



BEFORE THE
SAN BENITO COUNTY AIRPORT LAND USE COMMISSION

A RESOLUTION OF THE SAN BENITO COUNTY)
AIRPORT LAND USE COMMISSION (ALUC))
ADOPTING A NEGATIVE DECLARATION FOR)
THE AIRPORT LAND USE COMPATABILITY PLAN)
(ALUCP) FOR THE FRAZIER LAKE AIRPARK) Resolution No. 19-01

WHEREAS, Public Utilities Code Section 21675 provides that an Airport Land Use Commission (ALUC) shall formulate and adopt an Airport Land Use Compatibility Plan (ALUCP), formerly named, Comprehensive Land Use Plan, for each operating, public use airport within its jurisdictional boundaries; and

WHEREAS, each Airport Land Use Compatibility Plan shall contain land use planning guidelines to promote compatible land use development in the areas surrounding each airport; and

WHEREAS, the San Benito County Airport Land Use Commission (ALUC) has prepared the 2020 Airport Land Use Compatibility Plan for the Frazier Lake Airpark to replace the currently adopted 2001 Frazier Lake Airpark Comprehensive Land Use Plan; and

WHEREAS, an Initial Study and Proposed Negative Declaration, attached hereto and incorporated herein by reference as Exhibit A, was prepared to evaluate potential environmental effects of the Draft Airport Land Use Compatibility Plan for the Frazier Lake Airpark and was circulated for public comment from September 20, 2019 through December 7, 2019; and

WHEREAS, the Initial Study and Proposed Negative Declaration (Exhibit A) were prepared and circulated in compliance with the provisions of the California Environmental Quality Act (CEQA) (Public Resources Code Division 13, commencing with section 21000), the State CEQA Guidelines (California Code of Regulations, Division 14, Chapter 3, commencing with section 15000), and the San Benito County Airport Land Use Commission's (ALUC) Implementing Procedures for CEQA; and

WHEREAS, the Initial Study and Proposed Negative Declaration were filed for public review with the San Benito County Clerk's Office and the California Office of Planning and Research, in compliance with CEQA Guidelines sections 15072 and 15105; and

WHEREAS, the San Benito County Airport Land Use Commission (ALUC) held a public hearing during its regularly scheduled meeting of October 17, 2019, at which hearing the ALUC heard and received all oral and written testimony and evidence that was made, presented, or filed and all persons present at the hearing were given ample opportunity to hear and be heard with respect to the adequacy and completeness of the Draft Initial Study and Proposed Negative Declaration (Exhibit A) associated with the Draft Airport Land Use Compatibility Plan for the Frazier Lake Airpark; and

WHEREAS, the San Benito County Airport Land Use Commission (ALUC) received two public comment letters during the public comment period, September 20, 2019 through December 7, 2019; and

WHEREAS, ALUC staff recommends that the ALUC find that adoption of the Negative Declaration is appropriate, based upon substantial evidence in light of the whole record, because there is no substantial evidence that the Draft Airport Land Use Compatibility Plan for the Frazier Lake Airpark will have a significant effect on the environment; and

WHEREAS, at the conclusion of the public comment period, the Airport Land Use Commission (ALUC) considered the merits of the Draft Airport Land Use Compatibility Plan for the Frazier Lake Airpark and the proposed Draft Initial Study and Proposed Negative Declaration (Exhibit A), together with all public comments received, and the recommendations of ALUC staff, in light of the whole record.

NOW, THEREFORE, BE IT RESOLVED, by the San Benito County Airport Land Use Commission (ALUC), that it hereby finds and determines that:

1. The Negative Declaration reflects the ALUC's independent judgment and analysis; and
2. The Negative Declaration, together with the entire administrative record, is lodged at the ALUC Office, located at 330 Tres Pinos Road, Suite C7, Hollister, California; and
3. Based on the whole record before it, including the Initial Study and Proposed Negative Declaration (Exhibit A) and all comments received, there is no substantial evidence in the record that the Draft Airport Land Use Compatibility Plan for the Frazier Lake Airpark will have a significant effect on the environment.

BE IT FURTHER RESOLVED, that the San Benito County Airport Land Use Commission (ALUC) hereby adopts a Negative Declaration for the Airport Land Use Compatibility Plan for the Frazier Lake Airpark, attached herto and incorporated by reference as Exhibit A, pursuant to CEQA, the State CEQA Guidelines, and ALUC's Implementing Procedures for CEQA, including but not limited to State CEQA Guidelines Sections 15070, 15071 and 15074

BE IT FURTHER RESOLVED, that the San Benito County Airport Land Use Commission (ALUC) hereby directs staff to file a Notice of Determination within five (5) working days after adoption, pursuant to CEQA Guideline section 15075.

PASSED AND ADOPTED BY THE SAN BENITO COUNTY AIRPORT LAND USE COMMISSION on this 19th day of December 2019, by the following vote:

AYES: DIRECTORS:
NOES: DIRECTORS:
ABSENT: DIRECTORS:
ABSTAIN: DIRECTORS:

By: _____
César E. Flores, Chair

ATTEST:
Airport Land Use Commission (ALUC)

APPROVED AS TO LEGAL FORM
San Benito County Counsel's Office

By: _____
Mary Gilbert, Executive Director

By: *Shirley L. Murphy*
Shirley L. Murphy, Deputy County Counsel

Date: _____

Date: *Dec. 12, 2019*

DRAFT INITIAL STUDY

1. **Project Title:** Frazier Lake Airpark
Airport Land Use Compatibility Plan
2. **Lead Agency Name and Address:** San Benito County Airport Land Use Commission
330 Tres Pinos Road, Suite C-7
Hollister, California 95023
3. **Contact Person and Telephone:** Veronica Lezama, Project Manage
831.637.7665 Ext 204
4. **Project Location:** Frazier Lake Airpark and portions of the surrounding jurisdiction of San Benito County within the proposed Frazier Lake Airpark Airport Influence Area boundary (See **Figure 1**)
5. **Project Sponsor's Name and Address:** (see Lead Agency)
6. **General Plan Designation(s):** Agriculture
7. **Zoning Designation(s):** Agricultural Productive

8. Description of Proposed Project

The Airport Land Use Commission (ALUC) for San Benito County is proposing to adopt an *Airport Land Use Compatibility Plan (Compatibility Plan)* for the Frazier Lake Airpark (Airport), which will replace an earlier plan—*Frazier Lake Airpark Comprehensive Land Use Plan*—adopted by the ALUC on November 15, 2001. This Compatibility Plan does not make any changes to the Noise or Height sections of the 2001 Plan. Changes are primarily associated with the shapes of the safety zones, the safety zone policies to reflect the recommendations contained in the 2011 Caltrans Airport Land Use Planning Handbook (Handbook), and the Airport Influence Area boundary definition.

The creation of airport land use commissions and airport land use compatibility plans are requirements of the California State Aeronautics Act (Public Utilities Code Section 21670 *et seq.*). In accordance with PUC Section 21674.7, preparation of the *Compatibility Plan* was guided by the *California Airport Land Use Planning Handbook* published by the California Department of Transportation (Caltrans), Division of Aeronautics, in October 2011. The proposed *Compatibility Plan* reflects the anticipated growth of the Airport during at least the next 20 years as required by PUC Section 21675(a). Development of the *Compatibility Plan* was done in coordination with the planning staffs of the ALUC, San Benito County Resource Management Agency, and Frazier Lake Airpark.

Geographically, the proposed *Compatibility Plan* defines the area, referred to as the Airport Influence Area (AIA), wherein current or future airport-related noise, overflight, safety, or airspace protection factors may affect land uses or necessitate restrictions on those uses. The function of the *Compatibility Plan* is to promote compatibility between the Airport and the land uses

surrounding it to the extent that these areas have not already been devoted to incompatible uses. The proposed *Compatibility Plan* accomplishes this function through establishment of a set of compatibility criteria to be used by the ALUC and the San Benito County Resource Management Agency in evaluating the compatibility of future land use proposals within the vicinity of the Airport, as well as long-range development plans for the Airport. Agencies having land use jurisdiction over portions of the AIA are expected to incorporate certain criteria and procedural policies from the *Compatibility Plan* into their respective general plans and zoning ordinances to assure that future land use development will be compatible with aircraft operations. The County Board of Supervisors also has the option of taking steps defined in state law to overrule the ALUC action (PUC Section 21676). The proposed boundary of the Airport Influence Area extends approximately 1.7 miles beyond the Airport's runway ends and encompasses lands within the County of San Benito (see **Figure 1**).

Neither the proposed *Compatibility Plan* nor the ALUC have authority over existing land uses, operation of the Airport, or over state, federal, or tribal lands.

A copy of the *Compatibility Plan* accompanies this Initial Study.

9. Surrounding Land Uses and Setting

Frazier Lake Airpark lies entirely within the limits of San Benito County. Unincorporated lands of San Benito County adjoin the Airport property in all directions. Existing land uses within the portions of the AIA closest to the Airport consist of agriculture and open space.

The County's 2035 General Plan designates the lands in the AIA as Agriculture. Zoning of land within the AIA is Agricultural Productive. Low-density residential uses are located approximately 1.5 miles east through 1 mile south of the Airport, along Lover's Lane and Shore Road.

10. Other public agencies whose approval is required

Although input from various entities is necessary, the ALUC can adopt the *Compatibility Plan* without formal approval from any other agency, either state or local. However, a copy of the plan must be submitted to the California Division of Aeronautics (PUC Section 21675(d)). The Division is required by state law (PUC Section 21675(e)) to assess whether the plan includes the matters that must be included pursuant to the statutes and to notify the ALUC of any deficiencies. Also a statutory requirement is that the ALUC establish (or revise) the Airport Influence Area boundary only after "hearing and consultation with involved agencies" (PUC Section 21675(c)).

Beyond these requirements, an important consideration is that implementation of the *Compatibility Plan* policies can only be accomplished by the local jurisdiction that has authority over land use within the AIA: specifically, the County of San Benito. State statutes require the county to make its General Plan consistent with the *Compatibility Plan* within 180 days (Government Code Section 65302.3) or to overrule the ALUC. Among other things, the overrule procedure requires formal findings of fact that the jurisdiction's action is consistent with the intent of the state airport land use compatibility planning statutes and action by a two-thirds vote of the jurisdiction's governing body (PUC Section 21676).

11. Summary of Potential Environmental Effects

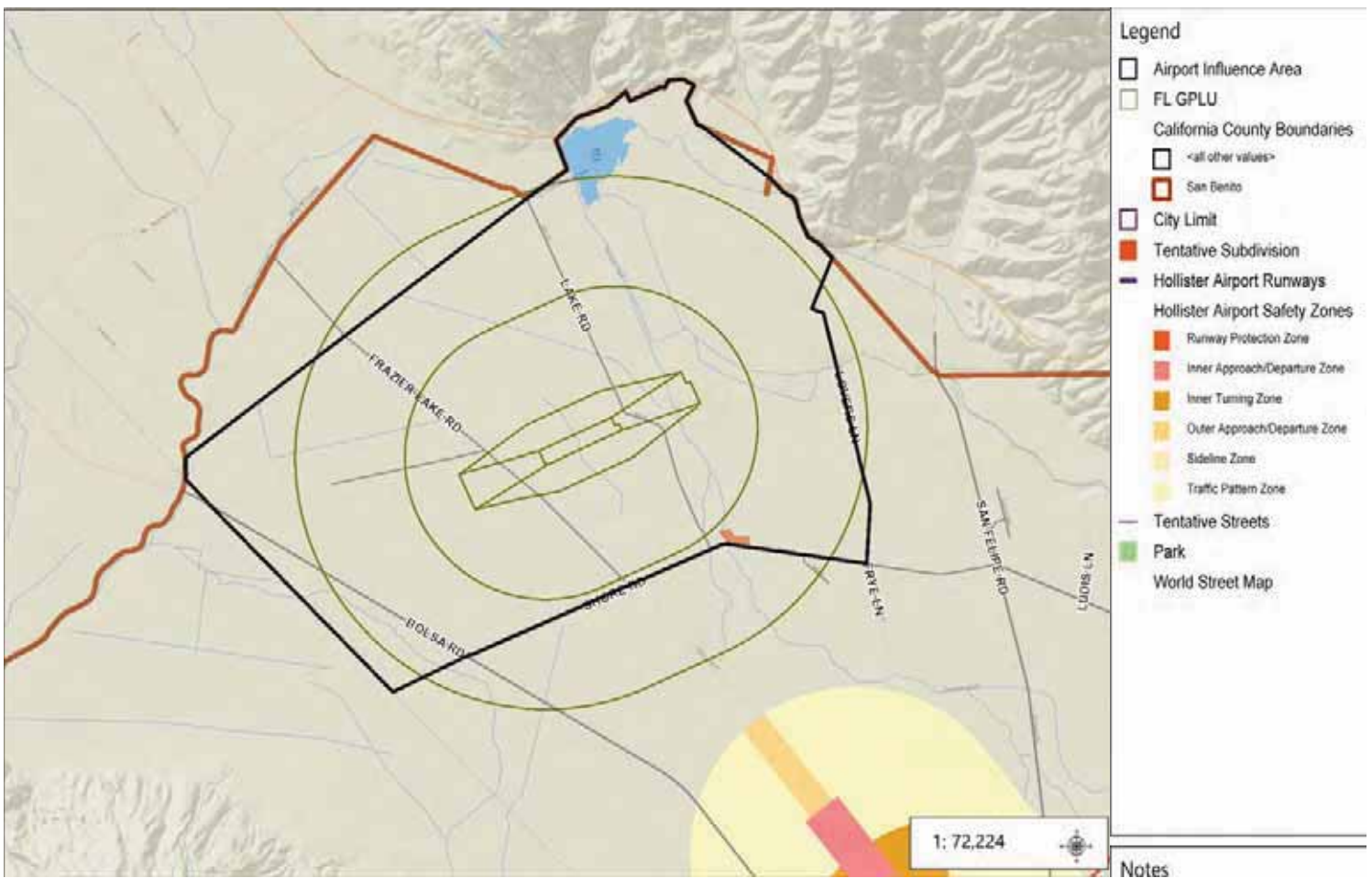
The proposed *Compatibility Plan* is regulatory in nature, and as such, neither the project—the adoption of the plan—or its subsequent implementation by local agencies would lead to the development or physical change of the environment around the Airport. The plan does not discourage new development in the vicinity of the Airport, but rather, would affect where development could occur and, in effect could “displace” future development from one location to another.

The *Compatibility Plan* seeks to guide the compatibility of new land uses by limiting the density, intensity, height, and type of new uses so as to avoid potential conflicts with aircraft operations and to preserve the safety of those living and working around the Airport as well as to those in flight. Although policies in the *Compatibility Plan* would influence future land use development in the vicinity of the Airport, it is speculative to anticipate the specific kinds of development that might occur within the AIA or the types of environmental impacts that would be associated with it.

Additionally, the *Compatibility Plan* would not encourage levels of development in any area located within the Airport Influence Area above those projected within the affected agency’s general plan, of which the environmental effects were previously analyzed in their respective certified general plan environmental documentation.

No environmental categories would be affected by this project to the extent of having a “Potentially Significant Impact.”. All categories have a “No Impact” determination. Those that warrant some explanation are discussed following the checklist section beginning on page 10.

Figure 1: LOCATION MAP & AIRPORT INFLUENCE AREA



ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

| CATEGORY | ANALYSIS SUMMARY (See individual pages for details) | | | | | |
|---|--|---|--------------------------|-------------------------------------|-------------------------------------|--|
| | Pg | <i>Potentially Significant Impact</i> | | | | |
| | | <i>Less than Significant Impact with Project Mitigation</i> | | | | |
| | | <i>Less than Significant Impact</i> | | | | |
| | | <i>No Impact</i> | | | | |
| <i>Comments</i> (Also see discussion above starting on page 5, Topic 11) | | | | | | |
| 1. AESTHETICS | 10 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 2. AGRICULTURE/FORESTRY RESOURCES | 11 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 3. AIR QUALITY | 12 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 4. BIOLOGICAL RESOURCES | 13 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 5. CULTURAL RESOURCES | 14 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 6. GEOLOGY/SOILS/SEISMICITY | 15 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 7. GREENHOUSE GAS EMISSIONS | 16 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 8. HAZARDS/HAZARDOUS MATERIALS | 17 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | e) Aircraft accident risks addressed |
| 9. HYDROLOGY/WATER QUALITY | 19 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 10. LAND USE/LAND USE PLANNING | 20 | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | b) Limited additional land use restrictions beyond those in adopted general plans and policies |
| 11. MINERAL RESOURCES | 23 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 12. NOISE | 24 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | e) Plan limits exposure of people to noise, but does not regulate aircraft |
| 13. POPULATION/HOUSING | 26 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | a) Negligible potential for displacement of future development b, c) No existing housing would be displaced |
| 14. PUBLIC SERVICES | 29 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | a) No effect on schools; negligible effect on government staff workloads |
| 15. RECREATION | 30 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 16. TRANSPORTATION/TRAFFIC | 31 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | c) Plan does not regulate air or ground traffic |
| 17. UTILITIES/SERVICE SYSTEMS | 32 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 18. MANDATORY FINDINGS OF SIGNIFICANCE | 33 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | b) No cumulative impacts |

SOURCE LIST

The following references are cited in the text that follows for the Initial Study.

1. California, State of. Department of Transportation. Division of Aeronautics. *California Airport Land Use Planning Handbook*. October 2011.
2. San Benito, County of. *San Benito County General Plan*. Adopted by Board of Supervisors on July 21, 2015.
3. San Benito, County of. *Code of Ordinances*. Adopted by the Board of Supervisors on January 6, 2009.
4. San Benito County Airport Land Use Commission. *Comprehensive Land Use Plan, Frazier Lake Airpark*. Adopted November 15, 2001.

DETERMINATION
(To Be Completed By Lead Agency)

On the basis of this initial study:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, no further environmental documentation is required.

Signature

Date

Printed Name:

For

ENVIRONMENTAL CHECKLIST

1. AESTHETICS

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

Discussion

a – d) See Summary of Potential Environmental Effects (No. 11 on page 5).

Mitigation

None Required.

2. AGRICULTURE AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest protocols adopted by the California Air Resources Board.

| Would the proposed project: | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined in Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

a – e) See Summary of Potential Environmental Effects (No. 11 on page 5). Furthermore, the compatibility policies of the *Compatibility Plan* favor continuation of agricultural uses in the vicinity of the Airport. The County of San Benito's 2035 General Plan identifies land within the Airport Influence Area as prime agriculture.

Mitigation

None Required.

3. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

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

Discussion

a – e) See Summary of Potential Environmental Effects (No. 11 on page 5).

Mitigation

None Required.

4. BIOLOGICAL RESOURCES

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

Discussion

a – f) See Summary of Potential Environmental Effects (No. 11 on page 5).

Mitigation

None Required.

5. CULTURAL RESOURCES

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

Discussion

a – d) See Summary of Potential Environmental Effects (No. 11 on page 5).

Mitigation

None Required.

6. GEOLOGY, SOILS, AND SEISMICITY

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

Discussion

a – e) See Summary of Potential Environmental Effects (No. 11 on page 5).

Mitigation

None Required.

7. GREENHOUSE GAS EMISSIONS

| Would the proposed project: | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-------------------------------------|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

a, b) See Summary of Potential Environmental Effects (No. 11 on page 5).

Mitigation

None Required.

8. HAZARDS AND HAZARDOUS MATERIALS

| Would the proposed project: | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-------------------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

a – d, f – h) See Summary of Potential Environmental Effects (No. 11 on page 5).

e) The proposed *Compatibility Plan* is regulatory in nature, and as such, does not propose any physical development within an airport land use plan. Therefore, adoption and implementation of the *Compatibility Plan* would not result in a safety hazard for people residing and working in the vicinity of the Airport.

Pursuant to the State Aeronautics Act, the proposed *Compatibility Plan* utilizes aircraft accident risk data and safety compatibility concepts provided in the *California Airport Land Use Planning Handbook* (2011) to establish compatibility safety zones (i.e., areas exposed to significant safety hazards). The *Compatibility Plan* establishes safety criteria and policies that limit residential densities (dwelling units per acre) and concentrations of people within the safety zones. The policies are intended to minimize the risks associated with an off-airport aircraft accident or emergency landing. The policies focus on reducing the potential consequences of such events when they occur. Risks to both people and property in the vicinity of the airport and to people on board the aircraft are considered.

The risks of an aircraft accident occurrence is further reduced by airspace protection policies limiting the height of structures, trees, and other objects that might penetrate the airport's airspace as defined by Federal Aviation Regulations (FAR), Part 77, *Objects Affecting Navigable Airspace*. The airspace protection policies also restrict land use features that may generate other hazards to flight such as visual hazards (i.e., smoke, dust, steam, etc.), electronic hazards that may disrupt aircraft communications or navigation, and wildlife hazards (i.e., uses which would attract hazardous wildlife). Therefore, no impact is anticipated as a result of the adoption and implementation of the proposed *Compatibility Plan*.

Mitigation

None Required.

9. HYDROLOGY AND WATER QUALITY

| Would the proposed project: | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| a) Violate any water quality standards or waste discharge requirements? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Substantially alter the existing drainage pattern of a site or area including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Substantially alter the existing drainage pattern of a 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 that would result in flooding on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| j) Inundation by seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

a – j) See Summary of Potential Environmental Effects (No. 11 on page 5).

Mitigation

None Required.

10. LAND USE AND LAND USE PLANNING

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

Discussion

a, c) See Summary of Potential Environmental Effects (No. 11 on page 5).

b) State law (Government Code Section 65302.3) requires each local agency having jurisdiction over land uses within an ALUC's planning area, also referred to as the Airport Influence Area, to modify its general plan and any affected specific plans to be consistent with the compatibility plan. The law says that the local agency must take this action within 180 days of when the ALUC adopts or amends its plan. The only other course of action available to local agency is to overrule the ALUC by, among other things, a two-thirds vote of Board of Supervisors after making findings of fact that the agency's plans are consistent with the intent of state airport land use planning statutes.

A general plan does not need to be identical with the ALUC's plan in order to be consistent with the *Compatibility Plan*. To meet the consistency test, a general plan must do two things:

1. It must specifically address compatibility planning issues, either directly or through reference to a zoning ordinance or other policy document; and
2. It must avoid direct conflicts with compatibility planning criteria.

With regard to the proposed *Compatibility Plan*, the County of San Benito is the only general purpose government entity having land use jurisdiction in the proposed Airport Influence Area. As such, once the *Compatibility Plan* is adopted by the ALUC, San Benito County will be required to amend its General Plan and/or other implementing ordinance to be consistent with the *Compatibility Plan* or to take action to overrule the ALUC.

The County of San Benito adopted its General Plan on July 21, 2015. The County has an Airport Safety District ordinance (Chapter 25.21.001-.017) which provides land use regulations for protecting people and property on the ground in the vicinity of the Frazier Lake Airpark, minimizing injury to aircraft occupants and preventing creation of hazards to aircraft using the airport. The County also has an Airport Zoning Ordinance (Chapter 19.03) which applies specifically to Hollister Municipal Airport.

A review of the adopted general plan policies addressing airport land use compatibility matters (see table below) indicates that the current general plan policies do not directly conflict with the *Compatibility Plan*. Nevertheless, the general plan and/or other implementing ordinance will need to be amended or supplemented to:

1. Reference the new *Compatibility Plan* by name and adoption date;
2. Establish the process the local agency will follow when forwarding certain land use actions to the ALUC for review;
3. Define the process the local agency will follow when reviewing proposed land use development within the AIA to ensure that the development will be consistent with the policies set forth in the *Compatibility Plan*; and
4. Incorporate the compatibility criteria, policies, and zones addressing noise, safety, airspace protection, and overflight hazards.

Summary of Current General Plan Policies

The County's General Plan establishes the following airport land use compatibility goals:

- The County shall prohibit land uses within unincorporated areas that interfere with the safe operation of aircraft or that would be exposed to hazards from the operation of aircraft. (Health and Safety Element , goal HS-7.1)
- The County shall coordinate with the ALUC on land use planning around airports and submit development proposals for land within the airport area of influence for review by the ALUC for consistency with the Airport Land Use Compatibility Plan. (Health and Safety Element , goal HS-7.2)
- The County shall require development within the airport approach and departure zones to be in compliance with Part 77 of the Federal Aviation Administration Regulations (FAA regulations that address objects affecting navigable airspace). (Health and Safety Element , goal HS-7.3)
- The County shall review all proposed radio, television, power, or related transmission towers and lines for appropriate location and possible air travel conflicts during the discretionary application process. (Health and Safety Element , goal HS-7.5)
- The County shall prohibit new noise-sensitive development within the projected future 60 dB Ldn noise contour of any public or private airports and private airstrips, and require that new noise-sensitive development within the projected future 55-60 dB CNEL complete an acoustical analysis demonstrating how residential units have been designed to meet an interior noise level of 45dB CNEL. (Health and Safety Element , goal HS-8.5)
- The County shall coordinate planning and zoning with the San Benito County Airport Land Use Commission and ensure that all land uses and regulations within the Hollister and Frazier (sic) Airports areas of influence are consistent with the adopted San Benito County Airport Land Use Compatibility Plan. (Land Use Element , goal LU-1.9)

Additionally, in order to attain general plan consistency with the *Compatibility Plan*, no direct conflicts should exist between planned land uses shown on the jurisdiction's general plan land use maps and the *Compatibility Plan* criteria. **Figure 2** (see Section 13 of this Initial Study) depicts the land use designations shown in the County of San Benito's 2035 General Plan. Overlaid onto the map are the compatibility zones which could potentially prohibit or restrict the residential development locations or nonresidential types and usage intensity (people per acre) of planned land uses.

An analysis of the adopted land use designations indicates that there are minimal conflicts between planned land uses and the *Compatibility Plan* criteria. In general there are no locations where future development of the types indicated by the general plans would be outright prohibited by the *Compatibility Plan*. The one exception is the Inner Safety Zones, where residential development is not allowed. The *Compatibility Plan* would restrict future development to a nonresidential usage and intensity that is less than the adopted General Plans would allow. These land use conflicts are summarized below.

Conflicts with General Plan Land Use Designations

The *Compatibility Plan* limits new residential development within some of the Airport Safety Zones. Within these zones, the County's land use designations permitting residential

development include Agricultural Productive (1 du/5 acres). The *Compatibility Plan* is consistent with the residential densities allowed in the general plan land use designations with the exception of Runway Protection Zones and Inner Safety Zones, where residential development is prohibited.

The *Compatibility Plan* identifies agriculture (except residences and livestock) as a compatible use in all zones. The only caveat would be agricultural crops or activities that would create airspace protection hazards (e.g., attract birds). Although discouraged, the *Compatibility Plan* includes a provision which would allow construction of a single-family home or secondary unit, as defined by state law, on a legal lot of record if such use is permitted by local land use regulations. Therefore, the agriculture designations do not directly conflict with the *Compatibility Plan* provided that future residential development (e.g., farm-worker housing) is established outside of the noise/risk zones noted above.

Conflicts with Zoning Regulations

In the definition of Agricultural Productive, in the last category, "Section 164, Additional Uses", there are numerous uses listed whose location or presence are restricted or prohibited in certain Safety Zones, for example hospitals, schools and large assemblies of people.

The *Compatibility Plan* addresses these conflicts in paragraph 4.3.1.1. Policy G-1, which says: "In the case of conflicting policies, the most restrictive policy shall be applied."

11. MINERAL RESOURCES

| Would the proposed project: | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

a – b) See Summary of Potential Environmental Effects (No. 11 on page 5).

Mitigation

None Required.

12. NOISE

| Would the proposed project: | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) For a project located in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

a – d, f) See Summary of Potential Environmental Effects (No. 11 on page 5).

e) The proposed *Compatibility Plan* is regulatory in nature, and as such, does not propose any physical development within an airport land use plan. Therefore, adoption and implementation of the *Compatibility Plan* would not expose people residing and working in the vicinity of an airport to excessive noise or generate new sources of aviation-related noise.

Airport-related noise and its impacts on land uses are factors in the proposed compatibility criteria. In accordance with PUC Section 21675(a), the *Compatibility Plan's* noise contours reflect the long-term (at least 20 years) potential noise impacts of the Airport. The noise contours represent 190,000 annual aircraft operations the maximum capacity of the Airport. The noise contours are a composite reflecting the existing and ultimate runway configuration as presented in the Airport Layout Plan accepted by the Caltrans Division of Aeronautics in 2001 as the basis of this *Compatibility Plan*. The noise contours are described in terms of the Community Noise Equivalent Level (CNEL), the metric adopted by the State of California for land use planning purposes.

The *Compatibility Plan* establishes criteria that reduce the potential exposure of people to excessive aircraft-related noise by requiring noise insulating building standards in new residential construction and limiting noise-sensitive land uses in locations exposed to noise levels of 55 dB CNEL or higher. The *Compatibility Plan* also establishes overflight compatibility policies. The purpose of overflight compatibility policies is to help notify people about the presence of overflight near airports so that they can make more informed decisions regarding acquisition or lease of property in the affected areas. Overflight compatibility is particularly important with regard to residential land uses. Policy N-5 of the *Compatibility Plan* describes the requirement to give notice of potential noise impacts to property renters and lessees located inside the 60 dB CNEL noise contour. Policy O-1 of the *Compatibility Plan* describes the policy required for real estate transaction disclosure for properties located in the Airport Influence Area.

As shown in **Figure 3** in Section 13, *Population and Housing*, of this Initial Study, the 55 dB CNEL contour extends beyond the airport property and encompasses mainly planned land uses that are not considered to be noise-sensitive (i.e., agriculture) and in some cases, overlies a recognized flood plain. Therefore, no impact is anticipated as a result of the adoption and implementation of the proposed *Compatibility Plan*.

Note that the *Compatibility Plan* does not regulate the operation of aircraft or the noise produced by that activity. State law explicitly denies the ALUC authority over such matters.

Mitigation

None Required.

13. POPULATION AND HOUSING

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

Discussion

a) Adoption and implementation of the proposed *Compatibility Plan* would not be growth inducing as the plan is regulatory in nature and does not propose any project that would cause physical development to occur. Additionally, policies set forth in the *Compatibility Plan* do not directly or indirectly induce population growth either locally or regionally beyond what is considered in the general plans and/or other land use policy instruments adopted by the County of San Benito. In fact, the provisions of the proposed *Compatibility Plan* limit the location, distribution, and density (dwelling units per acre) of future residential uses and the intensity (number of people per acre) of future nonresidential uses only within the Runway Protection Zone and Inner Safety Zone to minimize potential noise and safety concerns. However, these limitations can have the potential of displacing future development to locations outside the AIA. This topic is covered below.

b,c) As described above, the *Compatibility Plan* is a guidance document that sets forth policies that influence the location, distribution, and density/intensity of both residential and nonresidential land uses in a way that is intended to reduce potential noise impacts and safety concerns. The noise, safety, airspace protection, and overflight policies contained in the proposed *Compatibility Plan* only affect planned land uses. In accordance with PUC Section 21674(a), the policies of the *Compatibility Plan* do not apply to existing land uses, whether or not they are consistent with the criteria of the *Compatibility Plan*. Moreover, the plan explicitly allows construction of single-family houses on legal lots of record where such uses are permitted by local land use regulations. Therefore, adoption and implementation of the *Compatibility Plan* would not result in the displacement of *existing* housing or persons. As such, no new construction of replacement housing would be required.

Potential Displacement of Future Housing

The proposed *Compatibility Plan*, however, could indirectly influence future land use development in the vicinity of the airport by constraining the density (dwelling units per acre) of future residential uses and the intensity (number of people per acre) of future nonresidential uses within the Runway Protection Zone and Inner Safety Zone. Therefore, the *Compatibility Plan* has the potential to shift future development patterns and impact the location of population growth and future housing. Any potential indirect effect that may arise is uncertain from a timing and location standpoint, and it is speculative to anticipate the specific characteristics of future development or the types of impacts to population and housing that would be associated with it.

As jurisdictions are mandated by state law to accommodate their share of the regional housing needs, the potential impact that the proposed *Compatibility Plan* would have on local jurisdictions' housing stock was analyzed. To address potential impacts to future housing resources, an analysis was conducted to determine the amount of developable residential acreage and the number of dwelling units that would be precluded from development if the local jurisdictions were to amend their respective general plans to establish designations consistent with the *Compatibility Plan*.

The analysis compares the residential densities permitted under the local general plan with the density limits established in the draft *Compatibility Plan*. Where the general plan densities exceed the *Compatibility Plan* density criteria (i.e., allow more residential units than would be permitted under the *Compatibility Plan*), the number of housing units that could not be accommodated within the Airport Influence Area (i.e., displaced) is quantified. This is the potential worst-case scenario displacement of future housing, as the analysis does not consider non-aviation factors that would constrain development (e.g., terrain, transportation access, utilities, etc.). As a result, the amount of displacement is considered to be overstated. The areas of potential displacement are the Inner Safety Zones and Runway Protection Zones which are located off the ends of the runways outside of the airport boundary.

The analysis was limited to the airport Inner Safety Zones and Runway Protection Zones off airport property, as the *Compatibility Plan* residential development density in the area outside of the Inner Safety Zones is the same as that in the Agricultural Productive District, i.e., 1 du per 5 ac. Therefore the total area of the Inner Safety Zones and Runway Protection Zones outside of the airport boundary was determined to be 52.8 ac or 10 dwelling units at 1 du per 5 acres.

The results of the analysis indicate that the adoption and implementation of the proposed *Compatibility Plan* would have minimal effect on the County of San Benito. The above calculation indicates that up to 10 housing units could be displaced to areas outside of the safety zones. This displacement, however, is considered to be less than significant for the following reasons:

1. The land use impacted is agricultural use which allows low-density residential development: Agricultural Productive (1 du/5 ac). The County's Transfer of Development Credit (TDC) Ordinance (Chapter 21.09) allows property owners to transfer their development rights from one property to another, thereby preserving prime agricultural and open space land while being compensated by the property owners who obtain the right to use those credits. These development credits are available within the airport safety zones, especially where prime agricultural soils are present.
2. The potential displacement of 10 units is overstated as non-aviation factors that would constrain development are not considered (e.g., terrain, transportation access, utilities, etc.) and one parcel already has a residence.
3. The potential displacement of 10 units represents only a small fraction of the anticipated development within the affected jurisdiction.
- ~~4.~~ The proposed *Compatibility Plan* is being adopted pursuant to Public Utilities Code Section 21670, *et seq.*, to protect public health, safety, and welfare, through the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards; and is guided by the *California Airport Land Use Planning Handbook*. Therefore, by its nature and pursuant to state law, adoption of the *Compatibility Plan* may necessitate restrictions on land uses within the AIA. These factors do not decrease the potential impact that the *Compatibility Plan* may have on future housing units and other development, but they are nonetheless important considerations.

Mitigation

None Required.

Figure 2: SAFETY COMPATIBILITY ZONES AND LAND USE

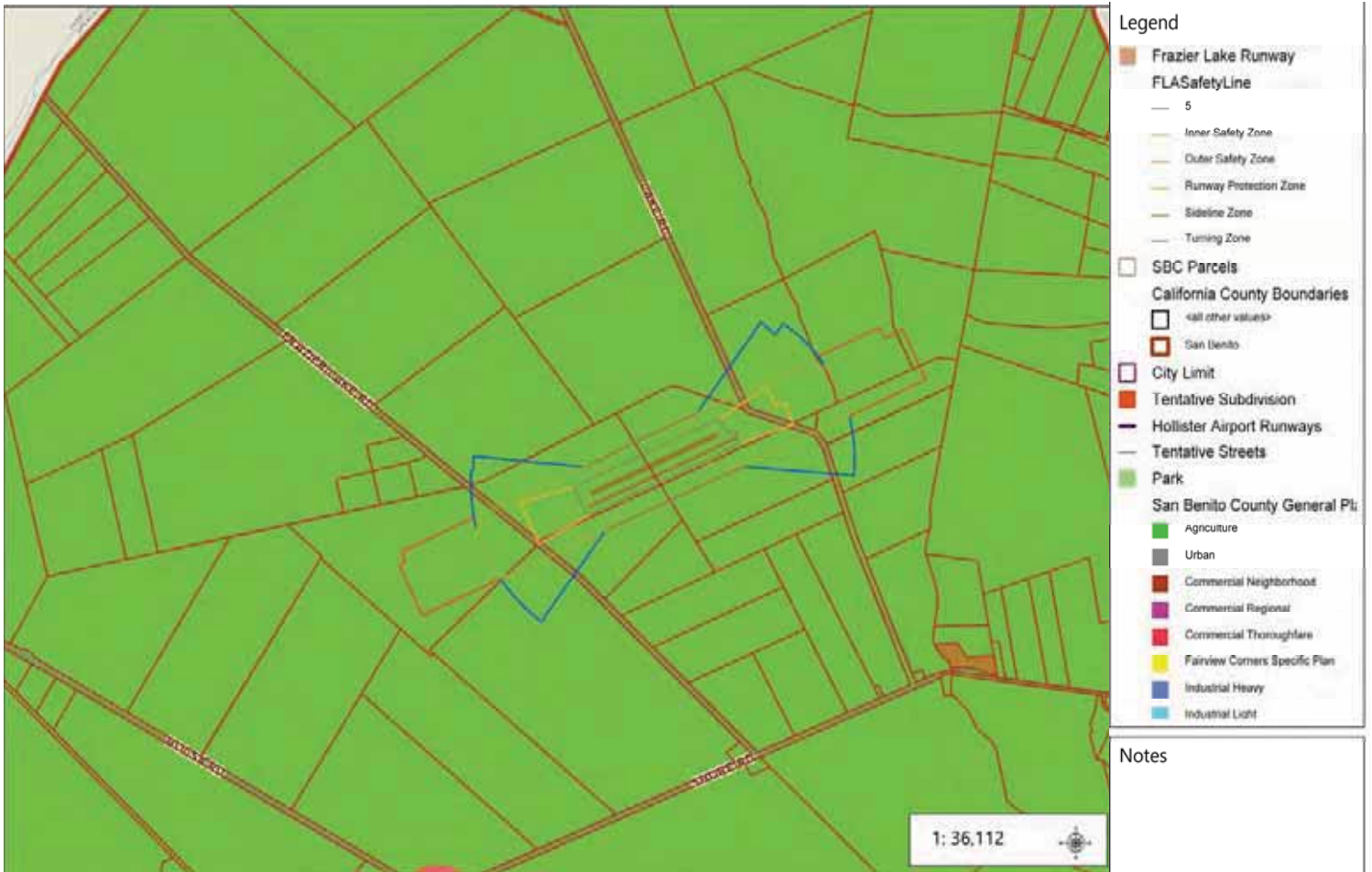
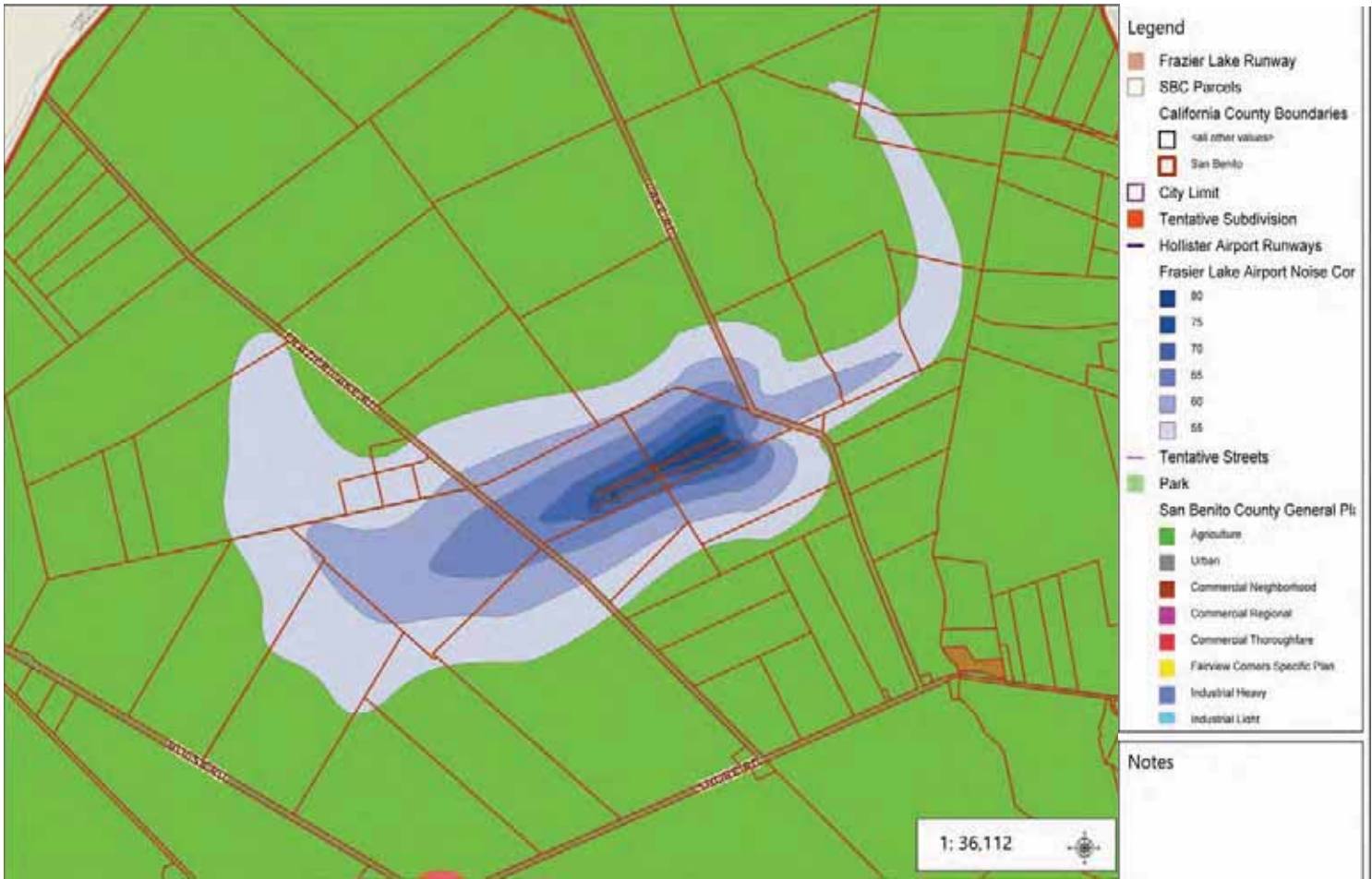


Figure 3: NOISE CONTOURS AND LAND USE



14. PUBLIC SERVICES

| Would the proposed project: | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-------------------------------------|
| a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services: | | | | |
| i) Fire protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii) Police protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iii) Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iv) Parks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| v) Other public facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

a.i – a.iv) See Summary of Potential Environmental Effects (No. 11 on page 5).

a.v) Adoption and implementation of the *Compatibility Plan* often creates a temporary increase in the staff workloads of affected land use jurisdictions as a result of the state requirement to modify local general plans for consistency with the compatibility plan. Minimal changes would be required to the County's General Plan, and Airport Safety District ordinance (Chapter 25.21). Over the long term, procedural policies included in the *Compatibility Plan* are intended to simplify and clarify the ALUC project review process and thus reduce workload for ALUC staff and planning staffs for the County.

Mitigation

None Required.

15. RECREATION

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

Discussion

a, b) See Summary of Potential Environmental Effects (No. 11 on page 5).

Mitigation

None Required.

16. TRANSPORTATION AND TRAFFIC

| Would the proposed project: | Potentially Significant Impact | Less Than Significant with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| a) 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

a – b, d – g) See Summary of Potential Environmental Effects (No. 11 on page 5).

c) Neither the ALUC nor the policies set forth in the *Compatibility Plan* have authority over the operation of the Airport. However, in accordance with state law, certain airport development proposals that could have off-airport compatibility implications are subject to ALUC review. Nonetheless, adoption and implementation of the *Compatibility Plan* will not result in any change to air traffic patterns at Frazier Lake Airpark.

Mitigation

None Required.

17. UTILITIES AND SERVICE SYSTEMS

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

Discussion

a – g) See Summary of Potential Environmental Effects (No. 11 on page 5).

Mitigation

None Required.

18. MANDATORY FINDINGS OF SIGNIFICANCE

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

Discussion

a, c) See Summary of Potential Environmental Effects (No. 11 on page 5).

b) The *Compatibility Plan* is regulatory and restrictive in nature and does not cause any physical development to occur. Any potential displacement that would occur as a result of the adoption of this *Compatibility Plan* would be cumulatively insignificant as it represents only a small fraction of the anticipated development within the affected jurisdictions.

Furthermore, the *Compatibility Plan* addresses potential noise and safety impacts and other airport land use compatibility issues associated with potential future development that other public entities or private parties may propose within the Airport Influence Area. Without adoption of the *Compatibility Plan*, the adverse impacts—both to airport functionality and to community livability—of allowing incompatible development to occur may be individually limited, but cumulatively considerable. Therefore, adoption and implementation of the *Compatibility Plan* would prevent exposing persons associated with future land uses to any negative noise or hazardous effects associated with living and working in the vicinity of the Airport. The *Compatibility Plan* thus, in effect, serves as a mitigation plan designed to avoid impacts that might otherwise be individually or cumulatively significant. Therefore, adoption and implementation of the *Compatibility Plan* has no potential to create cumulatively significant environmental impacts.