15.0 COPIES OF ALL COMMENT LETTERS RECEIVED ON THE DRAFT EIR

The original comment letters on the Draft Environmental Impact Report Gavilan San Benito Campus and Fairview Corners Projects are provided on the following pages.
October 14, 2008

Steven Kinsella
Gavilan Joint Community College District
5055 Santa Teresa Boulevard
Gilroy, CA 95020

Dear Mr. Kinsella:

COMMENTS TO GAVILAN SAN BENITO CAMPUS & FAIRVIEW CORNERS

The California Department of Transportation (Caltrans), District 5, Development Review, has reviewed the above referenced project and offers the following comments in response to your summary of impacts on State transportation facilities.

1. Caltrans shares concern with the City of Hollister and the San Benito Council of Governments (SBtCOG) that the timing of the Gavilan College campus and housing projects do not coincide with the widening and improvements to Highway 25. Further, we feel the highway project scoped by SBtCOG, specifically the installation of a signal at Fairview and Highway 25, is critical to the safe movement of new campus traffic.

2. In regards to a new driveway access to Highway 25, the following was provided in our June 2008 letter, and is still the position of Caltrans.

"Caltrans discourages any new access to Highway 25 with this project. Primary and secondary access should be from Fairview Road. If Caltrans were to consider an access to Highway 25, the access would be strictly for emergency purposes and not a gateway to the campus. (Full geometric design standards would also need to be met.)"

3. In order to concur with hydraulic reports, we are requesting complete pre- and post-drainage calculations. Currently, we do not agree with the conclusions discussed in the hydrology report.

4. Any work within the State right-of-way will require an encroachment permit issued from Caltrans. Detailed information such as complete drawings, biological and cultural resource findings, hydraulic calculations, environmental reports, traffic study, etc., may need to be submitted as part of the encroachment permit process. Further, this discretionary permit could be withheld to ensure the issues outlined in this letter are addressed.

"Caltrans improves mobility across California"
If you have any questions, or need further clarification on items discussed above, please don’t hesitate to call me at (805) 542-4751.

Sincerely,

JOHN J. OLEJNIK
Associate Transportation Planner
District 5 Development Review Coordinator

cc:  M. McCumsey (D5)
     B. Erchul (D5)
     M. Dinkuhn (SBtCOG)
     M. Paxton (City of Hollister)
     File
October 27, 2008

Dr. Steven M. Kinsella
Gavilan College
5055 Santa Teresa Boulevard
Gilroy, CA 95020-9578

Dear Dr. Kinsella:

DRAFT ENVIRONMENTAL IMPACT REPORT — GAVILAN SAN BENITO CAMPUS AND FAIRVIEW CORNERS PROJECTS, HOLLISTER, SAN BENITO COUNTY, SCH #2008061016

Thank you for the opportunity to review and comment on your September 28, 2008 Draft Environmental Impact Report (DEIR) regarding the proposed project. Central Coast Regional Water Quality Control (Water Board) staff understand this project involves constructing a community college campus and a residential development consisting of 220 single-family detached homes on 137 acres east of the City of Hollister. We commented on the master plan for this project in July 2008.

As you are probably aware, the Water Board is a responsible agency charged with the protection of the Waters of the State of California in the Central Coast Region. Waters of the State include surface waters, groundwaters, and wetlands. The Water Board is responsible for administering regulations established by the Federal Clean Water Act and the California Water Code (Porter-Cologne Water Quality Control Act). These regulations cover discharges to surface water and groundwater, as well as discharges to land that may affect groundwater quality, and may apply to this project.

To facilitate the regulatory review process, we offer the following comments for your review.

General Comments

The primary focus of the Water Board is the protection of water resources and beneficial uses of these resources. The proposed project should promote these values as a fundamental priority while allowing landowners to use their properties and protect them from flooding and other harm. However, all land use and protection activities must be conducted in a way which protects the quality and beneficial uses of California’s water resources. Mitigation for flooding and erosion impacts must not come at the expense of...
water quality. It is not clear whether the mitigation practices described in the DEIR will sufficiently protect water resources and beneficial uses.

Runoff from Urban Development

Urban runoff is a leading cause of pollution throughout California. Greater impervious surface coverage decreases the land's natural capacity to absorb water and remove pollutants, and increases the amount of runoff from rainfall. In addition, urban development creates new pollutant sources as human population density increases and brings with it proportionately higher levels of vehicle emissions, vehicle maintenance wastes, municipal sewage, pesticides, household hazardous wastes, pet wastes, trash, etc., which can be washed through the storm drain system into surface waters. As a result, urban development produces runoff which may be significantly greater in volume, velocity and/or pollutant load than pre-development runoff from the same area. Increased runoff volume and velocity can also significantly impact beneficial uses of aquatic ecosystems due to physical modifications of watercourses, such as bank erosion and widening of channels. In order to protect the quality and hydrologic characteristics of surface waters, development should be designed in a way that mitigates the impact of urban development to achieve the Water Board's desired conditions of healthy watersheds.

Desired Conditions of Healthy Watersheds

The Central Coast Water Board implements the California Water Code, Federal Clean Water Act, and Central Coast Water Quality Control Plan to achieve its goal of healthy watersheds. To this end, the Water Board has defined the following desired conditions of healthy watersheds:

- Minimal pollutant loading,
- Rainfall surface runoff at pre-development levels (including peak discharge, time of concentration, runoff volume, and flow frequency),
- Watershed storage of rainfall runoff at pre-development levels (through infiltration, recharge, baseflow, and interflow),
- Watercourse geomorphic regimes within natural ranges (including stream bank stability and sediment supply and transport),
- Optimal riparian and aquatic habitat.

Low Impact Development (LID)

Low Impact Development (LID) is the Water Board's preferred means for mitigating the effects of urban development to achieve healthy watersheds. LID is a land planning and design strategy with the goal of maintaining or replicating the pre-development hydrologic regime through the use of design techniques to create a functionally equivalent hydrologic site design. Hydrologic functions of storage, infiltration and groundwater recharge, as well as the volume and frequency of discharges, are maintained through the use of integrated and distributed micro-scale stormwater
retention and detention areas, reduction of impervious surfaces, capture and reuse of runoff, and the lengthening of runoff flow paths and flow time. Other related strategies include the preservation/protection of environmentally sensitive site features such as riparian buffers, wetlands, steep slopes, valuable (mature) trees, flood plains, woodlands, and highly permeable soils. LID is a preferred site scale control measure because it integrates measures that address all of the desired conditions of a healthy watershed. Common LID practices include the following:

- Site design that reduces and disconnects impervious surfaces,
- Native vegetation preservation,
- Bioretention,
- Tree boxes to capture and/or infiltration street runoff,
- Vegetated swales, buffers, and strips,
- Directing roof runoff into planter boxes and other vegetated areas,
- Permeable pavement,
- Soil amendments to increase absorption and infiltration rates.

We recommend that these and other LID practices be implemented as much as possible in order to match pre-development hydrologic conditions and to protect water quality.

Specific Comments

Post-Development Runoff Conditions

The project's proposed drainage plan is based on hydrologic analysis of the watershed and the San Benito River tributary. As a result, the DEIR proposes rapid release of runoff from the site as a means of mitigating the impact of the project on flooding within the tributary. The Water Board agrees that flooding impacts of new development should be mitigated. However, rapid release of runoff causes other hydrologic and water quality problems (see Small Storm Events and Water Quality comments below). It is also unnecessary. Project design which matches post-development volume and rate to pre-development runoff conditions from the site (not just in the tributary) also mitigates for potential flooding, while also avoiding or mitigating other impacts of urban development. For instance, the project could be designed so the post-construction runoff hydrograph matches the pre-construction runoff hydrograph for a range of events with return periods from one to ten years. Then runoff from larger storm events could be detained and released at a rate equal to that of the pre-development ten-year storm event. Such a design would result in runoff from the project area which is less than the pre-development runoff for a range of storm events up to the 100-year storm. We recommend you revise the drainage plan to match the pre-development runoff hydrograph from the project area for the one-year to the ten-year storm events. To this end, we also recommend you consider measures such as reducing development density, clustering development (to allow more space for runoff volume and treatment controls), reducing impervious area, disconnecting impervious area (through the use of
rain gardens and parking lot planting areas), grading for increased retention, and preserving the site's natural drainage patterns as much as possible.

Small Storm Events

The DEIR is primarily concerned with preventing increased flooding due to large storm events. However, research has shown that smaller events (particularly the one- and two-year return storms) have the greatest impact on stream channel formation and stability due to their frequency. These small storm events also carry the majority of the pollutants in urban stormwater runoff. The proposed drainage plan may increase these impacts through rapid release of runoff from these storms. In order to achieve the Water Board's desired conditions of healthy watersheds, the project should maintain watercourse geomorphic regimes within natural ranges. Therefore we recommend the project area's post-development hydrograph match the pre-development hydrograph for a range of storm events with return periods from one year to ten years. This can be achieved by reducing impervious area, disconnecting impervious area, maximizing retention and recharge and retaining the pre-development topography and drainage patterns as much as possible.

Water Quality

The Water Board agrees with the DEIR that the proposed project presents a significant impact to water quality (Impact HYD-1 and Impact HYD-2). In an effort to mitigate this impact, MM HYD-1 and MM HYD-2 propose the use of Vortex separators as a primary means for removing pollutants from stormwater, with the result that the project will have a less than significant impact on receiving water quality (Draft EIR 3.7.4). However, according to the CASQA California Stormwater BMP Handbook for New Development and Redevelopment, Vortex separators are not capable of removing the full range of pollutants from urban runoff. When appropriately designed they can remove coarse sediments, floatables, oil, and grease, but are not able to capture fine sediment, bacteria, or dissolved pollutants (such as nutrients, metals, pesticides, and herbicides). Therefore we believe that MM HYD-1 and MM HYD-2 fail to provide adequate mitigation for water quality impacts.

Stormwater pollutants must be reduced to the maximum extent practicable (MEP). We request the Final EIR include adequate measures to mitigate the project's impact on receiving water quality. We recommend that you accomplish this through the use of LID practices described above. These practices will delay the release of stormwater runoff from the site (relative to the current drainage plan). However, if the site is designed to match the project area's pre- and post-development runoff hydrographs for the storm events which have the greatest impact on water quality (the one- and two-year events), there will be no resulting increase in downstream flooding. Water quality cannot be sacrificed in order to mitigate flooding impacts, especially when it is possible to mitigate for both. The Water Board recognizes that site conditions can affect the use of LID practices and does not expect equal use of LID on all sites. Therefore additional treatment measures may be required to reduce stormwater pollutants to the MEP.
Bacteria and Sediment

As cited in the DEIR, the San Benito River is included on the 303(d) list of impaired waters for sediment and fecal coliform. As a result, stormwater discharges into the San Benito River must meet water quality objectives and total maximum daily loads (TMDL) established by the Water Board for these pollutants. You can obtain more information about these objectives and loading requirements at the following website:

www.waterboards.ca.gov/centralcoast/water_issues/programs/tmd/index.shtml

San Benito River Tributary

The project's drainage plan proposes releasing project runoff into the San Benito River tributary as rapidly as possible so that the project's runoff does not increase the peak flow rate in the tributary or downstream flooding in the tributary. However, the DEIR does not examine the impact of this rapid runoff on the tributary itself at the project outfall. Directly connecting impervious areas and shortening storm drain travel times as much as possible will deliver the project's runoff to the tributary at higher than pre-development volume and velocity, mobilizing sediment at the outfall. This sediment would then be washed into the San Benito River. Protecting the tributary from erosion at the outfall using rip rap or concrete can lead to further impacts (such as head cutting) upstream and downstream of the project outfall. Please identify and address these impacts in the Final EIR. We also recommend that the Final EIR mitigate for these impacts by matching the project area's post-construction discharge rate and volume to the project area's pre-construction rate and volume.

Section 401 Water Quality Certification

Section 404 of the Clean Water Act involves protection of waters of the State and is within the jurisdiction of the U.S. Army Corps of Engineers. The Water Board must certify that any permit issued by the Army Corps of Engineers pursuant to Section 404 of the Clean Water Act complies with state and federal water quality standards. Section 401 Water Quality certification is necessary for all Section 404 permits, including reporting and non-reporting Nationwide permits. Section 401 applications will be reviewed by this office after the Section 404 permit process has begun. Additionally, any project that involves disturbance of a stream bank or riparian area must also obtain a Streambed Alteration Agreement from California Department of Fish and Game. Certification may be required for the project's outfall.

Section 401 Water Quality Certification allows the Water Board to condition all aspects of a project. We strongly suggest you revise your project based on the above comments so that we need not condition your project at a later date.

National Pollutant Discharge Elimination System Permit for Non-Traditional MS4s
The National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS0000004 for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (MS4s) requires permit coverage for designated non-traditional MS4s. The Water Board has designated Gavilan College as a non-traditional MS4. The College may apply for coverage by submitting a Notice of Intent and preparing a Stormwater Management Plan (SWMP) for review and adoption by the Water Board. The Water Board has determined that SWMPs must achieve the Board’s desired conditions for healthy watersheds to the MEP, and that SWMPs must include adequate Low Impact Development. Therefore we recommend that the proposed project incorporate these elements as early as possible in the planning process.

**National Pollutant Discharge Elimination System Permit for Construction Activities**

Stormwater discharges associated with construction activities resulting in land disturbance equal to or greater than one acre, or which are part of a larger plan of common development, are regulated under the Statewide National Pollution Discharge Elimination System General Construction Permit. Construction activity includes clearing, grading, excavating, and all site work such as access roads and staging areas. Coverage under the State General Construction Permit can be obtained for these practices by filing a Notice of Intent to Comply (application) with the State Water Resources Control Board.

The State General Construction Permit also requires the project sponsor to develop and implement a Storm Water Pollution Prevention Plan (SWPPP) to mitigate construction impacts. The SWPPP must be consistent with the terms of the State General Construction Permit, with policies and recommendations of the local authority, and with recommendations of the Water Board.

Thank you again for the opportunity to review and comment on your proposed project. We look forward to your responses to these comments in the Final EIR. Comments or questions regarding this letter should be directed to Jon Rohrbough at (805) 549-3458 or jrohrbough@waterboards.ca.gov, or Matt Thompson at (805) 549-3159.

Sincerely,

Roger Briggs  
Executive Officer  

*S:\CEOAL\Comment Letters\San Benito County\Gavilan College-Fairview Corners EIR.doc*
October 16, 2008

Gavilan Joint Community College District
Attention: Dr. Steven M. Kinsella
5055 Santa Teresa Boulevard
Gilroy, California 95020

Subject: Comments on the Draft EIR for Gavilan San Benito Campus College & Fairview Corners Projects (SCH No. 2008061016)

Dear Mr. Kinsella:

The City of Hollister Development Review Committee (DRC) reviewed the Draft Gavilan San Benito Campus and Fairview Corners Projects EIR at the September 30, 2008 meeting. A study session was held on October 9, 2008 by some members of the Hollister City Council and the Hollister Planning Commission to review the DEIR. The comments contained in this letter reflect input from some City of Hollister City Council members, the Planning Commission and the Development Review Committee.

In the spirit of intergovernmental coordination, the City of Hollister suggests a meeting with staff and consultants to the Gavilan Joint Community College District together with staff from San Benito County, the San Benito County Council of Governments and Sunnyslope County Water District prior to preparation and release of the Final EIR. The purpose of the meeting would be to discuss a phasing program or milestones for the timing of mitigation measures based on build-out of the college campus, the relationship of the housing project in the DEIR to the college campus and requests for additional information and/or revisions to mitigation measures.

General Comment related to Page 22, 2.3.5 Phasing of Project Components: The DEIR states that the college will be constructed in two phases with an Education Center in Phase 1. The DEIR states that the retail and housing uses will be constructed five to ten years after the start of Phase 2 construction with athletic and recreation facilities on an independent indefinite timeline based on availability of funding. Core campus is expected to be constructed at a rate of 50,000 gross square feet every five years with full build-out by 2035.

⇒ Revise the project description to explain the following: 1) estimated capacity and geographic location and extent of the Phase 1 Education Center; 2) estimated employment for 1,000 or less students
⇒ Revise the evaluation of environmental impacts with the following scenarios: 1) Phase 1; 2) Phase 1 plus recreation and athletic fields; 3) Phase 2 campus expansions without recreation and athletic fields, on-site retail and housing; and 4) Campus build-out.
⇒ The DEIR properly states that the project site is in Hollister’s General Plan Planning Area. It is conceivable that the property could be annexed into the city by 2035.
Page 17, paragraph 4: The DEIR should be corrected to state that the allowed density in the Rural/Urban land use designation is 20, not 8 units per acre. The Rural/Urban land use designation was amended with the 2004 Housing Element revision to allow up to 20 units per acre by San Benito County Board of Supervisors Resolution 2004-26.

Page 25, Section 2.5 Uses of the EIR: Please add that the DEIR would be used by the City of Hollister and the Local Agency Formation Commission of San Benito County for outside jurisdiction sewer service and possible future amendment to the Sphere of Influence and annexation.

Pages 27 – 36, Section 2.6 Consistency with Adopted Plans and Policies: The property is in Hollister’s General Plan planning area but the DEIR does not include an analysis of the consistency of the project with Hollister’s General Plan. It is not clear whether San Benito County reviewed and accepted that the consistency analysis for the Four Corner project in the DEIR prior to release of the document. The 220 unit residential development would preclude the development of housing affordable to low and very low income households. The District will not have land use authority in the area. Final EIR should be revised to consider the comments submitted by the City of Hollister in response to the Notice of Preparation related to the provision of a range of housing types to fulfill regional housing needs.

Pages 43 – 70, Transportation: The traffic analysis needs to be revised as explained in the following comments.

Pages 44, Figure 11 and Table 3.2-4: The DEIR did not evaluate several of the intersections requested to be analyzed in the City of Hollister Response to the Notice of Preparation or provide an explanation of the basis for exclusion of the intersections. The EIR needs to be revised to include the following omitted intersections: Union/Valley View; Highway 156/San Juan Hollister Road; San Felipe Road/McCloskey Road; San Felipe Road/Fallon Road; San Felipe Road/Highway 156; Meridian Street/Memorial Drive.

Road capacity: The City of Hollister response to the Notice of Preparation requested that the traffic analysis evaluate the impacts of the project on the capacity of collectors and arterials in and near the City of Hollister. The DEIR does not assess the impact of the estimated net increase of 7,433 vehicle trips per day to the capacity of the following roads: Fairview Road (State Highway 25 to State Highway 156), Union Road (Fairview Road - Highway 156), Union Road and San Juan Hollister bridges, State Highway 25 (Tres Pinos to State Highway 101), State Highway 156 (State Highway 101 to Fairview Road), Sunnyslope Road/Westside Boulevard, Hillcrest Road and South Street to Westside Boulevard, Meridian Street/Fourth Street/San Juan Hollister Road, Santa Ana Road (Fairview to San Felipe Road), McCloskey Road, San Benito Street, McCray Street/Prospect Avenue, Memorial Drive.

Background conditions: Page 22, Table 7 of the traffic engineering report list of ‘background conditions’ includes only approved project in the City of Hollister. The background analysis omits approved development in the area such as the San Juan Oaks residential development and hotel and the Guerra 320,000 square foot commercial Legacy Village commercial development.
These projects will add traffic to the local road network. The traffic report needs to be revised to include all background projects from both San Benito County and the City of Hollister.

**Cumulative conditions:** The traffic engineering report limits the cumulative analysis projects to the proposed project and the Santana Ranch Specific Plan (page 6, paragraph 6 Hexagon Transportation Consultants Fairview Corners/Gavilan College Master Plan and page 149). The traffic report needs to be revised to include the list of cumulative projects on Table 4.0-1 of the DEIR. It is unclear whether the list on Table 4.0-1 was provided by San Benito County because the list omits San Benito County planning applications located in the City of Hollister General Plan Planning Area that were submitted prior to the release of the Notice of Preparation for the Gavilan San Benito Campus/Fairview Corners DEIR. These projects include a 2007 General Plan amendment and CDR 63-07 for the Lantis-Ward water park, GPA 2007-29 and ZC 07-154 for a mini-mart and a 2008 General Plan Amendment and CDR 65-08 for a commercial office.

**Road Network:** The road network design does not integrate with adjoining properties to the north and east. The internal road design is inconsistent with policy in the City of Hollister General Plan that requires connection between property and loop or grid street systems instead of cul-de-sac. Include in the Final EIR a mitigation measure that requires the residential street system be redesigned to connect to an area wide plan for circulation or including at least two through street connections to the north and at least one through connection to property to the east.

The site access and on-site circulation discussion of page 68 does not mention multi-modal access facilities for the development area such as bike routes or on-site transit facilities. Add mitigation requiring a Class II bike lane on the main entrance road and transit stop or station.

**Mitigation Measures:** The DEIR relies on Traffic Impact Fees to fund traffic improvements to intersections in the area but the current traffic impact fee study does not include the estimated increase of 7,433 vehicle trips to the road network in the area from the college campus and 220 units residential development covered in the DEIR. A mitigation measure needs to be added that requires each project covered by the DEIR to update the traffic fee study in order to calculate the pro-rata impact fee for each project. As recommended in the General Comments section of this letter, the mitigation measures should also be revised based on the various phases of build-out of the project.

The DEIR incorrectly presumes that all intersection improvements in the project area of influence will be funded by Traffic Impact Fees. The City of Hollister has required other projects to either establish or contribute to benefit areas at the following intersections: Fairview/Airline Highway, Fairview/Union, Enterprise/Airline Highway, Valley View/Union and Gateway Drive/San Felipe Road. Please revise the mitigation measures to require an update and/or establishment of a benefit area fees at these intersections.

The City of Hollister recommends a joint meeting with City staff, San Benito County, the San Benito County Council of Governments and Gavilan Joint Community College District staff and representatives to clarify the scope of a revised traffic analysis and review the timing and funding of traffic mitigation measures.
Please add to the discussion of traffic impacts and mitigation measures a description of the funding source, phasing program and the timing for transportation improvements in the mitigation measures and mitigation monitoring and reporting program for each major use in the master plan area (e.g. junior college, residential) for existing plus project phases and cumulative project impacts. This was requested in the City of Hollister response to the Notice of Preparation. Please verify with the San Benito County Council of Governments the intersection and road improvements that can be mitigated with traffic impact fees. The San Benito County Regional Transportation Plan (RTP) lists funded and unfunded transportation improvements. The EIR should clearly identify the timing for funded improvements in relation to the timing and phasing of development areas in the master plan and the method to finance mitigation measures for unfunded projects in the San Benito County Regional Transportation Plan.

Include in the Final EIR an evaluation of the design of the proposed master plan in relation to the local road network, the San Benito County Bike Plan and the City of Hollister General Plan in particular policies LU1.9, LU4.1, LU4.2, LU4.4, LU4.5, LU4.6, LU4.8, C2.3, C4.2, and C4.3.

**Pages 106 and 136, Hydrology and 3.12.2.4 Storm Water:** The DEIR states that storm water detention in any form is discouraged for the site and should be encouraged to leave the site as soon as possible due to unique conditions on the site including low permeability soils and mostly pervious watershed (pages 106 and 136). There are many areas in and around Hollister with low permeability soils but on-site retention to pre-development levels is still required for new development. The approach to storm water management does not factor requirements of the Regional Water Quality Control Board or the City of Hollister General Plan response to the Notice of Preparation. The City of Hollister requested that the DEIR include mitigation measures that would provide for Best Management Practices including but not limited to drainage gardens, vegetative swales, dual use (recreation/drainage), permeable paving, and other strategies to retain storm water runoff from the college and residential development to predevelopment levels and to pre-treat storm water runoff to implement General Plan Policies CSF3.5 and SCF3.7 and CSF.LL. Please revise the mitigation measures in the EIR to be consistent with the policy documents of the City of Hollister, San Benito County and the Central Coast Regional Water Quality Control Board and as previously requested.

**Page 136, Section 3.12.2.3 Wastewater:** Please add a mitigation measure that requires the use of non-salt based water treatment systems to maintain consistency with the 2005 Memorandum of Understanding between the City of Hollister, San Benito County and the San Benito County Water District for the Hollister Urban Area Water and Wastewater Master Plan.

Please include in the FEIR an evaluation of the transmission capacity that includes the proposed project, the existing Cielo Vista subdivision and development of a 53 acre parcel in the West Fairview Road Specific Plan Area. The EIR should include a mitigation measure that include reimbursement to prior development that funded an oversize sewer line and any required amendment to existing or new re-imbursement agreement(s). The DEIR explains that the City of Hollister will be the Responsible Agency for wastewater treatment. The City of Hollister requested in the response to the Notice of Preparation that the DEIR evaluate the transmission capacity of existing sewer mains, and secondary impacts for construction/expansion of transmission capacity.
Please revise the Wastewater discussion in the Final EIR to include an alternative route for the waste water pipes. The DEIR states that sewer lines will be extended from the site on Airline Highway. Caltrans may not grant an encroachment for infrastructure on Airline Highway (Highway 25) when another alternative is available. The City of Hollister has also required developers to install similar improvements away from high speed roads to avoid safety hazards from repair and maintenance of waste water pipes. Please contact Steve Witty of the City of Hollister Engineering Department at (831) 636-4340 to review an alternative waste water pipe alignment for the Wastewater analysis in the Final EIR.

Please revise the Wastewater discussion Final EIR to discuss the short-term secondary impacts of the extension of a sewer line from the project site to the existing sewer main. Add mitigation measures that address best management practices for erosion control during construction, traffic safety, and reconstruction of any road surfaces.

Thank you for the opportunity to comment on the Draft EIR. Please contact the City Development Services Department at 636-4360 should you have any questions regarding this letter.

Sincerely,

Mary M. Paxton
Planning Manager
City of Hollister

C: Clint Quilter, City Manager
City of Hollister Development Review Committee
San Benito County Planning Department
San Benito County Council of Governments
Sunnyslope County Water District
October 16, 2008

Gavilan College
Attn: Dr. Steven M. Kinsella, Superintendent / President
5055 Santa Teresa Boulevard
Gilroy, CA 95020,

RE: Comments on Gavilan San Benito Campus and Fairview Corners Projects
Environmental Impact Report

Dear Dr. Kinsella:

The Council of San Benito County Governments (COG) appreciates the opportunity to submit comments regarding the proposed developments of Gavilan San Benito Campus and Fairview Corners Projects near the northeast intersection of Fairview Road and Highway 25. The Council of Governments has separated its comments between the two projects. Comments on the Gavilan San Benito Campus are included first.

First, the Gavilan College project should include a transit hub for students who will be using future public transit service to the college. The San Benito County Local Transportation Authority is preparing a transit design manual to provide uniform design guidelines and requirements for new developments. Gavilan College should provide, at a minimum, bus stop shelters, benches, a transit information and ticketing kiosk and trash receptacles at a central location for transit riders.

Additionally, the College should make enhancements to the bicycle and pedestrian network with on-site bicycle parking amenities such as bicycle racks and bicycle lockers.

Second, the Fairview Corners housing development relies on mitigating traffic impacts using the fees identified in the July 2007 Traffic Mitigation Impact Fee Study Update prepared by the Council of Governments; however, this development was not assumed as part of the Update. The Council of Governments recommends that the Fairview Corners Project pay for an update of the Study to independently evaluate the traffic impact fee amount needed. The Council of Governments would like to request a meeting between COG, the City of Hollister, and the County to discuss the assumptions made about traffic and approved projects in the report.

Traffic mitigation for the housing development should go further in mitigating its impacts and not be limited to solely paying the required traffic impact fees. Site specific mitigations should be made part of the project construction. Specifically, Fairview Road should be widened to a

Council of Governments • Measure A Authority
Airport Land Use Commission • Service Authority for Freeways and Expressways
330 Tres Pinos Road, Suite C7 • Hollister, CA 95023 • Phone: 831.637.7665 • Fax: 831.636.4160
www.sanbenitocog.org
Comments on Gavilan San Benito Campus and Fairview Corners Projects EIR
October 16, 2008
Page 2 of 2

minimum of 4-lanes with bicycle lanes from Highway 25 to Sunnyslope Road. Airline Highway should also be widened to 4-lanes from Fairview Road to Sunset Road with bicycle lanes.

New traffic signals should be included as part of project construction at Fairview Road and Highway 25, Fairview Road and Cielo Vista, and Fairview Road and Hillcrest Road. Additionally, traffic impacts will be felt along the Fairview Road, Airline Highway, Union Road, Highway 25, Highway 156 and Shore Road corridors.

The housing development should include bicycle lanes for all major streets. Bicycle and pedestrian connections should be made through cul-de-sacs and between green spaces. Bicyclists and pedestrians should be afforded the same access as vehicles.

Thank you for the opportunity to comment on the Environmental Impact Report for the proposed Gavilan San Benito Campus and Fairview Corners Projects. If you have any questions, please feel free to contact Lisa Rheinheimer at (831) 637-7665.

Sincerely,

[Signature]

Anthony Botelho
Vice Chairman

Cc: Art Henriques, County of San Benito
    Bill Avera, City of Hollister
    David Murray, Caltrans District 5
DATE: October 14, 2008

TO: Dr. Steven M. Kinsella, Superintendent Gavilan Joint Community College District

CC: Susan Thompson, San Benito County CAO

FROM: Jaime De La Cruz, Board of Supervisors, Chair

SUBJECT: Comments on DEIR for the proposed Gavilan College - FINAL

Thank you for including us in the circulation of the Draft EIR for the proposed Gavilan San Benito Campus. We have reviewed the document and have the following comments:

Planning

1. Page S-29 & S-30, 
   Impacts and Mitigation Measures 1.6 & 1.7. The impacts do not match the proposed mitigation measures

2. 2.3.1.1 Campus Buildings. This section proposes that there will be 70 multi-family housing units available primarily to the college campus staff and students. However, Section 2.3.1.2, states that “it is currently unknown if the housing will be for apartments or condominiums for lease or for sale. At this time it is undetermined if the housing units will be available to only to only students, faculty, or non-students/faculty or a mixture of all options.” The EIR shall clearly delineate what the proposed 70 multi family housing units will be used for. If it is proposed that the housing be sold to non-students/faculty, then the development is subject to the requirements of the Subdivision Map Act and San Benito County would be the CEQA Lead Agency for the proposed units (as is the case for the proposed Fairview Corners project).

3. Section 2.3.1.3 Campus Athletic Fields and Open Space. This section discusses the stadium lighting. The County has concerns on the impacts the lighting would have in regards to our Dark Sky Ordinance (Ordinance 748). The purpose of the County’s Lighting Ordinance is to reduce light pollution, glare, light trespass, and to conserve energy and resources. While Section 2.3.2 describes “sunken” athletic fields to reduce noise and light overflow, Ordinance 748 describes acceptable lighting practices for zone
two, which shall be utilized. This would reduce lighting impacts for astronomical observation, other negative impacts and to protect the County's night time skies.

4. **Section 2.3.2.1 describes Resolution 89-92 and the Area of Special Study.** However, the resolution clearly states that the project site is within an Interim Area of Special Study. This EIR document must ensure that there is continuity of this term used throughout the text.

5. **Figure 9** (the proposed grading plan) appears to only describe the change in elevation. In addition elevations and details where the grading will be most significant should be shown on the plan.

6. **Section 2.4 Project Objectives.** The third bullet point states that the college provides a complementary mix of public, commercial/retail and residential uses. The plans should identify in more detail who the commercial/retail portion of the project will serve and what type of commercial uses are proposed (i.e. general public or educational or both).

7. **Land Use Policy 32, Open Space & Conservation Policy 37 & Transportation Element Policy 12** all describe in their consistency sections the existence of the Tres Pinos fault running along the eastern side of the property. However, this is inconsistent with policy 12. Roadways shall be minimized in seismic and hazardous areas. In addition, policy 12 describes measures that can be used to mitigate these impacts. However, the geology, soils and seismicity section in this document does not propose any mitigation measures.

8. **Section 3.0, Page 39,** the fourth paragraph states that the proposed project site is currently zoned “Rural” (5 dwelling units per acre). The Rural zoning designation for the County is one dwelling unit per 5 acres and not 5 dwelling units per acre.

9. **Page 54, Section 3.2.3.1.** The project proposes to signalize the intersection of Airline Highway and Fairview Road. This improvement is not described in the project description. In addition, the signalization of Cielo Vista is also not described in the project description. It is unclear if the proposed project intends to pay impact fees towards these improvements or fully fund them. The County requests that the document clearly address improvements rather than allude to them.

10. **Section 3.2.3.2 Internalization of Trips.** Based on this description it is assumed that 75% of the trips for retail would be “off-site.” Therefore, the retail uses on the site would serve those outside of the college more than the college itself; creating a concern of the overall intent of the commercial use. This shall be clarified in the document.

11. Based upon information provided to this Department by the Council of San Benito County Governments (SBCCOG) regarding the Regional Traffic Impact Fee (TIF) program, all mitigation measures listed in the transportation section of the Draft Environmental Impact Report (DEIR) for both the College and the residential portion of the project are considered to be inappropriate for mitigation purposes. Please refer to the
SBCCOG letter dated October 16, 2008 for further information. Issues regarding the need to go beyond the required traffic impact fees such as, widening Fairview Road to a minimum of 4 lanes with bicycle lanes from Highway 25 to Sunnyslope Road, including new/improved traffic signals as part of project construction at Fairview Road, Hillcrest Road and Union Road, and Highway 25.

In addition, pedestrian and bicycle travel have not been adequately addressed in this document. For example, the project description discusses approximately 3,000 students attending the college; however there is no mention of bicycle lane development along any major streets or roads in the area. The DEIR needs to address the needs of these modes of travel equally. Examples of needs provided include:
  a. Bicycle and pedestrian connections should be made through cul-de-sacs and between green spaces.
  b. Due to the type of development, bicyclists and pedestrians should be afforded the same access as vehicles.
  c. With new requirements for complete streets, the College should be required to make enhancements to the bicycle and pedestrian network.
  d. On-site bicycle parking facilities should include bicycle racks and bicycle lockers for students and faculty who bike to school.

12. **Section 3.4.1.2, Figure 10, Land Use Compatibility for Community Noise Environments of the Noise Element in the General Plan.** This information relates to aircraft noise impacts. The source is from the U.S. Department of Housing and Development Aircraft Noise Impact; Planning Guidelines for Local Agencies. The tables within the Noise Element are informational in nature. The Environmental document must use Ordinance 667, Section 44.3 which is the adopted noise standard for the County when describing noise standards.

13. **Section 3.4.3.2 Noise Impacts to the Campus and Residential Projects.** This section needs to separate the campus project from the residential project due to differing site distances from roadways. This will provide better clarification in understanding the overall noise impacts to each project individually.

14. **Section 3.6.1.3 Seismicity and Faults.** The site is located within a seismic hazard zone and an Alquist Priolo Zone. This site will experience strong ground shaking associated with a large seismic events along the Tres Pinos and Calaveras faults. In addition, Section 3.6.2.1 Thresholds of Significance, describes impacts that are considered significant. Strong seismic ground shaking is an impact that would be considered significant as described in this section. Furthermore, Section 2.2.2 describes safety as a top priority in site evaluation for the proposed campus. Also, Table 2.2-2 gives the maximum points for safety, which are 20 points. The County believes that there are inconsistencies shown in these sections. The fault located on the property poses a safety risk and needs to be evaluated as such.

15. **Section 3.6 identifies thresholds of significance.** One of these thresholds is strong seismic ground shaking which is considered as significant impact. However, there are no
mitigation measures to address the significant impacts of strong seismic ground shaking. At the very least, this impact needs to be described as significant with mitigation.

16. Section 3.9.2.2 Cultural Resources Impacts. Sentence number three is not complete and is therefore incomprehensible.

17. Section 3.12.2.3 Wastewater. This section describes that the project does not anticipate the need for an increase in capacity at the waste water treatment plant. Within this section no discussion is made of the wastewater treatment plant’s proposed capacity. Therefore, this project cannot assume that it will not result in the increased need for wastewater capacity.

18. Section 3.7.2.1 Hydrologic Impacts. This section describes the storm water discharges into the Santa Ana Creek tributary. However, the County identifies the Santa Ana Creek Watershed as a benefit area. Therefore, the report shall incorporate a mitigation measure to ensure that the drainage impacts posed by the proposed college shall pay the appropriate benefit area impact fee.

19. Section 3.8.1.3 California Tiger Salamander (CTS). A stock pond is described as being located on the proposed project site. The document states that the stock pond does not retain water and remains dry throughout the year. However, the document does not properly address the winter season and the consistently different levels of rainfall within a given year. Therefore, the assumption that the stock pond does not provide suitable breeding habitat for the salamander is not viable until testing of the stock pond during the rainy season has been completed.

20. Section 3.8.1.4 Jurisdictional Waters. This section fails to address the tributary of the Santa Anna Creek and the project proposed drainage impacts.

21. Section 3.8.3.1 Mitigation Measures for CTS. Mitigation measure bio-1.2 states that compensation shall occur at a suitable off site location via the purchase of credits from a nearby conservation bank. This mitigation measure shall utilize the Pajaro River mitigation bank, located within San Benito County. Contact Julie Maddox of Wildlands, Inc for more information 916-455-3555.

22. Section 3.8.3.3 Mitigation Measures for the San Joaquin Kit Fox. Mitigation measure bio-3.1 states: “If no Kit Fox activity is detected, a written report shall be submitted to the USFWS within five (5) days of completion of the survey.” This mitigation measure shall also include CDFG in the Kit fox report submittal.

23. Section 3.10 Visual and Aesthetic Resources. This section does not compare the current view shed of the property with the proposed viewshed of the property. This comparison would show the impacts the project would have on the Mount Diablo ridgeline viewshed.
24. **Section 3.10.2.2 Effects on Scenic Views.** This section does not address the building types that exceed thirty (35) feet in height. Ordinance 479, Section 7.4 restricts building height in the Rural zoning district to thirty five feet. This height restriction is in place to ensure the health, safety, well being, and quality of life of San Benito County residents who reside in a County with high seismicity. Buildings that exceed 35 feet in height pose a significant impact; this was not addressed in Section 3.6. In addition the proposed college shall have a significant effect of the existing view shed (Mount Diablo Range).

25. **Section 3.13.2.2 Overall Light and Glare.** This section does not comply with the San Benito County Dark Sky Ordinance, Zone two regulations (Ordinance 748). There is also no discussion of other events that might be held on the athletic fields that will utilize the lighting and the posed impacts of this. Staff feels this is a significant impact.

26. **Section 3.11.2.2 Police and Fire Protection.** The analysis of this section is flawed. Currently there is not enough fire or police staff to serve current County conditions. Stating that this is a less than significant impact is in no way accurate.

27. **Section 3.12 Water Supply and Utilities Service Systems.** This section does not describe how the infrastructure for wastewater and water will be installed and paid for. Also, there is no discussion on the secondary impacts for pipe installation to service the proposed college. Lastly, there is no analysis on various pipeline installation routes to evaluate the most effective path of pipe installation for wastewater and water services.

28. County staff has found that throughout the document there are significant grammatical and spelling errors. We request that these corrections be made to ensure the document is free-flowing.

Public Works

29. County procedures have identified that traffic studies shall extend to the point were project related trip ends are less than 50.

30. Cumulative impacts do not match traffic report due to five intersections being identified in the traffic study and seven intersections being identified in the DEIR cumulative impact section, page 151.

31. Fairview Corners/Gavilan College Master Plan Transportation Impact Analysis prepared April 16, 2008 by Hexagon Transportation Consultants describes a LOS of D and F respectively for project related and cumulative impacts at the intersection of Highway 25 and Enterprise Road. However, the revised traffic report prepared August 15, 2008 describes LOS C at the same intersection regarding access option 1 and 2. Given that the same information was used in the preparation of both reports, the County has concerns regarding the methodology of preparation for which the initial report describes intersection out of compliance (LOS D & F) and the secondary report described intersections in compliance (LOS C) with County standards.
32. The DEIR does not describe the existence of bicycle lanes along Highway 25; however, the existing Bicycle and Pedestrian Master Plan indicates proposed class 2 bicycle lanes along the highway.

33. Applicant shall clarify the term negative flooding and potential increase of 1% and cumulative future development.

34. Applicant shall include emergency access to Airline Highway as part of Phase 1 of the proposed project. In addition, Cielo Vista roadway portion of the college campus shall be required as part of phase 1.

Environmental Health

35. **Section 2.3.4.1 Water Service.** The Division of Environmental Health has indicated that will serve letters must be obtained from the City of Hollister and the Sunnyslope County Water District to serve the wastewater and water needs required for this project. In addition, Section 2.3.4.2 includes “future plans” that the City of Hollister would provide wastewater treatment service to the project site. It is unclear whose future plans are being described (i.e. the City of Hollister or the project proponents). Staff recommends that these sections clearly delineate that will serve letters shall be obtained for this project prior to wastewater and water usage.

County Fire

Comments 36 – 49 were made by the County Fire Marshall. Comments 50 - 55 were made by the County Fire Chief.

36. The San Benito County Fire Department has primary response jurisdiction for this proposed project. All code references in response to the submitted DEIR will be from the 2007 California Fire Code (comments 37 – 49 provide more detail).

37. **Section 2.3.1.1 Campus Buildings.** Approximately 35,000 square feet of supporting retail use will be located on the ground floor of the on-campus housing buildings. One story buildings will be approximately 16-feet in height and two-story buildings will be approximately 34-feet in height. The library and gymnasium will be approximately 40-feet in height. The proposed project shall comply with the following:
   a. **San Benito County Fire Response- Campus Site**
      Chapter 5 – Fire Service Features -2007 CFC
      Section 503 Fire apparatus access roads
      Section 504 Access to buildings openings and roofs
      Section 505 Premises identification
      Section 506 Knox key boxes
      
   Chapter 14 - Fire Safety during Construction
      Section 1410 Access for firefighting. Approved vehicle access
      Section 1412 addresses required water supply for fire protection as soon as combustible materials arrive on site.
38. Open Space and Conservation Element Policies, page 31. OSC – Policy 40- All new development shall be required to conform to the standards and recommendations...Consistency: Project complies with standard mitigation.... Fire Marshal will be provided plans...
   a. San Benito County Fire Response: How will normal plan fees be applied?
      i. A CD version of the college campus plan for producing pre-fire plan response records shall be provided.
      ii. Open space areas shall have written maintenance mandates to meet fire hazard abatement.

39. Section 3.5.2.2 Hazardous Materials.
   a. San Benito County Fire Response: Project shall comply with CFC Chapter 27, Hazardous Materials Section 2701.5.2 Hazardous Materials Inventory Statement-Standard Material Safety Data Sheets.

40. Section 3.12 Water Supplies Draft EIR Page 135 & Section 3.12.2.2 Water Supplies System Impacts.
   a. San Benito County Fire Response: Compliance to Section 508 Water Supplies-entire chapter (2007 CFC) is required.

41. Appendix B – Fire Flow Requirements for Buildings. (Used the following data: 35,000 square foot retail, two story buildings). The following shall be required: For type V – NR (two floors with 70,000 square feet) 7,250 gallons per minute are required with a four hour flow equal to 435,000.

42. Appendix C - Fire Hydrant Locations and Distribution. Jones hydrant style 3775 with two 4” outlets and one 2 ½ inch outlet as standard hydrants in the system shall be utilized. No fire mains shall be less than 8” in size (REQUIRED).

43. Chapter 9 – Fire Protection Systems-
   a. Section 903 Fire sprinklers will be required in all buildings on college campus will use the NFPA 13 system.
      Residential/dorms will use the NFPA 13D system.
   b. Section 904 Fire protection systems
   c. Section 904.1.1 Commercial cooking systems
   d. Section 905 Standpipe systems
   e. Section 905.3 Required installations
   f. Section 907 Fire alarm and detection systems
   g. Section 907.2 Required in new buildings and structures. The fire alarm shall include a maintenance agreement to handle all system problems.
   h. Section 906 Portable fire extinguishers

44. Chapter 10- Means of Egress
   a. Section 1004 Occupant load posted
45. Chapter 30 Elevators 2007 California Building Code
   a. Section 3002.4  Elevator car will accommodate an ambulance stretcher.

46. Section 3.5.2.2 Hazardous Materials.
   a. San Benito County Fire Response: CFC Chapter 27 Hazardous Materials
      Section 2701.5.2  Hazardous Materials Inventory Statement will reference
      material safety data sheets.

47. Section 3.1.1 Public Services & Section 3.11.1.1 Fire Protection
   a. San Benito County Fire Response – The auto aid agreement will be re-
      addressed by all concerned parties.

48. 70 proposed residences. This is in regards to the 70 on campus residences.
   a. All homes to be designated as dorms shall have a fire alarm system that is
      transmitted as well as the sprinkler system.

49. Section 2.3.1.4 Campus Access and Parking. This section proposes the location of the
    emergency vehicle access to serve the proposed college. The proposed EVA location
    will not be allowed under any circumstances. An alternative route (Attachment A) shall
    be use as the access route for EVA.

50. Section 2.3.1.2 On-Campus Housing and Supporting Retail. Any variance to the
    Fairview Corners LLC project that may become student dorm housing will need to
    comply with California Fire Code, 2007 Edition (CFC) life safety systems pertaining to
    the new usage.

51. Section 2.6.1.2 OSC-Policy 40 Consistency. The insurance of adequate fire protection
    for the project needs to be addressed by direct mitigation. Current impact fees will not be
    sufficient and possibly not applicable to the campus portion of the project.

52. Section 3.11.1.1 Fire Protection. The auto-aid agreement between the San Benito
    County Fire Department (County Fire) and Hollister City Fire currently encompasses the
    geographical area of the project site. This agreement was not intended for a project of
    this magnitude and will need to be revisited by the respective fire chiefs.

53. The Hollister City Fire response time goals do not apply to this project as they are
    established for responses within the City limits only.

54. Section 3.11.2.2 Police and Fire Protection. Footnote 33 references two personal
    communications used to make the conclusion of the project not having a significant
    impact. One was with a CAL FIRE employee who has no recollection of the
    conversation, and the other with the City of Hollister Fire Chief who has no jurisdiction
    in this matter.
The conclusion that there is "no or (less than significant) impact" is worthy of a more complete review of the current level of service being provided by County Fire.

Recent fire services studies show that County Fire has inadequate engine staffing and facilities. County Fire currently relies on one, two person staffed engine housed at the Cal Fire station on Fairview Road to provide services countywide, supported by paid-call firefighters. CAL FIRE personnel and resources, when available, augment the County response. In addition to the one staffed engine there are four additional fire apparatus that utilize volunteers when available or are held in reserve. Three of these are at the CAL FIRE Fairview Road location and one is housed in the City of San Juan Bautista, 11 miles to the west of the project site. County Fire funds a Fire Marshal position with vehicle and 5 firefighting personnel to achieve 2 firefighters on one engine each day. Management for County Fire is via a contractual agreement with CAL FIRE with the department head being an unfunded CAL FIRE Battalion Chief with a County vehicle. The County paid-call firefighter support can be unreliable at times due to work commitments and the voluntary nature of the program.

The one staffed engine at the Fairview Road station does not meet Occupational Safety & Health Administration (OSHA) regulations and National Fire Protection Association (NFPA) standards for safe emergency operations due to insufficient number of personnel. OSHA regulations require that a minimum of four fully trained firefighters must be on scene of a building fire before an interior attack on a structure or entry into any hazardous atmosphere can occur. The nationally accepted standard for a single engine company is four firefighters. NFPA 1710 & 1720 call for a response of 4 firefighters to arrive at the scene of a structure fire within 5 minutes and a total of 14 personnel within 9 minutes. The auto-aid agreement for resources with the City of Hollister would help to meet the OSHA regulations, but fall short with NFPA and recognized standards of response.

In 2007 County Fire responded to 1350 calls for service with the resources described. Approximately 995 parking spaces on the college campus and 220 residential structures in Fairview Corners could equate to approximately 1215 additional vehicles on the roadways; twice a day. Of the emergency responses in 2007, 212 were vehicle accidents plus 21 vehicle fires. 2,430 more vehicles on the roadways will increase the volume of traffic related emergencies and negatively impact already strained emergency services.

The project has the capacity of over 7,500 persons at one time.

| Campus students and staff | 3,800 |
| Fairview Corners 220 dwellings | $ \times 3.2 = 704 $ |
| Stadium capacity | 3000 |
| Total | 7,504 |

The population of San Benito County, as estimated by the 2005 U.S. Census Bureau, was 55,842 including the City of Hollister at approximately 37,000. A rough estimate of the County population would therefore be approximately 18,842. The possible addition of approximately 7,500 persons (transient or not) will create a significant impact on existing strained fire protection services. (Above figure includes Fire Chief's estimates)
55. **Section 6.0 Growth Inducing Impacts.** References *Section 3.11* findings. See comment 58. There is an inaccurate statement that fire protection services to the site will be provided by the State California Department of Forestry (CDF) with its current facilities. This State department has jurisdiction in State Responsibility Areas (SRA), in which the project site is located, for the suppression of wild fires and enforcement of the Public Resources Code (PRC). The SRA designation is determined by a variety of factors and through the altered use of the land or future incorporation into a city this designation may change to Local Responsibility Area (LRA). County Fire is administered via a contractual agreement with CAL FIRE for personnel services and operations as described in comment 58.

**Other**

56. Concerns were raised during the October 7, 2008 Board of Supervisors meeting in regards to the adequacy of the traffic study utilized for the preparation of the Gavilan College DEIR. The sphere of the traffic study should be done at a more regional level. It is anticipated that the proposed college would impact intersection outside the immediate cumulative impacts.

57. **Section 3.12.1.1 Water Service.** This section describes the Sunnyslope County Water District’s (SSCWD) Sphere of Influence and how a LAFCO service area adjustment is not required for project development. This summary shall also include the following: In order to serve the property, the college will need to coordinate with the SSCWD to apply to LAFCO for a service annexation application.

As this project continues to develop, the County would like to continue our involvement and assistance in this project.

Thank You,

Jaime De La Cruz, Chairman
Board of Supervisors
County of San Benito
Hi, this is Jessica Ablamsky from the Weekend Pinnacle newspaper. I am working on a story about the Gavilan College San Benito County EIR. My deadline is Tuesday at noon. That means I must have my article finished by 12. My questions are listed below. Please indicate clearly who answers which question so that I can attribute them correctly.

1. How will adding turn lanes and signalizing the Fairview Road and Hillcrest Road intersection reduce the traffic impact of 7,433 additional trips to a less than significant impact?

2. According to one local resident, the loggerhead shrike occurs on the site, but it is not listed in the EIR. How would you respond? Would their presence change the project or necessary mitigation measures?

3. According to the EIR on page 113, the kid fox habitat on the site is marginal and this species would not reasonably be expected to occur on the site. However, they do exist on the site, according to one local resident. How would you respond? How would their presence on the site change the project or necessary mitigation measures?

4. According to the EIR on page 112, the stock pond no longer retains water and as a result the project site no longer provides suitable breeding habitat for the tiger salamander. However, the EIR says that the site is dry farmed. Under natural circumstances, wouldn't the stock pond retain water and provide suitable habitat for the tiger salamander? Why or why not?

5. According to the EIR on page 136, Sunnyslope determined that they will be able to meet the immediate demands of the proposed project in the year 2010 through the planned well improvements and new well construction. What does the term "immediate demands" mean? Has Sunnyslope's ability to provide water for the project at full buildout- after the houses are fully occupied, and after the college campus is fully constructed and at maximum student capacity? If so, where and what was the determination?

6. The EIR concludes on page 143 that the operation of proposed projects will not use fuel or energy in a wasteful manner and will reduce some travel distances for students.
   a) Wouldn't a downtown location further reduce travel distances for students? Why or why not?
   b) On page 180, the EIR says that the location will likely indirectly induce growth in the immediate vicinity of the project. Due to its location, isn't the project inherently sprawl inducing? Why or why not?

7. Is this location preferable to a location downtown? Why or why not?

8. Why is this site the best location possible?

9. In 2004, San Benito County was promised $12.7 million for land acquisition. However, today you said that Gavilan will spend about $8 million on land acquisition and about $4
million on construction. According to an article in the San Jose Mercury on 10-2-08, you wrote, “Measure E provides only for the purchase of land.” Please explain the contradiction.

10. In 2004, San Benito County was promised $12.7 million for land acquisition. In 2006, according to an article in the Freelance, Gavilan board members voted on land acquisition in Coyote Valley for $18 million on the same day they voted on the $4 million site in Hollister near the Airport. Please explain.
October 2, 2008

Dr. Steven M. Kinsella, Superintendent/President
Gavilán Joint Community College District
5055 Santa Teresa Boulevard
Gilroy, CA 95020

Re: Gavilán San Benito Campus and Fairview Corners Projects Draft EIR
(SCH No. 2008061016) Comments

Dear Dr. Kinsella:

Thank you for the opportunity to comment on the above-referenced draft EIR. As you know, we are the managers of Fairview Corners LLC, et al., the landowners of the Fairview Corners residential project site. Our comments focus on various points of clarification associated with San Benito County requirements, mitigation measures, and some impact conclusions. Thank you for addressing our comments in the final EIR.

Our comments are as follows:

1. Page 26. This section indicates that a “Specific Plan” for Fairview Corners (proposed single-family residential project) is an anticipated discretionary action by San Benito County. Also, on page 17, reference is made to the Fairview Corners Specific Plan area. There is nothing in the County’s general plan or County code that indicates a specific plan is required for this project. Additionally, throughout our pre-application and application process, County staff has never indicated that a specific plan would be required. Please remove all references to a specific plan as it relates to the proposed single-family residential project.

2. Page 68-69, Transportation “Mitigation Measures for Combined College Campus Project and Single-family Residential Project Intersection Impacts”, MM TRAN-2 through MM TRAN-5. Mitigation Measures TRAN-1 through TRAN-5 require the college district to pay into the City of Hollister/San Benito County Traffic Impact Fee program. We believe that the college district is not required to pay this impact fee. The impact fee is charged on residential, commercial, industrial, office, second senior units, and temporary mobile homes. The impact fee is not charged on school/educational facilities. The residential portion, and possibly the retail portion, of the college district project are the only
components of the college project that should be required to mitigate for the identified traffic impacts. Charging the college district for the development of educational facilities would amount to "double-charging" as the students attending the school live in "residential units" that, in theory, have paid the impact fee.

The mitigation measures should be revised in the final EIR to clarify that the college district is only required to pay the City of Hollister/San Benito County Regional Traffic Impact Fee on the residential and retail portions of their project. The mitigation measures should also identify when the impact fee is required to be paid.

This same comment applies to Mitigation Measures MM C-TRAN 1.1 through 1.7 on pages 151 through 153 regarding cumulative project traffic impacts.

3. Page 82 and 143, Impacts from Soil Export to Coyote Valley. While we don't disagree that the air quality and energy impacts associated with soil export to the District's Coyote Valley facility, we do believe that the significant and unavoidable impacts associated with this activity is the direct result of the District's decision to export soil for the development of the Coyote Valley project, and not the single-family residential project. The residential component of the project could be developed without substantial export, and the District could substantially avoid the impacts associated with the dirt export by raising onsite pad levels and/or disposing of the dirt closer to the project site. Further, assuming our residential project requires soil to be exported from the site, we could dispose of it at a relatively close location, thereby mitigating the significant air quality and energy impacts. Please correct the final EIR to conclude that the significant air quality and energy impacts are only associated with the District's export of soil from the San Benito campus for the Coyote Valley campus project, but not the residential project.

4. Page 89, Exterior Noise Levels. Impact NOI-1 states, "Noise levels in proposed common and private outdoor areas associated with both the college campus on-campus housing project and the single-family residential project near Fairview Road would exceed 65 dBA L_{dn}. (Significant Impact)."

The current on-campus housing plans are not detailed enough to identify where the outdoor common and private areas would be. Therefore, there is no foundation for making the determination that these areas within the on-campus area "would exceed 65 dBA L_{dn}". We recommend that the impact statement in the final EIR be revised to state,

Noise levels in the backyards of the single-family residential project along Fairview Road would exceed 65 dBA L_{dn}. (Significant Impact). Noise levels
in active common and private outdoor use areas that may be proposed associated with the on-campus housing project may exceed 65 dBA \( L_{dn} \) if they are located within 250 feet of the centerline of Fairview Road. (Potentially Significant Impact).

It should be clarified in the final EIR that 65 dBA \( L_{dn} \) is not required for common open space areas that are just for landscaping purposes along Fairview Road.

We recommend that the associated mitigation measure for this potential impact be revised in the final EIR as follows:

MM NOI-1: Once the college campus residential project is designed, if active private or common open space is proposed for the college campus residential within 250 feet of Fairview Road, the following mitigation measure will be implemented to reduce impacts to a less than significant level.

Retain a qualified Acoustical Specialist to conduct an acoustical noise analysis on the proposed on-campus housing to determine if noise levels in active private or common open space would exceed 65 dBA \( L_{dn} \). If this level would be exceeded, a noise barrier will be designed to provide acoustical shielding to limit exterior noise levels to 65 dBA \( L_{dn} \) or less (Less Than Significant With Mitigation).

In the final EIR, we request that you eliminate the sentence, “Preliminary calculations indicate that noise barriers ranging from six to eight feet in height would be required” as it does not make sense because there is no project design for the on-site residential component to evaluate at this time.

5. Page 93, MM NOI-4. It’s not clear what impact this measure is mitigating. The intro indicates the measure is reducing impact from project-related traffic noise (3.4.4.1 for the on-campus housing project only) and states, “when more specific site plans are developed for the on-campus housing consider the design and construction of noise barriers to provide acoustical shielding at private or common exterior use areas…” A review of the noise report prepared by Illingworth and Rodkin in Appendix C of the draft EIR indicates that the first part of this mitigation is for the on-campus housing (Impact NOI-1, which is actually mitigated by MM NOI-1) and the second part of the mitigation measure is for both projects’ impacts on the existing adjacent residences west of Fairview (Impact NOI 4). If MM NOI-4 is to mitigate for Impact NOI -4, then we recommend the following changes in the final EIR:
a. Move MM NOI-4 out from under the heading “Mitigation Measures for Impacts to College On-Campus Housing Project”;

b. Create a new heading “Mitigation Measures for Impacts to Existing Adjacent Residences”, and both projects would be responsible for this mitigation measure;

c. Revise the mitigation measure to 1) take out the mitigation language associated with NOI Impact 1 (impacts to the on-campus housing); 2) clearly present the appropriate mitigation measure options in the noise report in Appendix C; 3) include all of the appropriate discussion located in noise report in Appendix C, rather than referring to it as a critical issue without appropriate context; and 4) the conclusion should state that if the college district, Fairview applicants, and the County, in consultation with the affected property owners west of Fairview, determines that the mitigation is feasible, then with implementation of the mitigation measures, the impact would be less than significant. However, if the college district, Fairview applicants, and the County, in consultation with the affected property owners west of Fairview, determine that the mitigation is not feasible, the impact would be considered significant and unavoidable. Note: if the college district, Fairview applicants, County, and existing property owners along Fairview Road determines that the mitigation is not feasible, they should provide clear and detailed documentation in the record.

This comment is also applicable to MM C-NOI-2 on page 165.

6. Page 95, MM NOI-6, Mitigation Measures for Single-Family Residential Project. This states that MM NOI-1 would reduce impacts to the single-family residential project’s proposed common and private outdoor use areas...to a less than significant level. This cannot be so, as MM NOI-1 is specifically for the impacts to the college on-campus housing project. A new mitigation measure should be provided to mitigate for the Fairview Road traffic noise on the single-family project. Maybe the statement in the mitigation measure for the on-campus housing project, “Preliminary calculations indicate that noise barriers ranging from six to eight feet in height would be required” is actually for the single-family housing project? This should be clarified in the final EIR.

7. Page 95, MM NOI-8, Mitigation Measures for Single Family Residential Project. First, it’s not clear what impact this measure is mitigating. It could be Impact NOI -4, which is the proposed projects’ noise impact on the existing residences along Fairview Road.
This mitigation measure states, "The following mitigation measures would help reduce impacts from project-generated traffic noise but would not lower the impact to a less than significant level..." This is not a correct statement. See also comment 5 C above. The mitigation measures presented in the noise report WOULD reduce the impact to a less than significant level, if the measures are determined to be feasible after consultation between the college district, the County, the Fairview Corners applicants, and the existing homeowners along Fairview.

The mitigation should be clarified to identify what impact is being mitigated, what the actual mitigation options are, and that the mitigations would reduce the impact to a less than significant level, unless the college district, Fairview applicants, County, and existing property owners along Fairview Road determine the impact to be infeasible.

8. Page 127-128, Visual Impact. The analysis does not provide any justification to conclude that either the college campus or the proposed single-family residential project would result in a significant and unavoidable visual impact. The draft EIR concludes that the proposed projects' "would change the visual character of the site from open space to an urbanized environment. This development described above will significantly change the visual character of the site from open space to an urbanized environment." However, the thresholds of significance on page 123 states, "A visual resources impact is considered significant if the project would substantially degrade the existing visual character or quality of the site and its surroundings." Simply changing the visual character of a site from open space to an urbanized environment does not rise to the level of substantially degrading the existing visual character or quality of the site. If this were true, any development of open space would be considered a significant and unavoidable environmental impact and EIRs would be required on any project proposed on an undeveloped site. The draft EIR provides no analysis such as pictures of what the property looks like from either Fairview Road or Airline Highway, or any simulations showing what the projects would look like from these public roads, and in fact on page 123 states that the project site is surrounded by suburban development on all sides. Finally, the draft EIR concludes on page 148 that the loss of open space on the project site is not a significant impact.

We believe that although the proposed projects' do indeed change the existing visual character of the project site, the impact does not rise to a level of significance given the substantial amount of open space, landscaping, and buffers provided in both projects. We would like to see this impact determination corrected in the final EIR.
This comment also applies to the cumulative visual and aesthetic impacts discussion on pages 167 and 168.

9. Page 176-177. The discussion at the bottom of page 176 and the top of page 177 states that there are “high-voltage power lines” at both Alternative Site #10 and at the proposed project site. Please define what is meant by “high-voltage power lines”, i.e., are they distribution lines or transmission lines? The California Department of Education’s site selection criteria associated with high-voltage power transmission lines states, “the Department has established the following limits for locating any part of a school site property line near the edge of easements for high-voltage power transmission lines:

- 100 feet from the edge of an easement for a 50-133kV (kilo volts) line
- 150 feet from the edge of an easement for a 220-230kV line
- 350 feet from the edge of an easement for a 500-550kV line

These figures represent kV strengths of transmission lines used by utility companies in January 1993. Utility companies report that strengths for distribution lines are below 50kV.”

Please clarify in the final EIR.

10. Page 180, Growth Inducing Impacts. We agree that the proposed projects would have the potential to induce growth in the immediate vicinity and within the region. However, we disagree that the impacts would be significant and unavoidable (page 181). It would be speculative to make this type of conclusion without knowing where and what type of growth could be induced. CEQA Guidelines section 15126.2(d) on growth inducing impacts does not require a significance determination on the growth inducing impacts of a project. The lead agency is only required to discuss activities that could significantly affect the environment. This section of the Guidelines also states, “It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.”

11. Page 181, Significant Unavoidable Impacts. Per our previous comments, we disagree that the proposed projects would result in project specific or cumulatively considerable significant noise and visual impacts. The significant unavoidable impacts should be listed as energy and air quality impacts only, as they are associated with the transport of fill from the project site to the District’s site in Coyote Valley. Finally, we believe that this impact is
associated with the District’s facility projects only, not with the proposed single-family residential project, and may be avoided by increasing pad levels to reduce the export requirement or by exporting dirt to a location nearer the project site.

12. Page 177. The conclusion that the Reduced Residential Alternative is the environmentally superior alternative because it would reduce the traffic and air pollution impact of the project and would meet most of the project’s objectives is misleading. First, the proposed residential project’s impacts on traffic and air pollution are mitigated to a less than significant level with the implementation of the mitigation measures presented in the draft EIR. Second, reducing the density of the project would be counter productive as it is the goal of the County of San Benito to increase residential density within the project area in an effort to provide reasonably priced housing and reduce urban sprawl. Reducing the density at the project site would increase the on-site building costs and thus overall housing costs, and force the balance of the residential development to another location, resulting in possibly greater impacts associated with affordable housing shortages and urban sprawl. Therefore, although reducing the density at the project site would reduce the direct impacts of developing the project site, it would result in indirect impacts associated with forcing the development to other undeveloped areas, increasing on-site housing costs while reducing the availability of more affordable housing.

13. Please make the appropriate related changes in the Summary of the draft EIR.

We look forward to the completion of the EIR process, and appreciate the professionalism and dedication of your staff and consultants in this process. Thank you again for your consideration of our comments.

Sincerely,

Fairview Corners LLC, et al

By: Dick Oliver
President of FC Investors LLC, Co-Manager

By: John Pedicini
President of Dividend Capital Group Inc., Co-Manager

Cc: Michael Groves, EMC Planning Group, Inc.
Deficiencies in the Fairview Corners EIR

Robert Gilchrist Huenemann, MSEE 120 Harbern Way, Hollister CA 95023
September 22, 2008

EIR p. 40 There are many existing residential subdivisions in the project vicinity. The addition of the proposed college campus and single-family residential development on the site will not substantially affect residential uses in the immediate surrounding area.

EIR p. 42 The proposed development of the 57-acre site with residential and open space uses would be compatible with the existing surrounding uses, which are residential and open space uses. To maintain compatibility with the single-family residences that are located along the eastern and northern boundaries of the site, the project proposes single-family residences with lot sizes ranging from 10,000 to 16,000 square foot in those portions of the property.

These EIR statements are factually incorrect. The proposed quarter acre development on Fairview Corners is immediately adjacent to five acre agricultural subdivisions on Harbern Way and Old Ranch Road. Commercial crops on Harbern Way include apricots, cactus (nopales) and certified organic herbs. The certified organic status of the herb farm is threatened by this project. Livestock on Harbern Way includes horses, cattle, llamas, goats and sheep for pleasure use and commercial sale.

These residential and agricultural uses are incompatible. The EIR consultants have proposed no mitigations for this incompatibility except to make the lots along the north and east boundaries slightly larger in size. With 220 homes, our neighbors will have us outvoted and will try to shut down our agricultural uses. The EIR MUST protect existing agricultural uses. The lots along our boundary should be at least one acre in size, and there should be deed restrictions protecting our uses.

Should the parcels on the northern boundary of the project be larger than one quarter of an acre? Perhaps not, since the property to the north of the project is included in the Hollister Planning Area and is therefore slated for rezoning to urban density.

EIR Figure 7 (page 18) shows a strip of “open space” next to Harbern Way.

This “open space” is an open invitation for noise, trash, vandalism and trespass. This “open space” must be removed or moved to the interior of the subdivision. The proposed “Walk Path” could easily be incorporated into the “Landscape Buffer” in the fault zone near the east edge of the residential development.

EIR Figure 9 (page 21) shows the grading plan for the proposed development.

There is no reason to build steep embankments in the residential project. Retaining the existing slopes would make for a less intrusive boundary with existing agricultural parcels and would reduce the amount of grading required.

The prevailing wind in the afternoon is from the west, which will blow dust and noise onto Harbern Way. The only adequate way to deal with these impacts would be to stop grading when the wind comes up in the afternoon. A reasonable maximum wind speed must be established at which grading activity will cease.

[Signature]
October 4, 2008

Dr. Steven M. Kinsella
Gavilan College
5055 Santa Teresa Boulevard
Gilroy, CA 95020
fax 408-847-5102

Re: Draft EIR comments

Dear Dr. Kinsella:

Please receive into the record this letter with comments regarding the proposed development of a Hollister Gavilan College facility and Fairview Corners, LLC housing development. We are very much pleased with the overall concept presented, however, we would like the following considered for review.

The housing development as drawn appears to not consider the East Fairview Specific Plan formulated by San Benito County in 1990. There should be some type of road that connects into the adjacent parcel, which we own. The County has planned R3 and R4 development in this area. The additional circulation is necessary to allow the County’s goals to be achieved. Furthermore, the housing density is much lower than the East Fairview Specific Plan calls for (R3 and R4). It is our view that the housing development should be re-considered to be more dense, and should not be limited by a single access point coming on and off of Fairview Road.

Future development of adjacent parcels should be taken into consideration at the time this housing is developed. Access should be left so that one day, there might be greater, more efficient circulation, as well as better emergency access. To develop this style, would cause each and every development to be bound by a single point of entry. In an emergency, a single point of ingress and egress could potentially be of danger to residents as well as emergency response personnel.

Overall, however, the concept is excellent. The sports facilities have been proposed along Airline Highway, thereby causing minimal disruption to adjacent residences during events. The grading proposed will make this parcel more efficiently utilized. The land is being used extremely efficiently to provide green belt areas, parking, classrooms, housing, and so forth.

We wish this project much success and welcome Gavilan College to the San Benito County community. Please consider the comments noted above on access and density when making a
revision to this plan. If you have further questions, or if we may some how cooperate with you, please feel free to contact us via U.S. Mail or fax as listed above.

Kindest Regards,

[Signature]

William and Michele Lee

cc: San Benito County Planning Department, Byron Turner and Chuck Ortwein
San Benito Engineering, Anne Hall
EIR Gavilan Campus/Subdivision

Some concerns we have that were not addressed in the EIR as adjacent property owners to the proposed project.

1. There was no mention of how the project was going to protect the organic status of our property. With the proposed College Campus and 220 home subdivisions, how will the anticipated use of pesticides, herbicides, and chemical fertilizers be controlled by all of the parties involved? We have for the past 13 years as well as doing a prior history of property use before we moved in, painstakingly maintained our agricultural fields in organic ways to grow the plants that are used in our business. We will also have issues of “DRIFT” with the use of these chemical pesticides, herbicides and fertilizers as there is a prevailing west wind that would blow these chemicals onto our fields, thus nullifying our organic status and our business. It is anticipated that that these chemical supplements as used on ball fields, landscaping and residential homes, would contaminate our fields, that again we have taken great pains as keeping organic and clean. This would also hold true for other neighbors that have agricultural and livestock concerns with the west prevailing wind.

Recommend – Contacting the San Benito County Agriculture Department as to how best to protect our property and our Organic Status, as well as neighboring properties.

2. Water Use – The EIR does not mention contact with the CCAWQC – Central Coast Agricultural Water Quality Coalition as to how sediment runoff and water use, that will eventually flow to the Santa Ana Watershed and later downstream to the San Benito and Pajaro Rivers watersheds, are to be controlled per the CCAWOCs standards. All of this run off from the proposed College Campus and Subdivision, no matter how it’s graded, will end up in the Monterey Bay Marine Sanctuary, which is of a great concern to the stated organization. Our small farm has had to adhere to these standards with the use of drip lines, buffer vegetation and organic ground cover to control erosion and water run off that will again end up in Monterey Bay.

Recommend – Contacting the CCAWQC, the Santa Clara/San Bento County Farm Bureaus (Water Ag. Coordinators), UCCE (University of California Cooperative Extension) and the Monterey Bay National Marine Sanctuary (MBNMS) (to name a few) to see how a project of this size can control chemical landscape supplements,
and water and soil erosion that will containment our watersheds as well as down stream in Monterey Bay.

3. Wildlife – The EIR still has not fully addressed what is to be done with the local Kit Foxes which have been seen wondering down our streets, looking for their dens that were turned over with the sudden disking/tractor work on the proposed property in late spring and early summer of this year, to dry farm hay. There has not been this activity of tractor work on the property in the last 13 years that we have lived her on the adjacent property until the information was given about the Kit Foxes and Salamanders on the proposed property. We’ll just call it coincidental. We do have pictures of the Kit Foxes on a cell phone and do know of their location. We have in fact left our burn piles on our property do give the Kit Foxes an occasional refuge. These Kit Fox’s are in fact the name stay of our business due to the fact that many of them have been seen on the proposed College property over the years. There is also the issue of a seasonal pond that is on the property that has not been fully addressed. This pond has given refuge to migratory waterfowl every winter.

Recommend – Fish and Game be more involved in the EIR of the property to better protect the indigenous and migratory animals and how this is to come about.

In a final word, we do realize that this is not the forum to discuss planning and property layout designs, but would suggest a non public accessible Wildlife Sanctuary along the border of the Harbern Neighborhood that can be used to provide the following;

a. A buffer zone of vegetation and property to protect our Organic Farm and other neighboring agricultural businesses from Chemical Drifting, contaminated soil and water runoff.

b. To help filter out such contaminates on its way to the Monterey Bay Marine Sanctuary.

c. To give the local indigenous animals such as the Kit Foxes, Salamanders and migratory waterfowl a piece of their natural habitat that has been with them for generations.

d. To possibly provide an Educational Area, in a controlled setting, that would provide school aged youth access to the Wildlife Sanctuary to learn more about our Counties Natural Habitat and the animals that live there.

Having such an area on the proposed College Campus not only would be good for the Counties Wildlife but also for the youth in our County, to have such a refuge near the College Campus.

Sincerely
Jackie and Rey Mendizabal
Fox Hollow Herb Farm
180 Harbern Way
Open Space Petition from the residents of Venture Estates (Harbern Way)

The Gavilan College/Fairview Corners draft EIR proposes an “open space” around the perimeter of the development. This “open space” would be an avenue for noise, litter, vandalism and trespass. The residents of Venture Estates (Harbern Way) ask that you remove this “open space” from the boundary of our subdivision.

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The Gavilan College/Fairview Corners EIR includes a grading plan that would result in steep “cliffs” adjacent to our subdivision. The residents of Venture Estates (Harbern Way) request that the grading plan be modified to follow the existing contours near the boundary of our subdivision.

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Petition for Continued Agricultural Use on Harbern Way

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p. 40 There are many existing residential subdivisions in the project vicinity. The addition of the proposed college campus and single-family residential development on the site will not substantially affect residential uses in the immediate surrounding area.

p 42 The proposed development of the 57-acre site with residential and open space uses would be compatible with the existing surrounding uses, which are residential and open space uses.

These statements are factually incorrect. There are 18 five acre parcels on Harbern Way. 14 of them are currently used for agricultural purposes. Every parcel has been used for agriculture at various times in the past. One of the parcels immediately adjacent to the proposed development is a certified organic herb farm which is threatened by this development.

We ask that the EIR be corrected to show that uses in the vicinity are agricultural, and that reasonable mitigations be proposed to protect our right to continue such agricultural use.

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<td>Bob Coli</td>
<td>141 Harbern Way</td>
</tr>
</tbody>
</table>
Petition for One Acre Lots adjacent to Venture Estates (Harbern Way)

The draft EIR for the Gavilan College/Fairview Corners development shows lots of 10000 to 15000 square feet (0.23 to 0.34 acres) next to our five acre subdivision on Harbern Way. These lot sizes are incompatible with our agricultural uses. We request that the lot size adjacent to Harbern Way be increased to one acre minimum.

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
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</thead>
<tbody>
<tr>
<td>Robert M. Henevorn</td>
<td>120 Harbern Way</td>
</tr>
<tr>
<td>Michael Lee</td>
<td>180 Harbern Way</td>
</tr>
<tr>
<td>Mary Josefa Davis</td>
<td>180 Harbern Way</td>
</tr>
<tr>
<td>Jackie Madjatad</td>
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</tr>
<tr>
<td>Jane Nogu</td>
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</tr>
<tr>
<td>Mike Myer</td>
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<tr>
<td>Carol Rochelle</td>
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<tr>
<td>Ronald L. Osley</td>
<td>80 Harbern Way</td>
</tr>
<tr>
<td>Linda Osley</td>
<td>80 Harbern Way</td>
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<tr>
<td>Jim S.</td>
<td>21 Harbern Way</td>
</tr>
<tr>
<td>Susan M. Jefferson</td>
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<tr>
<td>Marie</td>
<td>100 Harbern Way</td>
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<td>Mary Lee</td>
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Name
13 Marcy Green
14 Mike James
15 William Bowen
16 Matt Elliott
17 Cheryl Miller
18 Jack Lee
19 Candy Wallace
20 Gerardo Alcalo
21 Juanita
22 Helen
23 Susan Hardin
24 Cyndee Calma
25 Bob Calma
26 Jim

Address
160 Harbern Way
61 Harbern Way
61 Harbern Way
20 Harbern Way
160 Harbern Way
40 Harbern Way
131 Harbern Way
81 Harbern Way
81 Harbern Way
141 Harbern Way
161 Harbern Way
161 Harbern Way
101 Harbern Way
06-26-08 Petition regarding Harbern Way Connection to Fairview Corners

There are 18 homes on Harbern Way adjacent to the Gavilan College/Dividend Homes project on Fairview Corners. Connecting Harbern Way to Fairview Corners would increase traffic and change the character of our subdivision. We ask that Harbern Way remain closed to Fairview Corners as long as we are zoned for five acre parcels.

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<tbody>
<tr>
<td>Robert B. Abraman</td>
<td>120 Harbern Way</td>
</tr>
<tr>
<td>William D. Kiel</td>
<td>67 Harbern Way</td>
</tr>
<tr>
<td>Michael D. Kiel</td>
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<tr>
<td>Cyndee Colman</td>
<td>161 Harbern Way</td>
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<tr>
<td>Tina Mejill</td>
<td>140 Harbern Way</td>
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<tr>
<td>Jai Ngyo</td>
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<tr>
<td>Hilk E. Houseman</td>
<td>120 Harbern Way</td>
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<tr>
<td>Susie Harlow</td>
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<tr>
<td>Mark Dickson</td>
<td>60 Harbern Way</td>
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<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>David Bried</td>
<td>60 Harbern Way</td>
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<tr>
<td>James D. Elliott</td>
<td>20 Harbern Way</td>
</tr>
<tr>
<td>Cynthis D. Miller</td>
<td>20 Harbern Way</td>
</tr>
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<td>John J.</td>
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<tr>
<th>Name</th>
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<th>City, Zip</th>
</tr>
</thead>
<tbody>
<tr>
<td>Michael Lee</td>
<td>181 Harbern Way</td>
<td>Hollister, CA 95023</td>
</tr>
<tr>
<td>Mary H. Lee</td>
<td>181 Harbern Way</td>
<td>Hollister, CA 95023</td>
</tr>
<tr>
<td>Rod Coleman</td>
<td>161 Harbern Way</td>
<td>Hollister, CA 95023</td>
</tr>
<tr>
<td>Jamey Cooley</td>
<td>80 Harbern Way</td>
<td>Hollister, CA 95023</td>
</tr>
<tr>
<td>Jamie Cooley</td>
<td>80 Harbern Way</td>
<td>Hollister, CA 95023</td>
</tr>
<tr>
<td>ウィルコット</td>
<td>121 Harbern Way</td>
<td>Hollister, CA 95023</td>
</tr>
<tr>
<td>Valerie K. Bowen</td>
<td>61 Harbern Way</td>
<td>Hollister, CA 95023</td>
</tr>
<tr>
<td>Ray McDonald</td>
<td>180 Harbern Way</td>
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<tr>
<td>Jackie Mendible</td>
<td>180 Harbern Wy.</td>
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<td>Mona P. Hayford</td>
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<td>Brian Kimbrell</td>
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<td>Hollister, 95023</td>
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<tr>
<td>Francesca Whitmire</td>
<td>81 Harbern Way</td>
<td>Hollister, 95023</td>
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<tr>
<td>Dr. Rockley</td>
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<tr>
<td>Carol Rockelle</td>
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<td>J. K.</td>
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