

Appendix D
**Comments and Responses
on the DEIR**

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Appendix D

Comments and Responses on the DEIR

Public Comments on the August, 2005 Draft Environmental Impact Report on the City of Hollister General Plan (March, 2005 Public Review Draft)

Comments from the August 25, 2005 Public Hearing on the DEIR

Public Comment 1

COMMENTOR: Rich Hershey

COMMENT PC1: The 90-acre triangle area in north Hollister is shown as "Industrial" on the Land Use Map - what uses will be allowed?

Response to PC1:

This is a Draft General Plan comment. Definitions for the various land use designations are provided in the Draft General Plan. The definition of "Industrial" included in the Draft General Plan (as referenced and described in the Draft EIR) is as follows:

"This designation provides for a range of uses, from business and research parks, large individual corporate establishments, professional and administrative offices and industrial complexes. Examples of allowed uses in this category are computer software companies, research laboratories, copying services, printing companies, warehousing, offices, equipment manufacturing and repair and trucking operations. The area designated as "Industrial" in the Draft Plan is 1,614 acres, as compared to 1,533 acres in the current General Plan."

Modification for the FEIR:

None needed.

Public Comment 2

COMMENTOR: Lee Wieder

COMMENT PC2: Replace the "Proposed Land Use Plan" (Figure 4, page 38) in the Draft General Plan EIR with the correct map that appears in the Draft General Plan of March, 2005, prepared by MIG dated January, 2005 (page 2.5). This same correction needs to be made for Figure 21: Reduced Development Land Use. Both apply to the Briggs Road /San Felipe area.

Response to PC2:

This is a Draft General Plan comment. The modification to the Draft General Plan map has been made. Since Figure 21 in the DEIR is an alternative under the "Reduced Development," which would apply to this area, no modification to this map is needed.

Modification for the FEIR:

Figure 4 (Proposed Land Use Plan) will be replaced with the latest version of land use plan as proposed in the Draft General Plan. No other changes are needed.

Written Comments Received on the DEIR

Letter 1

COMMENTOR: Lee Wieder

COMMENT 1.1: Replace the "Proposed Land Use Plan" (Figure 4, page 38) in the Draft General Plan EIR with the correct map that appears in the Draft General Plan of March, 2005, prepared by MIG dated January, 2005 (page 2.5). This same correction needs to be made for Figure 21: Reduced Development Land Use. Both apply to the Briggs Road /San Felipe area.

Response to Comment 1.1:
See response to Comment PC2.

Modification for the FEIR:
See response to Comment PC2.

Letter 2

COMMENTOR: Lee Wieder

COMMENT 2.1: Does the Program EIR need to analyze the environmental impacts that would result from the land uses in the commercial district in the North Gateway Commercial District expansion to Flynn Road and Highway 25?

Response to Comment 2.1:
The range of impacts associated with this modification to the Draft General Plan are covered under the alternatives in the Program EIR and specifically under the proposed project and the "No Project/Action/1995 General Plan" alternative.

Modification for the FEIR: None needed.

Letter 3

COMMENTOR: Michael D. Bethke, AICP, Interim Planning Director, County of San Benito

COMMENT 3.1: The DEIR apparently concludes that the proposed Draft General Plan, in comparison to the above noted alternatives "...actually results in one fewer significant unavoidable adverse impact and therefore would be the environmentally superior alternative." This assumption relies upon the implementation of specific Goals, Policies, and Programs of the Draft Hollister General Plan, and assumes that all proposed policies and programs are implemented.

Response to Comment 3.1:
The policies and programs contained in the Draft General Plan are referenced specifically as mitigation measures in the EIR that described the resulting impacts associated with full implementation of the Draft General Plan. Implementation of all policies and programs will reduce potential impacts. The EIR assumes that full implementation will occur.

Modification for the FEIR:
None needed.

Letter 4

COMMENTOR: Kevin Boles, Utilities Engineer, Public Utilities Commission

COMMENT 4.1: Development projects planned adjacent to or near the rail corridor should be planned with safety of the rail corridor in mind. New developments may increase traffic volumes not only on streets and at intersections, but also at at grade highway rail crossings. This includes considering pedestrian circulation patterns/destinations with respect to railroad right of way. Safety factors to consider include, but are not limited to, the planning for grade separations for major thoroughfares, improvements to existing at grade highway rail crossings due to increase in traffic volumes and appropriate fencing to limit the access of trespassers onto the railroad right-of-way.

The above mentioned safety improvements should be considered when approval is sought for the new development. Working with Commission staff early in the conceptual design phase will help improve the safety to motorists and pedestrians.

Response to Comment 4.1:

A modification will be made to the FEIR in response to this comment. Rail noise impacts are covered under Impact 4.4-2.

Modification for the FEIR:

The following additional mitigation measure, included as new "Policy C3.5" in the Draft General Plan should be added to the DEIR under Impact 4.2-1 (Increases in Traffic Volumes):

"C3.5 Rail Corridor Planning

The City will coordinate with appropriate agencies to assure that development projects planned adjacent to or near the rail corridor will be planned with safety of the rail corridor in mind. This includes consideration of pedestrian circulation patterns/destinations, planning for grade separations, improvements to existing at-grade rail crossings, and appropriate fencing to limit the access of trespassers onto the railroad right-of-way."

Letter 5

COMMENTOR: Terry Roberts, Director, State Clearinghouse

COMMENT 5.1: Notes receipt and distribution of the Draft EIR.

Response to Comment 5.1:

Comment Noted.

Modification for the FEIR:

None needed.

Letter 6

COMMENTOR: Jean Getchell, Supervising Planning, Monterey Bay Unified Air Pollution Control District

COMMENT 6.1: Note that the annual PM2.5 standard is 12 micrograms per cubic meter (federal) or 15 micrograms per cubic meter (State). The federal 24-hour standard is 65 micrograms per cubic meter, while there is no State 24-hour standard.

Response to Comment 6.1:

A modification will be made to the FEIR in response to this comment.

Modification for the FEIR:

The last sentence at the top of page 4.3-3 will be modified as follows:

"Federal and state standards have been established for ozone, carbon monoxide (CO), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), particulates less than 10 microns in diameter (PM₁₀), and lead. California has also set standards for sulfates, hydrogen sulfide, vinyl chloride, and visibility reducing particles. The U.S. EPA adopted stricter air quality standards for ozone and PM₁₀. The existing safety standard for ozone, last revised in 1979, were previously set at concentration levels of 0.12 parts per million (ppm) for a 1-hour period. PM₁₀ threshold levels, established in 1987, are 150 micrograms per cubic meter for a 24-hour period. The EPA has replaced the 1-hour ozone standard with a new 8-hour averaging time and lowered the concentration level from 0.12 to 0.8 ppm. The EPA has also revised the PM₁₀ standard and changed the method for calculating PM₁₀ concentrations. The PM₁₀ standard has been split into two subclasses: a fine fraction (less than or equal to 2.5 microns in diameter) and a coarse fraction (greater than 2.5 microns but less than 10 microns in diameter). The annual PM_{2.5} standard is 12 micrograms per cubic meter (federal) or 15 micrograms per cubic meter (State). The federal 24-hour standard is 65 micrograms per cubic meter, while there is no State 24-hour standard. ~~has been set at 15 micrograms per cubic meter spatially averaged across an area. The new 24-hour PM_{2.5} standard is based on the 3-year average of the 98th percentile of the 24-hour concentrations measured at a monitoring station."~~

COMMENT 6.2: Please note the table that identifies the attainment status for various criteria pollutants in the North Central Coast Air Basin

Response to Comment 6.2:

A modification will be made to the FEIR in response to this comment.

Modification for the FEIR:

Add the following table to page 4.3-3 after the second paragraph:

Modification for the FEIR:
None needed.

Letter 8

COMMENTOR: Sandy Hesnard, California Department of Transportation

COMMENT 8.1: According to page 4.2 6 of the DEIR, the 2004 Hollister Municipal Airport Master Plan has been “preliminarily approved by the City Council and the FAA” (Federal Aviation Administration). Figure 4 of the DEIR, which depicts the proposed land use plan map for the City of Hollister, however, appears to differ slightly from the 2004 Airport Master Plan’s Airport Layout Plan in size, dimension and description for future airport property. This discrepancy should be clarified.

Response to Comment 8.1:
Figure 4 has been modified.

Modification for the FEIR:
Figure 4 (Proposed Land Use Plan) will be replaced with the latest version of land use plan as proposed in the Draft General Plan. No other changes are needed.

COMMENT 8.2: In accordance with Public Utilities Code (PUC) Section 21676, local General Plans and any amendments must be consistent with the adopted airport land use compatibility plans developed by the San Benito County Airport Land Use Commission (ALUC).

Response to Comment 8.2:
Comment Noted.

Modification for the FEIR:
None needed.

COMMENT 8.3: The General Plan must acknowledge that until ALUC compatibility criteria are incorporated into the General Plan, proposals within the airport influence area must be submitted to the ALUC for review. These provisions must be included in the General Plan at a minimum for it to be considered consistent with the airport compatibility land use plan.

Response to Comment 8.3:
Comment noted. Staff has used the Caltrans Airport Land Use Planning Handbook to assure consistency between the Draft General Plan and the ALUC.

Modification for the FEIR:
None needed.

COMMENT 8.4: The planned height of buildings, antennas, and other objects should be checked with respect to Federal Aviation Regulation (FAR) Part 77 criteria if development is close to the airport, particularly if situated within the runway approach corridors. General Plans must include policies restricting the heights of structures to protect airport airspace. To ensure compliance

with FAR Part 77, "Objects Affecting Navigable Airspace," submission of a Notice of Proposed Construction or Alteration (Form 7460 1) to the Federal Aviation Administration (FAA) may be required.

Response to Comment 8.1:

Comment noted. Staff has used the Caltrans Airport Land Use Planning Handbook to assure consistency between the Draft General Plan and the ALUC.

Modification for the FEIR:

None needed.

COMMENT 8.5:

Education Code, Section 17215 requires a school site investigation by the Division prior to acquisition of land for a proposed school site located within two miles of an airport runway. The Division's recommendations are submitted to the State Department of Education for use in determining acceptability of the site. This should be a consideration prior to designating residential uses in the vicinity of an airport.

Response to Comment 8.5:

The Draft General Plan contains policies and programs to assure that this issue is addressed, both in terms of noise issues and safety concerns. Policy HS1.1 addresses "Airport Safety."

Modification for the FEIR:

None needed.

COMMENT 8.6:

Land use practices that attract or sustain hazardous wildlife populations on or near airports can significantly increase the potential for wildlife aircraft collisions. The Federal Aviation Administration (FAA) recommends that landfills, wastewater treatment facilities, surface mining, wetlands and other uses that have the potential to attract wildlife, be restricted in the vicinity of an airport. FAA Advisory Circular (AC) 150/5200 33A entitled "Hazardous Wildlife Attractants on or Near Airports" and AC 150/5200 34 entitled "Construction or Establishment of Landfills Near Public Airports" address these issues.

Response to Comment 8.6:

Comment Noted.

Modification for the FEIR:

None needed.

ACCESS LAND DEVELOPMENT SERVICES

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

FAX

DATE: 8/7/05
TO: Susan Heiser
RE: Error in General Plan EIR Proposed Land Use Plan
FROM: Lee Wieder **FAX:** (650) 618-1675

of Pages including this page 1

COMMENTS

Pursuant to our conversation today, thank you for agreeing to replace the incorrect "Proposed Land Use Plan" (Figure 4, page 3-8) in the Draft General Plan EIR with the correct map that appears in the Draft General Plan of March, 2005, prepared by MIG dated January, 2005 (page 2.5)

1.1

This same correction needs to be made for Figure 21: Reduced Development Land Use Concept (page 6-9). It too still shows that the land use for the Briggs Road- San Felipe area is designated for agricultural whereas the latest map (January, 2005) shows an industrial land use designation. According to the text, the reduced development land use is less residential units (1,797 less units) and not less industrial acres. For the Reduced Development Land Use Concept there is no change in industrial acres.

ACCESS LAND DEVELOPMENT SERVICES

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

FAX

DATE: 8/29/05
TO: Susan Heiser
RE: Comments to Hollister Draft General Plan EIR & Draft General Plan
COPY: City Council & Planning Commission

FROM: Lee Wieder **FAX:** (650) 618-1675

of Pages including this page 3

COMMENTS

If there is to be consideration to expand the North Gateway Commercial District to Flynn Road and Highway 25, does the Program EIR need to analyze the environmental impacts that would result from the land uses allowed in this commercial district or will an analysis of land uses within an industrial land use designation suffice?

2.1

Public comments that address consideration to expand the North Gateway Commercial District were presented to a joint Study Session of the City Council and Planning Commission on July 30, 2005. Please see attached public comments. Thank you.



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

**PLANNING DEPARTMENT
BUILDING DEPARTMENT**

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SEP 23 2005

CITY OF HOLLISTER
PLANNING DEPT

September 20, 2005

Susan Heiser, Planning Manager
Development Services Department
375 Fifth Street
Hollister, CA 95023

SUBJECT: Draft Environmental Impact Report (DEIR) – Draft General Plan 2005 – 2023

Dear Ms. Heiser,

Thank you for providing us the opportunity to review the City of Hollister’s new Draft General Plan Program DEIR. Our planning department staff would like to respectfully offer the following observations and comments:

The City’s new Draft General Plan generally establishes land use designations within the prescribed Hollister Planning Area. It now “...recommends the concentration of medium and high-density residential development along major boulevards without developing the outskirts of the City. Gateway and neighborhood retail districts are designated at key points in the City, forming linear corridors of activity.”

Policies to counterbalance previous development pressures on the edges of the City are now being proposed with alternate “Infill Phasing Strategies.” Overarching policies are also being proposed to encourage programmatic specific plans for larger parcels to ensure that future development occurs in a logical manner with adequate infrastructure and amenities.

Although the projected build out for the City’s new Draft General Plan is not as high as the previously adopted 1995 General Plan, there still appears to be an appreciable population growth projected. The 2000 Census noted that the City of Hollister had a population of 34,413. The City’s new Draft General Plan now projects the City will have a population of 55,192 by the year 2023. This equates to roughly a 2.6 % annual increase over the next 18 years, i.e., approximately 20,937 additional residents.

The DEIR appropriately addresses and evaluates project alternatives to the development guidelines as proposed by the new Draft General Plan. Said alternatives are noted as follows:

Alternative 1 – No Project / No Development - *This alternative would reflect the existing conditions with no additional development within the City of Hollister Planning Area, and current conditions in the City of Hollister Planning Area would remain. The environmental impacts are described by the existing conditions as reflected by the Draft City of Hollister General Plan, dated March 2005. This alternative reflects the least amount of development of the alternatives analyzed.*

Alternative 2 – No Project / No Action / 1995 General Plan – *This alternative assumes that no General Plan is adopted for the City, and future development would continue to be guided by the existing General Plan, adopted in 1995, and zoning. This alternative reflects growth under existing General Plan policies, assuming feasible infrastructure improvements and community services. The existing land use concept designates large tracts of land for single-family and rural residential development with the expectation that only a portion of these areas would develop during the planning period. There is more land area designated to accommodate anticipated residential development through the year 2010 than demand will justify.*

Alternative 3 – Reduced Development – *This alternative illustrates the potential impact of lower-density development in Hollister with a reduced planning area boundary. The general organization of land uses is the same as the preferred land use concept, but the intensity of residential and commercial uses is reduced. This concept supports a smaller build-out population and places less of a burden on infrastructure (recreational systems, street networks, water and sewer treatment) than the preferred land use concept, though the developable areas are similar.*

The DEIR apparently concludes that the proposed Draft General Plan – in comparison to the above noted alternatives – “...actually results in one fewer significant unavoidable adverse impact and therefore would be the environmentally superior alternative.”

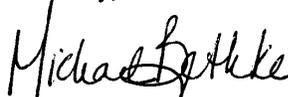
This assumption “... relies upon the implementation of specific Goals, Policies, and Programs of the Draft Hollister General Plan. Implementation of the identified Goals, Policies, or Programs would, in many instances reduce significant impacts to a less-than-significant level. However, it must be noted that if the specific Goals, Policies and Programs relied upon as mitigation measures in this EIR are not in fact adopted, it may be necessary to reassess the significant impacts that relied upon those Goals, Policies, and Programs.” (emphasis added)

3.1

In conclusion, we generally concur with the overall analysis and conclusions of the DEIR, provided of course, that the aforementioned Draft General Plan’s specific Goals, Policies and Programs are effectively adopted and implemented as proposed.

Please don’t hesitate to call should you or your staff have any further questions regarding our comments. Thanks!

Sincerely,


Michael D. Bethke, AICP ~~TH~~
Interim Planning Director

Cc: Susan Thompson, CAO
Board of Supervisors

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



RECEIVED
SEP 6 2005
CITY OF HOLLISTER
PLANNING DEPT

September 2, 2005

Susan Heiser
City of Hollister
375 Fifth Street
Hollister, CA 95023

Dear Ms. Heiser:

Re: SCH# 2004081147; City of Hollister General Plan Draft EIR

As the state agency responsible for rail safety within California, we recommend that any development projects planned adjacent to or near the rail corridor in the County be planned with the safety of the rail corridor in mind. New developments may increase traffic volumes not only on streets and at intersections, but also at at-grade highway-rail crossings. This includes considering pedestrian circulation patterns/destinations with respect to railroad right-of-way.

4.1

Safety factors to consider include, but are not limited to, the planning for grade separations for major thoroughfares, improvements to existing at-grade highway-rail crossings due to increase in traffic volumes and appropriate fencing to limit the access of trespassers onto the railroad right-of-way.

The above-mentioned safety improvements should be considered when approval is sought for the new development. Working with Commission staff early in the conceptual design phase will help improve the safety to motorists and pedestrians in the County.

If you have any questions in this matter, please call me at (415) 703-2795.

Very truly yours,

Kevin Boles
Utilities Engineer
Rail Crossings Engineering Section
Consumer Protection and Safety Division

cc: Pat Kerr, UP



Arnold Schwarzenegger
Governor

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



Sean Walsh
Director

September 22, 2005

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SEP 26 2005

CITY OF HOLLISTER
PLANNING DEPT

Susan Heiser
City of Hollister
375 5th Street
Hollister, CA 95023

Subject: City of Hollister Draft General Plan 2004
SCH#: 2004081147

Dear Susan Heiser:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on September 21, 2005, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Terry Roberts
Director, State Clearinghouse

Enclosures
cc: Resources Agency

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

**Document Details Report
State Clearinghouse Data Base**

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

Type EIR Draft EIR
Description City of Hollister 2005-2023 General Plan Update to revised current General Plan by reducing the size of the Planning Area and increasing densities in the downtown.

Lead Agency Contact

Name Susan Heiser
Agency City of Hollister
Phone 831 636 4360
email
Address 375 5th Street
City Hollister **State** CA **Zip** 95023
Fax

Project Location

County San Benito
City Hollister
Region
Cross Streets The whole city planning area
Parcel No. All
Township **Range** **Section** **Base**

Proximity to:

Highways 156 / 25
Airports Hollister
Railways
Waterways San Benito River / Santa Ana Creek
Schools All in the Hollister School District
Land Use As shown in Hollister 1995-2010 General Plan

Project Issues Aesthetic/Visual; Agricultural Land; Economics/Jobs; Geologic/Seismic; Population/Housing Balance; Public Services; Schools/Universities; Sewer Capacity; Solid Waste; Traffic/Circulation; Water Quality; Water Supply; Growth Inducing; Landuse; Cumulative Effects

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

Date Received 08/08/2005 **Start of Review** 08/08/2005 **End of Review** 09/21/2005

Note: Blanks in data fields result from insufficient information provided by lead agency.



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

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SEP 26 2005

CITY OF HOLLISTER
 PLANNING DEPT

September 21, 2005

Ms. Susan Heiser, Planning Manager
 City of Hollister
 375 Fifth Street
 Hollister, CA 95023

Sent by Facsimile
 to (831) 636-4364.
 Original by U. S. Mail

SUBJECT: DEIR FOR CITY OF HOLLISTER GENERAL PLAN UPDATE

Dear Ms. Heiser:

The District has the following comments on the Draft EIR for the City of Hollister's General Plan Update (2005):

Page 4.3-3. Air Quality Standards

Please note that the annual PM_{2.5} standard is 12 micrograms per cubic meter (federal) or 15 micrograms per cubic meter (State). The federal 24-hour standard is 65 micrograms per cubic meter, while there is no State 24-hour standard.

6.1

Page 4.3-3. 2005 Ambient Air Quality.

Please see the following table, which reflects the attainment status for various criteria pollutants in the North Central Coast Air Basin.

Attainment Status of the North Central Coast Air Basin

Pollutant	Federal	State
Ozone (O ₃) – 1 Hour	Revoked 06-15-05	Non-attainment Transitional
Ozone (O ₃) – 8 Hour	Unclassified/Attainment	Not Yet Applicable
Carbon Monoxide (CO)	Unclassified/Attainment	Monterey- Attainment San Benito – Unclassified Santa Cruz - Unclassified
Nitrogen Dioxide (NO ₂)	Unclassified/Attainment	Attainment
Sulfur Dioxide (SO ₂)	Unclassified	Attainment
Inhalable Particulates (PM ₁₀)	Attainment	Non-Attainment
Inhalable Particulates (PM _{2.5})	Unclassified/Attainment	Attainment

6.2

Page 4.3-4. Air Quality – Impacts and Mitigation Measures (Impact 4.3-1, Consistency with Clean Air Plan).

Given the incorporation of AMBAG's Forecasts into the 2004 Air Quality Management Plan, any inconsistency between the City's General Plan and AMBAG's population and employment forecasts would be appropriately addressed by Mitigation Measure 4.1-1-1, the initiation of a process to amend the AMBAG Forecasts.

6.3

DISTRICT BOARD MEMBERS
 CHAIR: Lou Calcagno Monterey County
 VICE CHAIR: Tony Campos Santa Cruz County
 Anna Caballero Salinas
 Butch Lindley Monterey County
 Ila Mettee-McCutcheon Marina
 Reb Monaco San Benito County
 John Myers King City
 Dennis Norton Capitola
 Ellen Pine Santa Cruz County
 Jerry Smith Monterey County

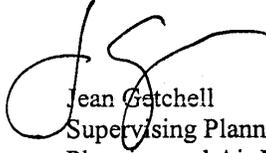
Page 4.2-10. Impact 4.2-1. Increases in Traffic Volumes.

Use of a model (San Benito County/Hollister travel demand model) other than the AMBAG Regional Travel Demand Model makes it impossible to determine whether the traffic forecasts used in this DEIR are adequate to assess traffic impacts generated by the General Plan Update.

6.4

Thank you for the opportunity to comment on the Draft EIR.

Yours truly,



Jean Gatchell
Supervising Planner
Planning and Air Monitoring Division



September 19, 2005

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SEP 22 2005

CITY OF HOLLISTER
PLANNING DEPT

Ms. Susan Heiser
Hollister Development Services Dept.
420 Hill St., Bldg. A
Hollister, CA 95023

**Re: MCH# 080517- Notice of Availability for Public Review
City of Hollister General Plan Update 2005-2023**

Dear Ms. Heiser:

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 14, 2005** and has no comments at this time.

Thank you for complying with the Clearinghouse process.

Sincerely,

A handwritten signature in black ink, appearing to read "Nicolas Papadakis", is written over a horizontal line. The signature is fluid and cursive.

Nicolas Papadakis
Executive Director

SERVING OUR REGIONAL COMMUNITY SINCE 1968
445 RESERVATION ROAD, SUITE G ♦ P.O. BOX 809 ♦ MARINA, CA 93933-0809
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DEPARTMENT OF TRANSPORTATION
DIVISION OF AERONAUTICS – M.S.#40
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P. O. BOX 942873
SACRAMENTO, CA 94273-0001
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OCT 3 2005

CITY OF HOLLISTER
PLANNING DEPT

September 20, 2005

Ms. Susan Heiser
City of Hollister
375 Fifth Street
Hollister, CA 95023

Dear Ms. Heiser:

Re: City of Hollister’s Draft Environmental Impact Report for the City of Hollister General Plan Update; SCH# 2004081147

The California Department of Transportation (Caltrans), Division of Aeronautics (Division), reviewed the above-referenced document with respect to airport-related noise and safety impacts and regional aviation land use planning issues pursuant to the California Environmental Quality Act (CEQA). The Division has technical expertise in the areas of airport operations safety and airport land use compatibility. We are a funding agency for airport projects and we have permit authority for public and special use airports and heliports. The following comments are offered for your consideration.

The proposal is for an update to the City of Hollister General Plan. Hollister Municipal Airport is located both within the Sphere of Influence and the Planning Area for the City of Hollister General Plan.

According to page 4.2-6 of the DEIR, the 2004 Hollister Municipal Airport Master Plan has been “preliminarily approved by the City Council and the FAA” (Federal Aviation Administration). Figure 4 of the DEIR, which depicts the proposed land use plan map for the City of Hollister, however, appears to differ slightly from the 2004 Airport Master Plan’s Airport Layout Plan in size, dimension and description for future airport property. This discrepancy should be clarified.

8.1

In accordance with Public Utilities Code (PUC) Section 21676, local General Plans and any amendments must be consistent with the adopted airport land use compatibility plans developed by the San Benito County Airport Land Use Commission (ALUC).

8.2

The Caltrans Airport Land Use Planning Handbook (Handbook) provides a “General Plan Consistency Checklist” in Table 5A and a “Possible Airport Combining Zone Components” in Table 5B. CEQA, Public Resources Code 21096, requires the Handbook be utilized as a resource in the preparation of environmental documents for projects within an airport land use compatibility plan boundaries or if such a plan has not been adopted, within two nautical miles of an airport. The Handbook is published on-line at <http://www.dot.ca.gov/hq/-planning/aeronaut/htmlfile/landuse.php>.

General Plans and Elements must clearly demonstrate intent to adhere to ALUC policies to ensure compliance with compatibility criteria. Direct conflicts between mapped land use designations in a General Plan and the ALUC criteria must be eliminated. A General Plan needs to include (at the very least) policies committing the county to adopt compatibility criteria essential to ensuring that such

“Caltrans improves mobility across California”

conflicts will be avoided. The criteria do not necessarily need to be spelled out in the General Plan. There are a number of ways for a city or county to address the airport consistency issue, including:

- Incorporating airport compatibility policies into the update
- Adopting an airport combining zoning ordinance
- Adopting an 'Airport Element' into the General Plan
- Adopting the Airport Compatibility Plan as a 'stand alone' document or as a specific plan

The General Plan must acknowledge that until ALUC compatibility criteria are incorporated into the General Plan, proposals within the airport influence area must be submitted to the ALUC for review. These provisions must be included in the General Plan at a minimum for it to be considered consistent with the airport compatibility land use plan.

8.3

The planned height of buildings, antennas, and other objects should be checked with respect to Federal Aviation Regulation (FAR) Part 77 criteria if development is close to the airport, particularly if situated within the runway approach corridors. General Plans must include policies restricting the heights of structures to protect airport airspace. To ensure compliance with FAR Part 77, "Objects Affecting Navigable Airspace," submission of a Notice of Proposed Construction or Alteration (Form 7460-1) to the Federal Aviation Administration (FAA) may be required. For further technical information, please refer to the FAA's web site at <http://www1.faa.gov/ats/ata/ATA400/oeaaa.html>.

8.4

Education Code, Section 17215 requires a school site investigation by the Division prior to acquisition of land for a proposed school site located within two miles of an airport runway. The Division's recommendations are submitted to the State Department of Education for use in determining acceptability of the site. This should be a consideration prior to designating residential uses in the vicinity of an airport.

8.5

Section 11010 of the Business and Professions Code and Sections 1102.6, 1103.4, and 1353 of the Civil Code (<http://www.leginfo.ca.gov/calaw.html>) address buyer notification requirements for lands around airports. Any person who intends to offer land for sale or lease within an *airport influence area* is required to disclose that fact to the person buying the property.

Land use practices that attract or sustain hazardous wildlife populations on or near airports can significantly increase the potential for wildlife-aircraft collisions. The Federal Aviation Administration (FAA) recommends that landfills, wastewater treatment facilities, surface mining, wetlands and other uses that have the potential to attract wildlife, be restricted in the vicinity of an airport. FAA Advisory Circular (AC) 150/5200-33A entitled "Hazardous Wildlife Attractants on or Near Airports" and AC 150/5200-34 entitled "Construction or Establishment of Landfills Near Public Airports" address these issues. These advisory circulars can be accessed at http://faa.gov/arp/-150acs.cfm#Airport_Safety. For further technical information, please refer to the FAA's web site at http://wildlife-mitigation.tc.faa.gov/public_html/index.html.

8.6

Aviation plays a significant role in California's transportation system. This role includes the movement of people and goods within and beyond our State's network of over 250 airports. Aviation

"Caltrans improves mobility across California"

Ms. Susan Heiser
September 20, 2005
Page 3

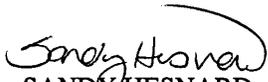
contributes nearly nine percent of both total State employment (1.7 million jobs) and total State output (\$110.7 billion) annually. These benefits were identified in a recent study, "Aviation in California: Benefits to Our Economy and Way of Life," prepared for the Division and available at <http://www.dot.ca.gov/hq/planning/aeronaut/>. Aviation improves mobility, generates tax revenue, saves lives through emergency response, medical and fire fighting services, annually transports air cargo valued at over \$170 billion and generates over \$14 billion in tourist dollars, which in turn improves our economy and quality-of-life.

The protection of airports from incompatible land use encroachment is vital to California's economic future. Hollister Municipal Airport is an economic asset that should be protected through effective airport land use compatibility planning and awareness. Although the need for compatible and safe land uses near airports in California is both a local and a State issue, airport land use commissions and airport land use compatibility plans are key to protecting an airport and the people residing and working in the vicinity of an airport. Consideration given to the issue of compatible land uses in the vicinity of an airport should help to relieve future conflicts between airports and their neighbors.

These comments reflect the areas of concern to the Division with respect to airport-related noise and safety impacts and regional airport land use planning issues. We advise you to contact our district office concerning surface transportation issues.

Thank you for the opportunity to review and comment on this proposal. If you have any questions, please call me at (916) 654-5314.

Sincerely,


SANDY HESNARD
Aviation Environmental Planner

c: State Clearinghouse, San Benito County ALUC, Hollister Municipal Airport

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