

Project Approvals Associated With These CEQA Findings

- 1) Supplement to Purchase of Vacant Parcels Mitigated Negative Declaration (MND)
- 2) Award of Modular Building Construction Contract to Silver Creek Industries, on October 8, 2019.
- 3) Award of Site Work Package Construction Contract to TBD, on TBD.

FINDINGS The Board of Supervisors hereby finds as follows:

Finding 1: That the County previously prepared MND for the New Behavioral Health Center Project “project”, which has been prepared in compliance with the provisions of the California Environmental Quality Act, the State CEQA Guidelines and the San Benito County Implementing Procedures for the California Environmental Quality Act.

Finding No. 2: The project is consistent with the MND/IS previously adopted for this Project and there are no minor or technical changes or additions to the project which have been made which would require preparation of an addendum.

Finding 3: No subsequent or supplemental MND or EIR or addendum is required pursuant to CEQA (Public Resources Code §21166) and the CEQA Guidelines (14 Cal. Code Regs §§15162, 15163, 15164). Implementing the proposed project would result in none of the conditions described in State CEQA Guidelines Section 15162 calling for preparation of a subsequent negative declaration or other subsequent environmental document. In summary, there are no altered circumstances or new information of substantial importance since adoption of the previous MND/IS.

Finding No. 4 The Board finds that the approvals above will not result in any new significant environmental impacts/effects, will not substantially increase the severity of previously identified effects, will not result in Mitigation measures or alternatives previously found to be infeasible becoming feasible, and will not result in availability/implementation of Mitigation measures or alternatives that are considerably/substantially different from those analyzed in the previous document. The Board therefore finds that it may make the approvals herein, and in the award of the construction contract, and related approvals, without the need for the preparation and adoption of an Addendum or other new CEQA document.

Finding No. 5. The Board finds that none of the conditions described in Section 15162 have occurred, as set forth below:

- a) There are no substantial changes proposed by project or in the circumstances in which the Project would be undertaken that require major revisions of the existing MND, or preparation of a new Negative Declaration, due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects.

b) There is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous MND was adopted which shows any of the following:

- (1) that the project will have one or more significant effects not discussed in the previous negative declaration;
- (2) that Significant effects previously examined will be substantially more severe than shown in the previous MND;
- (3) that Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
- (4) that Mitigation measures or alternatives which are considerably different from those analyzed in the previous MND would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Evidence for Findings 1-5

- The MND and documents relating to the Project that are contained in the administrative record are on file at the San Benito County Resource Management Agency. The evidence for support of the findings above is set forth in the Mitigated Negative Declaration for the Project, as compared to the construction documentation on file at the RMA department and the construction contract with TBD, contained in the NOVUS agenda item for Board date TBD, which shows that the project is consistent with the project previously analyzed in the MND.
- All information provided in the staff report before the Board of Supervisors on January 14, 2020.
- The project to be constructed would not result in any direct or indirect physical changes in the environment or in any way alter the Project that was analyzed in the MND or the conclusions of the MND and as set forth further below
- All of the documents, including the MND, that are contained in the administrative record are on file at the San Benito County Resource Management Agency.