U.S. Department of Housing and Urban Development
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Environmental Assessment
Determinations and Compliance Findings for HUD-assisted Projects
24 CFR Part 58

Project Information

Project Name: **San Benito River Park Trail**

Responsible Entity: **City of Hollister**

Grant Recipient (if different than Responsible Entity):

State/Local Identifier: California/17-CDBG-12098

Preparer: Renee Perales/Mary M. Paxton

Certifying Officer Name and Title: **William B. Avera, City Manager**

Grant Recipient (if different than Responsible Entity):

Consultant (if applicable): Rincon Consulting, Inc. (Biological)

Direct Comments to: **Renee Perales, CIP Project Manager**

Project Location: West edge of the City of Hollister beginning at the southwest corner of Bridge/Bridgevale Road intersection, traversing under the east side of the San Juan Road bridge over the San Benito River and connecting to the west side of the existing levee maintenance roads to connect to Apricot Lane for a distance of about 0.9 mile.

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:
Description of the Proposal: Include all contemplated actions which logically are either geographically or functionally a composite part of the project, regardless of the source of funding. [24 CFR 58.32, 40 CFR 1508.25]

The City of Hollister was awarded a Community Development Block Grant to construct a nearly one mile river park trail on the west side of Hollister between the intersection of Bridge/Bridgevale Roads and Apricot Lane. The ten foot wide 4,800 foot linear trail will be constructed between a new 0.32 acre staging area at the southern corner of Bridge Road and Bridgevale Road and the recently constructed Apricot Park. The 0.32 acre Bridge Road staging area will be improved with paving, five parking stalls, a bike rack, drinking fountain, educational features, native landscaping and dispensers for dog baggies. The trail will be constructed with base rock overlaid with decomposed granite mixed with beeswax. The beeswax will prevent erosion and reduce maintenance costs. An existing six foot cyclone perimeter fence will be relocated to prevent pedestrian access to the IWTP and replaced with an eight foot wrought iron fence. The west side of the trail will be improved with four foot high split rail fencing. Existing debris on the southern perimeter of the IWTP includes rip-rap and cement debris that would be relocated to an unused area of the IWTP. Native trees will be planted along the trail to provide shade and enhance habitat. Ten benches will be installed along the trail. Bilingual "No Trespassing" signs will be placed along the trail. The ten foot wide pedestrian and bicycle trail will pass under the existing San Juan Hollister Bridge and connect to an existing unpaved levee maintenance road for the Industrial Waste Water Treatment Plant (IWTP) where it will connect to the western end of Apricot Lane and the Apricot Lane Park. The northern portion of the trail will be constructed near a social path that will pass under the San Juan Hollister Road bridge and traverse at the base of the western levees for the City's Industrial wastewater treatment ponds for a distance of about 700 feet. The trail will then rise up to traverse along an existing levee road and connect with Apricot Park near Apricot Lane for a distance of about 2500 feet. The 30% Plans and Specifications are included in Attachment A.

This project was first proposed in association with a separate grant award in 2008 and an Initial Study-Mitigated Negative Declaration (IS-MND) was prepared for the San Benito River Greenway Project and adopted by the City of Hollister City Council. However, the project design requested acquisition of private property for the southern trailhead. The City was unable to negotiate procurement of the project consequently the project lost funding and was never constructed. With the addition of a Community Development Block Grant (CDBG-12098) funding this project is being proposed again. The changes from the 2008 project are minor, and generally consist of the redesign of the southern end leading up to the recently constructed municipal Apricot Park to avoid private property. Mitigation Measures included in the adopted Mitigation Monitoring and Reporting Program from the 2008 IS-MND are incorporated into the current project description and include:

BR-3. a. A qualified biologist should conduct a pre-construction survey less than 30 days prior to construction within the project site in accordance with the CDFW burrowing owl survey protocol (CDFG 1995). If no burrowing owls or signs of their presence are detected in the vicinity of the project site during the pre-construction survey, a letter report documenting survey methods and findings shall be submitted to the City of Hollister and CDFW, and no further mitigation is required.

b. If unoccupied burrows are detected during the non-breeding season (September through January 31), the applicant may collapse the unoccupied burrows, or otherwise obstruct their entrances to prevent owls from entering and nesting in the burrows.

c. If occupied burrowing owl burrows are detected, impacts on burrows shall be avoided by providing a buffer of 160 feet during the non-breeding season (September 1 through January 31) or 250 feet during the breeding season (February 1 through August 31). The size of the buffer area may be adjusted if a qualified biologist or the CDFW determine the burrowing owl would not likely be affected by the Proposed Project. Project activities shall not commence within the buffer area until a qualified biologist confirms that the burrow is no longer occupied. If the burrow is occupied by a nesting pair, a minimum of 7.5 acres of foraging habitat contiguous to the burrow shall be maintained per pair until the breeding season is finished.

d. If impacts to occupied burrows are unavoidable, onsite passive relocation techniques approved by the CDFW shall be used to encourage burrowing owls to move to alternative burrows outside of the project site. No occupied burrows shall be disturbed during the nesting season unless a qualified biologist verifies through non-invasive methods that juveniles from the occupied burrows are foraging independently and are capable of independent survival. Mitigation for foraging habitat for relocated pairs shall follow the guidelines provided in the California Burrowing Owl Survey Protocol and Mitigation Guidelines (Burrowing Owl Consortium, 1995). The mitigation for foraging habitat for relocated pairs ranges from 7.5 to 19.5 acres per pair

BR-4. a. A qualified biologist shall conduct a pre-construction survey within 14 days prior to initiation of construction activities. The USFWS will be notified should California red-legged frog (CRLF) be observed within the project site.

b. A "Species Sensitivity Training" program will be established for CRLF prior to commencement of construction activities. This program will be designed to educate construction personnel about the mitigation measures required for the execution of the project. All construction personnel will attend the sensitivity training that will provide instruction on CRLF identification, status and detailed protocol of the actions that should be taken in the event that a CRLF is encountered onsite during construction activities.

c. Construction crew shall be trained during the "Species Sensitivity Training" to check beneath the staging equipment each morning prior to commencement of daily construction activities. Should CRLF occur within the

staging areas, construction activities shall be halted until the CRLF vacates the project site.
d. A qualified biologist shall be present during grading activities. Should CRLF be observed within the project site, the USFWS shall be notified and construction shall be halted until either the CRLF exits the site or until a biologist with a USFWS Recovery Permit for CRLF relocates the CRLF.
e. For segments of the pipeline corridor and parking areas that occur within 100 feet of the Industrial wastewater treatment ponds (IWTP) and the San Benito River, exclusionary fencing will be established to prevent CRLF from entering construction areas. The fencing shall be marked by highly visibility signs indicating that human activity is prohibited within these areas.

BR-5. a. A qualified biologist will conduct a pre-construction survey for western pond turtle less than 14 days prior to initiation of construction activities. Any western pond turtle observed will be moved by a qualified biologist to a suitable location outside of the construction area.

b. A "Species Sensitivity Training" program will be established for western pond turtle. This program will be designed to educate construction personnel about the mitigation measures required for the execution of the project. All construction personnel will attend the sensitivity training that will provide instruction on western pond turtle identification, status and detailed protocol of the actions that should be taken in the event that a western pond turtle is encountered onsite during construction activities.
c. For segments of the pipeline corridor and parking areas that occur within 100 feet of the IWTP ponds and the San Benito River, exclusionary fencing will be established to prevent western pond turtle from entering construction areas. The fencing shall be marked by highly visibility signs indicating that human activity is prohibited within these areas.
d. If western pond turtles are observed in the construction area, CDFW will be notified and construction will be halted until a qualified biologist can relocate the western pond turtle.

BR-6. a. If construction activities are to occur between March to October, then a qualified biologist shall conduct pre-construction San Joaquin whipsnake surveys for active dens (within mammal burrows and stockpiles) before any construction activities occur in or adjacent to suitable den habitat. The surveys shall be conducted within 14 days prior to initiation of construction activities. Should San Joaquin whipsnake be observed within the project site, the biologist shall note the location on a map and resurvey the site prior to commencement of construction activities ensure the snake vacated the area. Should the San Joaquin whipsnake still be present, then a 50 foot buffer around the location shall be established and construction activities shall be prohibited within the buffer zone until the snake has vacated the project site.

b. Prior to removal of stockpiles within the proposed project site, a "Species Sensitivity Training" program will be established for the San Joaquin whipsnake. This program will be designed to educate construction personnel about the mitigation measures required for the execution of the project. All

construction personnel will attend the sensitivity training that will provide instruction on whipsnake identification, status and detailed protocol of the actions that should be taken in the event that a whipsnake is encountered onsite during construction.
c. A qualified biologist shall be present on the project site to monitor the disturbance and removal of all stockpiles. Monitoring shall take place throughout the entire removal process. Should a San Joaquin whipsnake occur beneath a stockpile, then removal of that stockpile shall be halted until the whipsnake has vacated the stockpile.

BR-7. a. A qualified wildlife biologist shall conduct pre-construction surveys for special-status western mastiff bat and pallid bat in the vicinity of the bridge no more than 14 days prior to commencement of construction activities. If no active roosts or evidence of western mastiff or pallid bat presence are detected during these surveys, no additional mitigation is required.

b. Should western mastiff or pallid bat species bat species or their active roosts be detected beneath the bridge during the pre-construction survey, the staging area should be situated at least 100 feet from the bridge. Construction activities should be carried out in a short timeframe within 100 feet of the bridge. A qualified biologist shall be present while construction activities are occurring within 100 feet of the bridge.

BR-8. a. A qualified biologist shall conduct pre-construction American badger surveys for active dens within 30 days prior to commencement of construction activities. If no active dens are detected during these surveys, no additional mitigation is required.

b. If active dens are detected within the survey area, then CDFW shall be consulted for recommendations on avoidance and minimization measures. Measures may include avoidance buffer zones, or that passive relocation techniques be employed to remove the animal(s) from the site and transfer them to an off-site location.

CR-1 In the event of the unanticipated discovery of buried or concealed historical resources or fossilized remains, project activities shall cease in the area of the find, and a qualified archaeologist/paleontologist shall be consulted to determine the extent and significance of the resource and to develop any necessary mitigation measures. If human remains are inadvertently discovered, work shall cease immediately and the San Benito County Coroner shall be notified in accordance with California law. A professional archaeologist/or paleontologist shall subsequently be hired to assist in the development of appropriate mitigation measures

GS-1 Erosion control measures shall be required prior to and throughout the rainy season. Erosion and water quality control measures identified in the SWPPP could include but not be limited to the following:

a. Temporary erosion control measures (such as silt fences, staked straw bales, and temporary revegetation) shall be employed for disturbed areas. No disturbed

surfaces will be left without erosion control measures in place during the winter and spring months.

b. Sediment shall be retained on-site by a system of sediment basins, traps, or other appropriate measures.
c. A spill prevention and countermeasure plan shall be developed that will identify proper storage, collection, and disposal measures for potential pollutants (such as fuel, fertilizers, pesticides, etc.) used on-site. The plan will also require the proper storage, handling, use, and disposal of petroleum products.
d. Construction activities shall be scheduled to minimize land disturbance during peak runoff periods and to the immediate area required for construction. Soil conservation practices shall be completed during the fall or late winter to reduce erosion during spring runoff.
e. Existing vegetation will be retained where possible. To the extent feasible, grading activities shall be limited to the immediate area required for construction.
f. Surface water runoff shall be controlled by directing flowing water away from critical areas and by reducing runoff velocity. Diversion structures such as terraces, dikes, and ditches shall collect and direct runoff water around vulnerable areas to prepared drainage outlets.
g. Surface roughening, berms, check dams, hay bales, or similar devices shall be used to reduce runoff velocity and erosion.
h. Sediment shall be contained when conditions are too extreme for treatment by surface protection. Temporary sediment traps, filter fabric fences, inlet protectors, vegetative filters and buffers, or settling basins shall be used to detain runoff water long enough for sediment particles to settle out. Store, cover, and isolate construction materials, including topsoil and chemicals, to prevent runoff losses and contamination of groundwater.
i. Topsoil removed during construction shall be carefully stored and treated as an important resource. Berms shall be placed around topsoil stockpiles to prevent runoff during storm events.
j. Establish fuel and vehicle maintenance areas away from all drainage courses and design these areas to control runoff.
k. Disturbed areas will be re-vegetated after completion of construction activities.
l. All necessary permits and approvals shall be obtained.
m. Provide sanitary facilities for construction workers.

HM-1 To reduce the potential for accidental releases, fuel, oil, and hydraulic fluids shall be transferred directly from a service truck to construction equipment tanks and shall not otherwise be stored on site.

HM-2 Personnel shall follow written Standard Operating Procedures (SOPs) for filling and servicing construction equipment and vehicles. The SOPs, which are designed to reduce the potential for incidents involving the hazardous materials, shall include the following:

a. Refueling shall be conducted only with approved pumps, hoses, and nozzles;
b. Catch pans shall be placed under equipment to catch potential spills during servicing;

c. All disconnected hoses shall be placed in containers to collect residual fuel from the hose;
d. Vehicle engines shall be shut down during refueling;
e. No smoking, open flames, or welding shall be allowed in refueling or service areas;
f. Refueling shall be performed away from bodies of water to prevent contamination of water in the event of a leak or spill;
g. Service trucks shall be provided with fire extinguishers and spill containment equipment, such as absorbents;
h. Should a spill contaminate soil, the soil shall be put into containers and disposed of in accordance with local, State, and Federal regulations;
i. All containers used to store hazardous materials shall be inspected at least once per week for signs of leaking or failure. All maintenance and refueling areas shall be inspected monthly. Results of inspections shall be recorded in a logbook that would be maintained on site; and
j. The amount of hazardous materials used in project construction and operation shall be consistently kept at the lowest volumes needed.

HM-3 If suspected soil contamination is encountered during excavation and grading activities, all work shall be halted and a qualified individual, in consultation with the San Francisco Bay Regional Water Quality Control Board (SFBRWQCB), shall determine the appropriate course of action.

HM-4 During construction, staging areas, welding areas, or areas slated for development using spark producing equipment shall be cleared of dried vegetation or other materials that could serve as fire fuel. To the extent feasible, the contractor shall keep these areas clear of combustible materials in order to maintain a firebreak.

HM-5 Any construction equipment that normally includes a spark arrester shall be equipped with an arrester in good working order. This includes, but is not limited to, vehicles, heavy equipment, and chainsaws.

N-1 Construction activities within a half-mile of existing noise sensitive land uses shall be limited to daytime hours between 7:30 AM to 5:00 PM.

N-2 Engine-powered construction equipment shall be fitted with adequate mufflers and enclosures as supplied by the manufacturer, and shall be maintained in good condition.

N-3 All powered equipment will comply with applicable local, State, and Federal regulations, and all such equipment shall be fitted with adequate mufflers according to the manufacturer's specifications to minimize construction noise effects.

TT-1 The City shall limit construction activities to between 7:30 AM and 5:00 PM, Monday through Friday.

TT-2 The City shall identify all access and parking restrictions, pavement markings and signage requirements (e.g., speed limit, temporary loading zones).

TT-3 All roads shall remain passable to emergency service vehicles.

TT-4 The City shall develop circulation and detour plans to minimize impact to local street circulation. This may include the use of signing and flagging to guide vehicles through and/or around construction zones.

Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]:

The purpose and need for the project is to help eliminate a shortage of over 16 acres of park land in the Area of Benefit and to help combat poor health/obesity prevalent in the project area by providing a multi-modal trail that is free and available for use by persons of all ages and abilities. The Centers for Disease Control and Prevention (CDCP) reports that the closer a person lives to a park, the more likely they are to walk or bike or use the parks for exercise. The CDCP recommends communities construct trails within walking distance of homes as a way to improve resident's access to parks. This is because walking, "is one of the easiest, least expensive and most widely available ways to reap meaningful health benefits". The River Park Trail will serve a diverse population where language will not be a barrier to recreation and access to improved healt.[1] A 2014 study, "*Obesity in California: The Weight of the State*", by the California Department of Public Health documented that the obesity rate for low income children between ages 5 to 19 years was the worst in San Benito County at 30% or greater (see pages 97-99). The Kidsdata.org 2017 records from the Lucile Packard Foundation rate overweight and obese children by grade level from 5^{th} – 9^{th} grade. 2017 data indicates that 7^{th} graders in San Benito County are level with the state rate of 38.5% but 47.7% of youth in 5^{th} grade are overweight or obese compared to 40.3% for all of California. The percentage of 9th grade students of in the County of 43.9% again exceeds the state average of 36%. The California Department of Education annual Physical Fitness (PFT) documents troubling health concerns for youth that attend the two neighborhood schools that serve the Area of Benefit. The PFT evaluates fitness linked to good health and protection against diseases associated with physical inactivity (high blood pressure, diabetes, and coronary heart disease). The testing establishes a Healthy Fitness Zone (HFZ). Close to 60% of the Fifth Grade students in California are in the HFZ. Unfortunately, just 43% of the Fifth Grade students at Calaveras Elementary School and 41% at R. O. Hardin were in the Health Fitness Zone for body composition. Students were less fit in comparison to students in San Benito County and the Hollister School District. It is noteworthy that students attending R. O. Hardin School, where there is the smallest amount of parkland available, scored the lowest for the HFZ.

The multi-use linear River Park Trail will not eliminate the shortage of parks in the Area of Benefit but the type of facility will provide multiple opportunities for trail use for persons of all ages and abilities, an alternative mode of transportation, a trail for exercise, watching nature, multi-generational shared recreation and meeting and interacting with neighbors. Trail use will be free of barriers to recreation in other locations in the city related to transportation, age, income, language, and mobility.

The distribution and type of park facilities is imbalanced within Hollister and there is a shortfall of 168 acres to serve the 5,430+ residents in the Area of Benefit. The three parks located in the Area of Benefit total a combined 3.4 acres of park land (0.2 acre John Z. Hernandez, 1.0 acre Tony Aguirre and 2.2 Apricot Park) and a school city park. The facilities feature similar amenities: play equipment for youth from 2 to 12 years of age, picnic tables and small play fields. Two of the play areas are rectangular in shape. Only the school/city park is suitable for league sports fields after school.

A large percentage of the residents in the project area speak Spanish at home with 73.5% in Census Tract 3 and 57.4% in Census Tract 7.01 as reported in the American Community Survey DP02 2011-2015. A third of the residences reported that they speak English less than very well which is significantly higher than the statewide average of

Existing Conditions and Trends [24 CFR 58.40(a)]**: Determine existing conditions and describe the character, features and resources of the project area and its surroundings; identify the trends that are likely to continue in the absence of the project.**

San Benito River. The project is a nearly one mile linear trail that will trend generally in a northwest to southeast direction. The San Benito River traverses to the west of the trail. The river is a resource for habitat and groundwater recharge. There are several unregulated trails leading west of the proposed trail between the main channel of the river and the top of the bank.[See Attachment F Pages B-2 to B-3] The land uses will remain the same in the absence of the project. The proposed trail would establish split rail fencing and No Trespassing signs between the trail and the Riparian areas near the San Benito River to deter disturbance of habitat and unregulated activities near the river.

The existing conditions along the north, east and south side of the trail corridor are variable.

Bridge Road Staging Area: The proposed Bridge Road staging area is currently a vacant city-owned property with a storm inlet, fencing weeds and concrete debris. [See Attachment F page B-1] A sewer lift station is located to the east. Self-help affordable single family homes border the trailhead on the north side of Bridge Road and east side of Bridgevale Road. Unincorporated single family homes are located to the north on the west side of Bridgevale Road. The bridge over the San Benito River is located south of the Bridge Road staging area. Today the Bridge Road staging area is used as an entry point for unregulated access to the river. It is likely this trend would continue in the absence of the project.

Industrial Waste Water Treatment Ponds: There is a series of seven ponds located southeast of the San Benito River bridge and east of the top of the bank of the San Benito River. [See Attachment F, Figure 2, page 7]. The ponds were developed for a combination of wastewater treatment and seasonal storm water. Municipal treatment was terminated in 2008 after the completion of a new city-owned regional water reclamation facility. The southern ponds are currently used seasonally to treat waste

from a tomato cannery. The northern portion of the trail traverses along the base of the western levee for the two northern ponds. The trail will ascend to join the existing maintenance roads on the west and south sides of the facility until it connects to Apricot Park and Apricot Lane. The land uses would remain the same in the absence of the project.

Apricot Park/Neighborhood: The trail will terminate at Apricot Park. The pocket park was constructed in association with a recently constructed subdivision of single-family homes to the east of the park. An unincorporated vacant parcel is located on the south side of Apricot Lane. A sand and gravel quarry that has been idle since 1995 is located south of the proposed trail. The land uses would remain the same in the absence of the project.

Funding Information

Grant Number	HUD Program	Funding Amount
17-CDBG-12098	**Community Development Block Grant**	**$1,532,400**
	Local funds	**$940,100**

Estimated Total HUD Funded Amount: $1,532.400

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: **$2,472,500**

Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes ☐ No x	The project site is the construction of a multi-use recreation trail. The project site is south of the Area of Influence of the Hollister Municipal Airport Hollister Municipal Airport Land Use Compatibility Plan, June 21, 2012. (See Attachment B) [13] **Determination:** Does not apply.
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes ☐ No x	None of San Benito County is located within a coastal area (See Attachment C). **Determination**: Does not apply
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes ☐ No X	The project is the construction of a multi-use trail on property owned by the City of Hollister. No structures for human occupancy will be constructed in association with the project. **Determination**: Does not apply

STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5		
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes ☐ No X	The project site is located within the North Central Coast Air Basin (NCCAB) within an attainment area for national air quality standards in the Clean Air Act per consultation on July 2, 2019 (See Attachment D.1). The project does not require an individual NESHAP permit or notification. (See Attachments D.1 and D.2) per communications on July 2, 2019 and July 8, 2019. **Determination**: Does not apply
Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d)	Yes ☐ No X	None of San Benito County is located within a coastal area (See Attachment C). **Determination**: Does not apply
Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2)	Yes ☐ No X	There are no operations within the vicinity of the project site that store or use toxic /hazardous/radioactive materials, sites with contamination, chemicals or gasses as defined in 24 CRF 58.5 (i)(2) per consultation with San Benito County Environmental Health on July 3, 2019. (See Attachment E) **Determination**: Does not apply.
Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	Yes X No ☐	Rincon Consulting Inc. prepared a Biological Resources Assessment (BRA) for the River Park Trail Project to comply with the Endangered Species Act of 1973, Section 7, 50 CFR Part 402. The consultants documented existing conditions at the project site and provided an assessment of potential

		impacts to biological resources based upon proposed 30% plans and specifications and project description in the 2017 NOFA application.(See Attachment F) The Biological Study Area (BSA) examined for the analysis included an approximately 4,800-foot trail corridor, between Apricot Lane and Bridge Road plus a 50-foot survey buffer. Three natural vegetation communities and four land cover types were documented within the project site: 1) annual grassland; 2) riparian woodland 3) ruderal; 4) developed; 5) landscaped; 6) Industrial Wastewater Treatment Pond; and 7) rock pile. The United State Fish and Wildlife Services was consulted for scoping during the report preparation. [See Attachment F, page 10] The study concluded that three (3) species listed as threatened or endangered by the Endangered Species Act have a potential to occur on the project site; California red-legged frog (*Rana draytonil*), California tiger salamander (*Ambystoma calforniense*), and tricolored blackbird (*Agelaius tricolor*). No sensitive natural communities were observed in the BSA, but the riparian corridor of the San Benito River does occur within the BSA. However, the edge of riparian and top of bank was mapped during the reconnaissance survey to assure that the trail would be designed to avoid impacts to all jurisdictional areas. <u>California red-legged frog (CRF)</u>: The BRA indicated that there are 13 known occurrences of this species within five miles, including one at the northern end of the BSA overlapping the proposed parking lot and trail crossing under the San Juan Hollister Bridge (CDFW 2019a). This occurrence was observed

		in 2001, when one adult and one juvenile were found in the San Benito River. This occurrence also notes the presence of bullfrogs (*Lithobates catesbeianus*). No aquatic habitats were identified within the project footprint, and upland habitat within the BSA was determined to be generally marginal or unsuitable for long term usage. The BSA noted that the Industrial use at the wastewater treatment plant includes many ground disturbing activities and movement of heavy equipment, and homeless living under the San Juan Hollister Bridge and along the banks of the San Benito River appear to be using the location of the CRLF occurrence as a dump. [See Attachment F Appendix B photos]. The BRA determined that there is a low potential for CRLF to occur in upland areas within the project footprint during rain events. The BRA concluded that no impacts to breeding habitat or upland refugia were expected from the project. The BRA did note that impacts could be significant if a CRF was present in the work area during construction. The project will implement IS MND Measure BR-4 as part of the Project Description Description which requires preconstruction surveys and exclusion fencing within 100 feet of the San Benito River and wastewater treatment ponds. With the implementation of BR-4 and the Mitigation Measures below, impacts and effects to CRLF would be less than significant. BIO-1. No work should occur during a rain event (over .25"). If a rain event occurs, a qualified biologist shall inspect the site again prior to resuming work.

		California Tiger Salamander (CTS) The BRA reported that there are 23 known occurrences of the CTS within five miles of the BSA, all of which occur in open grasslands surrounding the developed City of Hollister. The nearest CNDDB record for this species occurred about 0.59 miles to the southwest where breeding was observed at a constructed wetland at a water treatment plant in 2017. The BRA determined that the San Benito River is not suitable habitat for CTS in the project vicinity because the species requires ponded or stagnant water and flows in the San Benito River are likely too fast for CTS and represent a barrier for movement from populations to the west. The BRA noted that there is suitable breeding habitat for the California tiger salamander within one mile of the BSA; however, the San Benito River is likely a significant barrier for movement and individuals from the breeding area as well as urbanized area to the east in the City of Hollister. Therefore the CTS are not expected to reach the site. For these reasons, no impacts to aquatic breeding habitat is expected. The BSA stated that the urbanized areas in the City of Hollister to the east also represents a barrier for movement and that there is marginal upland habitat within the project footprint in small mammal burrows. The BRA concluded there is a low potential for CTS to occur in upland refuge within the river park trail footprint. Although the species was concluded to have a low potential to occur within the BSA, impacts to dispersing CTS would be potentially significant if individuals were present or dispersing through the

		project area at night and take temporary refuge under equipment or materials during construction activity. Impacts to dispersing CTS would be potentially significant if individuals were present in the work area during construction. Impacts and effects to dispersing CTS would be reduced to a less than significant level through implementation of the Mitigation Measures below. BIO-2 a. A qualified biologist shall conduct a pre-construction survey within 14 days prior to initiation of construction activities. The USFWS will be notified should CTS be observed within the project site. b. The "Species Sensitivity Training" program presented prior to commencement of construction activities should include CTS. This program will be designed to educate construction personnel about the mitigation measures required for the execution of the project. All construction personnel will attend the sensitivity training that will provide instruction on CTS identification, status and detailed protocol of the actions that should be taken in the event that a CTS is encountered onsite during construction activities. c. Construction crew should be trained during the "Species Sensitivity Training" to check beneath the staging equipment each morning prior to commencement of daily construction activities. Should CTS occur within the staging areas, construction activities should be halted until the CTS vacates the project site.

		d. A qualified biologist should be present during grading activities. Should CTS be observed within the project site, the USFWS shall be notified and construction should be halted until either the CTS exits the site and approval to begin again is provided by the USFWS. e. For segments of the trail corridor and parking area that occur within 100 feet of the Industrial wastewater treatment ponds and the San Benito River, exclusionary fencing will be established to prevent CTS from entering construction areas. The fencing shall be marked by highly visibility signs indicating that human activity is prohibited within these areas. f. No work should occur during a rain event (over .25"). If a rain event occurs, a qualified biologist should inspect the site again prior to resuming work. Tri-Colored Blackbird: The BRA reported that there are three occurrences of the TCB recorded in the CNDDB within five miles of the BSA. The project has been designed to avoid removal of riparian habitat that could be used for nesting. The BRA concluded there is low potential for the TCB to occur in nest colonies and a moderate potential to forage in the BSA throughout the year. **Determination**: No significant effect with mitigations.

Explosive and Flammable Hazards 24 CFR Part 51 Subpart C	Yes ☐ No x	There are no operations within the vicinity of the project site that store or use explosive or hazardous materials. 24 CRF Part 51 Subpart C per consultation with San Benito County Environmental Health on July 3, 2019. (See Attachment E) [10]
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	Yes ☐ No x	The project area is located within areas mapped as Urban and Built Up on the California Department of Conservation "San Benito County Important Farmland Map 2010" (See Attachment G) **Determination**: Does not apply
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	Yes ☐ No x	The 8-Step process was completed because the northern portion of the trail is within the 100 year floodplain of the San Benito River. The trail is located outside of the main flood channel, riparian habitat and above the top of the streambank. It was determined through the 8-step process that the proposed project alternative is the superior alternative. The project does not involve the construction of habitable structures in the floodplain and will not alter the floodplain. (see Attachment H) **Determination:** Finding of no significant effect.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	Yes ☐ No X	The October 30, 2018 Letter from Department of Parks and Recreation Office of Historic Preservation did not object to City of Hollister finding of no significant impacts (see Attachment I) [18]. **Determination:** Finding of no significant effect.

Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	Yes No X ☐	The river trail will introduce a passive form of recreation and the primary source of noise will be voices of trail users, and car doors closing at the staging areas. The closest sensitive receptors are single family homes on Bridge and Bridgevale Road and east of Apricot Park at distances of 200 feet to 180 from the staging area. Trail users will be exposed to noise from vehicle traffic on San Juan Road, noise associated with residential neighborhoods, birds/habitat from the San Benito River and seasonal use of aerators at the industrial wastewater treatment ponds. The project has the potential to increase noise during construction to residents located within one half mile of the Bridge Road staging area and Apricot Park. All other sections of the trail corridor are over one half mile from sensitive receptors. The City will implement IS MND Measure N-1, N-2 and N-3 as part of the Project Description which requires limiting the hours of construction and requires use of mufflers on equipment that adheres to manufacture instructions and application regulations. With the implementation of N-1, N-2 and N-3, impacts and effects of temporary construction noise would be less than significant. **Determination:** Less than significant with Mitigation in Project Description.
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes No ☐ X	None of San Benito County is located within one of the four California Designated Sole Source Aquifers in EPA Region IX. (See Attachment J) **Determination**: Does not apply

Wetlands Protection Executive Order 11990, particularly sections 2 and 5	Yes No ☐ X	Informal wetland delineation was conducted for the river trail for water features including wetlands, vernal pools, and streams as part of the preparation of the Initial Study for the City of Hollister San Benito River the Mitigated Negative Declaration for the Greenway, December 2008 [2]. A 2019 Biological Resource Assessment prepared for this project also concluded that the project site is outside of Wetlands and avoids Riparian Areas. (see Attachment F page 30) The project will be located near the San Benito River and associated freshwater Forest/Shrub Wetland but will not be located within wetland habitat or jurisdictional waters. (See Attachments K.1 and K.2). **Determination**: Does not apply
Wild and Scenic Rivers Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes No ☐ X	There is no Wild or Scenic River in San Benito County. (See Attachment L) **Determination**: Does not apply
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	Yes No ☐ X	The establishment of the river trail will provide a much needed recreation type that will directly benefit an economically disadvantaged community, provide an alternative mode to walk or bike to commercial services away from cars and a new type of recreational facility that will help combat poor fitness in the area as explained in the statement of purpose and need and documented in the grant application. [1] **Determination**: Does not apply.

Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

Impact Codes: Use an impact code from the following list to make the determination of impact for each factor.

(1) Minor beneficial impact
(2) No impact anticipated
(3) Minor Adverse Impact – May require mitigation
(4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement

Environmental Assessment Factor	Impact Code	Impact Evaluation
LAND DEVELOPMENT		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	1	The northern trail head and first roughly 700 feet of trail has a General Plan and zoning designation of Open Space and Open Space Conservation. The southern portion of the trail has a General Plan designation of Public and zoning designation of Public Facilities. (See Attachments M.1 and M.2) A trail is listed as a permitted use on Table 17.12.3 in the OPC and PF zoning districts of the Hollister Municipal Code. The project is consistent with the zoning ordinance. [3][4][5] The construction of the river trail will implement a planned trail facility in the 2019 City of Hollister Park and Recreation Master Plan and Bicycle and Pedestrian Master Plan. (See Attachments M.3 and M.4.)[6][7]
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	3	Maps from the Soils Survey of San Benito County, indicate that soils underlying the project site are Metz sandy loam (MeA), Metz gravelly sandy loam (MgA), Riverwash (Rw), and Sorrento silty clay loam (SrA) which have a moderate potential for erosion [8]. (Attachment F pages 13-15)

		The river park facility is not located within an Alquist-Priolo Act Earthquake Fault Zone and there are no known potential fault rupture hazards on the project site. [9] The project site has the potential to experience topsoil liquefaction during periods of strong seismic shaking and water saturation and the southern portion of the project site contains a soil map unit that is classified as moderately expansive. Implementation of the Proposed Project would not result in the development of new habitable structures or otherwise result in substantial adverse effects including the risk of loss, injury or death involving seismic-related ground failure, including liquefaction. Effects associated with seismicity, liquefaction, and expansive soils are considered to be less than significant.[2, pages 33-39] The project has the potential to increase soil erosion during construction of the trail. The City will implement IS MND Measure GS-1 as part of the Project Description which requires measures to minimize erosion and disturbances near the riparian area and avoid discharge of runoff to the San Benito River during storm events. The effects would be less than significant.
Hazards and Nuisances including Site Safety and Noise	2	There are no operations within the vicinity of the project site that store or use toxic /hazardous/radioactive materials, sites with contamination, chemicals or gasses as defined in 24 CRF 58.5 (i)(2) per consultation with San Benito County Environmental Health on July 3, 2019. (See Attachment E) [10]
Energy Consumption	1	The location of the river trail facility could contribute to a reduction in greenhouse gas emissions from vehicle trips. The trail will provide an alternative mode of transportation for residents located south of Fourth Street near Apricot Park to walk or bicycle to medical and commercial services on Fourth Street and recreation and to bicycle or walk to San Benito High School. The trail will be open to the public from dawn to dusk and will not require significant amount of power.

Environmental Assessment Factor	Impact Code	Impact Evaluation
SOCIOECONOMIC		
Employment and Income Patterns	**2**	The City of Hollister will be responsible for maintenance of the river trail but there will not be an increase in employment as a result of the trail construction and fees will not be charged for use of the facility. The project will have no effect on employment and income patterns.
Demographic Character Changes, Displacement	**2**	Most of the proposed development area for the river trail is vacant. The exception is the approximately 2,450 feet of existing levee maintenance roads that will be converted to a river trail. The project does not involve the removal of a residence and will not displace persons or buildings. [1]

Environmental Assessment Factor	Impact Code	Impact Evaluation
COMMUNITY FACILITIES AND SERVICES		
Educational and Cultural Facilities	1	The river trail will not generate population growth that could induce the demand for educational facilities in the City of Hollister. Consequently the project will not affect the capacity of local schools. The river trail will provides an opportunity for outdoor educational programs related nature, watersheds, plant restoration and best practices for storm water management.
Commercial Facilities	2	Fourth Street is the closest commercial center to the river trail with commercial services about one half mile to the east. There is potential for infill commercial development to be located closer to the trail. The river trail will provide pedestrian and bicycle access to Fourth Street commercial services for residents living south of Fourth Street near Apricot Lane.
Health Care and Social Services	1	The river trail will provide opportunity for exercise for residents in the project area. The CDBG application for the river trail documented the prevalence of obesity in the project area and poor fitness of youth at the two elementary schools in the project area.[1] The establishment of the trail will provide an opportunity for

		residents to walk or bike to school and commercial and medical services on Fourth Street or exercise which in turn could help improve the health of residents in the project area.
Solid Waste Disposal / Recycling	2	The river trial is not expected to generate significant amounts of construction waste because there is no planned demolition associated with site preparation. Boulders will be removed at the Bridge Road staging area but they will be recycled for aggregate. [1][2][16] The project does not involve housing construction and will not generate population growth and a secondary increase in solid waste disposal services. Trash receptacles will be placed at the new Bridge Road trail head and along the trail.[1] The trail use will not generate significant waste.
Waste Water / Sanitary Sewers	2	A restroom will not be developed in association with the river park trail. The project will have no effect on waste water disposal or capacity.
Water Supply	2	The project will have no effect on water supply. Water use for the project will be limited to a drinking fountain that will be installed at the new trailhead near Bridge/Bridgevale Roads. Irrigation will not be incorporated into the landscaping improvements. Drought tolerant vegetation will be hand-watered until established as noted in the Project Description.
Public Safety - Police, Fire and Emergency Medical	2	The river park facility would have a negligible effect on public safety. The facility would not generate population growth. And the project would not alter or restrict public service routes and generate a substantial demand for police services. The river park facility will not result in the construction of a structure. There would be minimal risk of fire from the facility. The project will have a negligible effect on emergency medical services.
Parks, Open Space and Recreation	1	The river trail facility will help reduce the shortage of park land in the west side of Hollister and provide a recreational amenity that is currently unavailable in the project area and implement a planned linear trail in the City of Hollister Parks Facility Master Plan.[6, pages 116-117]

Transportation and Accessibility	1/2	The river park trail is estimated to generate 10 vehicle trips per day based on the 4.57 acre size of the facility and 1.81 acre parking areas and trip generation rates in the Institute of Transportation Engineers 7th Edition (2003) [2]. The trips would be distributed throughout the day and would not have an adverse effect on the local road network. Furthermore, the river park trail facility is a recreational ADA multi-modal path that can also be used for walking or biking to the high school and to reach medical services and retail services on Fourth Street. The trail will provide an alternative mode of transportation for walking and biking.
Environmental Assessment Factor	**Impact Code**	**Impact Evaluation**
NATURAL FEATURES		
Unique Natural Features, Water Resources	2	The river park trail facility will be located on an existing vacant lot near the intersection of Bridge and Bridgevale Roads and will traverse at the base of the Industrial Wastewater Treatment Facility for 1500 feet and then utilize an existing service road for the (IWTF). The project will have no effect on unique natural features or water resources.
Vegetation, Wildlife	3	Rincon Consulting Inc. prepared a Biological Resources Assessment (BRA) for the River Park Trail project to document existing conditions at the project site and provide an assessment of potential impacts to sensitive biological resources based upon proposed 30% plans and specifications and project description in the 2017 NOFA application.(See Attachment F) The Biological Study Area (BSA) examined for the analysis included an approximately 4,800-foot trail corridor, between Apricot Lane and Bridge Road plus a 50-foot survey buffer. Three natural vegetation communities and four land cover types were documented within the project site: 1) annual grassland; 2) riparian woodland 3) ruderal; 4) developed; 5) landscaped; 6) Industrial Wastewater Treatment Pond; and 7) rock pile. Eight acres of the BSA consists of developed, landscaped, Industrial Waste Water Treatment Pond and rock pile. Four and one half acres include annual grassland (1.82 ac.), riparian woodland (1.39 ac) and ruderal vegetation (0.7 ac.) and coyote brush (0.64). None of the riparian

		woodland in the BSA is located within the trail corridor. Coyote Brush is primarily located in the BSA near the San Benito River and above the top of the bank and near some sections of the trail corridor. The annual grasses are primarily located near the Bridge Road staging area (See Appendix F, Pages 16-21). The Biological Resource Assessment (BRA) concluded that the project would have no effect on sensitive plant species. The BRA concluded that the trail corridor would not be located in a Critical Habitat or Sensitive Plant Community but that the riparian woodland and San Benito River to the west could be considered a Sensitive Plant Community by the California Department of Fish and Wildlife. (See Appendix F page 30) The BRA documented that the trail corridor is not located within a significant area for Wildlife Movement or Natural Landscape Blocks. (See Appendix F pages 30 and 31) BRA determined that construction activities could result in significant effects to the following species but the effects could be avoided with the mitigation measures in the Project Description and the following additional mitigation measures (See Appendix F pages): California tiger salamander, California red legged frog, Western spadefoot, Burrowing Owl, San Joaquin Coachwhip, Western Pond turtle, American badger, Pallid bat, Townsend's big-eared bat, western mastiff bat, and western red bat, Coast range newt and nesting special status species of birds, raptors and other protected birds. BIO-3. For construction activities occurring during the nesting season (generally February 1 to August 31), surveys for nesting birds covered by the CFGC (including, but not limited to, tricolored blackbird, Cooper's hawk, and white-tailed kite) shall be conducted by a qualified biologist no more than 14 days prior to initiation of construction activities for within the river park trail), including construction staging and vegetation removal. The surveys shall include

		the entire disturbance areas plus a 200-foot buffer around any disturbance areas. If active nests are located, all construction work shall be conducted outside a buffer zone from the nest to be determined by the qualified biologist. The buffer shall be a minimum of 50 feet for non-raptor bird species and at least 150 feet for raptor species. Larger buffers may be required depending upon the status of the nest and the construction activities occurring in the vicinity of the nest. The biologist shall have full discretion for establishing a suitable buffer. The buffer area(s) shall be closed to all construction personnel and equipment until the adults and young are no longer reliant on the nest site. A qualified biologist shall confirm that breeding/nesting is completed and young have fledged the nest prior to removal of the buffer. Western Spadefoot BIO-4 a. If construction activities are to occur between November to March, then a qualified biologist shall conduct pre-construction western spadefoot surveys (within mammal burrows and stockpiles) before any construction activities occur in or adjacent to suitable habitat. The surveys should be conducted within 14 days prior to initiation of construction activities. Should western spadefoot be observed within the project site, the biologist shall note the location on a map and resurvey the site prior to commencement of construction activities ensure the toad vacated the area. Should the western spadefoot still be present, then a 50 foot buffer around the location shall be established and construction activities shall be prohibited within the buffer zone until the snake has vacated the project site. b. Prior to the start of work a "Species Sensitivity Training" program will be established for the western spadefoot. This program will be designed to educate construction personnel about the mitigation measures required for the execution of the project. All construction personnel will attend the sensitivity training that will provide instruction on western spadefoot identification, status and detailed protocol of the

		actions that should be taken in the event that a western spadefoot is encountered onsite during construction. c. A qualified biologist should be present on the project site to monitor the initial ground disturbance. Monitoring shall take place throughout the entire removal process. Should a western spadefoot occur beneath a stockpile, then removal of that stockpile should be halted until the western spadefoot has vacated the stockpile. Coast range newt BIO-5 a. If construction activities are to occur between November to March, then a qualified biologist shall conduct pre-construction coast range newt surveys (within mammal burrows and stockpiles) before any construction activities occur in or adjacent to suitable habitat. The surveys should be conducted within 14 days prior to initiation of construction activities. Should coast range newt be observed within the project site, the biologist shall note the location on a map and resurvey the site prior to commencement of construction activities ensure the toad vacated the area. Should the coast range newt still be present, then a 50 foot buffer around the location shall be established and construction activities shall be prohibited within the buffer zone until the snake has vacated the project site. b. Prior to removal of stockpiles within the proposed project site, a "Species Sensitivity Training" program will be established for the coast range newt. This program will be designed to educate construction personnel about the mitigation measures required for the execution of the project. All construction personnel will attend the sensitivity training that will provide instruction on coast range newt identification, status and detailed protocol of the actions that should be taken in the event that a coast range newt is encountered onsite during construction. c. A qualified biologist should be present on the project site to monitor the disturbance and removal of all stockpiles. Monitoring shall take

		place throughout the entire removal process. Should a coast range newt occur beneath a stockpile, then removal of that stockpile should be halted until the coast range newt has vacated the stockpile. Special Status Bats BIO-6 a. A qualified wildlife biologist should conduct pre-construction surveys for special-status Townsend's big-eared bat and western red bat in the vicinity of the bridge and riparian woodlands no more than 14 days prior to commencement of construction activities. If no active roosts or evidence of Townsend's big-eared bat and western red bat presence are detected during these surveys, no additional mitigation is required. b. Should Townsend's big-eared bat or western red bat individuals or their active roosts be detected beneath the bridge or riparian areas during the pre-construction survey, the staging area should be situated at least 100 feet from the roost. Construction activities should be carried out in a short timeframe within 100 feet of the roost. A qualified biologist should be present while construction activities are occurring within 100 feet of the bridge.
Other Factors		

Additional Studies Performed:

1. Hollister River Park Trail Biological Resource Assessment, City of Hollister & Rincon Associates, Inc., October 2019. (See Attachment F)
2. Hollister River Park Trail, Hollister CA Executive Order 11988/1190 Floodplain Management and Wetlands Protection 8 Step Analysis (See Attachment H).

Field Inspection (Date and completed by)**:**

List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]**:**

1. City of Hollister CDBG 2017 NOFA application.

2. Mitigated Negative Declaration City of Hollister River Greenway, December 2008, Hollister, California.
3. City of Hollister 2005-2023 General Plan, Land Use Map Figure 2
4. City of Hollister Zoning Map
5. City of Hollister Municipal Code Chapter 17.
6. City of Hollister Park Facility Master Plan 2019
7. City of Hollister Bicycle and Pedestrian Master Plan 2009
8. Soils Survey of San Benito County, p Page 85
9. California Department of Conservation, Alquist Priolo Earthquake Fault Hazard Map, Hollister Quadrangle
10. Victor Anyeneh, San Benito County Department of Environmental Health, July 3, 2019.
11. City of Hollister and Rincon Consulting Inc, River Park Trail Biological Resources Assessment, October 2019
12. Letter from the City of Hollister to Mark Ogonwski, November 18, 2018, United States Fish and Wildlife Service
13. Hollister Municipal Airport Land Use Compatibility Plan
14. Final Environmental Impact Report, Chapters 4.2 and 4.4, City of Hollister 2005-2003 General Plan, SCH# 2004081147, October 2008, Table 4.41
15. Amy Clymo, Monterey Bay Air Resources District, July 2, 2019, Monterey, California.
16. July 2, 2019 Email communication with Mike Chambless, City of Hollister Airport Manager and Management Services Director

List of Permits Obtained:

Public Outreach [24 CFR 50.23 & 58.43]:

The City of Hollister published a public notice in the Free Lance, a newspaper of general circulation for the proposed Finding of No Significant Impact on November 1, 2019.

Cumulative Impact Analysis [24 CFR 58.32].

The proposed project is a river park trail with a new northern staging area Bridge/Bridgevale Road on city owned property and a southern staging area at the recently constructed Apricot Park. It is not feasible at this time to evaluate the extension of the trail to the north or south to aggregate the project into a larger trail for the following reasons: 1) the City of Hollister does not own the properties; 2) there are no agreements with the adjoin property owners to negotiation agreements for easements or acquisition of land to extend the trail; 3) it would be necessary to establish

additional staging areas; 4) a reclamation plan has not been developed for the sand and gravel quarry to the south.

Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]

Alternative to avoid the floodplain: This alternative would re-route the river park trail to the about 1,000 feet to the east to avoid placing a portion of the trail in the 100 year floodplain. This alternative would require routing users from the Bridge Road staging area to the signalized intersection of Graf Road/Fourth Street and the nearby intersection of Graf/Bridge Road. Residents have expressed concerns at community meetings that the intersections are dangerous for pedestrians because motorists do not stop. This alternative would require acquisition of private property on the south side of the intersection of Graf/Bridge Road.

This alternative was not selected for several reasons. First, it may not be feasible to negotiate acquisition of land from two property owner. Second, routing users to the intersection of Graf Road with Bridge Road and Fourth Street would introduce users to safety hazards at the intersection. Third, the project avoids riparian areas and the sections of the trail in the floodplain are above the top of the bank and will not add structures to the floodplain. Fourth, unauthorized pathways have already been established close to where the trail is proposed and into riparian areas. The proposed trail could deter continued use of unauthorized trails and encroachment into riparian area just to the west of the trail near the San Benito River. Finally, the existing alignment takes advantage of property owned by the City. Sections of the trail will be repurposed on the levee maintenance road to convert maintenance roads where there is no riparian habitat to a multi-use trail.

No Action Alternative [24 CFR 58.40(e)]: A multi-use trail linear river park trail would not be constructed with the No Action Alternative. The no action alternative was not chosen for several reasons. First, the no action alternative would deprive residents in an economically disadvantaged community with poor fitness access to a free recreational prescription to improved public health and opportunities to enjoy nature. The deficit of parkland in the Area of Benefit of the project will grow as a result on infill residential development occurring in the area. The primary recreational facilities to residents in the project area would be two pocket parks.

The linear park trail would provide a non-vehicular connection between two neighborhoods and link to commercial services which could help reduce greenhouse gas emissions from changes in modes of transportation (walking/biking) and provide safer routes for persons without access to a motor vehicle. The No Action alternative would maintain existing barriers to mobility for transportation.

The Biological Resource Assessment prepared by Rincon Consulting Inc. documented that habitat values within and near the trail corridor have already been diminished by operations at the Industrial Wastewater Treatment Pond and unauthorized pathways and uses near the lower sections of the trail at the base of the IWTP levees The No

Action Alternative would not deter or alleviate the existing unofficial use of the area nor would it provide fencing and informational signage to dissuade users from walking in environmentally sensitive areas and potentially contaminating the river with trash.

Summary of Findings and Conclusions: The project has the potential for temporary significant effects during construction that will be avoided with implementation of the mitigation measures described in the Project Description and listed below.

Mitigation Measures and Conditions [40 CFR 1505.2(c)]
Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure
Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	California red legged frog BIO-1. No work should occur during a rain event (over .25"). If a rain event occurs, a qualified biologist shall inspect the site again prior to resuming work.
Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	California tiger salamander BIO-2 a. A qualified biologist shall conduct a pre-construction survey within 14 days prior to initiation of construction activities. The USFWS will be notified should CTS be observed within the project site. b. The "Species Sensitivity Training" program presented prior to commencement of construction activities should include CTS. This program will be designed to educate construction personnel about the mitigation measures required for the execution of the project. All construction personnel will attend the sensitivity training that will provide instruction on CTS identification, status and detailed protocol of the actions that should be taken in the event that a CTS is

	encountered onsite during construction activities. c. Construction crew should be trained during the "Species Sensitivity Training" to check beneath the staging equipment each morning prior to commencement of daily construction activities. Should CTS occur within the staging areas, construction activities should be halted until the CTS vacates the project site. d. A qualified biologist should be present during grading activities. Should CTS be observed within the project site, the USFWS shall be notified and construction should be halted until either the CTS exits the site and approval to begin again is provided by the USFWS. e. For segments of the trail corridor and parking area that occur within 100 feet of the Industrial wastewater treatment ponds and the San Benito River, exclusionary fencing will be established to prevent CTS from entering construction areas. The fencing shall be marked by highly visibility signs indicating that human activity is prohibited within these areas. f. No work should occur during a rain event (over .25"). If a rain event occurs, a qualified biologist should inspect the site again prior to resuming work.
Wildlife - California Department of Wildlife Species of Concern	BIO-3. For construction activities occurring during the nesting season (generally February 1 to August 31), surveys for nesting birds covered by the CFGC (including, but not limited to, tricolored blackbird, Cooper's hawk, and white-tailed kite) shall be conducted by a qualified biologist no more than 14 days prior to initiation of construction activities for within the river park trail), including construction staging and vegetation removal. The surveys shall include the entire disturbance areas plus a 200-foot buffer around any disturbance areas. If active nests are

	located, all construction work shall be conducted outside a buffer zone from the nest to be determined by the qualified biologist. The buffer shall be a minimum of 50 feet for non-raptor bird species and at least 150 feet for raptor species. Larger buffers may be required depending upon the status of the nest and the construction activities occurring in the vicinity of the nest. The biologist shall have full discretion for establishing a suitable buffer. The buffer area(s) shall be closed to all construction personnel and equipment until the adults and young are no longer reliant on the nest site. A qualified biologist shall confirm that breeding/nesting is completed and young have fledged the nest prior to removal of the buffer.
Wildlife - California Department of Wildlife Species of Concern	Western Spadefoot BIO-4 a. If construction activities are to occur between November to March, then a qualified biologist shall conduct pre-construction western spadefoot surveys (within mammal burrows and stockpiles) before any construction activities occur in or adjacent to suitable habitat. The surveys should be conducted within 14 days prior to initiation of construction activities. Should western spadefoot be observed within the project site, the biologist shall note the location on a map and resurvey the site prior to commencement of construction activities ensure the toad vacated the area. Should the western spadefoot still be present, then a 50 foot buffer around the location shall be established and construction activities shall be prohibited within the buffer zone until the snake has vacated the project site. b. Prior to the start of work a "Species Sensitivity Training" program will be established for the western spadefoot. This program will be designed to educate construction personnel about the mitigation measures required for the execution of the project. All construction

	personnel will attend the sensitivity training that will provide instruction on western spadefoot identification, status and detailed protocol of the actions that should be taken in the event that a western spadefoot is encountered onsite during construction. c. A qualified biologist should be present on the project site to monitor the initial ground disturbance. Monitoring shall take place throughout the entire removal process. Should a western spadefoot occur beneath a stockpile, then removal of that stockpile should be halted until the western spadefoot has vacated the stockpile.
Wildlife - California Department of Wildlife Species of Concern	BIO-5 a. If construction activities are to occur between November to March, then a qualified biologist shall conduct pre-construction coast range newt surveys (within mammal burrows and stockpiles) before any construction activities occur in or adjacent to suitable habitat. The surveys should be conducted within 14 days prior to initiation of construction activities. Should coast range newt be observed within the project site, the biologist shall note the location on a map and resurvey the site prior to commencement of construction activities ensure the toad vacated the area. Should the coast range newt still be present, then a 50 foot buffer around the location shall be established and construction activities shall be prohibited within the buffer zone until the snake has vacated the project site. b. Prior to removal of stockpiles within the proposed project site, a "Species Sensitivity Training" program will be established for the coast range newt. This program will be designed to educate construction personnel about the mitigation measures required for the execution of the project. All construction personnel will attend the sensitivity training that will provide instruction on coast range newt identification, status and detailed protocol of the actions that should be taken in the event that a coast range newt is

	encountered onsite during construction. c. A qualified biologist should be present on the project site to monitor the disturbance and removal of all stockpiles. Monitoring shall take place throughout the entire removal process. Should a coast range newt occur beneath a stockpile, then removal of that stockpile should be halted until the coast range newt has vacated the stockpile.
Wildlife - California Department of Wildlife Species of Concern	Special Status Bats BIO-6 a. A qualified wildlife biologist should conduct pre-construction surveys for special-status Townsend's big-eared bat and western red bat in the vicinity of the bridge and riparian woodlands no more than 14 days prior to commencement of construction activities. If no active roosts or evidence of Townsend's big-eared bat and western red bat presence are detected during these surveys, no additional mitigation is required. b. Should Townsend's big-eared bat or western red bat individuals or their active roosts be detected beneath the bridge or riparian areas during the pre-construction survey, the staging area should be situated at least 100 feet from the roost. Construction activities should be carried out in a short timeframe within 100 feet of the roost. A qualified biologist should be present while construction activities are occurring within 100 feet of the bridge.

Determination:

X **Finding of No Significant Impact** [24 CFR 58.40(g)(1); 40 CFR 1508.27]
The project will not result in a significant impact on the quality of the human environment.

☐ **Finding of Significant Impact** [24 CFR 58.40(g)(2); 40 CFR 1508.27]
The project may significantly affect the quality of the human environment.

Preparer Signature: Renée Perales Date: 11/1/19

Name/Title/Organization: Renée Perales, CIP Manager

City of Hollister

Certifying Officer Signature: [signature] Date: 11/7/19

Name/Title: William B. Avera, City Manager

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).