parkway and Regional Park project.

h. Hazards and Hazardous Materials. The Reduced River Parkway Alternative would result in less ground disturbance overall than the proposed project. As discussed in Section 4.8, *Hazards and Hazardous Materials*, contamination may be present in areas of the project as a result of historic agricultural activities. Because this alternative would require less grading, construction activities would have a somewhat lower potential to expose construction workers and passersby to health hazards by releasing contaminants that could be present in the soil. Impacts would be somewhat reduced when compared to the proposed project. However, workers and passersby could still be exposed to such hazards as a result this alternative. Thus, similar to the project, impacts would be potentially significant and mitigation measures outlined in Section 4.8, *Hazards and Hazardous Materials*, would be required.

Although this alternative would reduce the trail length by approximately 40%, the remaining 60% of the trail and related improvements would be located adjacent to agricultural, commercial, and industrial activities that may use pesticides, herbicides, petroleum-based fuels, chlorinated solvents, or other chemicals considered to be a human health threat. Therefore, while the impact would be slightly reduced compared to the proposed project, this alternative would potentially expose trail users, park users, and maintenance personnel to contamination, similar to the project. Impacts would remain significant but mitigable, and mitigation measures outlined in Section 4.8, *Hazards and Hazardous Materials*, would continue to be required.

This alternative would construct 12 miles of trail compared to the proposed project's 20 miles. Because the trail and related improvements would be located adjacent to fewer roadways, public safety hazards associated with roadway accidents would be somewhat reduced. Impacts would be less than significant, similar to the proposed project.

Similar to the proposed project, this alternative would not be sited on a location included on a list of hazardous materials sites. There would be no impact, similar to the proposed project.

As described in Section 4.8, *Hazards and Hazardous Materials*, the proposed project would introduce a recreational use into areas designated as moderate and high wildland fire hazard areas. It is assumed that the Reduced River Parkway Alternative would generate somewhat fewer trail users, thus exposing fewer people to such hazards. Impacts would be slightly reduced, but similar to the proposed project, impacts would be less than significant pursuant to compliance with existing policies and state and local regulations.

i. Hydrology and Water Quality. Because it would eliminate approximately eight miles of the proposed River Parkway trail system, this alternative would disturb less area than the proposed project. Conservatively assuming a paved 10-foot-wide trail throughout the 12-mile trail River Parkway corridor, this alternative would introduce an estimated maximum of 14.5 acres of impervious surface, or 40 percent less than the estimated maximum of 24.2 acres under the proposed project. Thus, the Reduced River Parkway Alternative would introduce fewer impervious surfaces and would consequently reduce stormwater runoff and associated pollution when compared to the proposed project. Similar to the proposed project, this impact would be less than significant.

Because this alternative would result in fewer disturbances adjacent to the San Benito River and would eliminate disturbance near Tres Pinos Creek, it would be less likely to affect water quality within these water bodies. However, as noted in Section 4.9, *Hydrology and Water Quality*, construction of the River Parkway and Regional Park would not increase pollutants of concern in these waterways. Impacts from this alternative would therefore be less than significant, similar to the proposed project.

Portions of the Reduced River Parkway Alternative would be located within the 100-year floodplain, similar to the proposed project. However, this alternative would construct one less bridge than the proposed project (eliminating the bridge across Tres Pinos Creek in Reach Four), and would therefore reduce the potential for increasing upstream flooding. Further, because less overall site disturbance would occur and fewer trail users would be exposed to potential flooding hazards, overall flooding-related impacts would be reduced when compared to the proposed project. However, because some bridges would be constructed, impacts would still be considered potentially significant, and mitigation measures identified in Section 4.9, *Hydrology and Water Quality*, would be required.

j. Noise. This alternative would construct approximately 12 miles of trail compared to the proposed project's 20 miles, but would continue to construct the proposed Regional Park (including the Access Road). Construction of this alternative would therefore require slightly less earth-moving activity, resulting in less overall noise from construction. Construction-related noise impacts would be reduced; however, impacts to sensitive receptors could still occur along Reaches One through Three and near the Regional Park Site (including the Access Road), and mitigation measures identified in Section 4.10, *Noise*, would be required but like the proposed project, impacts would be significant and unavoidable.

This alternative would generate somewhat fewer trail users, and would therefore generate slightly fewer operational noise impacts associated with the trail, such as trail users talking, maintenance workers collecting garbage or maintaining landscapes, or dogs barking. Like the proposed project, this impact would be less than significant.

This alternative would construct the proposed Regional Park with the same components as the proposed project including the Access Road and onsite recreation amenities, which would create new noise sources near sensitive receptors. Thus, impacts would be similar to the proposed project, and mitigation measures identified in Section 4.10, *Noise*, would be required to reduce impacts to a less than significant level.

Because this alternative would construct the proposed Regional Park, trips associated with this facility would be the same as the proposed project (485 vehicle trips per day) and thus the noise associated with the park would be the same as the proposed project. However, because this alternative would construct approximately 12 miles of trail compared to the proposed project's 20 miles, it would generate somewhat fewer trail users, and would therefore reduce the overall number of vehicle trips associated with this component of the project. Thus operational traffic noise impacts would therefore be reduced when compared to the proposed project, and would be less than significant, similar to the proposed project.

k. Public Safety and Services. The Reduced River Parkway Alternative would construct approximately 12 miles of trail compared to the proposed project's 20 miles, but would continue to construct the proposed Regional Park. Because fewer reaches of the trail would be constructed and somewhat fewer trail users would be generated, impacts related to emergency access and response times would be reduced when compared to the proposed project. Impacts would be less than significant, similar to the proposed project. Impacts would be less than significant, similar to the proposed project.

As discussed in Section 4.11, *Public Safety and Services*, water use associated with the River Parkway and Regional Park Project would generate a net increase in water demand estimated at 122.02 AFY, primarily resulting from the Regional Park component of the project. Because this alternative would construct the Regional Park as proposed, water demand from this alternative would be similar to the proposed project. The water supply in the area would be adequate to serve the alternative under both the project and this alternative. Therefore, water supply impacts would remain less than significant.

l. Traffic and Transportation. Because this alternative would construct the proposed Regional Park including the Access Road, trips associated with this facility would be the same as the proposed project (485 vehicle trips per day). However, because this alternative would construct approximately 12 miles of trail compared to the proposed project's 20 miles, it is assumed that it would generate somewhat fewer trail users, and would therefore slightly reduce the overall number of vehicle trips associated with this component of the project. As noted in Section 4.12, *Traffic and Transportation*, level of service-related impacts from the project would result primarily from the proposed Regional Park, rather than the River Parkway. Because this alternative would construct this facility as proposed, impacts would be less than significant under Existing + Project conditions and significant and unavoidable under Cumulative + Project conditions, similar to the proposed project. Mitigation measures outlined in Section 4.12, *Traffic and Transportation*, for both scenarios would continue to be required.

As noted in Section 4.12, *Traffic and Transportation*, the proposed Regional Park would increase demand for pedestrian and bicycle facilities in the vicinity, and physical improvements to such

facilities including on the Access Road would be needed to ensure the safety of users. In addition, improvements to proposed driveways and to the proposed Access Road to the proposed Regional Park would be required to prevent excessive queuing at entrances. Because this alternative would construct the Regional Park as proposed, both of these impacts would continue to be significant but mitigable under this alternative, similar to the proposed project, and mitigation outlined in Section 4.12, *Traffic and Transportation*, would continue to be required.

Overall, impacts from the Reduced River Parkway Alternative would be similar to, and both better and worse than, the proposed project. This alternative would generally achieve most of the project goals/objectives for both the River Parkway and all the goals/objectives for the Regional Park as it would provide approximately 12 miles of trail in San Benito County and would include recreational amenities at the park site. However, this alternative would not meet the goal/objective of providing a continuous multi-use trail for as much of the corridor length as feasible.

6.4 ALTERNATIVE 4: ON-ROAD TRAIL ALIGNMENT

6.4.1 Description

This alternative would construct the Regional Park as proposed (including the Access Road), but would eliminate the multi-use trail along the San Benito River corridor and would instead utilize existing on-road facilities, constructing new on-road bicycle improvements where needed. Pedestrians would utilize existing sidewalks or road shoulders. No equestrian facilities would be provided.

The On-Road Trail Alignment alternative is shown in Figure 6-2. This alternative would align with State Route (SR) 156/San Juan Hollister Road from US Highway 101 (El Camino Real) to 4th Street, near the City of Hollister. From SR 156/San Juan Hollister Road, the alignment would follow 4th Street/San Juan Road east to San Benito Street in the City of Hollister. The alignment would then travel south along San Benito Street (where it would provide access to the proposed Regional Park) to its terminus with Union Road. The alignment would then turn east to Southside Road. The alignment would then follow Southside Road south and east to the community of Tres Pinos at SR 25 (Airline Highway).

Improvements associated with this alternative would be limited to on-road bicycle facilities where existing facilities are not available. It is assumed that this alternative would only construct Class II designated bicycle lanes or Class III designated bicycle routes (and not a separated Class I bikeway), and would therefore not require roadway widening.

Because this alternative would be limited to on-road bicycle lanes or bicycle routes, it would not provide many of the trail amenities associated with the proposed project. The length of this alternative would be 19.2 miles, compared to approximately 20.25 miles for the proposed project. The overall width of this alternative would also be substantially reduced when compared to the proposed project, and would therefore result in less overall disturbance.

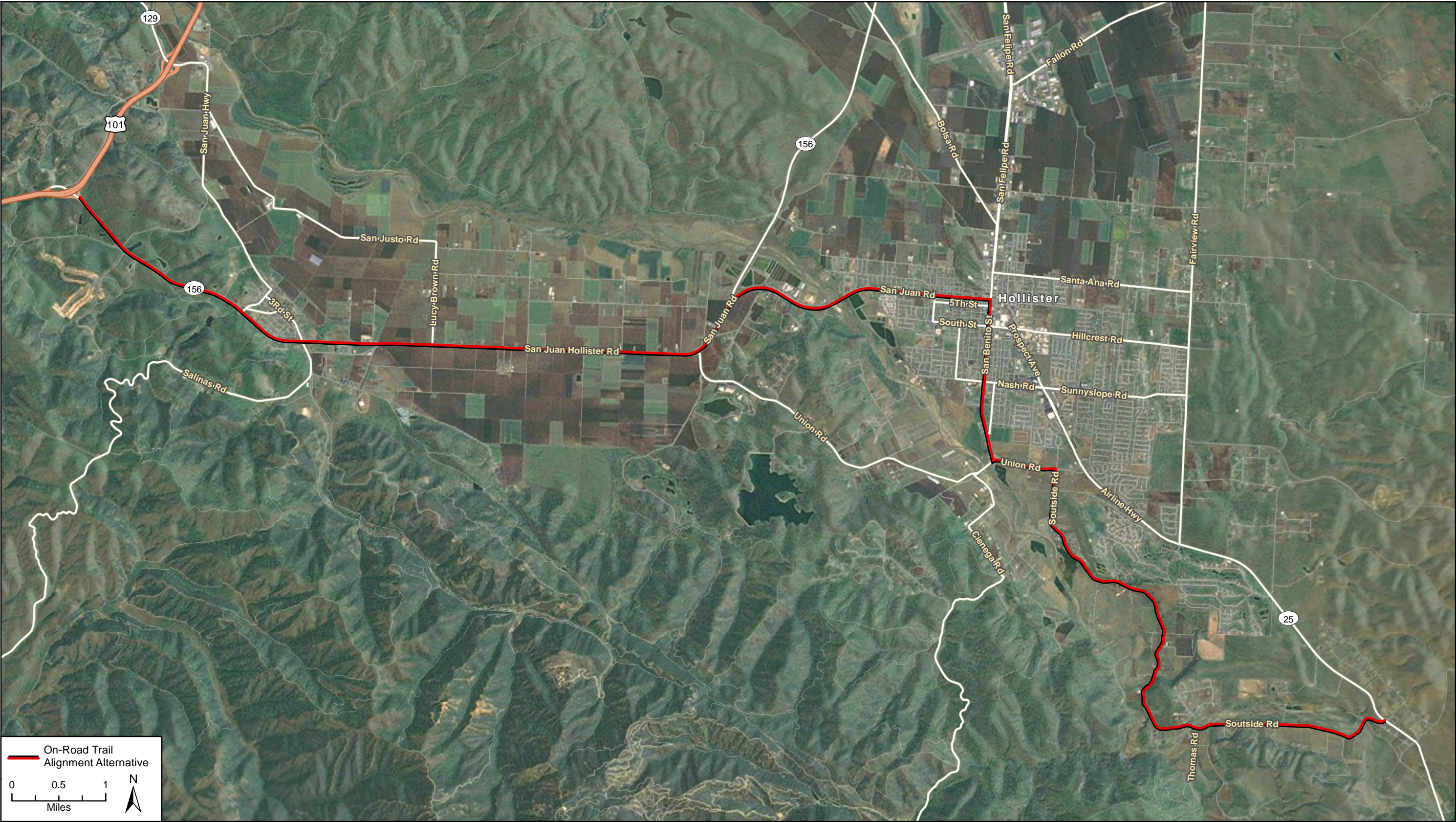
6.4.2 Impact Analysis

a. Aesthetics. This alternative would construct the Regional Park as proposed (including the Access Road), but would eliminate the multi-use trail along the San Benito River corridor and would instead utilize existing on-road facilities, constructing new on-road bicycle improvements where needed. Pedestrians would utilize existing sidewalks or road shoulders. Trail amenities included in the proposed project (such as fencing, benches, picnic tables, and shade structures) would be eliminated under this alternative. In addition, because improvements would be limited to relatively narrow on-road facilities, the extent of disturbance would be substantially reduced. Because the extent and scale of improvements would be substantially reduced, overall effects to scenic views, scenic resources, and visual character would be reduced when compared to the proposed project. Similar to the proposed project, these impacts would be less than significant, and no mitigation would be required. In addition, as no trail lighting would be added, impacts related to night lighting from the trail would be eliminated (lighting impacts from the Regional Park would be similar to the proposed project). Overall, aesthetic impacts would be reduced when compared to the proposed project. Mitigation would continue to be required for lighting at the Regional Park Site, as outlined in Section 4.1, *Aesthetics*. Remaining aesthetic impacts would be less than significant, similar to the proposed project.

b. Agricultural Resources. As described in Section 4.2, *Agricultural Resources*, the proposed project would involve conversion of Important Farmland, primarily on the Regional Park Site. Because this alternative would develop the Regional Park as proposed (including the Access Road), impacts from this component of the project would remain. Although this alternative would eliminate the multi-use trail along the San Benito River corridor, conversion of Important Farmland from this component of the project would be expected to be minimal. In addition, this alternative may include some improvements along existing roadways, which run adjacent to active agriculture. Therefore, the realignment of the trail to correspond with existing roadways would not substantively reduce impacts associated with Important Farmland conversion. Impacts would remain significant and unavoidable, similar to the proposed project, and Mitigation Measure AG-1 would apply to offset the loss of Important Farmland to the extent feasible.

As with the proposed project, some segments of this alternative would be adjacent to areas zoned for agriculture and/or adjacent to areas with existing Williamson Act contracts. Because this alternative would be limited to existing road right-of-ways, impacts related to conflicts with existing zoning or Williamson Act contracts would be less than significant, similar to the proposed project.

As with the proposed project, trail users would travel adjacent to ongoing agricultural operations and could be exposed to agricultural pesticides and dust. However, existing agricultural operations are already subject to pesticide restrictions limiting spraying adjacent to roadways such as SR 156/San Juan Hollister Road and Southside Road. Therefore, risk of pesticide exposure would be slightly lower with this alternative, as compared to the proposed project. Although impacts would be reduced, they would remain significant but mitigable, and mitigation measures outlined in Section 4.2, *Agricultural Resources*, would continue to be required.



Alternative 4: On-Road Trail Alignment

Figure 6-2

c. Air Quality. Similar to the proposed project, the On-Road Trail Alignment alternative would not contribute to population growth, and would therefore be consistent with the growth assumptions in the AQMP. In addition, this alternative would create new opportunities for alternative transportation modes, similar to the proposed project. Thus, the alternative would assist in implementing the AQMP by potentially reducing overall regional vehicle trips. Impacts would be similar to the proposed project and would be less than significant.

Improvements associated with this alternative would include on-road bicycle facilities where existing facilities are not available, which would be limited to a maximum of five feet in width. Therefore, construction of this alternative would require less earth-moving activity, resulting in lower criteria pollutant emissions from construction. Construction-related air quality impacts would therefore be reduced when compared to the proposed project, and would be less than significant, similar to the proposed project.

Because this alternative would construct the proposed Regional Park (including the Access Road), trips associated with this facility would be the same as the proposed project (485 vehicle trips per day). However, this alternative would include a limited number of new bicycle facilities, and would not construct new pedestrian or equestrian facilities. Therefore, this alternative would be expected to generate slightly fewer vehicle trips than the proposed project. Operational air quality impacts would therefore be somewhat reduced when compared to the proposed project, and impacts remain less than significant, similar to the proposed project.

Similar to the proposed project, with implementation of traffic mitigation (T-1), this alternative would not contribute to an exceedance of any level of service (LOS) standard and thus impacts related to carbon monoxide hotspots would be reduced to a less than significant level. Further, as with the proposed project, this alternative would not generate odors affecting a substantial number of people. Impacts related to odors would therefore be less than significant, similar to the proposed project.

d. Biological Resources. Although the length of this alternative would be substantially similar to the proposed project (19.2 miles, compared to approximately 20 miles), the width of this alternative would be reduced when compared to the proposed project, resulting in less overall disturbance. In addition, improvements would be limited to within existing street rights-of-way. As a result, overall effects to special status plant and animal species would be reduced. However, some impacts could still occur, such that mitigation measures outlined in Section 4.4, *Biological Resources*, would continue to be required.

As described in Section 4.4, *Biological Resources*, the Regional Park Site does not include any wetlands, drainages or jurisdictional waters; however, it does include approximately 5.75 acres of purple needle grass grassland. Permanent impacts to the 5.75 acres of purple needle grass grassland would be considered a significant impact. Because this alternative would construct the Regional Park as proposed, this impact would be similar, and Mitigation Measure B-2(e) would continue to be required. However, because the River Parkway component of the project as it is currently proposed would be eliminated, and trail improvements would be limited to within the existing road right-of-way, impacts to riparian and wetland habitat would be

eliminated. Mitigation measures B-2(a) through B-2(d) would therefore not be required for this alternative.

As described in Section 4.4, *Biological Resources*, the San Benito River and its tributaries provide a suitable corridor for wildlife movement in the area. By eliminating improvements adjacent to this corridor (with the exception of the Regional Park, located adjacent to the proposed project's Reach Three), impacts to these wildlife movement corridors would be reduced when compared to the proposed project. Impacts would be less than significant and mitigation measures outlined in Section 4.4, *Biological Resources*, would no longer be required.

e. Cultural Resources. This alternative would utilize existing on-road facilities and would construct a limited number of new bicycle facilities within existing road rights-of-way. Disturbance outside of existing rights-of-way would not be required. Thus, the potential for damaging known archaeological or historic resources would be substantially reduced when compared to the proposed project. However, because this alternative would result in ground disturbance at the Regional Park Site including along the proposed Access Road, impacts would remain potentially significant and mitigation outlined in Section 4.5, *Cultural Resources*, would be required.

Because this alternative would result in less overall site disturbance, the potential for unearthing previously unidentified archaeological resources would be reduced when compared to the proposed project. However, mitigation measures in Section 4.5, *Cultural Resources*, would still be required.

f. Geology and Soils. As described in Section 4.6, *Geology/Soils*, the Calaveras Fault underlies the Regional Park Site and Reaches Three, Four, and Five of the River Parkway corridor. The reaches of the River Parkway that cross the Calaveras Fault would not include any structures that would be inhabited by people, and would therefore not pose a safety hazard for inhabitants of buildings within the River Parkway corridor. However, fault rupture could affect human-occupied structures of the Regional Park. Because this alternative would construct the Regional Park as proposed, this impact would be similar to the proposed project. Impacts would be significant but mitigable, and Mitigation Measure GEO-1 in Section 4.6, *Geology/Soils*, would be required.

This alternative would construct structures and other features at the Regional Park Site (including the Access Road), similar to the project. However, this alternative would utilize existing roadways and would not construct new bridges. Because fewer structures and infrastructure would be exposed to seismically induced ground shaking hazards, this impact would be reduced when compared to the proposed project. The impact would be less than significant pursuant to compliance with the California Building Code, similar to the proposed project.

Although this alternative would move the proposed project to existing roadways, improvements would be located in areas subject to seismic-related ground failure (including liquefaction, subsidence, or settlement), erosion, and expansion. However, because no improvements would occur within the river corridor, hazards related to slope stability near the riverbank and lateral scouring would be eliminated. Impacts related to seismic-related ground

failure and expansion would be significant but mitigable, and Mitigation Measures GEO-3 and GEO-7 would continue to be required. Impacts related to slope stability would not occur, and Mitigation Measure GEO-4 would no longer be required.

g. Greenhouse Gas Emissions. As described under the *Air Quality* discussion above, this alternative would result in lower criteria pollutant emissions from construction and would generate slightly fewer vehicle trips than the proposed project. Therefore, this alternative would result in slightly fewer GHG emissions than the proposed project. Similar to the project, impacts would be less than significant. In addition, this alternative would be consistent with the Climate Action Team GHG reduction strategies and the 2008 Attorney General Greenhouse Gas Reduction Measures, similar to the proposed River Parkway and Regional Park project.

h. Hazards and Hazardous Materials. The On-Road Trail Alignment alternative would not disturb areas outside of existing roadways. As discussed in Section 4.8, *Hazards and Hazardous Materials*, contamination may be present in areas of the project as a result of historic agricultural activities. Because this alternative would avoid any such contamination by moving out of previously undeveloped areas and require less grading overall, construction activities would have a lower potential to expose construction workers and passersby to health hazards by releasing contaminants that could be present in the soil. Impacts would be reduced when compared to the proposed project. However, because this alternative would construct the proposed Regional Park, overall impacts would be potentially significant and mitigation measures outlined in Section 4.8, *Hazards and Hazardous Materials*, would still be required.

Similar to the proposed project, this alternative would be located adjacent to agricultural, commercial, and industrial activities, which may include the use of pesticides, herbicides, petroleum-based fuels, chlorinated solvents, or other chemicals considered to be a human health threat. These hazards would occur as a result of the River Parkway; the Regional Park would not be located adjacent to any substantial hazards. Because this alternative would be located adjacent to similar uses (agricultural, commercial and industrial) as the proposed project, people would be exposed to such hazards along the trail alignment and thus the impact would be similar to the proposed project. Mitigation for the proposed project requires that the trail be designed to allow for closure, and that a communication system be established to facilitate closure. Trail closure would not be feasible for this alternative, given that the alternative would be comprised of on-road facilities. Further, many of the on-road facilities utilized by this alternative are already in place. Overall, impacts would be considered less than significant for this alternative, and no mitigation would be required, similar to the project.

Because this alternative would utilize the existing street network, it would have a higher potential for exposure to roadway accidents that involve hazardous materials. This impact would be slightly worse for this alternative; however, due to the transient nature of trail use and regulations already in place, impacts would still be considered less than significant, similar to the proposed project.

This alternative may be sited on a location included on a list of hazardous materials sites. However, improvements would be limited to within existing roadways and would not require any substantial ground disturbance that would encounter any hazardous materials. The Regional Park, which would be constructed as currently proposed, is not sited in a location

included on a list of hazardous materials sites. Impacts would similar to the proposed project and would have no impact.

Finally, the On-Road Trail Alignment alternative would construct new bicycle facilities in areas designated as having moderate to high wildland fire hazards, similar to the proposed project. Given the relative infrequency of wildfires and the transient nature of trail use, as noted in Section 4.8, *Hazards and Hazardous Materials*, the potential for exposing trail users to a significant wildland fire hazard would be low, similar to the proposed project. Therefore, impacts related to wildland fire hazards would be considered similar to the proposed project, and would be less than significant.

i. Hydrology and Water Quality. Although the length of this alternative would be substantially similar to the proposed project (19.2 miles, compared to approximately 20 miles), the width of this alternative would be reduced when compared to the proposed project, resulting in less overall disturbance. In addition, improvements would be limited to within existing street rights-of-way. As a result, the On-Road Trail Alignment alternative would not increase impervious surfaces associated with the trail component of the project; however, it would construct the Regional Park as proposed including the Access Road, which would result in some new impervious surfaces. The potential for increased stormwater runoff and related water quality impacts, which would be less than significant for the proposed project, would therefore be reduced, but not eliminated.

Because this alternative would eliminate disturbances directly adjacent to the San Benito River and Tres Pinos Creek, it would be less likely to adversely affect water quality within these water bodies. However, stormwater runoff from the Regional Park Site would still affect the nearby San Benito River. This impact would be reduced but would remain less than significant.

Portions of the On-Road Trail Alignment alternative would be located within the 100-year floodplain, similar to the proposed project. However, this alternative would not construct any bridges, and therefore would not have the potential to alter flow characteristics or result in greater upstream flooding. Further, because less overall site disturbance would occur and fewer trail users would be exposed to potential flooding hazards, overall flooding-related impacts would be slightly reduced when compared to the proposed project. However, similar to the project, impacts would be less than significant, and mitigation outlined in Section 4.9, *Hydrology and Water Quality*, would not be required.

j. Noise. Improvements associated with this alternative would include on-road bicycle facilities where existing facilities are not available, which would be limited to a maximum of five feet in width. Therefore, construction of this alternative would require less earth-moving activity, resulting in less overall noise from construction. Construction-related noise impacts would be reduced; however, significant impacts to sensitive receptors could still occur, including to receptors near the Regional Park Site, and mitigation measures identified in Section 4.10, *Noise*, would be required.

This alternative would include a limited number of new bicycle facilities, and would not construct new pedestrian or equestrian facilities. As a result, this alternative would generate nominally fewer operational noise impacts associated with the trail, such as trail users talking,

maintenance workers collecting garbage or maintaining landscapes, or dogs barking. Like the proposed project, this impact would be less than significant.

This alternative would construct the proposed Regional Park with the same components as the proposed project including the Access Road, which would create new noise sources near sensitive receptors. Thus, impacts would be similar to the proposed project, and mitigation measures identified in Section 4.10, *Noise*, would be required. However, construction noise impacts would remain significant and unavoidable.

Because this alternative would construct the proposed Regional Park (including the Access Road), trips associated with this facility would be the same as the proposed project (485 vehicle trips per day) and thus the noise associated with the park would be the same as the proposed project. However, because this alternative would construct a trail with fewer amenities than the proposed project, it would be expected to generate slightly fewer vehicle trips than the proposed project. Operational traffic noise impacts would therefore be reduced when compared to the proposed project, and would be less than significant, similar to the proposed project.

k. Public Safety and Services. Improvements associated with this alternative would include on-road bicycle facilities where existing facilities are not available. Trail users would utilize the existing road network. Emergency access would therefore be readily available to the trail, and the on-road improvements would not result in an exceedance of average response times for police or fire services. However, this alternative would construct the Regional Park as proposed including the Access Road, and would therefore generate some demand for emergency services. Impacts related to emergency access and response times would be slightly reduced when compared to the proposed project. However, impacts would be less than significant, similar to the proposed project.

As discussed in Section 4.11, *Public Safety and Services*, water use associated with the River Parkway and Regional Park Project would generate a net increase in water demand estimated at 122.02 AFY, primarily resulting from the Regional Park component of the project. Because this alternative would construct the Regional Park as proposed, water demand from this alternative would be similar to the proposed project. The water supply in the area would be adequate to serve the alternative. Therefore, water supply impacts would be less than significant, similar to the project.

l. Traffic and Transportation. Because this alternative would construct the proposed Regional Park including the Access Road, trips associated with this facility would be the same as the proposed project (485 vehicle trips per day). However, this alternative would include a limited number of new bicycle facilities, and would not construct new pedestrian or equestrian facilities. As noted in Section 4.12, *Traffic and Transportation*, level of service-related impacts from the project would result primarily from the proposed Regional Park, rather than the River Parkway. Because this alternative would construct this facility as proposed, impacts would be less than significant under Existing + Project conditions and significant and unavoidable under Cumulative + Project conditions, similar to the proposed project. Mitigation measures outlined in Section 4.12, *Traffic and Transportation*, for cumulative conditions would continue to be required.

As noted in Section 4.12, *Traffic and Transportation*, the proposed Regional Park would increase demand for pedestrian and bicycle facilities in the vicinity, and physical improvements to such facilities would be needed to ensure the safety of users. In addition, improvements to the proposed Access Road and other driveways for the proposed Regional Park would be required to prevent excessive queuing at entrances. Because this alternative would construct the Regional Park as proposed, both of these impacts would be significant but mitigable, similar to the proposed project, and mitigation outlined in Section 4.12, *Traffic and Transportation*, would continue to be required.

Overall, impacts from the On-Road Trail Alignment Alternative would be similar to, and both better and worse than, the proposed project. This is primarily because this alternative would substantially reduce the number of improvements required, as well as overall disturbance area (due to the use of existing, disturbed roadway rights-of-way). However, this alternative would not provide separation from vehicles for trail users, and would therefore increase impacts related to this hazard. In addition, although this alternative would achieve the goals/objectives associated with the Regional Park, this alternative would be in conflict with the project goals/objectives of the River Parkway, among others, providing a continuous multi-use trail and providing a variety of trails, spaces, and experiences for all types of users.

6.5 ALTERNATIVE 5: REDUCED REGIONAL PARK

6.5.1 Description

This alternative would construct the proposed River Parkway trail system as proposed, but would reduce the size of the proposed Regional Park from approximately 31 acres to approximately 20.4 acres (a reduction of 34.2%; refer to Figure 6-3). The Access Road would be constructed under this alternative, similar to the proposed project. However, the park would be reduced in size and thus would not have as many recreation amenities as the proposed project) and would also reduce the size of the parking areas. The remaining elements would be located within one of the four parcels that would be used for the proposed project. As shown in Figure 6-3, this parcel comprises the approximate eastern half of the proposed Regional Park area.

The purpose of this alternative is to reduce environmental impacts of the park while continuing to provide active recreational facilities. Access to this alternative would be provided by the proposed Access Road from Nash Road, as well as from San Benito Street to the northeast at the existing Baler Alley (which would connect to the Access Road) and from San Benito Street to the southeast, similar to the proposed project. In addition to the three proposed access points, pedestrian connections would also be provided to San Benito High School to the north, and a possible tunneled pedestrian crossing associated with the future Westside Boulevard Extension, similar to the proposed project.



Alternative 5: Reduced Regional Park

Figure 6-3

6.5.2 Impact Analysis

a. Aesthetics. This alternative would construct the River Parkway as proposed, but would reduce the size of the Regional Park by approximately 34.2%. Because this alternative would reduce the size of the Regional Park, overall effects to scenic views, scenic resources, and visual character in this area would be reduced when compared to the proposed project. In addition, because fewer facilities would be constructed, less overall lighting would be added to the Regional Park Site.

For the River Parkway component of the project, the Reduced Regional Park Alternative would continue to comply with design standards outlined in the Master Plan, including: erecting fencing only where needed, limiting fencing to a maximum height of 42 inches, preserving and enhancing riparian woodland within the River Parkway corridor, locating pedestrian/bicycle bridges in areas that lack mature vegetation, and planting native trees and shrubs for landscaping near native habitats. In addition, in all settings, trails would be designed with the intention of fitting with the surrounding landscape and site conditions.

Overall, aesthetic impacts would be somewhat reduced when compared to the proposed project. Mitigation would continue to be required for lighting, as outlined in Section 4.1, *Aesthetics*. Remaining aesthetic impacts would be less than significant, similar to the proposed project.

b. Agricultural Resources. As described in Section 4.2, *Agricultural Resources*, the proposed project would involve conversion of Important Farmland, primarily on the Regional Park Site. Because this alternative would reduce the size of the Regional Park, impacts from this component of the project would be reduced; however, conversion of Important Farmland would still occur. Impacts would remain significant and unavoidable, similar to the proposed project, and Mitigation Measure AG-1 would apply to offset the loss of Important Farmland to the extent feasible.

Because the River Parkway would be constructed as proposed, impacts related to conflicts with agricultural zoning and Williamson Act contracts would be similar to the proposed project, and would be less than significant. Land use conflicts between trail users and agriculture would also be similar, and would be significant but mitigable. Mitigation measures outlined in Section 4.2, *Agricultural Resources*, for this impact would continue to be required.

c. Air Quality. Similar to the proposed project, the Reduced Regional Park Alternative would not contribute to population growth, and would therefore be consistent with the growth assumptions in the AQMP. In addition, this alternative would create new opportunities for alternative transportation modes along the River Parkway trail system, similar to the proposed project. Thus the alternative would assist in implementing the AQMP by potentially reducing overall regional vehicle trips. Impacts would be similar to the proposed project and would be less than significant.

This alternative would construct the River Parkway as proposed, but would reduce the size of the Regional Park by approximately 34.2%. Construction of this alternative would therefore require less earth-moving activity, resulting in lower criteria pollutant emissions from

construction. Construction-related air quality impacts would therefore be reduced when compared to the proposed project, and would be less than significant.

As described under *Traffic and Transportation* below, nominal trips associated with the River Parkway would be the same under this alternative; however, the Reduced Regional Park would result in 436 vehicle trips per day compared to 485 for the proposed Regional Park. Because this alternative would generate fewer vehicle trips than the proposed project, operational air quality impacts would be incrementally reduced. Impacts would be less than significant, similar to the proposed project.

Similar to the proposed project, with implementation of traffic mitigation (T-1), this alternative would not contribute to an exceedance of any level of service (LOS) standard and thus impacts related to carbon monoxide hotspots would be reduced to a less than significant level. Further, as with the proposed project, this alternative would not generate odors affecting a substantial number of people. Impacts related to odors would therefore be less than significant, similar to the proposed project.

d. Biological Resources. This alternative would construct the River Parkway as proposed, but would reduce the size of the Regional Park by approximately 34.2%. By slightly reducing disturbance, this alternative would reduce impacts to special status plant and animal species, including nine plant species and 29 animal species. However, some impacts could still occur, such that mitigation measures outlined in Section 4.4, *Biological Resources*, would continue to be required.

As described in Section 4.4, *Biological Resources*, the River Parkway would result in impacts to riparian and wetland habitats. Because this component of the project would be constructed as proposed, these impacts would be similar for this alternative. However, the size of the Regional Park site would be reduced under this alternative. This area does not contain any wetlands, drainages or jurisdictional waters; however, it does include approximately 5.75 acres of purple needle grass grassland. Approximately 4.0 acres of this habitat type would be located within the reduced Regional Park area. Therefore, while impacts would be slightly reduced, they would continue to occur. Mitigation measures B-2(a) through B-2(e) would therefore be required for this alternative, and impacts would remain significant but mitigable.

Because this alternative would construct the River Parkway as proposed, impacts to wildlife movement would be similar to the proposed project. Mitigation measures outlined in Section 4.4, *Biological Resources*, would continue to be required.

e. Cultural Resources. Because it would reduce the size of the Regional Park by 34.2%, this alternative would disturb less area than the proposed project. Thus, the potential for damaging existing archaeological resources or historic structures would be reduced when compared to the proposed project. However, because this alternative would result in ground disturbance along the River Parkway corridor and within a smaller area of the River Parkway site (including the Access Road), impacts would remain potentially significant and mitigation outlined in Section 4.5, *Cultural Resources*, would be required.

Because this alternative would result in less overall site disturbance, the potential for unearthing previously unidentified archaeological resources would be reduced when compared to the proposed project. However, mitigation measures in Section 4.5, *Cultural Resources*, would still be required.

f. Geology/Soils. As described in Section 4.6, *Geology/Soils*, the Calaveras Fault underlies the Regional Park site and Reaches Three, Four, and Five of the River Parkway corridor. The reaches of the River Parkway that cross the Calaveras Fault would not include any structures that would be inhabited by people, and would therefore not pose a safety hazard for inhabitants of buildings within the River Parkway corridor. Although this alternative would reduce the size of the Regional Park, fault rupture could affect human-occupied structures of the Regional Park. Thus the impact would be similar to the proposed project. Impacts would be significant but mitigable, and Mitigation Measure GEO-1 in Section 4.6, *Geology/Soils*, would be required.

This alternative would reduce the size of the Regional Park and reduce the parking areas, thereby potentially exposing fewer structures to seismically induced ground shaking. This impact would be somewhat reduced, and would be less than significant, similar to the proposed project.

Because this alternative would reduce the size of the Regional Park, impacts related to seismic-related ground failure (including liquefaction, subsidence, or settlement), slope stability near the riverbank, lateral scouring and soil erosion, and expansion would be slightly reduced when compared to the proposed project. However, because this alternative would still construct improvements in areas susceptible to these hazards, impacts related to seismic-related ground failure, slope stability, and expansion would be significant but mitigable, and Mitigation Measures GEO-3, GEO-4, and GEO-7 would continue to be required.

g. Greenhouse Gas Emissions. As described under the *Air Quality* discussion above, this alternative would result in lower criteria pollutant emissions from construction. In addition, because this alternative would reduce the size of the Regional Park, it would generate fewer vehicle trips than the proposed project. Therefore, this alternative would result in fewer GHG emissions than the proposed project. Impacts would be incrementally reduced, and would be less than significant. In addition, this alternative would be consistent with the Climate Action Team GHG reduction strategies and the 2008 Attorney General Greenhouse Gas Reduction Measures, similar to the proposed River Parkway and Regional Park project.

h. Hazards and Hazardous Materials. The Reduced Regional Park Alternative would result in less ground disturbance overall than the proposed project. As discussed in Section 4.8, *Hazards and Hazardous Materials*, contamination may be present in areas of the project as a result of historic agricultural activities. Because this alternative would require less grading, construction activities would have a lower potential to expose construction workers and passersby to health hazards by releasing contaminants that could be present in the soil. Impacts would be reduced when compared to the proposed project. However, workers and passersby could still be exposed to such hazards as a result this alternative. Thus, impacts would be potentially significant and mitigation measures outlined in Section 4.8, *Hazards and Hazardous Materials*, would be required.

Under this alternative, the River Parkway and Regional Park would still be located adjacent to agricultural, commercial, and industrial activities that may use pesticides, herbicides, petroleum-based fuels, chlorinated solvents, or other chemicals considered to be a human health threat. However, because the size of the Regional Park would be reduced, fewer park visitors would be exposed to such hazards. Impacts would be slightly reduced, but remain significant but mitigable. Mitigation measures outlined in Section 4.8, *Hazards and Hazardous Materials*, would continue to be required.

This alternative would construct the River Parkway as proposed. Public safety hazards associated with roadway accidents would therefore be similar to the proposed project, and would be less than significant.

Similar to the proposed project, this alternative would not be sited on a location included on a list of hazardous materials sites. There would be no impact, similar to the proposed project.

As described in Section 4.8, *Hazards and Hazardous Materials*, the proposed project would introduce a recreational use into areas designated as moderate and high wildland fire hazard areas. The Reduced Regional Park Alternative would generate fewer park visitors, thus exposing fewer people to such hazards. Impacts would be reduced, and like the proposed project would be less than significant pursuant to compliance with existing policies and state and local regulations.

i. Hydrology and Water Quality. Because it would reduce the size of the Regional Park by approximately 34.2%, this alternative would disturb less area than the proposed project. Thus, the Reduced Regional Park Alternative would introduce fewer impervious surfaces and would consequently reduce stormwater runoff and associated pollution when compared to the proposed project. Similar to the proposed project, this impact would be less than significant.

Because this alternative would disturb areas adjacent to the San Benito River and Tres Pinos Creek, it would be just as likely to affect water quality within these water bodies as the proposed project. However, as noted in Section 4.9, *Hydrology and Water Quality*, construction of the River Parkway and Regional Park would not increase pollutants of concern in these waterways. Impacts from this alternative would therefore be less than significant, similar to the proposed project.

Portions of the Reduced Regional Park Alternative would be located within the 100-year floodplain, similar to the proposed project. However, because less overall site disturbance would occur and fewer park visitors would be exposed to potential flooding hazards, overall flooding-related impacts would be reduced when compared to the proposed project. However, impacts would still be considered potentially significant, and mitigation measures identified in Section 4.9, *Hydrology and Water Quality*, would be required.

j. Noise This alternative would construct the River Parkway as proposed, but would reduce the size of the Regional Park by approximately 34.2%. Construction of this alternative would therefore require slightly less earth-moving activity, resulting in less overall noise from construction. Construction-related noise impacts would be reduced; however, impacts to

sensitive receptors such as single-family residences in close proximity to the park or the proposed Access Road could still occur and mitigation measures identified in Section 4.10, *Noise*, would be required. However, like the proposed project, construction noise impacts would remain significant and unavoidable.

This alternative would generate the same number of trail users as the proposed project, and would therefore generate similar operational noise impacts associated with the trail, such as trail users talking, maintenance workers collecting garbage or maintaining landscapes, or dogs barking. Like the proposed project, this impact would be less than significant.

Although this alternative would still include some components that generate noise such as turf/ball fields that may have amplified noise, there would be fewer components and noise sources as the amenities would be reduced and the park under this alternative would generate fewer park visitors, and would therefore generate fewer operational noise impacts from the Regional Park. However, components of the reduced Regional Park (such as amplified noise related to use of turf/ball fields) would still create new noise sources near sensitive receptors, similar to the proposed project. Thus, although impacts would be reduced compared to the proposed project, mitigation measures identified in Section 4.10, *Noise*, would be required to reduce impacts to a less than significant level.

As described under *Traffic and Transportation* below, nominal trips associated with the River Parkway would be the same under this alternative; however, the Reduced Regional Park would result in 436 vehicle trips per day compared to 485 for the proposed Regional Park. Because this alternative would generate fewer vehicle trips than the proposed project, operational traffic noise impacts (including those along the Access Road) would be reduced when compared to the proposed project, and would be less than significant.

k. Public Safety and Services. Because the River Parkway would be constructed as proposed, impacts related to emergency access would be similar. However, this alternative would reduce the size of the Regional Park by 34.2%. Because fewer park visitors would be generated, demand for emergency services would be reduced when compared to the proposed project. Overall, impacts related to emergency access and response times would be slightly reduced when compared to the proposed project, and would remain less than significant.

As discussed in Section 4.11, *Public Safety and Services*, water use associated with the River Parkway and Regional Park Project would generate a net increase in water demand estimated at 122.02 AFY, primarily resulting from the Regional Park component of the project. Because this alternative would reduce the size of the Regional Park, water demand would decrease compared to the proposed project. However, because this alternative may still include some recreation amenities such as a community center and swimming pool, the extent of this decrease would be nominal. Similar to the proposed project, the water supply in the area would be adequate to serve the alternative, and impacts would remain less than significant.

l. Traffic and Transportation. Because this alternative would develop the River Parkway as proposed, nominal trips associated with the River Parkway would be the same under this alternative. However, using the trip generation rates in Section 4.12, *Traffic and Transportation*, the Reduced Regional Park component of this alternative would generate 436

vehicle trips per day, compared to 485 vehicle trips per day for the proposed Regional Park. This is a reduction of 49 trips, or an approximately 10% reduction. As noted in Section 4.12, *Traffic and Transportation*, level of service-related impacts from the project would result primarily from the proposed Regional Park, rather than the River Parkway. Because this alternative would reduce the size of the Regional Park and therefore result in fewer trips, impacts would be reduced. However, impacts would remain less than significant under Existing + Project conditions and significant and unavoidable under Cumulative + Project conditions, similar to the proposed project. Mitigation measures outlined in Section 4.12, *Traffic and Transportation*, for both scenarios would continue to be required.

As noted in Section 4.12, *Traffic and Transportation*, the proposed Regional Park would increase demand for pedestrian and bicycle facilities in the vicinity, and physical improvements to such facilities would be needed to ensure the safety of users. In addition, improvements to the proposed Access Road and to proposed driveways to the Regional Park would be required to prevent excessive queuing at entrances. Although this alternative would construct a smaller Regional Park, both of these impacts would be significant but mitigable, similar to the proposed project, and mitigation outlined in Section 4.12, *Traffic and Transportation*, would continue to be required.

The Reduced Regional Park Alternative would reduce many impacts of the proposed project, particularly those related to traffic and transportation. However, because the alternative would construct the River Parkway as proposed and still construct a Regional Park (although reduced in size), many impacts would be largely similar to the proposed project. Although the park under this alternative would smaller than the proposed project, this alternative would achieve the project's goals/objectives for both the Regional Park component and the River Parkway.

6.6 ALTERNATIVE 6: PASSIVE PARK

6.6.1 Description

This alternative would construct the proposed River Parkway trail system as proposed including the Access Road, but would construct a passive recreational park in lieu of the proposed Regional Park. This passive park would provide landscaped open space with passive recreation amenities including pathways, picnic areas, educational gardens/life labs, demonstration orchard with ornamental non-fruiting trees, and small playgrounds to compliment the proposed Regional Parkway Reach Three. The active components of the proposed Regional Park would be eliminated. These may include asphalt basketball or multi-use courts, sand and/or turf areas for volleyball courts, ball fields or other sports activities, a swimming pool, and buildings/structures for community center activities. The footprint of the passive park would be the same as the proposed project (31 acres).

The purpose of this alternative is to reduce environmental impacts associated with the active components of the proposed Regional Park – including traffic generation and associated air quality, noise, and greenhouse gas emissions impacts – while continuing to provide recreational opportunities and a connection to the proposed River Parkway trail system thus achieving some of the project's objectives.

Access to this alternative would be provided by the proposed Access Road, from San Benito Street to the northeast at Baler Alley and from San Benito Street to the southeast, similar to the proposed project. In addition to the proposed access points from Nash Road and from San Benito Street, pedestrian connections would also be provided to San Benito High School to the north, and a possible tunneled pedestrian crossing associated with the future Westside Boulevard Extension, similar to the proposed project.

6.6.2 Impact Analysis

a. Aesthetics. This alternative would construct the proposed River Parkway trail system as proposed, but would construct a passive recreational park in lieu of the proposed Regional Park. This passive park would be the same size as the proposed Regional Park, but would eliminate built features associated with the park (including, but not limited to, potential asphalt basketball or multi-use courts, sand and/or turf areas for volleyball courts, ball fields or other sports activities, a swimming pool, and buildings / structures for community center activities. Because this alternative would reduce the scale of the Regional Park's built environment, overall effects to scenic views, scenic resources, and visual character in this area would be slightly reduced when compared to the proposed project. In addition, because fewer facilities would be constructed, less overall lighting would be added to the River Parkway site. However, some lighting would still be anticipated for the parking areas and pathways.

For the River Parkway component of the project, the Passive Park Alternative would continue to comply with design standards outlined in the Master Plan, including: erecting fencing only where needed, limiting fencing to a maximum height of 42 inches, preserving and enhancing riparian woodland within the River Parkway corridor, locating pedestrian/bicycle bridges in areas that lack mature vegetation, and planting native trees and shrubs for landscaping near native habitats. In addition, in all settings, trails would be designed with the intention of fitting with the surrounding landscape and site conditions.

Overall, aesthetic impacts would be reduced when compared to the proposed project. Mitigation would continue to be required for lighting, as outlined in Section 4.1, *Aesthetics*. Remaining aesthetic impacts would be less than significant, similar to the proposed project.

b. Agricultural Resources. As described in Section 4.2, *Agricultural Resources*, the proposed project would involve conversion of Important Farmland, primarily on the Regional Park site. Because this alternative would develop the same footprint as the proposed project including the Access Road area, impacts from this component of the project would be similar. Impacts would be significant and unavoidable, and Mitigation Measure AG-1 would apply to offset the loss of Important Farmland to the extent feasible.

Because the River Parkway would be constructed as proposed, impacts related to conflicts with agricultural zoning and Williamson Act contracts would be similar to the proposed project, and would be less than significant. Land use conflicts between trail users and agriculture would also be similar, and would be significant but mitigable. Mitigation measures outlined in Section 4.2, *Agricultural Resources*, for this impact would continue to be required.

c. Air Quality. Similar to the proposed project, the Passive Park Alternative would not contribute to population growth, and would therefore be consistent with the growth assumptions in the AQMP. In addition, this alternative would create new opportunities for alternative transportation modes along the River Parkway trail system, similar to the proposed project. Thus the alternative would assist in implementing the AQMP by potentially reducing overall regional vehicle trips. Impacts would be similar to the proposed project and would be less than significant.

This alternative would develop the same footprint as the proposed project, although less grading may be required for the Regional Park, since the passive park could utilize existing topography and would eliminate the need for flat structural pads. Construction of this alternative would require slightly less earth-moving activity, resulting in marginally reduced criteria pollutant emissions from construction. Construction-related air quality impacts would therefore be less than the proposed project, and would be less than significant.

As described under *Traffic and Transportation* below, nominal trips associated with the River Parkway would be the same under this alternative; however, the Passive Park would result in 142 vehicle trips per day compared to 485 for the proposed Regional Park as a Passive Park would not result in team sports use, use of a community center which has higher visitor usage than an Active Park. Because this alternative would generate fewer vehicle trips than the proposed project, operational air quality impacts would be reduced. Impacts would be less than significant.

Similar to the proposed project, with implementation of traffic mitigation (T-1), this alternative would not contribute to an exceedance of any level of service (LOS) standard and thus Impacts related to carbon monoxide hotspots would be reduced to a less than significant level. Further, as with the proposed project, this alternative would not generate odors affecting a substantial number of people. Impacts related to odors would therefore be less than significant, similar to the proposed project.

d. Biological Resources. This alternative would construct the proposed River Parkway trail system as proposed, but would construct a passive recreational park in lieu of the proposed Regional Park. This passive park would be the same size as the proposed Regional Park but may reduce some impacts to sensitive species as it would involve passive uses that would leave more of the park site in its current state. However, because under this alternative the River Parkway footprint would be the same as the proposed project, impacts to special status plant and animal species, including nine plant species and 29 animal species, would be similar. Mitigation measures outlined in Section 4.4, *Biological Resources*, would continue to be required and impacts would be less than significant.

As described in Section 4.4, *Biological Resources*, the River Parkway would result in impacts to riparian and wetland habitats, while the Regional Park would result in impacts to purple needlegrass grassland. While this alternative might reduce impacts to needlegrass grassland because the Regional Park's passive use would leave more of the site in its current state, because the ground disturbance associated with the River Parkway would be the same under this alternative, these impacts would be similar. Mitigation measures B-2(a) through B-2(e) would

therefore be required for this alternative, and impacts would be significant but mitigable, similar to the proposed project.

Because this alternative would construct the River Parkway as proposed, impacts to wildlife movement would be similar to the proposed project. Mitigation measures outlined in Section 4.4, *Biological Resources*, would continue to be required.

e. Cultural Resources. This alternative would develop the same footprint as the proposed project, although less grading may be required for the Regional Park, since the passive park could utilize existing topography and would eliminate the need for flat structural pads. Construction of this alternative would require slightly less earth-moving activity, resulting in marginally reduced potential for damaging existing archaeological resources or historic structures. Impacts would remain potentially significant and mitigation outlined in Section 4.5, *Cultural Resources*, would be required.

Because this alternative would result in slightly less earth-moving activity than the proposed project, the potential for unearthing previously unidentified archaeological resources would be reduced. However, mitigation measures in Section 4.5, *Cultural Resources*, would still be required.

f. Geology/Soils. As described in Section 4.6, *Geology/Soils*, the Calaveras Fault underlies the Regional Park site and Reaches Three, Four, and Five of the River Parkway corridor. The reaches of the River Parkway that cross the Calaveras Fault would not include any structures that would be inhabited by people, and would therefore not pose a safety hazard for inhabitants of buildings within the River Parkway corridor. However, fault rupture could affect human-occupied structures of the Regional Park. Because this alternative would eliminate human-occupied structures proposed in the Regional Park, this impact would not occur under this alternative. Impacts would be less than significant, and Mitigation Measure GEO-1 in Section 4.6, *Geology/Soils*, would no longer be required.

This alternative would eliminate the active components of the proposed Regional park (potential asphalt basketball or multi-use courts, sand and/or turf areas for volleyball courts, ball fields or other sports activities, a swimming pool, and buildings / structures for community center activities), thereby exposing fewer structures to seismically induced ground shaking. This impact would be reduced, and would be less than significant, similar to the proposed project.

Because this alternative would disturb the same footprint as the proposed project, impacts related to seismic-related ground failure (including liquefaction, subsidence, or settlement), slope stability near the riverbank, lateral scouring and erosion, and expansion would be similar to the proposed project. Impacts related to seismic-related ground failure, slope stability, and expansion would be significant but mitigable, and Mitigation Measures GEO-3, GEO-4, and GEO-7 would continue to be required, similar to the proposed project.

g. Greenhouse Gas Emissions. As described under the *Air Quality* discussion above, this alternative would result in lower criteria pollutant emissions from construction. In addition, because this alternative would change the Regional Park to a Passive Park with fewer

amenities, it would generate fewer vehicle trips than the proposed project. Therefore, this alternative would result in fewer GHG emissions than the proposed project. Impacts would be incrementally reduced, and would be less than significant. In addition, this alternative would be consistent with the Climate Action Team GHG reduction strategies and the 2008 Attorney General Greenhouse Gas Reduction Measures, similar to the proposed River Parkway and Regional Park project.

h. Hazards and Hazardous Materials. The Passive Park Alternative would disturb the same footprint as the proposed project; however, this alternative may require less grading for the Regional Park, since the passive park could utilize existing topography and would eliminate the need for structural pads. As discussed in Section 4.8, *Hazards and Hazardous Materials*, contamination may be present in areas of the project as a result of historic agricultural activities. Because this alternative would require slightly less grading, construction activities would have a lower potential to expose construction workers to health hazards by releasing contaminants that could be present in the soil. Impacts would be incrementally reduced when compared to the proposed project. However, workers could still be exposed to such hazards as a result this alternative. Thus, impacts would be potentially significant and mitigation measures outlined in Section 4.8, *Hazards and Hazardous Materials*, would be required.

Under this alternative, the River Parkway and Regional Park would still be located adjacent to agricultural, commercial, and industrial activities that may use pesticides, herbicides, petroleum-based fuels, chlorinated solvents, or other chemicals considered to be a human health threat. However, because the passive park would generate fewer park visitors, fewer people would be exposed to such hazards. Impacts would be slightly reduced, but remain significant but mitigable. Mitigation measures outlined in Section 4.8, *Hazards and Hazardous Materials*, would continue to be required.

This alternative would construct the River Parkway as proposed. Public safety hazards associated with roadway accidents would therefore be similar to the proposed project, and would be less than significant.

Similar to the proposed project, this alternative would not be sited on a location included on a list of hazardous materials sites. There would be no impact, similar to the proposed project.

As described in Section 4.8, *Hazards and Hazardous Materials*, the proposed project would introduce a recreational use into areas designated as moderate and high wildland fire hazard areas. The Passive Park Alternative would generate fewer park visitors, thus exposing fewer people to such hazards. Impacts would be reduced, and like the proposed project would be less than significant pursuant to compliance with existing policies and state and local regulations.

i. Hydrology and Water Quality. This alternative would disturb the same footprint as the proposed project. However, the passive park would eliminate built features associated with the park (potentially including asphalt basketball or multi-use courts, ball fields or other sports activities, a swimming pool, and buildings / structures for community center activities), and would therefore introduce fewer impervious surfaces. Thus, the Passive Park Alternative would reduce stormwater runoff and associated pollution when compared to the proposed project. Similar to the proposed project, this impact would be less than significant.

Because this alternative would disturb areas adjacent to the San Benito River and Tres Pinos Creek, it would be just as likely to affect water quality within these water bodies as the proposed project. However, as noted in Section 4.9, *Hydrology and Water Quality*, construction of the River Parkway and Regional Park would not increase pollutants of concern in these waterways. Impacts from this alternative would therefore be less than significant, similar to the proposed project.

Portions of the Passive Park Alternative would be located within the 100-year floodplain, similar to the proposed project. However, because the passive park would generate fewer park visitors, fewer people would be exposed to potential flooding hazards. In addition, with this alternative no permanent structures at the park site would be placed within the floodplain. Overall flooding-related impacts would be reduced when compared to the proposed project. However, impacts would still be considered potentially significant, and mitigation measures identified in Section 4.9, *Hydrology and Water Quality*, would be required.

j. Noise. The Passive Park Alternative would disturb the same footprint as the proposed project including the area along the proposed Access Road; however, this alternative would require less grading for the Regional Park, since the passive park could utilize existing topography and would eliminate the need for structural pads. Construction of this alternative would therefore require slightly less earth-moving activity, resulting in less overall noise from construction. Construction-related noise impacts would be reduced; however, impacts to sensitive receptors (including those residences located to the west of the proposed Access Road) could still occur and mitigation measures identified in Section 4.10, *Noise*, would be required and impact would remain significant and unavoidable.

This alternative would generate the same number of trail users as the proposed project, and would therefore generate similar operational noise impacts associated with the River Parkway, such as trail users talking, maintenance workers collecting garbage or maintaining landscapes, or dogs barking. Like the proposed project, this impact would be less than significant.

The passive park would eliminate built features associated with the park (including, but not limited to: asphalt basketball or multi-use courts, sand and/or turf areas for volleyball courts, ball fields or other sports activities, a swimming pool, and buildings / structures for community center activities), and would therefore generate fewer park visitors. Operational noise impacts from the Regional Park, including from amplified music and loudspeakers, would therefore be reduced and Mitigation Measure N-3 would not be required as impacts under this alternative would be less than significant.

As described under *Traffic and Transportation* below, nominal trips associated with the River Parkway would be the same under this alternative; however, the passive park would result in 142 vehicle trips per day compared to 485 for the proposed Regional Park. Because this alternative would generate fewer vehicle trips than the proposed project, operational traffic noise impacts would be reduced when compared to the proposed project, and would be less than significant.

k. Public Safety and Services. Because the River Parkway would be constructed as

proposed, impacts related to emergency access would be similar. However, the passive park would be expected to generate fewer park visitors than the proposed Regional Park. Because fewer park visitors would be generated, demand for emergency services would be reduced when compared to the proposed project. Overall, impacts related to emergency access and response times would be slightly reduced when compared to the proposed project, and would remain less than significant.

As discussed in Section 4.11, *Public Safety and Services*, water use associated with the River Parkway and Regional Park Project would generate a net increase in water demand estimated at 122.02 AFY, primarily resulting from the Regional Park component of the project. Because this alternative would eliminate many water-demanding uses associated with the project (including the community center and swimming pool), water demand would decrease compared to the proposed project. Similar to the proposed project, the water supply in the area would be adequate to serve the alternative, and impacts would remain less than significant.

1. Traffic and Transportation. Because this alternative would develop the River Parkway as proposed, nominal trips associated with the River Parkway would be the same under this alternative. However, the passive park would eliminate the recreational community center from the Regional Park. Because this alternative would eliminate most trip-generating amenities of the park, the passive park would generate 142 daily vehicle trips, compared to 485 for the proposed project. This is a reduction of 343 trips or a 71% reduction.

As noted in Section 4.12, *Traffic and Transportation*, level of service-related impacts from the project would result primarily from the proposed Regional Park, rather than the River Parkway. Because this alternative would result in substantially fewer trips from this component of the project, impacts would be reduced. However, impacts would remain less than significant under Existing + Project conditions and significant and unavoidable under Cumulative + Project conditions, similar to the proposed project. Mitigation measures outlined in Section 4.12, *Traffic and Transportation*, for the cumulative conditions would continue to be required.

As noted in Section 4.12, *Traffic and Transportation*, the proposed Regional Park would increase demand for pedestrian and bicycle facilities in the vicinity, and physical improvements to such facilities would be needed to ensure the safety of users. In addition, improvements to the proposed Access Roads and the proposed driveways to the proposed Regional Park would be required to prevent excessive queuing at entrances. Although this alternative would construct a passive park in lieu of the Regional Park, both of these impacts would be significant but mitigable, similar to the proposed project, and mitigation outlined in Section 4.12, *Traffic and Transportation*, would continue to be required.

The Passive Park Alternative would reduce many impacts of the proposed project, particularly those related to traffic and transportation. However, because this alternative would construct the River Parkway as proposed and still construct a Regional Park (altered to be a passive park), many impacts would be largely similar to the proposed project. However, by eliminating the active uses associated with the proposed park, the Passive Park Alternative would be in conflict with the project goal of providing a diversified regional park that supports opportunities for active and passive recreation.

6.7 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

This section evaluates the impact conclusions for the proposed River Parkway and Regional Park Project and the five alternatives under consideration. It then identifies the environmentally superior alternative for each issue area based on the analysis above for each individual alternative. In accordance with the *State CEQA Guidelines*, if the No Project alternative is identified as the environmentally superior alternative, the alternative among the remaining scenarios that is environmentally superior must also be identified.

Table 6-1 shows whether each alternative's environmental impact is greater, lesser, or similar to the proposed project for each issue area.

**Table 6-1
Impact Comparison Summary**

Issue	Proposed Project	Alt. 1: No Project	Alt. 2: Existing Zoning	Alt 3: Reduced River Parkway	Alt 4: On-Road Trail Alignment	Alt 5: Reduced Regional Park	Alt. 6: Passive Park
Aesthetics	=	+	=	+	+	+	+
Agricultural Resources	=	+	=	=/+	=/+	=/+	=
Air Quality	=	+	=/-	=/+	=/+	=/+	=/+
Biological Resources	=	+	=	=/+	+	=/+	=
Cultural Resources	=	+	=	+	+	+	+
Geology and Soils	=	+	-	=/+	=/+	+	=/+
Greenhouse Gas Emissions	=	+	=/-	=/+	=/+	=/+	=/+
Hazards and Hazardous Materials	=	+	=	+	+/-	=/+	=/+
Hydrology and Water Quality	=	+	=	+	+	=/+	=/+
Noise	=	+	=/-	+	+	=/+	+
Public Safety and Services	=	+	=/-	=/+	=/+	+	+
Traffic and Transportation	=	+	-	=	=	+	+
Overall	=	+	=/-	+	+	=/+	=/+

- + Greater significant impacts as compared to the proposed project
- Fewer significant impacts as compared to the proposed project
- +/- Both better and worse than the proposed project
- = Similar impact to the proposed project

Based on the comparison provided in Table 6-1, the No Project Alternative, the Reduced River Parkway Alternative, and the On-Road Trail Alignment Alternative are considered environmentally superior to the proposed project. Because the No Project Alternative would

eliminate (rather than reduce) all of the anticipated environmental effects of the project, it would be considered the most environmentally superior alternative. However, this alternative would not accomplish any of the objectives of the proposed project, including: providing a continuous multi-use trail, promoting tourism and a healthy lifestyle through the River Parkway, or providing a quality, diversified regional park that supports opportunities for active and passive recreation.

By eliminating Reaches Four and Five of the River Parkway, the Reduced River Parkway Alternative would avoid numerous constraints anticipated in these areas, particularly related to aesthetics, agricultural resources, biological resources, cultural resources, and hydrology and water quality. Since less construction would occur, construction-related impacts to air quality, noise, and traffic would also be reduced, as would ground-disturbance related effects (cultural resources, erosion and erosion-related water quality, biological resources). However, this alternative would not, among other things, meet the goal of providing a continuous multi-use trail for as much of the corridor length as feasible.

The On-Road Trail Alignment Alternative can also be considered environmentally superior to the proposed project. This is primarily because this alternative would substantially reduce the number of improvements required, as well as overall disturbance area (due to the use of existing, disturbed roadway rights-of-way). As a result of the reduced area of disturbance, and the relocation of improvements away from the river corridor, this alternative would reduce impacts related to ground-disturbance related effects (cultural and biological resources, erosion and erosion-related water quality). However, this alternative would not, among other things, provide separation from vehicles for trail users, and would therefore increase impacts related to this hazard. In addition, this alternative would be in conflict with the project goals of providing a continuous multi-use trail and providing a variety of trails, spaces, and experiences for all types of users.

The Reduced Regional Park Alternative and the Passive Park Alternative would reduce a number of impacts of the proposed project to a certain extent, particularly those related to traffic and transportation. However, because both of these alternatives would construct the River Parkway as proposed and still construct a Regional Park (either reduced in size or altered to be a passive park), many impacts would be largely similar to the proposed project. Furthermore, neither of the alternatives would eliminate the significant and unavoidable impacts. In addition, by eliminating the active uses associated with the proposed park, the Passive Park Alternative would, among other things, be in conflict with the project goal of providing a diversified regional park that supports opportunities for active and passive recreation.

The No Regional Park/Existing Zoning Alternative would result in impacts that are similar to or greater than the proposed project. Therefore, this alternative would not be considered environmentally superior.

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7.1 REFERENCES

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