

**RESOLUTION NO. 2024-XX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE 2040 GENERAL PLAN, CLIMATE ACTION PLAN, AND AGRICULTURAL LANDS PRESERVATION PROGRAM; MAKING FINDINGS OF OVERRIDING CONSIDERATIONS RELATING TO THE MITIGATION MEASURES AND PROJECT ALTERNATIVES; AND ADOPTING A MITIGATION AND MONITORING AND REPORTING PROGRAM**

**WHEREAS**, in 2020 the City Council of the City of Hollister initiated preparation of a comprehensive update of the City's General Plan pursuant to California Government Code Section 65300 et. seq.; and

**WHEREAS**, through the course of project development the City has also prepared a Climate Action Plan and an Agricultural Lands Preservation Program; and

**WHEREAS**, the City of Hollister, in accordance with the requirements of the California Environmental Quality Act (CEQA) and the State CEQA guidelines, has caused to be prepared an Environmental Impact Report (EIR) which analyzes the impacts of the proposed project (SCH #2021040277); and

**WHEREAS**, a Notice of Preparation was released for public and agency review and comment on April 9, 2021 and a public scoping meeting to receive comments on topics and issues which should be evaluated in the Draft EIR was held by the City on May 10, 2021; and

**WHEREAS**, the City of Hollister distributed a Notice of Availability for the 2040 General Plan, Climate Action Plan, and Agricultural Lands Preservation Program Draft EIR on May 17, 2023 which started the 45-day public review period, ending on June 22, 2023; and

**WHEREAS**, the Draft EIR was also submitted to the State Clearinghouse for state agency review; and

**WHEREAS**, following a study session on September 11, 2023, the City Council desired to make changes to the Draft General Plan which resulted in amendments to the project description and revisions to the Draft EIR; and

**WHEREAS**, the City of Hollister redistributed a Notice of Availability for the Revised 2040 General Plan, Climate Action Plan, and Agricultural Lands Preservation Program Draft EIR on July 3, 2024 which started the 45-day public review period ending on August 16, 2024; and

**WHEREAS**, the Revised Draft EIR was also submitted to the State Clearinghouse for state agency review; and

**WHEREAS**, the City of Hollister held a duly noticed public meeting to solicit public comments on the Revised Draft EIR, 2040 General Plan, Climate Action Plan, and Agricultural Lands Preservation Program on July 16, 2024; and

**WHEREAS**, following the close of the 45-day public review period for the Revised Draft EIR on August 16, 2024, the Planning Commission held a duly noticed public hearing on October 24, 2024 and recommended certification of the Final EIR, and adoption of the 2040 General Plan, Climate Action Plan, and Agricultural Lands Preservation Program to the City Council of the City of Hollister; and

**WHEREAS**, on October 24, 2024, the City of Hollister Planning Commission held a duly noticed public hearing to consider the General Plan, Climate Action Plan, Agricultural Lands Preservation Program, and Final EIR, and adopted Resolution 2024-XX recommending to the City Council the adoption of the General Plan, Climate Action Plan, and Agricultural Lands Preservation Program and the certification of the Final EIR; and

**WHEREAS**, the City Council of the City of Hollister held a duly noticed public hearing on November 19, 2024 to consider the Final EIR for the 2040 General Plan, Climate Action Plan, and Agricultural Lands Preservation Program; and

**WHEREAS**, the City Council of the City of Hollister reviewed all evidence presented both orally and in writing and intends to make certain findings in compliance with the California Environmental Quality Act (CEQA), which are more fully set forth below in Exhibit A, attached hereto and incorporated in its entirety by this reference.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Hollister does hereby certify the Final Environmental Impact Report for the 2040 General Plan, Climate Action Plan, and Agricultural Lands Preservation Program; make all findings of fact and the Statement of Overriding Considerations relating to the EIR as more clearly identified in Exhibit A; and adopts a Mitigation Monitoring and Reporting Program.

**PASSED AND ADOPTED**, by the City Council of the City of Hollister at a regular meeting held on November 19, 2024, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

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Mia Casey, Mayor

ATTEST:

APPROVED AS TO FORM:  
Lozano Smith Attorneys at Law

\_\_\_\_\_  
Jennifer Woodworth, MMC, City Clerk

\_\_\_\_\_  
Mary F. Lerner, City Attorney

I, Jennifer Woodworth, MMC, City Clerk of the City of Hollister, do hereby certify that the attached Resolution No. 2024-XX is an original resolution, or true and correct copy of a City resolution, duly adopted by the Council of the City of Hollister at a regular meeting held on \_\_\_\_\_, 2024 at which meeting a quorum was present.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Hollister on \_\_\_\_\_, 2024.

\_\_\_\_\_  
Jennifer Woodworth, MMC  
City Clerk of the City of Hollister

**EXHIBIT A**  
**CALIFORNIA ENVIRONMENTAL QUALITY ACT**  
**FINDINGS FOR THE 2040 GENERAL PLAN, CLIMATE ACTION PLAN, AND**  
**AGRICULTURAL LANDS PRESERVATION PROGRAM**

**I. Certification**

The City of Hollister (City) hereby certifies the Environmental Impact Report (EIR) prepared for the City of Hollister 2040 General Plan (2040 General Plan), Climate Action Plan (CAP), and Agricultural Lands Preservation Program (ALPP), together herein referred to as the project. The complete and certified EIR consists of the Revised Draft EIR and the Final EIR, which includes the comment letters, responses to comments, text changes to the Revised Draft EIR, and the Mitigation Monitoring and Reporting Program (MMRP), herein referred to as the “EIR”. In accordance with California Environmental Quality Act (CEQA) Guidelines Section 15090, the City, as Lead Agency for the project, certifies that:

- The EIR has been completed in compliance with CEQA and the CEQA Guidelines;
- The project was adequately described, examined, and evaluated in the EIR, and no significant new information or changes in the environmental setting have occurred that would result in new or greater significant effects not studied in the EIR;
- The EIR was adequately noticed and circulated for public review, and public comments were received and considered. The City distributed the Notice of Preparation (NOP) to all Responsible Agencies on April 9, 2021. Responses to the NOP were considered in the preparation of the EIR. The City distributed a Notice of Availability (NOA) of the Revised Draft EIR with copies of the Revised Draft EIR, and posted the NOA at the Governor’s Office of Planning and Research and the County Clerk of the County of San Benito. The City received comment letters from the Association of Monterey Bay Area Governments, Department of California Highway Patrol, California Department of Fish and Wildlife, San Benito High School District, and Monterey Bay Air Resources District and responded to the comments in the Final EIR, copies of which were provided to the commenters no less than ten days prior to EIR certification and project approvals;
- The EIR was presented to the City, and the City has received, reviewed, and considered the information contained in the EIR and in the administrative record prior to approving the project;
- The EIR reflects the City’s independent judgment and analysis;
- Upon approval of the project analyzed in the EIR, the City will monitor the implementation of mitigation measures in accordance with the applicable MMRP.

The City further certifies that the EIR satisfies the requirements for a General Plan EIR prepared pursuant to Public Resources Code (PRC) Section 21080.09 and CEQA Guidelines Section 15081.5(b). The City has exercised its independent judgment in accordance with PRC Section 21082.1(c) in retaining its own environmental consultant and directing the consultant in preparation of the EIR, as well as reviewing, analyzing and revising material prepared by the consultant.

In accordance with PRC Section 21081 and CEQA Guidelines Sections 15091 and 15093, the City has made one or more specific written findings regarding significant impacts associated with the project. Those findings are presented below, along with the rationale behind each of the findings. Concurrent with the adoption of these findings, the City adopts the MMRP and the Statement of Overriding Considerations.

The documents and other materials that constitute the record of proceedings on which the project findings are based are at City of Hollister, 339 Fifth Street, Hollister, California 95023. The custodian for these documents is the City of Hollister, Development Service Department - Planning Division and can be contacted by phone at (831) 636-4360 or via email to: [planning@hollister.ca.gov](mailto:planning@hollister.ca.gov). This information is provided in compliance with PRC Section 21081.6(a)(2) and CEQA Guidelines Section 15091(e).

## **II. Project Background**

### **Project Description Summary**

The existing 2005 General Plan was comprehensively adopted in 2005 and includes a horizon year of 2023. A number of state and federal laws guiding general plan policies have also been updated during this time. As such, there is a need to take stock of the existing situation and plan for sustainable development in line with an updated vision for Hollister. The 2040 General Plan focuses on meeting current community requirements and future needs. Accordingly, the City is undertaking a comprehensive update to the 2005 General Plan. The 2040 General Plan guides the city's economic and physical growth as well as preservation of natural and agricultural resources over an approximately 15-year buildout horizon and replaces the City's existing 2005 General Plan, with the exception of the Housing Element. The City's Housing Element (2015 to 2023) was adopted in 2016 and is incorporated into the 2040 General Plan by reference. The current Housing Element has already undergone separate environmental review as part of its adoption process; however, the residential development that could occur under the Housing Element is incorporated into the residential development analyzed as part of this EIR. The 2040 General Plan, including the goals, policies, and actions, would require map and text amendments to the General Plan Land Use Map. The 2040 General Plan also includes amendments to the City's Sphere of Influence (SOI) to plan for projected growth and to improve City services. In conjunction with these General Plan amendments, Title 17, Zoning, of the Hollister Municipal Code (HMC), would be amended for consistency with the 2040 General Plan. While most of the amendments to the HMC would occur in the future through a separate process, the project includes an amendment to adopt the ALPP as HMC Chapter 17.28. Additionally, concurrent with the 2040 General Plan, the City is preparing the City's first CAP. The CAP is a strategic planning document that would provide policies and actions that would help the City and the community at large to reduce their greenhouse gas (GHG) emissions and improve community resilience to hazardous conditions associated with climate change.

The EIR provides a program-level analysis of the overall development projections in the 2040 General Plan. The 2040 General Plan, like the current 2005 General Plan, does not commit the City to any specific project, but provides a strategic framework for decisions on those projects. The development program does, however, establish a maximum amount of net new growth for lands in the City's jurisdiction during this time frame, which the City may not substantially exceed without amending the 2040 General Plan or conducting additional environmental review.

### **Project Objectives**

The implementation of the 2040 General Plan is guided by the Vision and Values of Hollister, whereas the Vision describes the future of Hollister as the community would like it to be in 2040 and the Values provide direction for decision making as the General Plan is implemented over time. The primary purpose of the project is to plan for the growth and conservation of Hollister over an approximately 15-year time horizon while meeting the Vision and achieving the Values for a more equitable, diverse, innovative, and sustainable future for all residents. The project objectives to meet the Vision and Values are related specifically to growth and include focusing growth in the downtown, capitalizing on existing infrastructure, and streamlining future development that is consistent with the 2040 General Plan. This requires extending the buildout horizon to year 2040 and updating goals, policies, and actions so that they meet current state requirements and community priorities. Many issues not covered in earlier plans are addressed in the project. These include how to enhance the downtown as a vibrant center, build a diversified job base, provide sites for housing and mixed-use development, improve environmental justice and community health, and prepare for adaptation and resilience to a changing climate. As part of this process, the City has identified the following objectives, which build on the framework of the Vision and Values and reflect the community's desires for the future of Hollister and will serve as the project objectives for the EIR.

- **Provide for balanced and sustainable growth.** Create and maintain a cohesive development pattern amidst the agriculture landscape, with clearly defined urban edges. The General Plan land use map focuses urban development within the SOI and protects Hollister's surrounding lands from sprawl, reduces the cost of extending costly infrastructure, and enhances the visual character of the city's edge. Land use policies are enacted to reduce incompatible land uses and ensure developments pay for their share of infrastructure, public facilities, and any environmental costs they might impose.
- **Create new jobs to develop the local economy.** Strive for more local, high-quality jobs and an improved jobs/housing ratio.
- **Integrate neighborhoods and neighborhood centers.** Build quality neighborhoods and maintain a quality urban environment. Balanced neighborhoods include a mix of residential types and intensities at all levels of affordability and include activities and facilities that are used on a frequent basis—such as schools, stores, and parks. Land uses are designated to ensure balanced neighborhood development with a mix of uses and housing types, provision of parks and schools, and easy access to commercial activity centers.

- **Create a network of parks and open space.** In addition to neighborhood and community parks, create a network of trails.
- **Create a safe, efficient, and equitable circulation system for all users.** Establish a well-integrated and coordinated transit network and safe and convenient pedestrian and bicycle circulation.
- **Provide ample retail and shopping opportunities.** Create quality retail sites to ensure jobs and sales tax revenue that serve both local residents and a regional population.
- **Plan for environmental justice.** Senate Bill (SB) 1000, the Planning for Healthy Communities Act, was passed in 2016 and requires that General Plans address environmental justice for disadvantaged communities that exist within the planning area of the General Plan. California law defines “environmental justice” as the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies.
- **Respond to State law requirements.** As previously described, the 2040 General Plan builds off the current General Plan by incorporating similar topics and revising or adding new goals, policies, and actions that are required by State law.

### **Environmental Review Process and Procedural Compliance with CEQA**

The CEQA environmental review process started on April 9, 2021, with issuance of a Notice of Preparation (NOP) of an EIR. A 30-day public comment period for the NOP ended on May 10, 2021. A virtual public scoping meeting was held on April 22, 2021, to accept public input on environmental topics to be analyzed in the EIR and approaches to the impact analyses. Written comments received on the NOP are included in Appendix A of the Revised Draft EIR. A copy of the NOP is also included in Appendix A of the Revised Draft EIR.

The 2023 Draft EIR for the project was issued on May 17, 2023, and was made available for a 45-day public review and comment period that ended on June 30, 2023. A Draft EIR Public Hearing was held virtually on June 22, 2023, to receive input from agencies and the public. Copies of the 2023 Draft EIR were posted online on the City’s 2040 General Plan website (<https://hollister2040.org/>).

After preparation of the 2023 Draft EIR, but prior to its certification, the City made modifications to the project and evaluated those modifications and any subsequent residual impacts in response to written and verbal comment made during the 45-day public review period for the 2023 Draft EIR. The 2023 Draft EIR was revised to include the new analysis.

The Revised Draft EIR for the modified project was recirculated on July 3, 2024, and was made available for a 45-day public review and comment period that ended on August 16, 2024. A Revised Draft EIR Public Hearing was held virtually on July 22, 2023, to receive input from agencies and the public. Copies of the Revised Draft EIR were posted online on the City’s 2040 General Plan website (<https://hollister2040.org/>).

Comment letters received on the 2023 Draft EIR and the Revised Draft EIR and comments read at the public hearing are provided in their entirety in Appendix G of the Final EIR. The City received a total of 16 comment letters, of which ten were from governmental agencies, four were from private organizations, and two were from members of the public.

The Final EIR was completed and published on October 18, 2024. The EIR consists of two documents: the Revised Draft EIR issued in July 2024 and the Final EIR issued in October 2024. Chapter 4 of the Final EIR consists of comments received during the public review period for the 2023 Draft EIR and the Revised Draft EIR and provides responses to those comments. Chapter 5 of the Final EIR contains revisions to the Revised Draft EIR to clarify, amplify, or correct information in the Revised Draft EIR, and associated appendices.

### **III. Environmental Impacts and Findings**

Pursuant to PRC Section 21081 and CEQA Guidelines Section 15091, no public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant effects on the environment that would occur if the project is approved or carried out unless the public agency makes one or more of the following findings with respect to each significant impact:

1. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.
2. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.
3. Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the EIR.

The City has made one or more of these specific written findings regarding each significant impact associated with the project. Those findings are presented below, along with a presentation of facts in support of the findings.

These findings summarize the determinations of the Final EIR with respect to the project's environmental impacts before and after mitigation and do not attempt to describe the full analysis of each environmental impact considered in the Final EIR. Instead, the findings provide a summary description of each impact, describe the applicable and mitigating 2040 General Plan policies and actions identified in the EIR and adopted by the City for the 2040 General Plan, and state the City's findings regarding the significance of each impact after imposition of the adopted 2040 General Plan policies and actions.<sup>1</sup> The EIR contains a full explanation of each impact,

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<sup>1</sup> Some 2040 General Plan policies and actions are required as means to mitigate environmental impacts under CEQA. These policies and actions are fully enforceable at the discretion of the decision-maker through permit conditions, agreements, or other legally binding instruments. These mitigating policies and actions use the imperative "shall," include performance criteria, and are marked with an asterisk (\*)



applicable and mitigating 2040 General Plan policies and actions, and the analysis that led the City to its conclusions on those impacts. These findings hereby incorporate by reference the discussion and analysis in the Final EIR, which supports the Final EIR's determinations regarding the project's environmental impacts and applicable and mitigating 2040 General Plan policies and actions. In making these findings, the City ratifies, adopts, and incorporates by reference the EIR's analysis, determinations, and conclusions relating to environmental impacts and applicable and mitigating 2040 General Plan policies and actions, except to the extent that any such determinations and conclusions are specifically and expressly modified by these findings.

In adopting the 2040 General Plan, the City intends to adopt each of the applicable and mitigating 2040 General Plan policies and actions. Accordingly, in the event that an applicable or mitigating 2040 General Plan policy or action has been inadvertently omitted from these findings, that policy or action is hereby adopted and incorporated by reference in the findings. Additionally, in the event that the description of a 2040 General Plan policy or action set forth below fails accurately to capture the substance of a given 2040 General Plan policy or action due to a clerical error (as distinct from specific and express modification by the City through these findings), the language of the policy or action as set forth in the Final EIR shall govern.

The EIR evaluation included a detailed analysis of impacts in eighteen (18) environmental disciplines or issues, analyzing the 2040 General Plan and alternatives to the 2040 General Plan, including a No Project Alternative. The EIR discloses the environmental impacts expected to result from the construction and operation of future development under the 2040 General Plan. Where possible, 2040 General Plan policies and actions were identified to avoid or minimize significant environmental effects. In addition, the City committed to implementing the identified mitigating 2040 General Plan policies and actions in order to reduce the direct and indirect impacts that will result from 2040 General Plan activities. The mitigating 2040 General Plan policies and actions identified in the EIR are proposed by the lead agency, responsible, or trustee agencies or other persons that were not included in the project, but could reasonably be expected to reduce adverse impacts if required as conditions of approving the project, as required by CEQA Guidelines Section 15126.4(a)(1)(A).

#### **A. Findings of Less-than-Significant Impacts**

**FINDING:** Based on the issue area assessment in the EIR, the City has determined that the project will have no impact or less-than-significant impacts for several issues as summarized in Table 1, *Summary of No Impacts or Less-than-Significant Impacts for 2040 General Plan*. The rationale for the conclusion that no significant impact would occur in each of the issue areas in Table 1 is based on the discussion of these impacts in the detailed issue area and cumulative impacts analyses in Chapter 4, *Environmental Analysis*, of the Revised Draft EIR that were found to have no impact or less-than-significant impacts. General Plan policies and actions are noted in parentheses, where relevant to impact determinations, based on the analyses in Chapter 4 of the Revised Draft EIR.

<b>Table 1: Summary of No Impacts or Less-than-Significant Impacts for 2040 General Plan Environmental Impacts</b>
<b>Revised Draft EIR Chapter 4.1: Aesthetics</b>
<p><b>AES-1:</b> Implementation of the project would not have a substantial adverse effect on a scenic vista (Policy LU-15.4; Policies OS-1.1, OS-1.2, OS-1.3, and OS-1.4; and Action OS-1.1).</p> <p><b>AES-2:</b> Implementation of the project would not, in nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings (Policies and Actions listed in AES-1; Policies LU-15.2, LU-15.3, LU-15.10, LU-15.11; Actions LU-15.1 and LU-15.2; and Policies LU-17.1 and LU-17.11).</p> <p><b>AES-3:</b> Implementation of the project would not create a new source of substantial light or glare that would adversely affect day or nighttime views in the area (Policies CSF-4.2, CSF-4.4, CSF-4.6, CSF-4.7, and CSF-4.12; and Policy LU-15.2, LU-15.3, and LU-15.10).</p> <p><b>AES-4:</b> Implementation of the project would not result in a cumulatively considerable impact to aesthetic resources (Policies and Actions listed in AES-1 through AES-3).</p>
<b>Revised Draft EIR Chapter 4.2: Agricultural Resources</b>
<p><b>AG-3:</b> Implementation of the project would not involve other changes in the existing environment, which, due to their location or nature, could result in conversion of farmland to nonagricultural use or conversion of forest land to non-forest use (Policy LU-2.13; Policies *OS-2.1, OS-2.2, OS-2.3, OS-2.4, and OS-2.5; and Actions *OS-2.1, OS-2.2, OS-2.3 and OS2.4).</p>
<b>Revised Draft EIR Chapter 4.4: Biological Resources</b>
<p><b>BIO-4:</b> Implementation of the project would not 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 (Policies *NRC-1.4, *NRC-1.5, *NRC-1.6, *NRC-1.7, *NRC-1.8, *NRC-1.9, *NRC-1.10, *NRC-1.13, and *NRC-1.14).</p> <p><b>BIO-5:</b> Implementation of the project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance (Policies NRC-1.17, NRC-1.18, NRC-1.19, NRC-1.20, NRC-1.21, NRC-1.22, and NRC-1.23; and Actions NRC-1.1, NRC-1.2, NRC-1.3, and NRC-1.4).</p> <p><b>BIO-6:</b> Implementation of the project, in combination with past, present, and reasonably foreseeable projects, would not result in significant cumulative impacts with respect to biological resources (Policies and Actions listed in BIO-1 through BIO-5).</p>
<b>Revised Draft EIR Chapter 4.5: Cultural and Tribal Cultural Resources</b>
<p><b>CUL-3:</b> Implementation of the project would not disturb any human remains, including those interred outside of dedicated cemeteries (Policies LU-1.1, LU-1.5, and LU-1.9; Action LU-1.8; Policy LU-15.5; Policies OS-1.1, OS-1.3, OS-1.5, and OS-1.6; and *Policy NRC-2.3).</p> <p><b>CUL-5:</b> Implementation of the project would not result in a cumulatively considerable impact to cultural and tribal cultural resources (Policies and Actions listed in CUL-1 through CUL-4).</p>
<b>Revised Draft EIR Chapter 4.6: Energy</b>
<p><b>ENE-1:</b> Implementation of the project would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation (Policies NRC-4.3 and NRC-4.8; Action NRC-4.2; Policies CSF-4.1, CSF-4.2, CSF-4.3, CSF-4.4, CSF-4.5, CSF-4.6, CSF-4.7, CSF-4.8, CSF-4.10, CSF-4.12, CSF-4.13, and CSF-4.14; Action CSF-4.2; Policy HS-2.5; Policy LU-4.1; Policies C-1.1, *C-1.5, C-1.6, and C-1.7; Action C1.1; Policies C-3.1, C-3.2, C-3.3, C-3.5, and C-3.6; Actions C-3.1, C-3.3, C-3.4, and C-3.5; and *Policy C-4.6).</p> <p><b>ENE-2:</b> Implementation of the project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency (Policies and Actions listed in ENE-1).</p>

<b>Table 1: Summary of No Impacts or Less-than-Significant Impacts for 2040 General Plan Environmental Impacts</b>
<p><b>ENE-3:</b> Implementation of the project would not, in combination with past, present, and reasonably foreseeable projects, result in a cumulative impact with respect to energy (Policies and Actions listed in ENE-1 through ENE-2).</p>
<p><b>Revised Draft EIR Chapter 4.7: Geology and Soils</b></p>
<p><b>GEO-2:</b> Implementation of the project would not result in substantial soil erosion or the loss of topsoil.</p>
<p><b>GEO-3:</b> Implementation of the project would not be 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 (Policies *HS-1.1 and *HS-1.2; Action HS-1.1; Policies HS-3.1, *HS-3.2, *HS-3-3, HS-3.4, and HS-3.5; and Actions HS-3.1 and HS-3.2).</p>
<p><b>GEO-4:</b> Implementation of the project could be on expansive soil, as defined by Table 18-1-B of the Uniform Building Code (1994), but would not create substantial direct or indirect risks to life or property (Policies *HS-1.1 and *HS-1.2; Action HS-1.1; Policies HS-3.1, *HS-3.2, *HS-3-3, HS-3.4, and HS-3.5; and Actions HS-3.1 and HS-3.2).</p>
<p><b>GEO-5:</b> Implementation of the project would not use septic tanks or alternative wastewater disposal systems where soils would be incapable of adequately supporting in cases where sewers are not available for the disposal of wastewater (Policy CSF-2.4).</p>
<p><b>GEO-6:</b> Implementation of the project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.</p>
<p><b>GEO-7:</b> In combination with past, present, and reasonably foreseeable projects, implementation of the project would not result in a cumulative impact with respect to geology and soils (Policies and Actions listed in GEO-1 through GEO-6).</p>
<p><b>Revised Draft EIR Chapter 4.8: Greenhouse Gas Emissions</b></p>
<p><b>GHG-1:</b> Implementation of the project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment (Policy LU-4.1; Policies C-1.1, *C-1.5, C-1.6, and C-1.7; Action C-1.1; Policies C-3.1, C-3.3, C-3.5, and C-3.6; Actions C-3.1, C-3.3, and C-3.5; *Policy C-4.6; Policies CSF-4.1, CSF-4.2, CSF-4.3, CSF-4.4, CSF-4.5, CSF-4.6, CSF-4.7, CSF-4.8, CSF-4.9, CSF-4.10, CSF-4.12, CSF-4.13, and CSF-4.16; Action CSF-4.2; Policies CSF-5.2 and CSF-5.3; Actions CSF-5.1, CSF-5.2, and CSF-5.3; Policies NRC-3.8 and NRC-3.10; Action NRC-3.1, Policies NRC-4.1, NRC-4.2, NRC-4.3, NRC-4.4, NRC-4.5, NRC-4.6, NRC-4.7, NRC-4.8, and NRC-4.9; Actions NRC-4.1, NRC-4.2, NRC-4.3, and NRC-4.4; and Policy HS-2.5).</p>
<p><b>GHG-2:</b> Implementation of the project would not conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing GHG emissions (Policies and Actions listed in GHG-1).</p>
<p><b>GHG-3:</b> Implementation of the project would not, in combination with past, present, and reasonably foreseeable projects, result in a cumulative impact with respect to GHG emissions (Policies and Actions listed in GHG-1 through GHG-2).</p>
<p><b>Revised Draft EIR Chapter 4.9: Hazards and Hazardous Materials</b></p>
<p><b>HAZ-1:</b> Implementation of the project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials (Policies *HS-1.2 and HS-1.3; Policies HS-7.1, HS-7.2, HS-7.3, and HS-7.4; and Actions HS-7.1 and HS-7.2).</p>
<p><b>HAZ-2:</b> Implementation of the project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment (Policies and Actions listed in HAZ-1).</p>

<b>Table 1: Summary of No Impacts or Less-than-Significant Impacts for 2040 General Plan            Environmental Impacts</b>
<p><b>HAZ-3:</b> Implementation of the project would not emit hazardous emissions or handle hazardous materials, substances, or waste within 0.25 miles of an existing or proposed school (Policies and Actions listed in HAZ-1 and HAZ-2; and Policies *NRC-3.14 and *NRC-3.15).</p> <p><b>HAZ-4:</b> Implementation of the project could be located on a site which is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 but would not create a significant hazard to the public or the environment (Policies and Actions listed in HAZ-1).</p> <p><b>HAZ-5:</b> Implementation of the project could be located on a site which is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 but would not create a significant hazard to the public or the environment (Policy HS-1.4; Action HS-1.2; Policy HS-8.6; and Policies HS-9.1 and HS-9.2).</p> <p><b>HAZ-6:</b> Implementation of the project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan (Policies *HS-1.1 and HS-1.3; Policies HS-6.1, HS-6.2, HS-6.3, HS-6.4, HS-6.5, HS-6.6, HS-6.7, HS-6.8, HS-6.9, HS-6.10, HS-6.11, and HS-6.12; and Actions HS-6.2, HS-6.3, HS-6.4, HS-6.5, HS-6.6, HS-6.7, HS-6.8, HS-6.9, HS-6.10, and HS-6.11).</p> <p><b>HAZ-7:</b> In combination with past, present, and reasonably foreseeable projects, implementation of the project would not result in a cumulative impact with respect to hazards and hazardous material (Policies and Actions listed in HAZ-1 through HAZ-6).</p>
<p><b>Revised Draft EIR Chapter 4.10: Hydrology and Water Quality</b></p>
<p><b>HYD-1:</b> Implementation of the project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality (Policies CSF-1.3, CSF-1.6, CSF-1.7, and CSF-1.8; Policies CSF-3.1 and CSF-3.2; Actions CSF-3.1 and CSF-3.2; Policies NRC-1.1, NRC-1.12, *NRC-1.13, and NRC-1.16; Policies NRC-5.1, NRC-5.2, NRC-5.3, and NRC-5.4; and Actions NRC-5.1, NRC-5.2, NRC-5.3, NRC-5.4, and NRC-5.5).</p> <p><b>HYD-2:</b> Implementation of the project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin (Policies and Actions listed in HYD-1; Policies CSF-2.2, CSF-2.4, CSF-2.5, CSF-2.6, CSF-2.7, CSF-2.8, CSF-2.9, CSF-2.10, CSF-2.11, and CSF-2.12; and Action CSF-2.1, CSF-2.2, CSF-2.3, CSF-2.4, CSF-2.5, CSF-2.7, and CSF-2.8).</p> <p><b>HYD-3:</b> Implementation of the project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: (i) result in substantial erosion or siltation on- or off-site; (ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; (iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or (iv) impede or redirect flood flows (Policies and Actions listed in HYD-1; *Policy HS-1.1; Action HS-1.1; Policies HS-4.1, HS-4.2, and HS-4.3; Actions HS-4.1, HS-4.2, and HS-4.3).</p> <p><b>HYD-4:</b> Implementation of the project would not risk release of pollutants due to project inundation if in a flood hazard, tsunami, or seiche zones (Policies and Actions listed in HYD-1 and HYD-3).</p> <p><b>HYD-5:</b> Implementation of the project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan (Policies and Actions listed in HYD-1 and HYD-2).</p> <p><b>HYD-6:</b> In combination with past, present, and reasonably foreseeable projects, implementation of the project would not result in a cumulatively considerable impact to hydrology and water quality (Policies and Actions listed in HYD-1 through HYD-5).</p>

<b>Table 1: Summary of No Impacts or Less-than-Significant Impacts for 2040 General Plan Environmental Impacts</b>
<b>Revised Draft EIR Chapter 4.11: Land Use and Planning</b>
<b>LU-1:</b> Implementation of the project would not physically divide an established community (Policies LU-2.1, LU-2.2, LU-2.3, LU-2.6, and LU-2.11).
<b>LU-2:</b> Implementation of the project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect (Policies LU-1.1, LU-1.2, LU-1.3, LU-1.4, LU-1.5, LU-1.6, LU-1.7, LU-1.8, LU-1.9, and LU-11; Actions LU-1.2, LU-1.3, and LU-1.8; Policy LU-2.4; Policies LU-3.1, LU-3.2, LU-3.4, and LU-3.5; Action LU-3.1; Policy LU-7.1; Policy HS-1.4; Action HS-1.2; Policy HS-8.6; and Policies HS-9.1 and HS-9.2).
<b>LU-3:</b> Implementation of the project would not, in combination with past, present, and reasonably foreseeable projects, result in a cumulative impact with respect to land use and planning (Policies and Actions listed in LU-1 and LU-2).
<b>Revised Draft EIR Chapter 4.12: Mineral Resources</b>
<b>MIN-1:</b> Implementation of the project would not 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 (Policies NRC-6.1, NRC-6.2, NRC-6.3, NRC-6.4, NRC-6.5, NRC-6.6, and NRC-6.7; and Action OS-2.3).
<b>MIN-2:</b> Implementation of the project would not 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 (Policies and Actions listed in MIN-1).
<b>MIN-3:</b> Implementation of the project, in combination with past, present, and reasonably foreseeable projects, would not result in significant cumulative impacts with respect to mineral resources (Policies and Actions listed in MIN-1 through MIN-2).
<b>Revised Draft EIR Chapter 4.13: Noise</b>
<b>NOI-3:</b> Implementation of the project would not expose people residing or working within two miles of a private airstrip or airport to excessive noise levels (Policy HS-8.6)
<b>Revised Draft EIR Chapter 4.14: Population and Housing</b>
<b>POP-1:</b> Implementation of the project would not include substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure) (Policy LU-1.1, LU-1.2, LU-1.3, LU-1.7, LU-1.11, and LU-1.12; Action LU-1.1, LU-1.3, and LU-1.8; Policy LU-2.1, LU-2.2, LU-2.3, and LU-2.4; Policy LU-3.1; and Action OS-2.3).
<b>POP-2:</b> Implementation of the project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere (Policy LU-2.5; Policies LU-3.1 and LU-3.2; and Action LU-3.1).
<b>POP-3:</b> Implementation of the project would not, in combination with past, present, and reasonably foreseeable projects, result in a cumulative impact with respect to population and housing. (Policies and Actions listed in POP-1)
<b>Revised Draft EIR Chapter 4.15: Public Services and Recreation</b>
<b>PS-1:</b> Implementation of the project would not result in substantial adverse physical impacts associated with the provision of new or physically altered fire protection facilities, need for new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives (Policies CSF-1.1, CSF-1.2, CSF-1.3, CSF-1.4, CSF-1.6, CSF-1.7, and CSF-1.8; Action CSG-1.2; Policies CSF-7.2, CSF-7.3, and CSF-7.4; Action CSF-7.1, CSF-7.2, CSF-7.3; Policies *HS-1.1 and HS_1.3; Policy HS-3.4; Policies HS-5.1, HS-5.2, HS-5.3, HS-5.4, HS_5.5, HS-5.6, HS-5.7, and HS-5.8; Actions HS-5.1, HS-5.2, HS-5.3, and HS-5.4; Policies HS-6.1, HS-6.2, HS-6.3, HS-6.6, HS-6.7, and HS-6.10; and Action HS-6.4; Also see the summary for

<b>Table 1: Summary of No Impacts or Less-than-Significant Impacts for 2040 General Plan            Environmental Impacts</b>
<p>Chapter 4.18, <i>Wildfire</i>, below, for a listing of additional policies and actions that reduce impacts related to wildfire thus reducing demand of fire protection services).</p> <p><b>PS-2:</b> In combination with past, present, and reasonably foreseeable projects, implementation of the project would not result in a cumulatively considerable impact to fire protection services (Policies and Actions listed in PS-1).</p> <p><b>PS-3:</b> Implementation of the project would not result in the need for new or physically altered police facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives (Policies CSF-1.1, CSF-1.2, CSF-1.3, CSF-1.4, CSF-1.6, CSF-1.7, and CSF-1.8; Action CSF-1.2; Policies CSF-7.1 and CSF-7.4; Actions CSF-7.1 and CSF-7.2; Policies *HS-1.1 and HS-1.3; Policy HS-3.4; Policies HS-6.1, HS-6.2, HS-6.3, HS-6.6, HS-6.7, and HS-6.10; Action HS-6.4).</p> <p><b>PS-4:</b> In combination with past, present, and reasonably foreseeable projects, implementation of the project would not result in a cumulatively considerable impact to police services (Policies and Actions listed in PS-3).</p> <p><b>PS-5:</b> Implementation of the project would not result in the need for new or physically altered school facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, or other performance objectives (Policy CSF-1.4; Policies CSF-8.1, CSF-8.2, CSF-8.3, CSF-8.4, CSF-8.5; and Policy HS-3.4).</p> <p><b>PS-6:</b> In combination with past, present, and reasonably foreseeable projects, implementation of the project would not result in a cumulatively considerable impact to school services (Policies and Actions listed in PS-5).</p> <p><b>PS-7:</b> Implementation of the project would not result in the need for new or physically altered library facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, or other performance objectives (Policy CSF-1.4; Policy CSF-9.1; and Action CSF-9.1).</p> <p><b>PS-8:</b> In combination with past, present, and reasonably foreseeable projects, implementation of the project would not result in a cumulatively considerable impact to libraries (Policies and Actions listed in PS-7).</p> <p><b>PS-9:</b> Implementation of the project would not result in the need for new or physically altered park facilities or other recreational facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, or other performance objectives (Policies CSF-1.3 and CSF-1.4; Policies CSF-6.1, CSF-6.2, CSF-6.3, CSF-6.4, CSF-6.5, CSF-6.6, and CSF-6.7; Actions CSF-6.1, CSF-6.2, CSF-6.4, CSF-6.5, CSF-6.6, and CSF-6.7; Policies OS-1.1 and OS-1.5; Policy HS-4.2; and Action HS-4.3).</p> <p><b>PS-10:</b> Implementation of the project would not 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 (Policies and Actions listed in PS-9).</p> <p><b>PS-11:</b> Implementation of the project would not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment (Policies and Actions listed in PS-9 through PS-10).</p>
<p><b>Revised Draft EIR Chapter 4.16: Transportation</b></p>
<p><b>TRANS-1:</b> Implementation of the project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities (Policies LU-2.6, LU-2.7, and LU-2.11; Policies LU-4.1 and LU-4.2; Policies C-1.1, C-1.2, C-1.3, C-1.6, C-1.7, C-1.8, C-1.9, C-1.10, and C-1.11; Actions C-1.3, C-1.4 and C-1.5; Policies C-2.1, C-2.2, C-2.3, C-2.4, C-2.5, C-2.6, and C-2.7; Actions C-2.1, C-2.2, C-2.3, C-2.4, and C-2.5; Policies C-3.1, C-3.2, C-3.3, C-3.4, C-3.5, C-3.6, and C-3.7; Actions , C-3.1, C-3.2, C-3.3, C-3.4,</p>

<b>Table 1: Summary of No Impacts or Less-than-Significant Impacts for 2040 General Plan            Environmental Impacts</b>
<p>C-3.5, and C-3.6; Policies C-5.1, C-5.2, and C-5.3; Actions C-5.1 and C-5.2; Policy ED-1.1; Action ED-1.1; Policies ED-2.1 and ED-2.2; Actions ED-2.1 and ED-2.2; Policies ED-3.1, ED-3.2, and ED-3.3; Actions ED-3.3 and ED-3.4; Policy ED-4.1; Action ED-4.1; and Actions ED-5.1, ED-5.2, and ED-5.3).</p>
<p><b>TRAN-3:</b> Implementation of the project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment) (Policies C-1.2 and C-1.7; Action C-1.3; Policy C-3.2, C-3.3, C-3.4, and C-3.5; Actions C-3.1, C-3.2, C-3.3, C-3.4, and C-3.6; Policies C-4.1, C-4.2, C-4.3, C-4.4, C-4.5, *C-4.6, and C-4.7; and Action C-4.1).</p>
<p><b>TRAN-4:</b> Implementation of the project would not result in inadequate emergency access (*Policy HS-1.1; Policies HS-6.1, HS-6.2, and HS-6.7; and Actions HS-6.3 and HS-6.4).</p>
<b>Revised Draft EIR Chapter 4.17: Utilities and Service Systems</b>
<p><b>UTIL-1:</b> Implementation of the project would not require or result in the construction of new water facilities or expansion of existing facilities, the construction of which would cause significant environmental effects (Policy LU-2.8, Policies CSF-1.1, CSF-1.2, CSF-1.3, CSF-1.4, CSF-1.6, CSF-1.7, and CSF-1.8; Action CSF-1.2; CSF-2.1, CSF-2.2, CSF-2.3, CSF-2.4, CSF-2.5, CSF-2.6, CSF-2.7, CSF-2.8, CSF-2.9, CSF-2.10, CSF-2.11, and CSF-2.12; Actions CSF-2.1, CSF-2.2, CSF-2.3, CSF-2.4, CSF-2.5, CSF-2.6, CSF-2.7, and CSF-2.8; Policies NRC-5.1 and NRC-5.3; and Actions NRC-5.1, NRC-5.2, NRC-5.3, NRC-5.4, and NRC-5.5).</p>
<p><b>UTIL-2:</b> Implementation of the project would have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years (Policies and Actions listed in UTIL-1).</p>
<p><b>UTIL-3:</b> In combination with past, present, and reasonably foreseeable projects, implementation of the project would not result in a cumulatively considerable impact to water supply and facilities (Policies and Actions listed in UTIL-1 through UTIL-2).</p>
<p><b>UTIL-4:</b> Implementation of the project would not require or result in the construction of new wastewater treatment facilities or expansion of existing facilities, the construction of which would cause significant environmental effects (Policy LU-2.8; Policies CSF-1.1, CSF-1.2, CSF-1.3, CSF-1.4, CSF-1.6, CSF-1.7, and CSF-1.8; Action CSF-1.2; Policies CSF-2.1, CSF-2.2, CSF-2.3, CSF-2.10, CSF-2.13, CSF-2.14, CSF-2.15, and CSF-2.16; Actions CSF-2.5, CSF-2.6, CSF-2.9, CSF-2.10, CSF-2.11 and CSF-2.12; Policies NRC-5.2 and NRC-5.3; and Action NRC-5.3).</p>
<p><b>UTIL-5:</b> Implementation of the project would not result in the determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments (Policies and Actions listed in UTIL-4).</p>
<p><b>UTIL-6:</b> In combination with past, present, and reasonably foreseeable projects, implementation of the project would not result in a cumulatively considerable impact to wastewater facilities (Policies and Actions listed in UTIL-4 through UTIL-5).</p>
<p><b>UTIL-7:</b> Implementation of the project would not require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which would cause significant environmental effects (Policy LU-2.8; Policies CSF-1.1, CSF-1.2, CSF-1.3, CSF-1.4, CSF-1.6, CSF-1.7, and CSF-1.8; Action CSF-1.2; Policies CSF-3.1 and CSF-3.2; and Actions CSF-3.1 and CSF-3.2).</p>
<p><b>UTIL-8:</b> In combination with past, present, and reasonably foreseeable projects, implementation of the project would not result in a cumulatively considerable impact to stormwater facilities (Policies and Actions listed in UTIL-7).</p>

<b>Table 1: Summary of No Impacts or Less-than-Significant Impacts for 2040 General Plan            Environmental Impacts</b>
<p><b>UTIL-9:</b> Implementation of the project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals (Policy LU-2.8; Policies CSF-1.1, CSF-1.2, CSF-1.3, CSF-1.4, CSF-1.6, CSF-1.7, and CSF-1.8; Action CSF-1.2; Policies CSF-5.1, CSF-5.2, CSF-5.3, CSF-5.4, and CSF-5.5; and Actions CSF-5.1, CSF-5.2, CSF-5.3, and CSF-5.4).</p>
<p><b>UTIL-10:</b> Implementation of the project would comply with federal, State, and local statutes and regulations related to solid waste.</p>
<p><b>UTIL-11:</b> In combination with past, present, and reasonably foreseeable projects, implementation of the project would not result in a cumulatively considerable impact to solid waste (Policies and Actions listed in UTIL-9 through UTIL-10).</p>
<p><b>UTIL-12:</b> Implementation of the project would not require or result in the relocation or construction of new or expanded electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects (Policy LU-2.8; Policies CSF-1.4; CSF-1.5, and CSF-1.9; Action CSF-1.1; Policies CSF-4.1, CSF-4.2, CSF-4.3, CSF-4.4, CSF-4.5, CSF-4.6, CSF-4.7, CSF-4.8, CSF-4.9, CSF-4.10, CSF-4.11, CSF-4.12, CSF-4.13, CSF-4.14, CSF-4.15, and CSF-4.16; Actions CSF-4.1, CSF-4.2, CSF-4.3, and CSF-4.4; Policies NRC-4.3 and NRC-4.8; Actions NRC-4.2 and NRC-4.4; and Policy HS-2.5).</p>
<p><b>UTIL-13:</b> In combination with past, present, and reasonably foreseeable projects, implementation of the project would not result in a cumulatively considerable impact to electric power, natural gas, or telecommunications facilities (Policies and Actions listed in UTIL-12).</p>
<p><b>Revised Draft EIR Chapter 4.18: Wildfire</b></p>
<p><b>FIRE-1:</b> Implementation of the project would not substantially impair an adopted emergency response plan or emergency evacuation plan (Policy HS-5.4; Policies HS-6.4 and HS-6.7; and Actions HS-6.3 and HS-6.9).</p>
<p><b>FIRE-2:</b> Implementation of the project would not, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire (Policies HS-5.1, HS-5.3, and HS-5.6; and Actions HS-5.1 and HS-5.2).</p>
<p><b>FIRE-3:</b> Implementation of the project would not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) but would not exacerbate fire risk or result in temporary or ongoing impacts to the environment (Policy HS-1.5; Action HS-1.3; and Policies HS-5.2, HS-5.4 and HS-5.6).</p>
<p><b>FIRE-4:</b> Implementation of the project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, postfire slope instability, or drainage changes (Policies HS-4.1, HS-4.2, and HS-4.3; Actions HS-4.1, HS-4.2, and HS-4.3).</p>
<p><b>FIRE-5:</b> In combination with past, present, and reasonably foreseeable projects, implementation of the project would not result in a cumulatively considerable impact to wildfire impacts (Policies and Actions listed in FIRE-1 through FIRE-4).</p>



## **B. Findings on Significant Environmental Impacts That Can Be Reduced to a Less-than-Significant Level**

**FINDING:** The City finds that the following environmental impacts can and will be mitigated to below a level of significance based upon the implementation of the mitigating 2040 General Plan policies and actions identified in the EIR. These findings are based on the discussion of impacts in the detailed issue area and cumulative impact analyses in Chapter 4.4, *Biological Resources*, Chapter 4.5, *Cultural and Tribal Cultural Resources*, Chapter 4.7, *Geology and Soils*, and Chapter 4.13, *Noise*, of the Revised Draft EIR. An explanation of the rationale for each finding is presented below.

### **Biological Resources**

**Impact BIO-1:** Impacts to special-status species or the inadvertent loss of bird nests in active use, which would conflict with the federal Migratory Bird Treaty Act and California Fish and Game Code, could occur as a result of implementation of the project.

**Finding:** The City finds that implementation of the mitigating 2040 General Plan policies and actions identified under Impact Discussion BIO-1 (pages 4.4-26 through 4.4-30) of the Revised Draft EIR would mitigate significant effects on the environment from Impact BIO-1 and is hereby adopted to mitigate significant effects from Impact BIO-1 to a less-than-significant level.

**Rationale:** The 2040 General Plan policies and actions would mitigate impacts to special-status species by requiring that detailed surveys and assessments be completed as part of future project approval and/or environmental review, when applicable, to identify occurrences of special-status species and minimize adverse impacts on any species identified as an endangered, threatened, candidate, sensitive, or special-status species and their habitat. Where natural habitat remains that could support special-status species, wetlands, and other sensitive resources, further detailed studies and assessment would be performed to verify presence or absence. Specifically, 2040 General Plan \*Policy NRC-1.4 requires surveys and project-specific mitigation for sites known to support special-status species; \*Policy NRC-1.5 requires the preparation of biological resource assessment for proposed development on sites with natural habitat conditions that may support special-status species, sensitive natural communities, or regulated wetlands and waters; \*Policy NRC-1.6 requires that potential significant impacts on special-status species, occurrences of sensitive natural communities, or regulated wetlands and waters be minimized through adjustments and controls on the design, construction, and operations of a proposed project; \*Policy NRC-1.7, \*Policy NRC-1.8, \*Policy NRC-1.9, \*Policy NRC-1.10, all require surveys and project-specific mitigation; and \*Policy NRC-1.13 and \*Policy NRC-1.14 require the protection of wetlands through surveys and project-specific mitigation measures. Additionally, future development on parcels with a proposed Specific Plan land use designation would be subject to additional site-specific policies to guide development and protect sensitive natural communities in these areas. Furthermore, the location and nature of future development considered would be guided by the 2040 General Plan and the HMC. Future development would continue to be reviewed through the City's entitlement process and CEQA review, where applicable, to ensure consistency with local, state, and federal regulations and 2040 General Plan goals, policies, and actions

intended to protect sensitive biological resources. Therefore, potential impacts on special-status species would be less than significant.

**Impact BIO-2:** Impacts to riparian areas, drainages, and sensitive natural communities could occur from potential future development under the 2040 General Plan where natural habitat remains.

**Finding:** The City finds that implementation of the mitigating 2040 General Plan policies and actions identified under Impact Discussion BIO-2 (pages 4.4-31 through 4.4-34) of the Revised Draft EIR would mitigate significant effects on the environment from Impact BIO-2 and is hereby adopted to mitigate significant effects from Impact BIO-2 to a less-than-significant level.

**Rationale:** Implementation of the 2040 General Plan goals, policies, and actions listed would serve to ensure that occurrences of sensitive natural communities are identified, avoided, or adequately mitigated. Specifically, 2040 General Plan \*Policy NRC-1.4, \*Policy NRC-1.5, and \*Policy NRC-1.6 would mitigate impacts through site surveys and project-specific mitigation measures. Additionally, future development within the SOI on parcels with a proposed Specific Plan land use designation would be subject to additional site-specific policies to guide development and protect sensitive natural communities in these areas. Therefore, potential impacts on sensitive natural communities would be less than significant.

**Impact BIO-3:** Potential future development from implementation of the 2040 General Plan could result in direct and indirect impacts to wetland habitat.

**Finding:** The City finds that implementation of the mitigating 2040 General Plan policies and actions identified under Impact Discussion BIO-3 (pages 4.4-34 through 4.4-37) of the Revised Draft EIR would mitigate significant effects on the environment from Impact BIO-3 and is hereby adopted to mitigate significant effects from Impact BIO-3 to a less-than-significant level.

**Rationale:** The 2040 General Plan goals, policies, and actions would serve to ensure that wetlands and regulated waters are identified, avoided, or adequately mitigated. Specifically, 2040 General Plan \*Policy NRC-1.5 requires the preparation of biological resource assessment for proposed development on sites with natural habitat conditions that may support special-status species, sensitive natural communities, or regulated wetlands and waters; \*Policy NRC-1.6 requires that potential significant impacts on special-status species, occurrences of sensitive natural communities, or regulated wetlands and waters be minimized through adjustments and controls on the design, construction, and operations of a proposed project; and \*Policy NRC-1.13 and \*Policy NRC-1.14 require the protection of wetlands through surveys and project-specific mitigation measures. Additionally, future development within the SOI on parcels with a proposed Specific Plan Area land use designation would be subject to additional site-specific policies to guide development in these areas. Therefore, potential impacts on wetlands and regulated waters would be less than significant.

## Cultural and Tribal Cultural Resources

**Impact CUL-1:** Impacts to known or yet to be classified historic buildings or structures could occur from potential future development under the 2040 General Plan.

**Finding:** The City finds that implementation of the mitigating 2040 General Plan policies and actions identified under Impact Discussion CUL-1 (pages 4.5-15 through 4.5-19) of the Revised Draft EIR would mitigate significant effects on the environment from Impact CUL-1 and is hereby adopted to mitigate significant effects from Impact CUL-1 to a less-than-significant level.

**Rationale:** Implementation of the 2040 General Plan goals, policies, and actions would ensure that new development and exterior remodels are compatible with cultural and historic resources; that landmarks and historic treasures would be preserved, enhanced, and rehabilitated; and that cultural and historic resources in the EIR Study Area would be protected and restored. Specifically, \*Policy LU-19.1 would mitigate potential impacts by requiring the City to promote preservation, renovation and rehabilitation of historic structures that conform to the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Structures and the California Historical Building Code and require project applicants to demonstrate compliance with these standards when proposing new or redevelopment that could affect historic structures in Hollister, and \*Policy LU-19.5 would require that prior to approving alteration (including demolition) of historically significant buildings, the City shall require the evaluation of alternatives, including structural preservation, relocation or other mitigation, and demonstrate that financing has been secured for replacement use. Demolition of historically significant buildings shall only be considered after all other options have been thoroughly reviewed and exhausted. Additionally, implementation of the 2040 General Plan would require the formation of a historic resources commission whose function would be to evaluate the proposed demolition or alteration of historic buildings or cultural resources to minimize development impact. Furthermore, HMC Section 15.04.050 adopts the California State Historic Building Code, which provides regulations for permitting repairs, alterations, and additions necessary for the preservation, rehabilitation, relocation, related construction, change of use, or continued use of a qualified historical building or structure. Section 15.16.060 of the HMC outlines the responsibilities of the Historic Resources Commission, including establishing criteria to conduct a comprehensive survey in conformance with federal and state survey standards and guidelines of historic resources; maintaining a local register of historic resources; and reviewing and commenting on the conduct of land use, housing and redevelopment, municipal improvement, and other types of planning and programs as they relate to the survey results and historic resources. Additionally, any permits for work for or on a designated historic resource are to be reviewed and approved by the commission staff, as outlined in HMC Section 15.16.090. HMC Section 17.16.030 establishes the procedure in the event of discovery of a historic resource during construction. Construction activities are to cease, and the City's Planning Department is to be notified so that a qualified historian may record the extent and location of discovered materials. Additionally, the City's Downtown Design Guidelines contain design guidelines for new development projects as well as downtown projects that involve renovating or modifying historic buildings (as determined by the National Register or local equivalent). These guidelines also apply to property owners who wish

to maintain the historical integrity of a building. The Downtown Design Guidelines include standards for renovating or modifying historic buildings and addresses roofs, building façades, projecting façade elements, landscaping, and mechanical equipment. The Downtown Design Guidelines are to be used in conjunction with the guidelines for the appropriate building types (i.e., main street commercial building, apartment flat building, townhouse building, or detached house building) and other resources, such as the Secretary of the Interior's standards. Finally, CEQA would require that future potential projects permitted under the 2040 General Plan with the potential to significantly impact historical resources be subject to project-level CEQA review wherein the future potential project's potential to affect the significance of a surrounding historical resource would be evaluated and mitigated to the extent feasible. The requirement for subsequent CEQA review, pursuant to state law, would minimize the potential for new development to indirectly affect the significance of existing historical resources to the maximum extent practicable. Potential impacts from future development on historical resources could lead to (1) demolition, which by definition results in the material impairment of a resource's ability to convey its significance; (2) inappropriate modification, which may use incompatible materials, designs, or construction techniques in a manner that alters character-defining features; and (3) inappropriate new construction, which could introduce incompatible new buildings that clash with an established architectural context. While any of these scenarios, especially demolition and alteration, have the potential to change the historic fabric or setting of an architectural resource such that the resource's ability to convey its significance may be materially impaired, adherence to the 2040 General Plan goals, policies, and actions, specifically, \*Policy LU-19.1, \*Policy LU-19.5, and HMC regulations identified, and compliance with federal and state laws, would ensure future development would not be detrimental or injurious to property or improvements in the vicinity and impacts would be less than significant.

**Impact CUL-2:** Impacts to known and unknown archeological resources could occur from potential future development under the 2040 General Plan.

**Finding:** The City finds that implementation of the mitigating 2040 General Plan policies and actions identified under Impact Discussion CUL-2 (pages 4.5-20 through 4.5-23) of the Revised Draft EIR would mitigate significant effects on the environment from Impact CUL-2 and is hereby adopted to mitigate significant effects from Impact CUL-2 to a less-than-significant level.

**Rationale:** Implementation of the 2040 General Plan goals, policies, and actions would ensure that new development in the EIR Study Area reduces potential impacts to archeological resources. Specifically, \*Policy NRC-2.3 would mitigate impacts from potential future development by requiring future project applicants to comply with state and federal standards to evaluate and mitigate impacts to archeological resources, including requiring that project areas found to contain significant archaeological resources be examined by a qualified consulting archaeologist with recommendations for protection and preservation. Additionally, the City plans to actively encourage infill development through the implementation of the 2040 General Plan to focus new residential and job-generating uses in the downtown and on residential and mixed-use infill sites where development already occurs and is in close proximity to existing infrastructure and services. The City does not support new urban development outside

the SOI and will work with the County to focus future development in already urbanized areas, thereby reducing the potential for unearthing archaeological resources on undeveloped lands. Specifically, Policy LU-1.1 requires the City to maintain a well-defined compact urban form that prioritizes infill development over the annexation of properties, thus reducing potential impacts to development in undisturbed lands which are more likely to contain unknown archaeological resources. Where development is considered outside of the SOI, future development with a proposed Specific Plan land use designation would be subject to additional site-specific policies to guide development and protect potential archeological resources in these areas. As demonstrated, the 2040 General Plan goals, policies, and actions encourage infill development, adaptive reuse of structures, development on underutilized land, and the protection of open spaces, and specifically \*Policy NRC-2.3 requires the City to evaluate and mitigate project-specific impacts to archeological resources, which would reduce the potential for disturbing archaeological deposits since ground-disturbing activities have already taken place in developed areas. As further shown in Impact Discussion CUL-4, the 2040 General Plan also promotes the registration of historic sites in the National and California Register and requires applicants of major development projects to consult with Native American representatives regarding cultural resources to identify locations of importance to Native Americans, including archaeological sites and traditional cultural properties. Compliance with existing federal, state, and local laws and regulations, and the 2040 General Plan goals, policies, and actions listed previously, would protect recorded and unrecorded archaeological deposits in the greater EIR Study Area by providing for the early detection of potential conflicts between development and resource protection, and by preventing or minimizing the material impairment of the ability of archaeological deposits to convey their significance through excavation or preservation would ensure that potential impacts from implementation of the 2040 General Plan would be less than significant.

**Impact CUL-4:** Impacts to tribal cultural resources (TCRs) could occur from potential future development under the 2040 General Plan.

**Finding:** The City finds that implementation of the mitigating 2040 General Plan policies and actions identified under Impact Discussion CUL-4 (pages 4.5-25 through 4.5-27) of the Revised Draft EIR would mitigate significant effects on the environment from Impact CUL-4 and is hereby adopted to mitigate significant effects from Impact CUL-4 to a less-than-significant level.

**Rationale:** Implementation of the 2040 General Plan goals, policies, and actions would ensure that new development in the EIR Study Area reduces potential impacts to TCRs. Specifically, 2040 General Plan \*Policy NRC-2.3 would mitigate impacts from potential future development by requiring future project applicants to comply with state and federal standards to evaluate and mitigate impacts to archeological resources; \*Policy NRC-2.4 would mitigate impacts by requiring the developer of a proposed project that could impact a TCR to contact an appropriate tribal representative to train construction workers on appropriate avoidance and minimization measures, requirements for confidentiality and culturally appropriate treatment, other applicable regulations, and consequences of violating State laws and regulations; and \*Policy NRC-2.5 would mitigate impacts by requiring project applicants to prepare preconstruction investigations of potential TCRs and on-site mitigation for all developments.

Implementation of these mitigating policies and compliance with existing federal, state, and local laws and regulations, and the 2040 General Plan goals, policies, and actions listed here and under Impact Discussion CUL-2 would protect unrecorded TCRs in the EIR Study Area by providing for the early detection of potential conflicts between development and resource protection, and by preventing or minimizing the material impairment of the ability of archaeological deposits to convey their significance through excavation or preservation. Therefore, the 2040 General Plan would result in a less-than-significant impact on TCRs.

## **Geology and Soils**

**Impact GEO-1:** Impacts from potential future development under the 2040 General Plan where there are known geological hazards could occur over the buildout horizon of the project.

**Finding:** The City finds that implementation of the mitigating 2040 General Plan policies and actions identified under Impact Discussion GEO-1 (pages 4.7-15 through 4.7-18) of the Revised Draft EIR would mitigate significant effects on the environment from Impact GEO-1 and is hereby adopted to mitigate significant effects from Impact GEO-1 to a less-than-significant level.

**Rationale:** Implementation of the goals, policies, and actions of the 2040 General Plan would reduce potential impacts from development in geologically hazardous areas. Specifically, 2040 General Plan \*Policy HS-1.1 would mitigate impacts by permitting development only in areas where potential danger to the health, safety, and welfare of the community can be adequately mitigated. This includes prohibiting development that would be subject to severe flood damage or geological hazard due to its location and/or design and that cannot be mitigated to safe levels; \*Policy HS-1.2 would mitigate impacts by requiring require project applicants to prepare appropriate studies to assess identified hazards and ensure that impacts are adequately mitigated prior to project approval; \*Policy HS-3.2 would mitigate impacts by requiring that all geologic hazards be adequately addressed and mitigated through project development. Development proposed within areas of potential geological hazards shall not be endangered by, nor contribute to, the hazardous conditions on the site or on adjoining properties, and \*Policy HS-3.3 would mitigate impacts by requiring engineering tests for those development projects that may be exposed to impacts associated with expansive soils, so that building foundation footings, utility lines, roadways, and sidewalks can be designed to accept the estimated degree of soil contraction, expansion and settlement, according to the standards of the Uniform Building Code. Implementation of these goals, policies, and actions, and specifically \*Policy HS-1.1, \*Policy HS-1.2, \*Policy HS-3.2, and \*Policy HS-3.3 of the 2040 General Plan, as well as compliance with state, regional, and local regulations pertaining to structural safety regarding fault rupture, ground shaking, liquefaction, and landslides, would ensure that potential future development that results from implementation of the 2040 General Plan would not directly or indirectly cause substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, or landslides. Therefore, impacts would be less than significant.

## Noise

**Impact NOI-2.1:** Construction activities associated with potential future development under the 2040 General Plan could generate excessive short-term vibration levels during project construction.

**Finding:** The City finds that implementation of the mitigating 2040 General Plan policies and actions identified under Impact Discussion NOI-2 (pages 4.13-37 through 4.13-40) of the Revised Draft EIR would mitigate significant effects on the environment from Impact NOI-2.1 and is hereby adopted to mitigate significant effects from Impact NOI-2.1 to a less-than-significant level.

**Rationale:** Implementation of 2040 General Plan Policy HS-8.3 requires the City to regulate construction activity to reduce noise as established in the Hollister Noise Ordinance, which prohibits noise sources from excessive or unusually loud noises and vibrations from any and all sources in the community. \*Action HS-8.1 requires the City to review all development proposals to verify that the proposed development would not increase noise beyond the City's established thresholds. \*Action HS-8.8 requires the City to adopt vibration thresholds based on the Federal Transit Administration (FTA) criteria for acceptable levels of groundborne vibration for various types of construction equipment and should the FTA criteria be exceeded, a list of alternate methods/equipment shall be established, as provided above. This would ensure that construction vibration impacts would remain less than significant because alternate methods/equipment with less or no vibration, such as those shown in Table 4.13-14, would meet the thresholds. As part of the project approval process, future project applicants would be required to comply with these new standards in the HMC pursuant to \*Action HS-8.6 which requires the City to revise the Noise Ordinance to incorporate the noise-related policies presented in the Hollister General Plan. Furthermore, HMC Section 17.10.040 requires the City to not approve any land use that generates ground vibration perceptible without instruments at any point along or outside the property line of the use, except for motor vehicle operations. Therefore, the temporary program-level construction vibration impacts associated with implementation of the 2040 General Plan are considered less than significant.

**Impact NOI-2.2:** Operational activities associated with potential future development under the 2040 General Plan could generate excessive long-term vibration levels.

**Finding:** The City finds that implementation of the mitigating 2040 General Plan policies and actions identified under Impact Discussion NOI-2 (pages 4.13-40 through 4.13-41) of the Revised Draft EIR would mitigate significant effects on the environment from Impact NOI-2.2 and is hereby adopted to mitigate significant effects from Impact NOI-2.2 to a less-than-significant level.

**Rationale:** Implementation of 2040 General Plan \*Action HS-8.8 requires the City to adopt vibration thresholds based on the Federal Transit Administration (FTA) criteria. The FTA establishes vibration limits from operational activities in order for impacts to be less than significant on a project-by-project basis. For vibration annoyance from operational sources, the FTA recommends the following criteria for frequent events: 65 Vibration Decibel (VdB) for highly sensitive uses with vibration-sensitive equipment (e.g., microscopes in hospitals and research facilities) and 72 VdB for residences. As part of the project approval process, future project applicants would be required to

comply with these new standards in the HMC pursuant to \*Action HS-8.6 which requires the City to revise the Noise Ordinance to incorporate the noise-related policies presented in the Hollister General Plan. Furthermore, \*Action HS-8.1 requires the City to review all development proposals to verify that the proposed development would not significantly increase noise beyond the City's established thresholds. Therefore, with implementation of the 2040 General Plan \*Action HS-8.1, \*Action HS-8.6, and \*Action HS-8.8, vibration from operation impacts is considered less than significant.

### **C. Findings on Significant Environmental Impacts That Cannot Be Avoided or Reduced to a Less-Than-Significant Level**

**FINDING:** Based on the issue area assessment in the EIR, the City has determined that the 2040 General Plan will have significant impacts in the resource areas discussed below, and that these impacts cannot be avoided or reduced despite the incorporation of all feasible mitigation measures. These findings are based on the discussion of impacts in the detailed issue area analyses and cumulative impacts in Chapter 4.2, *Agricultural Resources*; Chapter 4.3, *Air Quality*; Chapter 4.13, *Noise*; and Chapter 4.16, *Transportation*, of the Draft EIR. For each significant and unavoidable impact identified below, the City has made a finding(s) pursuant to Public Resources Code Section 21081. An explanation of the rationale for each finding is also presented below.

#### **Agricultural Resources**

**Impact AG-1:** Implementation of the project would result in the conversion of Prime Farmland, Farmland of Statewide Importance, or Unique Farmland land (together referred to as "qualified Farmland") to nonagricultural land uses.

**Finding:** As part of the project, the City will implement the following mitigating 2040 General Plan policy and action, in addition to the other 2040 General Plan policies and actions identified under Impact Discussion AG-1 (pages 4.2-9 through 4.2-14) of the Revised Draft EIR:

- **\*Policy OS-2.1: Offsets for Loss of Agricultural Land.** Require that all new developments that convert agricultural land to urban uses provide for preservation of the same amount agricultural land in perpetuity.
- **\*Action OS-2.1: Offsets for Agricultural Land Conversion.** Require the creation and adoption of an agricultural preservation program to address the conversion of land classified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance in the City Limits and Sphere of Influence to nonagricultural uses.

The City finds that implementation of these mitigating 2040 General Plan policy and action is feasible and is hereby adopted to mitigate significant effects on the environment from Impact AG-1. However, even with implementation of these policy and action, significant unavoidable impacts will occur as described below. Therefore, the City finds that specific economic, legal, social, technological, or other considerations make it infeasible to reduce Impact AG-1 to a less-than-significant level.

**Rationale:** In compliance with CEQA, "each public agency shall mitigate or avoid the significant effects on the environment of the project it carries out or approves whenever



it is feasible to do so.”<sup>2</sup> The term “feasible” is defined in CEQA to mean, “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.”<sup>3</sup> CEQA Guidelines Section 15370 defines “mitigation” as: (1) avoiding the impact altogether by not taking a certain action or parts of an action; (2) minimizing impacts by limiting the degree or magnitude of an action and its implementation; (3) rectifying the impact by repairing, rehabilitating, or restoring the impacted environment; (4) reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action; and (5) compensating for the impact by replacing or providing substitute resources or environments. The following is a brief discussion of the mitigation measures considered for mitigating or avoiding the impact of the conversion of agricultural lands to other uses and their infeasibility. However, as shown, no feasible mitigation measures are available that would reduce the agricultural resource impact to less-than-significant levels.

- **Replacement of Agricultural Resources.** This measure would replace the existing agricultural use with the same use on other property that is not currently used for agriculture. From a statewide perspective, the replacement of farmland means that there will be no net loss of farmland in the state. However, qualified Farmlands would still be developed. There is limited undeveloped land within the SOI of the EIR Study Area that is not currently designated as agricultural, restricting the amount of agricultural land that would be able to be replaced elsewhere in the area, and thus conversion of these lands would be insufficient to achieve no net loss. Moreover, even if adequate land could be identified to achieve no net loss, the challenges of creating the soil, irrigation, climatic, and economic conditions that are required for productive farmland (i.e., that achieves the same Important Farmland, Farmland of Statewide Importance, or Unique Farmland status) are significant and there would be no guarantee that replacement land could be successfully farmed. In addition, replacing existing undeveloped areas with active agriculture could trigger a range of negative environmental impacts, including increased groundwater consumption, habitat destruction, erosion, air quality impacts, and herbicide and pesticide application. As such, the replacement of the existing agricultural uses on other properties within the SOI is infeasible.
- **Transfer of Development Rights.** Transferring development rights would involve the purchasing of the right to develop land from a currently undeveloped piece of land and transferring those rights to farmland within the city. Thus, this option is also infeasible because there would still be a net loss of farmland (i.e., the farmland preserved would still likely be preserved anyhow). Even if farmland would be preserved elsewhere in San Benito County, the qualified Farmland in the city would be developed, resulting in a net loss of Farmland. Therefore, for the reasons outlined previously, and in this paragraph, it would not prevent significant impacts from occurring in the city and it would not be an effective CEQA mitigation measure, nor is this mitigation measure feasible from an economic perspective within this region.

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<sup>2</sup> Public Resources Code, Section 21002.1(b).

<sup>3</sup> Public Resources Code, Section 21061.1

- **Relocation of Prime Farmland Topsoil.** This measure would remove the top 12 to 18 inches of topsoil from affected areas and haul this soil to a farm site or several farm sites that have lower-quality soils. The Prime Farmland, Farmland of Statewide Importance, or Unique Farmland soils may assist in increasing crop yield at the relocated site. This measure would have its own environmental impacts, including increased truck traffic on local roadways from both hauling soil off-site and replacement of soil on-site, increased diesel truck emissions, construction noise, and increased duration of construction. The relocation of prime farmland soils on another active farm would increase other environmental impacts and is therefore considered infeasible.

As described, these measures were considered and found to be infeasible for mitigating or avoiding the impact of the conversion of agricultural lands to other uses pursuant to the definition of CEQA in that there is no guarantee that measures would result in successfully establishing Important Farmland, Farmland of Statewide Importance, or Unique Farmland, if doing so could happen within a reasonable period of time, that their implementation would not potentially cause greater environmental impacts, and that acquiring additional lands to be established as Important Farmland, Farmland of Statewide Importance, or Unique Farmland would be economically possible.

As discussed previously, implementation of the 2040 General Plan would designate qualified Farmland as nonagricultural land uses. Through the 2040 General Plan goals, policies, and actions, and the ALPP, impacts related to the conversion of qualifying agricultural lands would be reduced, but not to a less-than-significant level. The 2040 General Plan contains a policy and action to mitigate and reduce the conversion of qualifying agricultural lands. Specifically, \*Policy OS-2.1 and \*Action OS-2.1 requiring all new developments that convert agricultural land to urban uses provide for the preservation of agricultural land at a 1:1 ratio, which are being implemented via the ALPP. \*Policy OS-2.1, \*Action OS-2.1, and the ALPP, would not reduce the amount of acreage converted under buildout of the 2040 General Plan; however, they would forestall development of the best agricultural land within the EIR Study Area. While these efforts and other mitigation measures were considered, such as preserving agricultural uses in the EIR Study Area, replacement of agricultural resources by replacing lost agricultural uses to other areas of the city, and relocation of Prime Farmland topsoil to other areas, these mitigations are not feasible. While these efforts and other mitigating efforts, such as Policy OS-2.3 encouraging San Benito County to focus future development within the areas identified for development; Policy OS-2.4 requiring coordination with the County of San Benito in efforts to maintain prime farmlands, unique farmlands, and farmlands of statewide significance in active agricultural use; and Action OS-2.3 to establish and maintain an Urban Growth Boundary that delineates future urbanization areas from areas in which urbanization will not occur, work to mitigate impacts, the only way to fully avoid the agricultural impact from implementation of the project is to not allow the conversion of state-designated Prime Farmland, Farmland of Statewide Importance, or Unique Farmland to nonagricultural land uses, thereby eliminating the agricultural impact. However, doing so is not feasible or practical as the City has a responsibility to meet other conflicting obligations, including increases in the number and type of jobs available in Hollister and to reduce the need for residents to commute to high-quality jobs. These measures are

critical to reducing single-occupant vehicle travel to and from Hollister and meeting State targets for greenhouse gas reduction. The City needs to promote both economic development and corresponding residential development, as required by State housing law, within its City Limits. While possible forms of mitigation for, or avoidance of, conservation of agricultural lands in the EIR Study Area would be implemented by the City through \*Policy OS-2.1,\*Action OS-2.1, and the ALPP, doing so to reduce impacts to a less-than-significant level would be infeasible and inconsistent with City planning goals and objectives. Therefore, impacts would remain significant and unavoidable.

**Impact AG-2:** Implementation of the project would result in the loss of agricultural land under the Williamson Act.

**Finding:** As part of the project, the City will implement the following mitigating 2040 General Plan policy and action, in addition to the other 2040 General Plan policies and actions identified under Impact Discussion AG-2 (pages 4.2-15 through 4.2-16) of the Revised Draft EIR:

- **\*Policy OS-2.1: Offsets for Loss of Agricultural Land.** Require that all new developments that convert agricultural land to urban uses provide for preservation of the same amount agricultural land in perpetuity.
- **\*Action OS-2.1: Offsets for Agricultural Land Conversion.** Require the creation and adoption of an agricultural preservation program to address the conversion of land classified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance in the City Limits and Sphere of Influence to nonagricultural uses.

The City finds that implementation of these mitigating 2040 General Plan policy and action is feasible and is hereby adopted to mitigate significant effects on the environment from Impact AG-2. However, even with implementation of these policy and action, significant unavoidable impacts will occur as described below. Therefore, the City finds that specific economic, legal, social, technological, or other considerations make it infeasible to reduce Impact AG-2 to a less-than-significant level.

**Rationale:** As described under Impact Discussion AG-1, pursuant to CEQA, the City has considered mitigation to reduce impacts from implementation of the project that could conflict with lands under a Williamson Act contract. However, as shown, no feasible mitigation measures are available that would reduce the agricultural resource impact to less-than-significant levels. Specifically, the City considered a measure that would result in the replacement of Williamson Act contract farmland that would place other farmland under Williamson Act contract. Even if feasible, the placing of alternative farmland under Williamson Act contract would establish a commitment to retain that alternative farmland for agricultural use. The length of time that the alternative land will remain in agricultural use would depend on the terms of the Williamson Act contract. However, the Williamson Act contract will only reduce the potential that the alternative land will convert to nonagricultural use. The individual and cumulative loss of agricultural land caused by the project would still occur. Therefore, this mitigation measure will not reduce impacts on agriculture to below the level of significance. For these reasons, placing alternative privately held land under permanent restriction through Williamson Act contracts is considered infeasible. As described under Impact Discussion AG-1, the 2040 General Plan includes a policy and action to mitigate and reduce the conversion of qualifying agricultural lands. \*Policy OS-2.1 and \*Action OS-

2.1 requiring all new developments that convert agricultural land to urban uses provide for the preservation of agricultural land at a 1:1 ratio, which are being implemented via the ALPP. \*Policy OS-2.1, \*Action OS-2.1, and the ALPP would also minimize impacts from conflicts with Williamson Act lands and reduce the likelihood of premature contract cancellations by the property owners of the Williamson Act parcels in the EIR Study Area. Additional mitigation for this impact was considered, including the placement of other farmland under Williamson Act contract. However, the individual and cumulative loss of agricultural land under the Williamson Act caused by the project would still occur. Given that CEQA does not require that the project be changed to avoid an impact, and no additional mitigation is available, this would result in a significant and unavoidable impact.

**Impact AG-4:** The proposed project, in combination with past, present, and reasonably foreseeable projects, could result in a significant cumulative impact with respect to the conversion of farmland of concern under CEQA and Williamson Act properties to nonagricultural uses.

**Finding:** As part of the project, the City will implement the following mitigating 2040 General Plan policy and action, in addition to the other 2040 General Plan policies and actions identified under Impact Discussion AG-4 (pages 4.2-18 through 4.2-19) of the Revised Draft EIR:

- **\*Policy OS-2.1: Offsets for Loss of Agricultural Land.** Require that all new developments that convert agricultural land to urban uses provide for preservation of the same amount agricultural land in perpetuity.
- **\*Action OS-2.1: Offsets for Agricultural Land Conversion.** Require the creation and adoption of an agricultural preservation program to address the conversion of land classified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance in the City Limits and Sphere of Influence to nonagricultural uses.

The City finds that implementation of these mitigating 2040 General Plan policy and action is feasible and is hereby adopted to mitigate significant effects on the environment from Impact AG-4. However, even with implementation of these policies and actions, significant unavoidable impacts will occur as described below. Therefore, the City finds that specific economic, legal, social, technological, or other considerations make it infeasible to reduce Impact AG-4 to a less-than-significant level.

**Rationale:** As described previously, implementation of the project would result in significant impacts related to the conversion of qualified Farmland under CEQA and Williamson Act properties to nonagricultural uses. As such, the project would contribute to the cumulative impact described in the San Benito County General Plan Update EIR. Although the 2040 General Plan \*Policy OS-2.1, \*Action OS-2.1, and the ALPP would reduce and partially offset regional agricultural impacts, as well as consideration of mitigation measures to avoid conversion, the only way to fully avoid the agricultural impact of the project is to not allow development on state-designated farmland. However, this would be infeasible and inconsistent with City planning goals and objectives. Further, the amount of growth foreseen in the region and the decisions of San Benito County and other surrounding counties regarding conversion of agricultural land are outside the control of the City of Hollister. Therefore, this impact would be significant and unavoidable.

## Air Quality

**Impact AIR-1:** Implementation of the project would result in the generation of substantial operational (long-term) criteria air pollutant emissions that would exceed Monterey Bay Air Resources District's (MBARD's) regional significance threshold for Volatile Organic Compounds (VOC), nitrogen oxides (NO<sub>x</sub>), and carbon monoxide (CO) and would; therefore, not be considered consistent with the existing Air Quality Management Plan (AQMP).

**Finding:** As part of the project, the City will implement the following mitigating 2040 General Plan policy, in addition to the other 2040 General Plan policies and actions identified under Impact Discussion AIR-1 (pages 4.3-34 through 4.3-37) of the Revised Draft EIR:

- **\*Policy NRC-3.6: Technical Assessments.** Require project applicants to prepare technical assessments evaluating potential project construction and operation phase-related air quality impacts to the City of Hollister for review and approval prior to project approval. Such evaluations shall be prepared in conformance with Monterey Bay Air Resources District (MBARD) criteria and methodology in assessing air quality impacts. If air pollutants are found to have the potential to exceed the MBARD-adopted thresholds of significance, ensure mitigation measures, such as those listed in the General Plan Environmental Impact Report, are incorporated to reduce air pollutant emissions during construction or operational activities.

The City finds that implementation of this mitigating 2040 General Plan policy is feasible and is hereby adopted to mitigate significant effects on the environment from Impact AIR-1. However, even with implementation of this policy, significant unavoidable impacts will occur as described below. Therefore, the City finds that specific economic, legal, social, technological, or other considerations make it infeasible to reduce Impact AIR-1 to a less-than-significant level.

**Rationale:** The various goals, policies, and actions of the 2040 General Plan identified under Impact Discussions AIR-1 and AIR-2, in addition to applicable MBARD rules and regulations, would reduce operational (long-term) criteria air pollutant emissions to the extent feasible. Specifically, \*Policy NRC-3.6 would mitigate impacts by requiring project applicants to prepare technical assessments evaluating potential project construction and operation phase-related air quality impacts and submit to the City of Hollister for review and approval. Pursuant to \*Policy NRC-3.6, the evaluations must be prepared in conformance with MBARD criteria and methodology in assessing air quality impacts. Where the technical assessment finds that air pollutants have the potential to exceed the MBARD-adopted thresholds of significance, the technical assessment shall identify project-specific mitigation measures to reduce air pollutant emissions during construction or operational activities. Examples of types of project-specific mitigation measures that are available to future projects in Hollister are listed in Impact Discussion AIR-2. However, because of the magnitude and intensity of development accommodated by the 2040 General Plan, as well as regional air quality influences beyond the control of Hollister, impacts associated with consistency with the MBARD would remain significant and unavoidable. No additional feasible mitigation measures or mitigating policies at the program level would ensure consistency of the project with the

MBARD's AQMP. The identification of this program-level impact does not preclude the finding of less-than-significant impacts for subsequent individual projects that meet applicable project-level thresholds of significance.

**Impact AIR-2a:** Operation of development projects that could occur from implementation of the project would generate emissions that would exceed MBARD's regional significance thresholds for VOC, NO<sub>x</sub>, and CO.

**Finding:** As part of the project, the City will implement the following mitigating 2040 General Plan policy, in addition to the other 2040 General Plan policies and actions identified under Impact Discussion AIR-2 (pages 4.3-38 through 4.3-46) of the Revised Draft EIR:

- **\*Policy NRC-3.6: Technical Assessments.** Require project applicants to prepare technical assessments evaluating potential project construction and operation phase-related air quality impacts to the City of Hollister for review and approval prior to project approval. Such evaluations shall be prepared in conformance with Monterey Bay Air Resources District (MBARD) criteria and methodology in assessing air quality impacts. If air pollutants are found to have the potential to exceed the MBARD-adopted thresholds of significance, ensure mitigation measures, such as those listed in the General Plan Environmental Impact Report, are incorporated to reduce air pollutant emissions during construction or operational activities.

The City finds that implementation of this mitigating 2040 General Plan policy is feasible and is hereby adopted to mitigate significant effects on the environment from Impact AIR-2a. However, even with implementation of this policy, significant unavoidable impacts will occur as described below. Therefore, the City finds that specific economic, legal, social, technological, or other considerations make it infeasible to reduce Impact AIR-2a to a less-than-significant level.

**Rationale:** Long-term emissions for VOC that could occur over the buildout horizon of the 2040 General Plan would exceed MBARD's regional significance thresholds and cumulatively contribute to the nonattainment designation of the North Central Coast Air Basin (NCCAB). The goals, policies, and actions of the 2040 General Plan, and implementation of MBARD Rule 207, *Review of New or Modified Sources*, would reduce air pollutant emissions to the extent feasible. Specifically, \*Policy NRC-3.6 would mitigate impacts by requiring project applicants to prepare technical assessments evaluating potential project construction and operation phase-related air quality impacts to the City of Hollister for review and approval. Pursuant to \*Policy NRC-3.6, the evaluations must be prepared in conformance with MBARD criteria and methodology in assessing air quality impacts. Where the technical assessment finds that air pollutants have the potential to exceed the MBARD-adopted thresholds of significance, the technical assessment shall identify project-specific mitigation measures to reduce air pollutant emissions during construction or operational activities. Possible mitigation measures for potential future project-specific developments to reduce operational (long-term) emissions can include, but are not limited to the following:

- Provide preferential carpool/vanpool parking spaces
- Implement a parking surcharge for single occupant vehicles
- Provide for shuttle/mini-bus service

- Provide bicycle storage/parking facilities and bicycle paths within major subdivisions that link to an external network
- Provide shower/locker facilities
- Provide onsite child care centers
- Provide transit design features within the development
- Develop park-and-ride lots
- Off-site mitigation
- Employ a transportation/rideshare coordinator
- Implement a rideshare program
- Provide incentives to employees to rideshare or take public transportation
- Implement flexible work schedules that do not reduce transit ridership
- Implement compressed work schedules
- Implement telecommuting program
- Provide pedestrian facilities within major subdivisions

The measures and policies covering topics such as expansion of the pedestrian and bicycle networks, promotion of public and active transit, and support to increase building energy efficiency and energy conservation would also reduce criteria air pollutants within the city. However, operational (long-term) emissions would remain *significant and unavoidable* due to the increase in VOCs from residential development and increase in NO<sub>x</sub> and CO from mobile sources associated with the project.

This EIR quantifies the increase in criteria air pollutants emissions in the city. However, at a programmatic level analysis, it is not feasible to quantify the increase in toxic air contaminants (TACs) from stationary sources associated with the project or meaningfully correlate how regional criteria air pollutant emissions above the MBARD's significance thresholds correlate with basin wide health impacts.

To determine cancer and noncancer health risk, the location, velocity of emissions, meteorology and topography of the area, and locations of receptors are equally important as model parameters as the quantity of TAC emissions. The white paper prepared by the Association of Environmental Professionals' Climate Change Committee, *We Can Model Regional Emissions, But Are the Results Meaningful for CEQA*, describes several of the challenges of quantifying local effects—particularly health risks—for large-scale, regional projects, and these are applicable to both criteria air pollutants and TACs.

Similarly, the two amicus briefs filed by the air districts on the Friant Ranch case describe two positions regarding CEQA requirements, modeling feasibility, variables, and reliability of results for determining specific health risks associated with criteria air pollutants. The discussions also include the distinction between criteria air pollutant emissions and TACs with respect to health risks. Additionally, the MBARD's *CEQA Air Quality Guidelines* demonstrate the infeasibility based on the current guidance/methodologies. The following summarizes major points about the infeasibility of assessing health risks of criteria air pollutant emissions and TACs associated with implementation of a general plan. The white paper and amicus briefs are provided in Appendix B, *Revised Air Quality and Greenhouse Gas Emissions Data*, of the Revised Draft EIR.

To achieve and maintain air quality standards, the MBARD has established numerical emission indicators of significance for regional and localized air quality impacts for both construction and operational phases of a local plan or project. MBARD has established criteria for Negative Declarations, Mitigated Negative Declarations, and EIRs which can be used by lead agencies as a checklist to determine a project's significance on air quality.<sup>4</sup> The numerical emission indicators are based on the recognition that the NCCAB is a distinct geographic area with a critical air pollution problem for which ambient air quality standards have been promulgated to protect public health. The thresholds represent the maximum emissions from a plan or project that are expected not to cause or contribute to an exceedance of the most stringent applicable national or state ambient air quality standard. By analyzing the plan's emissions against the thresholds, an EIR assesses whether these emissions directly contribute to any regional or local exceedances of the applicable ambient air quality standards and exposure levels.

MBARD currently does not have methodologies that would provide the city with a consistent, reliable, and meaningful analysis to correlate specific health impacts that may result from a proposed project's mass emissions. For criteria air pollutants, exceedance of the regional significance thresholds cannot be used to correlate a project to quantifiable health impacts unless emissions are sufficiently high to use a regional model. MBARD has not provided methodology to assess the specific correlation between mass emissions generated and their effect on health (note Appendix B, *Revised Air Quality and Greenhouse Gas Emissions Data*, of the Revised Draft EIR provides the San Joaquin Valley Air Pollution Control District's amicus brief and South Coast Air Quality Management District's amicus brief).

Ozone concentrations depend on a variety of complex factors, including the presence of sunlight and precursor pollutants, natural topography, nearby structures that cause building downwash, atmospheric stability, and wind patterns. Secondary formation of particulate matter (PM) and ozone can occur far from sources as a result of regional transport due to wind and topography (e.g., low-level jet stream). Photochemical modeling depends on all emission sources in the entire domain (i.e., modeling grid). Low resolution and spatial averaging produce "noise" and modeling errors that usually exceed individual source contributions. Because of the complexities of predicting ground-level ozone concentrations in relation to the National Ambient Air Quality Standards (AAQS) and California AAQS, it is not possible to link health risks to the magnitude of emissions exceeding the significance thresholds.

Current models used in CEQA air quality analyses are designed to estimate potential project construction and operation emissions for defined projects. The estimated emissions are compared to significance thresholds, which are keyed to reducing emissions to levels that will not interfere with the region's ability to attain the health-based standards. This serves to protect public health in the overall region, but there is

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<sup>4</sup> The criteria for Negative Declarations are equivalent to those for a NEPA Finding of No Significant Impact (FONSI) while the criteria for an EIR are equivalent to those for a NEPA Environmental Impact Statement (EIS).



currently no CEQA methodology to determine the impact of emissions (e.g., pounds per day) on future concentration levels (e.g., parts per million or micrograms per cubic meter) in specific geographic areas. CEQA thresholds, therefore, are not specifically tied to potential health outcomes in the region.

Further, as shown in Table 4.3-10, *Net Change in Regional Criteria Air Pollutant Emissions from Existing Baseline*, of the Revised Draft EIR, compared to existing baseline year conditions, emissions of NO<sub>x</sub> are projected to decrease from current levels and be below MBARD's regional significance threshold despite growth associated with the 2040 General Plan. Meaning, that the finding that the project would cumulatively contribute to health effects is conservative in light of reductions in emissions as a result of improvements in technology. However, because cumulative development within the city would exceed the regional significance thresholds compared to the no project conditions, this EIR identifies that the project could contribute to an increase in health effects in the NCCAB until the attainment standards are met.

The EIR must provide an analysis that is understandable for decision making and public disclosure. Regional-scale modeling may provide a technical method for this type of analysis, but it does not necessarily provide a meaningful way to connect the magnitude of a project's criteria pollutant emissions to health effects without speculation. Additionally, this type of analysis is not feasible at a general plan level because the location of emissions sources and quantity of emissions are not known.

In summary, as described above, implementation of the project would generate emissions that would exceed MBARD's regional significance thresholds for VOC, NO<sub>x</sub>, and CO. The 2040 General Plan includes goals, policies, and actions to reduce these long-term regional criteria air pollutant emissions. \*Policy NCR-3.6 requires potential future development in Hollister to prepare and submit a technical assessment evaluating potential project operation phase-related air quality impacts to the City of Hollister for review and approval prior to project approval by the City. Where the technical assessment determines the MBARD-adopted thresholds are exceeded, the applicants for new development projects would be required to incorporate mitigation measures to reduce air pollutant emissions during operational activities. Due to the programmatic nature of this EIR, no additional mitigation measures or mitigating policies are available, and the impact is found to be significant and unavoidable. The identification of this program-level impact does not preclude the finding of less-than-significant impacts for subsequent individual projects that meet applicable thresholds of significance.

**Impact AIR-2b:** Construction activities that could occur over the buildout horizon of the 2040 General Plan would generate substantial short-term criteria air pollutant emissions that would exceed MBARD's regional significance thresholds and cumulatively contribute to the nonattainment designations of the NCCAB.

**Finding:** As part of the project, the City will implement the following mitigating 2040 General Plan policy, in addition to the other 2040 General Plan policies and actions identified under Impact Discussion AIR-2 (pages 4.3-46 through 4.3-49) of the Revised Draft EIR:

- **\*Policy NRC-3.6: Technical Assessments.** Require project applicants to prepare technical assessments evaluating potential project construction and operation phase-related air quality impacts to the City of Hollister for review and approval prior to project approval. Such evaluations shall be prepared in conformance with Monterey Bay Air Resources District (MBARD) criteria and methodology in assessing air quality impacts. If air pollutants are found to have the potential to exceed the MBARD-adopted thresholds of significance, ensure mitigation measures, such as those listed in the General Plan Environmental Impact Report, are incorporated to reduce air pollutant emissions during construction or operational activities.

The City finds that implementation of this mitigating 2040 General Plan policy is feasible and is hereby adopted to mitigate significant effects on the environment from Impact AIR-2b. However, even with implementation of this policy, significant unavoidable impacts will occur as described below. Therefore, the City finds that specific economic, legal, social, technological, or other considerations make it infeasible to reduce Impact AIR-2b to a less-than-significant level.

**Rationale:** Implementation of the project would occur over a period of 15 years or longer. Construction activities associated with development that could occur under the project could generate short-term emissions that exceed the MBARD's significance thresholds during this time and cumulatively contribute to the nonattainment designations of the NCCAB. Implementation of applicable regulatory measures (e.g., MBARD Rule 400, *Visible Emissions*, Rule 402, *Nuisances*, and Rule 426, *Architectural Coatings*) and the 2040 General Plan goals and policies identified under Impact Discussion AIR-2 (pages 4.3-46 through 4.3-49) of the Revised Draft EIR would reduce criteria air pollutant emissions from construction-related activities to the extent feasible and may result in reducing construction-related regional air quality impacts of subsequent individual projects to less than significant. Specifically, \*Policy NRC-3.6 would mitigate impacts by requiring project applicants to prepare technical assessments evaluating potential project construction and operation phase-related air quality impacts to the City of Hollister for review and approval. Pursuant to \*Policy NRC-3.6, the evaluations must be prepared in conformance with MBARD criteria and methodology in assessing air quality impacts. Where the technical assessment finds that air pollutants have the potential to exceed the MBARD-adopted thresholds of significance, the technical assessment shall identify project-specific mitigation measures to reduce air pollutant emissions during construction or operational activities. Future project-specific mitigation measures to reduce construction-related emissions could include, but are not limited to:

- Using construction equipment rated by the United States Environmental Protection Agency as having Tier 4 interim (model year 2008 or newer) or higher emission limits, applicable for engines between 50 and 750 horsepower. A list of construction equipment by type and model year shall be maintained by the construction contractor on-site, which shall be available for City review upon request.

- Ensuring construction equipment is properly serviced and maintained to the manufacturer's standards.
- Use of alternative-fueled or catalyst-equipped diesel construction equipment, if available and feasible.
- Clearly posted signs that require operators of trucks and construction equipment to minimize idling time (e.g., five-minute maximum).
- Preparation and implementation of a fugitive dust control plan that may include the following measures:
  - Water all active construction areas at least twice daily. Frequency should be based on the type of operation, soil, and wind exposure.
  - Prohibit all grading activities during periods of high wind (over 15 miles per hour).
  - Apply chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days).
  - Apply non-toxic binders (e.g., latex acrylic copolymer) to exposed areas after cut and fill operations and hydro seed area.
  - Haul trucks shall maintain at least two feet and zero inches of freeboard.
  - Cover all trucks hauling dirt, sand, or loose materials.
  - Plant tree windbreaks on the windward perimeter of construction projects, if adjacent to open land.
  - Plant vegetative ground cover in disturbed areas as soon as possible.
  - Cover inactive storage piles.
  - Install wheel washers at the entrance to construction sites for all exiting trucks.
  - Pave all roads on construction sites.
  - Sweep streets if visible soil material is carried out from the construction site.
  - Post a publicly visible sign which specifies the telephone number and person to contact regarding dust complaints. This person shall respond to complaints and take corrective action within 48 hours. The phone number of the MBARD shall be visible to ensure compliance with Rule 402 (Nuisances).
  - Limit the area under construction at any one time.

However, due to the programmatic nature of the project, construction time frames and equipment for individual site-specific projects are not available and there is a potential for multiple developments to be constructed at any one time, resulting in significant construction-related emissions. Therefore, despite adherence to \*Policy NRC-3.6 and due to the programmatic nature of the project, no additional mitigation measures or mitigating policies are available, and this impact would remain significant and unavoidable. The identification of this program-level impact does not preclude the finding of less-than-significant impacts for subsequent individual projects that meet applicable thresholds of significance.

**Impact AIR-3a:** Implementation of the project could expose air quality sensitive receptors to substantial toxic air contaminant concentrations from non-permitted sources during operation.

**Finding:** As part of the project, the City will implement the following mitigating 2040 General Plan policy, in addition to the other 2040 General Plan policies and actions identified under Impact Discussion AIR-3 (pages 4.3-50 through 4.3-54) of the Revised Draft EIR:

- **\*Policy NRC-3.15: Operational Health Risk Assessment.** Require project applicants of discretionary projects to prepare an operational health risk assessment (HRA) for industrial or warehousing land uses and commercial land uses that would generate substantial diesel truck travel (i.e., 100 diesel trucks or 40 or more trucks with diesel-powered transport refrigeration units per day based on the California Air Resources Board recommendations for siting new sensitive land uses) prior to project approval. The operational HRA shall be prepared in accordance with policies and procedures of the State Office of Environmental Health Hazard Assessment and the Monterey Bay Air Resources District (MBARD). If the operational HRA shows that the incremental cancer risk exceeds 10 in a million, the appropriate noncancer hazard index exceeds 1.0; or the thresholds as determined by the MBARD, the City shall require the project applicant to identify and demonstrate measures, such as those listed in the General Plan Environmental Impact Report, that can reduce potential cancer and noncancer risks to an acceptable level.

The City finds that implementation of this mitigating 2040 General Plan policy is feasible and is hereby adopted to mitigate significant effects on the environment from Impact AIR-3a. However, even with implementation of this policy, significant unavoidable impacts will occur as described below. Therefore, the City finds that specific economic, legal, social, technological, or other considerations make it infeasible to reduce Impact AIR-3a to a less-than-significant level.

**Rationale:** Potential future development from implementation of the 2040 General Plan could result in a substantial increase in diesel particulate matter (DPM) near existing or planned air quality sensitive receptors (e.g., children, the elderly, the acutely ill, and the chronically ill, especially those with cardiorespiratory diseases, disadvantaged communities). 2040 General Plan \*Policy NRC-3.15 would mitigate impacts by requiring that applicants of industrial or warehousing land uses in addition to commercial land uses that would generate substantial diesel truck travel (i.e., 100 diesel trucks per day or 40 or more trucks with diesel-powered transport refrigeration units per day based on the California Air Resources Board recommendations for siting new sensitive land uses) to prepare and submit an operational health risk assessment (HRA) to the City of Hollister for review and approval. If the operational HRA determines the new development poses health hazards that increase the incremental cancer risk above the threshold established by MBARD, project-specific mitigation measures shall be integrated to reduce cancer and acute risk below the MBARD threshold. The operational HRA is required to be prepared in accordance with policies and procedures of the State Office of Environmental Health Hazard Assessment and MBARD. If the operational HRA shows that the incremental cancer risk exceeds 10 in a million, the appropriate noncancer hazard index exceeds 1.0; or the thresholds as determined by the MBARD at the time a project is considered, the project applicant would be required to identify and demonstrate that measures can reduce potential cancer and noncancer risks to an acceptable level, including appropriate enforcement mechanisms.

Examples of project-specific mitigation measures that future projects in Hollister can apply to reduce risk impacts may include but are not limited to:

- Restricting idling onsite beyond Air Toxic Control Measures idling restrictions, as feasible.
- Electrifying warehousing docks.
- Requiring use of newer equipment and/or vehicles.
- Restricting offsite truck travel through the creation of truck routes.

Implementation of \*Policy NRC-3.15 would ensure mobile sources of emissions not covered under MBARD permits are considered and mitigated during subsequent project-level environmental review by the City of Hollister. Potential future development projects in the city that have the potential to generate potentially significant risks associated with the release of TACs are required to undergo an analysis of their potential health risks associated with (toxic air contaminants) TACs based upon the specific details of each individual project. Though individual projects would be required to have less-than-significant impacts, cumulative development in the City would result in an increase in DPM concentrations and could increase the environmental burden on sensitive populations, including environmental justice communities, in the NCCAB. Overall, because there are no specific development projects identified or approved under the 2040 General Plan and the location and exact nature of future development projects are unknown, determining health risk at this time is considered speculative pursuant to Section 15145 of the CEQA Guidelines. Health risk impacts from development of industrial and commercial land uses are considered a *significant and unavoidable* project and cumulative impact. However, the identification of this program-level impact does not preclude the finding of less-than-significant impacts for subsequent individual projects that meet applicable thresholds of significance.

**Impact AIR-3b:** Construction activities associated with potential future development could expose nearby air quality sensitive receptors to substantial concentrations of toxic air contaminants during construction.

**Finding:** As part of the project, the City will implement the following mitigating 2040 General Plan policies, in addition to the other 2040 General Plan policies and actions identified under Impact Discussion AIR-3 (pages 4.3-54 through 4.3-55) of the Revised Draft EIR:

- **\*Policy NRC-3.6: Technical Assessments.** Require project applicants to prepare technical assessments evaluating potential project construction and operation phase-related air quality impacts to the City of Hollister for review and approval prior to project approval. Such evaluations shall be prepared in conformance with Monterey Bay Air Resources District (MBARD) criteria and methodology in assessing air quality impacts. If air pollutants are found to have the potential to exceed the MBARD-adopted thresholds of significance, ensure mitigation measures, such as those listed in the General Plan Environmental Impact Report, are incorporated to reduce air pollutant emissions during construction or operational activities.
- **\*Policy NRC-3.14: Construction Health Risk Assessment.** Require project applicants of discretionary projects on sites greater than one acre, within 1,000 feet of sensitive land uses (e.g., residences, schools, day care facilities, and nursing

homes, etc.), as measured from the property line of the project, that utilize off-road equipment of 50 horsepower or more, and that occur for more than 12 months of active construction (i.e., exclusive of interior renovations) to prepare a construction health risk assessment (HRA) in accordance with policies and procedures of the State Office of Environmental Health Hazard Assessment and Monterey Bay Air Resources District (MBARD). If the construction HRA shows that the incremental cancer risk exceeds 10 in a million, the appropriate noncancer hazard index exceeds 1.0; or the thresholds as determined by the MBARD, require the project applicant to identify and demonstrate measures, such as those listed in the General Plan Environmental Impact Report, that can reduce potential cancer and noncancer risks to an acceptable level.

The City finds that implementation of these mitigating 2040 General Plan policies is feasible and is hereby adopted to mitigate significant effects on the environment from Impact AIR-3b. However, even with implementation of these policies, significant unavoidable impacts will occur as described below. Therefore, the City finds that specific economic, legal, social, technological, or other considerations make it infeasible to reduce Impact AIR-3b to a less-than-significant level.

**Rationale:** Implementation of the project would occur over a period of 15 years or longer. Construction activities associated with potential future development over the buildout horizon of the 2040 General Plan could expose air quality sensitive receptors to short-term construction emissions. Implementation of 2040 General Plan \*Policy NRC-3.14, would mitigate impacts by requiring subsequent project-specific evaluation of qualifying future development projects to assess potential impacts and mitigate those impacts to acceptable levels. \*Policy NRC-3.14 would require new sources of air pollution that will generate new air quality impacts or expose to harmful emissions of toxic air pollutants to prepare a construction HRA in alignment with the State Office of Environmental Health Hazard Assessment and MBARD's CEQA Air Quality Guidelines. The construction HRA shall be submitted to the City of Hollister for review and approval and shall identify project-specific mitigation measures to reduce air pollutant emissions during construction activities such as the use of construction equipment with United States Environmental Protection Agency Tier 4-rated (or higher) engines. Implementation of \*Policy NRC-3.6, in addition to applicable regulatory measures, would reduce criteria air pollutant emissions from construction-related activities to the extent feasible and may result in reducing construction-related regional air quality impacts of subsequent individual projects to a less-than-significant level. However, due to the programmatic nature of the project, construction time frames and equipment for individual site-specific projects are not available and there is a potential for multiple developments to be constructed at any one time, resulting in significant construction-related emissions. Therefore, despite adherence to \*Policy NRC-3.6, due to the programmatic nature of the project, no additional mitigation measures or mitigating policies are available, and this impact would remain significant and unavoidable. The identification of this program-level impact does not preclude the finding of less-than-significant impacts for subsequent individual projects that meet applicable thresholds of significance.

**Impact AIR-5:** The emissions that could occur over the buildout horizon of the 2040 General Plan could generate a substantial increase in emissions that exceeds the MBARD's significance thresholds and cumulatively contribute to the nonattainment designations and health risk in the NCCAB.

**Finding:** As part of the project, the City will implement the following mitigating 2040 General Plan policies, in addition to the other 2040 General Plan policies and actions identified under Impact Discussions AIR-1 through AIR-4 of the Revised Draft EIR:

- **\*Policy NRC-3.6: Technical Assessments.** Require project applicants to prepare technical assessments evaluating potential project construction and operation phase-related air quality impacts to the City of Hollister for review and approval prior to project approval. Such evaluations shall be prepared in conformance with Monterey Bay Air Resources District (MBARD) criteria and methodology in assessing air quality impacts. If air pollutants are found to have the potential to exceed the MBARD-adopted thresholds of significance, ensure mitigation measures, such as those listed in the General Plan Environmental Impact Report, are incorporated to reduce air pollutant emissions during construction or operational activities.
- **\*Policy NRC-3.14: Construction Health Risk Assessment.** Require project applicants of discretionary projects on sites greater than one acre, within 1,000 feet of sensitive land uses (e.g., residences, schools, day care facilities, and nursing homes, etc.), as measured from the property line of the project, that utilize off-road equipment of 50 horsepower or more, and that occur for more than 12 months of active construction (i.e., exclusive of interior renovations) to prepare a construction health risk assessment (HRA) in accordance with policies and procedures of the State Office of Environmental Health Hazard Assessment and Monterey Bay Air Resources District (MBARD). If the construction HRA shows that the incremental cancer risk exceeds 10 in a million, the appropriate noncancer hazard index exceeds 1.0; or the thresholds as determined by the MBARD, require the project applicant to identify and demonstrate measures, such as those listed in the General Plan Environmental Impact Report, that can reduce potential cancer and noncancer risks to an acceptable level.
- **\*Policy NRC-3.15: Operational Health Risk Assessment.** Require project applicants of discretionary projects to prepare an operational health risk assessment (HRA) for industrial or warehousing land uses and commercial land uses that would generate substantial diesel truck travel (i.e., 100 diesel trucks or 40 or more trucks with diesel-powered transport refrigeration units per day based on the California Air Resources Board recommendations for siting new sensitive land uses) prior to project approval. The operational HRA shall be prepared in accordance with policies and procedures of the State Office of Environmental Health Hazard Assessment and the Monterey Bay Air Resources District (MBARD). If the operational HRA shows that the incremental cancer risk exceeds 10 in a million, the appropriate noncancer hazard index exceeds 1.0; or the thresholds as determined by the MBARD, the City shall require the project applicant to identify and demonstrate measures, such as those listed in the General Plan Environmental Impact Report, that can reduce potential cancer and noncancer risks to an acceptable level.

The City finds that implementation of these mitigating 2040 General Plan policies is feasible and is hereby adopted to mitigate significant effects on the environment from Impact AIR-5. However, even with implementation of these policies, significant unavoidable impacts will occur as described below. Therefore, the City finds that specific economic, legal, social, technological, or other considerations make it infeasible to reduce Impact AIR-5 to a less-than-significant level.

**Rationale:** Criteria air pollutant emissions generated by land uses of the 2040 General Plan could exceed the MBARD regional thresholds (see Impact Discussions AIR-2 and AIR-3). Air quality impacts identified in the discussion under Impact AIR-2a, AIR-2b, AIR-3a, and AIR-3b constitute the project's contribution to cumulative air quality impacts in the NCCAB. 2040 General Plan \*Policy NRC-3.6, \*Policy NRC-3.14, and \*Policy NRC-3.15, identified previously to mitigate impacts by reducing project-related emissions, would reduce impacts to the extent feasible. Due to the programmatic nature of the project, no additional mitigation measures are available. Air pollutant emissions associated with the project would result in a cumulatively considerable contribution to air quality impacts and remain significant and unavoidable at the program level. The identification of this program-level cumulative impact does not preclude the finding of less-than-significant cumulative impacts for subsequent projects analyzed at the project level.

## Noise

**Impact NOI-1.1:** Construction activities associated with potential future development under the 2040 General Plan could expose sensitive receptors in close proximity to a construction site to excessive noise from construction equipment.

**Finding:** As part of the project, the City will implement the following mitigating 2040 General Plan actions, in addition to the other 2040 General Plan policies and actions identified under Impact Discussion NOI-1 (pages 4.13-24 through 4.13-28) of the Revised Draft EIR:

- **\*Action HS-8.1: Review New Development for Potential Noise Impacts.** Require review of all development proposals prior to project approval to verify that the proposed development would not increase noise beyond the City's established thresholds and that it would not generate noise that would be incompatible with existing uses in the vicinity of the proposed development. (Implementation Measure HS.T)
- **\*Action HS-8.6: Periodic Updates to Noise Ordinance.** Require the Noise Ordinance to incorporate the noise-related policies presented in the Hollister General Plan and to develop a procedure for handling noise complaints. (Implementation Measure HS.O)
- **\*Action HS-8.8: Noise and Vibration Thresholds.** Require adoption of the noise and vibration thresholds applied in the General Plan Environmental Impact Report into the Noise Ordinance. For noise thresholds, this shall include the Federal Transit Administration's (FTA) criteria for acceptable levels of construction noise as well as Construction Equipment Noise Emission Levels based on a distance of 50 feet between the equipment and noise receptor.



- For vibration thresholds, this shall include FTA criteria for acceptable levels of groundborne vibration during operation of commercial or industrial uses and groundborne vibration for various types of construction equipment. If vibration levels exceed the FTA limits for construction, alternative methods/equipment shall be used.
- **\*Action HS-8.9: Construction Best Management Practices.** Require the adoption of the construction best management practices outlined in the General Plan Environmental Impact Report to be incorporated into the Noise Ordinance to minimize construction noise to the extent feasible.

The City finds that implementation of these mitigating 2040 General Plan actions is feasible and is hereby adopted to mitigate significant effects on the environment from Impact NOI-1.1. However, even with implementation of these actions, significant unavoidable impacts will occur as described below. Therefore, the City finds that specific economic, legal, social, technological, or other considerations make it infeasible to reduce Impact NOI-1.1 to a less-than-significant level.

**Rationale:** In most cases, construction of individual developments associated with implementation of the General Plan would temporarily increase the ambient noise environment in the vicinity of each individual project, potentially affecting existing and future nearby sensitive uses. The policies and actions of the 2040 General Plan would minimize the effects of construction noise. Specifically, implementation of the \*Action HS-8.8 and \*Action HS-8.9 would mitigate noise impacts by requiring the City to adopt noise and vibration thresholds based on the Federal Transit Authority criteria for acceptable levels of construction noise applied in this analysis (i.e., 80 dB(A)  $L_{eq(8hr)}$ ), the Construction Equipment Noise Emission Levels based on a distance of 50 feet between the equipment and noise receptor, and the construction best management practices outlined above. As part of the project approval process, future project applicants would be required to comply with these new standards in the HMC pursuant to \*Action HS-8.6 which requires the City to revise the Noise Ordinance to incorporate the noise-related policies presented in the Hollister General Plan. Policy HS-8.3 is required to regulate construction activity to reduce noise as established in the Hollister Noise Ordinance, which prohibits excessive or unusually loud noises and vibrations from any and all sources in the community. Furthermore, \*Action HS-8.1 requires the City to review all development proposals to verify that the proposed development would not significantly increase noise beyond the City's established thresholds. However, because construction activities associated with any individual development may occur near noise-sensitive receptors and because—depending on the project type, equipment list, time of day, phasing and overall construction durations—noise disturbances may occur for prolonged periods of time, during the more sensitive nighttime hours, or may exceed 80 dB(A)  $L_{eq(8hr)}$  even with future project-level mitigation, construction noise impacts associated with implementation of the project are considered significant and unavoidable. Due to the programmatic nature of this EIR, project-level conclusions of construction noise would be speculative; however, the identification of this program-level impact does not preclude the finding of less-than-significant impacts for subsequent projects analyzed at the project level that do not exceed the noise thresholds.

**Impact NOI-1.2:** Operational vehicle traffic noise increases would exceed the City's significance thresholds with implementation of the project.

**Finding:** As part of the project, the City will implement the following mitigating 2040 General Plan policy and actions, in addition to the other 2040 General Plan policies and actions identified under Impact Discussion NOI-1 (pages 4.13-28 through 4.13-34) of the Revised Draft EIR:

- **\*Policy HS-8.1: Protect Noise Sensitive Areas from Unacceptable Traffic Noise Levels.** Protect the noise environment in existing residential areas by requiring mitigation measures be identified prior to project approval for the operational phase of projects under the following circumstances: (a) the project would cause the day-night average sound level ( $L_{dn}$ ) to increase 5 dB(A) where ambient noise is below 60 dB(A); (b) the project would cause the  $L_{dn}$  to increase 3 dB(A) where ambient noise is between 60 dB(A) and 70 dB(A); or (c) the project would cause the  $L_{dn}$  to increase 1.5 dB(A) where ambient noise is 70 dB(A) or greater. (Policy HS3.1)
- **\*Action HS-8.1: Review New Development for Potential Noise Impacts.** Require review all development proposals prior to project approval to verify that the proposed development would not increase noise beyond the City's established thresholds and that it would not generate noise that would be incompatible with existing uses in the vicinity of the proposed development. (Implementation Measure HS.T)
- **\*Action HS-8.6: Periodic Updates to Noise Ordinance.** Require the Noise Ordinance to incorporate the noise-related policies presented in the Hollister General Plan and to develop a procedure for handling noise complaints. (Implementation Measure HS.O)

The City finds that implementation of these mitigating 2040 General Plan policy and actions is feasible and is hereby adopted to mitigate significant effects on the environment from Impact NOI-1.2. However, even with implementation of these policy and actions, significant unavoidable impacts will occur as described below. Therefore, the City finds that specific economic, legal, social, technological, or other considerations make it infeasible to reduce Impact NOI-1.2 to a less-than-significant level.

**Rationale:** Implementation of 2040 General Plan \*Policy HS-8.1 requires the City to protect the noise environment where there are uses that are sensitive to noise (e.g., residences, schools, motels and hotels, libraries, religious institutions, hospitals, and nursing homes) by requiring the evaluation of mitigation measures for the operational phase of projects that exceed the City's established noise thresholds. As part of the project approval process, future project applicants would be required to comply with these new standards in the HMC pursuant to \*Action HS-8.6 which requires the City to revise the Noise Ordinance to incorporate the noise-related policies presented in the Hollister General Plan. Policy HS-8.5 and Policy HS-8.7 would reduce impacts from traffic through site design such as installing earth berms, increasing the distance between the receptor and the noise source, using non-sensitive structures as shields, and the use roadway design. Roadway design could include installing and maintaining noise barriers and/or rubberized or special asphalt paving such as open grade asphalt concrete along roadway segments with significant noise increases that are adjacent to sensitive receptors, and working with the State to address noise impacts from highway traffic. Roadway design could include installing and maintaining noise barriers and/or

rubberized or special asphalt paving, such as open grade asphalt concrete, along roadway segments with significant noise increases that are adjacent to sensitive receptors. Notable reductions in tire noise have been achieved via the implementation of special paving materials, such as rubberized asphalt or open-grade asphalt concrete overlays. For example, Caltrans conducted a study of pavement noise along I-80 in Davis, California, and found an average improvement of 6 to 7 dB(A) compared to conventional asphalt overlay with only minimal noise increases over a ten-year period.<sup>5</sup> These quieter pavement types can be used alone or in combination with noise barriers, which are common throughout the city. However, barriers may not be feasible in all cases if they would prevent access to driveways or properties. Further, \*Action HS-8.1 requires the City to review all development proposals to verify that the proposed development would not exceed the City's established thresholds and Action HS-8.5 requires the City to continue to enforce City Ordinances that restrict through truck traffic to approved truck routes only and prohibit the parking and maintenance of trucks in residential districts to reduce traffic noise from trucks. Since project-specific details are unknown and noise barriers and/or quieter pavement technologies may not be feasible or reduce vehicle traffic noise below significance thresholds in all cases, this impact is conservatively considered significant and unavoidable. The identification of this program-level impact does not preclude the finding of less-than-significant impacts for subsequent projects analyzed at the project level that do not exceed the noise thresholds.

**Impact NOI-4:** Implementation of the 2040 General Plan could contribute to an increase in cumulative construction noise and operational vehicle noise.

**Finding:** As part of the project, the City will implement the following mitigating 2040 General Plan policy and actions, in addition to the other 2040 General Plan policies and actions identified under Impact Discussions NOI-1 through NOI-3 of the Revised Draft EIR:

- **\*Policy HS-8.1: Protect Noise Sensitive Areas from Unacceptable Traffic Noise Levels.** Protect the noise environment in existing residential areas by requiring mitigation measures be identified prior to project approval for the operational phase of projects under the following circumstances: (a) the project would cause the day-night average sound level ( $L_{dn}$ ) to increase 5 dB(A) where ambient noise is below 60 dB(A); (b) the project would cause the  $L_{dn}$  to increase 3 dB(A) where ambient noise is between 60 dB(A) and 70 dB(A); or (c) the project would cause the  $L_{dn}$  to increase 1.5 dB(A) where ambient noise is 70 dB(A) or greater. (Policy HS3.1)
- **\*Action HS-8.1: Review New Development for Potential Noise Impacts.** Require review all development proposals prior to project approval to verify that the proposed development would not increase noise beyond the City's established thresholds and that it would not generate noise that would be incompatible with existing uses in the vicinity of the proposed development. (Implementation Measure HS.T)

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<sup>5</sup> California Department of Transportation, May 13, 2011, *I-80 Davis OGAC Pavement Noise Study: Traffic Noise Levels Associated With Aging Open Grade Asphalt Concrete Overlay*.

- **\*Action HS-8.6: Periodic Updates to Noise Ordinance.** Require the Noise Ordinance to incorporate the noise-related policies presented in the Hollister General Plan and to develop a procedure for handling noise complaints. (Implementation Measure HS.O)
- **\*Action HS-8.8: Noise and Vibration Thresholds.** Require adoption of the noise and vibration thresholds applied in the General Plan Environmental Impact Report into the Noise Ordinance. For noise thresholds, this shall include the Federal Transit Administration's (FTA) criteria for acceptable levels of construction noise as well as Construction Equipment Noise Emission Levels based on a distance of 50 feet between the equipment and noise receptor.  
For vibration thresholds, this shall include FTA criteria for acceptable levels of groundborne vibration during operation of commercial or industrial uses and groundborne vibration for various types of construction equipment. If vibration levels exceed the FTA limits for construction, alternative methods/equipment shall be used.
- **\*Action HS-8.9: Construction Best Management Practices.** Require the adoption of the construction best management practices outlined in the General Plan Environmental Impact Report into the Noise Ordinance to minimize construction noise to the extent feasible.

The City finds that implementation of these mitigating 2040 General Plan policy and actions is feasible and is hereby adopted to mitigate significant effects on the environment from Impact NOI-4. However, even with implementation of these policy and actions, significant unavoidable impacts will occur as described below. Therefore, the City finds that specific economic, legal, social, technological, or other considerations make it infeasible to reduce Impact NOI-4 to a less-than-significant level.

**Rationale:** Because construction details are unknown, potential future development under the 2040 General Plan could exceed the City's significance threshold for construction noise. Even with 2040 General Plan Policy HS-8.3, \*Action HS-8.1, \*Action HS-8.6, \*Action HS-8.8, and \*Action HS-8.9 described under Impact Discussion NOI-1, because construction details are unknown at the time and construction activities associated with any individual development may occur near noise-sensitive receptors, noise disturbances may exceed the City's significance thresholds even with future project-level mitigation.

In addition, operational vehicle noise generated under the project would exceed the City's significance threshold. Even with 2040 General Plan \*Policy HS-8.1, \*Action HS-8.1, and \*Action HS-8.6 described under Impact Discussion NOI-1, the effectiveness of traffic noise-reduction strategies is not certain.

Due to the programmatic nature of the project, no additional mitigation measures are available. Construction noise and operational vehicle noise associated with the project would result in a cumulatively considerable contribution to noise impacts and remain significant and unavoidable at the program level. The identification of this program-level cumulative impact does not preclude the finding of less-than-significant cumulative impacts for subsequent projects analyzed at the project level.

## Transportation

**Impact TRANS-2:** Implementation of the 2040 General Plan would result in a significant vehicle miles traveled (VMT) impact for VMT per Capita (Residential) and Retail VMT over 50,000 square feet, due to forecasted land use growth through 2040, based on a comparison of the VMT rate increment for VMT to the corresponding average baseline rates for the San Benito County region.

**Finding:** As part of the project, the City will implement the following mitigating 2040 General Plan policies and actions, in addition to the other 2040 General Plan policies and actions identified under Impact Discussion TRANS-2 (pages 4.16-28 through 4.16-33) of the Revised Draft EIR:

- **\*Policy C-1.5: Transportation Demand Management.** Require new development to reduce single-occupant vehicle usage using Transportation Demand Management strategies prior to project approval.
- **\*Action C-1.1: Performance and Monitoring.** Require the monitoring of the City's mode split progress on reducing VMT and reducing GHG emissions from VMT, as data is available.
- **\*Action C-1.2: VMT Mitigation Banking Fee Program.** Require the establishment of a Vehicle Miles Traveled (VMT) Mitigation Banking Fee Program. This program shall fund the construction of facilities throughout Hollister that support active transportation (cycling and walking) and transit ridership to mitigate VMT impacts from new development.
- **\*Policy C-4.6: Transportation Demand Management Requirements.** Require new or existing developments that meet specific size, capacity, and/or context conditions to implement Transportation Demand Management strategies and other single-occupancy vehicle reduction methodologies. Require new developments to comply with tiered trip reduction and VMT reduction targets and monitoring that are consistent with the targets of the City's VMT CEQA thresholds prior to project approval.

The City finds that implementation of these mitigating 2040 General Plan policies and actions is feasible and is hereby adopted to mitigate significant effects on the environment from Impact TRANS-2. However, even with implementation of these policies and actions, significant unavoidable impacts will occur as described below. Therefore, the City finds that specific economic, legal, social, technological, or other considerations make it infeasible to reduce Impact TRANS-2 to a less-than-significant level.

**Rationale:** Implementation of the 2040 General Plan goals, policies, and actions would mitigate VMT impacts to the degree feasible. \*Policy C-1.5 requires the City to reduce single-occupant vehicle usage using Transportation Demand Management (TDM) strategies. \*Action C-1.1 requires the City to monitor mode split progress on reducing VMT, and reducing GHG emissions from VMT, as data is available. \*Action C-1.2 requires the City to establish a VMT Mitigation Banking Fee Program to fund the construction of facilities that support active transportation and transit ridership to mitigate VMT impacts from new development. \*Policy C-4.6 requires new or existing developments that meet specific size, capacity, and/or context conditions to implement

TDM strategies and other single-occupancy vehicle reduction methodologies. Compliance with tiered trip reduction and VMT reduction targets and monitoring that are consistent with the targets of the City's VMT CEQA thresholds is also required. In addition, as listed under Impact Discussion TRANS-1, the City has numerous policies to promote safe and user-friendly transit and improve the bicycle and pedestrian network in Hollister, all which would serve to promote alternative forms of transportation and reduce VMT. Furthermore, as previously described, given the lack of specifics that are available for this program-level EIR, it is not possible to fully account for the effect of specific design principles, policies, and improvements that will reduce VMT as part of this analysis. Although many of the VMT-reducing design principles, policies, and improvements that are described in the prior section may ultimately mitigate and/or potentially reduce the VMT impacts outlined in this evaluation, necessary details to ensure implementation and appropriately evaluate their effect are not yet available. While some of the approaches to VMT reduction described in the prior section are supportive of existing City policies and guidelines, the VMT-reducing approaches cited would require further planning and development as well as committed funding sources, including those from participants in the development community (many of which may not be identified yet as large areas of land may be further subdivided into specific projects and developments). As such, it is reasonable to conclude that the findings of this analysis reflect a worst-case scenario for this program EIR. This program-level land use impact for VMT does not preclude the finding of less-than-significant impacts for subsequent development projects that achieve applicable VMT thresholds of significance. However, due to the programmatic nature of the 2040 General Plan, no additional mitigation measures are available, and the impact is considered significant and unavoidable.

**Impact TRANS-5:** Implementation of the 2040 General Plan would cumulatively contribute to regional VMT.

**Finding:** As part of the project, the City will implement the following mitigating 2040 General Plan policies and actions, in addition to the other 2040 General Plan policies and actions identified under Impact Discussions TRANS-1 through TRANS-4 of the Revised Draft EIR:

- **\*Policy C-1.5: Transportation Demand Management.** Require new development to reduce single-occupant vehicle usage using Transportation Demand Management strategies prior to project approval.
- **\*Action C-1.1: Performance and Monitoring.** Require the monitoring of the City's mode split progress on reducing VMT and reducing GHG emissions from VMT, as data is available.
- **\*Action C-1.2: VMT Mitigation Banking Fee Program.** Require the establishment of a Vehicle Miles Traveled (VMT) Mitigation Banking Fee Program. This program shall fund the construction of facilities throughout Hollister that support active transportation (cycling and walking) and transit ridership to mitigate VMT impacts from new development.
- **\*Policy C-4.6: Transportation Demand Management Requirements.** Require new or existing developments that meet specific size, capacity, and/or context conditions to implement Transportation Demand Management strategies and other single-

occupancy vehicle reduction methodologies. Require new developments to comply with tiered trip reduction and VMT reduction targets and monitoring that are consistent with the targets of the City's VMT CEQA thresholds prior to project approval.

The City finds that implementation of these mitigating 2040 General Plan policies and actions is feasible and is hereby adopted to mitigate significant effects on the environment from Impact TRANS-5. However, even with implementation of these policies and actions, significant unavoidable impacts will occur as described below. Therefore, the City finds that specific economic, legal, social, technological, or other considerations make it infeasible to reduce Impact TRANS-5 to a less-than-significant level.

**Rationale:** Even with 2040 General Plan \*Policy C-1.5, \*Action C-1.1, \*Action C-1.2, and \*Policy C-4.6 described under Impact Discussion TRANS-2 to mitigate the impacts related to VMT, the effectiveness of the VMT-reduction strategies is not certain. As such, the cumulative impact on VMT is considered significant and unavoidable. The identification of this program-level cumulative impact does not preclude the finding of less-than-significant cumulative impacts for subsequent projects analyzed at the project level.

## **D. Findings on Project Alternatives**

### **Alternatives Analyzed in the EIR**

In compliance with CEQA and the CEQA Guidelines, the EIR evaluated a reasonable range of alternatives to the 2040 General Plan. The EIR's analysis examined the potential feasibility of each alternative, its environmental effects, and its ability to meet the project objectives. The alternatives analysis included analysis of a no-project alternative and identified the environmentally superior alternative. Chapter 5, *Alternatives*, of the Revised Draft EIR evaluated two alternatives to the project: Alternative A: No Project and Alternative B: Focused Growth. Brief summaries of these alternatives and findings are provided below.

#### **Alternative A: No Project**

The No Project Alternative assumes continued implementation of the current 2005 General Plan, and the existing goals, policies, and actions. The No Project Alternative would not incorporate new topics that are now required by State law, such as environmental justice, and would not revise relevant policies and actions to meet those requirements. Future development permitted under the No Project Alternative would not increase development potential in Hollister beyond what was considered in the existing 2005 General Plan and analyzed in the associated EIR (State Clearinghouse No. 2004081147), but rather assumes the remaining development growth, which could result in increases in households (5,723), residential units (5,845), population (20,779), and jobs (8,970). Potential future development in Hollister would continue to be subject to existing policies, regulations, development standards, and land use designations of the existing 2005 General Plan. The City would not adopt the CAP or amend the Zoning Ordinance to incorporate the ALPP.

**Finding:** Pursuant to Public Resources Code Section 21081(a)(3) and CEQA Guidelines Section 15091(a)(3), the City finds that the specific economic, legal, social, technological, or other considerations, including failure to meet project objectives, render the No Project Alternative infeasible. This alternative would not avoid or lessen significant impacts from the 2040 General Plan, including effects related to the agricultural resources, air quality, noise, and transportation. The No Project Alternative would not accomplish the basic project objectives for the 2040 General Plan. In addition, the No Project Alternative would increase impacts from the 2040 General Plan in the environmental topic areas of biological resources, cultural and tribal cultural resources, energy, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, population and housing, transportation, and wildfire. The City therefore rejects this alternative as unrealistic and infeasible for the reasons listed above and as stated in the EIR. (Section 5.4, *Alternative A: No Project*, in Chapter 5, *Alternatives*, of the Revised Draft EIR).

### **Alternative B: Focused Growth**

The Focused Growth Alternative would include the new 2040 General Plan goals, policies, and actions and incorporate new topics that are now required by State law, such as environmental justice, and would revise relevant policies and actions to meet those requirements. Future development under the Focused Growth Alternative would be the same as the project, which could result in increases in households (10,160), residential units (10,530), population (31,575), and jobs (11,170). The Focused Growth Alternative would CAP and amend the Zoning Ordinance to include the ALPP. The Focused Growth Alternative would maintain the current Hollister Sphere of Influence that was approved and adopted by San Benito County LAFCO in 2019. The Focused Growth Alternative would allow for more dense housing in parcels within the Medium-Density Residential, High-Density Residential, Mixed-Use Commercial and Residential, and Downtown Commercial and Mixed Use land use designations and also increase the maximum floor-area ratios (FAR)<sup>6</sup> in the Mixed-Use Commercial and Residential and Downtown Commercial and Mixed Use land use designations when compared to the project.

**Finding:** Pursuant to Public PRC 21081(a)(3) and CEQA Guidelines Section 15091(a)(3), the City finds that the specific economic, legal, social, technological, or other considerations, including failure to meet project objectives, render the Focused Growth Alternative infeasible. This alternative would avoid or lessen significant impacts from the 2040 General Plan, including effects related to related to agricultural resources, air quality, biological resources, cultural and tribal cultural resources, energy, GHG emissions, mineral resources, noise, transportation, and wildfire; however, it would not eliminate any of the significant and unavoidable impacts related to agricultural resources, air quality, noise, and transportation. Because Alternative B would increase opportunities for infill development to support the reduction of VMT and GHG emissions and reduce the amount of qualifying agricultural lands that could be converted to non-

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<sup>6</sup> FAR is a ratio of the building square footage permitted on a lot to the net square footage of the lot. For example, on a site with 10,000 square feet of net land area, a FAR of 1.0 will allow 10,000 square feet of building floor area to be built.



agricultural uses, Alternative B would meet all of the project objectives; however, not to the same degree as the project. Specifically, Alternative B would allow for more high-density infill housing and would therefore not provide the same balanced neighborhoods and mix of residential types and intensities as the project. The City therefore rejects this alternative as unrealistic and infeasible for the reasons listed above and as stated in the EIR. (Section 5.5, *Alternative B: Focused Growth*, in Chapter 5, *Alternatives*, of the Revised Draft EIR).

## **E. Other Findings**

### **Revisions to the Project**

Chapter 4, *Comments and Responses*, of the Final EIR includes the comments received on both the 2023 Draft EIR and the Revised Draft EIR, and responses to those comments. The focus of the responses to comments is on the disposition of significant environmental issues as raised in the comments, as specified by CEQA Guidelines Section 15088(a).

Following publication of the 2023 Draft EIR and in response to comments received on the 2023 Draft EIR, the project was revised as described under Section 1.3.3, *Revised Draft EIR*, in Chapter 1, *Introduction*, of the Revised Draft EIR. Revisions to the 2040 General Plan included changes to the land use designations and expansion of the SOI boundary. Subsequently, potential buildout estimates increased, and the CAP was revised to reflect changes to the 2040 General Plan land designations, modified proposed SOI boundary, and buildout projections. The ALPP was also revised to reduce the rate of land dedication from two acres to one acres of Agricultural Land for each one acre of Agricultural Land to be converted. With the revisions to the project, the 2023 Draft EIR was revised to include the new environmental analysis. The changes to the project constitute “significant new information” requiring recirculation and accordingly, the Revised Draft EIR was circulated for public review.

Following publication of the Revised Draft EIR, Policy LU-1.5 was revised to use more appropriate language. This does not represent a substantial change to the project description that would require revision of analysis in the Revised Draft EIR. The revised Policy LU-1.5 is listed in Chapter 5, *Revisions to the Revised Draft EIR*, of the Final EIR to reflect this change. The revised policy would continue to support avoidance of impacts to cultural resources and land use and planning, as analyzed in the Revised Draft EIR. Because the revision to Policy LU-1.5 would continue to discourage development on lands that have not been annexed into City Limits, the change to the project does not constitute “significant new information” requiring recirculation pursuant to CEQA Guidelines Section 15088.5, *Recirculation of an EIR Prior to Certification*.

### **Absence of Significant New Information – No Recirculation Required**

CEQA Guidelines Section 15088.5 requires that a lead agency recirculate an EIR for additional review and comment when significant new information is added to the EIR after the public comment period but before certification of the EIR. Such information can

include changes in the project or environmental setting, but that information is not significant unless the EIR is changed in a manner that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect that the project's proponent declines to implement.

Chapter 5, *Revisions to the Revised Draft EIR*, of the Final EIR contains text revisions to the Revised Draft EIR that were made in response to comments from agencies and organizations, as well as staff-directed changes. These text revisions include typographical corrections, insignificant modifications, and amplifications and clarifications of the Revised Draft EIR. None of the minor text changes or classifications substantially alters the analysis in the Revised Draft EIR, and they do not trigger the criteria for recirculation.

The City finds that no significant new information was added to the Revised Draft EIR after the public review period. The City specifically finds that: no new significant environmental impact would result from the 2040 General Plan or from the implementation of a mitigation measure; no substantial increase in the severity of an environmental impact previously found to be significant would result; the City has not declined to adopt any feasible project alternative or mitigation measures considerably different from others previously analyzed that would clearly lessen the environmental impacts of the 2040 General Plan; and the Revised Draft EIR is not so fundamentally and basically inadequate in nature that it precluded meaningful public review.

Having reviewed the information in the Revised Draft EIR, Final EIR, and administrative record, as well as the requirements under CEQA Guidelines Section 15088.5 and interpretive judicial authority regarding recirculation of Draft EIRs, the City finds that no new significant information was added to the EIR following public review, and recirculation of the EIR is therefore unnecessary and not required by CEQA.

### **Differences of Opinion Regarding the 2040 General Plan's Impacts**

In making its determination to certify the Final EIR and to approve the 2040 General Plan, the City recognizes that the 2040 General Plan involves several controversial issues and that a range of opinions exists with respect to these issues. Through its review of the Final EIR, the comments received on the Draft EIR, the responses to comments, and the whole of the administrative record, the City has acquired a comprehensive understanding of the scope of such issues. This has enabled the City to make fully informed and thoroughly considered decisions after taking into account the various viewpoints on the important environmental issues involved in the 2040 General Plan's implementation. Considering the evidence and analysis presented in the Final EIR and the administrative record as a whole, the City finds that the findings herein are based on a full appraisal of all viewpoints expressed throughout the CEQA review process, as well as other relevant information contained in the administrative record.

#### **IV. Statement of Overriding Considerations**

CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.” (CEQA Guidelines Section 15093.) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the Final EIR but are not avoided or substantially lessened, the agency must state in writing the specific reason to support its actions based on the Final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record. (CEQA Guidelines Section 15093.)

Having (i) adopted all General Plan policies and actions, and feasible mitigation measures, (ii) recognized all significant, unavoidable impacts, and (iii) balanced the benefits of the 2040 General Plan against its significant and unavoidable impacts, the City finds that the 2040 General Plan’s benefits outweigh and override its significant unavoidable impacts for the reasons stated below. Each benefit set forth below constitutes an overriding consideration warranting approval of the 2040 General Plan, independent of the other benefits, despite each and every unavoidable impact.

The benefits of the project include the following:

- The project will maintain a concentrated growth area to protect surrounding lands from sprawl and reduce the cost of extending infrastructure.
- The project will encourage sustained economic growth recognizing the importance of economic generators, job generators and a better balance between jobs and housing.
- The project will provide for a fiscally sound city with an emphasis on sales tax and transient occupancy tax revenues.
- The project will guide balanced neighborhood development with a mix of uses and housing types, provision of parks and schools, and easy access to commercial activity centers.
- The project will facilitate efficient transportation and infrastructure planning in the city.
- The project will improve safety, enhance accessibility, and reduce conflicts between pedestrians, bicycles, and vehicles.
- The project will establish allowed density ranges that will accommodate a variety of housing types conducive to all socio-economic sectors of the community and will help the City meet legal requirements to respond to regional housing needs.
- The project will support and enhance Downtown as the civic and cultural heart of the City.
- The project will encourage economic growth within the City's industrial areas.
- The project will provide for the systematic, continual upgrade and improvement of City infrastructure and ensure developments pay for their share of infrastructure, public facilities, and any environmental costs.

- The project will address environmental justice for disadvantaged communities that exist within the planning area of the General Plan.
- The project will ensure that the City's General Plan is legally adequate.

When compared to the alternatives analyzed in the Final EIR (including the No Project Alternative), the 2040 General Plan provides the best available balance between maximizing attainment of the project objectives and minimizing significant environmental impacts.

## **V. Approvals**

The City hereby takes the following actions:

- Certify the Final EIR as described in Section I (Certification), above.
- Adopt, as conditions of approval of the 2040 General Plan, all Mitigation Measures and policies and actions within the responsibility and jurisdiction of the City.
- Adopt the Mitigation Monitoring and Reporting Program for the 2040 General Plan.
- Adopt the CEQA Findings and Statement of Overriding Considerations for the 2040 General Plan.