

APPENDIX G:  
COMMENT LETTERS





June 9, 2023

Eva Kelly  
Interim Planning Manager.  
Development Service Department -Planning Division  
City of Hollister  
339 Fifth Street  
Hollister, California 95023

**RE: Comments on City of Hollister's GP 2040, CAP, and ALPP Draft Environmental Impact Report (State Clearinghouse # 2021040277)**

Dear Ms. Kelly:

Thank you for the opportunity to review Draft Environmental Impact Report (DEIR) for the City of Hollister's General Plan 2040, Climate Action Plan, and Agricultural Lands Preservation Program. The following comments are offered for your consideration.

In Chapter 4 (Environmental Analysis), Chapter 4.8 (Greenhouse Gas Emissions), Chapter 4.11 (Land Use Planning), and Chapter 4.14 (Population and Housing), Chapter 4.16 (Transportation), and Chapter 6 (CEQA Required Assessment), AMBAG requests the following revisions:

*Chapter 4. (Environmental Analysis)*

- On page 4-8, the DIER states: "**Land Use and Planning:** The geographic context for the cumulative land use and planning effects considers impacts from projected growth in the rest of San Benito County and the surrounding region, as forecast in the 2045 AMBAG MTP/SCS" and "**Public Services and Recreation:** Cumulative impacts are considered in the context of projected growth in the rest of San Benito County and the surrounding region, as forecast by the 2045 AMBAG MTP/SCS, and contiguous with the service area boundaries of the service providers evaluated in this section."

Revise the sentences to state "...the AMBAG 2045 MTP/SCS."

*Chapter 4.8 (Greenhouse Gas Emissions)*

- On page 4.8-25, revise the sentence regarding the AMBAG Energy Watch Program. The AMBAG Energy Watch Program does not exist anymore and instead AMBAG has a Sustainability Program.

GOV1-1

GOV1-2

Furthermore, the proposed 2023 CAP also supports partnering with CCCE and ~~AMBAG Energy~~ AMBAG's Sustainability Program by publicizing energy-efficiency programs (Strategies 3, 4, and 7). Thus, implementation of the proposed 2023 CAP would result in beneficial impacts to GHG emissions. Implementation of the proposed project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment and impacts would be *less than significant*.

- On page 4.8-26, the DIER states: "The 2045 AMBAG RTP/SCS focuses on achieving GHG reduction goals by focusing housing and employment growth in urbanized areas; protecting sensitive habitat and open space; and investing in a more accessible transportation system."

Revise the sentences to state "...the AMBAG 2045 MTP/SCS."

- On page 4.8-26, revise the citation regarding the adoption date of the 2045 Metropolitan Transportation Plan/Sustainable Communities Strategy. The 2045 MTP/SCS was adopted in June 2022, not June 2020.

Association of Monterey Bay Area Governments (AMBAG), ~~2022~~2020, June. Monterey Bay 2045 Moving Forward: 2045 Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS). [https://www.ambag.org/sites/default/files/2022-07/AMBAG\\_MTP-SCS\\_Final\\_EntireDocument\\_PDFA\\_Updated071422.pdf](https://www.ambag.org/sites/default/files/2022-07/AMBAG_MTP-SCS_Final_EntireDocument_PDFA_Updated071422.pdf), accessed August 11, 2022.

- On page 4.8-27, the DEIR states: "As described in Chapter 4.16, *Transportation*, the proposed 2040 General Plan outlines specific goals, policies, and actions that will help reduce VMT and therefore reduce GHG emissions from automobiles. Please see Impact Discussion TRANS-2 for a complete list of these goals, policies, and actions. Furthermore, implementation of the 2040 General Plan is projected to result in a decrease in GHG emissions on a per-capita basis. Thus, the proposed project would be consistent with the overall goals of AMBAG's 2045 RTP/SCS in concentrating new development in locations where there is existing infrastructure and transit (see Chapter 4.11, *Land Use and Planning*). Therefore, the proposed project would not conflict with the land use concept plan in AMBAG's 2045 RTP/SCS and impacts would be *less than significant*."

Revise the sentences to state "...the AMBAG 2045 MTP/SCS."

GOV1-2  
CONT.



- On page 4.8-27, the DEIR states: “The proposed 2023 CAP is a strategic plan focused on GHG emissions reduction through recommended community-wide GHG reduction strategies and an implementation plan and does not involve any land use changes that would result in indirect growth or change in building density and intensity. Furthermore, as discussed under Impact Discussion GHG-1, implementation of the 2023 CAP would result in beneficial GHG emissions impacts by contributing to reducing VMT, increasing energy and water use efficiency, and increasing renewable energy use. Therefore, the 2023 CAP would be complementary to statewide and regional plans to reduce GHG and would not interfere with or obstruct the implementation of the CARB Scoping Plan or the 2045 AMBAG RTP/SCS. Implementation of the proposed CAP would not conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing GHG emissions and impacts would be *less than significant*.”

GOV1-2  
CONT.

Revise the sentences to state “...the AMBAG 2045 MTP/SCS.”

#### *Chapter 4.11 (Land Use Planning)*

- On pages 4.11-2, the DEIR states “By considering the regional forecasts, and goals and policies of the AMBAG MTS/SCS, the City of Hollister General Plan can support these regional planning efforts. AMBAG is currently developing the 2050 MTP/SCS, which is scheduled for adoption in 2026.”

Revise the sentences to state “...the AMBAG 2045 MTP/SCS.”

#### *Chapter 4.14 (Population and Housing)*

- On page 4.14-1, the DEIR states “The Association of Monterey Bay Area Governments (AMBAG) is the official comprehensive planning agency for Monterey County, San Benito County, and Santa Cruz County. AMBAG is responsible for taking the overall regional housing needs allocation (RHNA) provided by the State and preparing a formula for allocating that housing need by income level across its jurisdiction. AMBAG produces growth projections on four-year cycles so that other regional agencies, including the San Benito County Council of Governments, can use the forecast to make project funding and regulatory decisions. AMBAG projections have practical consequences that shape growth and environmental quality, and the general plans, zoning regulations, and growth management programs of local jurisdictions inform the AMBAG projections. The AMBAG projections are also developed to reflect the impact of “smart growth” policies and incentives that could be used to shift development patterns from historical trends toward a better jobs-housing balance, increased preservation of open space, and greater

GOV1-3

development and redevelopment in urban core and transit-accessible areas throughout the AMBAG region.

AMBAG is the Metropolitan Planning Organization for the tri-county region of Monterey, San Benito, and Santa Cruz Counties and prepares regional growth forecasts for the tri-county region. AMBAG is the Council of Governments for Monterey and Santa Cruz Counties. AMBAG develops RHNA for Monterey and Santa Cruz Counties only. The Council of San Benito County Governments is the Council of Governments for San Benito County and prepares RHNA for the Cities of Hollister and San Juan Bautista and the County of San Benito. Please revise this section to correctly state that the Council of San Benito County Governments allocates RHNA in San Benito County.

- On page 4.14-7, the DEIR states “The regional projections for Hollister anticipate a 17 percent increase in population and a 26 percent increase in housing units, as shown in Table 4.14-6, *Buildout Comparison of the Proposed 2040 General Plan to Regional Growth Projections*. However, the table also shows that the regional forecasts do not accommodate the City’s fair share of 4,163 housing units for the 2023–2031 Housing Element. Though the RHNA methodology considered the AMBAG 2022 Regional Growth Forecast, the forecast data were accepted for planning purposes by AMBAG Board of Directors in November 2020 and did not consider the 2023-2031 RHNA allocations, which were finalized in 2022.2 Accordingly, this indicates that the City needs to plan for development that exceeds the AMBAG 2040 regional growth forecasts, and the City is appropriately planning in order to provide its fair share of regional housing as part of the future Housing Element 2023-2031.”

AMBAG does not develop RHNA for the City of Hollister. Furthermore, the Regional Growth Forecast and RHNA projections are based on different assumptions and serve different purposes. The Regional Growth Forecast projects a realistic future housing demand, while the RHNA numbers include unmet existing housing need AND future housing demand. Finally, the Regional Housing Needs Determination was issued in September 2021 to the County of San Benito County Governments, well after the regional growth forecast was completed.

#### *Chapter 4.16 (Transportation)*

- On page 4.16-30, the DEIR states “**Implementation of AMBAG’s SB 375 Measures.** Some of the key strategies identified in the AMBAG RTP/SCS that would apply to the Hollister General Plan include land use strategies, such as improve job-housing balance in the region, focus new growth around transit; and transportation strategies such as improve

GOV1-3  
CONT.

GOV1-4

transit network, promote and improve active transportation, and promote shared mobility.”

GOV1-4  
CONT.

Revise the sentences to state “...the AMBAG 2045 MTP/SCS.”

*Chapter 6 (CEQA Required Assessment)*

- On page 6.5, the DEIR states “The proposed project is a plan-level document and does not propose any specific development; however, implementation of the proposed project would induce growth by increasing the development potential in the EIR Study Area, as shown in Table 3-3, *Proposed 2040 Buildout Projections in the EIR Study Area*, in Chapter 3, *Project Description*. As shown in Table 3-3, the 2040 forecast for the EIR Study Area is approximately 60,535 total population, 17,640 housing units, 16,985 households, and 20,025 jobs. State law requires the City to promote the production of housing to meet its fair share of the regional housing needs distribution made by AMBAG. While the City provides adequate sites to meet its fair-share housing obligations, the additional housing capacity provided by the project would meet the additional demand generated by new job growth. In addition, the proposed 2040 General Plan would result in regional benefits by promoting growth that encourages less automobile dependence, which could have associated air quality and GHG benefits. Encouraging infill growth in designated areas would help to reduce development pressures on lands outside the City Limits.”

GOV1-5

AMBAG does not prepare RHNA for San Benito County. RHNA for Hollister, San Juan Bautista, and San Benito County is developed by Council of San Benito County Governments.

Thank you for the opportunity to review the DEIR for the General Plan 2040. Please feel free to contact me at [hadamson@ambag.org](mailto:hadamson@ambag.org) or (831) 264-5086 if you have any questions.

GOV1-6

Sincerely,



Heather Adamson  
Director of Planning

**DEPARTMENT OF CALIFORNIA HIGHWAY PATROL**

Hollister-Gilroy Area  
 740 Renz Lane  
 Gilroy, CA 95020  
 (408) 427-0700



June 21, 2023

File No.: 725.14548.17803

City of Hollister  
 339 Fifth Street  
 Hollister, CA 95023  
 Attention: Eva Kelly, Interim Planning Manager

SCH: 2021040277

I was recently requested to review the Notice of Environmental Impact document from the State Clearinghouse (SCH) related to the Hollister 2040 General Plan. After reviewing SCH# 2021040277, as well as the information and procedures outlined in General Order 41.2, *Environmental Impact Documents*, the Hollister-Gilroy Area does not believe the addition of bicycle paths within the City of Hollister will adversely affect traffic-related matters in the area. The Hollister-Gilroy Area is opposed to the bus-on-shoulder concept of this project. Motorists involved in traffic crashes, experiencing medical emergencies, or who have mechanical troubles, are instructed to move to the shoulder and out of the traffic lanes. Peace officers respond to these incidents make all efforts to move the involved vehicles off the freeway or to the right shoulder to minimize secondary traffic crashes and the associated risks. When officers make traffic stops on the freeway, drivers pull to the shoulder and stop, as they are instructed to do in driving classes and per California Vehicle Code §21806. Based on past experiences in San Benito and Santa Clara counties, if busses (or other vehicles) are allowed to drive on the shoulder, other motorists will undoubtedly follow suit, creating an additional lane and removing the availability of the shoulder for true emergencies. Busses driving on the shoulders, and the inevitable vehicles which follow them, may cause confusion for other motorists and result in an increase of traffic related crashes in the area. Additionally, Appendix F, exhibit 5, identifies a Class III Bicycle Path along SR-25. These scenarios have the potential of making the roadways more dangerous and increasing liability for the State and all involved government agencies. Authorizing any vehicle to drive on the shoulder will cause an undue safety hazard to the motoring public, road workers, and peace officers working in the area. If the bus-on-shoulder program were to progress, additional discussion would be needed to develop proper procedures regulating specific times or scenarios which would allow busses to use the shoulder as well as the speeds at which they would be allowed to travel. The Hollister-Gilroy CHP Area has concerns with this overall project.

GOV2-1

GOV2-2



The Hollister-Gilroy Area supports the construction of a Class I Bicycle Path adjacent to the existing railway. The Hollister-Gilroy Area recommends additional safety measures be considered for the proposed bicycle path along the existing railway to ensure the safety of the bicyclist and the passenger/freight trains.

GOV2-3

If you have any questions, please contact our office at (408) 427-0700.

Sincerely,

*P. Cooper*

P. COOPER, Captain  
Commander





State of California – Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
Central Region  
1234 East Shaw Avenue  
Fresno, California 93710  
(559) 243-4005  
[www.wildlife.ca.gov](http://www.wildlife.ca.gov)

**COMMENT LETTER GOV3**  
**GAVIN NEWSOM, Governor**  
**CHARLTON H. BONHAM, Director**



June 27, 2023

Abraham Prado, Interim Development Services Director  
City of Hollister  
339 Fifth Street  
Hollister, California 95023  
(831) 636-4360  
[abraham.prado@hollister.ca.gov](mailto:abraham.prado@hollister.ca.gov)

**Subject: Hollister General Plan Update 2040, Climate Action Plan, and Sphere of Influence Amendments and Annexations Program Draft Environmental Impact Report (DEIR) Project (Project)**  
**SCH No.: 2021040277**

Dear Abraham Prado:

The California Department of Fish and Wildlife (CDFW) received a DEIR from the City of Hollister for the above-referenced Project pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.<sup>1</sup>

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under Fish and Game Code.

#### **CDFW ROLE**

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (*Id.*, § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

<sup>1</sup> CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

Abraham Prado, Interim Development Services Director  
 City of Hollister  
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CDFW is also submitting comments as a **Responsible Agency** under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code will be required.

GOV3-1  
CONT.

## PROJECT DESCRIPTION SUMMARY

**Proponent:** City of Hollister

**Objective:** The existing General Plan for the City of Hollister (City) was adopted in 2005, with a horizon year of 2023. The City is now updating its plan to extend the planning period to 2040. The Hollister General Plan Update will build off the current General Plan and provide a framework for land use, transportation, and conservation decisions through the year 2040. The proposed General Plan will direct future growth within the EIR Study Area and address the City's vulnerability to environmental challenges such as earthquakes, wildland fires, and other hazards identified in the proposed Local Hazard Mitigation Plan and Climate Action Plan, which is to be completed concurrently with the General Plan Update. The General Plan is intended to respond to local and regional housing needs, foster economic growth and local job creation, enhance civic identity and placemaking, and protect sensitive natural resources. The proposed Climate Action Plan (CAP) will identify strategies and measures to reduce greenhouse gas emissions generated by existing and potential future uses in the City. The General Plan Update could potentially lead to Sphere of Influence amendments and annexations that would accommodate future housing sites and limited commercial development.

GOV3-2

**Location:** City of Hollister, San Benito County.

**Timeframe:** 2040

## COMMENTS AND RECOMMENDATIONS

**Special-Status Species:** Given the City-wide nature of the Project, there is the potential for the Project to impact State-listed species. Records from the California Natural Diversity Database (CNDDB) show that the following special-status species, including CESA-listed species (CDFW 2023) could be impacted: the State endangered (SE) and federally endangered (FE) San Joaquin kit fox (*Vulpes macrotis mutica*), the federally threatened (FT) vernal pool fairy shrimp (*Branchinecta lynchi*), the FT and State threatened (ST) California tiger salamander-central population (*Ambystoma californiense*), the State candidate-listed endangered (SCE) Crotch bumblebee

GOV3-3

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(*Bombus crotchii*), the ST Swainson's hawk (*Buteo swainsoni*) and tricolored blackbird (*Agelaius tricolor*), the FT and State species of special concern (SSC) California red-legged frog, the FT steelhead, south/central California coast (*Oncorhynchus mykiss irideus*), and the SSC burrowing owl (*Athene cunicularia*), western spadefoot (*Spea hammondi*), Monterey hitch (*Lavinia exilicauda*), western pond turtle (*Emys marmorata*), American badger (*Taxidea taxus*), and San Joaquin coachwhip (*Masticophis flagellum ruddocki*), and the 1B.2 plant rank (plants rare, threatened, or endangered in California and elsewhere) San Joaquin spearscale (*Extriplex joaquinana*) and Hall's tarplant (*Deinandra halliana*). Along with the species listed above that have been observed within the Project limits, there was a 2021 sighting of the SE and FE California condor (*Gymnogyps californianus*) approximately two miles northeast of the proposed Project site near the John Smith Landfill, as well as a 2023 sighting of the fully protected (FP) golden eagle (*Aquila chrysaetos*) just north of the landfill site (CDFW 2023).

The primary purpose of a DEIR is to consider all the potential impacts associated with the suite of projects that would eventually tier from the EIR over time. As such, the DEIR should serve primarily as a planning level EIR and consider, in detail, the cumulative impacts of the reasonably foreseeable projects on the environment, and on the species CDFW has identified in this comment letter. CDFW recommends that habitat assessments be conducted in and surrounding all locations for planned work/ground disturbance in the DEIR and identify all the potential plant, animal, invertebrate, and fish species that could be present. Then, for those species, CDFW recommends a robust analysis of cumulative impacts for each of those species along with avoidance, minimization, and mitigation measures that could be implemented on each project to reduce harm. For many species, subsequent protocol level surveys may be required during biological studies conducted in support of the future CEQA documents that will be tiered from the Final EIR and, depending on the results, avoidance and minimization measures, permits, and mitigation may be required.

CDFW recommends that survey-level protocols be conducted for these species as part of the biological technical studies prepared in support of each future CEQA document tiered from the Final EIR, with conclusions of those studies summarized therein and repeated as necessary prior to Project ground-disturbing activities. For all future projects tiered from the EIR, CDFW recommends that focused surveys be conducted by qualified biologists familiar with the appropriate survey protocols per individual species. In the future CEQA documents tiered from the EIR, CDFW advises that special status species be addressed with appropriate avoidance and minimization measures. If take could occur as a result of Project implementation, consultation with CDFW would be warranted.

**Cumulative Impacts:** CDFW recommends that a cumulative impact analysis be conducted for all biological resources that will either be significantly or potentially significantly impacted by implementation of the Project, including those whose impacts

GOV3-3  
CONT.

GOV3-4



Abraham Prado, Interim Development Services Director  
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are determined to be less than significant with mitigation incorporated or for those resources that are rare or in poor or declining health and will be impacted by the Project, even if those impacts are relatively small (i.e. less than significant). CDFW recommends cumulative impacts be analyzed using an acceptable methodology to evaluate the impacts of past, present, and reasonably foreseeable future projects on resources and be focused specifically on the resource, not the Project. An appropriate resource study area identified and utilized for this analysis is advised. CDFW staff is available for consultation in support of cumulative impacts analyses as a trustee and responsible agency under CEQA and we recommend that the City reach out to CDFW to discuss various methodologies and strategies for an analysis of this type for CDFW trustee agency resources.

GOV3-4  
CONT.

**CNDDDB:** Please note that the CNDDDB is populated by and records voluntary submissions of species detections. As a result, species may be present in locations not depicted in the CNDDDB but where there is suitable habitat and features capable of supporting species. A lack of an occurrence record in the CNDDDB does not mean a species is not present. In order to adequately assess any potential Project-related impacts to biological resources, surveys conducted by a qualified biologist during the appropriate survey period(s) and using the appropriate protocol survey methodology are warranted in order to determine whether or not any special status species are present at or near the Project area.

GOV3-5

**Lake and Stream Alteration:** The Projects that tier from the EIR may be subject to CDFW's regulatory authority pursuant to Fish and Game Code section 1600 et seq. Fish and Game Code section 1602 requires the project proponent to notify CDFW prior to commencing any activity that may (a) substantially divert or obstruct the natural flow of any river, stream, or lake; (b) substantially change or use any material from the bed, bank, or channel of any river, stream, or lake; or (c) deposit debris, waste or other materials that could pass into any river, stream, or lake. "Any river, stream, or lake" includes those that are ephemeral or intermittent as well as those that are perennial in nature. For additional information on notification requirements, please contact our staff in the LSA Program at (559) 243-4593, or [R4LSA@wildlife.ca.gov](mailto:R4LSA@wildlife.ca.gov).

GOV3-6

**Federally Listed Species:** CDFW recommends consulting with the United States Fish and Wildlife Service (USFWS) on potential impacts to federally listed species including, but not limited to, the San Joaquin kit fox, the vernal pool fairy shrimp, the California tiger salamander, the California red-legged frog, and the south/central California coast steelhead. Take under the Federal Endangered Species Act (FESA) is more broadly defined than CESA; take under FESA also includes significant habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or nesting. Consultation with the USFWS in order to comply with FESA is advised well in advance of any ground-disturbing activities.

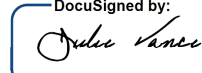
GOV3-7

Abraham Prado, Interim Development Services Director  
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CDFW is available to meet with you ahead of Final EIR preparation to discuss potential impacts and possible mitigation measures for some or all of the resources that were or should be analyzed in the EIR. If you have any questions, please contact Kelley Nelson, Environmental Scientist, at the address provided on this letterhead, by telephone at (559) 580-3194, or by electronic mail at [Kelley.Nelson@wildlife.ca.gov](mailto:Kelley.Nelson@wildlife.ca.gov).

GOV3-8

Sincerely,

DocuSigned by:  
  
FA83F09FE08945A...

Julie A. Vance  
Regional Manager

cc: United States Fish and Wildlife Service  
Patricia Cole; [patricia\\_cole@fws.gov](mailto:patricia_cole@fws.gov)

State Clearinghouse, Governor's Office of Planning and Research  
[State.Clearinghouse@opr.ca.gov](mailto:State.Clearinghouse@opr.ca.gov)

California Department of Fish and Wildlife  
CDFW LSA/1600; [R4LSA@wildlife.ca.gov](mailto:R4LSA@wildlife.ca.gov)  
Kelley Nelson; [Kelley.Nelson@wildlife.ca.gov](mailto:Kelley.Nelson@wildlife.ca.gov)

Abraham Prado, Interim Development Services Director  
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## **LITERATURE CITED**

California Department of Fish and Wildlife. 2023. Biogeographic Information and Observation System (BIOS). <https://www.wildlife.ca.gov/Data/BIOS>. Accessed May 17, 2023.

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## **LITERATURE CITED**

California Department of Fish and Wildlife. 2023. Biogeographic Information and Observation System (BIOS). <https://www.wildlife.ca.gov/Data/BIOS>. Accessed May 17, 2023.

## California Department of Transportation

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June 30, 2023

SB†/VAR  
SCH#2021040277

Eva Kelly, Interim Planning Manager  
City of Hollister  
339 Fifth Street  
Hollister, CA 95023

COMMENTS FOR THE DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) – HOLLISTER 2040  
GENERAL PLAN, CLIMATE ACTION PLAN (CAP), AND AGRICULTURE LANDS  
PRESERVATION PROGRAM, HOLLISTER, CA

Dear Ms. Kelly:

The California Department of Transportation (Caltrans), District 5, Development Review, has reviewed the Hollister 2040 General Plan, Climate Action Plan, and Agricultural Lands Preservation Program DEIR which builds off the existing 2005 General Plan to provide a framework for land use, transportation, and conservation decisions through the horizon year of 2040. Caltrans offers the following comments in response to the DEIR:

GOV4-1

1. Caltrans looks forward to working with the City of Hollister on future transit and complete streets concepts located within state right of way. The state views all transportation improvements as opportunities to improve safety, access, and mobility for all users and recognizes bicycle, pedestrian, and transit modes as integral elements of the transportation network. Early coordination with Caltrans, in locations that may affect both Caltrans and the City of Hollister, is encouraged.

GOV4-2

2. We support Goal C-1 and the policies to help reduce VMT (vehicle miles traveled) to insignificant levels. The listed policies will help appropriately balance the needs of congestion management with statewide goals related to multimodal transportation, promotion of public health through active transportation, and reduction of greenhouse gas emissions. Caltrans encourages the city to begin working on these policies as soon as possible to find the best local based practices to best alleviate VMT in the region.

GOV4-3

3. Further, we support the Predefined VMT Mitigation Bank to lower VMT. The bank should complement State goals to promote equitable transportation outcomes, advance multi-modal transportation strategies, and advance innovative technology and systems as a corollary to new land use projects. | GOV4-4
4. Caltrans appreciates Policy C-4.6 TDM Requirements which requires new or existing developments that meet specific conditions to implement transportation demand management (TDM) strategies and other single vehicle occupancy reduction methodologies which will be monitored. TDM monitoring should be supported with long term maintenance of effort. Measures that are more useful to consider include transit and micro-mobility pass discounts, carpool matching and incentives, bike facilities at workplaces, vanpools, and emergency-ride-home services for non-driving employees. | GOV4-5
5. Additional traffic studies will be needed for any operational changes on the state highway system (SHS). For example, any proposed changes to the type of intersection control would require an Intersection Control Evaluation (ICE) to be performed. | GOV4-6

Thank you for the opportunity to review and comment on the proposed project. If you have any questions, or need further clarification on items discussed above, please contact me at (805) 835-6543 or email [christopher.bjornstad@dot.ca.gov](mailto:christopher.bjornstad@dot.ca.gov). | GOV4-7

Sincerely,

*Christopher Bjornstad*

Chris Bjornstad  
Associate Transportation Planner  
District 5 Land Development Review



**San Benito**  
HIGH SCHOOL DISTRICT  
*Continuing Excellence*

1220 Monterey Street  
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Phone (831) 637-5831 x 132  
[www.sbhs.sbhsd.org](http://www.sbhs.sbhsd.org)

Dr. Shawn Tennenbaum  
Superintendent

June 30, 2023

City of Hollister  
Development Services Department – Planning Division  
ATTN: Eva Kelly, Interim Planning Manager  
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Hollister, CA 95023  
[generalplan@hollister.ca.gov](mailto:generalplan@hollister.ca.gov)

Re: Hollister General Plan Update 2040, Climate Action Plan, and Agricultural Lands Preservation Program (SCH# 2021040277) ("Project")  
**Comments on the "Hollister GP 2040, CAP, and ALPP EIR" and Project**

Dear Ms. Kelly:

This letter is submitted to the City of Hollister ("City") on behalf of the San Benito High School District ("District") and its governing board concerning our review and assessment of **both** (1) the proposed General Plan Update 2040, Climate Action Plan, and Agricultural Lands Preservation Program (collectively, the "Project"), and (2) the City's Draft Environmental Impact Report ("DEIR") prepared for the Project.

As a California public school district serving children who reside and attend school within the City and the Planning Area defined in the General Plan and DEIR, and as an owner of both a school site within the City's limits and Sphere of Influence, as well as a second property within the Urban Service Area and Planning Area set forth in Figure 3-2 of the DEIR, the proposed Project affects resources within the District's expertise. Accordingly, we submit these comments to the City to ensure that the serious impacts of current and future growth from now through 2040 on our District and the families we serve are heard and meaningfully addressed with decisive policies to guide future growth.

In accordance with the California Environmental Quality Act (Pub. Res. Code, §21000, *et seq.*, hereinafter "CEQA") and its interpreting regulations (Cal. Code Regs., tit. 14, §15000, hereinafter "CEQA Guidelines"), the District looks forward to receiving the City's written responses to these comments at least 10 days before certifying a final environmental impact report ("EIR") for the Project. (CEQA Guidelines, §15088(b); Pub. Res. Code, §21092.5.)

**A. Comments on Hollister General Plan Update 2024, Climate Action Plan, and Agricultural Lands Preservation Program ("Project")**

The self-described purpose of the City in adopting an updated General Plan is to "direct and coordinate future planning decisions . . . [the General Plan] also describes the desired character and quality of development, and the process for how development should proceed." (2040 General Plan, Section 1.1). Finding itself under continuing development pressure, noting "severe constraints on the city's infrastructure" resulting from development, the City

GOV5-1

GOV5-2

clearly must adopt a set of guiding principles so that future development *improves and protects* the quality of life in Hollister, rather than imperiling or diminishing it.

Our District's goals are aligned with many of the values expressed in the General Plan, and while the District operates only partially within the City's jurisdiction, the City's policies and actions dramatically affect the lives of our students. Our District has been deeply and negatively affected by the pace of such approvals by the City in the past five years. Thus, it is our expectation that the City will follow through on the 2040 General Plan goals that seek to protect and amplify the needs of families and how they receive public education services in Hollister.

The General Plan makes clear that the City projects the addition of 6,455 new dwelling units, 1.1 million new square feet of commercial and office space, and 2.8 million feet of new industrial space (General Plan, Section 3.6, Policy LU-1.3).

Based on these growth projections, the General Plan goals and policies affect the District in two ways:

- First, development brings additional families to Hollister, creating the need for additional classrooms, support facilities and expanded capacity to be provided by school districts. Using current student enrollment projection models applied solely to the residential development projections of the General Plan, we anticipate a need to house and educate up to 2,100 new students. This does not include students coming from development beyond City boundaries within the County of San Benito that must also be housed and educated by our District; and
- Second, development affects the conditions on and around existing school facilities, including Hollister High School and future sites within and outside City limits, such as traffic congestion, circulation, parking, noise, air quality and other conditions.

GOV5-2  
CONT.

Our specific comments on the General Plan/Project include the following:

### **1. Community Services and Facilities Element – Schools (2040 General Plan Section 5.2.7)**

We appreciate that the City invited us to contribute to the General Plan Advisory Committee process in 2021. We remain generally in support of all of the proposed new goals and policies included within the General Plan in support of schools, including those in Section 5.2 of the Community Services and Facilities Element, as follows:

- Goal CSF-1, Policy CSF-1.3 and 1.4; and
- Goal CSF-7, Policies CSF-7.1-7.5.

Respectfully, however, we request an amendment to Goals CSF-7.1 and 7.5, as follows:

**"Policy CSF-7.1 New School Funding Initiatives.** Consider incentives, such as density bonuses and waiver or reductions of development standards, when a proposed project voluntarily provides school fee contributions beyond ~~their fair share~~ statutory school impact fees for new school facilities (new)."

**"Policy CSF-7.5 Construction of a Second High School.** Support the San Benito High School District's efforts to site, develop and construct a new high school, including



approving connection of school parcels within any City Planning Area, Urban Service Area, Sphere of Influence or City limits to City's municipal service infrastructure and systems."

Finally, we request that every policy be supported by specific City actions created to ensure that these policies are realized.

Specifically:

- In support of Policy CSF-7.1, we request that the City add an action that mandates that a list of development incentives to be achieved in exchange for voluntary mitigation agreements in excess of school impact fees be presented these developers at the earliest possible point in the development process.
- In support of Policy CSF-7.2, we request that the City add an action requiring City participation in an intergovernmental committee comprised of school districts, City officials and County officials to ensure that coordination of development occurs as identified.
- In support of Policy CSF-7.3, we request that the City add an action that requires every developer to participate in a mandatory meeting with the District to discuss (voluntary) mitigation options, as a condition of receiving project approval. Mitigation options can offer numerous benefits to developers.
- In support of Policy CSF-7.5, we request that the City add an action requiring the Sphere of Influence be extended to include our school parcel located on Best Road.

We are available to consult with you further regarding other ideas for how the City can support these General Plan goals and policies with specific actions, but robust follow-through on these new policies is warranted.

## **2. Requested Additions to General Plan – Land Use and Community Design Element (Section 3)**

As noted in our letter to the City dated April 24, 2023, we seek the City's support in including goals and policies within the General Plan that provide for the reservation of land pursuant to Government Code Section 66479 (see Hollister Municipal Code, §16.48) within identified Planning Areas and Specific Plans so that we can be assured that appropriate, developable land is identified and set aside for future high school use before it may be developed for other purposes.

In particular, the District seeks the reservation of 50-70 acres within the Buena Vista Road Special Planning Area and the Union Road Special Planning Area based upon current projected patterns of growth in enrollment, without regard to preservation of an agricultural "buffer" as contemplated for the Buena Vista Special Planning Area in the General Plan. This formal reservation will ensure that as development occurs in these areas, our District has the ability to secure future new school sites in these regions as part of the planning and development process.

We defer to the City as to the most appropriate way to include these land reservations within Section 3 of the General Plan. When and if Specific Plans are required for each of these planning areas, the school site reservations must be included.

GOV5-2  
CONT.

## **B. Comments on Draft EIR**

Because general plans govern the type and location of new development, CEQA and its interpreting regulations require cities and counties to study potential environmental impacts as part of the adoption or update process. (Pub. Res. Code, § 21000, *et seq.*; *see also* CEQA Guidelines, §15378.) When a new general plan or revision is being considered, the EIR must evaluate the proposed plans or revision's effects on both the existing physical environment and the environment envisioned by any adopted plan. (*Environmental Planning and Information Council v. Co. of El Dorado* (1982) 131 Cal.App.3d 354; CEQA Guidelines §15125(e).) Under CEQA and its Guidelines, an EIR must set forth all significant effects on the environment of the proposed project, as well as mitigation measures proposed to minimize significant effects on the environment, and alternatives to the proposed project. An EIR must "present information in such a manner that the foreseeable impacts of pursuing the project can actually be understood and weighed." (*Vineyard Area Citizens for Responsible Growth, Inc. v. City of Ranch Cordova* (2007) 40 Cal.4th 412, 449-450.)

GOV5-3

### **1. Notice of Availability**

The Notice of Availability ("NOA") for the DEIR issued by the City is dated May 17, 2023, however it was not received by the District until June 6, 2023. As a result, the District has not been provided with the full 45-day review and comment period required under CEQA and the CEQA Guidelines.

GOV5-4

### **2. Project Description – Planning Boundaries and EIR Study Area (Section 3.4)**

- Inconsistency in Planning Areas. In general, there appear to be inconsistencies between the existing City Limits, Sphere of Influence, and Planning Area boundaries depicted in the proposed 2040 General Plan (Figure LU-2, p. LU-7) and DEIR (Figure 3-2, Figure 3-4) in comparison with the City Limits, Sphere of Influence, and Planning Area boundaries set forth in the City's current General Plan (City of Hollister 2005 General Plan, p. 2.3). Please clarify where the existing boundaries are located and explain any discrepancies.
- Urban Service Area and Planning Area. By definition, development in the Planning Area "may have an impact on the City" (DEIR, p. 3-6; 2040 GP, p. LU-2), whereas development in the Urban Service Area to which the City provides access to municipal water and sewer services "directly influence[s] development planning and decision making in Hollister." (2040 General Plan, p. LU-2.) As the owner of property located within both the Urban Service Area and Planning Area that will need to be connected to the City's municipal service infrastructure and systems, and as the public high school district that will serve students residing in these areas, the District has an interest in how the 2040 General Plan will guide development and future service connections in these areas.
  - The Urban Service Area and Planning Area depicted in the DEIR and 2040 General Plan appear to be incomplete. For example, during its June 20, 2023 meeting, the City Council adopted Resolution No. 2023-133 concerning a Wastewater Treatment Services Agreement between the City and San Juan Oaks Mutual Water Company with respect to sewer service for a development project known as the San Juan Oaks project ("San Juan Oaks"). According to Resolution No. 2023-133, as well as Resolution No. 2015-232, dated December 21, 2015, San Juan Oaks is "located within the unincorporated area of San Benito County and outside the City of Hollister

GOV5-5

GOV5-6

Sphere of Influence and within the Urban Service Area.” Per the Mayor’s Meeting Report Out, dated June 21, 2023 (see attached), the sewer connections were approved in 2016. However, San Juan Oaks is not included within the Urban Service Area nor the Planning Area depicted in Figure LU-1 on page LU-4 of the 2040 General Plan and on Figure 3-2 of the DEIR. Because the City circulated the NOP for the EIR for the proposed Project on April 9, 2021, San Juan Oaks should be included in the Urban Service Area and Planning Area. (DEIR, p. 1-2.) The boundaries of the Urban Service Area and Planning Area need to be revised to include all areas fitting within the “Planning Area” and “Urban Service Area” definitions.

GOV5-6  
CONT.

- The DEIR explains that the Urban Service Area and Planning Area are excluded from the EIR Study Area because “lands outside of the SOI are not considered for urban development or annexation by the City within the 20-year planning horizon of the proposed 2040 General Plan.” (DEIR, 3-6.) However, known development is occurring within the Urban Service Area and Planning Area, and will be connected to the City’s municipal service infrastructure and systems. It is unclear why such known and anticipated pockets of development are not included in the EIR Study Area.

GOV5-7

- Similarly, the proposed 2040 General Plan includes goals, policies, and actions that specifically concern the City’s Urban Service Area and Planning Area, and such goals, policies, and actions are relied on throughout the DEIR in reaching the conclusion that environmental impacts of the Project would be less than significant, thus it is unclear why the City’s Urban Service Area and Planning Area are not included in the EIR Study Area. For example, the DEIR concludes that proposed 2040 General Plan goals, policies, and actions “would minimize potential adverse impacts of future growth.” (DEIR, 4.14-7.) One of the goals relied on to mitigate impacts is Goal LU-1 (Goal LU6 of the current 2005 General Plan), which states: “Promote orderly and balanced growth within Hollister’s planning area boundaries.” (*Id.*) Such conclusions lack support if the City’s Urban Service Area and Planning Area are excluded from the EIR Study Area analyzed in the DEIR.

GOV5-8

- Sphere of Influence: As noted above, we are requesting that the City take action to extend its Sphere of Influence to include our property located on Best Road and Highway 25. Accordingly, we believe that the EIR Study Area should include that additional territory and any necessary adjustments be made to the DEIR.

GOV5-9

### **3. Public Services and Recreation/Schools (Section 4.15.3)**

- We note some factual misstatements and conclusions in the impact analysis that we request be corrected and addressed in the EIR:
  - Page 4.15-25: In the discussion of Hollister Municipal Code regarding school site dedication, the referenced sections apply only to elementary school districts. This option is not available to the District, and thus Hollister Municipal Code 16.48 should be referenced for the proposition that land for high school sites could be reserved in accordance with those provisions. As noted above, we are requesting school site reservation in accordance with applicable laws. As a result, the discussion of this issue on page 4.15-30 must be updated.

GOV5-10

<ul style="list-style-type: none"> <li>○ <u>Table 4.15-1</u>: This table of enrollment data is significantly out of date given the rapid enrollment growth we are experiencing, and thus it seems to suggest that we have capacity at Hollister High School. That is unequivocally incorrect. Please update this table to include 2022-23 enrollment and/or projected 2023-24 enrollment. Our 2022-23 enrollment is 3,567 students and our projected 2023-24 enrollment is approximate 3,650 students.</li> </ul>	<div>GOV5-11</div>
<ul style="list-style-type: none"> <li>• The District reiterates and incorporates by reference in our DEIR comments all of the comments made on the General Plan in Section A above, since the DEIR relies on the General Plan policies and goals to address concerns with school capacity created by future growth. To the extent the General Plan is adjusted per our comments, the DEIR should also be adjusted. (See DEIR, p 4.15-31).</li> </ul>	<div>GOV5-12</div>
<p><b>4. Transportation (Section 4.16)</b></p>	
<ul style="list-style-type: none"> <li>• General Plan Policies C-4.1 and C-4.5 recognize that the intersection of San Benito Street and Nash Road/Tres Pinos functions at a level of service below that which is expected at all other intersections in the City (LOS D). This location is the only intersection specifically identified within the General Plan for this designation. The intersection, which lies directly east of Hollister High School, is a critical access point for vehicles, pedestrians, and bicyclists for school trips. Rather than identifying the location as a point of transportation failure, the General Plan should identify improvements that would allow the intersection to function in a manner consistent with the rest of the Cty’s infrastructure. Improvements could be developed in coordination with the District and could include modifications at the intersection and/or improvements to parallel routes.</li> </ul>	<div>GOV5-13</div>
<ul style="list-style-type: none"> <li>• The DEIR identifies that implementation of the General Plan would result in significant and unavoidable impacts related to Vehicle Miles Traveled, for which mitigation cannot be identified. As detailed in Table 4.16-1 (VMT by Land Use and Scenario) of the DEIR, in the year 2040 Plus Project scenario, the General Plan would result in significant impacts related to residential VMT per Capita, office VMT per Employee, and other use VMT per Employee. For both office VMT per Employee and other use VMT per employee, the General Plan increases VMT per capita in the year 2040 scenario. This is indicative of a land use plan that encourages development in portions of the city that are less VMT efficient. The General Plan should consider encouraging development in infill portions of the City that would yield more positive VMT outcomes. The continued expansion of the City into less efficient areas from a transportation perspective will only exacerbate overly congested conditions in and around the District’s schools. If these plans are approved and pursued, the City should work with the District to improve access to existing school facilities for automobiles, pedestrians, buses, and bicycles.</li> </ul>	<div>GOV5-14</div>
<ul style="list-style-type: none"> <li>• The DEIR includes a new goal and associated policies and actions directly related to District planning and operations. The following comments are provided to ensure the new policies allow for efficient implementation to meet the related General Plan goals while considering the responsibilities of the local districts as Lead Agencies under CEQA. Specifically, under Goal C-1, to provide for a healthy and active community based on complete streets, the DEIR introduces Policy C-1.9 Local Schools. The District appreciates the inclusion of the provision to coordinate with local school districts to improve transportation to new sites. The District requests the following revision to ensure maximum efficiency in complete streets planning around schools:</li> </ul>	<div>GOV5-15</div>

- "During the initial stages of identifying transportation improvement priorities, coordinate with local school districts to improve bicycle, pedestrian, and traffic flow around school sites."

This requested revision is vital to address existing issues within the transportation network surrounding the current Hollister High School such as the poor level of service identified in the DEIR at the intersection of San Benito Street and Nash Road/Tres Pinos. Similarly, Action C-1.4: Safe Routes to School should include the same requirements as C-1.9 to "coordinate with local school districts" to fund and implement the Safe Routes to School improvements.

Including the school districts as a planning and operational partner for transportation planning within the City is vital to ensuring General Plan goals, policies, and actions are implemented in a strategic manner improving circulation within the City while ensuring access to a quality education for the community served by the District.

- The District understands that the City recently submitted a U.S. Department of Transportation Safe Streets and Roads for All Implementation Grant application with respect to traffic safety and roadway improvements near two elementary schools located in Hollister. The District is similarly interested in partnering with the City and the County to seek a federal grant from this program to fund traffic safety and roadway improvements surrounding Hollister High School, which is located within City Limits and the Sphere of Influence. These improvements are consistent with the proposed 2040 General Plan goals, policies set forth in the Circulation Element, including, without limitation, Goals C-1, C-3, and C-4, Policies C-1.2, C-3.1, C-3.2, C-3.3, C-3.4, C-3.5, C-3.6, C-4.1, and C-4.7, and Actions C-3.2, C-3.4, as well as in the Health and Safety Element, including Goal HS-1. The District seeks a commitment from the City to seek funding for, and implement, traffic safety and roadway improvements around Hollister High School.

## **5. Hazards and Hazardous Materials (Section 4.9)**

- Pursuant to the CEQA Guidelines, the EIR must describe the existing physical environmental conditions as they exist when the Notice of Preparation ("NOP") is published in order for the project's significant impacts to be considered in the full environmental context. (CEQA Guidelines, §15125(a)&(c).) The DEIR and the NOA include a "Hazardous Materials/Waste Disclosure", which states: "A search of the online databases on May 1, 2020, identified four EnviroStor sites that have not been full remediated or closed." (NOA, p.2; EIR, p. 4.9-11.) However, according to the DEIR, the City circulated the NOP for the EIR for the proposed Project on April 9, 2021. (DEIR, p. 1-2.) Therefore, the information provided in the NOA and EIR is outdated and does not satisfy baseline condition requirements under CEQA. Please provide a timely list and location of active cleanup sites.
- The location of the District's "San Benito High School Modernization Project" clean-up appears to be inaccurate or mislabeled on Figure 4.9-1. Clean-up of this site is anticipated to commence in the Fall.

## **6. Alternatives (Section 5)**

- An EIR must present "a reasonable range of potentially feasible alternatives" to the project or its location, as is necessary to permit a reasoned choice, and describe

**GOV5-15  
CONT.**

**GOV5-16**

**GOV5-17**

**GOV5-18**

the rationale for selecting the alternatives. (CEQA Guidelines, §15126.6(a), (b) & (f).) With respect to a general plan, a reasonable range of alternatives would typically include different levels of density and compactness, different locations and types of uses for future development, and different general plan policies. Here, the alternatives considered in the DEIR are (a) manifestly unreasonable, and (b) do not contribute to a reasonable range of alternatives.

**GOV5-18  
CONT.**

- Alternative A, the “No Project” alternative, and Alternative B, the “Focused Growth” alternative, are impracticable, unreasonable, and would be impossible to achieve:

- As set forth in the 2040 General Plan and DEIR, a 56 percent increase in total population and 58 percent increase in housing units over the 20-year horizon is estimated in the EIR Study Area by 2040. (DEIR, 4.14-6.) This does not include estimated housing and population increases in the City’s Urban Service Area or Planning Area. Yet Alternative A “assumes that development growth throughout the city would remain unchanged until the buildout horizon year 2040” (DEIR, p. 5-6), while Alternative B unreasonably assumes that the population and number of housing units would both double by more than half within the same footprint as the 5,220-acre City Limits and 1,817-acre Sphere of Influence. (DEIR, pp. 5-20 & 3-3.) For these reasons, Alternative A is unreasonable, while Alternative B is impracticable.

**GOV5-19**

- In reaching the conclusions that Alternative B would be the environmentally superior alternative, the DEIR fails to consider the cumulative impacts of Alternative B, and unreasonably assumes that, by encouraging more development and redevelopment within existing City Limits, development will cease outside the current Sphere of Influence. (See DEIR, p. 5-31.) However, San Benito County has been one of the fastest growing populations in California over the last three decades,<sup>1</sup> and as discussed above, known development will continue to occur outside City boundaries within the City’s Urban Service Area and Planning Area, and such developments will continue to be connected to the City’s municipal service infrastructure and systems.

**GOV5-20**

- In concluding that impacts under Alternative B would be similar to those of the proposed Project, the DEIR inconsistently states that Alternative B “would allow for the same level of residential and nonresidential development in the EIR Study Area through 2040.” (DEIR, p. 5-28.) However, the EIR Study Area includes the proposed Sphere of Influence expansion area, which is expressly excluded under Alternative B. (DEIR, p. 5-20.) Accordingly, this conclusion isn’t supported by the evidence, further illustrating that Alternative B would be impossible to achieve.

**GOV5-21**

For these reasons, both Alternatives are infeasible.

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<sup>1</sup> BenitoLink, “Hollister 2040 General Plan: City Aims to Solve Future Traffic Congestion” (May 18, 2023), available at: <https://benitolink.com/hollister-2040-general-plan-city-aims-to-solve-future-traffic-congestion/>.

<ul style="list-style-type: none"> <li>○ The District requests that the City consider a third alternative, which shall be referred to herein as "Alternative C", the "Concentrated Buildout" alternative. Similar to the proposed Project, under Alternative C, the Hollister Municipal Code would be amended to add the proposed ALPP, and likewise would adopt the proposed 2023 CAP to serve as the strategic plan for how the City will reduce GHG emissions and foster a sustainable community through 2050 and beyond. However, we recommend that Alternative C further expand the General Plan's proposed Sphere of Influence to include concentrated areas of planned or anticipated development within the City's Planning Area that will be serviced by the City, including if it is reasonably foreseeable or anticipated that such development will be serviced by the City. Including such an alternative would foster informed decision-making and public participation because it would meet most of the stated objectives and would provide significant environmental advantages.</li> </ul>	<div>GOV5-22</div>
<ul style="list-style-type: none"> <li>• An EIR should identify any alternatives that were considered but rejected as infeasible during the scoping process, and briefly explain the reasons underlying such determination. (CEQA Guidelines, §15126.6(b).) Such discussion is absent from the DEIR.</li> </ul>	<div>GOV5-23</div>
<ul style="list-style-type: none"> <li>• The District requests clarification with respect to Alternative B's scope: <ul style="list-style-type: none"> <li>○ The DEIR contains an inconsistent description of the proposed Sphere of Influence under Alternative B. Specifically, the DEIR states, "Alternative B would not propose to change the SOI as described in Chapter 3, <i>Project Description</i>, but instead would maintain the current Hollister SOI." (DEIR, pp. 5-20 – 5-21.) However, in the same paragraph concerning Alternative B, the DEIR inconsistently provides: "As shown on Figure 3-7, <i>Existing and Proposed Sphere of Influence</i>, in Chapter 3, the proposed SOI would extend further north and south of the existing SOI, but would remain contiguous with the existing SOI border to the east and west." (DEIR, p. 5-21.) Figure 3-7 shows the proposed Sphere of Influence with the Project as proposed, but does not show the proposed Sphere of Influence under Alternative B. Moreover, while Figure 3-7 shows a proposed extension south of the existing Sphere of Influence, it does not depict a proposed north extension. Please clarify the proposed Sphere of Influence boundaries under: (i) the proposed Project; and (ii) Alternative B.</li> <li>○ The DEIR is silent on whether Alternative B includes adoption of the proposed 2023 CAP and a Zoning amendment to add the proposed ALPP to the Hollister Municipal Code.</li> </ul> </li> </ul>	<div>GOV5-24</div>
<p><b>C. Request for Notice</b></p> <p>Pursuant to Public Resources Code sections 21080.4, 21083.9, 21092, 21108, and/or 21152, as well as Government Code sections 65090 and/or 65091, please provide me with a copy of any future notices issued for the proposed Project.</p>	<div>GOV5-25</div>
<p><b>D. Summary</b></p> <p>The San Benito High School District is the sole provider of regular high school education services to families in Hollister and has a 100+-year history of providing excellent service to the community. However, quality education services are threatened by anticipated growth if we are unable to address the health, safety, and capacity impacts of that growth.</p>	<div>GOV5-26</div>

As stated in previous correspondence to the City, as well as in recent presentations made to City officials, the District's school facilities are currently operating over capacity, and as projects continue to get approved, the demand for new school facilities continues to increase. The District looks forward to the City's cooperation and collaboration in addressing these deficiencies to ensure the continued high quality of life in the City and education in its schools.

In accordance with CEQA Guidelines, section 15204(d), please be advised that I, Shawn Tennenbaum, am the contact person for the District who is available for consultation on the District's behalf. My contact information is provided below.

**GOV5-26  
CONT.**

Very truly yours,



Shawn Tennenbaum, Ed.D.  
Superintendent  
San Benito High School District  
(831) 637-5831 (x133)  
[stennenbaum@sbhsd.k12.ca.us](mailto:stennenbaum@sbhsd.k12.ca.us)

cc: Members, San Benito High School District Board of Trustees  
John Frusetta, Chief Business Officer, San Benito High School District



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From: **San Benito County Business Council** <[kristina@sbcbusinesscouncil.com](mailto:kristina@sbcbusinesscouncil.com)>

Date: Wed, Jun 21, 2023 at 3:13 PM

Subject: June 21, 2023 Hollister City Council Report Out from Mayor Mia Casey

To: San Benito County Business Council <[kristina@sbcbusinesscouncil.com](mailto:kristina@sbcbusinesscouncil.com)>

Good afternoon.

Below is Hollister Mayor Mia Casey's report out of last night's City Council meeting.

Thank you, Mayor.

To review the meeting agenda, agenda packet and video, please

see <http://hollisterca.iqm2.com/Citizens/Calendar.aspx>

...

*CITY COUNCIL MEETING REPORT OUT FOR JUNE 21, 2023:*

*We had standing room only last night in part because we were honoring the Baler Baseball and Softball teams with proclamations in recognition of their excellent seasons!*

*I also want to highlight the 3 sewer items before us last night, and to be clear about what was discussed and voted on so people have correct information, since there has been a good deal of political spin happening:*

*1) Sewer System Report and Request for Direction*

*Our director William Via did an assessment and reported out to us some issues with our sewer plant that needed repair and upgrade. Back in 2016, 2 of the 4 "membranes" that process waste were upgraded/replaced, but unfortunately these new membranes cannot work alongside the 2 older membranes, which actually caused our waste capacity to go down from 4MGD (4 million gallons per day) to only 3.4MGD. Also, those 2 older membranes have a lifespan of about 15 years, and they are about 15 years old. So the staff had recommended replacing them.*

*The cost is I believe in the \$2-3M range. There is a specific sewer expansion fund, which has collected sewer impact fees from developers over the years, with about \$27M in it. Those funds are earmarked specifically to cover these kinds of costs. So there is no impact to the City's general fund on this. Council gave direction to do the repairs/upgrades. This also increases our capacity to keep us in compliance with state so we don't get above the 90% level. There was also discussion at the request of one council member to not repair the equipment and instead do a moratorium but the majority of council (vote 4-1) opted to take care of our infrastructure and keep it in good repair.*

*The other thing discussed, and which council has requested more info on is updating our bio-solids processing. Currently, there is an older system that processes waste and presses out the water and then it is hauled off to the landfill. If we can upgrade this system we can turn waste into compost, which is environmentally friendly, and will also allow us to divert that waste from the landfill, which is important given our landfill issues!*

*2) San Juan Bautista sewer connection*

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5-27

*The city of San Juan Bautista has an emergency situation and the state and the EPA have intervened and they needed sewer access. Last year an agreement was made by Mayor Velazquez and council to allow the sewer connection. An agreement was presented last night which detailed the terms, and the Council pushed back on the flow rate that would be allowed, and approved the agreement with that reduced amount language included.*

*3) San Juan Oaks project*

*This is an older project from 2016. This sewer connection was unanimously approved by Mayor Velazquez and council in 2016. LAFCO also gave approval, and the City Manager gave a 'will-serve' letter to San Juan Oaks. So the approvals were all made back in 2016. Now that the project is under construction and the sewer connections are ready to be made, they brought us the maintenance/service agreement for approval. If this had not been approved and the City had tried to renege on the earlier approvals for connection given in 2016, we would have faced significant legal exposure that would have been very harmful for the city. So the council approved the agreement with a 4-1 vote.*

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*Please let me know if you have any questions.*

Mayor Mia Casey  
[cohmayor.casey@hollister.ca.gov](mailto:cohmayor.casey@hollister.ca.gov)  
(831) 537-7271

...

Please feel free to contact me with any questions and/or further information.

Thank you!

Kristina

***Kristina Chavez Wyatt***

Executive Director, San Benito County Business Council

341 First Street Hollister, CA 95023

831.524.0408 / 831.637.6637 fax

[Kristina@SBCBusinessCouncil.com](mailto:Kristina@SBCBusinessCouncil.com)

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## DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

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(800) 735-2922 (Voice)



July 29, 2024

File No.: 725.15606

City of Hollister  
339 Fifth Street  
Hollister, CA 95023

Subject: SCH 2021040277

The California Highway Patrol, Hollister-Gilroy Area received the Revised July 2024 – *Hollister 2040 General Plan, Climate Action Plan, and Agricultural Lands Preservation Program* – Draft Environmental Impact Report, State Clearing House (SCH) number 2021040277. After review, we have some concerns as previously described in a June 2023 response letter from this command, see enclosed for reference.

GOV6-1

Our concern relates to the lack of detail provided for the proposed Bus-On-Shoulder concept, see draft page 586. Without the opportunity to: review details regarding the specific location(s) and day(s)/time(s) for planned use; evaluate plans for traffic control devices to be installed; and assess plans for motorist education to ensure safe implementation of the concept, none of which are described in the revised draft, the previously articulated concerns offered by this command remain.

GOV6-2

Should you have any questions regarding these concerns, or wish to discuss this matter further, please contact Captain Noel Coady at (408) 427-0700.

GOV6-3

Sincerely,

N. C. COADY, Captain  
Commander

Enclosure

cc: Coastal Division



**DEPARTMENT OF CALIFORNIA HIGHWAY PATROL**

Hollister-Gilroy Area  
740 Renz Lane  
Gilroy, CA 95020  
(408) 427-0700



June 21, 2023

File No.: 725.14548.17803

City of Hollister  
339 Fifth Street  
Hollister, CA 95023  
Attention: Eva Kelly, Interim Planning Manager

SCH: 2021040277

I was recently requested to review the Notice of Environmental Impact document from the State Clearinghouse (SCH) related to the Hollister 2040 General Plan. After reviewing SCH# 2021040277, as well as the information and procedures outlined in General Order 41.2, *Environmental Impact Documents*, the Hollister-Gilroy Area does not believe the addition of bicycle paths within the City of Hollister will adversely affect traffic-related matters in the area. The Hollister-Gilroy Area is opposed to the bus-on-shoulder concept of this project. Motorists involved in traffic crashes, experiencing medical emergencies, or who have mechanical troubles, are instructed to move to the shoulder and out of the traffic lanes. Peace officers respond to these incidents make all efforts to move the involved vehicles off the freeway or to the right shoulder to minimize secondary traffic crashes and the associated risks. When officers make traffic stops on the freeway, drivers pull to the shoulder and stop, as they are instructed to do in driving classes and per California Vehicle Code §21806. Based on past experiences in San Benito and Santa Clara counties, if busses (or other vehicles) are allowed to drive on the shoulder, other motorists will undoubtedly follow suit, creating an additional lane and removing the availability of the shoulder for true emergencies. Busses driving on the shoulders, and the inevitable vehicles which follow them, may cause confusion for other motorists and result in an increase of traffic related crashes in the area. Additionally, Appendix F, exhibit 5, identifies a Class III Bicycle Path along SR-25. These scenarios have the potential of making the roadways more dangerous and increasing liability for the State and all involved government agencies. Authorizing any vehicle to drive on the shoulder will cause an undue safety hazard to the motoring public, road workers, and peace officers working in the area. If the bus-on-shoulder program were to progress, additional discussion would be needed to develop proper procedures regulating specific times or scenarios which would allow busses to use the shoulder as well as the speeds at which they would be allowed to travel. The Hollister-Gilroy CHP Area has concerns with this overall project.

GOV6-4



The Hollister-Gilroy Area supports the construction of a Class I Bicycle Path adjacent to the existing railway. The Hollister-Gilroy Area recommends additional safety measures be considered for the proposed bicycle path along the existing railway to ensure the safety of the bicyclist and the passenger/freight trains.

If you have any questions, please contact our office at (408) 427-0700.

Sincerely,

*P. Cooper*  
P. COOPER, Captain  
Commander

**GOV6-4  
CONT.**





August 5, 2024

Eva Kelly  
Planning Manager  
Development Service Department -Planning Division  
City of Hollister  
339 Fifth Street  
Hollister, California 95023

**RE: Comments on City of Hollister's GP 2040, CAP, and ALPP Revised Draft Environmental Impact Report (State Clearinghouse # 2021040277)**

Dear Ms. Kelly:

Thank you for the opportunity to review the Revised Draft Environmental Impact Report for the City of Hollister's General Plan 2040, Climate Action Plan, and Agricultural Lands Preservation Program. The following comments are offered for your consideration:

GOV7-1

- Page 4.8-1 states, "The analysis in this chapter is based on buildout of the proposed project, as modeled using the California Air Resources Board's (CARB's) Emissions Factor Model (EMFAC2021), the Off-Road Emissions Factor Model (OFFROAD2021, version 1.0.2), energy use provided by Pacific Gas and Electric Company (PG&E) and Central Coast Community Energy (CCCE), solid waste disposal from Association of Monterey Bay Area Governments (AMBAG)..."

GOV7-2

AMBAG is not responsible for solid waste disposal, so this sentence is incorrect. Please revise.

- Page 4.8-28 states, "Therefore, the proposed project would not conflict with the land use concept plan in AMBAG's 2045 RTP/SCS and impacts would be less than significant."

GOV7-3

Revise sentence to state "...AMBAG's 2045 MTP/SCS..."

- Page 4.11-2 states, "The Association of Monterey Bay Area Governments (AMBAG) is the federally designated MPO and Council of Governments (COG) for Monterey County, San Benito County, and Santa Cruz County."

GOV7-4

<p>AMBAG is not the Council of Governments for San Benito County; instead, it is the Council of San Benito County Governments (San Benito COG).</p>	<p><b>GOV7-4 CONT.</b></p>
<ul style="list-style-type: none"> <li>Page 4.11-2 states, “The 2045 MTP/SCS is the long-range SCS and RTP for the three counties and 18 local jurisdictions within the tri-county Monterey Bay region, including the City of Hollister.”</li> </ul> <p>Revise sentence to state, “The 2045 MTP/SCS is the long-range SCS and Metropolitan Transportation Plan...”</p>	<p><b>GOV7-5</b></p>
<ul style="list-style-type: none"> <li>Page 4.14-2 states, “The 2045 MTP/Sustainable Communities Strategy (SCS) is the long-range SCS and regional transportation plan for the 3 counties and 18 local jurisdictions in the Monterey Bay Region, including the City of Hollister.”</li> </ul> <p>Revise sentence to state, “The 2045 MTP/SCS is the long-range SCS and Metropolitan Transportation Plan...”</p>	<p><b>GOV7-6</b></p>
<ul style="list-style-type: none"> <li>Starting on the bottom of Page 5.6, it states, “Implementation of the No Project Alternative assumes that development growth throughout the city would remain unchanged until the buildout horizon year 2040, which is consistent with other regional plans, including Association of Monterey Bay Area Government’s (AMBAG) 2045 Metropolitan Transportation Plan &amp; the Sustainable Communities Strategy (2045 AMBAG MTP/SCS).”</li> </ul> <p>Revise the sentence to state “... (AMBAG 2045 MTP/SCS).”</p>	<p><b>GOV7-7</b></p>
<ul style="list-style-type: none"> <li>Page 5-29 states, “However, implementation of the proposed project was found to have a less-than-significant impact due to the focus on infill development, which is in alignment with the regional planning framework of the 2045 AMBAG MTP/SCS.”</li> </ul> <p>Revise the sentence to state “... the AMBAG 2045 MTP/SCS.”</p>	<p><b>GOV7-8</b></p>
<ul style="list-style-type: none"> <li>Page 6-5 state, “State law requires the City to promote the production of housing to meet its fair share of the regional housing needs distribution made by AMBAG.”</li> </ul> <p>The Council of San Benito County Governments (San Benito COG) is responsible for the Regional Housing Needs Allocation (RHNA) process for San Benito County. AMBAG is responsible for RHNA for Monterey and Santa Cruz Counties only.</p>	<p><b>GOV7-9</b></p>

Thank you for the opportunity to review the Revised DEIR for the General Plan 2040. Please feel free to contact me at [hadamson@ambag.org](mailto:hadamson@ambag.org) or (831) 264-5086 if you have any questions.

GOV7-10

Sincerely,



Heather Adamson  
Director of Planning



August 16, 2024

Eva Kelly, Planning Manager  
City of Hollister  
Development Services Department- Planning Division  
339 Fifth Street  
Hollister, CA 95023  
Submitted via email: generalplan@hollister.ca.gov

Re: Hollister GPU 2040, CAP and ALPP Revised EIR

Dear Ms. Kelly,

Thank you for providing the Monterey Bay Air Resources District (MBARD) with the opportunity to comment on the Revised Draft EIR for the Hollister 2040 General Plan, Climate Action Plan, and Agricultural Land Preservation Program. MBARD has reviewed the EIR and has the following comments:

GOV8-1

**Rule 424 National Emission Standards for Hazardous Air Pollutants (NESHAP)**

On page 4.3-13, MBARD rules and regulations that are applicable to the Plan are listed. Please add MBARD Rule 424 NESHAP. Rule 424 states that, "All suspect building materials, in each building, that will be disturbed by planned demolition or renovation activities shall be sampled and analyzed for asbestos using the method specified in Appendix E, Subpart E, 40 Code of Federal Regulations, Part 763, Section 1 (Polarized Light Microscopy) or assumed to be asbestos containing. Suspect materials include, friable asbestos-containing material, Category I nonfriable asbestos-containing material, Category II nonfriable asbestos-containing material or any other material that may contain asbestos, based on past manufacturing practices or use". Additionally, MBARD requires a "written building survey report be submitted along with notification for each demolition project and for asbestos removal projects that will disturb building materials".

GOV8-2

**Asbestos Cement Pipe (ACP) and Other Asbestos Piping Infrastructure**

MBARD has prior experience with abatement of asbestos cement pipe (ACP) and other asbestos utility infrastructure components within the City of Hollister. Proper procedures must be followed during construction activities when encountering active or abandoned ACP or other asbestos-containing subsurface infrastructure.

GOV8-3

**MBARD Attainment Status**

Table 4.3-4: Attainment Status of Criteria Pollutants in the NCCAB on page 4.3-18 reports the NCCAB is in nonattainment for ozone regarding the state standard. The NCCAB has been in attainment since September 2021 for the State's 8-hour ozone standard of 0.070 ppm. Please visit the California Air Resources Board's (CARB) State and Federal Area Designations webpage for more details- [State and Federal Area Designations | California Air Resources Board](#).

GOV8-4

Furthermore, impact AIR-2 "Implementation of the proposed project would result in a cumulatively considerable net increase of a criteria pollutant for which the project region is in nonattainment under applicable federal or state ambient air quality standard", on page 4.3-38, should be reassessed. As stated above, MBARD is in attainment for ozone, therefore conclusions regarding air quality impacts should reflect this fact. The general plan, when fully implemented, will exceed the threshold for VOCs, NO<sub>x</sub> and CO. MBARD would like to see more

GOV8-5

approaches to reduce emissions from transportation, such as construction and installation of public electric vehicle infrastructure. | GOV8-5  
CONT.

#### **Engine Permitting**

If a generator, boiler, or another stationary source of air pollutants is needed to support the construction process or will be installed for use in the operation of the project, a permit may be required. Per Rule 201, any stationary piston-type internal combustion engine of greater than or equal to 50 brake horsepower (bhp) requires a permit. Please contact MBARD's Engineering Division if there are any questions regarding the permitting process. | GOV8-6

#### **Portable Equipment Registration Program**

If project construction uses portable equipment registered with the California Air Resources Board (CARB) in the Portable Equipment Registration Program (PERP), MBARD must be notified within two working days of commencing operations when a registered unit will be at a location for more than five days. Portable equipment not registered with CARB may be subject to MBARD permit requirements. | GOV8-7

#### **VOC Emissions**

Page 4.3-9 Federal and State Regulations: The majority of the VOC emissions attributed to the project are from consumer products (Table 4.2-7). Therefore, a reference to the state consumer products regulation should be added to the discussion. This regulation was recently updated and should result in emissions reductions by the proposed project buildout year of 2040. The updated regulations are reported to achieve statewide VOC reductions of 3.00 tons per day (tpd) in 2023 and 9.80 tpd in 2031. Therefore, the emissions reported in Table 4.2-7 should reflect these reductions in the consumer products category. | GOV8-8

Page 4.3-24 Policy NRC-3.6: Technical Assessments. Since the majority of the VOC emissions are from consumer products, MBARD recommends adding a sentence to the discussion of this policy that consumer product regulation updates and consumer product emission calculation tools should be reviewed. The EIR does not reflect emissions reductions in this category which may be required in the future. | GOV8-9

#### **Odors**

Page 4.3-56 Operational Related Odors: Residential and Other Land Uses. A variety of land uses can contribute to odors due to the additional infrastructure needed to support these land uses such as expansion of wastewater treatment plants or sewer lines. MBARD suggests adding language to explain these potential indirect odor sources from future residential or other land use development projects. | GOV8-10

MBARD appreciates the opportunity to comment on the Revised Draft EIR for the Hollister 2040 General Plan, Climate Action Plan, and Agricultural Land Preservation Program. Please let me know if you have any questions. I may be reached at (831) 718-8030 or [eballaron@mbard.org](mailto:eballaron@mbard.org). | GOV8-11

Regards,



Edward Ballaron  
Air Quality Planner I

cc: Richard A. Stedman, Air Pollution Control Officer  
David Frisbey, Planning and Air Monitoring Manager  
Shawn Boyle, Planning and Air Monitoring Supervisor



# San Benito

HIGH SCHOOL DISTRICT  
*Continuing Excellence*

## COMMENT LETTER GOV9

1220 Monterey Street  
Hollister, CA 95023

Phone (831) 637-5831x1133  
[www.sbhs.sbhsd.org](http://www.sbhs.sbhsd.org)

Shawn Tennenbaum, Ed.D.  
Superintendent

### VIA ELECTRONIC MAIL

August 16, 2024

City of Hollister  
Development Services Department – Planning Division  
ATTN: Eva Kelly, Planning Manager  
339 Fifth Street  
Hollister, CA 95023  
Email: [generalplan@hollister.ca.gov](mailto:generalplan@hollister.ca.gov)

RE: Hollister GPU 2040, CAP, and ALPP Revised EIR

Dear Ms. Kelly,

This letter regarding the City of Hollister's ("City") Revised Draft Environmental Impact Report for the proposed Hollister 2040 General Plan ("General Plan"), Climate Action Plan, and Agricultural Lands Preservation Program (collectively, "Project") is sent on behalf of the San Benito High School District ("District") and its Board of Trustees. As a California public school district serving children who reside and attend school within the City, and as an owner of property within the City and proposed sphere of influence in Figure LU-1 of the General Plan, the proposed Project directly affects the District's operations. Thus, the District wishes to comment in support of the Project.

GOV9-1

The District first wants to thank the City for the significant revisions made to the Project since it was circulated for review in 2023. While the previous version of the Project projected 6,455 new dwelling units and 21,635 new residents by the year 2040, the revised Project now projects *10,530 new dwelling units and 31,575 new residents*. With this increase in projected residents, there will also be a dramatic increase in the number of projected students served by the District by 2040.

GOV9-2

As the City is likely aware, the District has been planning to develop a second high school in the Buena Vista Corridor. The elements described in the Project reflect a direction shared by the District and the City to plan for residential and nonresidential growth within identified new growth areas, including the Buena Vista area. Most notably, the City proposes to expand its sphere of influence to include the entire Buena Vista Corridor, the area where the District has projected the greatest density of students will be generated from new residential development. Moreover, the City identifies a Buena Vista Specific Plan Area to encourage a complete neighborhood with a mix of housing types where residents may live within close proximity to commercial/industrial services, parks, schools and open space. The District appreciates that the City illustrates an anticipated location of a school in the Buena Vista Specific Plan Area in Figure LU-5 of the General Plan, which is also the approximate location of the District's site for its new high school. The mixed use illustrated in Figure LU-5

GOV9-3

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

reflects both the District's and City's shared vision to create a walkable community that promotes pedestrian activity and reduce the need to drive to other areas in the City, including the opportunity for students to safely walk or bike to school. (General Plan Goal LU-4).

The proposed expansion of the sphere of influence and the development of a Buena Vista Specific Plan are both major elements of the City's plans to ensure logical growth of the City. The District chose the location of its second high school in anticipation of the community's natural development into the Buena Vista Corridor, so the District is excited that the General Plan also anticipates similar growth patterns for the City. The District is eager to serve as the cornerstone of the Buena Vista neighborhood with its new high school and looks forward to supporting the City in its careful growth of the Buena Vista area. With the City's focus on continuing to increase the connectivity between neighborhoods, schools, shops, jobs, healthcare, and public services, the District looks forward to the thoughtful and eventual integration of its future high school, and the entire Buena Vista area, into the City.

With the addition of the proposed expansion of the City's sphere of influence to include the Buena Vista area to the City's long-term plans, the District hopes to be involved in that process, since the District's high school may very well be amongst the initial development in the Buena Vista area and will ultimately serve as a focal point for the future community. Policy CSF-1.2 of the General Plan highlights the City's priority of "cooperat[ing] and coordinat[ing] with the County of San Benito, Local Agency Formation Commission (LAFCO), and other local agencies in the provision of infrastructure and services in the Hollister Planning Area." (emphasis added.) Likewise, Policy LU-1.11 sets the City's intention to coordinate regional planning efforts through intergovernmental coordination. Accordingly, the District seeks to support the City through joint efforts to amend the City's sphere of influence as proposed in the General Plan and through the annexation process, as contemplated by General Plan Actions LU-1.1 to 1.3.

For instance, following the City's submission of its application to LAFCO to amend its sphere of influence, the District hopes to be at the table to support a potential agreement that expands the City's sphere of influence to include the Buena Vista area and that would be beneficial for both the City and County, while ensuring that the second high school is able to connect to the municipal services provided by the City and special districts. Moreover, opportunity for the District's participation in the process aligns with the General Plan's Policy CSF-8.5 to support the District's efforts to construct a new high school. The District is prepared to actively contribute to the process by consulting on issues in the community that the District is intimately familiar with, as related to the District's second high school, including adequacy of education facilities, traffic congestion, circulation, parking, noise, and air quality.

Lastly, the District would like to draw the City's attention to the revised Draft EIR which includes now out-of-date enrollment numbers for the District. While the District's lone high school has a current capacity for 3,437 students, the District would like to state on record that enrollment for 2023-2024 should be included to reflect 3,556 students. These accurate and current enrollment numbers truly showcase the severity of the District's overcrowding concerns as the District works to provide an excellent education to its students. The District has quickly become the second largest high school in Northern California, with the fastest growth rate in Northern California.

GOV9-3  
CONT.

GOV9-4

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

The District, again, wants to thank the City for its revisions to the Project. The District is excited for the envisioned development of the Buena Vista Corridor and hopes to actively contribute to the discussions and decisions regarding its development and incorporation into the City's sphere of influence, and its eventual annexation. The District appreciates the City's support in the District's efforts to continue providing an excellent education as its student enrollment continues to grow.

GOV9-5

Very truly yours,



Shawn Tennenbaum, Ed.D.  
Superintendent  
San Benito High School District  
(831) 637-5831 (x133)  
[stennenbaum@sbhds.k12.ca.us](mailto:stennenbaum@sbhds.k12.ca.us)

cc: Members, San Benito High School District Board of Trustees  
John Frusetta, Chief Business Officer, San Benito High School District



State of California – Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
Central Region  
1234 East Shaw Avenue  
Fresno, California 93710  
(559) 243-4005  
[www.wildlife.ca.gov](http://www.wildlife.ca.gov)

**GAVIN NEWSOM, Governor**  
**CHARLTON H. BONHAM, Director**



August 21, 2024

Eva Kelly, Planning Manager  
City of Hollister  
339 Fifth Street  
Hollister, California 95023  
(831) 636-4360  
[eva.kelly@hollister.ca.gov](mailto:eva.kelly@hollister.ca.gov)

**Subject: Hollister 2040 General Plan, Climate Action Plan, and Agricultural Lands  
Preservation Program (Plan)  
Revised Environmental Impact Report (EIR)  
SCH No.: 2021040277**

Dear Eva Kelly:

The California Department of Fish and Wildlife (CDFW) received a Revised EIR (REIR) from the City of Hollister for the above-referenced Plan pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.<sup>1</sup>

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under Fish and Game Code. While the comment period may have ended, CDFW respectfully requests that the City of Hollister still consider our comments.

GOV10-1

CDFW previously provided comments and recommendations to the City of Hollister during circulation of the Plan's Notice of Preparation (NOP) on May 10, 2021, and Draft EIR (DEIR) on June 27, 2023 (Attachment 1). Within these letters, CDFW provided a list of special-status species to be evaluated as part of the Plan's DEIR and recommended measures be incorporated for projects tiered from this Plan, including habitat assessments, protocol surveys, and a robust analysis on cumulative impacts to

GOV10-2

<sup>1</sup> CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.



Eva Kelly, Planning Manager  
City of Hollister  
August 21, 2024  
Page 2

biological resources. CDFW recommends that the comments and recommendations provided in CDFW's DEIR comment letter for the Plan be incorporated as part of the REIR and that recommended measures be carried forward into the Final EIR.

GOV10-2  
CONT.

## ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special-status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The completed form can be mailed electronically to CNDDDB at the following email address: [CNDDDB@wildlife.ca.gov](mailto:CNDDDB@wildlife.ca.gov). The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

GOV10-3

## FILING FEES

If it is determined that the Project has the potential to impact biological resources, an assessment of filing fees will be necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089).

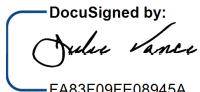
GOV10-4

CDFW appreciates the opportunity to comment on the Project and to assist the City of Hollister in identifying and mitigating the Plan's impacts on biological resources.

If you have any questions, please contact Kelley Nelson, Environmental Scientist, at the address provided on this letterhead, by telephone at (559) 580-3194, or by electronic mail at [Kelley.Nelson@wildlife.ca.gov](mailto:Kelley.Nelson@wildlife.ca.gov).

GOV10-5

Sincerely,

DocuSigned by:  
  
FA83F09FE08945A...  
Julie A. Vance  
Regional Manager

Eva Kelly, Planning Manager  
City of Hollister  
August 21, 2024  
Page 3

ec: State Clearinghouse,  
Governor's Office of Planning and Research  
[State.Clearinghouse@opr.ca.gov](mailto:State.Clearinghouse@opr.ca.gov)

CDFW LSA/1600; [R4LSA@wildlife.ca.gov](mailto:R4LSA@wildlife.ca.gov)



Eva Kelly, Planning Manager  
City of Hollister  
August 21, 2024  
Page 4

**Attachment 1**



State of California – Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
Central Region  
1234 East Shaw Avenue  
Fresno, California 93710  
(559) 243-4005  
[www.wildlife.ca.gov](http://www.wildlife.ca.gov)

**GAVIN NEWSOM, Governor**  
**CHARLTON H. BONHAM, Director**



May 10, 2021

Abraham Prado, Interim Development Services Director  
City of Hollister  
339 Fifth Street  
Hollister, California 95023  
[abraham.prado@hollister.ca.gov](mailto:abraham.prado@hollister.ca.gov)

**Subject: Hollister General Plan Update 2040, Climate Action Plan, and Sphere of Influence Amendments and Annexations Environmental Impact Report (EIR) Project (Project) Notice of Preparation (NOP) SCH No.: 2021040277**

Dear Mr. Prado:

The California Department of Fish and Wildlife (CDFW) received a NOP from the City of Hollister for the above-referenced Project pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.<sup>1</sup>

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under Fish and Game Code.

## **CDFW ROLE**

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (*Id.*, § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on

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<sup>1</sup> CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

Abraham Prado  
City of Hollister  
May 10, 2021  
Page 2

projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code may be required.

## **PROJECT DESCRIPTION SUMMARY**

**Proponent:** City of Hollister

**Objective:** The City of Hollister's existing General Plan was adopted in 2005, with a horizon year of 2023. Since the horizon year is approaching, the City is now updating its plan to extend the planning period to 2040. The Hollister General Plan Update will build off the current General Plan and provide a framework for land use, transportation, and conservation decisions through the year 2040. The proposed General Plan will direct future growth within the EIR Study Area and address the city's vulnerability to environmental challenges such as earthquakes, wildland fires, and other hazards identified in the proposed Local Hazard Mitigation Plan and Climate Action Plan to be completed concurrently with the General Plan Update. The General Plan is intended to respond to local and regional housing needs, foster economic growth and local job creation, enhance civic identity and placemaking, and protect sensitive natural resources. The proposed Climate Action Plan (CAP) will identify strategies and measures to reduce greenhouse gas emissions generated by existing and potential future uses in Hollister. The General Plan Update could potentially lead to Sphere of Influence (SOI) amendments and annexations that would accommodate future housing sites and limited commercial development.

**Location:** The Project encompasses the Hollister City Limits, the SOI, Urban Service Area, and Planning Area located in San Benito County, also referred to as the EIR Study Area.

**Timeframe:** The proposed project would extend its planning period to 2040.

Abraham Prado  
City of Hollister  
May 10, 2021  
Page 3

## COMMENTS AND RECOMMENDATIONS

The NOP indicates that the Environmental Impact Report (EIR) for the Project will describe existing environmental conditions in the Project area, and analyze potential impacts resulting from Project activities. The EIR will also identify and evaluate alternatives to the proposed project.

When an EIR is prepared, the specifics of mitigation measures may be deferred, provided the lead agency commits to mitigation and establishes performance standards for implementation. There are numerous special-status species that have been documented in the Project vicinity (CDFW 2021) that may be present at individual Project sites in the Project area. These resources need to be addressed prior to any approvals that would allow ground-disturbing activities or land use changes to adequately assess potential impacts. CDFW is concerned regarding potential impacts to special-status species including, but not limited to, the State and federally endangered San Joaquin kit fox (*Vulpes macrotis mutica*), the federally threatened vernal pool fairy shrimp (*Branchinecta lynchi*) and the steelhead south-central California Coast Distinct Population Segment (DPS) (*Oncorhynchus mykiss irideus* pop. 9); the State and federally threatened California tiger salamander (*Ambystoma californiense*); the Federally threatened and State Species of Concern California red-legged frog (*Rana draytonii*); the State threatened Swainson's hawk (*Buteo swainsoni*) and tricolored blackbird (*Agelaius tricolor*); the State species of special concern burrowing owl (*Athene cunicularia*), western spadefoot (*Spea hammondi*), western pond turtle (*Emys marmorata*), San Joaquin Coachwhip (*Masticophis flagellum ruddocki*) and American badger (*Taxidea taxus*).

CDFW also recommends consulting with the United States Fish and Wildlife Service (USFWS) and/or the National Marine Fisheries Service (NMFS) on potential impacts to federally listed species including, but not limited to, San Joaquin kit fox, vernal pool fairy shrimp, steelhead, California tiger salamander, and California red-legged frog. Take under the Federal Endangered Species Act (FESA) is more broadly defined than CESA; take under FESA also includes significant habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or nesting. Consultation with the USFWS and NMFS in order to comply with FESA is advised well in advance of any ground-disturbing activities.

In addition to potential species impacts, it is likely that some Project activities that will be subject to CDFW's regulatory authority pursuant Fish and Game Code section 1600 et seq. If a Lake or Streambed Alteration Agreement (LSAA) is needed, CDFW is required to comply with CEQA in the issuance or the renewal of a LSAA. Therefore, for efficiency in environmental compliance, we recommend that any potential lake or stream disturbance that may result from Project activities be described, and mitigation for the

Abraham Prado  
City of Hollister  
May 10, 2021  
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disturbance be developed as part of the EIR. This will reduce the need for the CDFW to require extensive additional environmental review for a LSAA in the future. If inadequate, or no environmental review, has occurred, for the Project activities that are subject to notification under Fish and Game Code section 1602, CDFW will not be able to issue the Final LSAA until CEQA analysis for the project is complete. This may lead to considerable Project delays.

CDFW is available to meet with you ahead of draft EIR preparation to discuss potential impacts and possible mitigation measures for some or all of the resources that may be analyzed in the draft EIR. If you have any questions, please contact Kelley Nelson, Environmental Scientist, at the address provided on this letterhead or by electronic mail at [Kelley.Nelson@wildlife.ca.gov](mailto:Kelley.Nelson@wildlife.ca.gov).

Sincerely,

DocuSigned by:

*Anne Ferranti*

041A77B10D78486...

*for* Julie A. Vance  
Regional Manager

ec: Leilani Takano  
United States Fish and Wildlife Service  
[leilani\\_takano@fws.gov](mailto:leilani_takano@fws.gov)

Abraham Prado  
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### **Literature Cited**

CDFW. 2021. Biogeographic Information and Observation System (BIOS).  
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State of California – Natural Resources Agency  
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Central Region  
1234 East Shaw Avenue  
Fresno, California 93710  
(559) 243-4005  
[www.wildlife.ca.gov](http://www.wildlife.ca.gov)

**GAVIN NEWSOM, Governor**  
**CHARLTON H. BONHAM, Director**



June 27, 2023

Abraham Prado, Interim Development Services Director  
City of Hollister  
339 Fifth Street  
Hollister, California 95023  
(831) 636-4360  
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**Subject: Hollister General Plan Update 2040, Climate Action Plan, and Sphere of Influence Amendments and Annexations Program Draft Environmental Impact Report (DEIR) Project (Project)**  
**SCH No.: 2021040277**

Dear Abraham Prado:

The California Department of Fish and Wildlife (CDFW) received a DEIR from the City of Hollister for the above-referenced Project pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.<sup>1</sup>

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under Fish and Game Code.

## **CDFW ROLE**

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (*Id.*, § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

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<sup>1</sup> CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

Abraham Prado, Interim Development Services Director  
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CDFW is also submitting comments as a **Responsible Agency** under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code will be required.

## PROJECT DESCRIPTION SUMMARY

**Proponent:** City of Hollister

**Objective:** The existing General Plan for the City of Hollister (City) was adopted in 2005, with a horizon year of 2023. The City is now updating its plan to extend the planning period to 2040. The Hollister General Plan Update will build off the current General Plan and provide a framework for land use, transportation, and conservation decisions through the year 2040. The proposed General Plan will direct future growth within the EIR Study Area and address the City's vulnerability to environmental challenges such as earthquakes, wildland fires, and other hazards identified in the proposed Local Hazard Mitigation Plan and Climate Action Plan, which is to be completed concurrently with the General Plan Update. The General Plan is intended to respond to local and regional housing needs, foster economic growth and local job creation, enhance civic identity and placemaking, and protect sensitive natural resources. The proposed Climate Action Plan (CAP) will identify strategies and measures to reduce greenhouse gas emissions generated by existing and potential future uses in the City. The General Plan Update could potentially lead to Sphere of Influence amendments and annexations that would accommodate future housing sites and limited commercial development.

**Location:** City of Hollister, San Benito County.

**Timeframe:** 2040

## COMMENTS AND RECOMMENDATIONS

**Special-Status Species:** Given the City-wide nature of the Project, there is the potential for the Project to impact State-listed species. Records from the California Natural Diversity Database (CNDDDB) show that the following special-status species, including CESA-listed species (CDFW 2023) could be impacted: the State endangered (SE) and federally endangered (FE) San Joaquin kit fox (*Vulpes macrotis mutica*), the federally threatened (FT) vernal pool fairy shrimp (*Branchinecta lynchi*), the FT and State threatened (ST) California tiger salamander-central population (*Ambystoma californiense*), the State candidate-listed endangered (SCE) Crotch bumblebee



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 City of Hollister  
 June 27, 2023  
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(*Bombus crotchii*), the ST Swainson's hawk (*Buteo swainsoni*) and tricolored blackbird (*Agelaius tricolor*), the FT and State species of special concern (SSC) California red-legged frog, the FT steelhead, south/central California coast (*Oncorhynchus mykiss irideus*), and the SSC burrowing owl (*Athene cunicularia*), western spadefoot (*Spea hammondi*), Monterey hitch (*Lavinia exilicauda*), western pond turtle (*Emys marmorata*), American badger (*Taxidea taxus*), and San Joaquin coachwhip (*Masticophis flagellum ruddocki*), and the 1B.2 plant rank (plants rare, threatened, or endangered in California and elsewhere) San Joaquin spearscale (*Extriplex joaquinana*) and Hall's tarplant (*Deinandra halliana*). Along with the species listed above that have been observed within the Project limits, there was a 2021 sighting of the SE and FE California condor (*Gymnogyps californianus*) approximately two miles northeast of the proposed Project site near the John Smith Landfill, as well as a 2023 sighting of the fully protected (FP) golden eagle (*Aquila chrysaetos*) just north of the landfill site (CDFW 2023).

The primary purpose of a DEIR is to consider all the potential impacts associated with the suite of projects that would eventually tier from the EIR over time. As such, the DEIR should serve primarily as a planning level EIR and consider, in detail, the cumulative impacts of the reasonably foreseeable projects on the environment, and on the species CDFW has identified in this comment letter. CDFW recommends that habitat assessments be conducted in and surrounding all locations for planned work/ground disturbance in the DEIR and identify all the potential plant, animal, invertebrate, and fish species that could be present. Then, for those species, CDFW recommends a robust analysis of cumulative impacts for each of those species along with avoidance, minimization, and mitigation measures that could be implemented on each project to reduce harm. For many species, subsequent protocol level surveys may be required during biological studies conducted in support of the future CEQA documents that will be tiered from the Final EIR and, depending on the results, avoidance and minimization measures, permits, and mitigation may be required.

CDFW recommends that survey-level protocols be conducted for these species as part of the biological technical studies prepared in support of each future CEQA document tiered from the Final EIR, with conclusions of those studies summarized therein and repeated as necessary prior to Project ground-disturbing activities. For all future projects tiered from the EIR, CDFW recommends that focused surveys be conducted by qualified biologists familiar with the appropriate survey protocols per individual species. In the future CEQA documents tiered from the EIR, CDFW advises that special status species be addressed with appropriate avoidance and minimization measures. If take could occur as a result of Project implementation, consultation with CDFW would be warranted.

**Cumulative Impacts:** CDFW recommends that a cumulative impact analysis be conducted for all biological resources that will either be significantly or potentially significantly impacted by implementation of the Project, including those whose impacts

Abraham Prado, Interim Development Services Director  
 City of Hollister  
 June 27, 2023  
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are determined to be less than significant with mitigation incorporated or for those resources that are rare or in poor or declining health and will be impacted by the Project, even if those impacts are relatively small (i.e. less than significant). CDFW recommends cumulative impacts be analyzed using an acceptable methodology to evaluate the impacts of past, present, and reasonably foreseeable future projects on resources and be focused specifically on the resource, not the Project. An appropriate resource study area identified and utilized for this analysis is advised. CDFW staff is available for consultation in support of cumulative impacts analyses as a trustee and responsible agency under CEQA and we recommend that the City reach out to CDFW to discuss various methodologies and strategies for an analysis of this type for CDFW trustee agency resources.

**CNDDDB:** Please note that the CNDDDB is populated by and records voluntary submissions of species detections. As a result, species may be present in locations not depicted in the CNDDDB but where there is suitable habitat and features capable of supporting species. A lack of an occurrence record in the CNDDDB does not mean a species is not present. In order to adequately assess any potential Project-related impacts to biological resources, surveys conducted by a qualified biologist during the appropriate survey period(s) and using the appropriate protocol survey methodology are warranted in order to determine whether or not any special status species are present at or near the Project area.

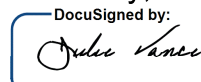
**Lake and Stream Alteration:** The Projects that tier from the EIR may be subject to CDFW's regulatory authority pursuant to Fish and Game Code section 1600 et seq. Fish and Game Code section 1602 requires the project proponent to notify CDFW prior to commencing any activity that may (a) substantially divert or obstruct the natural flow of any river, stream, or lake; (b) substantially change or use any material from the bed, bank, or channel of any river, stream, or lake; or (c) deposit debris, waste or other materials that could pass into any river, stream, or lake. "Any river, stream, or lake" includes those that are ephemeral or intermittent as well as those that are perennial in nature. For additional information on notification requirements, please contact our staff in the LSA Program at (559) 243-4593, or [R4LSA@wildlife.ca.gov](mailto:R4LSA@wildlife.ca.gov).

**Federally Listed Species:** CDFW recommends consulting with the United States Fish and Wildlife Service (USFWS) on potential impacts to federally listed species including, but not limited to, the San Joaquin kit fox, the vernal pool fairy shrimp, the California tiger salamander, the California red-legged frog, and the south/central California coast steelhead. Take under the Federal Endangered Species Act (FESA) is more broadly defined than CESA; take under FESA also includes significant habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or nesting. Consultation with the USFWS in order to comply with FESA is advised well in advance of any ground-disturbing activities.

Abraham Prado, Interim Development Services Director  
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CDFW is available to meet with you ahead of Final EIR preparation to discuss potential impacts and possible mitigation measures for some or all of the resources that were or should be analyzed in the EIR. If you have any questions, please contact Kelley Nelson, Environmental Scientist, at the address provided on this letterhead, by telephone at (559) 580-3194, or by electronic mail at [Kelley.Nelson@wildlife.ca.gov](mailto:Kelley.Nelson@wildlife.ca.gov).

Sincerely,

DocuSigned by:  
  
FA83F09FE08945A...

Julie A. Vance  
Regional Manager

cc: United States Fish and Wildlife Service  
Patricia Cole; [patricia\\_cole@fws.gov](mailto:patricia_cole@fws.gov)

State Clearinghouse, Governor's Office of Planning and Research  
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Abraham Prado, Interim Development Services Director  
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## **LITERATURE CITED**

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June 15, 2023

City of Hollister  
 975 Fifth St.  
 Hollister, CA 95023  
 TRANSMITTED VIA EMAIL

**Re: Comments to Draft 2040 General Plan Update**

Dear Sir/Madam,

The Building Industry Association of the Bay Area (BIA) respectfully submits the following comments to the City of Hollister's Draft 2040 General Plan Update. BIA offers these comments in the spirit of collaboration and support for the City adopting a comprehensive and productive General Plan that paves the way for achieving its challenging housing goals. These comments to the Draft 2040 General Plan may also pertain to the Draft EIR as many BIA comments and recommendations would touch on the Environmental Impact Report.

ORG1-1

BIA is concerned that political opposition to housing production in the City and San Benito County has been ingrained in the Draft 2040 General Plan. The City has worked hard to bring forward a Draft General Plan that preserves and enhances many wonderful features of the region: a productive farming industry, scenic parks and open spaces, and picturesque towns.

Integrating responsible future growth into the Draft General Plan is the key. The Draft 2040 General Plan is an excellent opportunity to balance and blend the rural, agricultural character of Hollister with future well planned residential communities that support families, business and a thriving economy.

ORG1-2

Still, BIA remains concerned that the Draft 2040 General Plan Update has incorporated several concerning new policy proposals, actions and fees that may create major obstacles to housing production by choking off land supply, prescribing intractable new rules and burdening each home with tens of thousands of dollars in new fees.

Housing Element Law requires that the City identify adequate sites to accommodate its regional housing needs allocation (RHNA) at all income levels. BIA encourages the City Council and Staff to take steps to revise policies and actions that may potentially constrain the production of housing during the lifespans of the 2040 General Plan and 6<sup>th</sup> Cycle Housing Element.

Policies that may require the City to analyze these rules as severe constraints to housing and mitigate accordingly include:

- Constrained Land Supply – Plan for sufficient land to accommodate housing production necessitated by the City’s 6<sup>th</sup> Cycle RHNA and additional land requirements;
- Inflexible Transportation Policies – Compliance with Vehicle Miles Travelled (VMT) policies in the Plan will present an obstacle to housing under current and future transportation systems and development patterns unless mitigated with policies to offset this significant hindrance;
- Onerous Ag Land Mitigation Policies - Agriculture mitigation at a 2:1 ratio plus Agricultural Buffer Zone requirements would stymie many projects and land deals;
- Impracticable Inclusionary Zoning Policy – A requirement of 20% inclusionary affordable housing on market rate for sale and rental housing would render projects infeasible or require implementation of a massive density bonus program.

**ORG1-2  
CONT.**

## **Land Use and Community Design Element**

The Draft 2040 General Plan Update severely constrains production of housing through limited Development Capacity, and tight Sphere of Influence (SOI). Figure LU-2, the Draft 2040 General Plan Update Land Use Map, when compared to the current General Plan shows that the SOI and Urban Service Area are nearly unchanged.

**ORG1-3**

In order to accommodate more housing growth, BIA urges the City to expand the limited proposed Sphere of Influence in the Draft Plan to coincide with the Urban Service Line especially in the East and South quadrants of the City, incorporating more land for potential development where Prime Farmland is less prevalent.

**LU-1.3. Development Capacity.** Housing element site inventory requirements state that the purpose of the housing element’s site inventory is to identify and analyze specific land (sites) that is available and suitable for residential development in order to determine the jurisdiction’s capacity to accommodate residential development and reconcile that capacity with the jurisdiction’s Regional Housing Need Allocation (RHNA).

In the 6<sup>th</sup> Cycle Housing Element that spans the 8 year time period from 2024 to 2032, the City of Hollister must plan the capacity for an unprecedented Regional Housing Needs Assessment (RHNA) of 4,163 housing units. In addition, to comply with the “No Net Loss Requirements Law” (Government Code § 65863), the State Department of Housing and Community Development (HCD) recommend that to reduce the likelihood of having to rezone should an identified housing site develop with less units than assigned, it is a best practice to have 30% more units listed in the inventory than are required to meet a jurisdiction’s RHNA.

**ORG1-4**

Accommodating a 30%+ buffer capacity of Housing Element Site Inventories would add about 1248 units for a total housing need of 5,411 units. The Draft General Plan states capacity for 6,455 units, leaving only 1,292 units in excess capacity through 2040.

Finally, the goal of the Draft 2040 General Plan Update is to create a vision for the City’s next 20 years of growth. BIA strongly encourages the City to assume now that the 7th Cycle Housing Element, spanning the years 2032 to 2040, may require at least another 4,000 units plus a capacity buffer of 1500 units. In other words, the Plan is grossly under capacity by more than

4,000 residential units just for the City of Hollister’s future RHNA and other units that the City may need to absorb from the County.

ORG1-4  
CONT.

**LUD - Land Use Designations.** Table LU-2 General Plan Land Use Designations shows several hundred acres identified for Medium Density and High Density Residential. Yet no market study or analysis is provided to substantiate that development of these residential densities can be feasible in Hollister.

ORG1-5

**LUD 3.3.3. Medium & High Density Residential.** This paragraph is confusing as it lumps High Density Residential (30-65 DU/AC) in with Medium Density Residential (12-29 DU/AC). Medium Density may support a viable product in the Hollister market in the future, but any densities above approximately 20 DU/AC (townhouses) will be very difficult to develop. High construction costs and low market demand make the Hollister market a tough sell to nonsubsidized multifamily builders.

ORG1-6

Additionally, there is no need for High Density Residential land use and zoning in the Plan. In the Housing Element, HCD allows jurisdictions to use zoned density as a proxy for lower income, as long as certain statutory requirements are met. These include counting sites zoned at 20 units per acre as affordable because Hollister is a “suburban jurisdiction” as opposed to an “urban jurisdiction”. This is called the default density. BIA strongly recommends that reliance on Medium and especially High Density Land Use Designation to achieve housing production numbers be reduced.

**Policy LU-2.1. Land Supply.** This policy claims to ensure that there is adequate land designated to meet the projected future housing needs of the City. However, as noted earlier in this letter, the Draft 2040 General Plan Update fails to plan for enough housing to support this policy. The Draft Plan land supply available for residential capacity must be revised to increase the residential capacity through 2040.

ORG1-7

**Policy LU-2.6. Medium and High Density Residential.** Medium Density and especially High Density housing development in Hollister is generally financially challenged. For sale medium density product above 20 units an acre, such as townhouses, would likely be viable, however 30-60 DU/AC high density will present a very difficult challenge to develop.

ORG1-8

While market rate high density housing is unlikely to develop in Hollister, subsidized 100% affordable housing may be feasible. 100% affordable projects require funding from a wide variety of sources including local sources. The City should keep the option open for market rate projects to pay inclusionary fees so as to amass local funding for affordable housing projects.

**Action LU-2.1 Inclusionary Housing.** No residential density or housing type is financially viable with a 20% inclusionary affordable housing requirement, according to the City’s Consultant. To justify the inclusionary percentage, the City would be forced to authorize a massive increase in density in every residential zoning district, along with concessions and waivers of development standards, impact fees and other development requirements.

ORG1-9

**Open Space and Agricultural Element**

ORG1-10

**Policy OS-2.1. Offsets for Loss of Agricultural Land.** Requiring 2:1 offset of any agricultural land used for development is may represent a loss of developable land that could result in a severe constraint to housing, especially if that land is located within the City’s Urban Service Area. Monterey County is now forming their new Agricultural Land Offset policy with a 1:1 mitigation requirement.

ORG1-10  
CONT.

Ranking offsets on a sliding scale could be keyed to the soil quality of the mitigation land. For instance, the conversion of Prime Farmland might provide a 1.5:1 offset, but other classifications including Land of Local Importance, Grazing land, etc. to provide a 1:1 offset.

**Policy OS-2.2. Agricultural Buffers.** 200 foot buffer zones close to the City’s identified growth areas would rule out many developable parcels from proceeding because so much project land would be needed for the buffer zone. This policy could be revised to apply only to annexations outside the Sphere of Influence and allow the developer to provide a buffer zone proposal for projects larger than 40 acres adjacent to productive farmland. Coordinated Ag policies with the County of San Benito is key, especially as the City and County are updating their general plans at the same time.

The policy should incorporate exemptions and variances to allow building in the buffer area. Consider establishing an “Agricultural Policy Advisory Commission” to hear proposals to build within a buffer area.

ORG1-11

While the County of Santa Cruz applies a 2:1 agricultural buffer, it has established policies that ease the burden on projects by addressing buffer zone encroachment with some flexible approaches:

*In most cases, agricultural buffer reductions can be approved if features are proposed or present that mitigate potential negative impacts to adjacent or surrounding commercial agricultural land. Existing mitigations can include changes in topography, permanent substantial vegetation, or other physical barriers between the agriculture and non-agricultural uses. Proposed mitigations include the establishment of a physical barrier, typically a 6 foot tall solid wood fence with a vegetative buffer and the recordation of a Statement of Acknowledgement on the property title which acknowledges the potential for conflicts between the agricultural and non-agricultural uses.*

## **Circulation Element**

**4.1.5 Vehicle Miles Traveled.** Mitigating VMT on a project by project basis would help pave the way to failure for housing production under the Draft 2040 General Plan Update. BIA encourages the City to complete an overarching EIR evaluating VMT for the entire City and devise cohesive City-wide policies and solutions supported by residential development mitigation fees. Impact fees, restrictive land use regulations, infrastructure costs, and rising labor costs create serious impediments to addressing the housing affordability crisis the region is facing.

ORG1-12



It is critical that the City of Hollister continue to produce housing for all incomes. The City high housing costs is a testament to the under production of housing to meet the demands of our robust economy. Unless significantly revised, the Draft 2040 General Plan Update represents a grave threat to the City's obligation under RHNA and will almost certainly result in a constrained housing supply. The Draft 2040 General Plan Update in effect creates a housing moratorium by making it too expensive to build.

**ORG1-12  
CONT.**

Again, BIA offers these comments in the spirit of collaboration and support for the City achieving its housing goals. BIA is committed to working with the City of Hollister to find creative and community based solutions that benefit current and future residents and support a healthy economy and lifestyle.

**ORG1-13**

Please feel free to contact me with any questions or comments.

Very truly yours,

Dennis Martin  
BIA Government Affairs

cc: Mayor Mia Casey  
Kevin Henderson, Chair, Planning Commission  
David Mirrione, City Manager  
Christy Hopper, Community Development Director  
Eva Kelly, Interim Planning Manager  
Jennifer Woodworth, City Clerk



June 28, 2023

City of Hollister Development Services Manager – Planning Division  
 Attn: Eva Kelly, Interim Planning Manager  
 339 Fifth Street, Hollister, CA 95023  
 Tel: (831) 636-4360  
 Email: [eva.kelly@hollister.ca.gov](mailto:eva.kelly@hollister.ca.gov)  
[generalplan@hollister.ca.gov](mailto:generalplan@hollister.ca.gov)

Re: Comments on City of Hollister Draft 2040 General Plan and Draft Environmental Impact Report (SCH No. 2021040277)

Dear Ms. Kelly,

On behalf of Wright Thirteen LLC and Felipe Nine LLC, the Orosco Group appreciates the opportunity to comment on the City of Hollister Draft 2040 General Plan and Draft Environmental Impact Report (SCH No. 2021040277) dated May 2023. The Orosco Group applauds the City of Hollister for taking a pro-active look at how changing land use, emerging industries, technology, retail demand, housing needs, transportation improvements, demographic trends, and responsible and managed city growth will be addressed in the coming years.

ORG2-1

With ownership stake in over 25 acres in the northern part of the City, approximately one-quarter of the total area within the City Limits designated North Gateway Commercial (NG), we provide the following comments:

Comment #1: As depicted on Figure LU-2 Land Use Map, the northern partition of the North Gateway land use area starts at Briggs Road and extends approximately 0.65 miles from the east side of Highway 25 to the west side of San Felipe Road resulting in multiple parcels without direct frontage on the two intended City “entry boulevards”, or parcels that have frontage but excessive depth not conducive to the allowable zoning uses, or parcels mid-block between the two “entry boulevards”. To avoid creating these “dead zones”, we recommend amending the North Gateway zoning district allowable uses to include the following complementary uses that will foster an attractive entry to the City, create technically skilled and high paying jobs, attract new and emerging businesses, and benefit from access to major transportation corridors:

ORG2-2

- Creative / Flex Office
- Maker Space
- Research & Development (R&D)
- E-Commerce
- Robotics
- Fulfillment & Logistic Centers

- Warehouse
- Life Sciences

The proposed additional allowable uses would also benefit other North Gateway zoned properties on the east side of San Felipe Road that also do not have frontage along the major transportation corridor or have excessive lot depth. These parcels occur between McCloskey Road to the north and North Chappell Road to the south.

Since “job creation” is a highly prioritized element of the North Gateway district, the City should allow for these job creators uses. In addition to creating jobs, it will reduce traffic (commuting), improve air quality (reduced length of trips), and make the City a further desirable place to live.

**ORG2-2  
CONT.**

Comment #2: Per Section 3.4.1 North Gateway, the North Gateway includes a triangular area northeast of Highway 25 and San Felipe Road north of Downtown that could be developed for automobile dealerships. The site has access from Highway 25, and the dealerships would be visible to all motorists entering the City. In addition to allowing for automobile dealerships and to reflect the transition from combustible to clean air vehicles, we recommend amending the North Gateway zoning district allowable uses to include the following uses:

- Electrical Vehicles Services
- Collision Centers
- Research & Development (R&D)
- Manufacturing
- Battery and Other Energy Related Power Systems and their Manufacturing, Servicing, and Sales

**ORG2-3**

Comment #3: Figure LU-2 Land Use Map depicts multiple parcels to the east of the Highway 25 and San Felipe Road intersection as High Density Residential that bisects the North Gateway zoning to the north, south and partial east. Given the State’s housing crisis and the need for residents to activate commercial uses, reduce vehicle trips / traffic congestion, and reduce the impact to air quality, we recommend amending the North Gateway zoning district allowable uses to feather in adjacent bisects zoning uses to include:

- High Density Residential
- Medium Density Residential

**ORG2-4**

Comment #4: Figure LU-2 Land Use Map identifies Industrial land use zoning to the north of McCloskey Rd then immediately jumping to North Gateway zoning to the south. There are a number of existing, successful, and deeply entrenched industrial users along the south side of McCloskey Road that have no frontage along San Felipe Road that are zoned North Gateway creating a legal conforming situation. Further the North Gateway zoning allowable uses are extremely limiting and not viable for parcels with no frontage along a major transportation corridor and/or excessively deep depths. As such, we recommend the City rezone these parcels

**ORG2-5**

<p>between McCloskey to North Chappell that have no frontage along San Felipe to Industrial zoning.</p>	<p><b>ORG2-5 CONT.</b></p>
<p>Comment #5: Per Section 3.4.1 North Gateway, the area is intended to create an entry boulevard for large retail uses that cater to the commuters and other motorists arriving in Hollister from the north along Highway 25 without duplicating services found Downtown. Creating competitive commercial in the NGC designated land use areas will impact the downtown and other commercial centers in the City of Hollister. In addition, with Highway 25 being a commuter's corridor where the highest volume of trip hours occur well before sunrise as residents head to the bay area for work and return home after sunset, the majority of the targeted retail tenants the City envisions will not even be open so commuters will not stop.</p>	<p><b>ORG2-6</b></p>
<p>Comment #6: Per Section 3.4.1 North Gateway, the area is intended to create an entry boulevard for large retail uses that cater to the commuters and other motorists arriving in Hollister from the north along Highway 25 without duplicating services found Downtown. With the North Gateway district beginning at Briggs Road on the east side of Highway 25 and extending south, the district area is on the opposite side of the flow of traffic it is intended to capture creating the dependance for left-in and left-out traffic circulation patterns that will further impact the poor level of service of Highway 25. Further, Highway 25 has restricted access points by Caltrans, therefore it will necessitate increased turning movements at existing intersections which will also slow and impact traffic flow.</p>	<p><b>ORG2-7</b></p>
<p>Comment #7: The EIR under the utilities section discusses stormwater. The City has recently pushed developers to implement underground stormwater retention / detention facilities that are extremely costly and have their own set of engineering issues. The EIR references the use of drainage ponds / on-grade detention / treatment facilities. We strongly encourage the City to allow the developer to decide which type of stormwater system is appropriate in complying with the stormwater codes while also being complementary to the project instead of a one type fits prescriptive approach. On-grade drainage pods and detention systems along with bioswales can be seamlessly integrated into landscape solutions and help reduce the excessive construction required (air quality impact), off-haul of spoils (more construction trip generation and air quality impacts), that underground systems generate.</p>	<p><b>ORG2-8</b></p>
<p>Comment #8: The EIR under the utilities section discusses electrical and gas services. It does not appear the EIR authors are aware of the current lack of infrastructure and extensive service deficiencies PG&amp;E has in providing electric and gas service to the norther part of the City of Hollister. Developers in northern part of Hollister have had to delay projects for over three (3) years due to the lack of available electric service. PG&amp;E appears to be starting to investigate option for new substation and transmission lines but the timing and final implementation remain undetermined.</p>	<p><b>ORG2-9</b></p>

We look forward to continuing our engagement with the City of Hollister's General Plan update process and will continue to respond to your request for input. Thank you for being responsive to all the input you are receiving from community members including residents, customers, business partners, employees, and property owners.

ORG2-10

Sincerely,

A handwritten signature in black ink, appearing to read 'Matt Nohr', with a long horizontal line extending to the right.

Matt Nohr  
Orosco Group & Associates

Cc: Patrick Orosco [porosco@oroscogroup.com](mailto:porosco@oroscogroup.com)  
Chris Orosco [corosco@oroscogroup.com](mailto:corosco@oroscogroup.com)  
Geary Coats [coatsconsulting@gmail.com](mailto:coatsconsulting@gmail.com)  
Christy Hopper [Christine.hopper@hollister.ca.gov](mailto:Christine.hopper@hollister.ca.gov)

**From:** San Benito County Business Council [<mailto:kristina@sbcbusinesscouncil.com>]

**Sent:** Friday, June 30, 2023 4:38 PM

**To:** GeneralPlan <[generalplan@hollister.ca.gov](mailto:generalplan@hollister.ca.gov)>

**Subject:** Hollister GP 2040, CAP, and ALPP EIR

Good afternoon,

I am writing on behalf of the San Benito County Business Council to provide comments on the City of Hollister General Plan 2040, Climate Action Plan, Agricultural Plans Preservation Program and Draft Environmental Impact Report.

Established in 2001, the Business Council is a 501(c) 6 non-profit member-based organization representing over 45 local and regional municipal agencies, businesses, trade organizations and major employers representing more than 6000 employees in the Monterey Bay, Central Coast and South Bay Regions.

**ORG3-1**

Our current member & organizational goals include; 1) Retention, expansion, job creation and growth of existing businesses, 2) EDC 2017-2022 Comprehensive Economic Development Strategy (CEDS) Implementation, Supporting development of 2023-2028 CEDS - Supporting new business attraction, 3) Improving Infrastructure: Measure G Implementation- road and highway improvements, broadband, energy, education, housing, water & wastewater, tackling blight & litter, and 4) Building relations with elected officials, staff, regional organizations and community.

There has been a major lack of community outreach and engagement as described in the consultants Scope of Work (i.e., two community outreach events referred in scope, presentations, staff reports). Many of our residents lack access to internet, lack knowledge on how to operate the Zoom application and in many cases were unaware that the virtual meetings were taking place.

**ORG3-2**

On many occasions, community members that posed questions and concerns at the General Plan Public Advisory Committee Meeting were rebuffed, ignored and subjected to condescending behavior by officials, committee members and consultants. We respectfully request and would support the City's efforts to host at least one large-scale, in-person community workshop to present the Draft General Plan and EIR- including "general plan 101" education and workstations with detailed information on each element, the proposed Agricultural Plans Preservation Program (ALPP) and Climate Action Plan (CAP). EJ-2 states, "Promote civic engagement in the public decision-making process."

**ORG3-3**

Stakeholder groups, especially in agriculture (i.e, the San Benito County Farm Bureau) were not targeted for outreach and engagement. Please conduct this engagement to inform and encourage community participation.

Phone calls and emails to the City regarding the Plan were not returned, responded to.

We are concerned that the EIR was prepared prior to draft General Plan review by the public, the City Planning Commission and City Council. Please extend the review and comment period on the Draft General Plan for 60-days and pause work on the EIR until the plan is completed to ensure that the impacts of the final Plan are evaluated, the Draft EIR presented to the public followed by time to prepare and submit comments.

**ORG3-4**

Additional consideration should be made for habitat conservation and mitigation measures already in place (i.e, California Tiger Salamander). Additional consideration may also be revisited for joining the County's efforts underway to develop a Habitat Conservation Plan.

ORG3-5

Consider extending the Sphere of Influence further outward to the Urban Service Area or even the Planning Area to help support longer term, comprehensive planning, public utilities and services. This is especially important apply City codes and standards for curbs, gutters, sidewalks, roads and parks.

ORG3-6

Regarding the 2:1 proposed ALPP, please consider matching San Benito County's 1:1 policy as that ratio best adheres to 1.3.7 "maintain productive and VIABLE ag land."

Additionally, any lands within the Plan that have low density or zoning other than agriculture cannot be re-zoned/downzoned to agriculture as investments and planning have been in place for other uses.

Lands are only productive and viable for agricultural production if the commodities are marketable, when food safety programs can be implemented, where adequate, high-quality water is readily available and ag/urban interfaces (dust, noise, ag inputs, employees, heavy equipment traffic) can be avoided.

ORG3-7

Furthermore, the proposed ALPP, in addition to the 200-foot buffer requirement and the VMT presents major obstacles to job growth and meeting our housing needs. These policies do not confirm to 1.3.2 "attracting employment generating uses" and "range of housing choices."

Local job creation reduces commuting and reduces/eliminates traffic.

Consider adding educational attraction to 3.4.1 North Gateway Special Planning Area.

ORG3-8

Evaluate the opportunities and implications of the California Opportunity Zone and high-wage job creation in 3.4.2 West Gateway Special Planning Area.

ORG3-9

Extend the Buena Vista Road Special Planning Area west to SR156 to help ensure continuity with planning future growth in an area with existing infrastructure and access to current and planned regional transportation networks.

ORG3-10

Thank you for the opportunity to provide comments and for your consideration of our questions, concerns and ideas.

ORG3-11

Please don't hesitate to reply with any questions, concerns or needs.

Sincere regards,

Kristina

***Kristina Chavez Wyatt***

Executive Director, San Benito County Business Council

341 First Street Hollister, CA 95023

831.524.0408 / 831.637.6637 fax

[Kristina@SBCBusinessCouncil.com](mailto:Kristina@SBCBusinessCouncil.com)

SBCBusinessCouncil.com

Please consider the environment before printing this email.





June 30, 2023

City of Hollister Development Services Manager – Planning Division  
 Attn: Eva Kelly, Interim Planning Manager  
 339 Fifth Street, Hollister, CA 95023  
 Tel: (831) 636-4360  
 Email: [eva.kelly@hollister.ca.gov](mailto:eva.kelly@hollister.ca.gov)  
[generalplan@hollister.ca.gov](mailto:generalplan@hollister.ca.gov)

Re: Comments on City of Hollister Draft 2040 General Plan and Draft Environmental Impact Report (SCH No. 2021040277)

Dear Ms. Kelly,

On behalf of Wright Thirteen LLC and Felipe Nine LLC, The Orosco Group appreciates the opportunity to comment on the City of Hollister Draft 2040 General Plan and Draft Environmental Impact Report (SCH No. 2021040277) dated May 2023. The Orosco Group applauds the City of Hollister for taking a proactive look at how changing land use, emerging industries, technology, retail demand, housing needs, transportation improvements, demographic trends, and responsible and managed city growth will be addressed in the coming years.

Wright Thirteen LLC and Felipe Nine LLC have owned a combined 25 acres in the North Gateway district of City since 2017 and 2018 respectively, approximately one-quarter of the total area within the City Limits designated North Gateway Commercial (NG) as depicted on Exhibit A-1. During that time we have pursued development strategies that are intended to realize the vision of the City's General Plan and Zoning Code. During the same period of time we have observed a changing opportunity set that reduced demand for certain approved uses and increased demand for uses that are either very similar to the existing approved uses in the North Gateway Zone or consistent with certain rezoning that is proposed by the current draft 2040 GP update.

#### **Comment #1:**

Towards the goal of advancing immediate economic development opportunities for the City and our 25 acres, as well as the 16 acres owned by our neighbor and affiliate Hollister-Forever 16 LLC (which property is presently within the County but proposed for annexation) as depicted in Exhibit A-2: we would encourage you to please consider amending allowable uses within the North Gateway zoning to include the following complementary uses:

- 1) Research & Development
- 2) Creative / Flex Office / Maker Space
- 3) Life Sciences related facilities (including but not limited to, Sales, Manufacturing,

ORG4-1

ORG4-2

- Fulfillment, Service, Logistics, Warehouse, Wholesaling and Distribution)
- 4) E-Commerce related facilities (including but not limited to, Sales, Manufacturing, Fulfillment, Service, Logistics, Warehouse, Wholesaling and Distribution)
  - 5) Robotics related facilities (including but not limited to, Sales, Manufacturing, Fulfillment, Service, Logistics, Warehouse, Wholesaling and Distribution)
  - 6) Computer, Artificial Intelligence, and Technology related facilities (including but not limited to, Sales, Manufacturing, Fulfillment, Service, Logistics, Warehouse, Wholesaling and Distribution)
  - 7) Data Centers and the technological evolution thereof.

**ORG4-2  
CONT.**

All of the above uses are unmentioned in the current zoning code but are consistent with the existing spirit and intent of the North Gateway Zone. In many cases, they are the result of technology or trends that did not exist at the time of the last General Plan Update. The allowance of these uses within the North Gateway will foster an attractive entry to the City. As consistent with the prioritized "job creation" in the the North Gateway district, this proposal create technically skilled and high paying jobs and attract new and emerging businesses. Given that the benefits from access to major transportation corridors. These uses will reduce traffic (commuting), improve air quality (reduced length of trips), and make the City a further desirable place to live.

**Comment #2:**

Per Section 3.4.1 North Gateway, the North Gateway includes a triangular area northeast of Highway 25 and San Felipe Road north of Downtown that could be developed for automobile dealerships. The site has access from Highway 25, and the dealerships would be visible to all motorists entering the City. In addition to allowing for automobile dealerships and to reflect the transition from combustible to clean air vehicles, we recommend amending the North Gateway zoning district allowable uses to include the following uses:

- 8) Electrical Vehicles related facilities (including but not limited to, Sales, Manufacturing, Fulfillment, Service, Logistics, Warehouse, Wholesaling and Distribution)
- 9) Battery, Solar, & Alternative Energy Related facilities (including but not limited to, Sales, Manufacturing, Fulfillment, Service, Logistics, Warehouse, Wholesaling and Distribution)

**ORG4-3**

All of the above uses are unmentioned in the current zoning code but are consistent with the existing spirit and intent of the North Gateway Zone. In many cases, they are the result of technology or trends that did not exist at the time of the last General Plan Update. The allowance of these uses within the North Gateway will foster an attractive entry to the City. As consistent with the prioritized "job creation" in the the North Gateway district, this proposal create technically skilled and high paying jobs and attract new and emerging businesses. Given that the benefits from access to major transportation corridors. These uses will reduce traffic

(commuting), improve air quality (reduced length of trips), and make the City a further desirable place to live. Comment #3:

ORG4-3  
CONT.

**Comment #3:**

As depicted on Figure LU-2 Land Use Map (Exhibit A1 and A2), the northern partition of the North Gateway land use includes multiple parcels without direct frontage on the two intended City “entry boulevards”, as well as parcels that have frontage but excessive depth not conducive to the allowable zoning uses, or parcels mid-block between the two “entry boulevards”. Hard corners at the intersection of most roads within in the North Gateway Zone have already been developed with uses currently permitted within the zone. Further, a number of the existing retail approved uses within the NG zone are disconnected with current market demand as well as the priority of supporting the vibrancy of the City’s downtown and existing commercial centers. To avoid creating “dead zones” additional uses should be added to the list of allowed uses within the North Gateway Zone that are presently permitted in other zones, but also consistent with the spirit, intent and other uses already permitted within the NG zone:

ORG4-4

- 10) Professional Offices
- 11) Convenience Store
- 12) Food Products / Food Processing
- 13) Pharmaceuticals
- 14) Repair and Maintenance - Consumer Products
- 15) Equipment Sales, Services, Rental
- 16) Food and Beverage Sales
- 17) Health / Fitness Clubs (Recreation)
- 18) Storage, Personal Storage Facilities

**Comment #4:**

Figure LU-2 Land Use Map (Exhibit A1 and A2) depicts multiple parcels to the east of the Highway 25 and San Felipe Road intersection as High Density Residential that bisects the North Gateway zoning to the north, south and partial east. Multiple parcels on the south side of N Chappell and the parcel on the northeast corner of San Felipe and N Chappell are also identified in Figure LU-2 Land Use Map as High Density Residential. Given the State’s housing crisis and the need for residents to activate commercial uses, reduce vehicle trips / traffic congestion, and reduce the impact to air quality, we request High Density Residential zoning continue to our Felipe Nine LLC parcel, the existing group of legal non-conforming residential parcels, and the CALTRANS yard on the north side of N Chappell which are all immediately adjacent to identified High Density Residential zoning areas and lack any frontage on San Felipe making them viable for NG uses (See Exhibit A3). As an alternative to modifying the zoning, we request the City implement an overlay district that allows for High Density Residential within the NG zone.

ORG4-5

**Comment #5:**

The EIR under the utilities section discusses stormwater. The City has recently pushed developers to implement underground stormwater retention / detention facilities that are extremely costly and have their own set of engineering issues. The EIR references the use of drainage ponds / on-grade detention / treatment facilities. We strongly encourage the City to allow the developer to decide which type of stormwater system is appropriate in complying with the stormwater codes while also being complementary to the project instead of a one type fits prescriptive approach. On-grade drainage pods and detention systems along with bioswales can be seamlessly integrated into landscape solutions and help reduce the excessive construction required (air quality impact), off-haul of spoils (more construction trip generation and air quality impacts), that underground systems generate.

ORG4-6

**Comment #9:**

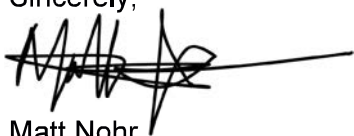
The EIR under the utilities section discusses electrical and gas services. It does not appear the EIR authors are aware of the current lack of infrastructure and extensive service deficiencies PG&E has in providing electric and gas service to the northern part of the City of Hollister. Developers in northern part of Hollister have had to delay projects for over three (3) years due to the lack of available electric service. PG&E appears to be starting to investigate option for new substation and transmission lines but the timing and final implementation remain undetermined.

ORG4-7

We look forward to continuing our engagement with the City of Hollister's General Plan update process and will continue to respond to your request for input. Thank you for being responsive to all the input you are receiving from community members including residents, customers, business partners, employees, and property owners.

ORG4-8

Sincerely,



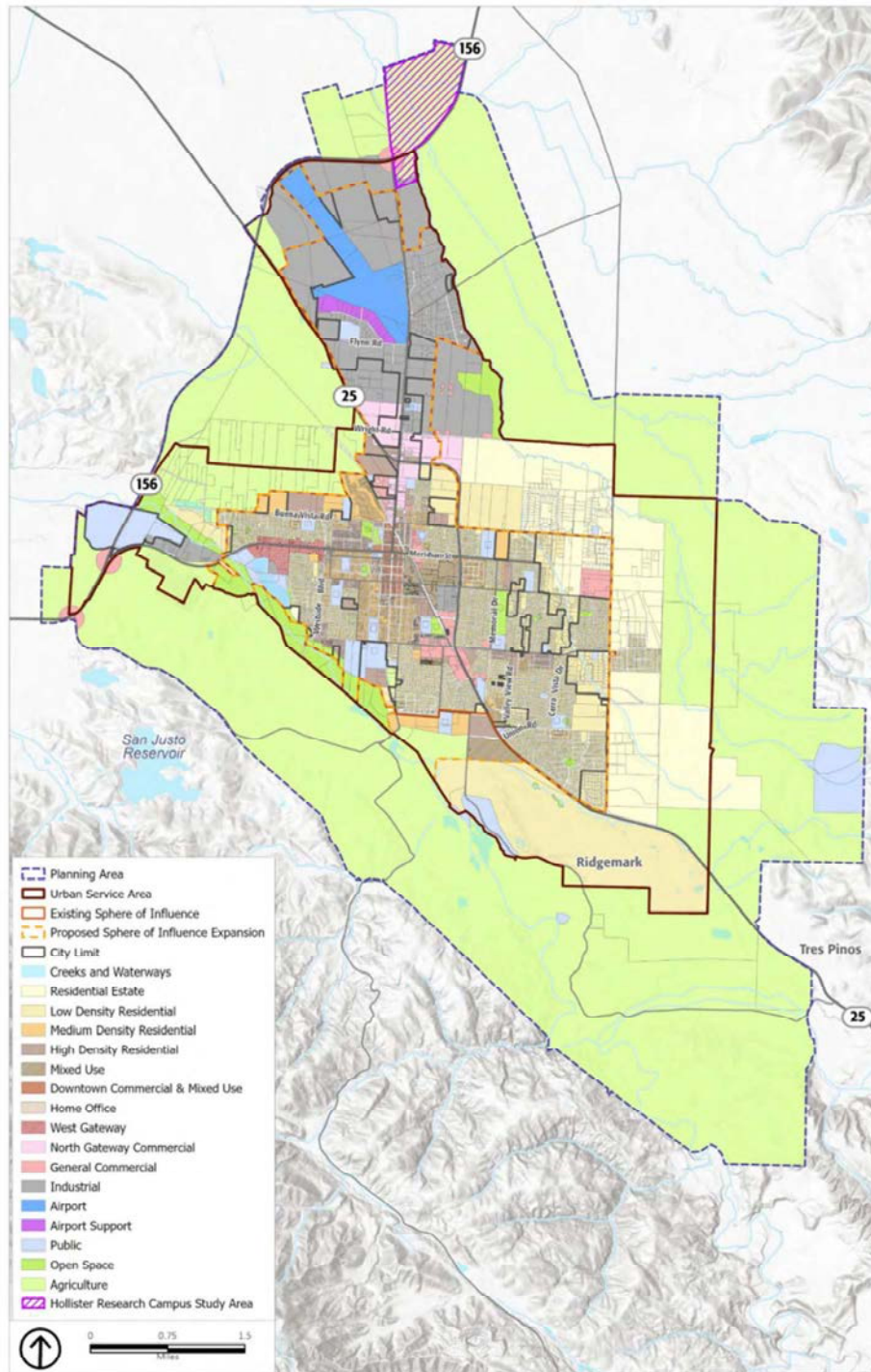
Matt Nohr  
Orosco Group & Associates

Cc: Patrick Orosco [porosco@oroscogroup.com](mailto:porosco@oroscogroup.com)  
Chris Orosco [corosco@oroscogroup.com](mailto:corosco@oroscogroup.com)  
Geary Coats [coatsconsulting@gmail.com](mailto:coatsconsulting@gmail.com)  
Christy Hopper [Christine.hopper@hollister.ca.gov](mailto:Christine.hopper@hollister.ca.gov)

# Exhibit A1 - Figure LU-2 Land Use Map

CITY OF HOLLISTER 2040 DRAFT GENERAL PLAN  
3. LAND USE AND COMMUNITY DESIGN ELEMENT

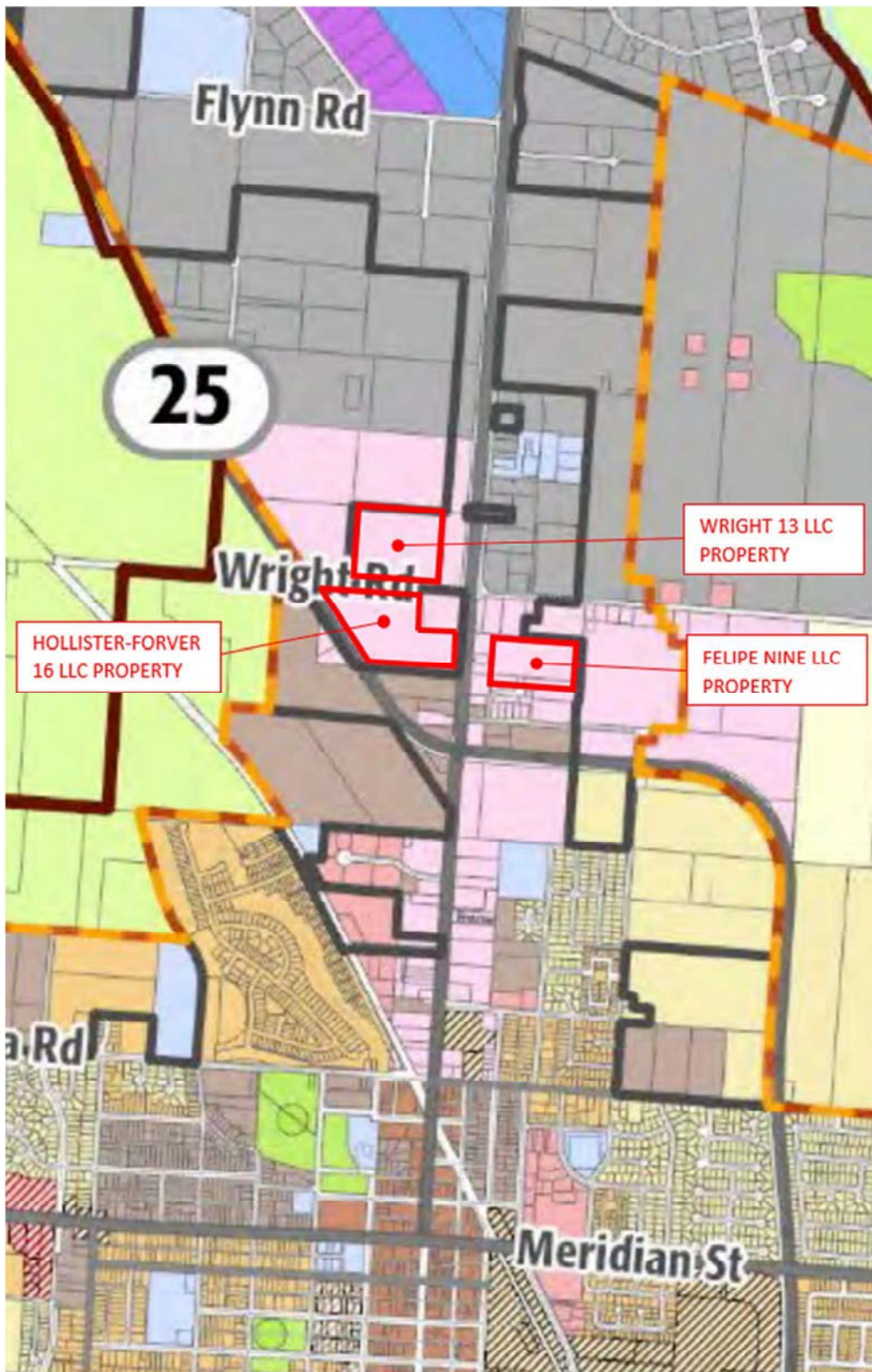
Figure LU-2 Land Use Map



ORG4-9

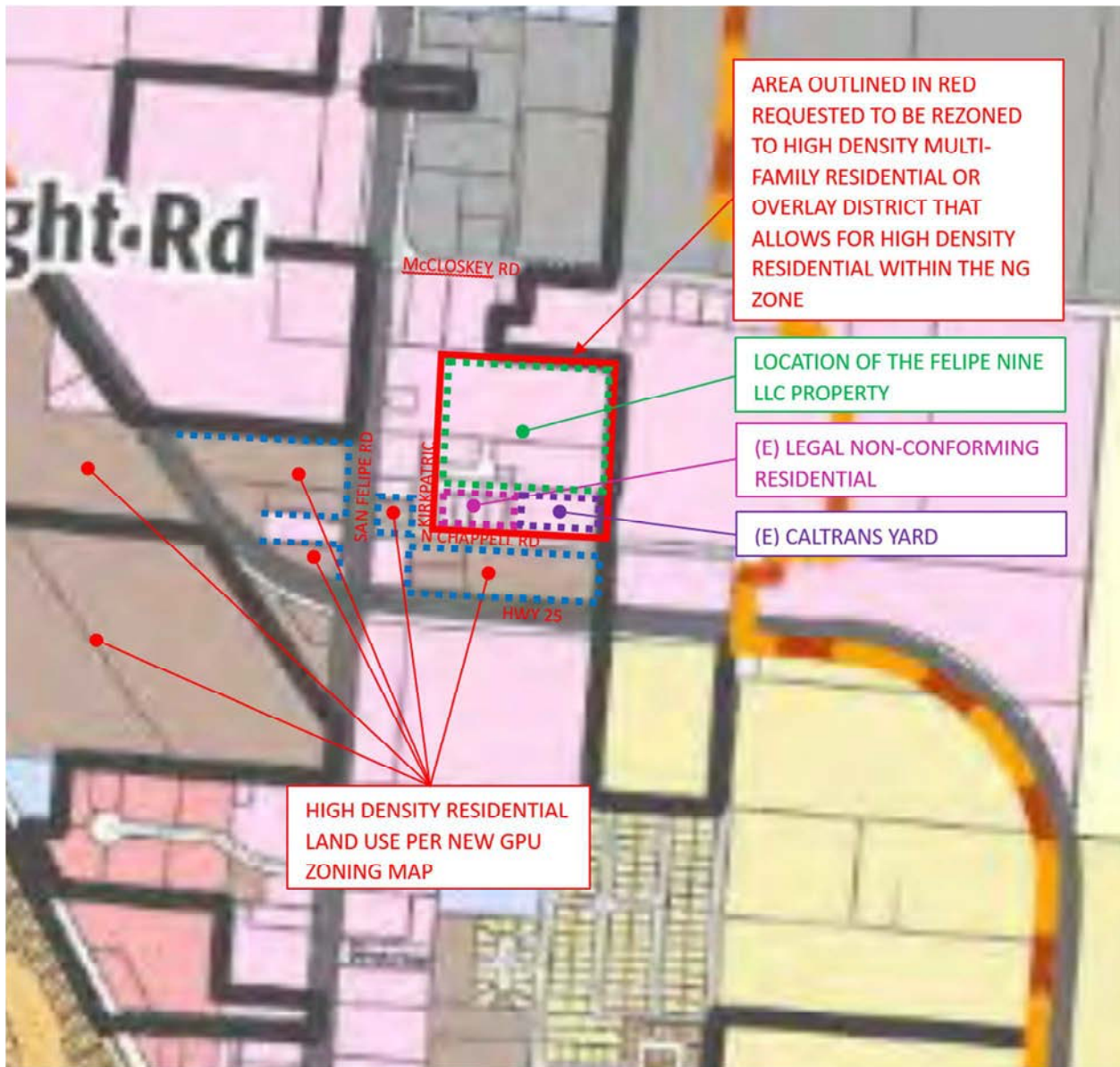


Exhibit A2 - Figure LU-2 Land Use Map



ORG4-10

Exhibit A3 - Proposed High Density Multi-family Residential Rezone or Overlay District



ORG4-11

**From:** [Carey Stone](#)  
**To:** [Terri McCracken](#)  
**Subject:** FW: Groundwater Supply-Hollister GP Update Comment  
**Date:** Tuesday, May 30, 2023 4:45:01 PM

The 2020 GP claims groundwater overdraft for Hollister has been eliminated by the SBCWD. Growth is dependent upon secure and long-lasting water supplies, and 73% of current Hollister water supply comes from groundwater.

Is the 2020 GP claim regarding groundwater supply as managed by SBCWD still accurate?

Are any wells currently or historically showing signs of overdraft?

How much groundwater is going to be available to Hollister over the next 20-50 years?

Is long-term groundwater use analyzed and included in the climate adaptation section of the GP update?

Is the future status of water from the CVP included in long term hydrologic and climate change sections of the GP update?

Please confirm you've received these GP update comments.

Jim Safranek  
8317137868

Sent from my iPad

PUB1-1



**From:** [Christine Hopper](#)  
**To:** [Alexander Sywak](#)  
**Subject:** RE: City VMT policy  
**Date:** Friday, June 16, 2023 9:09:33 AM  
**Attachments:** [image001.png](#)

Mr. Sywak,

I am forwarding your email to the General Plan team so that they can add it to the list of questions received on the General Plan. All comments are being documented and will be addressed in a consolidated document.

Thank you for your interest and participation in the process.

Christy Hopper



**From:** Alexander Sywak [mailto:[alex.sywak@gmail.com](mailto:alex.sywak@gmail.com)]  
**Sent:** Friday, June 16, 2023 8:00 AM  
**To:** Christine Hopper <[christine.hopper@hollister.ca.gov](mailto:christine.hopper@hollister.ca.gov)>  
**Cc:** Jennifer P. Thompson <[jthompson@lozanosmith.com](mailto:jthompson@lozanosmith.com)>; Ingrid Sywak <[ingrid.sywak@gmail.com](mailto:ingrid.sywak@gmail.com)>; Planning Dept <[planning@hollister.ca.gov](mailto:planning@hollister.ca.gov)>; David Mirrione <[david.mirrione@hollister.ca.gov](mailto:david.mirrione@hollister.ca.gov)>; Carol Lenoir <[lbmricky@yahoo.com](mailto:lbmricky@yahoo.com)>; David Huboi <[huboi@huboi.com](mailto:huboi@huboi.com)>; Steven Belong <[steve.belong@dc16sj.org](mailto:steve.belong@dc16sj.org)>; Kevin Henderson <[getkevinh@gmail.com](mailto:getkevinh@gmail.com)>; Luke Corona <[muledeer54@gmail.com](mailto:muledeer54@gmail.com)>; David Early <[dearly@placeworks.com](mailto:dearly@placeworks.com)>; Carey Stone <[cstone@placeworks.com](mailto:cstone@placeworks.com)>  
**Subject:** City VMT policy

Dear Ms. Hopper, The PC is reviewing the EIR next Thursday. An important component is the City's Transportation and VMT policy.

Figure 4.16-2 references: **Source: Kimley Horn, 2020. PlaceWorks, 2023.** Kindly provide the link, or .pdf?

Page 18, Section 4.16, footnote 6, references **City of Hollister. 2023. DRAFT SB 743 Implementation Guidelines, March 14.** Kindly provide the link, or .pdf?

You may know the City of San Jose next Tuesday will amend their VMT policy adopted February, 2018. One of their VMT mitigations is project density. In essence, if a proposed project density is double the 1/2 mile areage density, the project can be presumed to reduce its designated VMT by 30%. Have attached the page reference from CSJ's Transportation Handbook and the cited 2002 study. Does the City of Hollister intend to include an equivalent mitigation as CSJ is adopting?

Thank you for providing the above info requests,

Ingrid and Alex Sywak

PUB2-1

PUB2-2

PUB2-3

PUB2-4

