

**Draft
INITIAL STUDY/
MITIGATED NEGATIVE DECLARATION**

for the

**TANIMURA & ANTLE
1298 ORCHARD ROAD
VEGETABLE TRANSPLANT NURSERY PROJECT**

Prepared for the County of San Benito, California
Resource Management Agency

November 2018

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Project Data

1. **Project Title:** Tanimura & Antle 1298 Orchard Road Vegetable Transplant Nursery Project
2. **Lead Agency Name and Address:** San Benito County Resource Management Agency, 2301 Technology Parkway, Hollister CA 95023
3. **Contact Person and Phone Number:** Richard Felsing, Assistant Planner, (831) 902-2289, rfelsing@cosb.us
4. **Project Location:** The proposed project is located at 1298 Orchard Road, Hollister in an unincorporated area of San Benito County, California. The proposed project is located on the west side of Orchard Road and just east of Pacheco Creek and Highway 156, about 0.93 miles northeast of Fairview Road. The proposed project is located on assessor's parcel number (APN) 016-090-018. The property is bordered by Orchard Road on the east, Highway 156 and Pacheco Creek on the west, light industrial land uses on the north, and agricultural and residential land uses on the south.
5. **Project Description:** Construction of a vegetable transplant nursery consisting of greenhouses and related facilities with about 100,000 square feet (sq. ft.) of office area and maintenance buildings and 700,000 sq. ft. of greenhouses, and 500,000 sq. ft. of outdoor growing and work area (rolling, raised tables/benches holding plantings but with no overhead shades, lighting or covering). Development is proposed in six (6) separate phases over a six-year period.
6. **Acreage of Project Site:** The Project parcel is comprised of 141.6 acres and is physically divided by Orchard Road. The proposed project development area is completely contained within the parcel to the west of Orchard Road and comprises 75.6 acres of the 96.47-acre portion of the property. The remainder of the subject parcel is located to the southeast of the road, encompassing another 45.128 acres, for a total property area of 141.6 acres.
7. **Land Use Designations:** The San Benito County 2035 General Plan designates the project area as Agriculture (A) and the project site is zoned Agriculture Productive (AP).
8. **Date Prepared:** November 10, 2018
9. **Prepared By:** Denise Duffy & Associates, Inc.

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Chapter 1. Introduction and Project Description

1.1 INTRODUCTION

This Initial Study has been prepared to evaluate the potential environmental effects associated with the Tanimura & Antle 1298 Orchard Road Transplant Nursery Project (project or proposed project), located in San Benito County, California (County). This document has been prepared in accordance with the California Environmental Quality Act (CEQA), Public Resources Code §21000 et. seq., and the State CEQA Guidelines, California Code of Regulations (CCR) §15000 et. seq.

An Initial Study is an informational document prepared by a lead agency to determine if a project may have a significant effect on the environment (CEQA Guidelines §15063, subd. (a)). If there is substantial evidence that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) must be prepared, in accordance with CEQA Guidelines §15064(a). However, if the lead agency determines that revisions in the project plans or proposals made by or agreed to by the applicant mitigate the potentially significant effects to a less than significant level, a Mitigated Negative Declaration (IS/MND) may be prepared instead of an EIR (CEQA Guidelines §15070, subd. (b)). The lead agency prepares a written statement describing the reasons a proposed project would not have a significant effect on the environment and why an EIR need not be prepared. This Initial Study conforms to the content requirements under CEQA Guidelines §15071.

The San Benito County – Resource Management Agency (County - RMA) is acting as the Lead Agency pursuant to CEQA Guidelines §15050(a). The County - RMA brings together a range of services to ensure reasonable and safe development, plan for the future needs of the County, manage infrastructure and County facilities, and protect natural resources. As the Lead Agency, the County - RMA oversaw preparation of this Initial Study pursuant to CEQA Guidelines §15063, §15070, and §15152. This Initial Study will be circulated for agency and public review during a 30-day public review period pursuant to CEQA Guidelines §15073. Comments received by the County – RMA on this Initial Study will be reviewed and considered as part of the deliberative process in accordance with CEQA Guidelines §15074.

The following section is consistent with the requirements of CEQA Guidelines §15124 to the extent that it is applicable to the project. This section contains a detailed description of the project location, historical background and context, project components and relevant project characteristics, project goals and objectives, and applicable regulatory requirements.

1.2 PROJECT LOCATION

The proposed project, described below, is located at 1298 Orchard Road, Hollister in an un-incorporated area of San Benito County, California (see **Figure 1.1** Regional Project Map). The proposed project site is located to the west of Orchard Road approximately 0.93 miles northeast of its intersection with Fairview Road (see **Figure 1.2** Project Location). The proposed project is located on APN 016-090-018 which is physically divided by Orchard Road. The proposed project development area comprises 75.6 acres of the 96.47-acre portion of the property located to the west of Orchard Road. The remainder of the subject parcel is located to the southeast of the road, encompassing another 45.128 acres, for a total property area of 141.6 acres.

The site is sparsely vegetated with non-native invasive and ruderal plant species associated with a previously developed agricultural nursery landscape. Pacheco Creek borders the site to the west and supports riparian habitat. Remnants of previous land use remain including water wells, utility structures, and fences (see **Figure 1.3** Site Photos).

Regional access to the project site is provided from Highway 156 and Fairview Road. Access to the project site would be via Orchard Road. The property is bordered by Orchard Road on the east, Highway 156 and Pacheco Creek on the west, light industrial land uses on the north, and agricultural and residential land uses surround the site on the southern boundary. The proposed project site is zoned Agriculture Productive (AP), surrounding land uses include primarily agricultural uses with some residential development and industrial uses in the vicinity.

1.3 PROJECT BACKGROUND

Tanimura & Antle Fresh Foods, Inc. (T&A) (www.taproduce.com), the project applicant, is proposing a vegetable transplant nursery at this location to bring the property back to its previous use as a greenhouse facility while utilizing recently developed planting technology known as PlantTape. (See below for a more detailed description of PlantTape).

The property has been used for agricultural purposes since at least 1939. Until the 1970s the property consisted of agricultural fields with a small group of buildings on the southern parcel (possibly a house or barn with outbuildings). In the 1970s, a wholesale nursery operation was constructed on the northern portion of the property with a number of greenhouses and an outbuilding. The structures on the southern portion of the property were removed and the area was used as a growing field for plants. The nursery operation continued until the property was sold to T&A with limited operations since the purchase (see **Figure 1.4** Previous Operations). Buildings and greenhouses that once stood on the site have long been demolished, with almost all the remaining sheds, accessory structures, and equipment removed in 2015. The limited improvements remaining on the predominantly vacant site include existing water wells, utility structures and fencing.

T&A was founded 1982 and is based in Salinas, California. T&A focuses on salad produce, primarily lettuce, celery, broccoli, cauliflower, and green onions. T&A's primary farming operations are located in Salinas, California and Yuma, Arizona with approximately 27,000 acres farmed by T&A and 40,000 acres farmed with growing partners (T&A, 2018). PlantTape was acquired by T&A in 2014 and is an automated transplanting system. PlantTape increases efficiency and productivity in planting operations through automated technology for the sowing, germination, nursery care and planting of vegetable fields. PlantTape allows for improved crop quality, sustainability, and flexibility for operation-wide efficiencies. The PlantTape system is in use commercially to plant a range of vegetables, including leafy greens, cauliflower, celery, onions, tomatoes and cabbage. (PlantTape, 2018).



<p>Title:</p> <p>Project Location</p>	<p>Date: <u>06/25/2018</u></p> <p>Scale: <u>1 inch = 0.15 miles</u></p> <p>Project: <u>2018-32</u></p>	<p>Monterey San Jose</p> <p>Denise Duffy and Associates, Inc.</p> <p>Environmental Consultants Resource Planners</p> <p>947 Cass Street, Suite 5 Monterey, CA 93940 (831) 373-4341</p>	<p>Figure</p> <p>1.2</p>
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Photo 1. View of Orchard Road facing east.

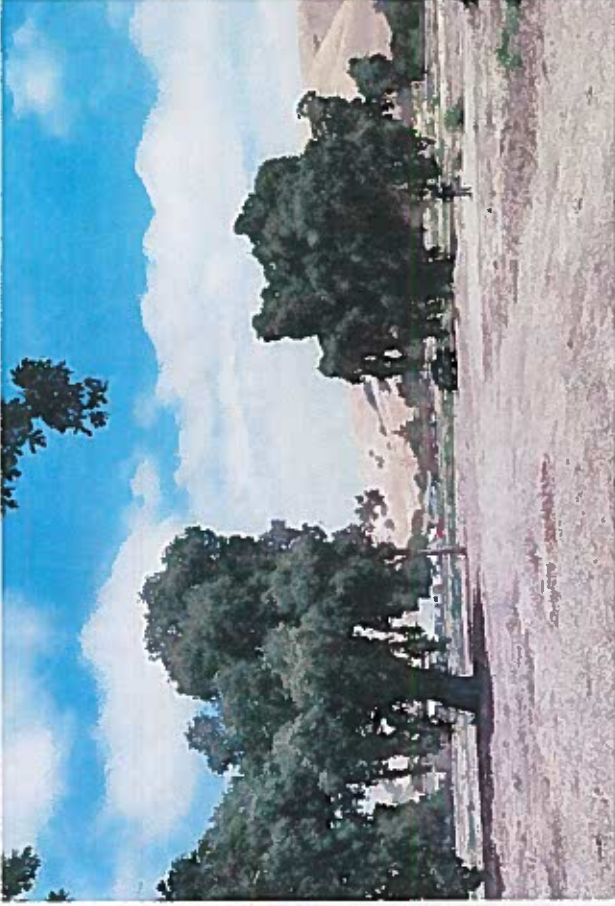


Photo 2. View of Project Boundary facing north.



Photo 3. View of Project Site facing northeast.



Photo 4. View of Pacheco Creek facing west.

Source: DD&A, 2018

Title

Site Photos

Date 8/1/2018
Scale N/A
Project 2018-32



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Figure

1.3



Source: <http://www.loopnet.com/Listing/19165641/1298-Orchard-Road-Hollister-CA/>, downloaded 7/24/2018



Source: Google Maps, May 2011. Accessed: 8/2/2018

Title

Previous Operations

Date 7/24/2018

Scale N/A

Project 2018-32



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Figure

1.4

1.4 PROJECT DESCRIPTION

The proposed project consists of the construction of vegetable transplant nursery greenhouses and related facilities. T&A is proposing a vegetable transplant nursery designed to utilize the recently developed planting technology known as PlantTape to allow for mechanized planting of vegetable transplant crops. Implementation of the proposed project would bring the property back to its previous operational use as a greenhouse facility.

Full buildout of the project consists of construction of a vegetable transplant nursery including development of approximately 700,000 sq. ft. of greenhouses, in 28 structures, and 100,000 sq. ft. of other new buildings, namely an agricultural processing building, storage, and office, and 500,000 sq. ft. of outdoor growing area and work area ("grow area"), comprised of rolling, raised planting tables or benches on ground covered by a weed-barrier cloth, with no structures, overhead shades or other covering. A main driveway is proposed to enter the parcel at the mid-point and connect to a parking area located in the center of the property near the Office Building. Two new water tanks will be installed northeast of the driveway near the existing wells located adjacent to Pacheco Creek. A plan view of the proposed project is shown in **Figure 1.5 Master Plan**. As shown on the Master Plan, the project development area proposed for greenhouses and related uses encompasses 75.6 acres of the 96.47-acre portion of the property located to the west of Orchard Road. The remainder of the property (45.128 acres) south east of Orchard Road is not proposed for development.

Development is proposed in phases, with the current phase (Phase 1) consisting of six (6) 84 feet (ft.) x 288 ft. greenhouses (145,000 sq. ft.), six (6) outdoor grow spaces around the main office, and an agriculture building (40,000 sq. ft.) containing seed sowing lines, storage and an office. Additionally, Phase 1 will include water tank(s), access roads, domestic irrigation, fire water infrastructure, storm water infrastructure, and electrical & gas utility infrastructure. Future phases of the proposed project will be built over a six (6) year period based on current forecasts, 2020 through 2026. Phasing of the proposed project is outlined in **Figure 1.6 Phasing Plan**. The timing of future phases after Phase 1 is estimated at this time and may be revised to beyond 2026 depending on project needs and operations after completion of Phase 1.

In general, the parcel is to be divided into aligned blocks of outdoor growing beds and greenhouses further divided by access roads and areas designated for support buildings. A figure showing the modeled site layout is provided in **Figure 1.7 Site Model**.

The following discussion provides a more detailed description of key proposed project elements, including construction activities and schedule, grading & tree removal requirements, fencing, water, wastewater, drainage, electrical & gas utilities, operation, and fire and police protection.

CONSTRUCTION

Construction of the first Phase (Phase 1) will occupy the southern half of site and consist of six (6) 84 ft. x 288 ft. greenhouses (145,000 sq. ft.), six (6) outdoor grow spaces around the main office, and an agriculture building (40,000 sq. ft.) containing seed sewing lines, storage and an office. Additionally, Phase 1 will include water tank(s), access roads, domestic irrigation, and infrastructure for fire suppression, water delivery, storm water improvements, and electrical & gas utility infrastructure.

Construction activities would be limited to weekdays between the hours of 7 a.m. to 5 p.m. and no night-time construction is proposed. Construction activities will include site preparation, paving, grading, building construction and architectural coating. Construction equipment will include, but will not be limited to graders, tractors/loaders/backhoes, cement and mortar mixers, pavers, rollers, saws, dozers, cranes, forklifts, and air

compressors. Staging areas will be located on-site. Parking will be provided on-site, or on the shoulder of the entrance road. No separate construction access roads will be needed.

CONSTRUCTION SCHEDULE/PHASING

Construction of Phase 1 will take place over approximately 175 calendar days. Construction is anticipated to begin in early 2020, with the first full year of operation to take place in 2021. Future construction phases of the proposed project are projected to be built over time as outlined above and in **Figure 1.6 Phasing Plan**.

SITE FENCING

Perimeter fencing will be installed on-site as depicted in **Figure 1.5**. Intact existing fencing will be retained where adequate (primarily north and east perimeter). Protective fencing along the banks of Pacheco Creek (deer fencing) will be installed along the west border of the site to maintain a 50-foot setback from the top of bank of the creek. Along the south perimeter of the site, along Orchard Road, a new seven-foot high chain link fence will be installed. The remainder of the site boundary, including the portion of the property bordering Highway 152, will be fenced with deer fencing. All deer fencing will be eight-ft. in height. Five gates will be constructed on the site; entrances and internal gates will be fence-height and 20-ft. wide. No development or construction will occur within the setback area and area shown as Pacheco Creek on **Figure 1.5**.

GRADING & TREE REMOVAL

Existing terrain generally slopes from the northeast to the southwest at about 0.5%. New site improvements are anticipated to conform to existing site terrain with minimal grading required. The existing site is highly disturbed and most of the site is cleared of vegetation from past land uses. The proposed project includes rough grading and general site preparation to a maximum of (3) three ft. below the existing surface. Utility trenching is planned to an average depth of three (3) ft. and a maximum depth of five (5) ft. where utility lines cross and greater depth is required to meet minimum separation requirements. The proposed project involves approximately 82,300 cubic yards of cut and 82,300 cubic yards of fill and will not require any import or export of cut and fill materials. The proposed grading and compaction will be limited to the minimum areas required for building or pavement construction. As a major portion of the site will be left open for growing areas and many of the access roads will be rock, compacted areas will be minimized. Per County of San Benito Ordinance (Chapter 19.17: Grading, Drainage and Erosion Control Section 19.17.005) (Riparian Protection), no grading activity is allowed within 50 ft. (measured horizontally) from the top of the bank of stream or creek, river (or within 50 ft. of a wetland or other body of water). See **Figure 1.5** for a depiction of this area.

A tree assessment/arborist report has been prepared that identifies those trees identified for removal which are nearest or within development areas. There are 22 trees proposed for removal during site grading for Phase 1 construction, as shown on **Figure 1.5**. (See **Section 4.2 Biological Resources** for more information)

WATER

There are currently two (2) existing wells onsite as shown on **Figure 1.5**. Historical use of these wells was for irrigation and domestic water use to supply previous uses on the site. The existing wells will be retained and will be used for irrigation and fire suppression water, with appropriate approvals by the County Public Works. A new domestic water well will be constructed to serve the 50-person occupant-load at project buildout and will support restrooms and break room facilities. Central Valley Water Project (non-potable "blue valve") water is also available onsite. Two new water storage tanks (283,000 gallons each) will be installed to accommodate both irrigation and fire suppression systems. Water storage tanks are proposed as steelbolted tank structures,

32 ft. tall, 39 ft. in diameter. Additionally, well drilling and water system permit approvals will be required from San Benito County Water District.

WASTEWATER

A new septic tank and leach field sewer system will be designed to support the office space at the Center Building. Sizing requirements will be based on the 50-person occupant-load at full buildout and will support restrooms, break rooms and domestic needs. Additionally, a sewage disposal permit will be required from San Benito County Health Department.

DRAINAGE

The site is constrained with low percolation rates and Pacheco Creek to the west. The existing site conditions include a large area characterized by gentle slopes and existing drainage ditches that allow drainage to be managed onsite. The site will be developed with a minimum 50-foot setback to Pacheco Creek to direct runoff away from the creek; drainage improvements and grading will be implemented to buffer the creek from any unintended runoff or other impacts to the creek. Control of on-site drainage is proposed to be managed by surficial drainage to the southwest corner of the parcel. Two new vegetated basins totaling 15.2 acre-ft. will be constructed (see Figure 1.5) a 1,500-foot long vegetated swale at the south edge of the property will have a shallow slope and be vegetated to treat runoff as it flows through the swale. These features are designed and located to retain and clean stormwater as well as to intercept runoff before there is any discharge from the site.

Onsite site percolation was measured to be very low; the two basins proposed for the project are designed and engineered to accommodate runoff from their respective tributary areas to the north and east. Basin 2, at the center of the project, will temporarily detain runoff and release it at pre-project rates to a vegetated swale along the south edge of the property, which gently flows towards Basin 1. Basin 1, at the southwest corner of the property will be adequately sized to retain the 85th and 95th percentile storm events, detain the 2-year and 10-year storm events to pre-project levels, and detain the 100-year storm event to the pre-project 10-year flow rate before discharging towards the existing offsite ditch which runs along Highway 156. The final design of the drainage basins would be required to comply with applicable County Code requirements as well as other applicable standards and requirements with respect to flooding and drainage, subject to review and approval by the County Public Works Department.

ELECTRICAL & GAS UTILITIES

Electricity and natural gas are provided to the property by the Pacific Gas and Electric Company (PG&E). New electrical and gas services will be required or reuse of existing services as available.

ACCESS, DRIVEWAYS & ON-SITE CIRCULATION

The project site is located on Orchard Road, approximately 4,500 ft. (0.86 miles) north of Fairview Road, in northern San Benito County. Site access is via Orchard Road. Regional access to the project site is provided by State Route 156 and Fairview Road. The project proposes three gated driveways onto Orchard Road. Encroachment permits from San Benito County Public Works will be required to install driveways. Most of the project traffic is anticipated to use the central driveway, as it provides the most direct access to the on-site parking area at the center of the project site. Each of the driveways would be paved at Orchard Road and would become gravel roads as one progresses into the project site. The driveways connect to various on-site gravel roadways located between the greenhouses, all of which are 40 ft. in width. Internal circulation roadway width is designed to allow trucks and vehicles to pass one another during operations and to maintain adequate distance from the greenhouse structures. Orchard Road improvements and access will be subject to final design and

applicable County road improvement requirements for pavement width and right-of-way, per County Public Works Department.

OPERATION

The nursery will operate all months of the year with the hours of operation from 5 a.m. to 6 p.m., truck pick-up and delivery will be between 5 a.m. and extending to 10 p.m. The project is estimated to generate 133 daily trips, with 20 trips (15 in, 5 out) during the a.m. peak hour and 18 trips (7 in, 11 out) during the p.m. peak hour. At project buildout, the nursery operations will require 50 employees; in 2020 as the nursery will not be at full buildout yet, there will only be 12 employees required.

POLICE AND FIRE PROTECTION

The proposed project area is served by the San Benito County Sheriff's Office and the City of Hollister Fire Department under contract to the County of San Benito. The project will include a fire sprinkler system and conform to all fire code requirements.

PROJECT NOTES

PROPERTY DATA
 ADDRESS: 1290 ORCHARD ROAD
 ASSESSOR'S PARCEL NO.: 018-080-018
 GENERAL PLAN LAND USE: AGRICULTURE
 EXISTING ZONING: AGRICULTURE PRODUCTIVE
 PREVIOUS LAND USE: GREENHOUSE / NURSERY
 PROPOSED LAND USE: TRANSPLANT NURSERY FOR VEGETABLE PRODUCTION
 FLOOD ZONE: 1 FOOT
 FLOOD ZONE: ZONE X (MAP 0809PC00150)
 FIRE HAZARD SEVERITY ZONE: LRA UNZONED

AREA
 PROPERTY AREA: 141.60 AC
 SITE AREA (WEST): 96.47 AC

UTILITIES
 WATER: EXISTING AND NEW WELLS WITH NEW STORAGE TANK AND CENTRAL VALLEY PROJECT WATER (NON-POTABLE)
 SANITARY SEWER: NEW SEPTIC TANK AND DISPERSAL FIELD
 GAS & ELECTRIC: PG&E

NOTES

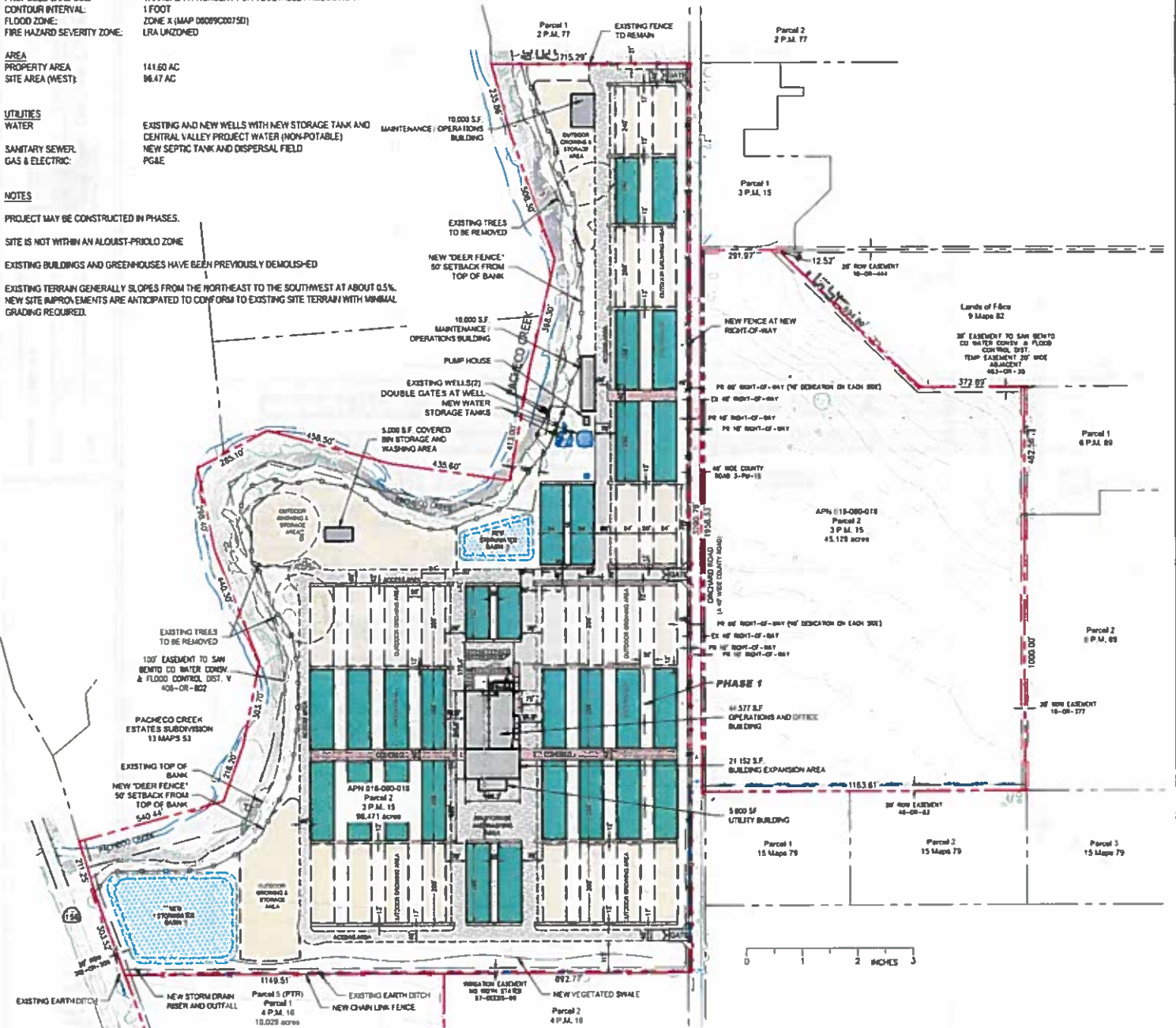
PROJECT MAY BE CONSTRUCTED IN PHASES.

SITE IS NOT WITHIN AN ALQUIST-PRICLO ZONE

EXISTING BUILDINGS AND GREENHOUSES HAVE BEEN PREVIOUSLY DEMOLISHED

EXISTING TERRAIN GENERALLY SLOPES FROM THE NORTHEAST TO THE SOUTHWEST AT ABOUT 0.5%. NEW SITE IMPROVEMENTS ARE ANTICIPATED TO CONFORM TO EXISTING SITE TERRAIN WITH MINIMAL GRADING REQUIRED.

	GREENHOUSE
	OUTDOOR AREA
	CONCRETE SURFACE (139,270 SF)
	ASPHALT (19,088 SF)
	GRAVEL (811,315 SF)
	STORMWATER BASIN



Source: Paul Davis Partnership, October 2018

Title: **Master Plan**

Date: 11/6/2018

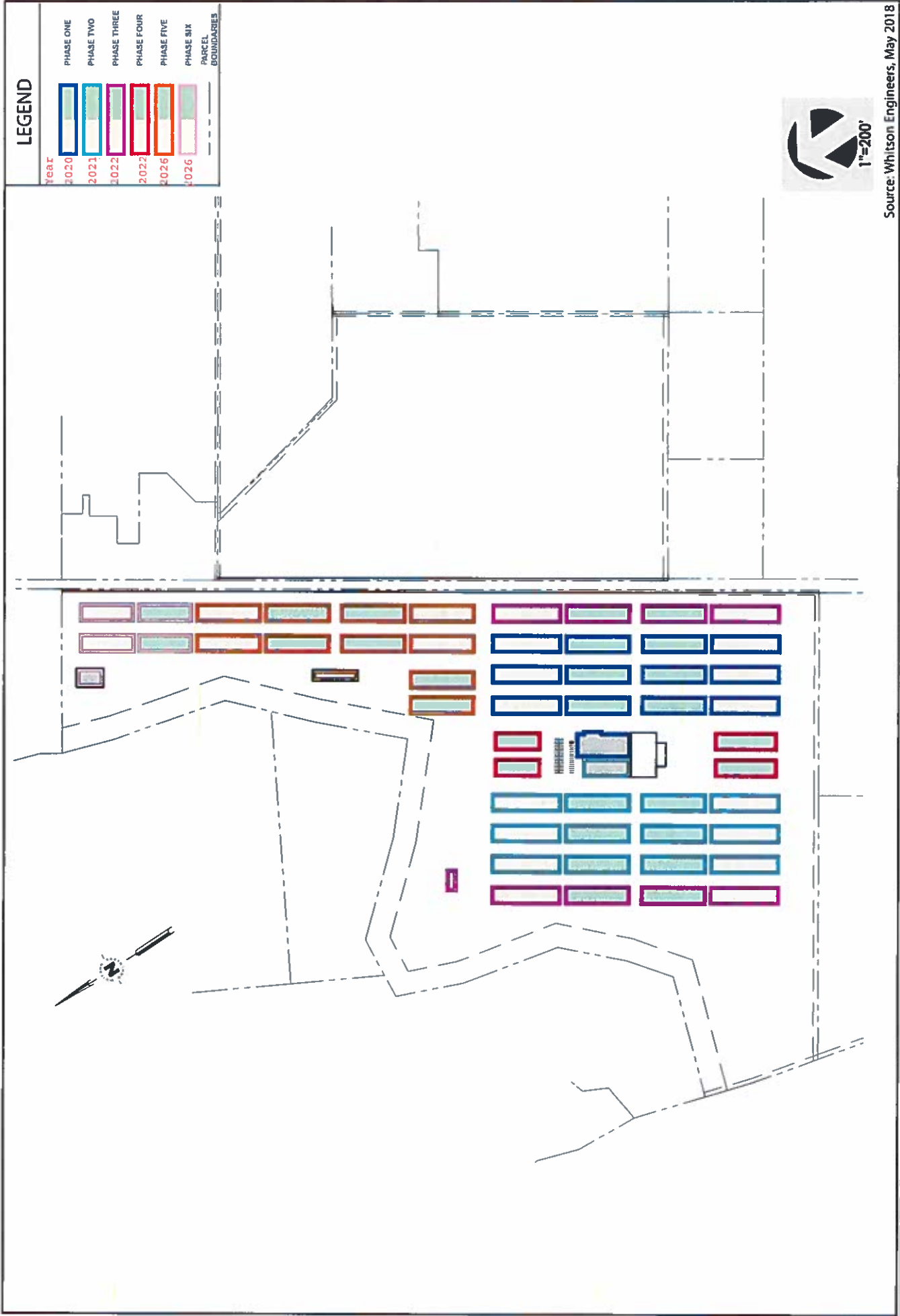
Scale: N/A

Project: 2018-32



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Figure
1.5



Source: Whitson Engineers, May 2018

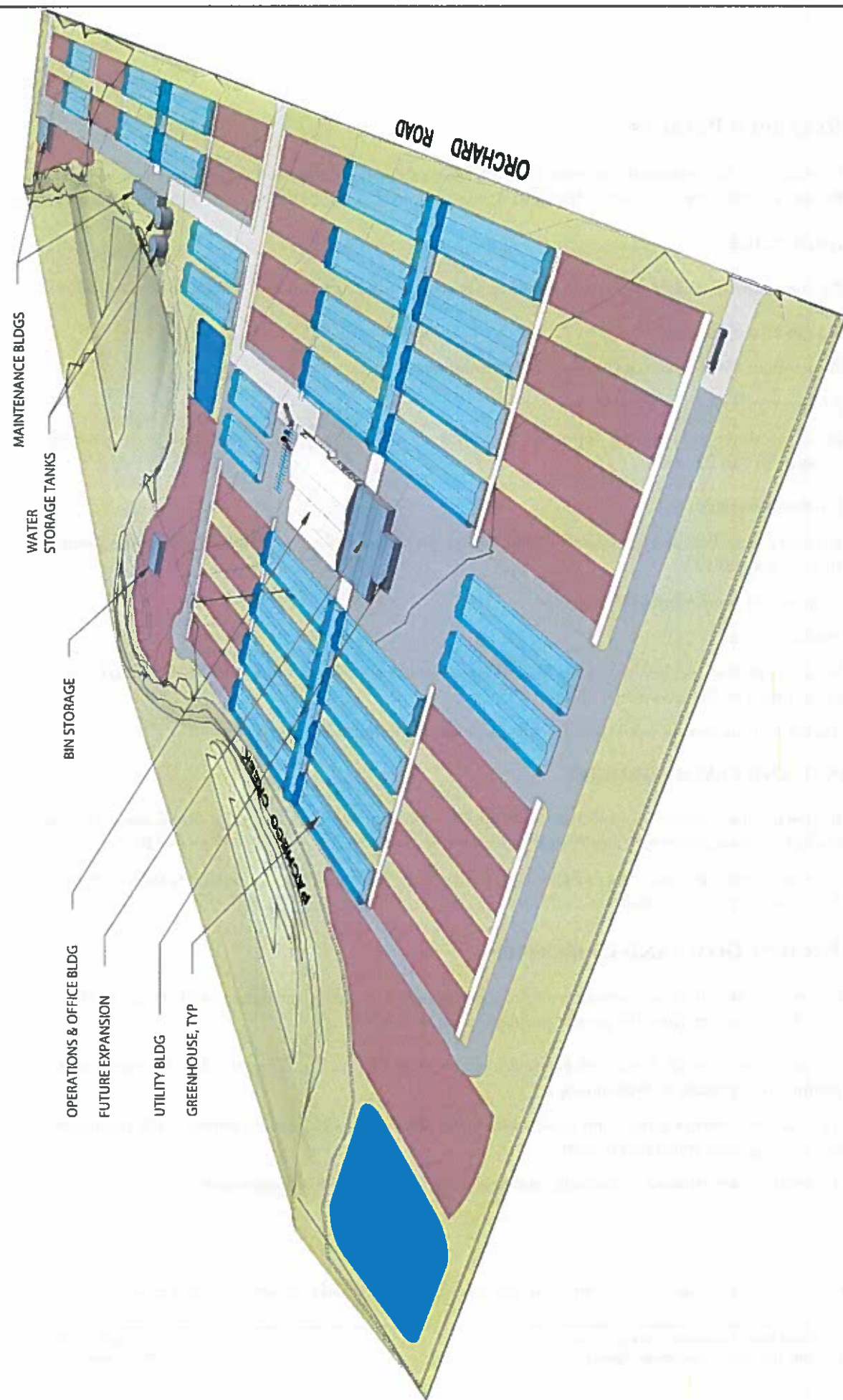
Phasing Plan

Date: 8/1/2018
 Scale: N/A
 Project: 2018-32



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Figure 1.6



Source: Paul Davis Partnership, August 19, 2018

Site Model

Date	9/6/2018
Scale	N/A
Project	2018-32



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1.5 REQUIRED PERMITS

This Initial Study is an informational document for both agency decision-makers and the public. The San Benito County Resource Management Agency is the Lead Agency responsible for certification of this Initial Study.

LOCAL AGENCIES

A list of the anticipated discretionary permits requiring approval by the County of San Benito is provided below:

- Adoption of the IS/MND
- Approval of Use Permit for Commercial Greenhouses
- Approval of Tree Removal Permit

In addition to the above discretionary approvals, the following additional approvals will need to be obtained from the County of San Benito:

- Grading Permit(s)
- Encroachment Permit from County Public Works for any work being performed within the County right-of-way (ROW)¹
- Approval of Improvement Plan(s)
- Building Permit
- Well Permit from San Benito County Water District and Water System Permit from San Benito County Department of Environmental Health

It is anticipated that the project would also require the following permits and approvals²:

REGIONAL AND STATE AGENCIES

- Regional Water Quality Control Board (RWQCB) – National Pollutant Discharge Elimination System (NPDES) General Storm Water Permit and Storm Water Pollution Protection Plan (SWPPP)
- Approval from the State Office of Drinking Water, State Water Resources Control Board (SWRCB) for potable wells, if required

1.6 PROJECT GOALS AND OBJECTIVES

The primary goal of the proposed project is to construct a vegetable transplant nursery and related facilities. The project's key objectives from the project proponents are as follows:

- To utilize the recently developed planting technology known as PlantTape to allow for mechanized planting of vegetable transplant crops.
- To redevelop former agricultural parcels and underutilized property into an economically productive use as a vegetable transplant nursery.
- To build a more efficient, sustainable, and productive vegetable nursery operation.

² This list is not considered exhaustive and additional agencies and/or jurisdictions may have permitting authority.

Chapter 2. Environmental Factors Potentially Affected

The environmental factors identified below are discussed within **Chapter 4. Initial Study Environmental Checklist** Sources used for analysis of environmental effects are cited in parenthesis after each discussion, and are listed in **Chapter 5. References**.

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

ENVIRONMENTAL FACTORS NOT AFFECTED

As part of the scoping and environmental analysis conducted for the project, the following environmental resources were considered but no potential for adverse impacts to these resources were identified. Consequently, there is no further discussion regarding these resources in this document.

Mineral Resources: The project site is not located in an area designated for mineral resources. Moreover, implementation of the proposed project would not result in any large-scale development or other activities requiring significant removal of mineral resources. As a result, the proposed project would not: 1) 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, and, 2) 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. There would be no impact to mineral resources. (1, 2, 21)

Recreation: The project would not affect park services, since the proposed project would not increase population or otherwise affect these facilities. As stated above, the proposed project is a transplant nursery and will not include recreational facilities. The project will not induce population growth such that new recreational facilities are required. As a result, the proposed project would not: 1) increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated, and, 2) require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. There would be no impact to recreational resources. (1, 2)

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Chapter 3. Determination

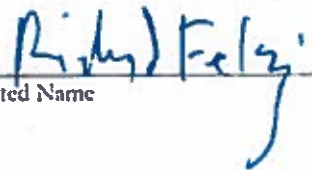
On the basis of this initial evaluation:

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


Signature

Richard Felsing, County of San Benito


Date


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Chapter 4. Initial Study Environmental Checklist

The following chapter assesses the environmental consequences associated with the proposed project. Mitigation measures, where appropriate, are identified to address potential impacts.

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).

2. All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.

5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration (Section 15063(c)(3)(D)). In this case, a brief discussion should identify the following:

- a) Earlier Analysis Used. Identify and state where they are available for review.
- b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
- c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate information sources for potential impacts (e.g., general plans, zoning ordinances) into the checklist references. Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9. The explanation of each issue should identify:

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

4.1 AESTHETICS

4.1.1 Environmental Setting

The 2035 San Benito County General Plan Update Recirculated Draft EIR (RDEIR) notes that the County's most striking features are the Diablo and Gabilan Mountain Ranges and the San Benito Valley between them. The project is located at the mouth of the San Benito Valley. There are no State designated scenic highways located in the County. However, three highways are County designated scenic highways, including U.S. Route 101, located approximately 9.6 miles west of the project site; State Route (SR) 146, located over 30 miles south of the project site; and SR 129, located approximately 11 miles west of the project site. SR 25 from SR 198 to Hollister, located approximately 4 miles west of the project site, is eligible for designation as a State Scenic Route, but is not a County designated scenic roadway. Additionally, SR 156, directly adjacent to the project site, is eligible for designation as a State Scenic Route, but it is not a County designated scenic roadway (**Figure 4.1-1, Photos of Project Site from Highway 156**).

According to the 2035 San Benito County General Plan RDEIR, important vistas within San Benito County that define its visual character include agricultural croplands, rangelands, rolling hills, open spaces, historic towns and mining sites, and views of the Diablo and Gabilan ranges to the east and west of the County. These agricultural and rangeland areas constitute more than 75 percent of the County's total land area. Also, the County's topography includes valleys and rolling hills, particularly in the northern portion of the County near the cities of Hollister and San Juan Bautista, where most of the County's population dwells.

The project site is currently comprised of non-native invasive and ruderal plant species (please refer to **Section 4.4 Biological Resources**). The aesthetic quality of the site has already been altered by the former use of the site as a plant nursery. A large-scale wholesale nursery operation was active on the site and agricultural uses included a number of buildings on the property. These buildings have since been demolished and the site is currently vacant with only remnants of the previous use remaining (See **Figure 1.3**). The proposed use of the site will require development of new buildings, greenhouses, planting areas, access roads and landscaping. In general, the property is to be divided into aligned blocks of outdoor growing beds and greenhouses, connected by access roads and with specified areas designated for support buildings. Development is proposed in phases with the first phase consisting of the 40,000 sq. ft. metal office building to be constructed in the approximate center of the southwestern portion of the site and multiple greenhouses and outdoor growing areas located adjacently. A model of the transplant nursery building elevations and design is presented in **Figure 4.1-2**. The Master Plan is shown on **Figure 1.5**. Other improvements include two water storage tanks are proposed as steel-bolted tank structures, 32 ft. tall, 39 ft. in diameter, and hunter green in color.

Construction of the proposed project would not require any nighttime construction, and, therefore, construction activities would not result in any new nighttime lighting or glare. New exterior lighting would be required for operation of the proposed project; however, proposed exterior lighting would be downward facing and consistent with the County lighting ordinances. The site is bordered by light industrial and rural residential land uses, both of which produce noticeable light sources. Section 19.31.005 of the San Benito County Code establishes three lighting zones, with Zone I having the strictest regulations and Zone III imposing the least restrictive. The project site is located in Zone III. General requirements are applicable to all zones, under Section 19.31.006, and the special requirements applicable to Zone III set forth in Section 19.31.009 are listed below.

Total outdoor light output (excluding streetlights used for illumination of county roadways or private roadways) related to any development project in Zone III shall not exceed 100,000 initial raw lamp lumens per net acre, averaged over the entire project. Additionally, no more than 5,500 initial raw lamp lumens per net acre may be accounted for by lamps in unshielded fixtures permitted in Table 19.31.006(1) of the San Benito County Code.



Photo 1. Southern portion of Project site facing east from Northbound Highway 156.



Photo 3: Southern portion of Project site facing east from Southbound Highway 156.



Photo 2. Southern portion of Project site facing east from Northbound Highway 156.



Photo 4: Southern portion of Project site facing east from Southbound Highway 156.

Title

Photos of Project Site from Highway 156

Date 8/9/2018
Scale N/A
Project 2018-32

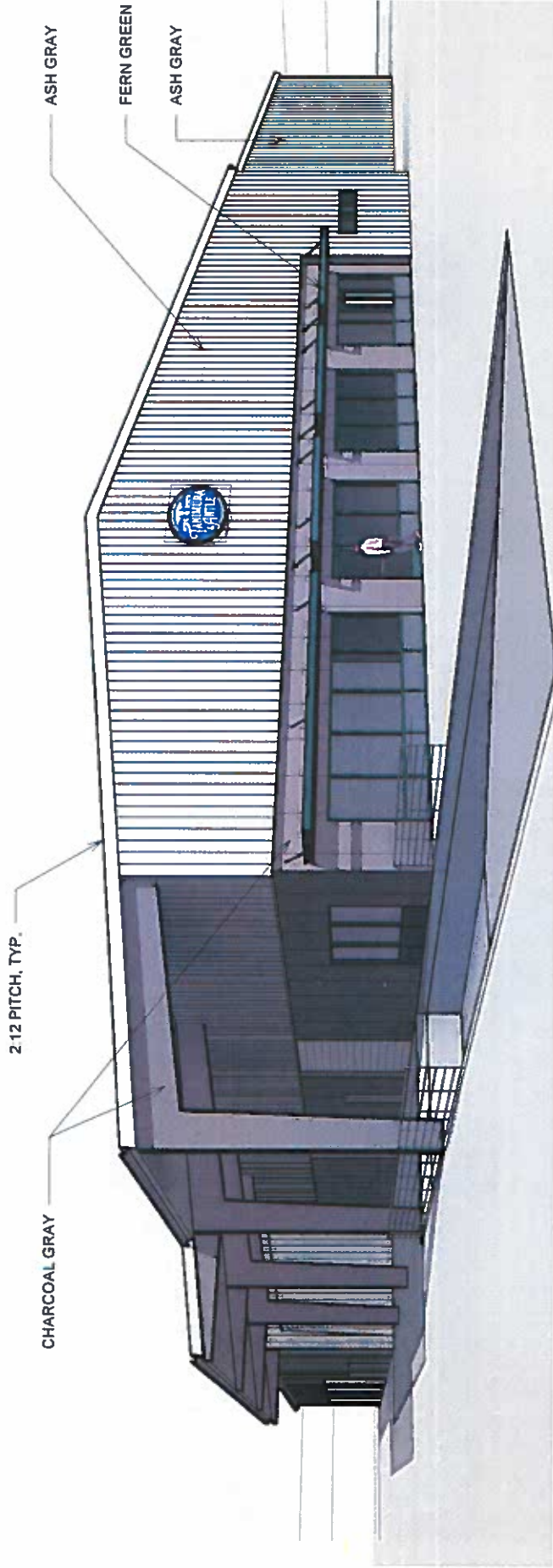


Denise Duffy and Associates, Inc.
Environmental Consultants Resource Planners
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(831) 373-4341

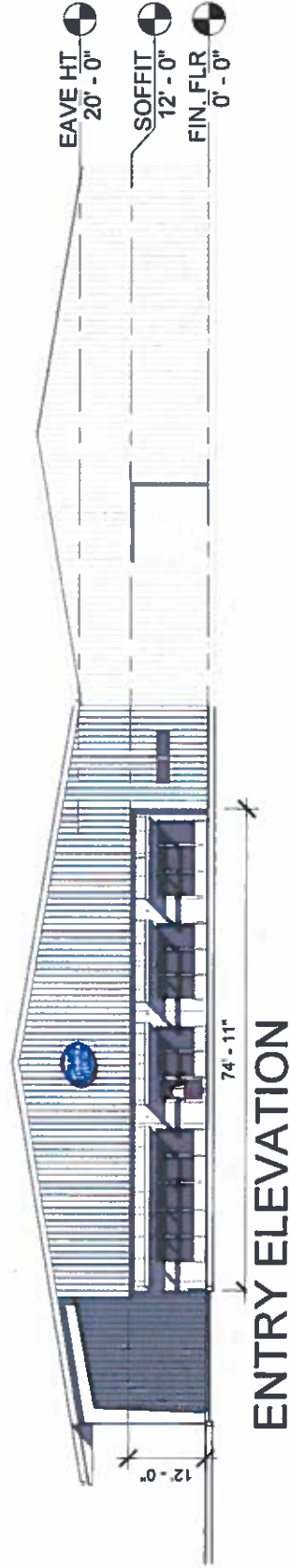
Monterey | San Jose

Figure

4.1-1



PERSPECTIVE



ENTRY ELEVATION

Source: Paul Davis Partnership, June 26, 2018

Figure
4.1-2



Monterey | San Jose
Denise Duffy and Associates, Inc.
Environmental Consultants Resource Planners
947 Cass Street, Suite 5
Monterey, CA 93940
(831) 373-4341

Date 6/24/2018
Scale N/A
Project 2018-32

Transplant Nursery Model

- (A) Outdoor recreational facilities in Zone III shall not be illuminated after 11:00 p.m. except to conclude a scheduled recreational or sporting event in progress prior to 11:00 p.m.
- (B) Outdoor internally illuminated advertising signs shall be constructed with either an opaque background and translucent letters and symbols, or with a colored (not white, cream, off-white or yellow) background and lighter letters and symbols. Lamps used for internal illumination of the signs shall not be included in the lumens per net acre limit set in this division. The signs shall be turned off at 11:00 p.m. or when the business closes, whichever is later.

4.1.2 Environmental Impacts

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

4.1.3 Explanation

The visual setting and proposed project were evaluated from the following primary observation locations. These locales represent common public viewing locations with views toward the project site.

- Highway 156 at the property boundary: This location represents the area where automobiles traveling in either direction on Highway 156 would potentially view the project site.
- Orchard Road and Fairview Road: This site was evaluated; however, no public views of the property are available from this vantage point.
- Orchard Road: This represents the viewshed from passing motorists traveling on Orchard Road and views of the site at the existing site entrance on Orchard Road.

Additionally, views from Pacheco Creek Estate Road were reviewed. This road is located off Highway 156 past Pacheco Creek and is used by residents of Pacheco Creek Estates residential subdivision for access to their homesites. The project site is not visible from any public viewpoints along Pacheco Creek Estate Road.

There are three to four homes located along Pacheco Creek Estates Road (on the hillside above Pacheco Creek) whose private views may view the project site. However, CEQA distinguishes between public and private views

and focuses on whether a project would affect the public environment rather than the views of particular individuals. Effects on private views, such as from individual homes, are not considered significant impacts on the environment pursuant to CEQA. Accordingly, views from private residences are not discussed in this impact analysis. The evaluation of aesthetic impacts is focused on potential impacts on viewsheds from common public viewing areas along Highway 156 and Orchard Road.

- a) **Less than Significant Impact.** The project is located on a previously developed lot which has been highly disturbed. New buildings and structures would be on 75.6 acres of the site to allow development of a transplant nursery within an area zoned for agricultural uses. The San Benito Zoning Ordinance for AP Districts sets a building height limit of 35-ft. maximum. Buildings associated with the project would be approximately 30 ft. high and would not exceed this building height threshold. Proposed structures on the site would include 100,000 sq. ft. of new buildings, including an agricultural processing building, storage, an office, and 28 greenhouse structures. The site views would be broken up by approximately 500,000 sq. ft. of outdoor growing area and work area. Other than greenhouses, the nearest building structure visible from Highway 156 would be the office building, which is approximately 1,600 ft. from those traveling on Highway 156 to the south and west.

A scenic vista is generally characterized as a viewpoint that provides expansive views of a highly valued landscape for the benefit of the general public. The San Benito County General Plan does not identify the project site as having any scenic vistas. The project site and immediate vicinity, as with most of the County as a whole, has a primarily rural character dominated by agricultural lands and upland grazing area. Immediate views in the project area are limited and include primarily agricultural uses from views along Highway 156 and Orchard Road. Further long-range views include upper area hillsides and limited rural residential uses. The scenic views of the mountain ranges would continue to be available from residential neighborhoods. The project would not exceed the 35-foot building height threshold, longer-range views would not be obstructed by the project, and the project would not have a substantial adverse effect on a scenic vista. This is considered a less than significant impact. (1, 2, 3, 22)

- b) **Less than Significant Impact with Mitigation Incorporated.** As discussed in the Environmental Setting section above, there are many scenic resources in the County. The project site is not located on a County designated scenic roadway and there are also no designated State Scenic Highways in the project vicinity. Highway 156 bordering the site is eligible for designation as a State Scenic Route, however, the roadway is not designated as a scenic highway and San Benito County would be responsible for designation of this portion of eligible scenic highway. Approximately 400 ft. of the development area of the project site border Highway 156 (see **Figure 4.1-1, Photos of Project Site from Highway 156**) with approximately 300-400 ft. visible from this roadway. Proposed uses immediately adjacent to the Highway do not include structures and are limited to drainage improvements and planting areas. The proposed agricultural processing/office building is approximately 1,600 ft. away from the Highway and would not impact views from Highway 156. There are proposed greenhouses and planting areas between the Highway and the proposed agricultural processing/office building. Views of development on this site would be broken up by the outdoor, planting areas aligned near greenhouses along Highway 156. Outdoor growing areas consist of approximately three-ft. high growing tables or benches which are used for plantings. These are not covered with any overhead structure, lighting or shades. Additionally, greenhouse design would allow for retractable walls which would at times be open to views depending on orientation. Application of the landscaping mitigation below **Mitigation Measure AES 4.1-1** would reduce impacts to less than significant. Also, the retractable wall design feature would further minimize visual impacts by breaking up views of buildings, walls, or structures. Those traveling Highway 156 would have views of the project site, however, these views would be predominantly of the proposed greenhouses and planting

areas. The duration of views would be of limited duration due to the length of property bordering the Highway, as well as average speed traveling along the Highway reducing views from motorists. The project would not obstruct any distant views of the Diablo and Gabilan ranges. Effects associated with impacting scenic resources would be minimized through the implementation of **Mitigation Measure AES 4.1-1**.

With the implementation of **Mitigation Measure AES 4.1-1**, below, the project would have a less than significant impact on the existing visual character or quality of the site and its surroundings. (1, 2, 3, 22)

Mitigation

AES 4.1-1 The project proponent shall submit a landscaping plan for review and approval by the RMA Planning Division prior to the issuance of a building permit. The landscaping plan shall incorporate landscape plantings every 10 to 15 ft. along the 300 to 400-foot frontage of Highway 156, from Pacheco Creek to the project boundary to partially screen potential views of the project from Highway 156. Landscaping shall consist of drought-tolerant native species along with other acceptable species identified by the County. Final landscaping plan shall identify the location, number, and types of plantings that would soften the visual impacts from Highway 156 and shall identify success metrics, such as survival and growth rate for the plantings. Plant material shall be selected to grow to be at least fence height (6 to 8 feet tall) and be strategically placed to minimize impacts to scenic views from those traveling on Highway 156.

The above referenced standards, components and materials shall be denoted on building plans. A copy of said standards, components, and materials shall be submitted with grading and building plans prior to issuance of building permit(s) for project development.

Note: The purpose of this mitigation is to reduce impacts from short-range views of the project from Highway 156 through the strategic placement of landscape planting; complete visual screening of the project site is not proposed.

- c) **Less than Significant Impact with Mitigation Incorporated.** The viewshed of the County as a whole, has a rural character dominated by agricultural and grazing land, rolling hillsides, and rural residential uses. The visual character of the project site is that of a previously developed vacant site. The site itself has been used for agricultural purposes with a history of agricultural and greenhouse development for a number of decades and with agricultural use since at least 1939. Uses within the immediate vicinity of the project include primarily agricultural uses with some light industrial and rural residential properties. The resulting rural visual character, although not unique within the County, would be considered scenic and is treated as such by the County's General Plan. The proposed project proposes an office structure, and related improvements including water tanks, greenhouses and planting areas at project buildout. The proposed uses are consistent with agricultural zoning and uses of the area, however, new structures and future development have the potential to impact the existing visual setting of the site. Pacheco Creek and the 50-foot buffer along this portion of the site will be retained and provide open space and vegetated riparian area. New structures associated with the project must comply with the County's design standards contained in Chapter 25.29 of the Code of Ordinances, along with the County's General Plan Land Use goals and policies related to visual character. Additionally, prior to issuance of a building permit for the first phase of the project, the

project design plans must be reviewed and approved by the County for review of design standards including building elevations, materials, colors, textures, light fixtures, and perimeter fencing.

With the implementation of **Mitigation Measure AES 4.1-1**, above and **Mitigation Measure AES 4.1-2**, below, the project would have a less than significant impact on the existing visual character or quality of the site and its surroundings. (1, 2, 3, 22)

Mitigation

AES 4.1-2 The scenic character and quality of the area surrounding the project site would be protected by taking the following (or equivalent) actions:

Prior to issuance of the first building permit for the project, the project proponent shall submit architectural plans for review and approval by County Planning staff. The architectural plans shall include all proposed building elevations, materials, colors, textures, light fixtures, and perimeter fencing, and shall satisfy the following:

- Building colors compatible with surrounding terrain (earth tones and non-reflective paints) shall be used on exterior surfaces of all structures, including greenhouses, fences and walls.
- High contrast color combinations, such as very dark brown adjacent to white, shall be avoided on the exterior of buildings or individual structures' roofs, walls, and fascia.
- Roof vents shall be the same earth tone shade as the surrounding roof surface.
- Use minimally reflective glass and paint colors on buildings to minimize reflective glare.
- Lighting shall follow all necessary design requirements as outlined in County Ordinance Chapter 19.31.

The above referenced standards, components, and materials shall be denoted on building plans and apply to all phases of the project. A copy of said standards, components, and materials shall be submitted with grading and building plans prior to issuance of building permit(s) for project development.

- d) **Less than Significant Impact with Mitigation Incorporated.** Construction activities would occur during daytime hours and nighttime lighting for construction activities would not be required. New permanent exterior lighting is proposed as part of the project. Hours of operation would be from 5 a.m. to 6 p.m., with nighttime deliveries extending to 10 p.m. Lighting would primarily consist of yard lighting in the main areas around the central building for loading and early morning and evening deliveries. Potential LED lighting may be required in the interior of the greenhouses for growing during days of low light; lighting could start as early as 4 a.m. depending on the time of year and extend until 7 p.m. daily. All lighting would be automated and would be downlighting immediately over the planting benches located within the greenhouses. Overall, nighttime lighting would be minimal and would only include that which is necessary for nursery operations, safety for vehicular movement, and security.

The introduction of new lighting into a minimally lit area would extend the light glow of a developed agricultural area further into the surrounding rural area, proportionally affecting the extent of potential

light glow in the nighttime sky. However, the proposed project would be required to conform with applicable provisions of the County "Dark Skies" Ordinance (Chapter 19.31), which requires the use of outdoor lighting systems and practices designed to reduce light pollution and glare, and to protect the nighttime visual environment by regulating outdoor lighting that interferes with astronomical observations and enjoyment of the night sky. The proposed project would introduce new sources of glare on the project site, which could adversely affect daytime views of the site. Potential sources of glare associated with the proposed project would consist of glazing (windows) and other reflective materials used in the façades of proposed structures, the reflective surfaces of vehicles parked and travelling within and around the project site, and night time vehicle headlights. Although not proposed, any highly reflective façade materials would be of particular concern, as buildings would reflect the bright sunrises. The project's greenhouses are designed to incorporate light (rather than reflect light) and would minimize visual impacts due to glare.

Compliance with the above requirements of the County "Dark Skies" Ordinance Chapter 19.31 of the San Benito County Code and implementation of **Mitigation Measure AES 4.1-2** would reduce impacts from lighting to a less than significant level. Additionally, as part of the Use Permit process with the County, the proposed project would go through design review and approval in order to confirm consistency with applicable standards, requirements and design guidelines. This process and implementation of **Mitigation Measure AES 4.1-2** above, including the requirement that lighting shall follow all necessary design requirements as outlined in County Ordinance Chapter 19.31 would ensure impacts from nighttime lighting and glare would be less than significant with mitigation incorporated and would not adversely affect day or nighttime views in the area. (1, 2, 3, 22)

4.2 AGRICULTURAL AND FOREST RESOURCES

4.2.1 Environmental Setting

The California Department of Conservation Farmland Mapping and Monitoring Program (FMMP), established by the State Legislature in 1982, assesses the location, quality, and quantity of agricultural lands and conversion of these lands over time. The FMMP is a non-regulatory program contained in Section 612 of the Public Resources Code. The Program contains five farmland categories (Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance, and Grazing) with a purpose of providing consistent and impartial analysis of agricultural land use and land use changes throughout California, as called for under Section 65570(b) of the Government Code:

- Prime Farmland (P) comprises the best combination of physical and chemical features able to sustain long-term agricultural production. Irrigated agricultural production is a necessary land use four years prior to the mapping date to qualify as Prime Farmland. The land must be able to store moisture and produce high yields.
- Farmland of Statewide Importance (S) possesses similar characteristics to Prime Farmland with minor shortcomings, such as less ability to hold and store moisture and more pronounced slopes.
- Unique Farmland (U) has a production history of propagating crops with high-economic value.
- Farmland of Local Importance (L) is important to the local agricultural economy. Local advisory committees and a county specific Board of Supervisors determine this status.
- Grazing Land (G) is suitable for browsing or grazing of livestock.

While it does not meet the criteria for Prime Farmland or Farmland of Statewide Importance, a majority of the project site is currently designated as Unique Farmland in the FMMPA, with some of the land on the east side or Orchard Road designated as Grazing Land, however this portion of land is not proposed for development.

Grade 1 soils cover approximately 95% of the project site, per the County of San Benito GIS. The 1969 Soil Survey of San Benito County defines Grade 1 soils as those soils suitable for farming that have a Storie Index rating in the 80 to 100 range. The Index is California-specific, and distinct from USDA soil classification/taxonomic rating system.

In addition, the County's "Right to Farm" ordinances and General Plan Policy LU-3.9: Right to Farm and Ranch, are applicable and encourage the protection of agricultural lands and operations by including provisions such as disclosure requirements and buffers. In so doing, these policies help to minimize land use conflicts in the County by supporting the rights of farming operations, even when established urban uses in the area may result in complaints against agricultural practices.

The Williamson Act, codified in 1965 as the California Land Conservation Act, allows local governments to enter into contracts with private landowners, offering tax incentives in exchange for an agreement that the land will remain as agricultural or related open space use for a period of 10 years. The project site is not under a Williamson Act contract.

According to the California Public Resources Code §4526, the California Board of Forestry and Fire Protection defines "Timberland" as land not owned by the federal government, nor designated as experimental forest land, which is capable and available for growing any commercial tree species. The board defines commercial trees on a district basis following consultation with district committees and other necessary parties. According to the RDEIR prepared for the 2035 San Benito County General Plan Update, there are no forest land, timberland, or timberland production areas, as zoned by applicable state and local regulations located within the County.

4.2.2 Environmental Impacts

Environmental Impacts	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
AGRICULTURAL AND FOREST 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 project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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"/>

Environmental Impacts	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned 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 uses?	<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 checked="" type="checkbox"/>	<input type="checkbox"/>

4.2.3 Explanation

- a) **Less than Significant Impact.** As noted above, the FMMP of the California Resources Agency classifies the majority of the project site as Unique Farmland. The majority of the property has been previously converted from farmland and used for a wholesale nursery and for agricultural purposes. The proposed development of a plant nursery with associated planting areas, greenhouses and related structures would continue agricultural production on major portions of the site (500,00 sq. ft. of outdoor planting areas and 700,000 sq. ft. of greenhouses surround the ancillary and supporting structures). Since the project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use; this is considered a less than significant impact. (1, 2, 3, 4, 5)
- b) **No Impact.** As noted above, the project site is not within a Williamson Act contract. There is no impact. (1, 2, 3, 4)
- c-d) **No Impact.** As noted above, there are no forest land, timberland, or timberland production areas, as zoned by applicable state and local laws and regulations located within the County, or otherwise present on-site. There is no impact. (1, 2, 3)
- e) **Less than Significant Impact.** The proposed project constitutes an agricultural use and would not convert Farmland (as discussed in answer a) above) or involve other changes in the existing environment which would convert Farmland to a non-agricultural use. There is no forest land in the County. This is considered a less than significant impact. (1, 2, 3, 4, 5)

4.3 AIR QUALITY

4.3.1 Environmental Setting

The federal Clean Air Act and the California Clean Air Act mandate the control and reduction of certain air pollutants. Under these Acts, the United States Environmental Protection Agency and the California Air Resources Board (ARB) have established ambient air quality standards for specific "criteria" pollutants. These

pollutants are carbon monoxide (CO), ozone (O₃), sulfur dioxide (SO₂), nitrogen oxides (NO_x), particulate matter less than 10 microns in diameter (PM₁₀), lead, and particulate matter less than 2.5 microns in diameter (PM_{2.5}).

The project site is located within the North Central Coast Air Basin (NCCAB), which is comprised of Santa Cruz, San Benito, and Monterey Counties, and is regulated by the Monterey Bay Air Resources District (MBARD, formally known as Monterey Bay Unified Air Pollution Control District).

The EPA administers the National Ambient Air Quality Standards (NAAQS) under the Federal Clean Air Act. The EPA sets the NAAQS and determines if areas meet those standards. Violations of ambient air quality standards are based on air pollutant monitoring data and evaluated for each air pollutant. Areas that do not violate ambient air quality standards are considered to have attained the standard. The NCCAB is in attainment for all NAAQS and for all California Ambient Air Quality Standards (CAAQS) except O₃ and PM₁₀. The primary sources of O₃ and PM₁₀ in the NCCAB are from automobile engine combustion. To address exceedance of these CAAQS, the MBARD has developed and implemented several plans including the 2005 Particulate Matter Plan, the 2007 Federal Maintenance Plan, and the 2012-2015 Air Quality Management Plan (AQMP), a revision to the 2012 Triennial Plan. NCCAB Attainment Status to National and California Ambient Air Quality can be found in **Table 4.3-1 North Central Coast Air Basin Attainment Status** below.

Table 4.3-1 North Central Coast Air Basin Attainment Status – January 2015		
Pollutant	State Standards ¹	National Standards
Ozone (O ₃)	Nonattainment ²	Attainment/Unclassified ³
Inhalable Particulates (PM ₁₀)	Nonattainment	Attainment
Fine Particulates (PM _{2.5})	Attainment	Attainment/Unclassified ⁴
Carbon Monoxide (CO)	Monterey Co. – Attainment San Benito Co. – Unclassified Santa Cruz Co. – Unclassified	Attainment/Unclassified
Nitrogen Dioxide (NO ₂)	Attainment	Attainment/Unclassified ⁵
Sulfur Dioxide (SO ₂)	Attainment	Attainment ⁶
Lead	Attainment	Attainment/Unclassified ⁷
Notes: 1) State designations based on 2010 to 2012 air monitoring data. 2) Effective July 26, 2007, the ARB designated the NCCAB a nonattainment area for the State ozone standard, which was revised in 2006 to include an 8-hour standard of 0.070 ppm. 3) On March 12, 2008, EPA adopted a new 8-hour ozone standard of 0.075 ppm. In April 2012, EPA designated the NCCAB attainment/unclassified based on 2009-2011 data. 4) This includes the 2006 24-hour standard of 35 µg/m ³ and the 2012 annual standard of 12 µg/m ³ . 5) In 2012, EPA designated the entire state as attainment/unclassified for the 2010 NO ₂ standard. 6) In June 2011, the ARB recommended to EPA that the entire state be designated as attainment for the 2010 primary SO ₂ standard. Final designations to be addressed in future EPA actions. 7) On October 15, 2008 EPA substantially strengthened the national ambient air quality standard for lead by lowering the level of the primary standard from 1.5 µg/m ³ to 0.15 µg/m ³ . Final designations were made by EPA in November 2011. 8) Nonattainment designations are highlighted in Bold .		

Plans to attain these standards already accommodate the future growth projections available at the time these plans were prepared. Any development project capable of generating air pollutant emissions exceeding regionally-established criteria is considered significant for purposes of CEQA analysis, whether or not such emissions have been accounted for in regional air planning. Any project that would directly cause or

substantially contribute to a localized violation of an air quality standard would generate substantial air pollution impacts. The same is true for a project that generates a substantial increase in health risks from toxic air contaminants or introduces future occupants to a site exposed to substantial health risks associated with such contaminants.

Sensitive receptors are more susceptible to the effects of air pollution than the general population. Land uses that are considered sensitive receptors include residences, schools, and health care facilities. Sensitive receptors in the vicinity of the project consist of single-family residences located approximately 250 ft. from the project site on the opposite bank of Pacheco Creek, additional single-family houses surround the site on all sides within less than 1/2 mile.

4.3.2 Environmental Impacts

Environmental Impacts	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<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 checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

4.3.3 Explanation

- a) **No Impact.** CEQA Guidelines §15125(b) requires an evaluation of project consistency with applicable regional plans, including the AQMP. As stated above, the MBARD has developed and implemented several plans to address exceedance of State air quality standards, including the MBARD 2012-2015 AQMP. The MBARD is required to update their AQMP once every three years; the most recent update (MBARD, 2017) was approved in March of 2017. This plan addresses attainment of the State ozone standard and federal air quality standard. The AQMP accommodates growth by projecting growth in emissions based on population forecasts prepared by the Association of Monterey Bay Area Governments (AMBAG) and other indicators.

Consistency determinations are issued for commercial, industrial, residential, and infrastructure related projects that have the potential to induce population growth. A project is considered inconsistent with the AQMP if it has not been accommodated in the forecast projections considered in the AQMP. The proposed project would not induce potential population growth beyond existing levels. The project would not conflict with and/or obstruct the implementation of the AQMP, or any other plans to address exceedance of State air quality standards. There would be no impact in connection with the proposed project. (1, 2, 3, 6, 7)

- b) **Less than Significant Impact.** The MBARD 2016 CEQA Air Quality Guidelines (Guidelines) contains standards of significance for evaluating potential air quality effects of projects subject to the requirements of CEQA. According to MBARD, a project would violate an air quality standard and/or contribute to an existing or projected violation if it would:

- Emit 137 pounds per day (lb/day) or more of volatile organic compounds (VOC) or NO_x;
- Directly emit 550 lb/day of CO;
- Generate traffic that significantly affects levels of service;
- Directly emit 82 lb/day or more of PM₁₀ onsite during operation or construction;
- Generate traffic on unpaved roads of 82 lb/day or more of PM₁₀; or
- Directly emit 150 lb/day or more of oxides of Sulfur (SO_x).

The project would generate both operational and construction air pollutants. Table 4.3-2, Construction & Operational Air Quality Emissions, identifies anticipated air quality emissions associated with the project based on the results of CalEEMod modeling conducted by DD&A. A copy of the CalEEMod results is included in Enclosure B of Appendix A.

Table 4.3-2 Construction & Operational Air Quality Emissions			
Pollutant	Construction (lbs/day)	Operation (lbs/day)	Exceed Threshold?
PM ₁₀	0.1353	1.2094	No
PM _{2.5}	0.0796	0.3816	No
CO	0.7600	5.7681	No
NO _x	1.0249	7.0590	No
SO ₂	1.53E-003	0.0259	No
Notes:			
Emissions Source: Attachment 2, Air Quality and GHG Calculations Spreadsheets			
Significance Threshold Source: MBARD, 2016			

As noted in Table 4.3-2 Construction & Operational Air Quality Emission, all construction-related emissions would be below the applicable MBARD thresholds of significance for temporary construction emissions. As a result, the proposed project would not exceed the MBARD's thresholds of significance. Temporary construction-related emissions would be less than significant. In addition, the project would also implement standard construction Best Management Practices (BMPs) related to dust suppression, which would include: 1) watering active construction areas; 2) prohibiting grading activities during periods of high wind (over 15 mph); 3) covering trucks hauling soil; and, 4) covering exposed stockpiles. The implementation of BMPs would further ensure that potential construction-related emissions would be minimized. This represents a less than significant impact.

The project would generate air quality emissions in connection with the operation of the transplant nursery. These emissions would be below applicable MBARD thresholds of significance based on the CalEEMod results identified in Table 4.3-2 Construction & Operational Air Quality Emissions. As a result, potential operational air quality effects would be less than significant. Operation of the proposed transplant nursery would not exceed any operational threshold of significance, as a result, the project would result in a less than significant operational air quality effect. (1, 2, 3, 6, 7, 8)

- c) **Less than Significant Impact.** The project would result in increases in PM₁₀ during construction, as described below (please refer to Response d, below). Potential construction-related impacts would be temporary in nature. Construction impacts would not result in a cumulatively considerable net increase in a criteria pollutant as they would be short term in nature and would be minimized with implementation of standard BMPs. In addition, project operation would not result in a significant air quality impact (see Response b, above). All impacts would be below applicable MBARD thresholds of significance, including thresholds for ozone precursors. Since project operation would have a less than significant impact on air quality, there would not be a significant cumulatively considerable net increase in any criteria pollutant. Air quality impacts associated with the project would not be significant. This represents a less than significant impact. (1, 2, 3, 6, 7, 8)
- d) **Less than Significant Impact.** A “sensitive receptor” is generally defined as any residence including private homes, condominiums, apartments, or 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. There are several single-family residences within the vicinity of the proposed project. The closest residence is located approximately 250 ft. from the project site on the opposite bank of Pacheco Creek. The MBARD CEQA Air Quality Guidelines state that a project would have a significant impact to sensitive receptors if it would cause a violation of any CO, PM₁₀ or toxic air contaminant standards at an existing or reasonably foreseeable sensitive receptor.

As stated above, the construction contractor would be required to implement the air quality best management practices and emissions of CO resulting from construction of the proposed project would be approximately 0.76 lbs/day. As discussed in b) above, the proposed project would not exceed any MBARD thresholds, including CO and PM₁₀. Compliance with applicable MBARD regulations would also include, but is not limited to, Rule 402³, which would minimize potential nuisance impacts to occupants of nearby land uses. For these reasons, construction activities would be considered to have a less than significant impact to sensitive receptors.

Additionally, implementation of the proposed project would not result in the installation of any major stationary or mobile sources of emissions. Operational activities of the project would have a less than significant impact to nearby receptors. (1, 2, 3, 6, 7, 8)

- e) **Less than Significant Impact.** Pollutants associated with objectionable odors include sulfur compounds and methane. Typical sources of odors include landfills, rendering plants, chemical plants, agricultural uses, wastewater treatment plants, and refineries (MBARD, 2008). The proposed project may create objectionable odors due to its agricultural uses. The project site is located in a rural,

³ MBARD Rule 402 “Nuisance” states, “A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property. The provisions of this rule shall not apply to odors emanating from agricultural operations necessary for the growing of crops or the raising of fowl or animals.”

agricultural landscape with neighboring properties generating similar odors. This is considered a less than significant impact. (1, 2, 7)

4.4 BIOLOGICAL RESOURCES

4.4.1 Environmental Setting

DD&A prepared a Biological Resources Report for the proposed project (July 2018). The analysis presented in this report describes existing biological resources within the site, identifies any special status species and sensitive habitats known or with the potential to occur on the site, looks generally at what types of biological impacts could occur as a result of construction of vegetable transplant nursery greenhouses and related facilities on the site, and provides generalized recommended avoidance, minimization, and mitigation measures to reduce project impact to biological resources. In addition, the report includes an overview of applicable federal, state, and local regulation and a list of regulatory and responsible agencies with jurisdiction over sensitive resources within the site. The Biological Resources Report is presented in **Appendix B**. This section summarizes the findings in the report.

A reconnaissance survey was conducted at the site on May 30, 2018 by DD&A Senior Environmental Scientist Josh Harwayne and Assistant Environmental Scientist Liz Camilo to characterize habitats present within the site and to identify any special-status plant or wildlife species or suitable habitat for these species within the site. Survey methods included walking the site and using aerial maps and GPS to map the biological resources. Available reference materials were reviewed prior to conducting the field survey (see “Data Sources” in the Biological Resources Report). Data collected during the survey was used to assess the environmental conditions of the site and its surroundings.

Vegetation Types

The project site is highly degraded and is dominated by non-native invasive and ruderal plant species. Most of the site has been recently scraped and is now sparsely or moderately vegetated with ruderal species (**Figure 4.4-1**).

Ruderal

Ruderal areas are those areas which have been developed and disturbed by human activities (e.g. existing roads or structures) and are devoid of vegetation or dominated by non-native species. Within the evaluation area, this habitat includes a former greenhouse area, an overgrown fallow field, dirt roads, and a former residential development (**Figure 4.4-1**). These areas are either mostly devoid of vegetation or are dominated by non-native, “weedy” species such as black mustard (*Brassica nigra*), cheese weed (*Malva parviflora*), and poison hemlock (*Conium maculatum*).

Common wildlife species which do well in urbanized and disturbed areas that may occur within the ruderal habitat include American crow (*Corvus brachyrhynchos*), raccoon (*Procyon lotor*), striped skunk (*Mephitis mephitis*), California scrub jay (*Aphelocoma californica*), European starling (*Sturnus vulgaris*), western fence lizard (*Sceloporus occidentalis*), and rock dove (*Columba livia*). Special-status raptors or migratory bird species may forage or nest within the ruderal habitat. No special-status plant species or other special-status wildlife species were observed or are expected to occur within the ruderal habitat.

Sensitive Habitats

Riparian

Riparian habitat occurs adjacent to the project site as depicted in **Figure 1.2 Project Location**.

Wetlands and Other Waters

Wetlands and other waters of the U.S. potentially under the jurisdiction of the U.S. Army Corps of Engineers (USACE) and RWQCB have the potential to occur in some portions of the riparian corridor adjacent to the project site.

Special-Status Wildlife Species

Published occurrence data within the site and surrounding U.S. Geological Survey (USGS) quadrangles were evaluated to compile a table of special-status species known to occur near the project site (Appendix C of the Biological Resources Report). Each of these species was evaluated for their likelihood to occur within and immediately adjacent to the site. The special-status species that are known to or have been determined to have a moderate or high potential to occur within the site are discussed below. All other species within the table are assumed “unlikely to occur” or have a low potential to occur at the site for the species-specific reason presented in Appendix C of the Biological Resources Report, are not likely to be impacted by the project and are not discussed further.

Raptors and Other Nesting Bird Species

Raptors and other nesting bird species are protected under California Fish and Wildlife (CDFW) Code. While the life histories of these species vary, overlapping nesting season (approximately February through August) and foraging similarities allow for their concurrent discussion. Most raptors are breeding residents throughout most of the wooded portions of the state. Stands of live oak, riparian deciduous, or other forest vegetation types, as well as open grasslands, are used most frequently for nesting. Breeding occurs February through August, with peak activity May through July. Prey for these species includes small birds, small mammals, and some reptiles and amphibians. Many raptor species hunt in open woodland and habitat edges.

During the May 2018 reconnaissance survey, an active raptor nest was observed in an ash tree (*Fraxinus* sp.) which is planned for removal.

Special-Status Plant Species

No special status plants were identified on the project site during the reconnaissance survey and none are expected to occur.



<p>Title</p> <h1>Habitat Map</h1>	<p>Date. <u>8/1/2018</u></p> <p>Scale. <u>N/A</u></p> <p>Project <u>2018-32</u></p>	<div data-bbox="889 1881 987 1969"> </div> <p>Monterey San Jose Denise Duffy and Associates, Inc. Environmental Consultants Resource Planners 947 Cass Street, Suite 5 Monterey, CA 93940 (831) 373-4341</p>	<p>Figure 4.4-1</p>
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4.4.2 Environmental Impacts

Environmental Impacts	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
BIOLOGICAL REOSURCES. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

4.4.3 Explanation

- a) **Less than Significant Impact with Mitigation Incorporated.** Published occurrence data within the site and surrounding USGS quadrangles were evaluated to compile a table of special-status species known to occur near the project site (See Appendix C of the Biological Report). Each of these species was evaluated for their likelihood to occur within and immediately adjacent to the project site based on the species-specific reason presented in the table. All the wildlife species, except for raptors and other nesting birds, that were considered within the table were determined unlikely to occur or have a low potential to occur and are unlikely to be impacted by the project.

Raptors and other nesting bird species have the potential to occur within or immediately adjacent to the site. Tree and vegetation removal may result in direct mortality of individuals and impacts to nests for raptors or other nesting birds, if present at the time of activities. Additionally, activities during the breeding season could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment within the site and immediately adjacent areas. This would be a potentially significant impact by causing a substantial adverse effect to raptors and other nesting birds that can be reduced to a less than significant level with implementation of the following mitigation measure. (1, 2, 3, 9, 10, 11, 12)

Mitigation

BIO 4.4-1 A note shall be placed on Final Grading and Building Plans that the Project shall adhere to the following requirements:

Activities that may directly affect (e.g. vegetation removal) or indirectly affect (e.g. noise/ground disturbance) nesting raptors and/or nesting bird species occurring within or immediately adjacent to the project site will be timed to avoid the breeding and nesting seasons. Specifically, the project applicant will schedule grading with heavy machinery and vegetation and/or tree removal after September 16 and before January 31.

If activities must occur during the breeding and nesting season (February 1 through September 15), a qualified biologist shall conduct pre-construction surveys for nesting raptors and other protected nesting bird species within 300 feet of the proposed construction activities. Pre-construction surveys should be conducted no more than 7 days prior to the start of the construction activities during the early part of the breeding season (February through April) and no more than 14 days prior to the initiation of these activities during the late part of the breeding season (May through August).

If raptor or other bird nests are identified within or immediately adjacent to the project site during the pre-construction surveys, the qualified biologist shall notify the proponent and an appropriate no-disturbance buffer shall be imposed within which no construction activities or disturbance shall take place (generally 300 feet in all directions for raptors; other avian species may have species-specific requirements) until the young of the year have fledged and are no longer reliant upon the nest or parental care for survival, as determined by a qualified biologist.

- b-c) **Less than Significant Impact.** The project site consists of previously disturbed non-native invasive and ruderal plant species and does not contain any sensitive natural communities. Riparian habitat occurs adjacent to the project site as depicted in **Figure 4.4-1**. In addition, wetlands and other waters of the U.S. potentially under the jurisdiction of the USACE and RWQCB have the potential to occur in some portions of the riparian corridor adjacent to the project site. The project avoids the riparian corridor by design (i.e. fencing and 50-foot setback from the top of bank of Pacheco Creek). Although the project would not result in a direct impact to any riparian habitat the proposed project could indirectly impact sensitive riparian habitat and wetlands/waterways along the riparian corridor in the project vicinity through sedimentation and erosion during construction. As discussed in Section 4.9 Hydrology and Water Quality, impacts related to erosion and sedimentation would be less than significant pursuant to required adherence to applicable laws and regulations. This includes the NPDES program, which would require preparation of a Storm Water Pollution Prevention Plan (SWPPP) and implementation of BMPs. This also includes adherence to Chapter 19.17 of the San Benito County Code, which regulates grading, drainage and erosion, and contains requirements regarding discharge

and construction site stormwater runoff control regulations. Compliance with these existing requirements would result in less than significant impacts related to erosion and off-site sedimentation, and no additional buffers from sensitive and riparian communities or wetlands/waterways or mitigation measures are required. This is considered a less than significant impact. (1, 2, 3, 9, 10, 11, 12)

- d) **Less than Significant Impact with Mitigation Incorporated.** The project is located adjacent to Pacheco Creek, which may provide a movement corridor for fish and/or wildlife; however, the project would not impact Pacheco Creek or the associated riparian habitat. As discussed above, the project would have less than significant direct and indirect impacts to the creek, avoids the creek by design (i.e. fencing and a 50-foot setback from the top of bank of Pacheco Creek), and would not direct runoff into the creek. With the possible exception of nesting raptors (see a) above), the project would not substantially interfere 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 (see Response 4.2.3 a) above). With the implementation of **Mitigation Measure BIO 4.4.1**, this is considered a less-than-significant impact. (1, 2, 3, 9, 10, 11, 12)
- e) **Less than Significant Impact with Mitigation Incorporated.** A Tree Assessment/Arborist Report (see **Appendix C**) has been prepared by Frank Ono, certified arborist, and identified 22 trees to be removed from the site for development. The Tree Assessment reported most of the tree canopy and cover is located within the Pacheco creek area, primarily contained to the hillsides of the nearby Pacheco Creek and the area near the Creek. This area contains some scattered oaks, Coast live oak (*Quercus agrifolia*) and Valley oak (*Quercus lobata*), sycamores (*Platanus racemose*), and redwoods (*Sequoia sempervirens*). The proposed project area (the site of the previous operations headquarters) also has several native and non-native trees planted around the edge. Planted trees include Evergreen ash (*Fraxinus uhdei*), California pepper (*Schinus molle*), Redwood, Strawberry tree (*Arbutus unedo*), and Grapefruit (*Citrus paradise*). Of the 22 trees proposed for removal, two (2) are dead and five (5) are in poor condition as determined in the Tree Assessment/Arborist Report (see Tree Removal Chart in **Appendix C**). San Benito County Code exempts trees under article 25.29.216(I) that are determined by an arborist to be “reasonably unlikely that the tree can be fully restored to a condition of good health.” The remaining 15 trees that are to be removed and are considered to be in fair condition include four (4) oak trees, three (3) California pepper trees, three (3) ash trees, one (1) Aleppo pine tree, one (1) citrus tree, one (1) strawberry tree, one (1) sycamore tree, and one (1) eucalyptus tree. San Benito County’s Code 19.33.005 requires a discretionary tree removal permit to remove trees. Woodland trees are also considered protected as defined by the County of San Benito, Chapter 19.33.001 Code of Ordinance. unless exempt. The Tree Assessment identified a total of 517 sq. ft. of total canopy coverage on the project site. The largest amount of contiguous canopy coverage lines the river bed and outlying areas. Trees proposed for removal are located mainly outside the areas adjacent to Pacheco Creek and are scattered in small clusters on the property independent of the contiguous canopy lining the riverbed. The remaining vast majority of the property does not contain tree cover and will be utilized for agricultural uses. The project proposes removal of 22 trees outside of the contiguous canopy, these trees comprise less than 10% of the total canopy coverage. Determination for requirements of a tree removal permit are to be made by the County. Impacts due to tree removal would be minimized by adhering to relevant San Benito County Codes and the recommendations found in the Tree Assessment/Arborist Report. This is considered a potentially significant impact that can be reduced to a less than significant level with the implementation of **Mitigation Measures BIO 4.4-2, BIO 4.4-3, and BIO 4.4-4** described below. (1, 2, 3, 9, 10, 11, 12)

Mitigation

BIO 4.4-2 A note shall be placed on Final Grading and Landscaping Plans that the Project shall adhere to the following requirements: Prior to site work involving any tree removal 22 trees to be removed from the project site (as shown with the project's design) a tree removal contractor shall verify absence of active animal or bird nesting sites at the project site. If any active animal or bird nesting sites are found prior to tree removal, work shall be stopped until a qualified biologist is contracted to ensure that no nests of species protected by the Migratory Bird Treaty Act or the California Fish and Game Code will be disturbed during construction activities.

BIO 4.4-3 A note shall be placed on Final Grading and Landscaping Plans that the Project shall adhere to the following requirements. The project applicant and construction manager shall be responsible for implementing the best management practices presented below prior to tree removal or site grading.

A) Do not deposit any fill around trees, which may compact soils and alter water and air relationships. Avoid depositing fill, parking equipment, or staging construction materials near existing trees. Covering and compacting soil around trees can alter water and air relationships with the roots. Fill placed within the drip-line may encourage the development of oak root fungus (*Armillaria mellea*). As necessary, trees may be protected by boards, fencing or other materials to delineate protection zones.

B) Pruning shall be conducted so as not to unnecessarily injure the tree. General principals of pruning include placing cuts immediately beyond the branch collar, making clean cuts by scoring the underside of the branch first, and for live oak, avoiding the period from February through May.

C) Native live oaks are not adapted to summer watering and may develop crown or root rot as a result. Do not regularly irrigate within the drip line of oaks. Native, locally adapted, drought resistant species are the most compatible with this goal.

D) Root cutting should occur outside of the springtime. Late June and July would likely be the best. Pruning of the live crown should not occur February through May.

E) Oak material greater than 3 inches in diameter remaining onsite more than one month that is not cut and split into firewood should be covered with clear plastic that is dug in securely around the pile. This will discourage infestation and dispersion of bark beetles.

F) If trees along near the development are visibly declining in vigor, a Professional Forester or Certified Arborist should be contacted to inspect the site to recommend a course of action.

BIO 4.4-4 A note shall be placed on Final Grading and Landscaping Plans that the Project shall adhere to the following requirements. Prior to the commencement of any construction activities on the project site, the following tree protection measures shall be implemented and approved by a qualified arborist or forester retained by the project applicant:

- Trees located adjacent to the construction area shall be protected from damage by construction equipment by the use of temporary fencing and when necessary through wrapping of trunks with protective materials.
- Fencing shall consist of chain link, snowdrift, plastic mesh, hay bales, or field fence. Existing fencing can also be used.
- Fencing is not to be attached to the tree but free standing or self-supporting so as not to damage trees. Fencing shall be rigidly supported and shall stand a minimum of height of four feet above grade and should be placed to the farthest extent possible from the trees base to protect the area within the trees drip line (typically 10-12 feet away from the base of a tree).
- In cases where access or space is limited for tree protection it is permissible to protect the tree within the 10-12 feet distance after determination and approval by a qualified forester or arborist.
- Soil compaction, parking of vehicles or heavy equipment, stockpiling of construction materials, and/or dumping of materials should not be allowed adjacent to trees on the property especially within fenced areas.
- Fenced areas and the trunk protection materials should remain in place during the entire construction period.

During grading and excavation activities:

- All trenching, grading or any other digging or soil removal that is expected to encounter tree roots should be monitored by a qualified arborist or forester to ensure against drilling or cutting into or through major roots.
- The project architect and qualified arborist should be onsite during excavation activities to direct any minor field adjustments that may be needed.
- Trenching for retaining walls or footings located adjacent to any tree should be done by hand where practical and any roots greater than 3-inches diameter should be bridged or pruned appropriately.
- Any roots that must be cut should be cut by manually digging a trench and cutting exposed roots with a saw, vibrating knife, rock saw, narrow trencher with sharp blades, or other approved root pruning equipment.
- Any roots damaged during grading or excavation should be exposed to sound tissue and cut cleanly with a saw.

If at any time potentially significant roots are discovered:

- The arborist/forester will be authorized to halt excavation until appropriate mitigation measures are formulated and implemented.

- If significant roots are identified that must be removed that will destabilize or negatively affects the target trees negatively, the property owner will be notified immediately and a determination for removal will be assessed and made as required by law for treatment of the area that will not risk death decline or instability of the tree consistent with the implementation of appropriate construction design approaches to minimize affects, such as hand digging, bridging or tunneling under roots, etc.
- f) **No Impact.** The project site is not located within the plan area for any habitat conservation plans, natural community conservation plans, or other approved local, regional, or state habitat conservation plans. (1, 2, 3, 9)

4.5 CULTURAL RESOURCES

4.5.1 Environmental Setting

A Cultural Resources Report was prepared by Holman & Associates (June 2018)⁴. This study included the following tasks:

- A search of relevant records and maps maintained by the Northwest Information Center (NWIC) of the California Historical Resources Information System (CHRIS) at Sonoma State University;
- A pedestrian reconnaissance of the project area;
- Subsurface presence/absence testing at specific locations within the project area;
- A sacred lands search and consultation with Native American contacts with local knowledge through the Native American Heritage Commission (NAHC) under AB 52 Amendment to CEQA (see **Section 4.13 Tribal Cultural Resources** for more information); and,
- Complete Cultural Resources Report and recommendations regarding the project's potential impact to significant cultural resources.

The records search showed that portions of the project area have been previously surveyed for cultural resources and that one recorded resource (CA-SBN-49/H) has been recorded in the north portion of the project area. The reconnaissance found no evidence of CA-SBN-49/H or any other potentially significant resources. Similarly, the subsurface testing found no evidence of CA-SBN-49/H or other potentially significant resources.

According the NAHC the Sacred Land File search was positive for Native American tribal resources with the Amah Mutsun Tribal Band listed as contact for the resource. Native American consultation resulted in direct communication with four of the five tribal contacts provided by the NAHC. The local knowledge obtained through the consultation process suggests the area should be considered very sensitive for Native American sites and burials.

⁴ For a copy of the Cultural Resources Report please contact the Lead Agency, the Cultural Resources Report is not attached to the document for privacy.

4.5.2 Environmental Impacts

Environmental Impacts	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
CULTURAL RESOURCES. Would the project:				
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4.5.3 Explanation

- a) **No Impact.** CEQA Guidelines §15064.5 describes a historical resources as: 1) any resource that is listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources; 2) a resource included in a local register of historical resources; and, 3) any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant based on substantial evidence in light of the whole record. A substantial change includes the physical demolition, destruction, relocation, or alteration of a resource or its immediate surroundings such that the significance would be materially impaired (CEQA Guidelines §15064.5(b)).

The project site does not contain any historic resources listed in the California Inventory of Historical Resources, California Historical Landmarks, or the National Register of Historic Places. The proposed project would not cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines §15064.5. Implementation of the project would not have an impact on a historical resource as defined in accordance with the requirements of CEQA. There would be no impact in connection with the proposed project. (1, 2, 3, 13)

- b) **Less-Than-Significant Impact with Mitigation Incorporated.** Public Resources Code §21083.2 requires that lead agencies evaluate potential impacts to archaeological resources. Specifically, lead agencies must determine whether a project may have a significant effect or cause a substantial adverse change in the significance of an archaeological resource. The Cultural Resources Report (Holman & Associates, 2018) determined that the project site does not contain evidence of an archaeological resource. Accordingly, the project would not significantly impact a known archaeological resource. While no archaeological resources have been documented on-site, previously unknown or buried archaeological resources could, nevertheless, be present. The project could impact potentially unknown or buried resources during construction. In order to minimize potential impacts, mitigation is necessary. The implementation of the following mitigation measure would ensure that potential

impacts related to a substantial adverse change in the significance of unknown archaeological resources would be less than significant. (1, 2, 3, 13)

Mitigation

A note shall be placed on Final Grading and Landscaping Plans that the Project shall adhere to the following requirements contained in Mitigations CUL 4.5-1 through CUL 4.5-4:

CUL 4.5-1 The project applicant shall retain a qualified archaeologist (project archaeologist) to be present on the project site from the start of ground disturbing work for the planned construction. If potentially significant archaeological resources are discovered, the project archaeologist is authorized to halt excavation until any finds are properly evaluated. If a find is determined to be significant, work may remain halted near the find to permit development and implementation of the appropriate mitigations (including selective data recovery) with the concurrence of the CEQA Lead Agency (San Benito County). At the discretion of the qualified archaeologist, monitoring could be discontinued if there is enough information collected from direct observation of the subsurface conditions to conclude that cultural resources do not exist.

CUL 4.5-2 Prior to construction, the project applicant's project archaeologist should conduct a sensitivity training for cultural resources for all onsite personnel involved in ground disturbing activities.

CUL 4.5-3 If archaeological resources or human remains are accidentally discovered on the project site during construction, work shall be halted by the construction manager within 50 meters (150 feet) of the find until it can be evaluated by a qualified professional archaeologist. If the find is determined to be significant, appropriate mitigation measures shall be formulated and implemented. Materials of particular concern would be concentrations of marine shell, burned animal bones, charcoal, and flaked or ground stone fragments. (Ref: Health and Safety Code 7050.5)

- c) **No Impact.** There are no known paleontological resources or unique geologic features on the project site. The project site is not listed within an area identified as containing paleontological resources nor is it located in close proximity to any known paleontological resources. The project would not impact any paleontological resources, since none are known in the project area. (1, 2, 3, 13)
- d) **Less than Significant Impact with Mitigation Incorporated.** No known human remains, including those interred outside of formal cemeteries, are known to occur within the project site. In addition, local Native American Groups were consulted during the course of the preparation of the Cultural Resources Report. The project site is not a Sacred Lands site and the presence of known Native American remains was not identified during the course of consultation. While the likelihood of human remains, including those interred outside of a formal cemetery, with the project site is low, it is possible that previously unknown human remains may be present. Previously unknown human remains could be impacted during construction. In order to minimize potential impacts to less than significant, mitigation is necessary. The implementation of the following mitigation measure identified below would ensure that potential adverse impacts related to disturbing human remains would be reduced to a less than significant level. (1, 2, 3, 13)

Mitigation

CUL 4.5-4 If human remains are found at any time on the project site, work must be stopped by the construction manager, and the County Coroner must be notified immediately. If the Coroner determines that the remains are Native American, the Native American Heritage Commission will be notified as required by law. The Commission will designate a Most Likely Descendant who will be authorized to provide recommendations for management of the Native American human remains. (Ref: California Public Resources Code Section 5097.98; and Health and Safety Code Section 7050.5).

Specific County of San Benito provisions and further measures shall be required as follows if human remains are found:

If, at any time in the preparation for or process of excavation or otherwise disturbing the ground, discovery occurs of any human remains of any age, or any significant artifact or other evidence of an archeological site, the applicant or builder shall:

- a. Cease and desist from further excavation and disturbances within two hundred feet of the discovery or in any nearby area reasonably suspected to overlie adjacent remains.
- b. Arrange for staking completely around the area of discovery by visible stakes no more than ten feet apart, forming a circle having a radius of not less than one hundred feet from the point of discovery; provided, however, that such staking need not take place on adjoining property unless the owner of the adjoining property authorizes such staking. Said staking shall not include flags or other devices which may attract vandals.
- c. Notify Resource Management Agency Director shall also be notified within 24 hours if human and/or questionable remains have been discovered. The Sheriff-Coroner shall be notified immediately of the discovery as noted above.
- d. Subject to the legal process, grant all duly authorized representatives of the Coroner and the Resource Management Agency Director permission to enter onto the property and to take all actions consistent with Chapter 19.05 of the San Benito County Code and consistent with §7050.5 of the Health and Human Safety Code and Chapter 10 (commencing with §27460) of Part 3 of Division 2 of Title 3 of the Government Code. [Planning]

4.6 GEOLOGY AND SOILS

4.6.1 Environmental Setting

A Geotechnical Report was prepared for the proposed project by Grice Engineering, Inc. (June 2018) (**Appendix D**). The purpose of this report is to evaluate the geotechnical properties of the site relative to the construction of buildings, greenhouses, water storage tanks and storm water retention facilities. From these findings, recommendations are given for the design of the development and subsequent construction. As a part of the Geotechnical Report, the site was investigated, and prior information concerning construction and subsurface exploration in this area was examined for soils and materials data. The investigation consisted of a detailed site evaluation, which included: a site inspection; a review of literature, including Site Plans from

Whitson Engineers; geotechnical drilling and soil sampling; infiltration testing, materials evaluation; and analysis of the geotechnical properties of the site soils.

Site Soil Profile

As observed in the exploratory work, much of the near surface soils are disturbed from previous land use. The surface materials are typically gravel of 0.5 to 2.0-inch diameter imported presumably to improve egress of roadways and paths within and between greenhouses.

The native topsoil is dark brown silty clay or clayey silt and naturally contains few amounts of very fine to fine sands and trace amounts of clasts to fine gravel. Due to disturbance the imported gravels are usually blended with the upper six inches of topsoil. These materials were observed dry to damp and soft.

Beginning at approximately two ft. below grade is a similar soil of medium yellowish-brown color and comprised mostly of silt with variable amounts of clay and some amounts of fine sands occasionally of lentic deposition and become a dominant constituent in the lower portion of the horizon. These soils were observed to have fine vesicular voids and were moist and medium stiff.

At approximately 10 ft. below grade the soils become stiff clays containing variable amounts of silts and little amounts of fine sands with occasional clasts to one inch. The fourth bore encountered large clasts beginning at approximately 15 ft. below grade and increasing in size with depth. The clays continue to maximum depth of exploration approximately 29 ft. below grade.

Complete soil characteristics and comments are reported on the boring logs at the depths observed. The logs are located in Appendix B of the Geotechnical Report.

Groundwater

Free groundwater was encountered at 26.5 ft. below grade.

Faults

According to the Geotechnical report, although no fault traces are thought to directly cross the building site, San Benito County is traversed by a number of both "active" and "potentially active" faults most of which are relatively minor hazards for the purposes of the site development. The most active is the San Andreas Rift System (Pajaro), located approximately 10.9 miles to the southwest. It has the greatest potential for seismic activity with estimated intensities of VI-VII Mercalli in this location. Other fault zones are the Quien Sabe Fault Zone, the center of which is located approximately 1.4 miles to the southeast, the Calaveras (south) Fault Zone, approximately 3.9 miles to the southwest, and the Sargent Fault Zone, approximately 6.5 miles to the southwest. These zones are not as liable to rupture as the San Andreas Rift System and a seismic event at any of the above fault zones would likely produce earth movements of a lesser intensity at the site. In addition to the fault zones as discussed above, local faults include the Quien Sabe Fault located 0.62 miles southeast of the project site and the Calaveras (south) Fault located 3.41 miles southwest of the project site.

Liquefaction

The site soils are considered not susceptible to liquefaction as they are either unsaturated or cohesive clays.

Settlement Potential

The recommendations given in the Geotechnical Report are such that concerns of settlement are negligible. The total settlement is expected to be less than 1/4 inch and the expected differential settlement less than one half that.

Hydro-Collapse and Subsidence

As observed, the near surface soils to an approximate depth of three ft. are soft or loose. These soils possess some capacity to settle under hydraulic loading. The recommendations given in this report were established to reduce the potential of this occurring.

The area is not within a known Subsidence Zone.

Slope Stability

Inspection of the site indicates that no landslides are located above or below the building area and the area is generally not susceptible to slope failure due to the shallow grade. The descending slope to the Pacheco Creek was evaluated and other than erosion from discharge of concentrated drainage it is considered generally stable.

Seismic Strength Loss

The site soils are considered resistant to seismic strength loss and the resulting momentary liquefaction. The relatively short duration of earthquake loading will not provide a significant number of high amplitude stress cycles to alter the strain characteristics. Additionally, the clay-silt fraction is not considered quick nor sensitive, as such it will not have the associated loss of strength.

Expansive Soils

In general, the site soils are or contain silty clays to clayey silts are known to be of low plasticity. These soils are typical to the area. Expansivity has not been influential to the site characteristics and no deformations attributable to expansive soils were observed. Additionally, there are no known problems with expansive soils in the area.

Surface Rupture and Lateral Spreading

The project site is located 0.62 miles to the southeast of the Quien Sabe Fault. The site inspection did not reveal any surface features indicating a fault rupture has occurred at the site. The existing structure, driveways and roads do not reveal any strains which would be attributable to subsurface lateral or vertical displacements resulting from fault slip. Surface rupture from fault activity across the site is considered improbable.

The project site is underlain by relatively strong soils. These materials are considered resistant to lateral spreading. As such surface rupture from lateral spreading is considered improbable.

Seismicity

It is required that all structures be designed and built in accordance with the California Building Code's current edition. All buildings should be founded on undisturbed native soils and/or tested and accepted engineering fill to prevent resonance amplification between soils and the structure.

4.6.2 Environmental Impacts

Environmental Impacts	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
GEOLOGY AND SOILS. Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4.6.3 Explanation

- a.i) **Less than Significant Impact.** Surface rupture occurs along lines of previous faulting. According to the California Geologic Survey (CGS), the site is not located within an Alquist-Priolo Earthquake Fault Zone. According to the Geotechnical Report, no fault traces are thought to directly cross the project site, although the site is in an active or potentially active fault zone of which are relatively minor hazards for the purpose of site development. As described above the nearest active fault to the project site is located 0.62 miles to the southeast of the Quien Sabe Fault. The site inspection did not reveal any

surface features indicating a fault rupture has occurred at the site. As such, surface rupture from fault activity across the site is considered improbable and considered less than significant. (1, 2, 3, 4, 14)

- a.ii) **Less than Significant Impact with Mitigation Incorporated.** Due to its location in a seismically active region, the proposed project may be subject to strong seismic ground shaking during its design life in the event of a major earthquake on any of the region's active faults. Seismic impacts would be minimized by using standard engineering and construction techniques in compliance with the requirements of the California Building Code, relevant San Benito County ordinances and policies contained in the General Plan, and recommendations found in the Geotechnical Report. This is considered a potentially significant impact that can be reduced to a less than significant level with the implementation of **Mitigation Measure 4.6-1** described below. (1, 2, 3, 4, 14)

Mitigation

GEO 4.6-1 A note shall be placed on Final Grading and Building Plans that the project applicant shall be required to implement all of the recommendations from the Geotechnical Report prepared for the project and incorporate the recommendations into final plans and specifications, as required by the County, prior to the start of project construction (Geotechnical Report prepared by Grice Engineering, Inc. (June 2018) included as Appendix D to the IS/MND).

- a.iii) **Less than Significant Impact.** As described above, the proposed project may be subject to strong ground shaking in the event of a major earthquake. The Geotechnical Report determined that site soils are considered not susceptible to liquefaction as they are either unsaturated or cohesive clays. This is considered a less than significant impact. (1, 2, 3, 4, 14)
- a.iv) **Less than Significant Impact.** Inspection of the site indicates that no landslides are located above or below the building area and the area is generally not susceptible to slope failure due to the shallow grade. This is considered a less than significant impact. (1, 2, 3, 4, 14)
- b) **Less than Significant Impact with Mitigation Incorporated.** Preparation and construction activities associated with the proposed project would disturb soil and increase its susceptibility to erosion. Construction contractors would be required to conform to all legal requirements for avoiding erosion and sedimentation to protect water quality. This includes preparation of a SWPPP and use of BMPs. Please refer also to the discussion in **Section 4.9, Hydrology and Water Quality** of this document. (1, 2, 3, 4, 14, 23)

In addition, as stated in the Geotechnical Report, general surface drainage should be retained at low velocity by slope, sod or other energy reducing features sufficient to prevent erosion, with concentrated over-slope drainage carried in lined channels, flumes, pipe or other erosion preventing installations. **Mitigation Measure 4.6-1** above requires implementation of the recommendations in the Geotechnical Report, which would reduce any potential impacts from erosion to a less than significant level.

- c) **Less than Significant Impact.** As described above, the Geotechnical Report states that the project site is considered generally stable. This is considered a less than significant impact. (1, 2, 3, 4, 14)
- d) **Less than Significant Impact.** According to the Geotechnical Report, in general, the site soils are/or contain silty clays to clayey silts which were noted to be of low plasticity. These soils are typical to the area. Expansivity has not been influential to the site characteristics and no deformations attributable

to expansive soils were observed. Additionally, there are no known problems with expansive soils in the area. This is considered a less than significant impact. (1, 2, 3, 4, 14)

- e) **Less than Significant Impact with Mitigation Incorporated.** The proposed project includes an on-site wastewater treatment system with the effluent dispersed into the subsoils. During the geotechnical analysis two sets of infiltration-percolation tests were completed, the first consisting of four vertical bores, completed over a duration of greater than four (4) hours for the design of septic leach fields. These bores are located to the north of the proposed building. **Mitigation Measure 4.6-1** above requires implementation of the recommendations in the Geotechnical Report, which would reduce any potential impacts from soils incapable of adequately supporting the use of septic tanks/alternative wastewater disposal systems to a less than significant level. (1, 2, 3, 4, 14)

4.7 GREENHOUSE GAS EMISSIONS

4.7.1 Environmental Setting

Various gases in the earth's atmosphere, when exceeding naturally occurring or 'background' levels due to human activity, create a warming or greenhouse effect, and are classified as atmospheric greenhouse gases (GHGs). These gases play a critical role in determining the earth's surface temperature. Solar radiation enters the atmosphere from space and a portion of the radiation is absorbed by the earth's surface. The earth emits this radiation back toward space, but the properties of the radiation change from high-frequency solar radiation to lower-frequency infrared radiation. Greenhouse gases, which are transparent to solar radiation, are effective in absorbing infrared radiation. As a result, the radiation that otherwise would have escaped back into space is retained, resulting in a warming of the atmosphere known as the greenhouse effect. Among the prominent GHGs contributing to the greenhouse effect, or climate change, are carbon dioxide (CO₂), methane (CH₄), O₃, water vapor, nitrous oxide (N₂O), and chlorofluorocarbons (CFCs). Human-caused emissions of these GHGs in excess of natural ambient concentrations are responsible for the greenhouse effect. In California, the transportation sector is the largest emitter of GHGs.

4.7.2 Environmental Impacts

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