

Appendix C

**Copies of Letters Received on
the Notice of Preparation**

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Arnold
Schwarzenegger
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Jan Boel
Acting Director

Notice of Preparation

August 23, 2004

RECEIVED

SEP 7 2004

CITY OF HOLLISTER
PLANNING DEPT

To: Reviewing Agencies
Re: City of Hollister Draft General Plan 2004
SCH# 2004081147

Attached for your review and comment is the Notice of Preparation (NOP) for the City of Hollister Draft General Plan 2004 draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

~~City of Hollister
420 Hill Street, Building A
Hollister, CA 95023~~

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Attachments
cc: Lead Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2004081147
Project Title City of Hollister Draft General Plan 2004
Lead Agency Hollister, City of

Type NOP Notice of Preparation

Description The City of Hollister's current General Plan was adopted in 1995. In 2002 the City determined that a comprehensive update of the General Plan was needed to address changed conditions since adoption of the 1995 General Plan to maintain a plan current in policy, program implementation, and budget direction.

The project is a comprehensive update of the City's current General Plan. The updated General Plan 20 will provide goals, policies and implementation measures intended to guide development within the Hollister Planning Area through the year 2020. It will establish land use designations within the Planning Area, and will provide the basis for subsequent revisions in the current zoning ordinance. The Draft General Plan will address all the required elements of a general plan pursuant to the California Government Code. Many of the policies contained in the General Plan are being carried forward. Specifically, these include policies related to open space, conservation and safety issues.

Lead Agency Contact

Name
Agency City of Hollister
Phone 831 636 4360 **Fax**
email
Address 420 Hill Street, Building A
City Hollister **State** CA **Zip** 95023

Project Location

County San Benito
City Hollister
Region

Cross Streets
Parcel No.
Township

Range **Section** **Base**

Proximity to:

Highways Hwy 101, S25
Airports
Railways
Waterways
Schools

Land Use As of the 2000 U.S. Census there were 13,234 jobs, 15,139 housing units, and a population of 34,413 people. Growth over the next 20 years is expected to continue within the Hollister Planning Area during the planning period, although at a slower rate than was experienced in recent years.

Project Issues Aesthetic/Visual; Biological Resources; Toxic/Hazardous; Public Services; Agricultural Land; Archaeologic-Historic; Water Quality; Noise; Air Quality; Recreation/Parks; Geologic/Seismic; Landuse; Population/Housing Balance; Traffic/Circulation

Reviewing Agencies Resources Agency; Department of Conservation; Department of Parks and Recreation; Department of Water Resources; Department of Fish and Game, Region 3; Department of Health Services; Office of Emergency Services; Native American Heritage Commission; Caltrans, Division of Aeronautics; California Highway Patrol; Department of Housing and Community Development; Caltrans, District 5; Regional Water Quality Control Board, Region 3

Date Received 08/23/2004 **Start of Review** 08/23/2004 **End of Review** 09/21/2004

Resources Agency	Public Utilities Commission	Dept. of Transportation 8	Regional Water Quality Control Board (RWQCB)
<input checked="" type="checkbox"/> Dept. of Fish & Game 3 Robert Fierke Region 3	<input type="checkbox"/> Ken Lewis	<input type="checkbox"/> John Pagano District 8	<input type="checkbox"/> RWQCB 1 Cathleen Hudson North Coast Region (1)
<input type="checkbox"/> Dept. of Fish & Game 4 William Laudermilk Region 4	<input type="checkbox"/> Jean Sarino	<input type="checkbox"/> Gayle Rosander District 9	<input type="checkbox"/> RWQCB 2 Environmental Document Coordinator San Francisco Bay Region (2)
<input type="checkbox"/> Dept. of Fish & Game 5 Don Chadwick Region 5, Habitat Conservation Program	<input type="checkbox"/> Tahoe Regional Planning Agency (TRPA) Cherry Jacques	<input type="checkbox"/> Dept. of Transportation 10 Torr Dumas District 10	<input checked="" type="checkbox"/> RWQCB 3 Central Coast Region (3)
<input type="checkbox"/> Dept. of Fish & Game 6 Gabriela Gatchel Region 6, Habitat Conservation Program	<input type="checkbox"/> Business, Trans. & Housing	<input type="checkbox"/> Dept. of Transportation 11 Mario Orso District 11	<input type="checkbox"/> RWQCB 4 Jonathan Bishop Los Angeles Region (4)
<input type="checkbox"/> Dept. of Fish & Game 6 I/M Tammy Allen Region 6, Inyo/Mono, Habitat Conservation Program	<input type="checkbox"/> Caltrans - Division of Aeronautics Sandy Hesnard	<input type="checkbox"/> Dept. of Transportation 12 Bob Joseph District 12	<input type="checkbox"/> RWQCB 5S Central Valley Region (5)
<input type="checkbox"/> Dept. of Fish & Game M George Isaac Marine Region	<input type="checkbox"/> Caltrans - Planning Terri Pencovic	<input type="checkbox"/> Air Resources Board	<input type="checkbox"/> RWQCB 5F Central Valley Region (5) Fresno Branch Office
<input type="checkbox"/> Other Departments	<input type="checkbox"/> California Highway Patrol John Olejnik Office of Special Projects	<input type="checkbox"/> Airport Projects Jim Lerner	<input type="checkbox"/> RWQCB 5R Central Valley Region (5) Redding Branch Office
<input type="checkbox"/> Food & Agriculture Steve Shaffer Dept. of Food and Agriculture	<input type="checkbox"/> Housing & Community Development Lisa Nichols Housing Policy Division	<input type="checkbox"/> Transportation Projects Kurt Karperos	<input type="checkbox"/> RWQCB 6 Lahontan Region (6)
<input type="checkbox"/> Dept. of General Services Robert Steppy Environmental Services Section	<input type="checkbox"/> Dept. of Transportation	<input type="checkbox"/> Industrial Projects Mike Tollstrup	<input type="checkbox"/> RWQCB 6V Lahontan Region (6) Victorville Branch Office
<input checked="" type="checkbox"/> Dept. of Health Services Wayne Hubbard Dept. of Health/Drinking Water	<input type="checkbox"/> Dept. of Transportation 1 Mike Eagan District 1	<input type="checkbox"/> California Integrated Waste Management Board Sue O'Leary	<input type="checkbox"/> RWQCB 7 Colorado River Basin Region (7)
<input type="checkbox"/> Independent Commissions/Boards	<input type="checkbox"/> Dept. of Transportation 2 Don Anderson District 2	<input type="checkbox"/> State Water Resources Control Board Jim Hockenberry Division of Financial Assistance	<input type="checkbox"/> RWQCB 8 Santa Ana Region (8)
<input type="checkbox"/> Delta Protection Commission Debby Eddy	<input type="checkbox"/> Dept. of Transportation 3 Jeff Pulverman District 3	<input type="checkbox"/> State Water Resources Control Board Sturlet Intern. 401 Water Quality Certification Unit Division of Water Quality	<input type="checkbox"/> RWQCB 9 San Diego Region (9)
<input checked="" type="checkbox"/> Office of Emergency Services Dennis Castirilo	<input type="checkbox"/> Dept. of Transportation 4 Tim Sable District 4	<input type="checkbox"/> State Water Resources Control Board Steven Herrera Division of Water Rights	<input type="checkbox"/> Other
<input type="checkbox"/> Governor's Office of Planning & Research State Clearinghouse	<input type="checkbox"/> Dept. of Transportation 5 David Murray District 5	<input type="checkbox"/> Dept. of Toxic Substances Control CEQA Tracking Center	
<input type="checkbox"/> Native American Heritage Comm. Debbie Treadway	<input type="checkbox"/> Dept. of Transportation 6 Marc Bimbaum District 6		
	<input type="checkbox"/> Dept. of Transportation 7 Cheryl J. Powell District 7		
<input type="checkbox"/> Resources Agency Nadell Gayou			
<input type="checkbox"/> Dept. of Boating & Waterways David Johnson			
<input type="checkbox"/> California Coastal Commission Elizabeth A. Fuchs			
<input type="checkbox"/> Colorado River Board Gerald R. Zimmerman			
<input checked="" type="checkbox"/> Dept. of Conservation Roseanne Taylor			
<input type="checkbox"/> California Energy Commission Environmental Office			
<input type="checkbox"/> Dept. of Forestry & Fire Protection Allen Robertson			
<input type="checkbox"/> Office of Historic Preservation Wayne Donaldson			
<input checked="" type="checkbox"/> Dept. of Parks & Recreation B. Noah Tighman Environmental Stewardship Section			
<input type="checkbox"/> Reclamation Board DeeDee Jones			
<input type="checkbox"/> Santa Monica Mountains Conservancy Paul Edelman			
<input type="checkbox"/> S.F. Bay Conservation & Dev't. Comm. Steve McAdam			
<input checked="" type="checkbox"/> Dept. of Water Resources Resources Agency Nadell Gayou			
<input type="checkbox"/> Fish and Game			
<input type="checkbox"/> Dept. of Fish & Game Scott Flint Environmental Services Division			
<input type="checkbox"/> Dept. of Fish & Game 1 Donald Koch Region 1			
<input type="checkbox"/> Dept. of Fish & Game 2 Banky Curtis Region 2			



ASSOCIATION OF MONTEREY BAY AREA GOVERNMENTS

RECEIVED

SEP 10 2004

CITY OF HOLLISTER
PLANNING DEPT

September 9, 2004

Mr. Bill Avera
City of Hollister
Community Development Department
Planning Division
375 Fifth Street
Hollister, CA 95023

**Re: MCH # 090407 -- Notice of Preparation of Draft Environmental Impact
Report for City of Hollister Draft General Plan 2004
(Hollister Planning Area)**

Dear Mr. Avera:

AMBAG's Regional Clearinghouse circulated a summary of notice of your environmental document to our member agencies and interested parties for review and comment.

The AMBAG Board of Directors considered the project on **September 8, 2004** and has no comments at this time.

Thank you for complying with the Clearinghouse process.

Sincerely,

Nicolas Papadakis
Executive Director



San Benito County Water District

30 Mansfield Road • P.O. Box 899 • Hollister, CA 95024-0899 • (831) 637-8218 • Fax (831) 637-7267

DATE: SEPTEMBER 15, 2004

TO: CITY OF HOLLISTER COMMUNITY DEVELOPMENT
DEPARTMENT, 375 FIFTH STREET, HOLLISTER CA 95023

FROM: SAN BENITO COUNTY WATER DISTRICT (SBCWD)

SUBJECT: COMMENTS ON RE-PUBLISHING OF NOTICE OF PREPARATION
(NOP) FOR HOLLISTER GENERAL PLAN UPDATE – PLAN
HORIZON 2020.

RECEIVED

OCT 5 2004

CITY OF HOLLISTER
PLANNING DEPT

The Water District provided comments on May 7, 2004 based on information provided in the NOP regarding the issues of a reliable water supply and adequate water and wastewater management systems. SBCWD noted that these issues should be seriously considered and evaluated in the EIR and provided a detailed outline of specific issues and concerns within the scope of the District's responsibility.

The Land Use and Planning section of the current NOP provides discussion of a recreational greenbelt located along the San Benito River. The Water District recommends that the impacts from recreational uses, including infrastructure, landscaping and irrigation, on groundwater supply should be incorporated in the Draft EIR.

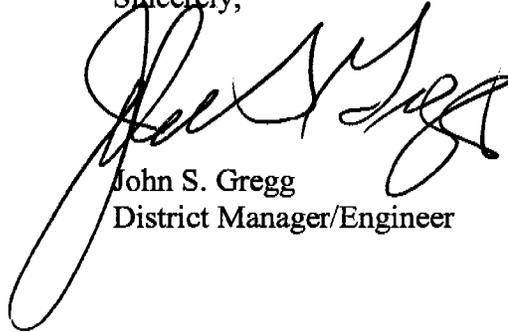
It was noted that the Draft EIR will include a "No Project/Existing General Plan Alternative" and a "Reduced Development Alternative". The Water District recommended that *'the EIR expand upon the "Reduced Development Alternative" (or add a third alternative entitled, for example, the "Sustainable City Alternative") considering the benefits from reduced usage of, and demands upon, natural resources. In this alternative, agricultural lands would be preserved to the maximum extent feasible. Increased residential density would lower water usage for urban landscape, and reclaimed water would be required for the irrigation of parks, schools, other public lands, and low density or "estate" residential development. Where feasible, commercial, industrial, and institutional developments would employ internal recycling systems to minimize water use and wastewater generation. Impervious surfaces would be minimized to reduce stormwater runoff and maintain groundwater recharge.'*

The current General Plan adopted overriding considerations that found employment opportunities to serve a higher need than the preservation of agricultural soils, uses and economy. At this time, SBCWD recommends that the Draft EIR revisit the conversion of agricultural soils in detail. Any statement of overriding considerations should be based on an objective assessment of social and economic contributions to the community

presented by agriculture-based jobs versus those created by commercial and/or industrial uses.

Once again, if you have any questions regarding the District's comments or areas of responsibility, please do not hesitate to contact us. We hope that this response will assist you with the preparation of the EIR and request the opportunity to consult with the City and its consultants as the environmental review process proceeds.

Sincerely,

A handwritten signature in black ink, appearing to read "John S. Gregg". The signature is fluid and cursive, with a large loop at the end of the last name.

John S. Gregg
District Manager/Engineer

Attachment 1

I. Water Supply

Inventory existing and future water supply sources for residential, commercial, industrial and agricultural uses. Assess existing and projected demands upon water supply sources, including agricultural, commercial, residential, industrial, and public demands. Assess the adequacy of existing and future water supply sources

A. Describe existing conditions.

1. Existing Suppliers:
 - a. Availability of, and entitlement to, ground and surface water.
 - b. Adequacy of existing supplies (in normal, dry and multiple dry years). Refer to Hollister Area Urban Water Management Plan, 2000, and Groundwater Management Plan Update, 2004.
2. Existing Demands.
3. Existing facilities, infrastructure and maintenance programs.

B. Future Conditions.

The EIR should lay the foundation for how future development, allowed under the EIR Update, will comply with SB 610 and SB 221 (recent laws passed requiring long-range water supply planning as a part of considering large development projects). To that end, the mechanisms for implementing the water related provisions of the General Plan should be specified so that there is a clear process to assure that the water resource goals and objectives, or provisions, will actually be implemented and not just be a “lofty but soon forgotten ideal.”

1. Future water supplies
 - a. Additional water entitlements.
 - b. Adequacy in normal, dry and multiple dry years. Possible shortfalls and contingency plans for drought conditions.
2. Analysis of future water demand (based on general plan land use build-out and projected cumulative demands in the region).
 - a. Urban Water Management Plans.
 - b. Water System Master Plans.
 - c. Growth projections
3. Planned facilities, projects.
 - a. Infrastructure needs.
 - b. Capital Improvement Plans.
 - c. Funding mechanisms, adequacy of current fee structure. Refer to existing studies, including the joint City and County study of the economics of development.
4. Constraints on future water supplies, including, but not limited to:
 - a. Hollister Area Lesssalt Water Treatment Plant.
 - i. Limitations based on current environmental document (needs new or supplemental review in order to be able to serve growth).
 - ii. Reliability issues, e.g. significant reductions in San Felipe Water availability and reliability. Refer to use of CAL SIM II for long-term planning, SBCWD, October 2003.

Attachment 1

- b. Current availability and reliability of San Felipe Water as detailed in the "Groundwater Management Plan Update for the San Benito County Portion of the Gilroy-Hollister Groundwater Basin, Water Resources Association of San Benito County, April 2004."
5. Future regulatory requirements.
 - a. EPA/Calif. Department of Health Services Drinking Water Standards - currently adopted with effective dates in the future.
 - b. Status of City of Hollister plans to meet Disinfection Byproduct Regulations.
 - c. Water Supply and Water System Security Standards.
 - d. Water System Permit: Status of City of Hollister Water System Permit and scheduled reviews by the Calif. Department of Health Services.
- C. Conservation/reclamation.
 1. Established programs for conservation, recycling, transfers and conjunctive use of surface and groundwater.
 2. Policies and actions related to water use efficiency and water recycling.
 - a. Include best management practices for water conservation in the urban sector.
- D. Groundwater Management.
 1. Address impacts of reduced groundwater recharge associated with development.
 2. Address potential contamination of groundwater related to certain types of development (commercial and industrial developments storing and/or using hazardous materials and other potential water contaminants).

II. Water Quality

- A. Groundwater Quality.
 1. Existing groundwater quality.
 2. Impacts to groundwater quality.
 - a. Need for Well Head Protection Program.
 - i. Nash Road Well and wastewater disposal ponds.
 - ii. Airline Highway Well and Safeway underground storage tank.
 - iii. Nitrate contamination of City of Hollister's San Felipe Well.
 - b. Status of City of Hollister Wastewater System Source Control Program.
 - c. Need and plans for Salt Management Program.
- B. Surface Water Quality.
 1. Existing surface water quality. Discuss applicable TMDL studies (RWQCB).
 2. Status of City of Hollister Stormwater Management Plan and compliance with the EPA and RWQCB's Stormwater Discharge Regulations throughout the General Plan time frame.
 3. Potential Impacts of General Plan Implementation on surface water quality.

Attachment 1

III. Wastewater Treatment and Disposal

- A. Please refer to Draft SBCWD comments for the Hollister Domestic Wastewater System Improvement Project NOP (Attachment 2). *When completed, a copy of the final comments will be forwarded to the Hollister Community Development Department.*
- B. Future Regulatory Requirements. Discuss the status of the City of Hollister's Wastewater Discharge Requirements Orders, and scheduled review(s).

IV. Watershed Protection

- A. Inventory water resources including rivers, streams, lakes, reservoirs, groundwater basins (aquifers) and watersheds.
- B. Detail General Plan Policies for watershed protection as well as potential impacts to the watershed caused by implementation of the General Plan.
- C. Work with SBCWD to identify and protect groundwater recharge areas in the San Benito River, Santa Ana Creek, and John Smith Creek.
- D. Discuss Habitat Impacts. Consider potential impacts to significant portions of the San Juan Valley and Northern San Benito County, designated as Critical Habitat Areas in the currently proposed California Red-Legged Frog Recovery Plan.

V. Flood Management

- A. Identify high-risk areas, establish policies to limit development in flood prone areas.
- B. Address the implementation of, and General Plan consistency with, the Santa Ana Drainage Plan (developed jointly by the City and San Benito County in the mid 90's and prepared by Schaaf and Wheeler).
- C. Refer to comments on downstream flooding on the Pajaro River, found in the Groundwater Management Plan Update – PEIR.

VI. Stormwater Management

- A. Incorporate grading and erosion control, urban stormwater runoff management ordinances, etc.
- B. Regional stormwater management plans.

VII. Interagency Coordination and Collaboration

Include policies to coordinate water management with the following entities:
Regional Water Quality Control Board, Central Coast Region
Department of Fish and Game
U.S. Fish and Wildlife Service
U.S. Army Corps of Engineers
SBCWD

DRAFT

DATE: MAY 3, 2004

TO: CITY OF HOLLISTER, DIRECTOR OF PUBLIC WORKS

FROM: SAN BENITO COUNTY WATER DISTRICT (SBCWD)

SUBJECT: COMMENTS ON NOTICE OF PREPARATION (NOP), DRAFT EIR FOR HOLLISTER DOMESTIC WASTEWATER SYSTEM IMPROVEMENT PROJECT.

We have reviewed the subject document and have the following comments:

Section 1

Purpose and Need

- Provide more information on the history and current status of domestic wastewater treatment in Hollister. Explain the deficiencies in the existing treatment system that led to the need for new treatment facilities. Describe the various options considered as treatment alternatives, along with the reason for selecting the Project over the other choices.
- Provide a more detailed discussion of the need for “expansion capability to meet population growth projected in the Hollister General Plan”. Describe the City’s General Plan Update and its implications relevant to projected population goals.
- Evaluate the adequacy of the planned expansion to 4 million gallons per day in meeting projected wastewater flows consistent with the applicable General Plan and General Plan EIR. Discuss the need for future expansion planning.
- Discuss the status of the Sunnyslope County Water District (SCWD) and the “reasonably foreseeable” possibility of insufficient wastewater capacity. Include recent “evidence in the record” of the request for the Hollister Domestic Wastewater treatment plant to accept additional wastewater from SCWD (copy attached).

Section 2

- Provide more specific, detailed information regarding proposed changes to the City’s Domestic Wastewater System including expanded discussion in the following areas:
 - Proposed changes in the use of the existing percolation beds.
 - Description and location of any new percolation beds.

- Impacts to farming operations close to new pond location (herbicides, etc.)
- Potential dual use of water distribution pipelines.
- Geology and Soils
 - Impacts to embankment/slope stability.
 - Potential need for NPDES permit for grading, construction activity.
 - Liquefaction issues.
- Hazards and Hazardous Materials
 - Impacts to soil chemistry, including leaching of heavy metals.
 - Potential risk of accidental release and consequences of pond breach/overflow, given the proximity to the river,.
 - Division of Dams and Safety jurisdiction criteria.
- Hydrology and Water Quality

The following surface and ground water quality issues are of special concern to the SBCWD:

 - Identification of impacts to “receiving waters”. Include a clear definition and identification of “receiving water” (utilize up-gradient baseline).
 - Potential for daylighting and/or upwelling of wastewater. Related impacts to surface waters and habitat, and compliance with California Toxics Rule.
 - Presence of Constituents of Concern.
 - Presence of Pharmaceutical and personal care products, including, but not limited to, data presented by Montgomery Watson Harza to Water Resources Association Staff and representatives of the California Department of Health Services.
 - Nitrate and nitrogen levels.
 - Potential for change in the relationship between existing groundwater conditions and the contaminated groundwater plume from the Whitaker site. Potential change in “mound” characteristics (serving as an existing impediment in the plume’s path) if current disposal practices and patterns are altered, i.e. pond percolation stops or significantly changes. Potential need for additional monitoring.
 - Increase in quantity of water with wastewater characteristics. Establishment of a baseline.
 - Mitigation of increased stormwater runoff
 - Identification of both direct and indirect impacts on drinking water supplies and domestic wells, including, but not limited to, those impacts identified in the Hydrology Study.
- Mineral Resources
 - Impacts to Nearby Areas of Identified Mineral Resource Significance and Areas of Undetermined Mineral Resource Significance (as designated by the California Department of Conservation, Division of Mines and Geology), including, but not limited to:
 - Potential effluent contamination of sand and gravel.
 - Limitations on mining operations caused by rise in groundwater levels.
- Population and Housing

- Description and location of any new pipeline system.
- Description and location of any proposed recycled water distribution system to be constructed within the immediate project vicinity, and options for the long-term future development of additional recycled water distribution systems.
- Discussion of untreated wastewater storage and holding capacity for periods when peak flows may temporarily exceed system capacity.
- Description of contingency measures in the case of system failure, including but not limited to:
 - Interruption of treatment processes.
 - Anticipated time to restore operations.
 - Emergency raw influent storage.
- Provide a more thorough justification for basis of 1 MGD sustainable winter disposal capacity. Technical memorandum in preparation?
- Include an expanded evaluation of project consistency with relevant policies, plans, programs and CEQA documents, including, but not limited to:
 - Regional Water Quality Control Board, Central Coast Region, Basin Plan
 - Hollister City Council, Planning Criteria for Wastewater Treatment and Disposal (copy attached).
 - Groundwater Management Plan Update for the San Benito County Portion of the Gilroy-Hollister Groundwater Basin.
 - San Benito County Regional Recycled Water Plan.
 - City of Hollister General Plan and General Plan EIR.
 - San Benito County General Plan and General Plan EIR.
- Public Opinion and Controversy
 - Include a discussion of public controversy related to the Hollister Domestic Wastewater Treatment Plant and describe how public opinion and controversy will be addressed.

Section 3

Hydrology and Water Quality

Provide a more thorough discussion of existing characteristics (including water quality) of the water basins to be affected by the project. Explain the relationship between wastewater percolation and water balance in the San Juan basin. Identify current impacts and potential changes. Discuss any SBCWD practices that limit recharge.

Section 4

Probable Environmental Affects Of The Project.

The following issues are of concern to the SBCWD:

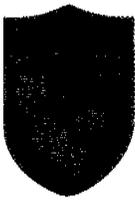
- Agriculture
 - Identification of both direct and indirect impacts.
 - Impacts to groundwater level (as it pertains to agricultural operations).
 - Impacts to groundwater quality (as it pertains to agricultural operations).
 - Impacts to demand for imported irrigation water vs. use of underlying groundwater.
 - Introduction of nuisance species and foreign organisms.

- Discussion of various Growth estimates, e.g. Regional Housing Allocation, Current Hollister General Plan, Proposed amendments to General Plan, Adopted Growth Measures, etc.

Sincerely,

John S. Gregg
District Manager/Engineer

FAXED 9/30/04



DEPARTMENT OF FISH AND GAME

<http://www.dfg.ca.gov>

POST OFFICE BOX 47
YOUNTVILLE, CALIFORNIA 94599
(707) 944-5500



September 30, 2004

RECEIVED

OCT 5 2004

CITY OF HOLLISTER
PLANNING DEPT

Mr. Bill Avera
City of Hollister
Community Development Department
Planning Division
375 Fifth Street
Hollister, CA 95023
Via Fax: (831) 636-4364
Email: bill.avera@hollister.ca.gov

Dear Mr. Avera:

Notice of Preparation (NOP)
Draft Environmental Impact Report (DEIR)
City of Hollister Draft General Plan
SCH# 2004081147

Department of Fish and Game (DFG) personnel have reviewed the NOP for the update of the General Plan of the City of Hollister. The project would establish land use designations within the Planning Area and should provide the basis for subsequent revisions in the current zoning ordinance. A preferred land use concept is introduced, which recommends the concentration of medium and high-density residential development along major boulevards without developing the outskirts of the City. A "greenway" is referenced for the vicinity of the San Benito River as a recreational area for residents. According to the NOP, the Plan will aim to encourage infill development for the next five years.

Five land use categories are specifically introduced in the NOP. Although open space is noted as a category in Figure 2 (Preferred Land Use Concept Map), there is no description or definition of this designation. In order for DFG to be able to provide comments on the potential effects on natural resources in the Plan, it will be necessary to include such a description.

The DEIR should contain a complete description and map of the vegetation communities, wildlife habitats, creeks, wetlands and other important habitat features of the area, including acreage. Impacts to habitats and mitigation measures necessary to offset those impacts should be identified and discussed.



Mr. Bill Avera
September 30, 2004
Page 2

DFG recommends mitigation for all habitats, including grasslands. Grasslands and scrub are often developed without mitigation, leading to an unaddressed cumulative loss of wildlife habitat. We recommend impacts be mitigated by avoidance, minimization of impacts, and acquisition and preservation as open space of at least an equal area and quality as that lost.

Rare, threatened and endangered species to be addressed should include all those which meet the California Environmental Quality Act (CEQA) definition (see CEQA Guidelines, Section 15380). The assessment should identify any rare plants and rare natural communities, following DFG's Guidelines for Assessing the Effects of Proposed Projects on Rare, Threatened, and Endangered Plants and Natural Communities (revised May 8, 2000). The Guidelines are available at www.dfg.ca.gov/whdab/pdfs/guideplnt.pdf. DFG as a responsible agency will use the subject EIR in issuance of needed permits.

Please be advised that a California Endangered Species Act (CESA) Permit must be obtained if the project has the potential to result in take of species of plants or animals listed under CESA, either during construction or over the life of the project. Issuance of a CESA Permit is subject to CEQA documentation; therefore, the CEQA document must specify impacts, mitigation measures, and a mitigation monitoring and reporting program. If the project will impact CESA listed species, early consultation is encouraged, as significant modification to the project and mitigation measures may be required in order to obtain a CESA Permit. The DEIR should include an adequate description of endangered species mitigation measures to allow DFG to use the document in issuance of a endangered species permit.

For any activity that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of a river or stream, or use material from a streambed, DFG may require a Streambed Alteration Agreement (SAA), pursuant to Section 1600 et seq. of the Fish and Game Code, with the applicant. Issuance of SAAs is subject to CEQA. DFG, as a responsible agency under CEQA, will consider the CEQA document for the project. The CEQA document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for completion of the agreement. To obtain information about the SAA notification process, please access our website at www.dfg.ca.gov/1600; or to request a

Mr. Bill Avera
September 30, 2004
Page 3

notification package, contact the Streambed Alteration Program at (707) 944-5520. DFG will also act as responsible agency for any activities altering a creek that require an SAA. The DEIR should be developed in consultation with DFG to adequately discuss mitigation and project design requirements for issuance of an SAA in the Plan area.

The NOP does not address which special-status species use the site as habitat. The planning area includes habitat for the San Joaquin kit fox (*Vulpes macrotis mutica*). Close consultation with DFG and the U. S. Fish and Wildlife Service (USFWS) will be required to assure compliance with the State and Federal Endangered Species Acts. Loss of habitat is considered a take under these acts and will require permits from both agencies. Currently, loss of habitat requires compensatory preservation of habitat at a 3:1 ratio. The DEIR should provide information about what lands would be acquired or otherwise preserved as mitigation. Lands which are dedicated to a public agency should include a permanent fund to cover the costs of maintenance for the life of the project. DFG recommends focusing mitigation to create a small number of larger preserves in high value habitat with interconnecting corridors for kit fox. The Plan should propose areas where mitigation would be most appropriate.

Based on location and the abundance of grassland habitat, it is likely the area provides habitat for other listed and sensitive species including California tiger salamander (CTS) (*Ambystoma californiense*) and the western pond turtle (*Clemmys marmorata*). The site may also provide habitat for the California red-legged frog (*Rana aurora draytonii*) and the San Joaquin whipsnake (*Masticophis flagellum ruddocki*). Surveys and mitigation measures for red-legged frog and CTS should follow established USFWS and DFG guidelines. Surveys should be conducted for any rare, threatened or endangered species which may exist on site. Federal candidate species, wildlife listed as species of special concern, and plants listed by the California Native Plant Society (CNPS) should be included. DFG's California Natural Diversity Database (CNDDDB) should be consulted for any known site-specific occurrences and also for a list of species found in the general area. A report from the CNDDDB which lists no findings for the project site does not indicate these species do not exist there, only that no information is in the file. Consequently, a negative result from a CNDDDB search must not be used to obviate the need for requisite surveys.

Mr. Bill Avera
September 30, 2004
Page 4

Surveys for sensitive species, particularly plants, should be conducted at the proper time of year. Impacts to these species and their habitats should be avoided. Impacts which are unavoidable should be identified and appropriate mitigation provided.

A discussion of impacts to wider ranging species should include the loss of breeding and foraging habitat over the entire planning area, habitat fragmentation, and cumulative impacts. The cumulative effect of all developments in the area should be considered, particularly from the perspective of fragmentation of habitat and blocking of movement corridors. This is particularly the case for CTS which move long distances between breeding habitats and aestivation sites. The DEIR should also require the development of appropriate mitigation agreements with DFG to address species and habitat loss.

It is our policy that a project should cause no net loss of either wetland acreage or wetland habitat value. We recommend a minimum 100-foot buffer be established to protect wetlands. The buffer should be measured outward from the edge of any wetland. Unavoidable impacts to wetlands should be identified and mitigation provided for in the document. Mitigation for lost wetlands must include the creation of new wetlands on at least a 1:1 basis. Higher value wetlands will require higher ratios for compensation. Areas proposed as wetland mitigation sites must be identified specifically in the document.

The U. S. Army Corps of Engineers (Corps) has jurisdiction over the discharge of fill to streams under Section 404 of the Clean Water Act. If any work is to be done in a creek or wetland, we recommend the Corps be notified to determine if they have jurisdiction and require a permit.

The DEIR should include a map of adjacent properties showing any open space areas. Areas to be retained as open space on site should not be completely encircled by development as this decreases the value of the area for wildlife. We recommend open space areas on- and off-site be connected by corridors to permit wildlife passage between the areas.

Survey results and specific mitigation measures must be included in the document. Surveys to be conducted at a later time, or mitigation measures to be identified at some future time, are not acceptable. It has been determined by court ruling

Mr. Bill Avera
September 30, 2004
Page 5

that such studies and mitigation measures would be improperly exempted from the process of public and governmental scrutiny which is required under CEQA. A document which requests future studies or future identification of mitigation will be considered inadequate.

If you have questions, please contact Mr. Serge Glushkoff, Environmental Scientist, by email at SGlushkoff@dfg.ca.gov or by telephone at (707) 944-5597; or Mr. Scott Wilson, Habitat Conservation Supervisor, at (707) 944-5584.

Sincerely,



Robert W. Floerke
Regional Manager
Central Coast Region

cc: State Clearinghouse



HOLLISTER SCHOOL DISTRICT

September 9, 2004

RECEIVED

SEP 13 2004

CITY OF HOLLISTER
PLANNING DEPT

Mr. Bill Avera
City of Hollister
Community Development Department
375 Fifth Street
Hollister, CA 95023

**Re: Response to Notice of Preparation
City of Hollister General Plan 2004**

Mr. Avera:

Hollister School District has reviewed the information provided in the Notice of Preparation for the City of Hollister General Plan 2004 and would like to submit the following:

The Draft General Plan does not sufficiently address the need for additional public school site infrastructure or location. School sites need to be specifically identified in each of the areas the City is planning to incorporate, and the plan map should reflect those sites.

The plan needs to outline additional school impact mitigation requirements for proposed developments in order to provide the means to construct the public service infrastructure (schools) needed as a result of the expected population growth. Current statutory impact fees are not adequate to fully mitigate and provide necessary facilities. Other public service impacts, such as water and sewer, have full mitigation requirements within the plan.

Based upon the increases projected in housing and population, the public schools will be significantly impacted. The population increase, estimated at 19,000 new residents by the year 2020, will generate approximately 10,000 new K-8 students based on current yield factors. This will create a need for approximately 9 new schools within the general plan area. The District believes that the final General Plan should not be adopted until potential school sites can be identified and full mitigation of impacts can be defined and outlined in the final draft.

Also, the plan must address the need for safe access to schools. The plan should specifically identify all pathways, sidewalks, critical intersections, and other pedestrian walkways necessary to allow students to walk safely to new school sites.

Governing Board

Margie Barrios
Dee Brown, Ph.D. • Carol Cochran
Alice Flores, Ed.D. • Eugenia Sanchez

Superintendent

Judith Barranti, Ed.D.

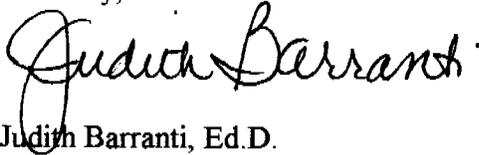
District Administrative Office

2690 Cienega Road • Hollister, CA 95023
Telephone: (831) 630-6300
Fax Number: (831) 634-2080

The plan also needs to identify potential joint city/school district school/park sites as we have developed in the past. The joint facilities currently exist throughout the city, and yet no new facilities are identified in the draft. The district would like to identify future sites for this cooperative effort.

Please incorporate or respond to these issues prior to the final adoption of the General Plan. If you have any questions or need more information, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Judith Barranti". The signature is written in a cursive style with a large initial "J".

Judith Barranti, Ed.D.
Superintendent

JB:vrd

DEPARTMENT OF TRANSPORTATION

50 HIGUERA STREET
SAN LUIS OBISPO, CA 93401-5415
PHONE (805) 549-3111
FAX (805) 549-3329
TDD (805) 549-3259
<http://www.dot.gov/dist05>



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CITY OF HOLLISTER
PLANNING DEPT

*Flex your power!
Be energy efficient!*

September 22, 2004

SCH# 2004081147

Bill Avera
City of Hollister Community Development Department
375 Fifth Street
Hollister, CA 95023

SUBJECT: Hollister Notice of Preparation Comments for draft General Plan 2004

Dear Mr. Avera:

The California Department of Transportation (Department) District 5 has reviewed the Notice of Preparation (NOP) for the Hollister draft *General Plan 2004*. The City of Hollister is centrally located between Monterey Bay and San Jose, and within the northern portion of San Benito County. This general Plan update will replace the existing document that was completed in 1995. District 5 staff offers the following comments for your consideration.

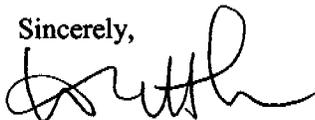
- 1) Traffic Study Area - The traffic analysis in the Draft EIR should have a clearly defined study area, which should include roadways outside of the city limits. Since regional access to the City of Hollister continues to be provided from Routes 101, 25 and 156, District 5 requests the study area for the traffic analysis include these State routes.
- 2) LOS Policies - The Department is responsible for the safety, operations, and maintenance of the State Highway System pursuant to the California Streets and Highways Code. Therefore, the Department's level of service (LOS) policies should be used in the traffic analysis to determine the significance of any project's impact to the State Highway System. The Department endeavors to maintain a target LOS at the transition between LOS C and LOS D (i.e., not worse than LOS C) on state highway facilities. In cases where a state highway facility is already operating at an unacceptable LOS, it is our position that any project traffic trips added to this facility should be considered a significant cumulative traffic impact and should be mitigated accordingly.
- 3) LOS Methodologies - The methodologies used to calculate the LOS for the State Highway System should be consistent with the methods in the current version of the *Highway Capacity Manual (HCM)*. All LOS calculations should be included in the Draft Program EIR as an appendix and made available for review.
- 4) Existing Conditions - The traffic analysis in the Draft Program EIR should include information on existing traffic volumes within the study area, including the State Highway System. This information should be based upon recent traffic counts. Information on existing traffic levels can be obtained from other recent traffic studies (i.e. not more than two years old) and may also be obtained from District 5. The LOS for the segments, interchanges, and intersections on the State Highway System under existing conditions should be identified.

- 5) Cumulative Conditions - The traffic analysis in the Draft Program EIR should include information on cumulative traffic volumes within the study area, including the State Highway System. The cumulative analysis should be based upon a 20-year timeframe or General Plan buildout forecasts. The cumulative analysis should include a discussion of the land use and roadway network assumptions used in the traffic forecasts. The LOS for the segments, interchanges, and intersections on the State Highway System under cumulative conditions should be identified.
- 6) Cumulative Mitigation - The planned development in the General Plan should be responsible for mitigating any cumulative traffic impacts to the State Highway System in accordance with the California Environmental Quality Act (CEQA). The planned development should contribute a pro rata share towards the cost of any state highway improvements identified by our Department and the City. The payment of a pro rata share towards these improvements is consistent with Section 15064 and Section 15130 of the CEQA Guidelines.
- 7) Future Traffic Studies - To ensure that the traffic impacts of future General Plan development upon the State Highway System are properly evaluated, it is recommended that future development be required to prepare updated traffic studies in accordance with the Department's recently updated "*Guide for the Preparation of Traffic Impact Studies*". This requirement should be identified as a mitigation measure in the Program EIR and/or as a policy in the General Plan Circulation Element.
- 8) Trip Reduction Measures - The Draft Program EIR should include a discussion of any trip reduction measures to be implemented as part of the proposed General Plan.
- 9) Regional fee program - The Department supports the County's proactive regional fee program. With any changes in land-use of this update of the General Plan, we anticipate an adjustment in the fee schedule (e.g., residential units, square-feet of commercial space). We look forward to reviewing and commenting on the methodology used in arriving at the new fee schedule.
- 10) Projected Timeline - The Department would recommend re-evaluation of the target future year for analysis of 2020. As you are aware, most planning documents minimally try to project 20 years into the future. This would push the year to 2025, and would be consistent with both the Regional Transportation Plan guidelines and the Department's Transportation Concept Reports.

District 5 would like to request copies of the Draft General Plan and Draft Program EIR for review when they become available. We are also available to meet with City staff to provide early input into the Circulation Plan and the traffic analysis for the Draft Program EIR.

Thank you for your consideration and action upon these issues. If you have questions regarding our comments please contact me at (805) 549-3099.

Sincerely,



Keith Hinrichsen
Caltrans - District 5
Development Review
keith_hinrichsen@dot.ca.gov

Cc: D. Murray, Chief-District 5 Dev. Review; R. Barnes, District 5 Traffic Ops; T. Quigley - SBtCOG;
M. Dinkuhn - SBtCOG.



San Benito High School District

1220 Monterey Street
Hollister, CA 95023

Phone (831) 637-5831, ext. 134 Fax (831) 637-3046

SUPERINTENDENT
Jean Burns Slater, Ed.D.

September 23, 2004

Bill Avera
City of Hollister Community Development Department
375 Fifth Street
Hollister, CA 95023

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SEP 24 2004

CITY OF HOLLISTER
PLANNING DEPT

Dear Mr. Avera:

Thank you for the opportunity to comment on the Draft of the Environmental Impact Report for the City of Hollister General Plan Update. I had the privilege of attending several of the Steering Committee Meetings for the General Plan, beginning in March, 2003 through the spring, 2004. I was given the occasion to speak publicly to the Steering Committee and share ideas from the point of view of a local school district representative.

I appreciated the careful thought and actions that were focused on the development of the City of Hollister General Plan Update. One concept presented in the General Plan Update of special interest to the San Benito High School District and other local public sector employers is workforce housing. The downtown mixed use concept appears to provide close, local, affordable housing for school employees and other public service employees. Affordable workforce housing in Hollister is currently difficult to fund. As teachers retire, new teachers are hired with a beginning starting salary of approximately \$40,000. An average teacher salary in San Benito County is \$54,991. The median price of a single family residence in 2003 was \$395,000. Purchasing a home is out of reach for most beginning teachers. Affordable housing within the updated General Plan for the City of Hollister would increase the stability of the teaching force within our schools, reduce traffic by avoiding a commute from affordable housing outside of Hollister, increase local commerce and purchasing, and build a community within the school attendance areas for community service employees such as teachers, fire and law enforcement officers, medical assistants and nurses. Loft style apartments, strategically placed downtown, would enhance the entire area and allow residents to walk to work in many situations.

The second area of serious interest and concern is the importance of completing the Westside Boulevard Extension, allowing a permanent closure of Nash Road from West to Monterey Streets. The current circulation plan directs traffic through the middle of the San Benito High School campus. The completion of the extension of Westside Boulevard has been planned since the early 1990's and it appears on the Short-Term List of the General Plan section titled, "Circulation." However, in the interest of safety, I would suggest that Westside Boulevard Extension move to the immediate list, if this is the only means to close Nash Road from West to Monterey Street. The San Benito High School site expansion, recently opened, was built with the understanding that the safety issue of students crossing Nash Road would disappear with the permanent closure of Nash Road. Years have slipped by, the site expansion has opened,

BOARD OF TRUSTEES

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The Mission of San Benito High School is to educate all students to their highest potential so they will have the greatest range of personal options upon graduation.

and the students and cars are still in each others paths. By completing the extension of Westside Boulevard and closing Nash Road, a public walk way linking school and field facilities can be developed. Traffic circulation, by diverting the traffic flow off of Nash Road, and pedestrian safety will be greatly enhanced with this project in the immediate future.

Please feel free to call me with questions. I respectfully thank you for allowing me to present these comments.

Sincerely,


Dr Jean Burns Slater
Superintendent
San Benito High School District



DEPARTMENT OF CONSERVATION
STATE OF CALIFORNIA

September 15, 2004

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SEP 16 2004

CITY OF HOLLISTER
PLANNING DEPT

DIVISION OF
LAND RESOURCE
PROTECTION

■ ■ ■
801 K STREET
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95814

PHONE
916/324-0850

FAX
916/327-3430

INTERNET
constrv.ca.gov

■ ■ ■
ARNOLD
SCHWARZENEGGER
GOVERNOR

Bill Avera
Hollister Community Development Department
375 Fifth Street
Hollister, CA 95023

Subject: Notice of Preparation (NOP) of a Draft Environmental Impact
Report (DEIR) for the City of Hollister General Plan Update
(GPU) **SCH#-2004081147**

Dear Mr. Avera:

The Department of Conservation's Division of Land Resource Protection (Division) monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act and other agricultural land conservation programs. The Division has reviewed the above NOP and offers the following recommendations for the DEIR with respect to the project's potential impacts on agricultural land.

The proposed project involves a comprehensive update of the 1995 Hollister General Plan. Since the project area includes or is adjacent to agricultural lands and lands in agricultural preserves, the Division recommends that, at a minimum, the following items be included in the DEIR.

Agricultural Setting of the Project

The DEIR should describe the project setting in terms of the actual and potential agricultural productivity of the land. The Division's San Benito County Important Farmland Map, which defines farmland according to soil attributes and land use, can be used for this purpose. In addition, we recommend including the following information to characterize the agricultural land resource setting of the project.

- Current and past agricultural use of the project area. Include data on the types of crops grown, and crop yields and farmgate sales values.

- To help describe the full agricultural resource value of the soils in the project area, we recommend the use of economic multipliers to assess the total contribution of potential or actual agricultural production to the local, regional and state economies. State and Federal agencies such as the UC Cooperative Extension Service and USDA are sources of economic multipliers.

Project Impacts on Agricultural Land

- Type, amount, and location of farmland conversion resulting directly and indirectly (growth-inducement) from project implementation.
- Impacts on current and future agricultural operations, e.g., land-use conflicts, increases in land values and taxes, vandalism, etc.
- Incremental project impacts leading to cumulatively considerable impacts on agricultural land. This would include impacts from the proposed project as well as impacts from past, current and probable future projects.

Impacts on agricultural resources may also be quantified and qualified by use of established thresholds of significance (California Code of Regulations Section 15064.7). The Division has developed a California version of the USDA Land Evaluation and Site Assessment (LESA) Model, a semi-quantitative rating system for establishing the environmental significance of project-specific impacts on farmland. The model may also be used to rate the relative value of alternative project sites. The LESA Model is available on the Division's website noted later in this letter.

Williamson Act Lands

If lands in agricultural preserves or under Williamson Act contract exist on or adjacent to the project area, the Department recommends that the following information be provided in the DEIR:

- A map detailing the location of agricultural preserves and contracted land within each preserve. The DEIR should also tabulate the number of Williamson Act acres, according to land type (e.g., prime or non-prime agricultural land), which could be impacted directly or indirectly by the project.
- A discussion of Williamson Act contracts that may be terminated in order to accommodate the project. The DEIR should discuss the impacts that termination of Williamson Act contracts would have on nearby properties also under contract. As a general rule, land can be withdrawn from Williamson Act contract only through the nine-year nonrenewal process (Government Code Section 51245). Immediate termination via cancellation is reserved for "extraordinary", unforeseen situations (See Sierra Club v. City of Hayward (1981) 28 Cal.3d 840, 852-855).

- If portions of the project area are under Williamson Act contract and will remain under contract after project completion, the DEIR should discuss the proposed uses for those lands. Uses of contracted land must meet compatibility standards identified in Government Code Sections 51238 - 51238.3. Otherwise, contract termination (see prior paragraph) must occur prior to the initiation of the land use.
- An agricultural preserve is a zone authorized by the Williamson Act, and established by the local government, to designate land qualified to be placed under the Act's 10-year contracts. Preserves are also intended to create a setting for contract-protected lands that is conducive to continuing agricultural use. The use of agricultural preserve land must be restricted by zoning or other means so as not to be incompatible with the agricultural use of contracted land within the preserve (Government Code Section 51230). Therefore, the DEIR should also discuss any proposed general plan designation or zoning (or rezoning) within agricultural preserves affected by the project.

Mitigation Measures and Alternatives

Feasible alternatives to the project's location or configuration that would lessen or avoid farmland conversion impacts should be considered in the DEIR. The Division recommends consideration of the purchase of agricultural conservation easements on land of at least equal quality and size as partial compensation for the direct loss of agricultural land, as well as for the mitigation of growth inducing and cumulative impacts on agricultural land. We highlight this measure because of its growing acceptance and use by lead agencies as mitigation under the California Environmental Quality Act.

Mitigation using conservation easements can be implemented by at least two alternative approaches: the outright purchase of conservation easements tied to the project, or via the donation of mitigation fees to a local, regional or statewide organization or agency, including land trusts and conservancies, whose purpose includes the purchase, holding and maintenance of agricultural conservation easements. Whatever the approach, the conversion of agricultural land should be deemed an impact of at least regional significance and the search for mitigation lands conducted regionally, and not limited strictly to lands within the Hollister area.

Information about conservation easements is available on the Division's website, or by contacting the Division at the address and phone number listed below. The Division's website address is:

<http://www.conservation.ca.gov/DLRP/>

Of course, the use of conservation easements is only one form of mitigation that should be considered. The following mitigation measures could also be considered:

- Increasing home density or clustering residential units to allow a greater portion of development areas to remain in agricultural production.
- Protecting nearby farmland from *premature* conversion through the use of less than permanent long-term restrictions on use such as 20-year Farmland Security Zone contracts (Government Code Section 51296) or 10-year Williamson Act contracts (Government Code Section 51200 et seq.).
- Establishing buffers such as setbacks, berms, greenbelts, and open space areas to separate farmland from incompatible urban uses.
- Investing in the commercial viability of the remaining agricultural land in the project area through a mitigation bank which invests in agricultural infrastructure, water supplies and marketing.

The Division believes that the most effective approach to farmland conservation and impact mitigation is one that is integrated with general plan policies. For example, the measures suggested above could be most effectively applied as part of a comprehensive agricultural land conservation, conservation or land use element in the City's General Plan. Mitigation policies could then be applied systematically toward larger goals of sustaining an agricultural land resource base and economy. Within the context of a general plan mitigation strategy, other measures could be considered, such as the use of transfer of development credits, mitigation banking, and economic incentives for continuing agricultural uses.

Thank you for the opportunity to comment on the NOP. If you have questions on our comments, or require technical assistance or information on agricultural land conservation, please contact the Division at 801 K Street, MS 18-01, Sacramento, California 95814; or, telephone (916) 324-0850.

Sincerely,



Dennis J. O'Bryant
Acting Assistant Director

cc: San Benito RCD
2377 Technology Parkway, Suite C
Hollister, CA 95023



MONTEREY BAY

Unified Air Pollution Control District
serving Monterey, San Benito, and Santa Cruz counties

AIR POLLUTION CONTROL OFFICER
Douglas Quetin

24580 Silver Cloud Court • Monterey, California 93940 • 831/647-9411 • FAX 831/647-8501

August 26, 2004

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AUG 30 2004

CITY OF HOLLISTER
PLANNING DEPT

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County

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San Juan
Bautista

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King City

Bill Avera
Community Development Department
City of Hollister
375 Fifth St.
Hollister, CA 95023

SUBJECT: NOP OF DEIR FOR CITY OF HOLLISTER GENERAL PLAN UPDATE

Dear Mr. Avera:

Staff has reviewed the referenced document and has the following recommendations for the scope of work for the air quality analysis:

1. The District uses consistency with the Air Quality Management Plan for the Monterey Bay Region (AQMP) to determine a general plan's impact on regional air quality (ozone levels). The project level impact should be assessed by comparing the project's population with forecasts in the 2004 AQMP. The cumulative impact should be assessed by comparing population for all general plans within San Benito County with the population forecasts. The following data are needed to prepare this assessment: population at buildout of the general plan, estimate for time of buildout, and population forecasts in five year increments. AMBAG should be contacted to prepare the consistency determination.
2. If project or cumulative traffic would cause LOS to decline from D or better to E or F, dispersion modeling should be undertaken to determine if carbon monoxide concentrations would violate ambient air quality standards at sensitive receptor locations.
3. If the project might expose sensitive receptors in adjacent land uses to air quality problems such as odors or toxic air contaminants (e.g., diesel exhaust), the DEIR should include an assessment of these impacts.
4. Mitigation measures should be identified for any significant impacts on air quality. The EIR should quantify the emission reduction effectiveness of each measure, identify agencies responsible for implementation and monitoring, and conclude whether mitigation measures would reduce impacts below significance levels.

5. The DEIR should indicate that projects constructed pursuant to the General Plan could have impacts on air quality which will be addressed when projects are proposed. The District has established the following thresholds of significance for individual projects: 137 lb/day of VOC or NO_x, 82 lb/day of PM₁₀, 150 lb/day of SO_x, a significant decline in LOS, and a cancer risk greater than 10 incident per one million population.

The District's CEQA Air Quality Guidelines can be used to help prepare the air quality analysis. The Guidelines were recently amended, and an updated copy is available at the District's website - www.mbuapcd.org. Please do not hesitate to call if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Janet Brennan". The signature is fluid and cursive, with a large initial "J" and "B".

Janet Brennan
Supervising Planner
Planning and Air Monitoring Division

ACCESS LAND DEVELOPMENT SERVICES, Inc.

637 Middlefield Road
Palo Alto, CA. 94301
(650) 325-9681 Fax (650) 618-1675
accesspar@aol.com

May 3, 2004

Mary Blais, Planning Manager
375 Fifth Street
Hollister, CA. 95023

Re: Additional Response to Notice of Preparation for General Plan EIR

Dear Ms. Blais:

The EIR analysis will be based upon the land use designations recommended by the General Plan Steering Committee and many of these recommendations resulted from identifying five Special Planning Areas. Perhaps, one of the alternatives in the EIR can include a sixth Special Planning Area referred to as the McCray/Highway 25 Bypass Area, an area between McCray and Highway 25 Bypass and between Santa Ana Road and Sunnyslope Road. The reasons for this consideration are based on the same following three reasons that the other five Special Planning Areas are so designated:

1. "They are located in highly visible locations that characterize Hollister, in and around downtown or as people approach and leave the City."

As a result of the Highway 25 Bypass and with 4 new signalized at grade intersections between Santa Ana Road and Sunnyslope Road, this area will become extremely visible with people approaching and leaving the City. In addition, McCray is considered a major arterial.

2. "They contain potential economic development opportunities if developed appropriately."

The Preferred Land Use Concept identifies a land-use category of Mixed-Use Commercial and Residential along McCray as well as General Commercial. In addition, the majority of the area between Meridian & Hillcrest, McCray and the 25 Bypass is owned by one property owner who is receptive to developing this area through a Planned Development (Meridian/Highway 25 Bypass Planned Development), that will bring-together economic opportunities for the City while meeting many of the goals and policies of the General Plan.

3. "They would benefit from a unified design approach that celebrates unique elements of the City."

Over time it is envisioned that the McCray corridor will transition into one with wider sidewalks for pedestrians and mixed-use commercial and residential on both sides. Like the West Gateway area, the McCray/Highway 25 Bypass area "will benefit from flexible zoning regulations that allow multiple types of uses (residential, retail, office) in a concentrated area" and "architectural design standards set to help retail uses blend in with surrounding residential opportunities." (General Plan Steering Committee Minutes of July 8, 2003, page 3). Also like the West Gateway area, there would be planned "limit entry and exit points to main roads; encourage internal circulation between mixed-use buildings (and sites) and residential developments." (General Plan Steering Committee Working Draft, March 2004, page 28)

The Meridian/Highway 25 Bypass Planned Development, mentioned previously, can be one of the "key" planning tools used to address this special planning area, and should not be an area limited to Medium Density Residential land use between Meridian and Hillcrest, off of Highway 25 Bypass, as the Preferred Land Use Concept so indicates.

Thank you for the opportunity to comment.

Very truly yours,



Lee Wieder

cc: Frank Guerra, al Guerra, Gary Guerra

LOCAL AGENCY FORMATION COMMISSION
OF SAN BENITO COUNTY

3224 SOUTHSIDE ROAD
HOLLISTER, CA 95023
PHONE: (831) 637-5313

RECEIVED

MAY 10 2004

CITY OF HOLLISTER
PLANNING DEPT

May 7, 2004

Mary Blais
City of Hollister
Community Development Department
375 Fifth Street
Hollister, CA 95023

RE: Notice of Preparation DEIR General Plan Update

Dear Ms. Blais:

Among the purposes of the Local Agency Formation Commission (LAFCO) is to encourage orderly formation and development, discourage urban sprawl and assure that governmental services are efficiently and cost effectively provided. The manner in which the environmental and general plan process assists in this endeavor requires baseline information on all governmental services and this should be provided in all environmental documents. It also requires an assessment of any physical change to the environment caused by an extension of services. To the extent that this environmental document will be used as a program document, the level of specificity must be commensurate with the areas designated for future urbanization. Please assure that each area or phase, receives an analysis to address the probable future development of that area or phase, within the General Plan time horizon.

Should you have any questions on this matter, please do not hesitate to contact me.

Sincerely,



ROB MENDIOLA
Executive Director

cc: LAFCO



SIERRA PACIFIC
ASSOCIATES INCORPORATED

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APR 15 2004

CITY OF HOLLISTER
PLANNING DEPT

April 14, 2004

Mr. Bill Card
City of Hollister
Planning Department
375 Fifth Street
Hollister, CA 95023

Dear Bill:

RE: GENERAL PLAN

In reviewing the Draft General Plan, I am concerned that the Airport Support designation at my property (Airpark Business Center) has been omitted.

As you are aware I have developed this project as a light industrial airport support type project based on the previously adopted General Plan. Hollister needs this unique attribute of fee simple land with airport access and support capabilities to attract new industry to our community.

The entire Airpark Business Center project was conceived, named, marketed, and developed with the airport connection as it's core. As we discussed, great care was given in formulating the existing General Plan to develop the language for the Airport Support designation so that the City could attract a broader base of aviation and aviation related users.

Please let me know how this vital designation will be preserved in the new General Plan. I can be reached at my office (831)684-0802, or my cell phone (831)234-6788. I appreciate your time and effort in this consideration.

Best regards,

Ken Lindsay

ACCESS LAND DEVELOPMENT SERVICES, Inc.

637 Middlefield Road
Palo Alto, CA. 94301
(650) 325-9681 Fax: (650) 618-1675
accesspar@aol.com

Faxed to MIG:

4/23/04

50-845-8750

April 21, 2004

Hollister Community Development Department
375 Fifth Street
Hollister, CA. 95023
Attention: Mary Blais, Planning Manager

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APR 22 2004

CITY OF HOLLISTER
PLANNING DEPT

Re: Response to Notice of Preparation for General Plan EIR

Dear Ms. Blais:

The comments to follow addresses briefly the subjects of Land Use, the Preferred Land Use Concept exhibit, Public Services, Utilities, Hydrology/Water Quality, Transportation/Traffic and the subjects of aesthetics and noise.

Land Use and the Preferred Land Use Concept

This Exhibit, entitled "Preferred Land Use Concept," shows a concentration of Medium-Density land-use on both sides of Highway 25 Bypass between Meridian and Hillcrest, without including any land uses that allow for neighborhood shopping center land uses nearby or any other type of general commercial uses. And yet, in the NOP description of Land Use & Population under Medium Density Residential it says that "future Medium Density uses (8-12 units/net acre) are intended to be located near such services as neighborhood shopping centers...."

It is with this in mind that it is requested that in the area between Meridian and Hillcrest, west of Highway 25 Bypass (attached Exhibit A shows the area), the EIR Scope includes analyzing the environmental impacts of *two* other alternative land uses. The first alternative includes mostly neighborhood shopping center land uses as part of a General Commercial land use designation along with some Medium Density Residential; the second alternative includes mostly Medium Density Residential along with some high density residential and general commercial. It is further requested that General Commercial land use designation along with Medium Density Residential and High Density Residential land use designations be used rather than Mixed Use Commercial and Residential because the latter limits residential density to no less than 25 units/net acre and Medium Density Residential is at the minimum of 8 units/net acre.

Consideration for including the analysis of these two alternatives goes along with the Retail Development Strategy of "providing a high level of flexibility to future commercial development projects," and to do so in a way that "promotes accessible and diverse retail districts that complement, rather than compete with each other." (General Plan Steering Committee's Working Draft, March 2004 p.4)

It may be that the best way to allow for these considered land uses in this area between Meridian and Hillcrest west of Highway 25 Bypass is through a planned unit development, an area plan or specific plan. Such a proposed Plan could organize such land uses as Medium Density Residential and some High Density Residential with general commercial and with parks/open

space and pedestrian circulation connections that are near minor and major collector streets where greater access can be provided.

The Preferred Land Use Concept exhibit references three areas as "Specific Plan Areas," the most northern one of which is yet to be approved by the City Council. A fourth considered specific plan area or planned unit development might be referred to as the **Meridian Planned Unit Development - west of Highway 25 Bypass**. Such a land use category might be similar to Ridgemark development in the southern eastern portion of the Hollister Planning Areas, except that rather than combining residential with two 18-hole golf courses, residential is combined with neighborhood serving commercial and other types of General Commercial opportunities.

As for the Northeast Hollister Specific Plan, technically it should be referred to as an "Area Plan," and not a Specific Plan, and there is a legal distinction to be made between the two. (See the present General Plan, pages 26-27 and Northeast Hollister Area Plan, March, 1996, page 1).

It is recommended that following the description of "Specific Plan" there be the definition of an "Area Plan." An Area Plan already is defined in the City's document entitled Northeast Hollister Area Plan, March 1996, page 1.

Public Services, Utilities, Hydrology/Water Quality and Transportation/Traffic

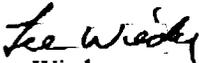
It is suggested that under the subject areas of Public Services, Utilities, Hydrology/Water Quality and Transportation/Traffic there be a discussion of existing and proposed public improvement programs and their priority for scheduled implementation. Such a discussion should include assessment districts that have been funded for future infrastructure improvements. This type of information may be very significant for the public officials and public to know how recommended land use designations are supported or not supported by prior infrastructure planning and funding that has already taken place. A case in point is the Meridian Street Assessment District No. 1991-2.

Noise and Aesthetics

The General Plan Update Steering Committee's recommendation of locating residential (Medium Density Residential) development immediately adjacent to Highway 25 Bypass on both sides will increase the environmental impacts to future residents than if the homes of these residents were a couple of hundred feet away. The proposed Highway 25 Bypass improvements between Meridian and Hillcrest do not require "sound-walls," as all if not most stretches along Highway 25 Bypass do for sound attenuation and aesthetic purposes. However, if the proposed General Plan land use allows only residential along this stretch of the Highway 25 Bypass then the mitigations of double-paned windows, sound-walls, etc would likely be required by the City and the mitigation of sound-walls themselves may have secondary environmental impacts that may need to be acknowledged and possibly mitigated. An alternative land use of neighborhood centers that back-up to this future major transportation corridor would not require sound walls to mitigate noise and aesthetics as residential land use would.

Thank you for the opportunity to comment.

Very truly yours,


Lee Wieder

cc: Frank Guerra, Al Guerra, Gary Guerra

SCALE: 1"=300'



GUERRA - APRIL 2004

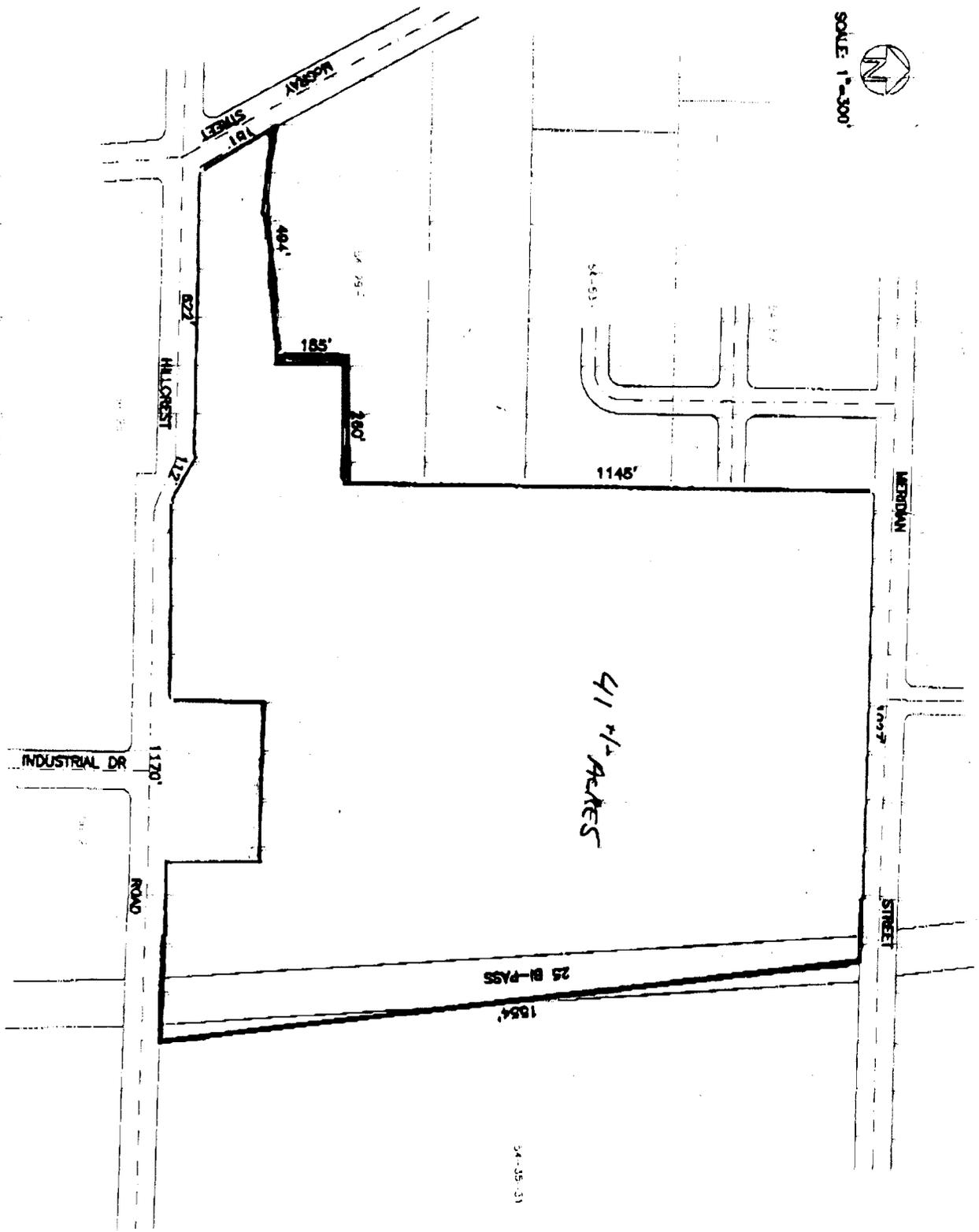


EXHIBIT A



Steven M. Kinsella, DBA, CPA, Superintendent/President

April 20, 2004

RECEIVED

APR 26 2004

CITY OF HOLLISTER
PLANNING DEPT

City of Hollister
Community Development Department
Attn: Mary Blais, Planning Manager
375 Fifth Street
Hollister, CA 95023

Dear Ms. Blais:

Response to CEQA Notice of Preparation for City of Hollister General Plan Update-Plan Horizon 2020

I have received your Notice of Preparation for the City of Hollister Plan Update. One area identified for review in your Environmental Impact Report is public services. Gavilan Joint Community College District intends to establish a permanent education center in the area of Hollister. The size of the center and the location of the center have not yet been determined. The District will be engaging the services of a land planner to assist in site location.

Gavilan College is part of the California community college system. Approval of a new site for use as an educational center will require approval by various agencies of the State of California.

Please keep me informed of the Environmental Impact Report process.

Sincerely,

Steven M. Kinsella, DBA, CPA
Superintendent/President



Board of Trustees: Tom Breen James De La Cruz Mark Dover Laura A. Perry, Esq.
Elvira Zaragoza Robinson, Esq. Debra Smith Leonard Washington
Jesse Sandow, Student Trustee



COUNTY OF SAN BENITO

3224 SOUTHSIDE ROAD
HOLLISTER, CA 95023-9174
831-637-5313 • Fax 831-637-9015

**PLANNING DEPARTMENT
BUILDING DEPARTMENT**

May 7, 2004

Mary Blais
City of Hollister
Community Development Department
375 Fifth Street
Hollister, CA 95023

RECEIVED

MAY 10 2004

CITY OF HOLLISTER
PLANNING DEPT

RE: Notice of Preparation – DEIR – General Plan Update

Dear Ms. Blais:

Thank you for the opportunity to comment on the NOP for the General Plan Update EIR. County staff agrees with your determination under section 15063(a) of the CEQA Guidelines that an EIR is clearly required for this project. Although the NOP has identified a number of subject areas that will be addressed in the EIR, the lack of an initial study does not provide any insight as to specific issues nor the degree or scope of the evaluation that the City of Hollister will give to each subject area. Therefore, county planning staff has prepared the following wide-ranging comments regarding the detail and information that should be addressed in the General Plan Update EIR.

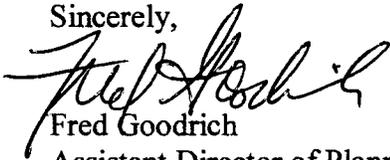
1. Describe and evaluate the relationship between the proposed residential densities and the intensity of land use described in the General Plan update.
2. Describe and evaluate the existing local and regional physical environment and those features that are likely to be affected by the General Plan update.
3. Describe and evaluate the existing infrastructure and their capacities and current levels of use. Evaluate whether or not sufficient infrastructure would be available to adequately serve the land uses being proposed in the General Plan update.
4. Describe and evaluate the existing physical environment and the environment that would result from the implementation of the General Plan update.
5. Describe and evaluate the cumulative and growth-inducing effects that could result from the adoption of the General Plan update.
6. Describe and evaluate project alternatives and/or mitigation measures that would avoid or lessen one or more of the significant effects identified as resulting from the implementation of the General Plan update.

Page 2
Mary Blais
May 7, 2004

7. Describe and evaluate any inconsistencies between the proposed plan and adopted regional plans as they may relate to environmental issues.

Should you have any questions regarding our response to the NOP please do not hesitate to contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read "Fred Goodrich".

Fred Goodrich
Assistant Director of Planning