2.0 DESCRIPTION OF THE PROPOSED PROJECT

2.1 OVERVIEW

The Gavilan Joint Community College District (hereafter Gavilan College District) and Fairview Corners, LLC, have entered into a purchase and sale agreement for the proposed 137-acre property. The two entities have worked together to implement a development plan for the San Benito Campus project and the Fairview Corners residential project that will have a relationship related to shared roadways, infrastructure, and open space.

As the public agency acting first on the project in question, the Gavilan College District will act as lead agency under the California Environmental Quality Act (CEQA), preparing an Environmental Impact Report (EIR) for the proposed Gavilan San Benito Campus project (CEQA Section 15051(c)). The EIR will be used by the Gavilan College District in considering whether or not to purchase the property and approve the proposed project. If approved, the Gavilan College District will purchase 80 acres from Fairview Corners, LLC. If the college campus project is approved by the College Board of Trustees, the EIR will then be used by the Gavilan College District (as school operator) in conjunction with various approvals and permits required to implement and establish a new educational center. The college will be considered an Educational Center until the Gavilan College District receives state funding for construction of full campus buildout. The Gavilan College District is not eligible for state funding until the student enrollment reaches at least 1,000 FTES². This EIR provides environmental review for full campus buildout.

At this time the following approvals are anticipated to be required: Gavilan College District Board Approval; Board of Governors of California Community Colleges State Board Approval.

The Gavilan College District has no approval authority for the proposed single-family residential project as described below.

Fairview Corners LLC proposes single-family residential project on the remaining 57 acres that is the subject of a separate application with the San Benito County.

The San Benito County will act as a CEQA Lead Agency and use this EIR for its discretionary actions to consider approval of the single-family residential project (CEQA Section 15096). The County will consider whether to approve or deny the Fairview Corners residential project.

This EIR will provide environmental review for both the proposed Gavilan San Benito Campus project and for the Fairview Corners single-family housing development project. The EIR addresses both projects on this 137-acre property because they have been planned concurrently and have a relationship of shared roadways, infrastructure, and open space. This EIR addresses both the individual effect of each project as well as the combined effect of developing the 137-acre property.

² Full-time equivalent is used for comparative purposes between part-time and full-time students, often related to funding or making comparisons about the size of institutions.
2.2 PROJECT BACKGROUND – GAVILAN COLLEGE DISTRICT PROCESS

The Gavilan College District has been engaged in a search for property in the City of Hollister and San Benito County areas since 2004, when the need for a San Benito campus was first identified as part of the voter approved facilities improvement bond approved under provisions of Proposition 39. Gavilan has experienced two years (2006-2007) of unprecedented growth, 13 percent in 2006 followed by 11 percent in 2007. With the recent enrollment growth, the facilities at the Gavilan College, Gilroy campus, are at capacity. The Hollister and San Benito County population has been growing, and is expected to continue growing. Consequently, Gavilan has determined that a new, full-service campus is needed in the Hollister area of San Benito County to properly serve the long-term educational needs of this area. After evaluating population and enrollment projections for the area, Gavilan has established a desired student count of 3,500 full-time equivalent students (FTES) for the San Benito campus.

Gavilan College District contracted with Public Private Ventures, Inc., to assist them in finding and evaluating potential campus sites and development opportunities. The criteria utilized to evaluate potential sites for a San Benito County campus are summarized as follows:

• **Willing Owners with Sufficient Land for Campus**
  Gavilan publicly announced its intentions to acquire land in San Benito County in public meetings related to the Vision San Benito planning process. Gavilan’s purpose was to seek out parties interested in a transaction with Gavilan. Land holdings under single ownership were favored to avoid the complexity of negotiations and transactions with multiple property owners. No transactions were considered on properties owned by parties not interested in selling land.

• **Size and Configuration**
  Gavilan was seeking approximately 80 acres of developable land in order to comply with State of California standards for a comprehensive community college campus. Gavilan is planning a campus to serve community needs for 20-50 years, so they desire a complete campus with all of the educational and sports and recreational functions expected in a full campus. A small satellite campus would not meet the expected need. Gavilan favored sites with a compact (“square-like”) configuration, since this generally provides for a more efficient campus layout.

• **Distance from Gilroy Campus**
  The Chancellor’s Office of the State of California Community College system requires a reasonable distance between community college campuses. While this distance is variable depending on population densities, traffic, road conditions, etc., Gavilan favored sites at least 10 miles away from its existing Gilroy campus.

• **Access**
  Gavilan was seeking sites located on or near major arterial roads that would provide reasonable access to Hollister and other San Benito County residents. Sites that would offer good circulation and minimize traffic impacts on local communities were favored by Gavilan.

• **Infrastructure**
  Sites offering reasonable connections to available wet and dry utilities were favored by Gavilan, in order to minimize construction costs.
• **Developability**
  Gavilan was seeking sites that could be reasonably and cost-effectively developed, and could result in an efficient campus. Sites with topographic and other constraints that would make development more complex and costly were avoided.

• **Economic Feasibility**
  A budget of $12 million for new facilities in San Benito County was established in the approved Gavilan bond measure. This amount would need to cover the cost of land acquisition, required infrastructure improvements, mitigation, and initial phase of educational facilities. Gavilan was looking for sites that would work within these budget parameters.

• **Avoidance of Hazards**
  Proposed campus sites need to be approved by the State of California. Consequently, the avoidance of hazards was an important consideration in site selection. The hazards of greatest concern were earthquake faults, floodplains, airport hazards, and high voltage power lines. Either these issues would need to be avoided, or a determination would need to be made that reasonable mitigation is feasible.

### 2.2.1 Initial Sites Considered

Sixteen sites were originally evaluated for campus development suitability. Twelve of the sites were evaluated and deemed unsuitable due to land cost, access and/or site configuration, airport issues, agricultural easements, topography, lack of utilities, proximity to the Gilroy campus, and other environmental factors. A figure showing the locations of the initial sites and a matrix describing the evaluation criteria of the sites are shown on the following pages.

### 2.2.2 Site Selection and Evaluation

After the initial review, four sites (locations shown on Figure 4) remained under consideration:

- Citation – Site #10, APN No. 019-210-014
- Stolich – Site #12, APN No. 025-090-004
- Airline Hwy. (Fairview) – Site #15, APN No. 025-190-046,49
- Southside – Site #14, APN No. 020-280-041,43

The feasibility of developing a Gavilan campus on each of the four remaining sites was examined in greater detail in a Site Selection and Feasibility Report prepared by Stantec Consulting, Inc.³

The site selection analysis was based on the California Department of Education’s evaluation and selection procedures for educational institutions. The methodology is based on the following 12 criteria, which are listed in the general order of importance:

- Safety
- Location
- Environment
- Soils

³ A copy of the Stantec Consulting, Inc., Site Selection and Feasibility Report is attached in Appendix I of this EIR.
INITIAL SITES CONSIDERED BY GAVILAN COLLEGE DISTRICT

FIGURE 4

LEGEND

Site No.  Parcel Numbers:
1  014-060-002,3,4,5,8,9
2  014-120-055,57
3  014-090-050 (portion)
4  017-090-009
5  017-100-009,46,47
6  018-040-005
7  019-120-011,13
    019-110-001
8  019-130-021,24
    053-370-002
9  019-210-007,8,9
10  019-210-014
11  019-210-002,4,6,10,12,13
12  025-090-004
13  021-040-017,18
14  020-280-041,43
15  025-190-046,49
16  025-190-019

= SITES EVALUATED FURTHER IN STANTEC SITE SELECTION AND FEASIBILITY REPORT
<table>
<thead>
<tr>
<th>SITE NO.¹</th>
<th>ASSESSORS PARCEL NUMBER(S)</th>
<th>CONSIDERATION FACTORS²</th>
</tr>
</thead>
</table>

Note: ¹ Site No. correspond to numbers shown on Figure 4.
² Legend:  X = appears acceptable  
            --- = appears problematic
The above categories provide a basis for site selection that comply with Education Code Section 17521 and the California Code of Regulations (CCR). Title 5, Sections 14001 through 14012, outline the powers and duties of the Department regarding school/campus sites and the construction of school buildings. Districts seeking state funding must comply with the Education Code and Title 5 sections above. Site approval from the Gavilan College District must be granted before the State Allocation Board will apportion funds.

The California Department of Education has developed a series of worksheets that facilitate the selection process. Each of the 12 evaluation criteria has a series of questions that are used to determine the effect of the campus on the proposed location, as well as the effects of the location on the campus. The responses to the questions develop a score for each of the 12 evaluation criterion. A multiplier is used to weigh the results of each evaluation criterion. For example, safety is viewed as more important than cost; so the safety score is multiplied by four (4) in its rating, as compared to the cost score, which is multiplied by one (1). The total score is then used to rank the potential campus sites against one another to determine which site is deemed most feasible for development.

The site evaluation process and findings are described in detail in the Stantec Consulting, Inc., Site Selection and Feasibility Report, on file at Gavilan, and included in Appendix I. The constraints and issues related to each of the four sites are summarized in the table below. The four sites were rated as follows:

<table>
<thead>
<tr>
<th>Rating Factor</th>
<th>Possible Points</th>
<th>Stolich</th>
<th>Airline Hwy.</th>
<th>Southside</th>
</tr>
</thead>
<tbody>
<tr>
<td>Safety</td>
<td>20</td>
<td>8</td>
<td>16</td>
<td>20</td>
</tr>
<tr>
<td>Location</td>
<td>15</td>
<td>9</td>
<td>3</td>
<td>15</td>
</tr>
<tr>
<td>Environment</td>
<td>10</td>
<td>6</td>
<td>6</td>
<td>10</td>
</tr>
<tr>
<td>Soils</td>
<td>10</td>
<td>8</td>
<td>10</td>
<td>8</td>
</tr>
<tr>
<td>Topography</td>
<td>10</td>
<td>10</td>
<td>10</td>
<td>8</td>
</tr>
<tr>
<td>Size &amp; Shape</td>
<td>10</td>
<td>8</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>Accessibility</td>
<td>10</td>
<td>6</td>
<td>2</td>
<td>8</td>
</tr>
<tr>
<td>Public Services</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Utilities</td>
<td>3</td>
<td>2</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>Cost</td>
<td>3</td>
<td>2</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Availability</td>
<td>3</td>
<td>3</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Public Acceptance</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td><strong>Total Points</strong></td>
<td><strong>100</strong></td>
<td><strong>68</strong></td>
<td><strong>70</strong></td>
<td><strong>93</strong></td>
</tr>
</tbody>
</table>
Upon completion of the California Department of Education site selection process, Stantec Consulting, Inc. recommended the Airline Highway (Fairview) site for the proposed Gavilan campus, based upon its ranking relative the other sites under consideration. The Airline Highway site received a 93 out of 100 possible points in the Department of Education site selection process. For this reason, the Airline Highway site is viewed as the most viable development option for a Gavilan San Benito Campus.

2.2.3 Campus Planning Process

Most of the properties under consideration were larger than the 80 acres that were needed for a campus. In order to ensure that the remainder property was developable and would be developed in a manner that was compatible with the proposed campus, Gavilan began contemplating a joint planning process with a residential developer for the remainder property. This concept had the potential benefit of sharing infrastructure costs, as well as planning a cohesive property that maximized open space and other amenities.

After selecting a potential campus site, Steinberg Associates assisted the Gavilan College District and the San Benito County community in a process to discuss the desirable attributes of a community college campus in Hollister and collectively define the goals of the project. A series of public meetings were held to elicit public comment, which are summarized below. This process culminated in the preparation and review of a conceptual Plan for the overall site development. A copy of the Steinberg Associates’ Gavilan Campus Conceptual Master Plan Definition Process is attached in Appendix I.

The first community meeting was held September 20, 2007 at the Veterans Memorial Building, in Hollister, and was attended by approximately 80 people. San Benito Campus Community Goal setting comments were obtained in six (6) areas:

- Programmatic Function: the desirable attributes supported by the new campus in relation to the types of programs on campus
- Campus Experience: the desirable experiences upon coming to the campus or being on the campus
- Site Amenities: the desirable elements that make up the campus or are physically present on the campus
- Community Use: the desirable interface with the community and potential, shared facilities
- Transportation: the desirable accommodation of all forms of transportation
- Faculty: the desirable attributes that attract and maintain quality faculty.

Community support for the alternative locations, including the Downtown and Airport locations, was discussed at the first community meeting. These locations received limited support compared to the selected proposed location. The first community meeting also focused on the programs and use of the campus, so many of the goals and priorities discussed do not directly relate to environmental issues. Participants at the meeting were invited to rank their comments in order of preference. One of the high ranked priorities was a desire to develop a campus with a high level of sustainable features, operations, even coursework. Other relevant goals include a desire to have the campus accessible by non-vehicle modes; many points of access to spread out traffic and parking; on-campus faculty housing; place for community arts and cultural events; sport facilities for use by community such as aquatic center, track, and walking paths; and on-site retail. The development concerns raised by the participants included traffic as their top concern, followed by concerns about police and fire
Section 2  Description of the Proposed Project

The second community meeting was held November 1, 2007 at Calaveras Elementary School, Hollister. This meeting was a goal review and campus planning workshop attended by approximately 60 persons. Participants were divided into six groups and were provided with large empty site maps and programmatic building blocks (paper representing campus functions). Groups were challenged with developing a campus concept. The allocation of approximately 50 acres of the site developed with residential uses was to be included somewhere on the plan. After each group presented their plan, the attendees were again asked to rank the ideas and the outcome of the ranking was shared and confirmed with the group.

The site planning priorities raised by participants at the November 1, 2007 meeting included: desire for tree buffers and a park-like setting; loop road with lots of parking spread throughout; athletic facilities grouped and available to community; theater; community-type resources (library, student union, performing arts center) near entrance; and residential in northern portion of the site.

Steinberg Architects prepared three (3) concepts that incorporated the priorities of the community, as well as considering constraints of the site and other influencing factors, including property setbacks, County planning and future development, traffic requirements, adjacent residential planning, site topography, seismic fault traces, future campus construction phasing, required building adjacencies, and others.

The initial concepts were shared at the December 11, 2007, Gavilan College District Board of Trustees meeting, which was attended by approximately 30 members of the public. The three concept plans documented the established consensus on possible site layouts, prepared during the November 1, 2007 community meeting, and comments and feedback received at the December meeting help to further guide the further development of the options. The Board of Trustees received an information report on the preferences of community members who participated in the November 1, 2007 community meeting.

On January 31, 2008, a third community meeting was held at the Veterans Memorial Building, Hollister. Approximately 50 persons attended this meeting where final draft options were presented to the community. These options indentified buildings and programmatic uses, new roads, playfields, future campus housing and retail opportunities, and green (open) space, as well as the location of the adjacent residential development and the desired interface between the residential neighborhood and the campus. Additional comments were documented and the proposed concept plan (Option 2) was determined to best meet the desired development of a San Benito community college campus. The Board of Trustees accepted Option 2 as the conceptual site plan.

Subsequently, the plan was shaped and defined with the visual axis, building locations and orientations, size and location of open spaces, pedestrian pathways, traffic access and parking, and landscaping.

This EIR evaluates the environmental effects of development of the Gavilan College, San Benito Campus, Conceptual Master Plan Option 2.
2.3  PROJECT DESCRIPTION

As mentioned previously the proposed property is located in an unincorporated area of San Benito County, southeast of the City of Hollister. A land use plan displays the project location on Figure 5.

The Gavilan College San Benito Campus and Fairview Corners projects consist of two main components; a community college campus on approximately 80 acres on the south side of the site and approximately 57 acres on the north side of the site. An illustrative site plan of the campus and residential developments is shown on Figure 6.

2.3.1  Gavilan San Benito Campus

As mentioned above, the San Benito Campus is proposed on an 80-acre site located adjacent to the northeast corner of Fairview Road and Airline Highway in unincorporated San Benito County. At full campus build-out, the college is anticipated to serve 3,500 full-time equivalent students (FTES). The campus would have approximately 200 full-time equivalent employees including faculty and staff when completely developed and during periods of maximum use.

2.3.1.1  Campus Buildings

The main campus buildings will be centrally located within the project site (refer to Figure 6). These buildings will be one- and two-story structures consisting of classrooms, laboratories, offices, and student union/services. Outside of the main campus buildings and on the other side of one of the campus’s internal roadways will be the administration building, theatre, and library (refer to Figure 6). South of the main campus buildings will be the gymnasium including locker rooms, and fitness and weight rooms. On-campus housing and supporting retail will be located south of the main entrance road to the project site. There will be a maximum of 70 multi-family housing units available primarily to college campus staff and students. Approximately 35,000 square feet of supporting retail uses 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.

2.3.1.2  On-Campus Housing and Supporting Retail

As mentioned above, the campus includes 70 multi-family housing units and 35,000 square feet of retail is planned on the ground floor of the housing and retail buildings. The retail is anticipated to be campus supporting. It is currently unknown if the housing will be apartments or condominiums (for lease or for sale). The units will range from affordable to market rate. It is possible that Gavilan College District and Fairview Corners LLC could develop a contractual arrangement to provide affordable housing on the campus site. At this time is it undetermined if the housing units will be available to only students, faculty, or non-students/faculty or a mixture of all options.

In the event the on-campus housing is developed as non-campus related housing (i.e., student or faculty housing), the residential would be subject to development review and approval by San Benito County, including any necessary land use designation changes and/or use permits.

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4 Full-time equivalent is used for comparative purposes between part-time and full-time students, often related to funding or making comparisons about the size of institutions.
2.3.1.3 **Campus Athletic Facilities and Open Space**

The athletic facilities are proposed at the southeast corner of the campus (refer to Figure 6). A soccer field, softball field, baseball field, combined track and football field, and swimming pool are proposed, as shown on Figure 6. The combined track/football field would include spectator bleachers located on each side and stadium lighting. The stadium seating will be planned for approximately 2,000 to 3,000 seats. The baseball field is also proposed to be lighted for night games. All of the fields would be depressed (excavated) down into “bowls.” The sunken fields will minimize noise and lighting overflow to the adjacent properties. All parking lot and stadium light fixtures will be located and shielded, to minimize overflow to adjacent properties. The illumination of all outdoor recreational facilities will conform to the shielding standards of the San Benito County Dark Sky Ordinance for Zone II areas. In addition, all lighted events will not be illuminated after 11:00 p.m., except to conclude a scheduled recreational or sporting event in progress prior to 11:00 p.m.

The campus will include fencing around the maintenance area and athletic fields for security and to prevent errant balls from reaching Airline highway and adjacent properties. Fencing around maintenance area would be approximately eight feet high concrete block with textured face. Fencing around athletic facilities will be eight to ten feet high wire fabric with steel post columns. Trees will also be planted between the athletic fields and Airline highway.

The maintenance area will be located on the east side of the campus, west of the parking lot and north of the athletic fields. Fencing around maintenance area would be approximately eight feet high concrete block with textured face.

Open space areas are proposed north of the main campus, south of the main access road though the campus. Open space areas are also located along the Airline Highway frontage of the site.

2.3.1.4 **Campus Access and Parking**

The primary access to the college campus will be off of Fairview Road, opposite Cielo Vista Drive. Cielo Vista Drive will be extended onto the project site. As a first phase of development, the project proposes to signalize and complete construction of the intersection of Cielo Vista Drive and Fairview Road. The fully signalized intersection will include construction of the east leg, addition of a northbound shared through/right-turn lane, addition of a southbound left-turn lane, and restriping of the eastbound right-turn lane to provide a shared through/right-turn lane. At full-buildout, from the easterly extension of Cielo Vista, two dead-end roadways will provide vehicular access to two areas of the college campus. One will provide access to the on-campus housing and retail area and all main campus buildings and parking. The second roadway will provide vehicular access to the athletic facilities including the gymnasium, athletic fields, and parking. An emergency vehicle access (EVA) roadway will be provided off of Airline Highway to the southeast corner of the college campus. The roadway will be gated to only allow emergency personnel access.\(^5\) No street connection to the east is proposed by the projects.

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\(^5\) In the event secondary public access from Airline Highway is desired in the future and allowed by Caltrans, the traffic impacts of the secondary access have been evaluated in this EIR traffic study. The results of the study indicate that provision of a secondary access at the southeast corner of the site would not result in any additional traffic impacts or impacts of substantially greater severity than those of the proposed single access. The traffic study is included in Appendix A of this document.
Surface parking lots will be provided adjacent to the on-campus housing and retail and the administration building. There will be 372 parking spaces provided in this area. The second parking area consisting of 549 parking spaces will be located near the athletic facilities.

2.3.2 Single-Family Residential Project

As mentioned above, the single-family residential development is proposed on approximately 57 acres on the north side of the 137-acre property. There are 214-220 housing units, open space, and a street network proposed on the 57 acres. A Preliminary Allocation Application and General Plan Amendment and a Zone Change Application has been submitted to San Benito County.

2.3.2.1 Residential General Plan Amendment and Zone Change

The existing San Benito County General Plan designation of the residential area of the project site is Rural, which allows five-acre minimum lot sizes.

The proposed project site is also located within an Interim Area of Special Study created by the San Benito County Board of Supervisors with the adoption of Resolution 89-92. After the adoption of the resolution, the property owners within the overall Interim Area of Special Study prepared the 1990 East Fairview Specific Plan to guide the development within the Interim Area of Special Study.

The Area of Special Study applies to areas of the County where a combination of the following criteria apply:
1) More concentrated development than is presently allowed may be desirable provided a comprehensive plan for public services and resource conservation is integrated in order of priority into a specific plan, community plan, or area plan.
2) As a result of prior, piecemeal subdivisions, a plan for integrated development and coordination of governmental services and/or community facilities is desirable.
3) The County has identified the area as a potential area for commercial, industrial, and/or residential development.

There are three main components of the Interim Area of Special Study; the Northeast Fairview Specific Plan area; the Central Study Area, and the Fairview Corners Specific Plan area. In the early 1990s, review of the East Fairview Specific Plan was stopped as several property owners within the Central Study Area were required to reconsider their participation in the project. In 1993, the owners of the Northeast Fairview Area, encompassing about 290 acres at the north end of the Interim Area of Special Study, requested and received approval from San Benito County planning staff to proceed with processing a specific plan for their portion of the original Interim Area of Special Study. The County is currently processing an application for this area, now referred to as the Santana Ranch Specific Plan.

In 1995, the Fairview Corners property owners also requested and received affirmation from the Board of Supervisors to continue developing and processing a specific plan for the 137-acre Fairview Corners site, (proposed project site). Following the direction of the Board and consistent with the certified 1998 General Plan, the applicants developed and submitted the 1999 Draft Fairview Corners Specific Plan for the development of 624 residential units, commercial uses and a middle school. With input from County staff and officials, the project has evolved into the proposed Fairview Corners/Gavilan San Benito Campus project.
Section 2 Description of the Proposed Project

The single-family residential project proposes an amendment to the San Benito County General Plan that would allow a higher density of residential development on the project site. The project proposes to change the General Plan designation on the 57-acre residential site from Rural (five acre minimum lot size) to Rural/Urban which allows up to eight twenty dwelling units per acre.

The proposed zoning change is from Rural to R-1 Single-Family Residential, with a Planned Development (PUD) overlay.

2.3.2.2 Residential Lot Square Footage

There are six different lot sizes proposed for the 220214 single-family residential units (refer to Draft Lotting Plan, Figure 7). The lot sizes range from 4,000 to 15,000 square feet, with most of the lot sizes ranging between 6,000 and 7,000 square feet (85 lots). The largest lots are proposed along the eastern and northern property lines to conform to the existing rural residential development and the smallest lots are the closest to the intersection of Fairview Road and Cielo Vista extension (across the street from the proposed on-campus housing). The single-family houses will be detached one- and two-story structures. The one-story houses will represent approximately ten percent of the total 220214 units and will be designated for the larger lot sizes.

2.3.2.3 Residential Open Space

Roadway and fault zone setbacks and pocket open space areas will provide passive recreation areas throughout the residential area (refer to Figure 8). An open space buffer will surround the 57-acre residential area on the west and north property boundary. The open space buffer on the north edge of the site will connect with the fault zone setback area. The largest open space area will be the fault zone setback area that runs in a north-south direction along the eastern side of the project site (refer to Figure 6 and Section 3.6 Geology and Soils).

2.3.2.4 Residential Access

The primary access to the residential development will be off of Fairview Road, opposite Cielo Vista Drive. Cielo Vista Drive will be extended onto the project site. A closed-loop roadway network with three access points along the Cielo Vista Drive extension will provide vehicular access to the residential development. No street connection to the north or east is proposed by the project although the plan does allow for two future connections to the north. One possible connection is located in the middle of the northern property boundary and the second is located in the fault-zone buffer area. If and when development to the north occurs, the roadway will allow for an extension through the two open spaces areas. Sidewalks are proposed along both sides of all new roadways throughout the development. Class II bike lanes are proposed on both sides of the extension of Cielo Vista Drive.

2.3.3 Frontage Improvements and Street Improvements

The projects propose to provide street improvements to Fairview Road along the project frontage. This will include dedicating the necessary right-of-way along the Fairview Road frontage to allow for the future construction of a four-lane roadway. The projects will construct two 12-foot lanes, six-foot bicycle lane, six-foot shoulder, 12-foot landscaped strip and sidewalk, and five-shoulder on the project side (east side) of Fairview Road (refer to Figure 8A). The projects include the signalization and build out of the intersection of Cielo Vista Drive and Fairview Road as a first phase of
SINGLE-FAMILY RESIDENTIAL LOTTING PROGRAM

FIGURE 7 (REVISED)

Source: EMC Planning Group Inc.

Future Gavilan
San Benito Campus

LEGEND:

- 7 Lots: 12,000 to 15,000 sf
- 23 Lots: 10,000 to 12,000 sf
- 16 Lots: 8,000 to 10,000 sf
- 46 Lots: 7,000 to 8,000 sf
- 85 Lots: 6,000 to 7,000 sf
- 37 Lots: 5,000 to 6,000 sf

214 Lots Total

Open Space

Source: EMC Planning Group Inc.
FAIRVIEW ROAD EXISTING AND PROPOSED CROSS-SECTIONS

EXISTING

PROPOSED

Source: Kier & Wright.
development. The intersection would be fully signalized, the east leg would be built, a northbound shared through/right-turn lane would be added, a southbound left-turn lane would be added, and the eastbound right-turn lane would be restriped to provide a shared through/right-turn lane.

The projects also propose to signalize the intersection of Airline Highway and Fairview Road. The traffic signal at Highway 25/Fairview Road is on a State Highway; therefore, the project sponsor(s) shall work with the County and Caltrans to initiate the approval process as an element of the first phase of development. This work may be the subject of a memorandum of understanding or development agreement entered into between Gavilan, Fairview Corners, and San Benito County for the overall project infrastructure development. Installation of the traffic signal at this location would be needed to support later stages of the proposed development. Actual timing of the need for the signal would depend on the extent of other cumulative development in the area, and ultimately would be a Caltrans decision.

The internal street (extension of Cielo Vista Drive) would be a four-lane roadway with sidewalks, Class II bike lanes, and landscaping strip on both sides of the roadway (refer to Figure 8B). All internal residential streets would be two-lane roads with parking, sidewalks, and landscape strips on both sides of the street (refer to Figure 8B). In addition, the Cielo Vista Drive extension has been sized to allow for a transit stop.

2.3.3 Grading and Drainage

The existing on-site elevations range from 470 to 540 feet. The 137-acre property has three knolls within the northern and eastern areas and then gently slopes down to the south. The proposed finished grades on-site will range from 465 feet to 520 feet in elevation. As shown on the grading plan (Figure 9), a low berm would surround the main campus buildings and the athletic fields would be sunken down into “bowls”. The sunken fields will minimize noise and lighting overflow to the adjacent properties. Retaining walls (less than five feet of retained fill) will be constructed on the edge conditions of the eastern and northern property boundaries, which will minimize any significant amount of fill or cut along the property boundaries.

The entire 137-acre property will be graded to drain and discharge to the San Benito River Tributary. Based upon the unique conditions on the project site including low permeability soils and mostly pervious watershed, detention in any form is discouraged. Best management practices that enhance water quality but do not delay discharges are more appropriate for this site. Therefore, Vortex separators and possibly swales will be required to allow flows to leave the site quickly before the peak discharge of the tributary arrives at the site, guarding downstream from negative flooding and erosion impacts. As the final design for the project is completed, the specific details will be developed to allow flows to discharge quickly. This may be done by connecting impervious surfaces and shortening travel lengths of onsite storm drains wherever possible. Refer to Section 3.7 Hydrology, Drainage, and Water Quality for a detailed discussion of the proposed drainage plan.

The proposed grading plan has been designed to create approximately 450,000 cubic yards of soil that could be exported from the 137-acre property to Gavilan College District’s other planned campus facility in Coyote Valley. In the event this exported soil will not be needed for the Gavilan College District Coyote Campus, the grading plan can be adjusted to balance earthwork on both properties without the need for significant export will be balanced out on the property.

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6 An EIR was prepared for the Gavilan Coyote Campus Project; the Gavilan College District certified the Final EIR and approved the project in September 2008. is currently preparing the Final EIR.
TYPICAL ARTERIAL

TYPICAL RESIDENTIAL

Source: Kier & Wright.
With no export of soil, the grading will appear very similar to the shown plan (Figure 9), except it will be approximately two feet higher in elevation throughout the property.

Based upon the proposed grading plan (Figure 9), the single-family residential project will require significant cuts to level out the existing terrain, while the college campus will require fills in order to elevate the main campus buildings and parking lots in addition to generating the college’s potential export of 450,000 cubic yards to another site. Therefore, both projects will mutually benefit from each other’s need for export and import of soil by implementing this joint grading concept. Should either project grade in phases rather than a single mass grading approach, the import or export needs of each phase could be completed on-site with stockpiles or cuts from future phase areas of the project sites without the need to import from off-site sources or export to off-site locations.

During grading, the topsoil will be stockpiled and then sub-grade soils will be removed for the possible export of soil. In accordance with County standard conditions, any stockpiled soil will be covered to prevent erosion and reapplied as a surface layer to be re-vegetated.

2.3.45 Infrastructure

2.3.45.1 Water Service

The project site is located within the Sunnyslope County Water District’s (SSCWD) Sphere of Influence and Service Area boundaries for water and recycled water. Water service in the project area is provided by SSCWD. Since the site is already within Sunnyslope County Water District designated service area, a Local Agency Formation Commission (LAFCO) Service Area adjustment is not required for project development on the project site. The Sunnyslope County Water District has prepared and the Board has adopted a Water Supply Assessment that indicates that the District is able to supply water for the project with no adverse effects (refer to Appendix H). Recycled water is not available at this time, but the project includes provisions (installation of purple piping on-site) for use of recycled water on landscaping and athletic fields in the future.

2.3.45.2 Wastewater Service

Currently, there are no formal spheres of influence or service area boundaries for wastewater treatment in the project area. Future plans indicate that the City of Hollister would provide wastewater treatment service to the project site. There are two possible options for a connection to the existing City of Hollister wastewater system (refer to Figure 9A).

Option 1 would construct a new eight-inch sewer main across Fairview Road and connect to the existing system at the intersection of Fairview Road and Cielo Vista Drive. This connection would discharge the proposed projects’ sewage through the existing eight-inch main to the western end of the Cielo Vista subdivision. From here a new 10 to 15 inch system would be constructed to connect to the existing sewer system within Enterprise Road. This main would contain sufficient capacity to serve the proposed projects, the existing Cielo Vista subdivision, and future development of the 53 acre parcel (at the northeast corner of Airline Highway and Enterprise Road).

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7 Johnson, Judi H., San Benito County LAFCO Executive Director, personal conversation, April 7, 2008 and October 31, 2008.
8 Girouard, Kenneth, Sunnyslope Water District, personal conversation, April 8, 2008.
OPTION #1
This option would construct a new 8" sewer main across Fairview Road and connect to the existing system at the intersection of Fairview Road and Cielo Vista Drive (a). This connection would discharge the proposed projects' sewage through the existing 8" main to the western end of the Cielo Vista Development (b).

From here a new 10"-15" system would be constructed to connect to the existing sewer system within Enterprise Road. This main would contain sufficient capacity to serve the proposed projects, the Cielo Vista Development and future development of the 53 acre parcel (c).

OPTION #2
This option would construct a new 8" sewer main within Fairview Road running South to Airline Highway, which would be solely for the proposed projects (d).

From here, a 12"-16" main would be constructed within Airline Highway to Enterprise Road (within the embankment) to serve future developments as well as the proposed projects (e).

An 8" main would then be constructed within Enterprise road solely for the proposed projects, connecting to the existing sewer system within Enterprise Road at the same point as Option #1(f).

*Alignments shown are conceptual in nature. Other alignments may be feasible pending future development proposals and existing conditions currently unknown.
Option 2 would construct an eight-inch sewer main within Fairview Road running south to Airline Highway, which would be solely for the proposed projects. From here, a 12 to 16 inch main would be constructed within Airline Highway to Enterprise Road (within the embankment) to serve future developments as well as the proposed projects. An eight-inch main would then be constructed within Enterprise road solely for the proposed projects, connecting to the existing sewer system within Enterprise Road at the same point as option 1. The proposed project would connect to the existing City of Hollister sanitary sewer system, with wastewater pipes installed from the site approximately one-half mile west along Airline Highway and then north along Enterprise Road to the manhole at the corner of Enterprise Road and Glenview Drive, where it will connect to the existing wastewater line.

Based upon a preliminary design analysis, it is not anticipated that a pump station will be required to serve the site with either options. At the time of initial development of either the college campus or the residential site, a sewer analysis will be prepared to further evaluate these two options. This analysis will include both land, easement and construction issues as factors resulting in the most feasible sewer solution. Upon reviewing this analysis, the City of Hollister will make a recommendation on which option the projects should pursue.

2.3.56 Phasing of Project Components

2.3.56.1 Gavilan San Benito Campus

The Gavilan college campus is estimated to be constructed in two phases. Phase I will occur as soon as all approvals and mitigation requirements are completed. The college is considered an Educational Center until the Gavilan College District receives state funding for construction of full campus buildout (Phase 2). The Gavilan College District is not eligible for state funding until the student enrollment reaches at least 1,000 FTES. Phase I will be located along the extension of Cielo Vista Drive. The buildings will be constructed and expanded as the campus student population increases. The total building area required to support the Phase 1 Education Center is estimated at 50,000 square feet.

The full campus buildout is anticipated to occur in 2035. Gavilan College District assumes the core campus buildings would construct increments of 50,000 gross square feet each five years. The retail and housing uses could proceed on a separate timeline, based on demand and economic feasibility. Gavilan College District assumes that the retail and housing uses would be constructed five to ten years after the start of Phase 2 construction. The athletic and recreational facilities could also proceed on an independent timeline, based on the availability of funding.

2.3.56.2 Single-Family Residential

The single-family residential component will likely be developed over approximately 10 years within five phases. Each phase is estimated to take approximately two years. As shown in Figure 10, approximately 30 to 50 houses will be constructed in each phase. The residential development could begin construction as soon as 18 months after receiving necessary approvals and completion of mitigation requirements, thus full buildout anticipated in 2020.
Future Gavilan
San Benito Campus

LEGEND:

- Yellow: Phase 1 (44 Lots)
- Blue: Phase 2 (45 Lots)
- Red: Phase 3 (45 Lots)
- Green: Phase 4 (50 Lots)
- Pink: Phase 5 (30 Lots)

Source: EMC Planning Group Inc.

RESIDENTIAL PHASING PLAN

FIGURE 10 (REVISED)
2.4 PROJECT OBJECTIVES

The primary objective of the Gavilan San Benito Campus project is to develop a 3,500 (full-time equivalent) student campus in San Benito County to serve the existing and future needs of the District’s population. Gavilan Joint Community College District has experienced two years (2006 – 2007) of unprecedented growth, 13 percent in 2006 followed by 11 percent in 2007. With the recent enrollment growth, the facilities at Gavilan College are at capacity.

San Benito Campus and Fairview Corners Combined Objectives:

- Create a high-quality and functionally integrated environment.
- Coordinate land use and infrastructure planning to support the combined proposed project development.
- Provide a complementary mix of public, commercial/retail and residential uses.
- Create a pedestrian-oriented project with an emphasis on an open space network of landscaped streets, sidewalks, and public space for the surrounding community.
- Ensure that infrastructure capacity meets the requirements of the combined projects.
- Promote an environmentally sustainable community that supports quality of life through energy conservation.
- Establish a coordinated and efficient streetscape and urban design plan that integrates the proposed land uses.
- Achieve the successful integration of the college campus and residential community.
- Implement Sustainable Development construction practices to the maximum extent possible without increasing baseline construction costs.
- Implement Sustainable Design Principles to promote regeneration of the natural environment, minimizing impact on its resources while affording sound economical development to the greatest extent possible.

San Benito Campus Objectives:

- Develop a 3,500-student (full-time equivalent) campus in San Benito County to serve the existing and future needs of the Gavilan College District’s population.
- Establish a campus within the southern sector of the Gavilan College District to better serve both existing and future students and the long-term educational needs of the area.
- Reduce the travel distances and times, and associated traffic, fuel consumption and air pollution emissions from students commuting to outlying college campuses.
- Provide reasonable access to Hollister and other San Benito County residents and minimize traffic impacts on local communities by locating near major arterial roads.
- Utilize architectural design, lighting, signage, and landscape materials to give the project a distinctive and pleasing appearance.
- Establish clearly defined sense of arrival through the establishment of appropriate signage entry features, landscape, and hardscape.
- Provide for an efficient campus layout with sufficient land to comply with State of California standards for a comprehensive community college campus.
- Provide for enhanced pedestrian mobility within the campus and enhance opportunities for public transit access and utilization.
- Provide for access or close proximity to available utilities and infrastructure improvements.
• Avoid hazards such as earthquake faults, floodplains and airport hazards and mitigate as necessary to ensure the health, safety, and welfare of students.
• Provide convenient recreational opportunities through the provision of pedestrian connections to athletic fields and open space areas.
• Provide opportunity for housing and retail uses that support the campus environment.
• Provide affordable housing opportunities that meet the needs of faculty and students.

**Fairview Corners Objectives:**

• Create a mutually supportive relationship between the residential community and the adjacent college campus that integrates connections and facilitates shared infrastructure.
• Obtain approval for development of up to 220 dwelling units.
• Provide for housing opportunities in close proximity to employment opportunities, public transportation, public facilities, and goods and services.
• Provide a range and mix of lot and building sizes to meet the needs of a variety of households.
• Provide a transition of lot sizes, placing larger lots adjacent to existing residential uses and smaller lot sizes adjacent to the college campus.
• Provide affordable housing and open space opportunities for the college campus.
• Minimize the noise and speed of traffic to ensure the safety of residents through the design of cul-de-sacs and curvilinear streets.
• Provide for housing opportunities in close proximity to existing utilities and infrastructure improvements.
• Create a high-quality vibrant residential community that is visually attractive and compatible with the surrounding area, including the adjacent Cielo Vista subdivision.
• Provide convenient pedestrian connections and recreational opportunities through the provision of pocket parks and open space areas.

### 2.5 USES OF THE EIR

The information contained in this EIR will be used by the Gavilan College District (the CEQA Lead Agency) to consider whether or not to approve the proposed college campus project. If the project is approved, the EIR will then be used by the Gavilan College District (as school operator) in conjunction with various approvals and permits required to implement and establish a new college center. The anticipated discretionary actions for the college campus project include, but may not be limited to the following:

Gavilan Joint Community College District Board of Trustees
- Certification of CEQA documentation
- San Benito Campus Project Board Approval

Chancellor's Office of the California Community Colleges and California Postsecondary Education Commission
- Approval of Needs Study

Board of Governors of California Community Colleges
- State Board Approval
State Department of Finance
- Enrollment Approval for State Funding

City of Hollister
- Wastewater Service

Regional Water Quality Control Board
- National Pollutant Discharge Elimination System (NPDES) Permit (Industrial, Construction, and Municipal)

U.S. Fish and Wildlife Service
- Section 10 Consultation (jointly with Fairview Corners LLC)

The San Benito County will use this EIR in considering all approvals related to development of the Fairview Corners residential project. Before the EIR can be used to consider approval of the residential project or subsequent actions, the proposed project must be examined to determine if additional environmental review is necessary [Section 15168(c)]. Additional environmental review will be necessary if:

- The action would have significant environmental effects that were not examined in this EIR; or
- Subsequent changes have occurred with regard to the circumstances under which the project would be carried out; or
- New information of substantial importance becomes available which was not known at the time the EIR was prepared and which shows that effects previously examined will be substantially more severe than shown in the EIR; new mitigation measures or alternatives found not to be feasible in the EIR would, in fact be feasible.

The anticipated discretionary actions for the residential project include, but may not be limited to the following:

San Benito County
- Preliminary Residential Allocation Application
- Certification of CEQA documentation
- Major Subdivision
- Specific Plan (Fairview Corners)
- Final Map
- Development Agreement
- Final Improvement Plan
- Grading Permit

City of Hollister
- Wastewater Service

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9 This EIR can be used for consideration of a Specific Plan for Fairview Corners, in the event one is required.
Section 2 Description of the Proposed Project

Local Agency Formation Commission of San Benito County

- City of Hollister Annexation/Sphere of Influence amendment

Regional Water Quality Control Board

- National Pollutant Discharge Elimination System (NPDES) Permit (Industrial, Construction, and Municipal)

U.S. Fish and Wildlife Service

- Section 10 Consultation (jointly with Gavilan College District)

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10 These are possible future actions that are not currently proposed by the project.
2.6 CONSISTENCY WITH ADOPTED PLANS AND POLICIES

This section complies with CEQA Guidelines, Section 15125(d), which requires an EIR to discuss any inconsistencies between the proposed project and applicable general plans and regional plans.

As the public agency acting first on the project in question, the Gavilan College District will act as lead agency, preparing an Environmental Impact Report (EIR) for the proposed San Benito Campus project (CEQA Section 15051(c)). The EIR will be used by the Gavilan College District in considering whether or not to purchase the property and approve the proposed project. If the college campus project is approved, the EIR will then be used by the Gavilan College District (as school operator) in conjunction with various approvals and permits required to implement and establish a new educational center.

The San Benito County will act as a Lead Agency and use the EIR for its discretionary actions to consider development of the single-family residential project (CEQA Section 15096). The County will consider whether to approve or deny the Fairview Corners project.

Gavilan College District is a California State school district, and is not subject to conformance with zoning ordinances pursuant to Government Code Section 53094(b). The design and construction of the new community college campus on an 80-acre site will be processed through the State of California, Department of General Services, Division of the State Architect (DSA).

Since the projects are located within the unincorporated area of San Benito County, relevant County policies and other local and regional policies are discussed below.

2.6.1 San Benito County General Plan

The General Plan Land Use Element describes all of the existing and future land uses throughout San Benito County. The land uses that are shown on the General Plan Land Use Map are the product of comprehensive land use planning, with a goal of promoting efficient and compatible land use. The project site is shown on the San Benito County General Plan Land Use Map as designated Rural within an Interim Area of Special Study.

Consistency: The property is currently designated Rural in the San Benito County General Plan and is also zoned Rural. The 80-acre college campus parcel does not propose a General Plan amendment or rezoning because the Gavilan College District is a California State school district, and is not subject to conformance with zoning ordinances pursuant to Government Code Section 53094(b).

The single-family residential project is subject to review and approval by San Benito County and therefore, is proposing General Plan amendment and rezoning on the 57-acre parcel. The project applicant proposes to change the General Plan designation on the 57-acre residential site from Rural (five-acre minimum lot size) to Rural/Urban which allows up to eight dwelling units per acre. The proposed zone change is from Rural to R-1 Single-Family Residential, with a Planned Unit Development (PUD) overlay. Allowed uses in the R-1 zone district include single-family residences and ancillary uses and buildings incidental to residential uses.

The proposed amendment and zone change would increase the residential density on the 57-acre project site. The proposed residential density of the project is about four dwelling units per gross acre and would be one- and two-story structures, which would be consistent with the proposed
General Plan amendment. Furthermore, the proposed density would also be consistent with County’s General Plan Land Use Policy No. 8, allowing up to twenty dwelling units per acre under any residential land use designation.

The minimum building site area in the R-1 zone district is 5,000 square feet; however, the PUD overlay would allow flexibility in lot size and a residential density that is consistent with the General Plan. Single-family dwellings are an allowed use in PUD overlay districts, and this zone district is defined in the zoning ordinance as land under which a proposed development consists of characteristics “which may not correspond to a lot size, bulk or type of dwelling, density, lot coverage, and required open space to the regulations established in any one residential district”. The proposed project would be consistent with the General Plan and zone district with the proposed amendments.

2.6.1.1 Land Use Element Goals and Policies

LU-Goal 2: A balance of housing types, locations and a relatively wide range of prices within the County which will accommodate a variety of families from all socio-economic backgrounds.

Consistency: The proposed single-family residential project includes lots ranging from 4,000 to 5,000 square feet and 15,000 square feet. The college campus project also proposes 70 on-campus housing units. The projects are consistent with this goal.

LU-Policy 8: The residential areas of the County shall be developed at densities up to twenty dwelling units per acre. For areas within the Sphere of Influence Rural/Urban land use designation, the density of 20 units per acre or the standards of Hollister may be used to allow for affordability, unmet special needs housing, affordable multi-family rental housing

Consistency: The residential project includes 220 single-family homes on approximately 57 acres for a corresponding average density of 3.7 dwelling units per gross acre. The project is consistent with this goal.

LU-Policy 9: The type of development allowed within the residential areas includes residential, agricultural, and open space. Trails, parks, and public facilities, including schools and churches, may be allowed subject to use permits.

Consistency: The development would be consistent with this policy upon approval of a General Plan amendment and zone change. Single-family residential uses are allowed under the Rural/Urban Residential Land Use Designation. Proposed parks and open-space uses ancillary to the residential development of the site are included in the proposed design and are an allowed use in an R-1 Zone District with a PUD overlay.

LU-Policy 9, Action (b): Designate the area immediately east of Fairview Road bound by State Route 25 to the south and Mansfield Road to the north as an Area of Special Study.

Consistency: Based upon Board of Supervisors adopted Resolution No. 89-92, the proposed project is located in the Interim Area of Special Study created in 1989. The proposed projects are consistent with the uses envisioned by the County for the project site.
LU-Policy 32: Specific development sites shall be free from the hazards identified within the Open Space and Conservation Element Maps. The site shall also be on soil suitable for building and maintaining well and septic systems. Absent adequate mitigation, development shall not be located on environmentally sensitive lands.

Consistency: The Tres Pinos Fault runs through the eastern portion of the project site. A linear park and roadway is proposed within the no-building and open space area. Water service would be provided by the Sunnyslope County Water District and wastewater service will be provided by the City of Hollister. No wells or septic systems are proposed. The geotechnical report prepared for the property includes design criteria for engineered soils in conformance with Uniform Building Code and County standards, and the mitigation required by the project development. Refer to Section 3.6 Geology and Soils, for further details on the mitigation.

LU-Policy 33: Specific development sites shall avoid, when possible, locating in an environmentally sensitive area (wetlands, erodible soils, important plant and animal communities, archaeological resources).

Consistency: The property does have environmentally sensitive areas that can all be mitigated to a less than significant level with feasible mitigation measures that will be made a condition of approval. Refer to Sections 3.6, 3.7., 3.8, and 3.9 of this report for a detailed evaluation of environmentally sensitive areas of the site and specific mitigation measures that reduce the impacts to less than significant levels. With mitigation included in the project, the projects are consistent with this policy.

2.6.1.2 Open Space and Conservation Element Policies

OSC – Policy 1: Major subdivisions or intense development shall not be allowed within potential habitat of Federal or State listed rare, threatened, or endangered plant or animal species until said development(s) prepares habitat plans for the species unless an interim measure has been taken to mitigate the effect of development.

Consistency: A biological resources evaluation has been prepared and incorporated into Section 3.8 of this EIR. The evaluation states that there are no special status plant species within the project site and includes recommendations for mitigating all impacts to sensitive animal species and their habitat to a less than significant level. The college campus project and single-family residential project would comply with all adopted mitigations. In addition, a habitat conservation plan will be prepared for the project site to comply with US Fish and Wildlife requirement for a Section 10 consultation for the California tiger salamander.

OSC – Policy 2: Maintain corridors for habitat. In rural areas, road and development sites shall be designed to maintain habitat connectivity with a system of corridors for wildlife or plant species and avoiding fragmentation of open space areas. Measures to maintain the long-term health of the plant and animal communities in the area shall be incorporated into project design such as buffers, consolidation of/or rerouting access transitional landscaping, linking nearby open space areas, and habitat corridors.

Consistency: Due to the project’s location adjacent to developed areas to the south and west and the low habitat value, the property is not an important movement corridor for wildlife; nor is it a regionally unique corridor of movement. The projects are consistent with this policy.
OSC – Policy 7: It is the policy of the County to minimize erosion resulting from grading and cutting and native tree removal for all development proposals.

Consistency: A drainage plan and geotechnical report has been prepared for the entire property. Proposed measures will adequately mitigate all significant impacts resulting from erosion from grading and cutting. An erosion control plan will be prepared for the property prior to the start of construction. The erosion control plan will be prepared pursuant to applicable County standards and submitted with the Major Subdivision application. The projects are consistent with this policy. No trees exist on site; therefore there shall be no removal of native/protected trees.

OSC – Policy 9: It is the policy of the County to cooperate with the Regional Water Quality Control Board to improve water quality problems identified for the County, to maintain water quality on all drainage, and to develop policies and programs for the protection and enhancement of habitat for fish on major tributaries to the Pajaro River (San Benito River, Pacheco Creek) and water quality in the Silver Creek watershed.

Consistency: As described in Section 3.7 Hydrology, Drainage and Water Quality, both projects shall prepare and implement an erosion control plan, a stormwater pollution prevention plan (SWPPP) and a stormwater management plan (SWMP) consistent with recommended design criteria, in accordance with the National Pollutant Discharge Elimination permitting requirements enforced by the Regional Board. The projects are consistent with this policy.

OSC – Policy 10: The County recognizes air as a natural resource and will strive to maintain air quality through proper land use planning. It shall be the County’s policy to utilize land use and transportation controls for the protection and enhancement of air quality. Finally, it will be the County’s policy to review public and private development proposals in light of possible recreational and open space potential.

Consistency: The college campus project will provide neighborhood-serving commercial uses and employment opportunities in proximity to the residential development. The proximity of the residential project site to these amenities will reduce vehicle trips and reduce emissions. The entire property will also include a system of pedestrian and bike trails that will encourage residents to walk or bike and will reduce air quality impacts. As described in Section 3.3 Air Quality, the combined project will not result in significant regional or local air quality impacts. The projects are consistent with this policy.

OSC – Policy 16: It is the County’s policy to preserve a rural atmosphere by directing population growth and public service extensions to infill development and avoiding leapfrog growth.

Consistency: The combined projects provide compact and integrated housing, employment and revenue-producing uses and in proximity to existing residential uses and established transportation corridors. The development of the site does not constitute “leap-frog” growth since there is development on all sides of the property. The projects are consistent with this policy.

OSC – Policy 18: General plan amendments, Specific Plans, Area Plans, and Area of Special Study that result in a net increase in general plan buildout, shall include methods to conserve open space for natural resources including agricultural, wildlife habitat, and water. Proposed development areas shall also include measures to protect resources on-site and contiguous to the project with the use of clustering, conservation easements, and other similar programs.
Consistency: The single-family residential project includes a general plan amendment that would result in a net increase in general plan buildout. The combined projects provide a compact residential development by integrating low-density single-family residential development with educational and employment opportunities in proximity to existing residential uses and the City of Hollister. Parks, athletic fields and open space resources are included in the combined projects. Onsite conservation of wildlife habitat would not be feasible. Therefore, a suitable offsite location via the purchase of credits from a nearby conservation bank or by placing suitable habitat under a conservation easement is proposed. A management plan for these offsite lands would be developed in accordance with US Fish and Wildlife Service guidelines and shall include a mechanism for managing these lands in perpetuity. With mitigation, the projects are consistent with this policy.

**OSC – Policy 29:** It will be the County’s policy to encourage the use of energy efficient design in new construction.

Consistency: The projects propose compact and integrated housing, employment, and revenue-producing uses in proximity to existing residential uses and established transportation corridors. The single-family residential project will include energy conserving design and construction techniques to meet or exceed Title 24 requirements and will incorporate Green Building Practices including pre-wiring and/or installing some houses with solar power. It should be noted, that in 2011, State Law requires every new subdivision of 50 houses or more to include an upgrade for solar power. The college campus project will be designed to comply with the Community College Board *Energy and Sustainability Policies*, including designing new facilities that out-perform the energy code by 15 percent, using available economically feasible technology or procuring 20 percent of their electricity needs from renewable sources by 2010 and 40 percent by 2014 and designating energy/utility managers at the campus level and developing energy and sustainable strategic plans for each campus. The projects are consistent with this policy.

**OSC – Policy 34:** Approval of new developments shall not be allowed without evidence of adequate water quality and quantity.

Consistency: A SB 610 Water Supply Analysis has been prepared for the combined projects by Sunnyslope County Water District and has been adopted by the District Board. Per the requirements of the County Department of Environmental Health the project applicants shall obtain a will serve letter from the Sunnyslope County Water District (SSCWD). As described in *Section 3.12 Water Supply and Utilities and Service Systems* there is adequate water supply available for the development. The projects will be designed with water conserving fixtures and landscaping, and will comply with standard mitigation and conditions of approval. The projects are consistent with this policy.

**OSC – Policy 37:** It is the policy of the County to limit densities in areas that are environmentally hazardous to levels that are acceptable for public health and safety for citizens and property.

Consistency: The Tres Pinos fault runs through the eastern side of the property, but, and, in accordance with the fault investigation completed on the site, a 135-foot “building exclusion zone” is proposed. Proposed improvements within the 135-foot building exclusion zone are as follows: 1) Within the 50 feet west of the fault trace: proposed open space; 2) within the 35-foot fault trace: no improvements proposed; 3) within the 50 feet east of the fault trace: 40 foot wide roadway and 10 feet of curb, gutter, and sidewalk.
Section 2 Description of the Proposed Project

there are no structures within the fault setback area. A linear park and roadway will be located within the fault zone. The projects are consistent with this policy.

OSC – Policy 40: All new development shall be required to conform to the standards and recommendations for applicable fire protection agency to an acceptable fire protection risk level.

Consistency: The combined projects will comply with standard mitigation that ensures the provision of adequate fire protection, by direct mitigation and/or the payment of impact fees. The County Fire Department and the State Fire Marshall will check plans and complete inspection for all fire life safety issues. The local fire district will be provided a set of plans and have opportunity to make comments and suggestions with respect to access and fire life safety issues. The projects are consistent with this policy.

OSC – Policy 41: New development will not be allowed where access is a fire safety risk.

Consistency: As described above the projects will be subject to review and inspection by local and State Fire Marshall to ensure adequate access for fire safety vehicles. The projects are consistent with this policy.

OSC – Policy 51: It is the policy of the County to integrate architectural styles of new development with existing architecture and to protect existing historic structures.

Consistency: The entire property is unimproved and no impacts to historic structures could occur. The single-family residential project will comply with applicable County design standards, standard mitigation, and conditions of approval to ensure that architectural styles will be compatible within the development and with adjacent development. The project is consistent with this policy.

OSC – Policy 52: It is the policy of the County to recognize the value of Native American, archaeological and paleontological resources.

Consistency: According to the archaeological subsurface trenching, there are no indications of a subsurface prehistoric or historic deposit within the project site. The projects will comply with County standards and adopted mitigation measures in the unlikely event cultural resources are encountered during construction; refer to Section 3.9 Cultural Resources. The projects are consistent with this policy.

OSC – Policy 56: Recreational facilities for existing and new development in the unincorporated areas of the County shall be provided to meet the needs of the population based on the ratio of five acres of park land per 1,000 persons.

Consistency: Public parks and recreational facilities for the combined projects will be provided on-site and have been integrated into the project design. If necessary, the single-family residential project will also pay in-lieu fees pursuant to County policies. The public will have opportunities to utilize to the college campus recreational facilities when not being used by the college. The projects are consistent with this policy.
2.6.1.3 **Noise Element Goals and Policies**

**Noise – Goal 2, Policy 7:** To require the installation of noise features when new residential developments are located adjacent to freeways, highways, arterials, railroad right of ways, and other noise generating uses.

**Consistency:** The project has been designed to locate all residential uses on the north side of the property, farthest away from Airline Highway. According to the noise study (described in Section 3.4 Noise), the project would generate potentially unacceptable noise during construction and would contribute to traffic-related noise on area roadways. Mitigation measures are required of the projects to reduce noise levels. The single-family residential project will comply with all adopted mitigation measures, conditions of approval and County design criteria to conform to County noise thresholds. The projects are consistent with this policy.

**Noise – Goal 4, Policy 1:** It will be the County’s continuing policy to control the operation of construction equipment at specific sound intensities and frequencies during the specified hours.

**Consistency:** During the construction phase, both projects will adhere to all mitigation measures to ensure consistency with this policy.

2.6.1.4 **Seismic and Safety Element Policies**

**Seismic – Policy 1:** In general, urban expansion should be directed to areas of least risk from natural and man-made hazards.

**Consistency:** The property has small rolling hills gradually sloping to the south and all one- and two-story single-family houses have been sited at least 150 feet from the Tres Pinos fault per the recommendations of the Geotechnical Report. A 135-foot “building exclusion zone” is proposed through the residential project. Proposed improvements within the 135-foot building exclusion zone are as follows: 1) Within the 50 feet west of the fault trace: proposed open space; 2) within the 35-foot fault trace: no improvements proposed; 3) within the 50 feet east of the fault trace: 40 foot wide roadway and 10 feet of curb, gutter, and sidewalk. This setback also complies with the County Ordinance Section 18.75. The college structures including the classrooms, theatre, athletic stadium, and gymnasium have all been set back at least 300 feet from the Tres Pinos fault in accordance with County Ordinance Section 18.76. The property is not in an area at risk for landslides or liquefaction, and is not sited near steep cliffs or within an area that is considered unstable. A geotechnical report has been prepared for the property and any significant seismic hazard impacts will be mitigated. Design and construction of the single-family residential project will conform to applicable County and Uniform Building Code Standards and performance thresholds.

**Safety – Policy 1:** Roads should be of adequate capacity for use in times of emergency.

**Consistency:** The size of the projects’ driveways and roads will adhere to the applicable County ordinances. The projects are consistent with this policy.

2.6.1.5 **Housing Element Goals and Policies**

**Housing Goal 2 – Policy 2-A:** Take steps to assist in the development of adequate housing to meet the needs of low and moderate-income households.
**Consistency:** The Gavilan College District’s proposed on-campus housing and retail development could provide affordable rental housing units. The single-family residential project provides a range of single-family housing opportunities which are located in proximity to jobs and commercial services. It is also possible that Gavilan College District and Fairview Corners LLC will develop a contractual arrangement for affordable housing. Fairview Corners shall also meet the minimum requirement of the San Benito County’s Inclusionary Housing Ordinance that requires 30 percent affordable for developments that exceed 21 lots. The projects are consistent with this policy.

**Goal 2 – Policy 2-C:** All new residential development shall assist in the attainment of the County’s identified need and regional fair share responsibilities for housing.

**Consistency:** The Fairview Corners will share in the costs of infrastructure and circulation improvements and has made land available to the Gavilan College District for the construction of a new campus with on-campus housing, retail and open space opportunities. The proposed projects contribute to the housing base of San Benito County by also providing a variety of single-family housing opportunities to meet the needs of an economically diverse population. The projects are consistent with this policy.

**Goal 5 – Policy 5-B:** Identify areas and promote the development of land for housing that accommodates expansion of the existing sanitary sewer and water systems in cooperation with Hollister, San Juan Bautista and Tres Pinos.

**Consistency:** The Fairview Corners Residential project will have water service provided by the Sunnyslope County Water District and wastewater service provided by the City of Hollister. Per the requirements of the County Department of Environmental Health the project applicants shall obtain a will serve letter from the Sunnyslope County Water District (SSCWD) and City of Hollister’s waste water service.

### 2.6.1.6 Transportation Element Policies

**Policy 7:** Preserve the capacity of existing and future arterials and state highways in the County.

**Consistency:** Any project traffic impacts to arterial and state highways will be mitigated through project-proposed intersection improvements and by the residential project’s participation in the City of Hollister/San Benito County Regional Traffic Impact Fee (TIF) program. Refer to Section 3.2 Transportation for further discussion.

**Policy 8:** Utilization of existing roads and minimize the construction of new driveways onto those roads.

**Consistency:** Cielo Vista Drive would be extended onto the project site from Fairview Road and would serve as the only full access point for the site. With the construction of the project, the intersection would be fully signalized, the east leg would be built, a northbound shared through/right-turn lane would be added, a southbound left-turn lane would be added, and the eastbound right-turn lane would be restriped to a shared through/right-turn lane. An additional emergency vehicle access (EVA) is proposed at the southeast corner of the site, with access onto Airline Highway.

**Policy 12:** Road development shall minimize the extent of building in hazardous areas.
Consistency: The entire property is relatively flat and proposed buildings have been sited with an appropriate setback from the Tres Pinos fault. The project design was based upon a fault investigation which provided the appropriate development setbacks to avoid any hazards related to the fault. The property is not in an area at risk for landslides or liquefaction, and is not sited near steep cliffs or within an area that is considered unstable. A geotechnical report has been prepared for the property and any significant seismic hazard impacts will be mitigated. Design and construction of the single-family residential project will conform to applicable County and Uniform Building Code Standards and performance thresholds.

Policy 15: New development at urban density shall be required to dedicate funding for transit stops and signage and design subdivisions to allow easy access to public transit where service is available.

Consistency: The project applicant will participate in established funding programs as required by the County for public transit. There are currently no bus routes that operate in the vicinity of the project site. The nearest bus stops are not located within walking distance of the site.

Policy 20: Support the development of mixed land uses to reduce vehicle trips on collectors and arterials.

Consistency: Through the mixed-use nature of the college campus (college, housing, and retail), some of the trips generated by the uses on the site would be non-auto, internal trips (i.e. bicycle and pedestrian trips made between uses on the site). That is, some of the college-related trips would come from the on-campus housing and some of the retail trips would come from the college and on-campus housing uses. The campus open space, recreational and retail uses will also be available for use by the public and would be accessible by non-auto modes from the proposed residential and by the surrounding neighbors. In these ways, the development will reduce vehicle trips on collectors and arterials and is consistent with this policy.

Policy 24: Require dedication and construction of walkways for through, safe, pedestrian traffic and internal pedestrian circulation in new large scale developments or within the vicinity of concentrations of populations.

Consistency: A pedestrian circulation plan has been designed for the proposed projects, refer to Figure 8.

Policy 25: Encourage clustered land use to encourage pedestrian and combined pedestrian and transit use.

Consistency: The project objectives include creating a pedestrian-oriented project with an emphasis on an open space network of landscaped streets, sidewalks and public space for the surrounding community, as shown in Figure 8.

2.6.1.7 Local Growth Management Ordinance

San Benito County Code (SBCC) Chapter 30, General Plan and Specific Plan

Local Procedures. This chapter outlines the process for a General Plan Amendment Application. SBCC Section 30-5.0 requires voter approval by referendum ballot once the Board of Supervisors
indicates its preliminary approval of any general plan amendment or specific plan with the potential to increase residential density (PRGI) by 100 or more dwelling units, unless the plan is exempt per criteria listed in Chapter 30.

Consistency: The single-family residential project does not qualify for an exemption as listed in the County code; however, language in the general plan states that the Areas of Special Study are exempt from PRGI regulations. According to the definition of PRGI in the 1992 General Plan Land Use Plan, page 14, the intent of PRGI is to solicit citizen input regarding residential increases beyond the carrying capacity of the existing general plan including the Areas of Special Study (758 acres) identified in Table 1 of the General Plan Land Use Plan. The boundary of the Areas of Special Study is not identified on the County’s Land Use Map, however, the location is identified by an asterisk placed east of Fairview Road, within the area identified in the Board of Supervisors Resolution 89-92. The proposed project is not subject to the requirements of SBCC Section 30-5.0, as it falls within the Areas of Special Study.

The single-family residential project shall also meet the minimum requirement of the San Benito County’s Inclusionary Housing Ordinance that requires 30 percent affordable for developments that exceed 21 lots.

2.6.2 City of Hollister General Plan

The 2005 General Plan Land Use Plan describes all of the existing and future land uses throughout the City of Hollister. The land uses that are shown on the Land Use Map are the product of comprehensive land use planning, with a goal of promoting efficient and compatible land use.

Consistency: The project site is shown on the City of Hollister Planning Area Map as within the City’s Planning Area Boundary. The Planning Area Boundary encompasses incorporated and unincorporated territory bearing a relation to the city’s planning. A city’s planning area generally encompasses the City limits, and potentially land for annexation with the Sphere of Influence. The project site is outside the Sphere of Influence (SOI) Boundary and the City limits. The General Plan designates the project site Residential Estate, which refers to areas outside the SOI and City limits. The developable density allowed under Residential Estate is one dwelling unit per five acres. The proposed projects are not consistent with this land use designation.

Coordination between the City of Hollister, the San Benito County Water District, and the Sunnyslope County Water District have determined that the City of Hollister would provide wastewater treatment service to the project site.11 The City of Hollister would be considered a Responsible Agency under CEQA for any approvals associated with providing wastewater service to the project site. The project applicants shall obtain a will serve letter from the City of Hollister’s waste water service.

2.6.2.1 Pedestrian, Bicycle, and Transit Facility Policies

Land Use (LU) 4.1: Pedestrian and Bicycle Facilities; ensure that business areas have adequate pedestrian and bicycle facilities and universal accessibility and that easy connections to transit are available whenever possible.

LU 4.4: Streets, Paths, and Bikeways; ensure that streets, paths, and bikeways contribute to the

11 Girouard, Kenneth, Sunnyslope Water District, personal conversation, April 8, 2008.
system of a fully connected transportation network.

**LU 4.8:** Pedestrian Environment; design safe, accessible, convenient, comfortable and functional pedestrian crossings, intersections, sidewalks, street plantings, street furniture and traffic signals.

**Circulation 2.3:** Pedestrian Connections; work with local businesses, private developers, and public agencies to ensure provision of safe pedestrian pathways to major public facilities, schools, and employment centers. Require new developments to provide internal pedestrian connections and linkages to adjacent neighborhoods and community facilities.

**C4.2:** Public Transit; cooperatively work with COG, Caltrans, and San Benito County to develop, implement and maintain public transit services.

**C4.3:** Park and Ride Facilities; cooperatively work with COG, Caltrans, and San Benito County to develop, implement and maintain park and ride facilities.

**Consistency:** As mentioned in Section 3.2.6.2 Bicycle and Pedestrian Circulation, project proposed frontage improvements will provide sidewalks and pedestrian crossings at Fairview Road-Ridgemark Drive/Airline Highway and Fairview Road/Cielo Vista Drive intersections to connect with the planned on-site pedestrian facilities.

It is not possible to fully address the details of transit improvements or pedestrian and bicycle circulation in the context of the conceptual college campus master plan. However, in the buildout of the college campus Gavilan College District intends to provide appropriate facilities to accommodate each of these modes of travel. In addition, the Cielo Vista roadway extension has been sized for Class II bike lanes, sidewalks and a transit /drop-off stop. The proposed residential roadway network allows for two future connections to the north. These are areas on the plan designated currently as open space/park areas. If and when development to the north occurs, the roadway will allow for an extension through the two open spaces areas. Overall the projects are consistent with these policies.

### 2.6.2.2 Community Services and Facilities Policies

**CSF1.6:** Other Infrastructure Planning; require the preparation of infrastructure master plans in areas outside the designated Sphere of Influence as a prerequisite to annexation. Such plans shall contain, but not be limited to, plans for sewer services, water service, storm drainage, traffic circulation, recreation facilities, school facilities, and funding alternatives for police and fire services.

**Consistency:** At this time an amendment to the City of Hollister Sphere of Influence and annexation is not proposed. In the event this was proposed any necessary infrastructure master plans would be prepared for the City of Hollister. At the time of initial development of either the college campus or the residential site, a sewer analysis will be prepared to further evaluate these the proposed piping options. This analysis will include both land, easement and construction issues as factors resulting in the most feasible sewer solution. Upon reviewing this analysis, the City of Hollister will make a recommendation on which option the projects should pursue.

**CSF4.2:** Community Use of School Facilities; collaborate with schools to provide access to school facilities for neighborhood and community activities, and encourage joint planning with local school districts in determining the location of educational facilities. All new development shall be required to mitigate its fair share of the impact of such development on school facilities to the maximum extent permitted under state law.

**CSF4.4:** Park and Recreation Standards; provide for high-quality neighborhood and community parks to meet the recreational, open space, leisure and play needs and desire of existing and future residents. Coordinate efforts with the County of San Benito to provide an average of four acres of
developed parks and recreational facilities for every 1,000 residents within the Hollister Planning Area.

**CSF4.9: Library Services; cooperate with the County of San Benito and local schools in all efforts to maintain or enhance local library services.**

**Consistency:** Public parks and recreational facilities for the proposed projects will be provided on-site and made available to the public. The public will have opportunities to utilize to the college campus recreational facilities when not being used by the college. The projects are consistent with these policies.

### 2.6.3 Hollister Urban Water and Wastewater Master Plan

A partnership was formed between the City of Hollister, San Benito County, and the San Benito County Water District to work together for the long term vision to guide water and wastewater improvements. The three entities executed a Memorandum of Understanding (MOU) and a Statement of Intent in 2005 to develop and maintain the *Hollister Urban Area Water and Wastewater Master Plan*. The MOU also sets recycled water total dissolved solids (TDS) objectives of 500 mg/L, but not greater than 700 mg/L, by the year 2015. Other items considered in the MOU include discharge issues, drinking water TDS objectives, and impacts to the environment, economy, and local culture.

**Consistency:** The City of Hollister will provide wastewater service to the project site and Sunnyslope County Water District will provide water service. The Hollister Domestic Wastewater Treatment Plant is the primary wastewater treatment plant for the Hollister Urban Area including areas within the County that are designated to be served by that facility. Since the site is already within the Sunnyslope County Water District’s designated water service area, a Local Agency Formation Commission (LAFCO) Service Area adjustment is not required for project development on the project site.12

A water supply assessment (WSA) has been prepared for this project by Sunnyslope County Water District and has been adopted by the District Board. According to the WSA, the District has sufficient water to provide for the long-term water demand of the campus and residential projects. Recycled water is not available at this time, but the project includes provisions (installation of piping on-site) for use of recycled water on landscaping and athletic fields in the future, when it is available. The project will comply with the requirements of the Hollister Urban Area Water and Wastewater Master Plan including the use of non-salt based water treatment systems. The above features of the project will ensure consistency with the strategies in the *Hollister Urban Area Water and Wastewater Master Plan*.

### 2.6.4 Monterey Bay Unified Air Pollution Control District (MBUAPCD) 2004 Air Quality Management Plan for the Monterey Bay Region (AQMP)

The federal Clean Air Act governs air quality in the United States. In addition to being subject to federal requirements, air quality in California is also governed by more stringent regulations under the California Clean Air Act. At the federal level, the United States Environmental Protection Agency (USEPA) administers the Clean Air Act (CAA). The California Clean Air Act is

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12 Johnson, Judi H., San Benito County LAFCO Executive Director, personal conversation, April 7, 2008 and October 31, 2008

Gavilan San Benito Campus / Fairview Corners  
Gavilan College District
administered by the California Air Resources Board (CARB) at the State level and by the Air Quality Management Districts at the regional and local levels. The Monterey Bay Unified Air Pollution Control District (MBUAPCD) regulates air quality at the regional level.

The MBUAPCD is primarily responsible for assuring that the National and State ambient air quality standards are attained and maintained in the San Benito County Area. MBUAPCD is also responsible for adopting and enforcing rules and regulations concerning air pollutant sources, issuing permits for stationary sources of air pollutants, inspecting stationary sources of air pollutants, responding to citizen complaints, monitoring ambient air quality and meteorological conditions, awarding grants to reduce motor vehicle emissions, conducting public education campaigns, as well as many other activities.

The MBUAPCD 2004 Air Quality Management Plan for the Monterey Bay Region (AQMP) addresses attainment of the State ozone standard. MBUAPCD has included emissions related to population growth in the AQMP using projections adopted by the Association of Monterey Bay Area Governments (AMBAG).

Consistency: For this project, consistency with population forecasts is determined by comparing project build-out population at the year of project completion with the appropriate five-year forecast increment for the jurisdiction that the project is located (i.e., San Benito County). Projects or plans that would not cause the estimated cumulative population to exceed forecasts are considered consistent with air quality planning efforts. According to AMBAG, this project is consistent with the 2004 regional forecasts for San Benito County and the Air Quality Management Plan. A letter from AMBAG documenting the consistency determination is included in Appendix B. As described in Section 3.3 Air Quality, the project’s direct and indirect emissions of ozone precursor pollutants would be below MBUAPCD significance thresholds. Therefore, project emissions are not anticipated to affect attainment and maintenance of ambient air quality standards for ozone.

2.6.5 Clean Water Act

The federal Clean Water Act (CWA), formally known as the United States Federal Water Pollution Control Act Amendment of 1972 and subsequent amendments, governs discharges to the waters of the U.S. including oceans, bays, rivers, streams, lakes, ponds, and wetlands.

Several sections of the Clean Water Act (CWA) regulate project impacts on waters of the United States. Title I Section 101 specifies the objectives of the CWA implemented largely through the sections of Title III (Standards and Enforcement). The discharge of dredged or fill material into waters of the United States is subject to permitting specified in Section 404 (Discharges of Dredge or Fill Material) of Title IV (Permits and Licenses). Section 401 (Certification) specifies additional requirements for permit review, particularly at the state level.

Several federal regulations are implemented at a state level. In California the Clean Water Act is implemented and enforced by the California State Water Resources Control Board (SWRCB) and its nine Regional Water Quality Control Boards (RWQCBs). To comply with the requirements of the Clean Water Act, the SWRCB implement the regional Basin Plans and the National Pollutant Discharge Elimination System (NPDES) program. The project site is within the jurisdiction of the Central Coast RWQCB, which adopted the most recent edition of its Basin Plan in 1995.

The NPDES General Permit for Construction Activities requires the developer to submit a Notice of
Intent (NOI) to the RWQCB and to develop a Stormwater Pollution Prevention Plan (SWPPP) to control discharge associated with construction activities. The general construction permit requires all construction projects disturbing over one acre of soil to prepare and implement a SWPPP during construction. The SWPPP includes pollution prevention measures, such as erosion and sediment control measures and measures to control non-stormwater discharges and hazardous waste spills, demonstration of compliance with all applicable local and regional erosion and sediment control standards, identification of responsible parties, a detailed construction timeline, and a monitoring and maintenance schedule of best management practices (BMPs). A NOI must also be submitted to the RWQCB and should include site-specific information and the certification of compliance with the terms of the general construction permit.

**Consistency:** As described in Section 3.7 Hydrology, Drainage, and Water Quality, the projects include measure to comply with the Clean Water Act and will prepare and implement an erosion control plan, a stormwater pollution prevention plan (SWPPP) and a stormwater management plan (SWMP) consistent with recommended design criteria, in accordance with the NPDES permitting requirements enforced by the Regional Board.