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**NEW HOLLISTER COURTHOUSE FOR THE SUPERIOR  
COURT OF CALIFORNIA, COUNTY OF SAN BENITO:**

**Final Initial Study and  
Mitigated Negative Declaration**

**April 30, 2009**

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*Prepared for:*



**Judicial Council of California**  
Administrative Office of the Courts  
455 Golden Gate Avenue  
San Francisco, California 94102-4272



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**APPENDICES**

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A LEED Checklist

## ABBREVIATIONS

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|  |  |
|--|--|
| Monterey Bay Unified Air<br>Pollution Control District | Air Pollution Control District                           |
| ADOC   | Administrative Director of the Courts                    |
| AOC  | Administrative Office of the Courts                      |
| BMP  | Best Management Practice                                 |
| Caltrans   | California Department of Transportation                  |
| CEQA   | California Environmental Quality Act                     |
| Central Coast Regional Water<br>Quality Control Board  | Water Quality Control Board                              |
| EIR  | Environmental Impact Report                              |
| LEED   | Leadership in Energy and Environmental Design            |
| LOS  | Level of service   |
| Monterey Bay Unified Air<br>Pollution Control District | Air Pollution Control District                           |
| NPDES  | National Pollutant Discharge Elimination System          |
| PM10   | Particulate matter less than 10 micrometers in diameter  |
| PM2.5  | Particulate matter less than 2.5 micrometers in diameter |
| SBCOG  | San Benito Council of Government                         |
| SWPPP  | Storm Water Pollution Prevention Plan                    |
| Central Coast Regional Water<br>Quality Control Board  | Water Quality Control Board                              |

## 1.0 INTRODUCTION

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The Administrative Office of the Courts (AOC) is the staff agency of the Judicial Council of California. The AOC is responsible for implementation of the Trial Court Facilities Act of 2002, landmark legislation that shifts governance of California courthouses from California counties to the State of California.

The AOC proposes to construct a new 41,500-square foot courthouse facility containing three courtrooms in the City of Hollister (City) for the Superior Court of California, County of San Benito (Superior Court). The site is approximately 400 feet north of the Superior Court's current courthouse (See Figure 1). Although the City owns the downtown site, the County of San Benito (County) intends to acquire the site from the City and provide the site to the AOC in exchange for the State's equity interest in the existing courthouse, as stipulated in the Transfer of Responsibility Agreement dated June 26, 2007.

The AOC cooperated with the Superior Court and local stakeholders to form a project advisory team of Superior Court, AOC, and local officials to evaluate courthouse sites. The AOC, Superior Court, and local stakeholders considered two potential courthouse sites—a downtown Hollister site and a site at the County's Justice Services site on Flynn Road near the Hollister Airport. The County had offered to donate the Justice Services for the new courthouse as buy-out of the State's equity interest in the existing courthouse and as provision for correction of the seismic deficiencies in the current courthouse. But due to its prime location in the center of Hollister, its proximity to location businesses and other government agencies, and the local significance of a courthouse, the project advisory group concluded that downtown Hollister is the preferred site for a new courthouse.

After performing initial analyses of the downtown site, the AOC determined that the downtown site required extensive evaluation of geologic issues, and the AOC considered development of the Justice Services site to avoid schedule and acquisition complications. The AOC agreed to reconsider the downtown site provided that the City conducted further geologic investigations of the downtown site. To evaluate the site's seismic qualities, the City completed its Fault Rupture Hazard Study.<sup>1</sup> As discussed in this document's Section 4.6, the Fault Rupture Hazard Study provided substantial information that supports the determination that the downtown site is a feasible courthouse site.

The proposed project will consolidate the various courthouse facilities into a single courthouse. The project will not add any courtrooms to the Superior Court's available facilities, but the new courthouse will provide increased public, staff, and secured in-custody detainee holding space. This document analyses construction of the proposed courthouse as well as operational effects of the proposed courthouse.

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<sup>1</sup> William Lettiss & Associates. 2008. *Fault Rupture Hazard Study, Fremont School Site, Hollister, California*. Prepared for the City of Hollister. 170 p.

1 The AOC is acting for the Judicial Council as Lead Agency under CEQA for this project.  
2 Therefore, the AOC is responsible for CEQA compliance for this project including preparation  
3 of the Draft Initial Study and Mitigated Negative Declaration and adoption of a Final Initial  
4 Study and Mitigated Negative Declaration.

5 **1.1 STATUTORY AUTHORITY AND REQUIREMENTS**

6 In accordance with Government Code Section 70391 and CEQA (Public Resources Code Section  
7 21000-21177) and pursuant to Section 15063 of Title 14 of the *California Code of Regulations*,  
8 the Judicial Council typically acts as the CEQA Lead Agency for courthouse projects. The  
9 Judicial Council has delegated its project approval authority to the Administrative Director of the  
10 Courts (ADOC). The ADOC considers a project’s potential environmental impacts in its  
11 evaluation of the proposal project. If the ADOC finds that there is no evidence that the project  
12 (either as proposed or modified to include mitigation measures) may cause a significant effect on  
13 the environment, then the ADOC will find that the proposed project will not have a significant  
14 effect on the environment and will adopt a Negative Declaration for the project. Alternatively, if  
15 the ADOC finds evidence that any aspect of the proposed project may cause a significant  
16 environmental effect (after addition of mitigation measures); the ADOC will determine that an  
17 environmental impact report (EIR) is necessary to analyze project-related and cumulative  
18 environmental impacts. An agency can make a determination to prepare a mitigated negative  
19 declaration rather than an EIR can be made only if “there is no substantial evidence in light of  
20 the whole record before the Lead Agency” that such impacts may occur (Public Resources Code  
21 Section 21080).

22 **1.2 PURPOSE OF THIS INITIAL STUDY**

23 The purposes of this Initial Study are to:

- 24 1. Facilitate environmental assessment of the project,
- 25 2. Provide the AOC with information to use as the basis for deciding whether to prepare  
26 an EIR or Negative Declaration,
- 27 3. Eliminate unnecessary EIRs,
- 28 4. Enable the AOC to modify the proposed project to mitigate significant environmental  
29 impacts to avoid preparation of an EIR,
- 30 5. Provide factual documentation for a Negative Declaration finding that the proposed  
31 project will not have a significant environmental effect.

32 Section 15063 of the CEQA Guidelines identifies the following specific disclosure requirements  
33 for inclusion in an Initial Study:

- 34 1. A description of the project, including the location of the project;
- 35 2. An identification of the environmental setting;
- 36 3. An identification of environmental effects by use of a checklist, matrix, or other  
37 method provided that entries on a checklist or other form are briefly explained to  
38 indicate that there is some evidence to support the entries;



- 1 4. A discussion of ways to mitigate any significant effects identified in the Initial Study;
- 2 5. An examination of whether the project is compatible with existing zoning, plans, and
- 3 other applicable land-use controls; and
- 4 6. The name of the person or persons who prepared or participated in preparation of the
- 5 Initial Study.
- 6

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## 2.0 PROJECT DESCRIPTION

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The AOC is responsible for implementation of the Trial Court Facilities Act of 2002, Senate Bill 1732 that requires the transfer of responsibility for funding and operation of trial court facilities from California counties to the State of California. San Benito County transferred responsibility for several Superior Court facilities in the City of Hollister and other parts of San Benito County to the State in 2007. The State's 2007-2008 budget authorized and funded the AOC to acquire a parcel in Hollister for construction of a new courthouse for the Superior Court.

The City of Hollister is the county seat of San Benito County, part of California's Central Coast region (see Figure 1). State Routes 25 and 156 pass through Hollister, and State Route 101 is approximately eight miles west of Hollister.

### 2.1 PROJECT BACKGROUND

As noted in the City's General Plan EIR<sup>2</sup> (General Plan EIR), San Benito County is in the Central Coast region of California, about 100 miles southeast of San Francisco, 40 miles east of Monterey and 300 miles north of Los Angeles. San Benito County was the fastest-growing county in California during the 1990's, and the majority of that growth occurred in Hollister. This new development increased the workload of the Superior Court, and the court's facilities are crowded, in poor physical condition, and lack adequate internal security.

### 2.2 PURPOSE AND OBJECTIVES OF THE PROPOSED PROJECT

The purpose of the proposed project is to provide a new courthouse for the Superior Court. The project's objectives are to:

- Consolidate judicial operations from other facilities into one facility;
- Replace outdated, worn, and undersized buildings,
- Relieve the Court's current shortage of space, and
- Provide space for new judicial services and improved facilities with better internal security and access for judicial staff and the public.

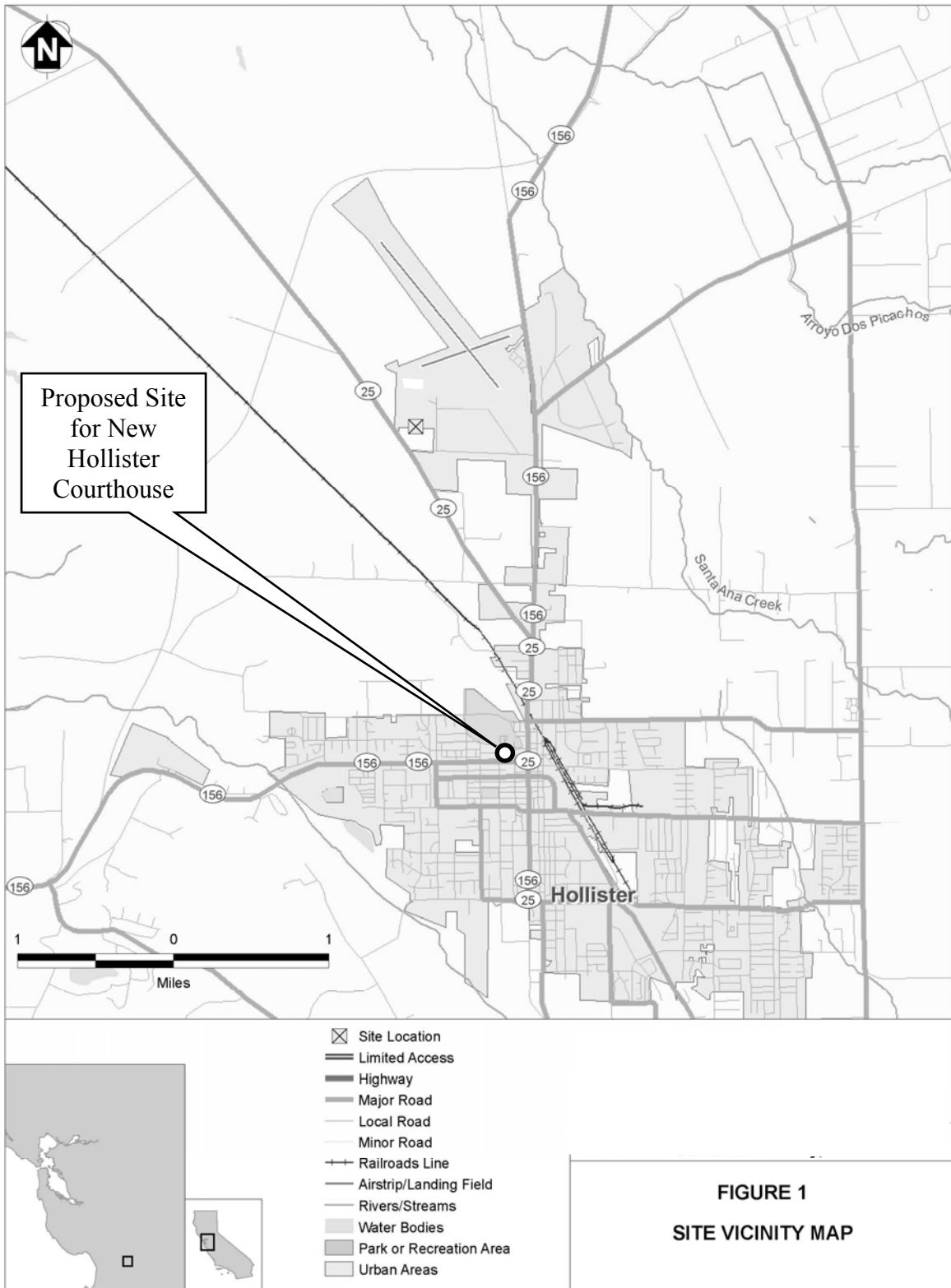
### 2.3 PROJECT LOCATION

The proposed Courthouse property is northwest of the 4th Street/Monterey Street intersection. The new facility will face 4th Street. [Figure 1](#) and [Figure 2](#) show the proposed project's location.

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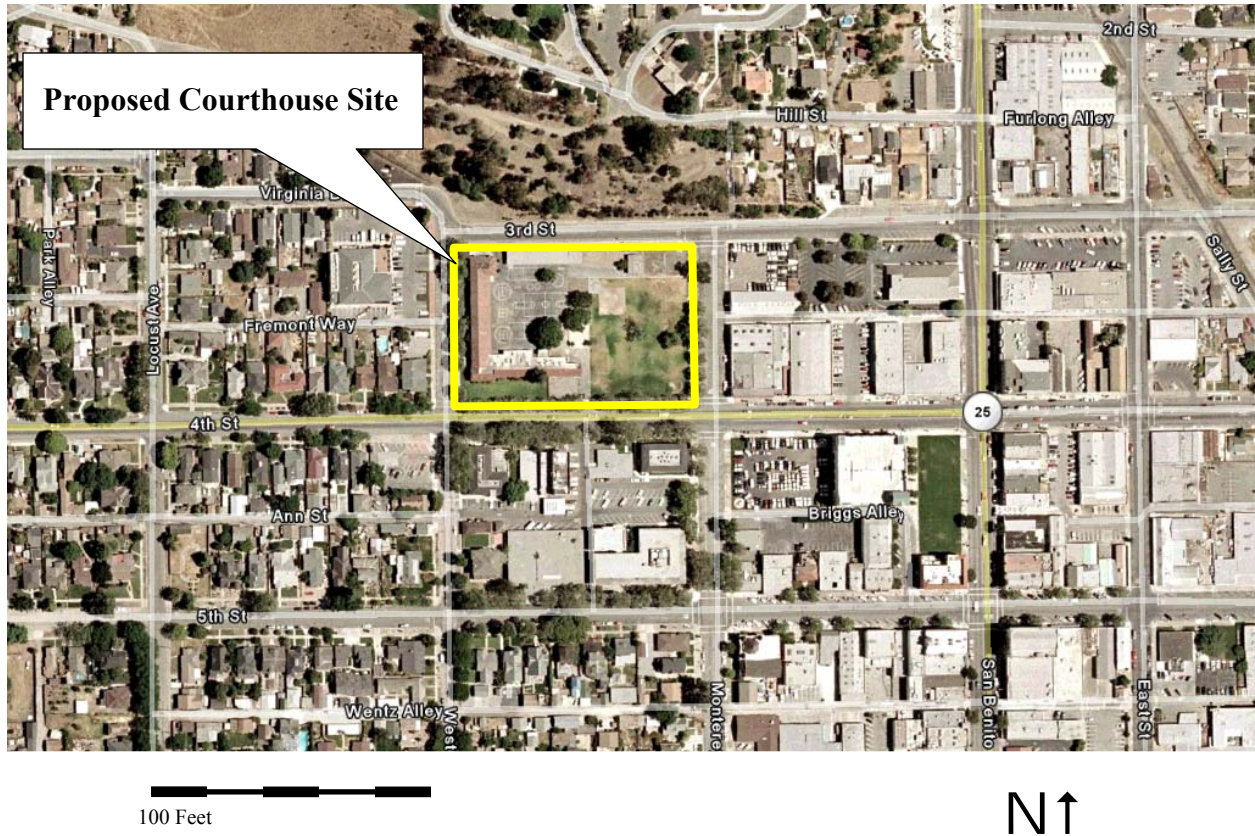
<sup>2</sup>City of Hollister. 2005. *City of Hollister General Plan Environmental Impact Report* (SCH 2004081147). Available at <http://www.hollister.ca.gov/Site/html/about/Genplan2005.asp>

Figure 1. Site Vicinity Map



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2  
3

**Figure 2. Location of Proposed Courthouse**



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5  
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The project site is approximately 3.1 acres and is on the parcel identified as Assessors Parcel Number 053-180-001. Fremont School previously occupied the site. The site currently has no permanent structures. The City currently owns the site.

The following land uses and features are adjacent to the project site:

- North—Park Hill with a City park, City offices, and water storage tanks;
- East—commercial buildings;
- South—County buildings occupied by the Probation Department, District Attorney, and other offices; and
- West—residences and the Hollister Community Center.

The project site’s topography is relatively level with a gradual upward sloping gradient from south to north. Park Hill is immediately north of the proposed courthouse site.

17

1    **2.4           SUPERIOR COURT**

2    The Superior Court has four separate facilities in Hollister. The court’s primary location is in  
3    downtown Hollister’s civic center building, which has approximately 20,000 gross square feet.  
4    The civic center building is a two-story building, and the court occupies approximately 11,000  
5    net square feet of the building. The court’s offices are interspersed with County agencies on both  
6    levels with most spaces accessed from the public walkway on two sides at both levels. The  
7    court’s space contains three courtrooms, clerks’ offices with public counters and court  
8    administrative space.

9    The Superior Court also leases space for facilities. The Superior Court’s Court Mediator provides  
10   Family Law Mediator and Family Court Services in leased space at 390 Fifth Street. The  
11   Superior Court also has a 700 net square foot courtroom at the County’s Juvenile Hall, which is  
12   located in Hollister near the airport a few miles from downtown. This courtroom supports  
13   juvenile delinquency proceedings. Finally, the Superior Court uses some space in the City’s Old  
14   Hall of Records for storage of court files.

15   The Superior Court’s current judicial positions include two judges and a part-time commissioner  
16   position. The judges are responsible for criminal and felony arraignments, pre-trials, motions,  
17   trials, and probation matters; limited and unlimited civil law and motion; traffic court; small  
18   claims; family matters including domestic violence, juvenile delinquency and dependency,  
19   conservatorships, probate; and drug court. Assigned judges also support the Superior Court’s  
20   operations; the court has been utilizing these positions to cover for illness, vacations, and felony  
21   trials. The commissioner handles family support matters and occasional child and spousal  
22   support crossovers from the family law calendar.

23   For the Superior Court’s mediation services in family court proceedings, two part-time mediators  
24   are available to resolve child visitation, custody, guardianship, conservatorship, underage  
25   marriage, and stepparent adoption and emancipation matters. The court also provides facilitation  
26   services to assist persons without attorneys in child support, health insurance, and spousal  
27   support matters.

28   The Superior Court’s support includes Court Administration, Case Processing, and Family Court  
29   Services units. In addition, the Superior Court contracts for court recorder and bailiff services.

30   All court proceedings take place in the courthouse in central Hollister, except for juvenile  
31   delinquency at the County’s Juvenile Hall. The judge travels to the Juvenile Hall one day per  
32   week to adjudicate juvenile delinquency cases in a small courtroom within the juvenile facility.

33   For the Superior Courts of California, Mondays or Tuesdays are typically the days with the  
34   greatest number of courthouse visitors, while other days have successively lower courthouse  
35   populations. In addition, the hours from 8:00 to 10:00 AM are typically the hours with the  
36   greatest courthouse population ([AOC 2008a](#)). The courthouse population typically declines from  
37   the early peak until noon, rises to a second peak from 1:00 to 2:00 PM, and then declines steeply  
38   to a population low during the 4:00 to 5:00 PM hour. The Superior Court’s facilities are typically  
39   open from 8:00 AM to 4:00 PM.

1    **2.5            PROPOSED PROJECT**

2    The AOC proposes to acquire an approximately 3.1-acre parcel in downtown Hollister, construct  
3    a new courthouse for the Superior Court, and operate the courthouse for the Superior Court. The  
4    proposed building will face West Fourth Street. It will have two stories, will be approximately 40  
5    feet tall, and will have approximately 41,500 building gross square feet. Figure 3 shows a site  
6    plan drawing for the project.

7    The new courthouse will include three courtrooms with judicial chambers. The new courthouse  
8    will primarily support felony, misdemeanor, juvenile delinquency, civil, probate, and family law  
9    functions. To maximize functional flexibility of the courtrooms, all of the courtrooms will have  
10   holding capability for in-custody detainees. The building will also provide space for the Office of  
11   the Clerk of the Court, Executive Administrative offices, juror assembly area, public lobby,  
12   security operations, and building support space. The courthouse will also provide a secure  
13   circulation system to separate movement of in-custody detainees, judicial staff, and visitors.

14   Secure parking for judicial officers, a sallyport (a secured building entrance that connects to a  
15   secured vehicle entrance and parking area), and in-custody detainee holding facilities will be  
16   located at the rear of the building. The sallyport will connect to a Sheriff’s station.

17   The project will provide six secure parking spaces behind the building for Superior Court staff.  
18   The courthouse will have approximately 100 surface parking spaces for staff, jurors, and visitors.

19   Prior to the start of construction, the AOC will secure preparation of a geotechnical study of the  
20   site. The purpose of the analysis will be to determine sub-surface soil conditions and recommend  
21   design and construction measures to ensure that the building’s design will be consistent with  
22   engineering standards and the California Building Code.

23   The AOC will design the building to conform to standards of a Leadership in Energy and  
24   Environmental Design (LEED) silver-certified building. The LEED Rating System for New  
25   Construction includes criteria for features that related to sustainability, water efficiency, energy  
26   and atmosphere, materials and resources, indoor environmental quality, and innovation and  
27   design processes. Projects earn points for attaining criteria listed in the LEED checklist (See  
28   Appendix A). To achieve silver certification, a project’s design must meet at least 33 of 39  
29   criteria.

30   The AOC estimates that each courtroom will hold a maximum of approximately 50 visitors and  
31   jurors and 6 judicial staff. To maximize functional flexibility of the courtrooms, all of the  
32   courtrooms will have holding capability for in-custody detainees and access to a secure  
33   circulation system.

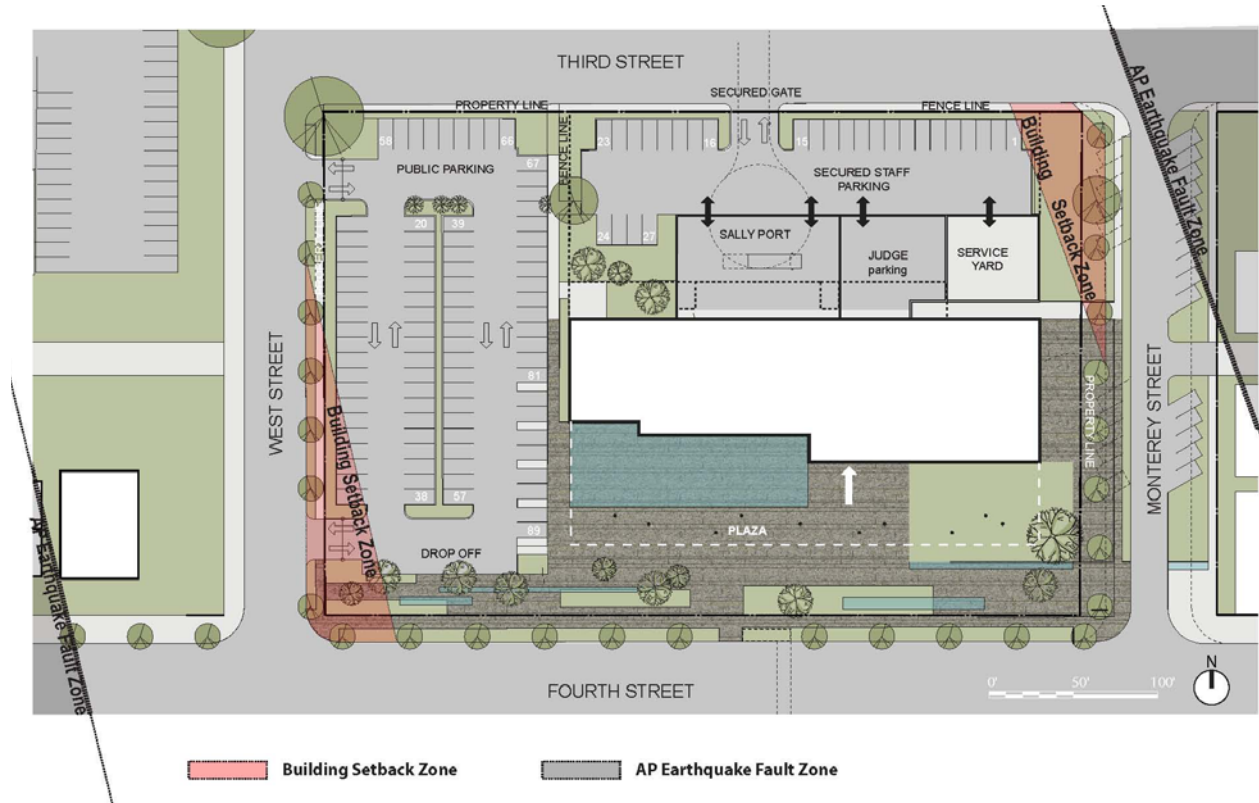
34   The AOC’s proposed project schedule is as follows:

- 35           • Acquire the site in mid 2009,
- 36           • Finish preparation of preliminary plans in early 2010,
- 37           • Complete working drawings and contract documents in early 2011,



- 1 • Begin construction in early 2011,
  - 2 • Complete construction in late 2012, and
  - 3 • Begin Superior Court operations in the new courthouse in late 2012.
- 4 After completion of the new courthouse, the Superior Court will vacate its existing locations in  
 5 downtown Hollister. The AOC presumes that the County will use the vacated space for offices.

6 **Figure 3. Conceptual Project Site Plan**  
 7



8  
 9  
 10  
 11 **2.7 EXISTING PLANS, POLICIES, AND OTHER DOCUMENTS**

12 Existing plans, policies, and other relevant documents include the City of Hollister’s General  
 13 Plan and other related CEQA documents.

14 **2.7.1 Zoning**

15 The project site has a Public zoning classification.

16 **2.7.2 General Plan**

17 The City updated its General Plan in 2005. The General Plan designates the parcel as Downtown  
 18 Commercial and Mixed Use.



1    **2.7.3       CEQA Documents**

2    The City prepared the Fremont School Demolition and Site Clearance Environmental Impact  
3    Report<sup>3</sup> (Demolition EIR) in 2008 for clearing of the 3.1-acre site of the former Fremont School.  
4    The AOC’s analysis of the proposed courthouse project references the City’s document for  
5    information on the Fremont School site’s cultural resources.

6    **2.7.5       Other Relevant Plans, Policies and Documents**

7    Other relevant plans and policies include the following:

- 8           • Monterey Bay Unified Air Quality Management Plan (2004)<sup>4</sup>
- 9           • CEQA Air Quality Guidelines<sup>5</sup>

10

11   **2.8         PROJECT APPROVALS**

12   The ADOC is responsible for approving this project. The State of California’s Public Works  
13   Board must also approve the selection and acquisition of real property for the location or  
14   expansion of State of California facilities; it approves plans, allocates funds, and determines the  
15   timing of major construction projects.

16   The AOC must acquire the proposed site’s title from the County, and the County must agree to  
17   the AOC’s fee acquisition. The County may rely on the AOC’s Mitigated Negative Declaration  
18   for the fee acquisition. The County must acquire the proposed site’s title from the City, and the  
19   City must agree to the County’s fee acquisition. The City may rely on the AOC’s Mitigated  
20   Negative Declaration for the title transaction. The City must also approve utility connections and  
21   street connections for the project.

22

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<sup>3</sup> City of Hollister. 2008. *Fremont School Demolition and Site Clearance Draft EIR* (2008091123). 51 p.

<sup>4</sup> Monterey Bay Unified Air Pollution Control District. 2004. *Air Quality Management Plan*. Available at <http://www.mbuapcd.org/index.cfm/Cat/3.htm>

<sup>5</sup> Monterey Bay Unified Air Pollution Control District. 2004. *CEQA Air Quality Guidelines*. Xx p. Available at <http://www.mbuapcd.org/index.cfm?Doc=276>.

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## 3.0 INITIAL STUDY CHECKLIST

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### 3.1 PROJECT INFORMATION

Section 2.0 and Table 1 describe the proposed project.

**Table 1. Project Information**

|     |   |
|-----|---|
| 1.  | <b>Project title:</b> New Hollister Courthouse  |
| 2.  | <b>Lead agency name and address:</b> Administrative Office of the Courts<br>455 Golden Gate Avenue<br>San Francisco, CA 94102-3660  |
| 3.  | <b>Contact person and phone number:</b> Jerome Ripperda, Environmental Analyst<br>Administrative Office of the Courts<br>Office of Court Construction and Management<br>2860 Gateway Oaks Drive, Suite 400<br>Sacramento, CA 95833-3509<br><br>Phone: (916) 263-8865, Fax: (916) 263-8140<br>e-mail: <a href="mailto:Jerry.Ripperda@jud.ca.gov">Jerry.Ripperda@jud.ca.gov</a> |
| 4.  | <b>Project location:</b> The project is in Hollister in San Benito County. The project site is between 4th Street, Monterey Street, 3rd Street. and West Street. See <a href="#">Figures 1, 2, and 3</a> .  |
| 5.  | <b>Assessor Parcel Number:</b> 053-180-001  |
| 6.  | <b>General plan designation:</b> Downtown Commercial and Mixed Use  |
| 7.  | <b>Zoning:</b> Public   |
| 8.  | <b>Description of project:</b> Refer to <a href="#">Section 2.0</a> , Project Description.  |
| 9.  | <b>Surrounding land uses and setting:</b> Refer to Section 2.4 Project Location.  |
| 10. | <b>Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):</b> The County of San Benito and the City of Hollister   |

### 3.2 EVALUATION OF ENVIRONMENTAL IMPACTS

This Initial Study determines whether the project may have potentially significant impacts that warrant additional analysis and mitigation measures to reduce the project's impact to environmental resources. The assessment analyzes on-site, off-site, long-term, direct, indirect, and cumulative impacts for the construction and operation of the proposed project. For each environmental resource, the Initial Study poses questions with four possible responses for each question:

- **No Impact.** The environmental issue does not apply to the project, and the project will therefore have no environmental impact.
- **Less Than Significant Impact.** The environmental issue does apply to the project site, but the associated impact will be below thresholds that the ADOC considers significant.

- **Potentially Significant Impact Unless Mitigated.** The project will have the potential to produce significant impacts to the environmental resource. However, mitigation measures modifying the project will reduce environmental impacts to a less-than-significant level.
- **Potentially Significant Impact.** The project will produce significant impacts, and further analysis is necessary.

[Table 2](#) lists the initial evaluation of the proposed project's environmental effects. [Section 4.0](#) provides additional information on the analyses of project impacts and mitigation measures.

**Table 2. CEQA Checklist**

| <b>Environmental Resource</b>  | <b>Pot. Signif. Impact<sup>6</sup></b> | <b>Pot. Sig. Impact Unless Mitig<sup>6</sup></b> | <b>Less Than Signif. Impact<sup>6</sup></b> | <b>No Impact<sup>6</sup></b> |
|--|--|--|---|------------------------------|
| <b>1. AESTHETICS/VISUAL RESOURCES–Will the project:</b>  |  |  |   |                              |
| 1.1 Substantially degrade the existing visual character of the site and its surroundings? (Section 4.1.1)  |  |  | X   |                              |
| 1.2 Have a substantial adverse effect on a scenic vista? (Section 4.1.2)   |  |  | X   |                              |
| 1.3 Create a new source of substantial light or glare that will adversely affect day or nighttime views? (Section 4.1.3)   |  |  | X   |                              |
| <b>2. AGRICULTURAL RESOURCES–Will the project:</b>   |  |  |   |                              |
| 2.1 Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to non-agricultural use? (Section 4.2.1)   |  |  |   | X                            |
| 2.2 Conflict with existing zoning for agricultural use or a Williamson Act contract? (Section 4.2.2)   |  |  |   | X                            |
| 2.3 Involve other changes in the existing environment that could produce substantial conversion of farmland to non-agricultural use? (Section 4.2.3)   |  |  |   | X                            |
| <b>3. AIR QUALITY–Will the project:</b>  |  |  |   |                              |
| 3.1) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (Section 4.3.1)   |  |  | X   |                              |
| 3.2) Expose sensitive receptors to substantial pollutant concentrations? (Section 4.3.2)   |  |  | X   |                              |
| 3.3) Create substantial objectionable odors? (Section 4.3.3)   |  |  | X   |                              |
| 3.4) Substantially conflict with the State’s goal of reducing greenhouse gas emissions in California to 1990 levels by 2020, as set forth by the timetable established in Assembly Bill (AB) 32, California Global Warming Solutions Act of 2006? (Section 4.3.4)  |  |  | X   |                              |
| <b>4. BIOLOGICAL RESOURCES–Will the project:</b>   |  |  |   |                              |
| 4.1) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game (DFG) or U.S. Fish and Wildlife Service (USFWS)? (Section 4.4.2) |  |  |   | X                            |
| 4.2) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the DFG or USFWS? (Section 4.4.2)  |  |  |   | X                            |
| 4.3) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act? (Section 4.4.3)   |  |  |   | X                            |
| 4.4) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (Section 4.4.4)   |  |  |   | X                            |
| 4.5) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Section 4.4.5)  |  |  |   | X                            |

<sup>6</sup> Pot. Signif. Impact = Potentially significant impact, Pot. Sig. Impact Unless Mitig.= Potentially significant impact unless mitigated, Less Than Signif. Impact = Less than significant impact

**Table 2. CEQA Checklist (Continued)**

| <b>Environmental Resource</b>  | <b>Pot. Signif. Impact<sup>6</sup></b> | <b>Pot. Sig. Impact Unless Mitig<sup>6</sup></b> | <b>Less Than Signif. Impact<sup>6</sup></b> | <b>No Impact<sup>6</sup></b> |
|--|--|--|---|------------------------------|
| 4.6) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (Section 4.4.6)                             |  |  |   | X                            |
| <b>5. CULTURAL RESOURCES–Will the project:</b>   |  |  |   |                              |
| 5.1) Cause a substantial adverse change in the significance of an archaeological resource or a historic resource? (Section 4.5.1)  |  | X  |   |                              |
| 5.2) Disturb any human remains? (Section 4.5.2)  |  |  |   | X                            |
| <b>6. GEOLOGY AND SOILS–Will the project:</b>  |  |  |   |                              |
| 6.1) Expose people or structures to potential substantial adverse effects involving rupture of a known earthquake fault? (Section 4.6.1)   |  |  | X   |                              |
| 6.2) Expose people or structures to potential substantial adverse effects involving strong seismic ground shaking? (Section 4.6.2)   |  |  | X   |                              |
| 6.3) Expose people or structures to potential substantial adverse effects involving ground failure (including subsidence or liquefaction-induced lateral spread)? (Section 4.6.3)  |  |  | X   |                              |
| 6.4) Expose people or structures to potential substantial adverse effects involving landslides? (Section 4.6.4)  |  |  |   | X                            |
| 6.5) Expose people or structures to potential substantial adverse effects involving expansive soil? (Section 4.6.5)  |  |  |   | X                            |
| 6.6) Cause substantial soil erosion or the loss of topsoil? (Section 4.6.6)  |  |  |   | X                            |
| 6.7) Destroy a unique geological feature? (Section 4.6.7)  |  |  |   | X                            |
| 6.8) Have a substantial potential to destroy a unique paleontological resource? (Section 4.6.8)  |  |  |   | X                            |
| <b>7. HAZARDS AND HAZARDOUS MATERIALS–Will the project:</b>  |  |  |   |                              |
| 7.1) Create a significant hazard through the routine transport, use, emission, or disposal of hazardous materials, substances, or waste? (Section 4.7.1)   |  |  |   | X                            |
| 7.2) Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and therefore create a significant hazard to the public or the environment? (Section 4.7.2) |  |  |   | X                            |
| 7.3) Produce a substantial safety hazard for people residing or working in the project area? (Section 4.7.3)   |  |  | X   |                              |
| 7.4) Impair implementation of an adopted emergency response plan or emergency evacuation plan? (Section 4.7.4)   |  |  |   | X                            |
| 7.5) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires? (Section 4.7.5)   |  |  |   | X                            |
| <b>8. HYDROLOGY AND WATER QUALITY–Will the project:</b>  |  |  |   |                              |
| 8.1) Violate any water quality standards or waste discharge requirements or substantially degrade water quality? (Section 4.8.1)   |  |  | X   |                              |
| 8.2) Alter the existing drainage pattern of the site or area in a manner that will produce substantial erosion? (Section 4.8.2)  |  |  | X   |                              |
| 8.3) Contribute runoff water that will exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff? (Section 4.8.3)                                       |  |  | X   |                              |

**Table 2. CEQA Checklist (Continued)**

| <b>Environmental Resource</b>  | <b>Pot. Signif. Impact<sup>6</sup></b> | <b>Pot. Sig. Impact Unless Mitig<sup>6</sup></b> | <b>Less Than Signif. Impact<sup>6</sup></b> | <b>No Impact<sup>6</sup></b> |
|--|--|--|---|------------------------------|
| 8.4) Require or produce the construction of new storm water drainage facilities or expansion of existing facilities? (Section 4.8.4)   |  |  | X   |                              |
| 8.5) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge so that there will be a net deficit in aquifer volume or a substantial lowering of the local groundwater level? (Section 4.8.5) |  |  | X   |                              |
| 8.6) Expose people or structures to a significant risk of flooding? (Section 4.8.6)  |  |  |   | X                            |
| 8.7) Substantially alter the existing drainage pattern of the site or area or substantially increase the rate or amount of surface runoff in a manner that will produce flooding? (Section 4.8.7)                                    |  |  |   | X                            |
| 8.8) Expose people or structures to a significant risk involving inundation by seiche, tsunami, or mudflow? (Section 4.8.8)  |  |  |   | X                            |
| <b>9. LAND USE AND PLANNING–Will the project:</b>  |  |  |   |                              |
| 9.1) Physically divide an established community? (Section 4.9.1)   |  |  |   | X                            |
| 9.2) Conflict with any applicable land-use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect? (Section 4.9.2)                    |  |  |   | X                            |
| <b>10. MINERAL RESOURCES–Will the project:</b>   |  |  |   |                              |
| 10.1) Cause a substantial reduction of availability of a known mineral resource? (Section 4.10.1)  |  |  |   | X                            |
| <b>11. NOISE–Will the project produce:</b>   |  |  |   |                              |
| 11.1) A temporary or periodic increases in noise levels in excess of standards established in the local general plan, noise ordinance, or applicable standards of other agencies? (Section 4.11.1)                                   |  |  | X   |                              |
| 11.2) Permanent increases in noise levels in excess of standards established in the local general plan, noise ordinance, or applicable standards of other agencies? (Section 4.11.2)   |  |  | X   |                              |
| 11.3) Generation of substantial ground-borne vibration or ground-borne noise levels in excess of standards established in the local general plan or applicable standards of other agencies? (Section 4.11.3)                         |  |  | X   |                              |
| <b>12. POPULATION AND HOUSING–Will the project:</b>  |  |  |   |                              |
| 12.1) Directly or indirectly induce substantial population growth in an area? (Section 4.12.1)   |  |  |   | X                            |
| 12.2) Displace substantial numbers of numbers of people and cause the construction of replacement housing elsewhere? (Section 4.12.2)  |  |  |   | X                            |
| <b>13. PUBLIC SERVICES–Will the project:</b>   |  |  |   |                              |
| 13.1) Produce substantial adverse physical impacts associated with the provision of fire protection facilities to maintain acceptable service ratios, response times, or other performance objectives? (Section 4.13.1)              |  |  |   | X                            |
| 13.2) Produce substantial adverse physical impacts associated with the provision of police protection facilities to maintain acceptable service ratios, response times, or other performance objectives? (Section 4.13.2)            |  |  | X   |                              |
| 13.3) Produce substantial adverse physical impacts associated with the provision of other public service facilities? (Section 4.13.3)  |  |  |   | X                            |

**Table 2. CEQA Checklist (Continued)**

| <b>Environmental Resource</b>   | <b>Pot. Signif. Impact<sup>6</sup></b> | <b>Pot. Sig. Impact Unless Mitig<sup>6</sup></b> | <b>Less Than Signif. Impact<sup>6</sup></b> | <b>No Impact<sup>6</sup></b> |
|---|--|--|---|------------------------------|
| <b>14. RECREATION–Will the project:</b>   |  |  |   |                              |
| 14.1) Substantially increase the use of existing neighborhood and regional parks or other recreational facilities to produce substantial physical deterioration of a facility? (Section 4.14.1)   |  |  |   | X                            |
| 14.2) Require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment? (Section 4.14.2)  |  |  |   | X                            |
| <b>15. TRANSPORTATION/TRAFFIC–Will the project:</b>   |  |  |   |                              |
| 15.1) Cause a substantial increase in traffic in relation to the existing traffic load and capacity of the street system? (Section 4.15.1)  |  |  | X   |                              |
| 15.2) Exceed a level of service standard established by the county congestion management agency for designated roads or highways? (Section 4.15.2)  |  |  | X   |                              |
| 15.3) Substantially increase hazards due to a design feature or incompatible uses? (Section 4.15.3)   |  |  |   | X                            |
| 15.4) Produce inadequate parking capacity? (Section 4.15.4)   |  |  | X   |                              |
| 15.5) Produce inadequate emergency access? (Section 4.15.5)   |  |  | X   |                              |
| 15.6) Conflict with adopted policies, plans, or programs supporting alternative transportation? (Section 4.15.6)  |  |  |   | X                            |
| 15.7) Produce substantial safety risks due to a change in air traffic patterns, increase air traffic levels, or change in air traffic location? (Section 4.15.7)  |  |  |   | X                            |
| <b>16. UTILITIES AND SERVICE SYSTEMS–Will the project:</b>  |  |  |   |                              |
| 16.1) Have sufficient water supplies available to serve the project from existing entitlements and resources? (Section 4.16.1)  |  |  |   | X                            |
| 16.2) Require or produce the construction of new water supply facilities? (Section 4.16.2)  |  |  |   | X                            |
| 16.3) Produce a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments? (Section 4.16.3)  |  |  |   | X                            |
| 16.4) Require the construction of new wastewater treatment facilities? (Section 4.16.4)   |  |  |   | X                            |
| 16.4) Have access to a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs? (Section 4.16.5)  |  |  |   | X                            |
| <b>17. MANDATORY FINDINGS OF SIGNIFICANCE–Does the project:</b>   |  |  |   |                              |
| 17.1) Have the potential to substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal? (Section 4.17.1) |  |  |   | X                            |



**Table 2. CEQA Checklist (Continued)**

| <b>Environmental Resource</b>   | <b>Pot. Signif. Impact<sup>6</sup></b> | <b>Pot. Sig. Impact Unless Mitig<sup>6</sup></b> | <b>Less Than Signif. Impact<sup>6</sup></b> | <b>No Impact<sup>6</sup></b> |
|---|--|--|---|------------------------------|
| 17.2) Have the potential to degrade the quality of the environment or eliminate important examples of the major periods of California history or prehistory? (Section 4.17.2) |  | X  |   |                              |
| 17.3) Have impacts that are individually limited, but cumulatively considerable? (Section 4.17.3)   |  |  | X   |                              |
| 17.3) Have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly? (Section 4.17.3)                                 |  |  | X   |                              |

**Table 2. CEQA Checklist (Continued)**

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## 4.0 ENVIRONMENTAL ANALYSIS

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### 4.1 AESTHETICS/VISUAL RESOURCES

The City's General Plan EIR notes that mountainous terrain surrounds the City on three sides, and Hollister is at the focal point of a basin formed by Gabilan Mountains to the south and west and the Diablo Range to the east. In addition, foothills ring the City on its east, south and west sides. The mountains provide a rugged, natural backdrop to the highly modified landscape around Hollister that is a patchwork of agricultural activity and suburban development.

The proposed site is located in downtown Hollister. Residences are west of the proposed courthouse site; Park Hill is north of the site; several commercial buildings are east of the site; and County office buildings are south of the site. The proposed project site and the immediate surrounding area are level.

#### 4.1.1 Will the project substantially degrade the existing visual character of the site and its surroundings?

**Less Than Significant Impact:** The proposed site is currently a cleared parcel, but it was previously the site of the unused Fremont School. The proposed courthouse site is adjacent to existing County facilities, residences, commercial buildings, and Park Hill.

Although the project's courthouse will change the existing visual character of the site, the courthouse will provide attractive architectural elements and features on the site and will positively contribute to the character of the site. The courthouse will have a height similar to nearby buildings. It will contribute infill development to enhance the visual development of the downtown area. The architectural features of the building, color, and massing will be consistent with the features of surrounding buildings. The AOC's design will include a landscaped entrance that will direct viewers' attention to the front of the courthouse, while the courthouse parking lot's landscaping will mask the visibility of the facility's public parking areas. Since the project will provide visual features that are harmonious with the surrounding downtown features, the AOC concludes that the courthouse project will not substantially degrade the visual character of the site and its surroundings. Therefore, the aesthetic impacts will be less than significant.

During construction of the courthouse, the AOC's construction contractor will employ construction equipment and structures at the site, change the site through various construction activities, stockpile construction supplies, and accumulate debris will cause short-term visual impacts. These impacts, however, will no longer exist after project completion. Therefore, construction-related impacts to the visual character or quality will be less than significant.

**Mitigation Measures:** No mitigation measures are required.

1 **4.1.2 Will the Project Have A Substantial Adverse Effect On A Scenic Vista?**

2 **Less than Significant Impact:** Since the proposed courthouse will be set back approximately  
3 100 feet from 4th Street and will be only approximately 40 feet tall and 275 feet wide along the  
4 4th Street axis, the AOC believes that courthouse will be a minor impediment to northward  
5 views of park Hill due to the courthouse’s distance from 4th Street and its low height. The  
6 courthouse will obstruct westward views of residential buildings, eastward views of commercial  
7 buildings, and southward views of office buildings, but the AOC does not consider these views  
8 to be scenic. Therefore, the project’s impacts will be less than significant.

9 **Mitigation Measures:** No mitigation measures are required.

10 **4.1.3 Will the project create a new source of substantial light or glare that will adversely**  
11 **affect day or nighttime views in the area?**

12 **Less than Significant Impact:** The proposed project will add light sources for exterior and  
13 interior building lighting and security lighting on courthouse grounds. Most of the building’s  
14 interior lighting will be limited to the Superior Court’s typical weekday operational hours and the  
15 periods immediately before and after the court’s operations. The building’s security lighting will  
16 not be substantially different from nearby County buildings, so the security lighting will not be a  
17 source of substantial light. Also, as noted in Section 4.1.1, the building’s design will be generally  
18 consistent with the character of the downtown Hollister area. The AOC will shield all light  
19 sources to minimize glare impacts on surrounding properties, and landscaping also will block  
20 light from these properties. Furthermore, light sources are currently present on the project site  
21 from adjacent buildings and the City’s streetlights. The project will not add building features  
22 such as metallic finishes that generate substantial glare. In addition, the project will add new  
23 trees as landscaping and to provide shade for the parking areas, and the added trees will attenuate  
24 glare. Therefore, light or glare impacts from the proposed project will be less than significant.

25 **Mitigation Measures:** No mitigation measures are required.

26 **4.2 AGRICULTURAL RESOURCES**

27 The proposed courthouse site is located in downtown Hollister.

28

29 **4.2.1 Will the project convert Prime Farmland, Unique Farmland, or Farmland of**  
30 **Statewide Importance (Farmland) to non-agricultural use?**

31 **No Impact:** The site does not include farmland. Therefore, the AOC concludes that the site is  
32 not a site with agricultural use, and the proposed project will not result in the convert the land to  
33 non-agricultural use.

34 **Mitigation Measures:** No mitigation measures are required.

1 **4.2.2 Will the project conflict with existing zoning for agricultural use or a Williamson Act**  
2 **contract?**

3 **No Impact:** The project site has no agricultural zone designation or Williamson Act contract.  
4 Therefore, there is no impact on these resources.

5 **Mitigation Measures:** No mitigation measures are required.

6 **4.2.3 Will the project involve other changes in the existing environment that could produce**  
7 **substantial conversion of Farmland to non-agricultural use?**

8 **No Impact:** The proposed project does not involve any housing, and the project will produce  
9 very minor changes in employment. Therefore, the AOC believes that the project will have no  
10 effect on population growth or demand for new housing or development, and therefore there will  
11 be no project-related substantial conversion of farmland to non-agricultural use. Therefore, the  
12 project will have no effect.

13 **Mitigation Measures:** No mitigation measures are required.

14 **4.3 AIR QUALITY**

15 The City's General Plan EIR notes that Hollister is located in the Hollister Valley, which is  
16 largely defined by the San Benito River Valley in north central San Benito County. The valley  
17 has a northwest/southwest alignment, and opens on the northwest end into the Monterey Bay  
18 coastal plain. The prevailing wind direction in Hollister is westerly.

19  
20 As explained in the EIR, the primary controlling factor in the climate of the air basin is the  
21 Pacific High, a semi-permanent high pressure cell over the eastern Pacific Ocean. It is more  
22 dominant in the summer, and it produces persistent west and northwest winds over the entire  
23 length of the state's coastline. Air descends in the Pacific High, creating a stable temperature  
24 inversion of hot air over a cooler coastal air layer. The onshore air current passes over the cool  
25 Pacific air layer to bring fog and relatively cool air into the coastal valleys. The warmer air  
26 behaves like a lid to restrict the vertical air movement.

27  
28 The air pollution potential for the county as a whole is relatively high (particularly with respect  
29 to photochemical pollutants) due to hot summer temperatures, abundant sunlight, and the  
30 presence of these frequent temperature inversions that limit the dispersion of pollutants and  
31 mixing of air layers. The North Central Coast Air Basin encounters its most significant air  
32 quality problems in late spring and fall when a combination of weak onshore winds and a stable  
33 temperature create an inversion that restricts the vertical and horizontal dispersion of pollutants.  
34 High pressure cells along the Pacific Ocean can sustain the relatively stationary air mass and  
35 enable pollutants to accumulate over several days.

36  
37 In Hollister and the northern portion of the County, northerly or easterly winds can further  
38 degrade air quality by transporting pollutants into the region from either the San Francisco Bay

1 Region or the Central Valley. In addition, during winter evenings and early morning hours, air-  
2 flow patterns may be weak, which produces localized inversions and trapped pollutants from air  
3 cooling close to the ground. During the summer, however, steady westerly winds off the Pacific  
4 Ocean funnel through a wide gap between the Gavilan Range and Santa Cruz Mountains  
5 occupied by the Pajaro River. This northwesterly flow tends to improve ventilation throughout  
6 the valley.

7  
8 The City is within the jurisdiction of the Monterey Bay Unified Air Pollution Control District  
9 (Air Pollution Control District). The Air Pollution Control District established regional  
10 significance thresholds for reactive organic gases (ozone precursors), nitrogen oxides, carbon  
11 monoxide, sulfur oxides, PM10 and PM2.5. Regional thresholds are presented in Table 3.  
12 Projects within the Air Pollution Control District with emissions in excess of any of these  
13 regional thresholds are considered significant.

14 **Table 3. Regional Thresholds of Significance<sup>7</sup> (lbs/day)**

|              | <b>Volatile<br/>Organic<br/>Compounds</b> | <b>Nitrogen<br/>Oxides</b> | <b>Carbon<br/>Monoxide</b> | <b>Sulfur<br/>Oxides</b> | <b>PM10</b> |
|--------------|---|----------------------------|----------------------------|--------------------------|-------------|
| Construction | --  | --                         | --                         | --                       | 82          |
| Operations   | 55  | 137                        | 550                        | 150                      | 82          |

15  
16  
17 **4.3.1 Will the project violate any air quality standard or contribute substantially to an**  
18 **existing or projected air quality violation?**

19 **Less Than Significant Impact:** The Air Pollution Control District has the primary responsibility  
20 for ensuring that the basin attains and maintains compliance with federal and state ambient air  
21 quality standards for ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, suspended coarse  
22 particulate matter less than 10 micrometers and 2.5 micrometers in diameter (PM10 and PM2.5,  
23 respectively), and lead. The region is currently not in attainment (non-attainment) with the state  
24 and federal ozone, PM10, and PM2.5 standards.

25 The City's General Plan EIR<sup>2</sup> concludes that a project is inconsistent with an Air Quality  
26 Management Plan if it will result in population and/or employment growth that exceed growth  
27 estimates included in the applicable Air Quality Management Plan. The proposed project will not  
28 result in population growth and not significantly increase employment. Therefore, the project is  
29 consistent with all zoning and general plan use designed and does not conflict with the AQMP.

30 **Mitigation Measures:** No mitigation measures are required.

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<sup>7</sup> Monterey Bay Unified Air pollution Control District. 2008 CEQA Air Quality Guidelines. 108p. Available at <http://www.mbuapcd.org/index.cfm/Cat/66.htm>.

1 **4.3.2 Will the project expose sensitive receptors to substantial pollutant concentrations?**

2 **Less Than Significant Impact:** On-site construction emissions principally consist of exhaust  
3 emissions (nitrogen oxides, sulfur oxides, carbon monoxide, volatile organic compounds, PM10,  
4 and PM2.5) from heavy-duty construction equipment, motor vehicle operation, and fugitive dust  
5 (mainly PM10) from disturbed soil. Off-site emissions are caused by motor vehicle exhaust from  
6 delivery vehicles, as well as worker traffic, but also include road dust (PM10). Major  
7 construction-related activities with assumed duration of activities include:

- 8 • Fine Grading (2 weeks),
- 9 • Trenching (2 weeks),
- 10 • Building Construction<sup>8</sup> (6 months),
- 11 • Application of architectural coatings (1 month), and
- 12 • Paving (2 weeks).

13 The site is currently a flat vacant lot. Therefore, the construction contractor will have no  
14 demolition or mass grading activities. Construction will begin in early 2011 and last for  
15 approximately 12 months.

16 The AOC used URBEMIS2007, an emission estimation program, to evaluate potential emissions  
17 from construction of the site. URBEMIS2007 defaults were used unless discussed in this section.  
18 The site covers approximately 3.1 acres and the proposed building will contain two floors with  
19 approximately 41,500 square feet of office space. Table 4 lists the AOC’s calculated results for  
20 construction-related air emissions and the Air Pollution Control District’s regional thresholds.  
21 Based on Table 4’s results, the AOC concludes that construction-related emission impacts will  
22 be less than significant.

23 **Table 4. Estimated Construction Emissions Compared to Regional Thresholds**

|                         | <b>Volatile<br/>Organic<br/>Compounds</b> | <b>Nitrogen<br/>Oxides</b> | <b>Carbon<br/>Monoxide</b> | <b>Sulfur<br/>Oxides</b> | <b>PM10</b> |
|-------------------------|---|----------------------------|----------------------------|--------------------------|-------------|
| Maximum Daily Emissions | 84.76                                     | 26.6                       | 14.6                       | 0.0                      | 31.3        |
| Regional Threshold      | --  | --                         | --                         | --                       | 82          |
| Significant Impact?     | No  | No                         | No                         | No                       | No          |

24 **Note:** Emissions and thresholds are in units of pounds per day

25 **For** long-term emissions (operations), Table 5 presents the AOC’s results. Operational emissions  
26 include mobile and area source emissions and are largely dominated by vehicle traffic emissions.  
27 [Section 4.15.1](#) discusses the AOC’s trip generation assumptions; vehicle traffic trips and traffic  
28 patterns related to courthouse operations are unlikely to change because the proposed courthouse

---

<sup>8</sup> Building construction activities include foundation work and the assembly of the structure and façade of the courthouse.

1 is almost adjacent to the current location and the courthouse’s number of courtrooms will remain  
2 unchanged.

3 **Table 5. Estimated Operational Emissions Compared to Regional Thresholds**

|                         | <b>Volatile<br/>Organic<br/>Compounds</b> | <b>Nitrogen<br/>Oxides</b> | <b>Carbon<br/>Monoxide</b> | <b>Sulfur<br/>Oxides</b> | <b>PM10</b> | <b>PM2.5</b> |
|-------------------------|---|----------------------------|----------------------------|--------------------------|-------------|--------------|
| Maximum Daily Emissions | 15.6                                      | 20.9                       | --                         | 0.1                      | 25.5        | 5.0          |
| Regional Threshold      | 55  | 137                        | 550                        | 150                      | 82          | --           |
| Significant Impact?     | No  | No                         | --                         | No                       | No          | No           |

4 As shown in Table 5, operational emissions did not exceed significance thresholds. Therefore,  
5 the proposed project’s impact is less than significant and no mitigation measures are required.

6 A carbon monoxide hot spot is a localized concentration of carbon monoxide that is above the  
7 state or national 1-hour or 8-hour carbon monoxide ambient air standards. Localized high levels  
8 of carbon monoxide are associated with traffic congestion and idling or slow-moving vehicles.  
9 The Air Pollution Control District recommends that a local carbon monoxide hotspot analysis be  
10 conducted for intersections with a level of service (or LOS) of D or worse; as explained in  
11 [Section 4.15.1](#), the AOC concludes that the project will not increase traffic or substantially  
12 change traffic patterns. Therefore, the project will have no effect on carbon monoxide levels.

13 Since the project’s construction-related emissions and operational-related emissions are lower  
14 than the Air Pollution Control District’s standards, the AOC concludes that the project’s  
15 pollutant impacts area less than significant.

16 **Mitigation Measures:** No mitigation measures are required.

17 **4.3.3 Will the project create substantial objectionable odors?**

18 **Less Than Significant Impact:** During construction, diesel-powered equipment will generate  
19 exhaust that will produce odors. However, the odors will be temporary in nature and will be  
20 similar to the odors of diesel-powered vehicles on the business park’s streets. Since the proposed  
21 courthouse parcel will be approximately 100 feet from the nearest building, construction odors  
22 will dissipate, and the AOC does not expect exhaust fumes to become substantial or affect  
23 people. Once construction of the proposed courthouse is complete, the project will not generate  
24 substantial odors. Therefore, the overall impacts from odors will be less than significant.

25 **Mitigation Measures:** No mitigation measures are required.

26 **4.3.4 Will the project substantially conflict with the State’s goal of reducing greenhouse gas  
27 emissions in California to 1990 levels by 2020, as set forth by the timetable**



1                   **established in Assembly Bill (AB) 32, California Global Warming Solutions Act**  
2                   **of 2006?**

3   **Less Than Significant Impact:** In 2006, the State Legislature signed AB 32 that charged the  
4 California Air Resources Board (Board) to develop regulations on how the State will address  
5 global climate change. There are currently no published thresholds for measuring the  
6 significance of a project’s cumulative contribution to global climate change. The Board’s Draft  
7 Scoping Plan (California Air Resources Board 2008a) presented a comprehensive set of actions  
8 designed to reduce overall carbon emissions in California, improve California’s environment,  
9 reduce dependence on oil, diversify California’s energy sources, save energy, and enhance public  
10 health while creating new jobs and enhancing the growth in California’s economy. For State of  
11 California agencies, the Draft Scoping Plan emphasized the State’s role of setting an example to  
12 meet improved energy standards for new State buildings. The Board concluded that the State of  
13 California should set an example by requiring all new State buildings to exceed existing energy  
14 standards and meet nationally recognized building sustainability standards such as Leadership in  
15 Energy and Environmental Design Silver Certified ratings. In response, the California Building  
16 Standards Commission on July 17, 2008, adopted green building standards, amending the 2007  
17 California Green Building Standards Code, CCR, Title 24, Part 11.

18 The Board updated the set of actions with a Proposed Scoping Plan (California Air Resources  
19 Board 2008b) The Proposed Scoping Plan repeated the Board’s emphasis that the State of  
20 California, as an owner-operator of key infrastructure facilities, has the ability to ensure that the  
21 most advanced, cost-effective environmental performance requirements are used in the design,  
22 construction, and operation of State facilities. The Plan continues the Board’s emphasis on a  
23 green building strategy to achieve significant reductions in greenhouse gas emissions through the  
24 design and construction of new green buildings as well as the sustainable operation, retrofitting,  
25 and renovation of existing buildings.

26 The AOC’s design effort includes the objective of achieving a LEED Silver certification, which  
27 complies with the Board’s Draft Scoping Plan for AB 32 compliance (California Air Resources  
28 Board 2008d) and the Proposed Scoping Plan (California Air Resources Board 2008e); and the  
29 California Building Standards Commission’s green building standards in the 2007 California  
30 Green Building Standards Code, CCR, Title 24, Part 11.

31 In addition, the proposed courthouse site is in downtown Hollister near existing local  
32 government offices and transit facilities. Therefore, the AOC concludes that the project’s impacts  
33 on the State’s plan for reducing greenhouse gas emissions are less than significant.

34  
35   **Mitigation Measures:** No mitigation measures are required.

36   **4.4           BIOLOGICAL RESOURCES**

37 The proposed courthouse site is the former site of Fremont School in downtown Hollister.  
38 Residences are west of the proposed courthouse site; Park Hill is north of the site; several

1 commercial buildings are east of the site; and County office buildings are south of the site. The  
2 site is flat and has lawn areas and several trees.

3  
4

5 **4.4.1 Will the project have a substantial adverse effect on any species identified as a**  
6 **candidate, sensitive, or special status species in local or regional plans, policies,**  
7 **or regulations, or by the California Department of Fish and Game or U.S. Fish**  
8 **and Wildlife Service?**

9 **No Impact:** The site has no native vegetation and does not provide cover or habitat for native  
10 candidate, sensitive, or special status species. Therefore, the proposed project will have no  
11 impact on special status species.

12 **Mitigation Measures:** No mitigation measures are required.

13 **4.4.2 Will the project have a substantial adverse effect on any riparian habitat or other**  
14 **sensitive natural community identified in local or regional plans, policies, and**  
15 **regulations or by the California Department of Fish and Game or US Fish and**  
16 **Wildlife Service?**

17 **No Impact:** As noted above, Fremont School formerly occupied the site. The site has no riparian  
18 habitat or sensitive natural community. Therefore, the proposed project will not have an impact  
19 on riparian habitats or sensitive communities.

20 **Mitigation Measures:** No mitigation measures are required.

21 **4.4.3 Will the project have a substantial adverse effect on federally protected wetlands as**  
22 **defined by Section 404 of the Clean Water Act (including, but not limited to,**  
23 **marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological**  
24 **interruption, or other means?**

25 **No Impact:** As noted above, Fremont School formerly occupied the site. The site has no  
26 wetlands. Therefore, the proposed project will have no impact on wetlands.

27 **Mitigation Measures:** No mitigation measures are required.

28 **4.4.4 Will the project substantially interfere with the movement of any native resident or**  
29 **migratory fish or wildlife species or with established native resident or**  
30 **migratory wildlife corridors, or substantially impede the use of native wildlife**  
31 **nursery sites?**

32 **No Impact:** As noted above, the site is in downtown Hollister, and Fremont School formerly  
33 occupied the site. There is no habitat on the site to support movement of any native resident or

1 migratory fish or wildlife species or migratory wildlife corridors or native wildlife nursery sites.  
2 The AOC concludes that the project will have no impact.

3 **Mitigation Measures:** No mitigation measures are required.

4 **4.4.5 Will the project conflict with any local policies or ordinances protecting biological**  
5 **resources such as a tree preservation policy or ordinance?**

6 **No Impact:** As noted above, the site is a vacant parcel in a downtown Hollister. The proposed  
7 project will not conflict with local policies or ordinances that protect biological resources.  
8 Therefore, the proposed project will not conflict with any local policies or ordinances protecting  
9 biological resources.

10 **4.4.6 Will the project conflict with the provisions of an adopted Habitat Conservation Plan,**  
11 **or other approved local, regional, or state habitat conservation plan?**

12 **No Impact:** As noted above, the site is a vacant parcel in downtown Hollister. There is no  
13 adopted Habitat Conservation Plan or other approved plan that applies to the proposed site. The  
14 proposed project will therefore not conflict with Habitat Conservation Plan provisions or other  
15 approved local, regional, or state habitat conservation plan.

16 **Mitigation Measures:** No mitigation measures are required.

17 **4.5 CULTURAL RESOURCES**

18 As noted in the Redevelopment Agency’s Demolition EIR, Fremont School occupied the site for  
19 over sixty years. William H. Weeks, a well-known architect, designed a kindergarten room of the  
20 school. The Redevelopment Agency removed the school in early 2009.

21  
22 While performing geologic surveys for the City’s Fault Rupture Hazard Study, analysts  
23 discovered cultural resource artifacts at the proposed project site. *The Archaeological Monitoring*  
24 *Report For the Fremont School Seismic Trenching Project, In the City of Hollister,*<sup>9</sup>  
25 (Archaeological Monitoring Report) (see Appendix A) explains that cultural resource monitors  
26 for the Fault Rupture Hazard Study recovered pre-historic and historic artifacts from the study’s  
27 excavations. The artifact discoveries indicate that the Hollister House, which later became the  
28 Montgomery Hotel and the City’s first school, occupied the proposed courthouse site in the  
29 nineteenth century.

30  
31

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<sup>9</sup> Cartier, Robert, PhD. 2008. *The Archaeological Monitoring Report For the Fremont School Seismic Trenching Project, In the City of Hollister*. Archaeological Resource Management, for the City of Hollister. 70 p.

1 **4.5.1 Will the project cause a substantial adverse change in the significance of an**  
2 **archaeological resource or a historic resource?**

3 **Potentially Significant Impact:** The Archaeological Monitoring Report summarizes the cultural  
4 resource artifacts found at the project site, and the report concludes that the site has a high  
5 potential for sub-surface cultural resources. Although the report notes that analysts found no  
6 significant intact features at the site, the disturbed discovered features appear to have sufficient  
7 potential to increase historical knowledge. Therefore, the AOC concludes that the site’s sub-  
8 surface artifacts are a potentially significant cultural resource. Since the proposed project will  
9 excavate the site to construct the proposed new courthouse and its supporting features, the AOC  
10 concludes that the project’s construction activities may cause potentially significant impacts to  
11 the cultural resource.

12 **Mitigation Measure—Cultural Resources 1:** During construction, an archaeological monitor  
13 will be present during site-clearing activities that expose bare ground. AOC and construction  
14 contractor personnel will not collect cultural resources found on the project site. If the  
15 construction contractor encounters archaeological resources during initial construction clearing,  
16 the construction contractor will halt all work within 100 feet of the discovery, and a qualified  
17 archaeologist will ascertain the nature of the discovery and the significance of the find. The  
18 archaeologist will provide proper management recommendations including avoidance,  
19 evaluation, or a mitigation plan to prevent any significant adverse effects on the resource.

20 **4.5.2 Will the project disturb any human remains?**

21 **No Impact:** The Fault Rupture Hazard Study and Archaeological Monitoring Report provide no  
22 indications that there are human remains on the site. The AOC therefore concludes that the  
23 project will not disturb any human remains.

24 **4.6 GEOLOGY AND SOILS**

25 As noted in the Chapter 1.0, seismic issues are important for the New Hollister Courthouse  
26 project. The proposed project site is located in a seismically active area of California’s Central  
27 Coast region. Earthquakes have previously occurred within the vicinity of the City and will occur  
28 again. The Fault Rupture Hazard Study provides substantial information on the project site’s  
29 geology and the geology of the Hollister area.

30  
31 **4.6.1 Will the project expose people or structures to potential substantial adverse effects**  
32 **involving rupture of a known earthquake fault?**

33 **Less Than Significant Impact:** The Fault Rupture Hazard Study (Appendix A) indicates that  
34 the site is approximately 400 feet east of west branch of the Calaveras Fault and approximately  
35 600 feet west of the east branch of the Calaveras Fault. The study found no traces of the  
36 Calaveras fault zone across the proposed project site.

1 The AOC will prepare a geotechnical report to provide guidance and requirements for design and  
2 construction activities. Registered geologists and registered engineers will prepare the report, and  
3 it will describe the methods and results of a geotechnical exploration; develop design  
4 recommendations for foundation type, grading, pavement design, and other pertinent topics; and  
5 verify that the AOC can develop the site as planned. The courthouse designers and construction  
6 contractor will use the geotechnical report and other data to construct the building in  
7 conformance with the requirements of the California Building Code to withstand anticipated  
8 geological risks. The AOC concludes that the project could expose people or structures to  
9 substantial adverse effects involving strong seismic ground shaking, but the potential risks are  
10 not substantial, and the project's impacts are therefore less than significant.

11

12 **Mitigation Measures:** No mitigation measures are required.

13 **4.6.2 Will the project expose people or structures to potential substantial adverse effects**  
14 **involving strong seismic ground shaking?**

15 **Less Than Significant Impact:** The Modified Mercalli Scale, which ranges from I (not felt) to  
16 XII (widespread devastation), measures ground-shaking intensity. The effect of an earthquake's  
17 shaking on the proposed project site will depend on the location of the fault, distance from the  
18 earthquake's epicenter to the project site, magnitude of the earthquake, and the geology of the  
19 area.

20 As noted above, the proposed project site is within approximately 400 feet of the active  
21 Calaveras fault, and the AOC therefore expects the proposed courthouse to experience ground  
22 shaking if a moderate-size earthquake occurs in the vicinity or a major earthquake occurs with an  
23 epicenter located at a distance from the proposed project site.

24 The AOC's design effort includes preparation of a geotechnical report to provide guidance and  
25 requirements for design and construction activities. Registered geologists and registered  
26 engineers will prepare the report, and it will describe the methods and results of a geotechnical  
27 exploration; develop design recommendations for foundation type, grading, pavement design,  
28 and other pertinent topics; and verify that the AOC can develop the site as planned. The  
29 courthouse designers and construction contractor will use the geotechnical report and other data  
30 to construct the building in conformance with the requirements of the California Building Code  
31 to withstand anticipated geological risks. The AOC concludes that the project could expose  
32 people or structures to substantial adverse effects involving strong seismic ground shaking, but  
33 the potential risks are not substantial, and the project's impacts are therefore less than significant.

34 **Mitigation Measure:** No mitigation measures are required.

1 **4.6.3 Will the project expose people or structures to potential substantial adverse effects**  
2 **involving ground failure (including subsidence or liquefaction-induced lateral**  
3 **spread)?**

4 **Less Than Significant Impact:** Liquefaction occurs when saturated, unconsolidated, fine-  
5 grained sediment temporarily transforms to a fluid-like state due to earthquake ground shaking.  
6 Subsidence is the lowering of the land-surface elevation from changes that take place  
7 underground such as human pumping of water, oil, and gas from underground reservoirs;  
8 dissolution of limestone aquifers (sinkholes); collapse of underground mines; drainage of organic  
9 soils; and initial wetting of dry soils.

10 The Fault Hazard Rupture Study did not report any indications of does not indicate the presence  
11 of soils with high potential for ground failure. Therefore, the AOC concludes that there are no  
12 ground failure-related impacts.

13 **Mitigation Measures:** No mitigation measures are required.

14 **4.6.4 Will the project expose people or structures to potential substantial adverse effects**  
15 **involving landslides?**

16 **Less Than Significant Impact:** The project site is flat, but Park Hill is immediately north of the  
17 project site. The Fault Hazard Rupture Study did not report any indications of past landslides on  
18 the project site. Therefore, the AOC concludes that potential for landslides at the site are a less  
19 than significant impact.

20 **Mitigation Measures:** No mitigation measures are required.

21 **4.6.5 Will the project expose people or structures to potential substantial adverse effects**  
22 **involving expansive soil?**

23 **Less Than Significant Impact:** Expansive soils are soils that contain clay minerals that attract  
24 and absorb water and swell the soil's volume.

25 The Fault Hazard Rupture Study did not report any indications of expansive soil problems. The  
26 AOC will complete a geotechnical investigation during its design process, and the building's  
27 designers will incorporate the investigation's results into design requirements that comply with  
28 the State Uniform Building Code. Therefore, the AOC concludes that the potential expansive  
29 soils impact is less than significant.

30 **Mitigation Measure:** No mitigation measures are required.

1 **4.6.6 Will the project cause substantial soil erosion or the loss of topsoil?**

2 **Less Than Significant Impact:** As noted above and elsewhere, the project site is flat. During  
3 construction, the AOC’s construction contractor will stockpile the site’s topsoil; the construction  
4 contractor will utilize the stockpiled topsoil later for the courthouse’s landscaping. The  
5 construction contractor will also excavate, grade, strip and stockpile other soils, add fill or  
6 replace stripped soil, compact soil; and excavate trenches. The AOC’s construction contractor  
7 will prepare a Storm Water Pollution Prevention Plan and Water Quality Monitoring Plan to  
8 reduce erosion during construction and operation. The Storm Water Pollution Prevention Plan  
9 will include measures to control soil erosion and topsoil loss. The construction contractor shall  
10 furnish the AOC with a copy of the Central Coast Regional Water Quality Board’s approval of  
11 the Storm Water Pollution Prevention Plan and Water Quality Monitoring Plan prior to the  
12 contractor’s initiation of site clearing operations or site grading operations.

13 The completed project will cover the site’s surface with structures, paved materials, and  
14 landscaping. Therefore, the AOC does not expect substantial soil erosion or loss of topsoil after  
15 completion of the courthouse.

16 The AOC concludes that topsoil impacts will be less than significant.

17 **Mitigation Measures:** No mitigation measures are required.

18 **4.6.7 Will the project destroy a unique geological feature?**

19 **No Impact:** As noted elsewhere, the site is flat, and buildings have occupied the site. There are  
20 no unique geological features visible on the site. Therefore, the AOC concludes that the project  
21 will not destroy a unique geological feature and the project will have no impact.

22 **Mitigation Measures:** No mitigation measures are required.

23 **4.6.8 Will the project substantial potential to destroy a unique paleontological resource?**

24 **Less Than Significant Impact:** The Hazard Rupture Report did not indicate any discoveries of  
25 paleontological resources. Therefore, the AOC concludes that the site has no substantial  
26 paleontological resources, the AOC concludes that the project will not have a substantial  
27 potential to destroy a unique paleontological resource.

28 **Mitigation Measures:** No mitigation measures are required.

29 **4.7 HAZARDS AND HAZARDOUS MATERIALS**

30 As noted earlier, the site is in downtown Hollister, and Fremont School formerly occupied the  
31 site. The Redevelopment Agency removed the school’s structures in early 2009.

1  
2 The AOC prepared a Phase 1 environmental site assessment<sup>10</sup> (Phase 1) for the proposed  
3 courthouse site in 2008. The assessment found no evidence of recognized environmental  
4 concerns on the site and no evidence of historical recognized environmental concerns related to  
5 the site.

6  
7 **4.7.1 Will the project create a significant hazard to the public or the environment through**  
8 **routine transport, use, emission, or disposal of hazardous materials?**

9 **No Impact:** The project proposes the construction and operation of a new courthouse facility  
10 that will not involve the routine transport, use, emission, or disposal of hazardous materials.  
11 Construction of the project may include items such as oils, paints, and fuels, and these materials  
12 can be hazardous or toxic materials if handled improperly or if large amounts of the materials are  
13 present. The AOC's construction contract will require the construction contractor to store all  
14 materials in a manner that complies with State and local regulations, and the AOC's construction  
15 contractor will not be storing amounts of the materials that could create a significant hazard.

16 The AOC's or Superior Court's use of potentially hazardous materials will be limited to small  
17 amounts of commonly available, routinely used cleaning products and infrequent applications of  
18 pesticides and herbicides to landscaped areas. Use of these materials will be similar to  
19 maintenance operations at typical office facilities, and the AOC believes that the use will be a  
20 significant hazard.

21 Since the project's use of potentially hazardous materials involves use of only typical use of  
22 commonly used materials and storage of only small amounts of materials, the AOC considers  
23 potential impacts from the use of hazardous materials to be less than a significant hazard.  
24 Therefore, the project has no impact.

25 **Mitigation Measures:** No mitigation measures are required.

26 **4.7.2 Will the project be located on a site that is included on a list of hazardous materials**  
27 **sites compiled pursuant to Government Code Section 65962.5 and therefore**  
28 **create a significant hazard to the public or the environment?**

29 **No Impact:** The Phase 1 report indicated that the project site is not on a list of hazardous  
30 materials sites. Therefore, the AOC concludes that construction or operation of the proposed  
31 courthouse facility will not create any impact related to hazardous sites.

32 **Mitigation Measures:** No mitigation measures are required.

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<sup>10</sup> Tetra Tech EM Inc. 2008. *Draft Phase I Environmental Site Assessment West Street Property, Hollister, San Benito County, California*. Prepared For The Administrative Office Of The Courts.316 p.



1 **4.7.3 Will the project produce a substantial safety hazard for people residing or working**  
2 **in the project area?**

3 **No Impact:** Fremont School previously occupied the site, and the site is in downtown Hollister.  
4 The proposed new courthouse will comply with the State Building Code. Therefore, the AOC  
5 concludes that the project will have no safety impacts.

6 **Mitigation Measures:** No mitigation measures are required.  
7

8 **4.7.4 Will the project impair implementation of an adopted emergency response plan or**  
9 **emergency evacuation plan?**

10 **No Impact:** The proposed project will not create barriers, limits access to public thoroughfares,  
11 or create dead-end roadways that interfere with emergency response efforts or evacuation plans.  
12 Therefore, the project will have no impact.

13 **Mitigation Measures:** No mitigation measures are required.

14 **4.7.5 Will the project expose people or structures to a significant risk of loss, injury, or**  
15 **death involving wildland fires?**

16 **Less Than Significant Impact:** Park Hill is immediately north of the project site, and the hill  
17 has vegetation that might support wildland fires. However, the proposed courthouse site is in  
18 downtown Hollister and has flat terrain. Since the site is flat, the surrounding landscape areas  
19 receive irrigation, paved streets provide fire barriers, the area has fire hydrants, and the Hollister  
20 Fire Department services the site, the AOC concludes there is no significant risk involving  
21 wildland fires at the site. Therefore, the impact related to wildland fires is less than significant.

22 **Mitigation Measures:** No mitigation measures are required.

23 **4.8 HYDROLOGY AND WATER QUALITY**

24 The proposed project site is generally level. Currently storm water runoff flows to stormwater  
25 drains in the surrounding streets.  
26

27 The Central Coast Regional Water Quality Control Board (Water Quality Control Board)  
28 regulates waste discharges into waters of the State for the Hollister area through the National  
29 Pollutant Discharge Elimination System permit system. Under the National Pollutant Discharge  
30 Elimination System permit, two permits may apply to projects: (1) construction projects over one  
31 acre must obtain coverage under the statewide general construction permit through the  
32 development of a Storm Water Pollution Prevention Plan, and (2) projects of new development  
33 and significant redevelopment must obtain coverage under the statewide permit through the  
34 development of a Water Quality Management Plan (WQMP).

1 The purpose of the Storm Water Pollution Prevention Plan requirement is to identify potential  
2 construction-related pollutant sources that may affect the quality of discharge, identify non-  
3 storm water discharges, and to design the use and placement of best management practices to  
4 effectively prohibit the entry of pollutants from the construction site. Erosion and sediment  
5 source control best management practices must be considered for both active and inactive  
6 (previously disturbed) construction areas. Best management practices for wind erosion and dust  
7 control are also included ([California Water Quality Association 2006](#)).

8 The purpose of the WQMP is to guide the development and implementation of a program to  
9 minimize the detrimental effects of urbanization on the beneficial uses of receiving waters,  
10 including effects caused by increased pollutant loads and changes in hydrology. These effects  
11 may be minimized through the implementation of site designs that reduce runoff and pollutant  
12 transport by minimizing impervious surfaces and maximizing on-site infiltration, source-control  
13 best management practices, and/or either on-site structural treatment control best management  
14 practices, or participation in regional or watershed-based structural treatment control best  
15 management practices.

16  
17 The AOC will design the building to conform to standards of a LEED silver-certified building.  
18 The AOC will incorporate water quality measures into the design of the building such as water  
19 detention to reduce run-off, water retention devices to conserve water for landscape watering,  
20 landscaped area for water absorption/filtration. The AOC's construction contractor will prepare a  
21 Storm Water Pollution Prevention Plan to control runoff, erosion, and water quality; secure the  
22 Water Quality Control Board's approval of the plan; and implement the plan. The design  
23 measures will limit site runoff during post construction.

24  
25 **4.8.1 Will the project violate any water quality standards or waste discharge requirements**  
26 **or substantially degrade water quality?**

27 **Less Than Significant Impact:** The AOC's construction contractor will remove and stockpile  
28 the site's topsoil; excavate, grade, strip and stockpile other soils, add fill or replace stripped soil,  
29 compact soil; and excavate trenches. The construction excavation operations might cause short-  
30 term water quality impacts such as erosion and sedimentation.

31 Since the proposed project's area is greater than one acre, the National Pollutant Discharge  
32 Elimination System compliance requires the project to prepare a Storm Water Pollution  
33 Prevention Plan to identify sources of sediments and pollution that could potentially affect storm  
34 water quality. The AOC's construction contractor will secure the Central Coast Regional Water  
35 Quality Board's approval of a Storm Water Pollution Prevention Plan and Water Quality  
36 Management Plan to protect water quality during construction. The construction contractor shall  
37 furnish the AOC with a copy of the Central Coast Regional Water Quality Board's approval of  
38 the Storm Water Pollution Prevention Plan and Water Quality Management Plan. The AOC  
39 expects that the plans' measures will make water quality impacts less than significant.

1 **Mitigation Measure:** No mitigation measures are required.

2 **4.8.2 Will the project alter the existing drainage pattern of the site or area in a manner that**  
3 **will produce substantial erosion?**

4 **Less Than Significant Impact:** As noted above and elsewhere, the project site is flat. During  
5 construction, the AOC's construction contractor will stockpile the site's topsoil; the construction  
6 contractor will utilize the stockpiled topsoil later for the courthouse's landscaping. The  
7 construction contractor will also excavate, grade, strip and stockpile other soils, add fill or  
8 replace stripped soil, compact soil; and excavate trenches.

9 Prior to the start of construction, the AOC's construction contractor will prepare a Storm Water  
10 Pollution Prevention Plan and Water Quality Monitoring Plan to reduce erosion during  
11 construction and operation. The Storm Water Pollution Prevention Plan will include measures to  
12 control soil erosion and topsoil loss. The construction contractor shall furnish the AOC with a  
13 copy of the Central Coast Regional Water Quality Board's approval of the Storm Water  
14 Pollution Prevention Plan and Water Quality Monitoring Plan prior to the contractor's initiation  
15 of site clearing operations or site grading operations.

16 The completed project will cover the site's surface with structures, paved materials, and  
17 landscaping. Therefore, the AOC does not expect substantial soil erosion or loss of topsoil after  
18 completion of the courthouse.

19 The project's new courthouse and parking lot will increase the amount of impervious surface on  
20 the site; however, the project's landscaping and parking lot retention areas will slow runoff, and  
21 the project's final graded topography and paved areas will direct most of the site's runoff water  
22 to on-site drains that will convey the water to the area's detention basin. Since the flat terrain will  
23 ensure that water flows do not move rapidly, the project's landscaping will keep unpaved  
24 surfaces covered with vegetation, and building surfaces and paved areas will drain runoff to  
25 drains, the AOC concludes that the completed courthouse will not have drainage features that  
26 produce substantial erosion, and the completed courthouse will have less than significant erosion  
27 impacts.

28 **Mitigation Measure:** No mitigation measures are required.

29 **4.8.3 Will the project contribute runoff water that will exceed the capacity of existing or**  
30 **planned storm water drainage systems or provide substantial additional sources**  
31 **of polluted runoff?**

32 **Less Than Significant:** As explained in Section 4.8.1, the AOC's construction contractor will  
33 remove and stockpile the site's topsoil; excavate, grade, strip and stockpile other soils, add fill or  
34 replace stripped soil, compact soil; and excavate trenches. The construction excavation  
35 operations might cause short-term water quality impacts such as erosion and sedimentation.

1 Since the proposed project's area is greater than one acre, the National Pollutant Discharge  
2 Elimination System compliance requires the project to prepare a Storm Water Pollution  
3 Prevention Plan to identify sources of sediments and pollution that could potentially affect storm  
4 water quality. The AOC's construction contractor will secure the Central Coast Regional Water  
5 Quality Board's approval of a Storm Water Pollution Prevention Plan and Water Quality  
6 Management Plan to protect water quality during construction. The construction contractor shall  
7 furnish the AOC with a copy of the Central Coast Regional Water Quality Board's approval of  
8 the Storm Water Pollution Prevention Plan and Water Quality Management Plan. The AOC  
9 expects that the plans' measures will make water quality impacts less than significant.

10 Fremont school previously occupied the site. The project's new courthouse and parking lot will  
11 slightly increase the amount of impervious surface on the site; however, the project's  
12 landscaping and parking lot swale retention areas will include vegetated swales to slow runoff,  
13 and the project's final graded topography and paved areas will direct most of the site's runoff  
14 water to on-site drains that will convey the water to the area's detention basin. Since the flat  
15 terrain will ensure that water flows do not move rapidly, the project's landscaping will keep  
16 unpaved surfaces covered with vegetation, and building surfaces and paved areas will drain  
17 runoff to drains, the AOC concludes that the completed courthouse will not have drainage  
18 features that produce substantial amounts of new runoff water, and the completed courthouse's  
19 impacts will be less than significant.

20 **Mitigation Measures:** No mitigation measures are required.

21 **4.8.4 Will the project require or produce the construction of new storm water drainage**  
22 **facilities or expansion of existing facilities?**

23 **Less Than Significant Impact:** Existing stormwater facilities are adjacent to the site. The  
24 proposed project will slightly increase the impervious surface of the site. The proposed project  
25 will not require the construction of new off-site storm water facilities. The project will also  
26 include on-site facilities such as landscaping, parking lot swale retention areas, and infiltration  
27 basins within the landscape and new parking areas and landscape water conservation measures.  
28 Therefore, the AOC concludes that impacts will be less than significant.

29 **Mitigation Measures:** No mitigation measures are required.

30 **4.8.5 Will the project substantially deplete groundwater supplies or interfere substantially**  
31 **with groundwater recharge so that there will be a net deficit in aquifer volume**  
32 **or a substantial lowering of the local groundwater level?**

33 **Less Than Significant Impact:** The project does not include new housing, and it will have a  
34 very minor increase in employment. Therefore, the AOC concludes that the project will not  
35 increase water consumption or related depletion of groundwater supplies. Since the project  
36 covers only approximately three acres, the project's conversion of current exposed ground to

1 paved areas or structures will be a very minor reduction in the area’s available groundwater  
2 recharge surface. In addition, since the project’s runoff will be conveyed to a retention reservoir,  
3 much of the project’s runoff from impervious surfaces will be able for groundwater recharge in  
4 the retention reservoir. Therefore, the AOC concludes that the project will have a less than  
5 significant impact on depletion of groundwater supplies or interference with groundwater  
6 recharge.

7 **Mitigation Measures:** No mitigation measures are required.

8 **4.8.6 Will the project expose people or structures to a significant risk of flooding?**

9 **No Impact:** The proposed project does not include housing, and the Phase 1 report indicates that  
10 the project is not within a designated 100- year floodplain. Therefore, the project has no impact.

11 **Mitigation Measures:** No mitigation measures are required.

12 **4.8.7 Will the project place substantially alter the existing drainage pattern of the site or**  
13 **area or substantially increase the rate or amount of surface runoff in a manner**  
14 **that will produce flooding?**

15 **No Impact:** As discussed above, the site is flat, it is not within a designated flood zone, and the  
16 project will convey runoff from its structures and paved areas to a retention reservoir. Therefore,  
17 the proposed project will not substantially increase the rate or amount of surface runoff in a  
18 manner that will produce flooding, and the project has no impact.

19 **Mitigation Measures:** No mitigation measures are required.

20 **4.8.8 Will the project expose people or structures to a significant risk involving inundation**  
21 **by seiche, tsunami, or mudflow?**

22 **No Impact:** There is no water body near the project site that will be susceptible to a seiche or  
23 tsunami; therefore, there is no risk of seiche or tsunami. Since the project site is relatively level  
24 and distant from slopes, there is no risk of mudflows. Therefore, the project has no impact.

25 **Mitigation Measures:** No mitigation is required.

26 **4.9 LAND USE AND PLANNING**

27 **4.9.1 Will the project physically divide an established community?**

28 **No Impact:** The project site is approximately 3.1 acres, and the proposed use is consistent with  
29 the City’s General Plan.<sup>2</sup> The project will not physically divide the community. Therefore, the  
30 project will have no impact.

1 **Mitigation Measures:** No mitigation measures are required.

2 **4.9.2 Will the project conflict with any applicable land use plan, policy, or regulation of an**  
3 **agency with jurisdiction over the project (including, but not limited to the**  
4 **general plan, specific plan, local coastal program, or zoning ordinance) adopted**  
5 **for the purpose of avoiding or mitigating an environmental effect?**

6 **No Impact:** The proposed project is consistent with the General Plan designation and the  
7 redevelopment plan for the site. Therefore, the project will have no impact.

8 **Mitigation Measures:** No mitigation measures are required.

9

10 **4.10 MINERAL RESOURCES**

11 **4.10.1 Will the project cause a substantial reduction of availability of a known mineral**  
12 **resource?**

13 **Less Than Significant Impact:** The site is not a location of a substantial mineral resource.  
14 Therefore, the AOC concludes that the proposed project will have less than significant impact on  
15 the loss of availability of a known mineral resource.

16 **Mitigation Measures:** No mitigation measures are required.

17 **4.11 NOISE**

18 **4.11.1 Will the project produce a temporary increase or periodic increases in noise levels in**  
19 **excess of standards established in the local general plan, noise ordinance, or**  
20 **applicable standards of other agencies?**

21 **Less Than Significant Impact:** The City’s Code<sup>11</sup> limits noise in residential districts to limits of  
22 fifty-five (55) decibels (Range A) during daylight hours and fifty (50) decibels (Range A) after  
23 sunset, measured at the property line of the complaining party or inside an affected multiple-  
24 dwelling unit. The City’s Code does not contain noise standards for construction activities. The  
25 Hollister Community Center is the nearest sensitive receptor site, and the building is  
26 approximately 400 feet from the courthouse building’s site location and approximately 150 feet  
27 from the western side of the project’s parking lot.

28

29 During construction, workers’ operation of earth-moving equipment and other construction  
30 equipment will generate noise. While the noise contribution from worker vehicles will be  
31 temporary and small, the noise from construction equipment may be appreciable for short

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<sup>11</sup> (Ord. 882 § 1 (part), 1996: prior code § 3B-2) available at <http://qcode.us/codes/hollister/>

1 periods of time. However, the AOC’s proposed construction site is over 150 feet from the  
2 County Community Center and the nearest residence. Since the distance between the  
3 construction site and the residence and Community Center will reduce the sound impacts, the  
4 AOC will limit construction operations to the hours between 7 a.m. and 5 p.m., and the earth-  
5 moving construction activities will have a short duration, the AOC believes that the temporary  
6 construction-related impacts will be less than significant.

7 **Mitigation Measures:** No mitigation measures are required.

8 **4.11.2 Will the project produce permanent increases in noise levels in excess of standards**  
9 **established in the local general plan, noise ordinance, or applicable standards of**  
10 **other agencies?**

11 **Less than Significant Impact:** The courthouse will generate some noise from heating,  
12 ventilating, air conditioning mechanical equipment. Since the mechanical equipment will be  
13 typical equipment for an office building, the equipment’s noise generation is not expected to  
14 exceed 50 decibels (Range A) at a distance of 100 feet.  
15

16 After the Superior Court begins its operations in the new courthouse and the County reuses the  
17 Court’s existing space, there will be a very small increase in vehicles traveling to the downtown  
18 area. The AOC estimates that the traffic increase will be approximately 60 cars per day. Since  
19 the traffic increase will be small and distributed throughout the downtown area, the AOC  
20 believes the project’s traffic-related and operational noise levels will be less than significant.

21 **Mitigation Measures:** No mitigation measures are required.

22 **4.11.3 Will the project result in generation of excessive ground-borne vibration or ground-**  
23 **borne noise levels?**

24 **Less Than Significant Impact:** During construction, large trucks and other heavy equipment  
25 can generate ground-borne vibration and ground-borne noise during grading operations. Ground-  
26 borne vibration from bulldozers and large trucks will have a very minor impact on nearby  
27 sensitive receptors since the courthouse will not require deep foundation structures, the project  
28 will not require pile-driving operations, and operation of heavy construction equipment will be  
29 irregular and persist for only short durations. The nearest sensitive receptor locations are a  
30 residence at the corner of 4th Street/West Street and the Hollister Community Center at 300  
31 West Street, and these structures are over 200 feet from the courthouse building’s site. The  
32 distance between the construction site and the structures will dissipate vibration and noise  
33 impacts. The AOC expects vibration-related construction impacts to be less than significant.

34 **Mitigation Measures:** No mitigation measures are required.

1    **4.12           POPULATION AND HOUSING**

2    **4.12.1 Will the project directly or indirectly induce substantial population growth in an**  
3           **area?**

4    **No Impact:** The project proposes construction of a new courthouse on an approximately 3.1-acre  
5 site; it does not include new housing, and its very minor employment increase is unlikely to  
6 induce new population growth. Therefore, the project will have no impact.

7    **Mitigation Measures:** No mitigation measures are required.

8    **4.12.2 Will the project displace substantial numbers of numbers of people and cause the**  
9           **construction of replacement housing elsewhere?**

10   **No Impact:** The proposed project involves construction of a new courthouse on a currently  
11 vacant lot and will not displace any existing housing. Therefore, the project will have no impact  
12 on existing housing.

13   **Mitigation Measures:** No mitigation measures are required.

14   **4.13           PUBLIC SERVICES**

15   **4.13.1 Will the project produce substantial adverse physical impacts associated with the**  
16           **provision of fire protection facilities to maintain acceptable service ratios,**  
17           **response times, or other performance objectives?**

18   **No Impact:** The City of Hollister’s Fire Department has fire stations at 110 5th Street and 1000  
19 Union Road within the city limits. The nearest station to the project site is Fire Station No. 230,  
20 located approximately 1.5 miles northeast at 502 South Arrowhead Avenue. The Fire  
21 Department is staffed with 51 personnel available to respond to emergencies, including two  
22 Battalion Chief Officers. The City adopted response time is 5 minutes or less for 90 percent of  
23 the emergency calls for service. The project is proposed adjacent to existing development and  
24 within close proximity to a fire station. Therefore, the project will not have a significant impact  
25 on fire response times and will not otherwise create a substantially greater need for fire  
26 protection than already exists.

27   **Mitigation Measures:** No mitigation measures are required.



1 **4.13.2 Will the project produce substantial adverse physical impacts associated with the**  
2 **provision of police protection facilities to maintain acceptable service ratios,**  
3 **response times, or other performance objectives?**

4 **No Impact:** The City of Hollister’s Police Department provides law enforcement services for  
5 businesses and residents within the city limits. The Police Department’s station is at 395 Apollo  
6 Court.

7 The proposed project is construction of a new courthouse, relocation of the Superior Court, and  
8 operation of a new courthouse facility. The County of San Benito’s Sheriff’s Department and  
9 contract security firms provides security at the Superior Court’s courthouse facilities. The project  
10 will reduce police protection needs since the project will consolidate Superior Court operations  
11 into fewer and more secure facilities. The new courthouse will have improved security features  
12 that improve the efficiency of Superior Court’s security operations, in-house facilities for  
13 security operations, and the new courthouse will reduce the number of Superior Court building  
14 entrances requiring security personnel. Therefore, the project will not require additional police  
15 services or require new police facilities. The AOC therefore concludes that the project will have  
16 no impact on police services.

17 **Mitigation Measures:** No mitigation measures are required.

18 **4.13.3 Will the project produce substantial adverse physical impacts associated with the**  
19 **provision of other public service facilities?**

20 **No Impact:** The proposed project does not involve residential development, and it will not cause  
21 an increase in residential housing and the need for related additional schools or other government  
22 facilities in the surrounding area. Therefore, the project will not create a substantially greater  
23 need for schools or other facilities. Therefore, the project will have no effect on provision of  
24 other government facilities.

25 **Mitigation Measures:** No mitigation measures are required.

26 **4.14 RECREATION**

27 **4.14.1 Will the project substantially increase the use of existing neighborhood and regional**  
28 **parks or other recreational facilities to produce substantial physical**  
29 **deterioration of a facility?**

30 **No Impact:** The proposed project does not involve residential development or recreational  
31 facilities, and the AOC believes that the project will not influence the City’s population or the  
32 distribution of the population. Therefore, the project will not increase the use of neighborhood  
33 and regional parks or other recreational facilities or produce substantial physical deterioration of  
34 a facility. Therefore, the project will have no impact.

35 **Mitigation Measures:** No mitigation measures are required.

1 **4.14.2 Will the project require the construction or expansion of recreational facilities that**  
2 **might have an adverse physical effect on the environment?**

3 **No Impact:** The proposed project does not involve residential development or recreational  
4 facilities, and it will not require related construction or expansion or cause an increase in  
5 residential housing or an increase in the use of neighborhood and regional parks or other  
6 recreational facilities. Therefore, the project will have no impact.

7 **Mitigation Measures:** No mitigation measures are required.

8 **4.15 TRANSPORTATION/TRAFFIC**

9 As described in the City’s General Plan EIR, State Route 25 traverses the entire length of San  
10 Benito County from the southern county boundary through Tres Pinos and Hollister to the  
11 northern county boundary where it connects to US-101 near Gilroy. In Hollister, State Route 25  
12 is locally signed as Airline Highway, Tres Pinos Road, San Benito Street, and Bolsa Road. State  
13 Route 25 is the primary commuter route between Hollister and Santa Clara County. During peak  
14 commute periods, State Route 25 experiences high levels of traffic congestion, and the number  
15 of traffic accidents along the corridor are the highest in the county.

16 State Route 156 connects Monterey County to San Juan Bautista and Hollister in San Benito  
17 County, and it merges with Highway 152 near the Santa Clara County/San Benito County  
18 boundary. State Route 156 is also a major corridor for commuters traveling to Monterey County,  
19 and it also serves interregional traffic between the Central Valley and the Monterey Bay area.  
20 Highway 156 (Business) passes through Hollister on San Juan Road, Fourth Street, San Benito  
21 Street, and San Felipe Road. A State Route 156 bypass routes through traffic around the west  
22 side of the City. North of Hollister, Highway 156 continues as a two-lane rural highway to the  
23 Santa Clara County line.

24 To reduce problems related to high volumes of traffic using Highway 25 through downtown  
25 Hollister, SBCOG recently completed construction of the new State Route 25 Hollister Bypass  
26 (See Figure 5). The bypass begins at the intersection of State Route 25 with Sunnyslope Road,  
27 passes east of downtown Hollister, and reconnects with the existing S.R. 25 alignment at the  
28 intersection of Business Route 156 and State Route 25.

29 The principal Hollister roadways (See Figure 5) near the existing courthouse and proposed  
30 courthouse include:

- 31 • San Felipe Road—a north/south route connecting San Benito Street in downtown  
32 Hollister to State Route s 25 and 156 north of the City;
- 33 • Bolsa Road—a north/south route connecting San Benito Street in downtown Hollister  
34 to State Route 25;
- 35 • San Benito Street—the principal north/south street in downtown Hollister. It serves as  
36 a four-lane undivided arterial from Santa Ana Road to South Street and continues as a  
37 two-lane arterial southward to Nash Road. From Santa Ana Road to Nash Road. It is  
38 designated as State Route 25;

- 1 • 4th Street—a two-lane east/west downtown arterial extending from McCray Street to
- 2 a location west of Line Street. It is designated as State Route 156 (Business) west of
- 3 San Benito Street, and it connects to Meridian Street at McCray Street;
- 4 • McCray Street—a two-lane north/south arterial road east of San Benito Street that
- 5 extends southward from Santa Ana Road;
- 6 • Meridian Street—a discontinuous east/west two-lane street located between McCray
- 7 Street and Fairview Road;
- 8 • Hillcrest Road—a two-lane east/west arterial that connects Fairview Road to
- 9 downtown Hollister. Hillcrest Road connects to South Street at McCray Street;
- 10 • South Street—a two-lane east/west arterial that connects downtown Hollister to the
- 11 western City limits;
- 12 • Nash Road—a two-lane east/west arterial extending from Riverside Road west of 1-
- 13 bluster to Southside Road east of San Benito Street. At Cushman Street, its name
- 14 changes to Tres Pinos Road, which continues as a four-lane facility to Airline
- 15 Highway. Nash/Tres Pinos Road is designated State Highway 25 from San Benito
- 16 Street to Airline Highway; and
- 17 • Sunnyslope Road—a continuation of Nash/Tres Pinos Road toward the east. It
- 18 functions as a three- or four-lane arterial from Airline Highway to Valley View Road,
- 19 and continues as a two-lane roadway to Fairview Road.

21 The City uses “Level of Service” (LOS) standards<sup>12</sup> to evaluate conditions at signalized  
 22 intersections; the City standard for satisfactory intersection performance is a LOS C or better.  
 23 Table 6 lists the General Plan EIR’s evaluation of several signalized intersections’ existing LOS.  
 24 The EIR noted that two intersections near the existing courthouse, San Felipe Rd./San Benito  
 25 Street @ Santa Ana Rd. and San Benito Street @ Fourth Street, had unacceptable LOS during  
 26 peak hour periods. The existing courthouse is approximately 600 feet west of the San Benito  
 27 Street @ Fourth Street intersection and 0.35 miles southwest of the San Felipe Rd./San Benito  
 28 Street @ Santa Ana Rd. intersection.

30 As noted in [Section 2.5](#), the Superior Court currently has approximately 30 employees, and the  
 31 Superior Court attempts to secure a maximum of approximately 70 jurors. The AOC estimates  
 32 that the maximum number of other visitors during the AM peak hour is approximately 50  
 33 persons. Therefore, the AOC’s presumed existing AM peak traffic demand is approximately 150  
 34 persons. Table 7 lists the AOC’s estimate for current trip routes to the existing courthouse. As  
 35 shown in the table, the AOC presumes that persons driving to the courthouse use the following  
 36 routes:

---

<sup>12</sup> **LOS A**= Good progression (control delay per vehicle of 10 seconds or less), few stops, and short cycle lengths;  
**LOS B**= Fair progression (control delay per vehicle of 10 seconds to 20 seconds) and/or longer cycle lengths, and more vehicle stops;  
**LOS C**= Fair progression (control delay per vehicle of 20 seconds to 35 seconds) and/or longer cycle lengths, some cycle failures, and a significant percentage of vehicles must stop;  
**LOS D**= Noticeable congestion, high volume-to-capacity ratios, longer delays (control delay per vehicle of 35 seconds to 55 seconds), and noticeable cycle failures;  
**LOS E**= At or beyond the limit of acceptable delay, poor progression (control delay per vehicle of 55 seconds to 80 seconds), long cycles, high volumes, and long queues;  
**LOS F**= Arrival volumes greater than discharge capacity, long cycle lengths, and unstable and unpredictable flows (control delay per vehicle greater than 80 seconds).  
 Source: Institute of Transportation Engineers. 2005. *Transportation Impact Analyses for Site Development*. 129 pp.

- 1 • From northern Hollister, northeastern Hollister, and northern San Benito County,  
2 drivers reach the courthouse through routes that coalesce onto southbound San Benito  
3 Street. Many of these drivers pass through the San Benito Street/Santa Ana Street  
4 intersection, and almost all of these drivers probably pass through the San Benito  
5 Street/3rd Street and San Benito Street/4th Street intersections;
- 6 • From eastern Hollister and eastern San Benito County, drivers reach the courthouse  
7 from Meridian Street (including the eastern portion of 4th Street); most of these  
8 drivers probably pass through the San Benito Street/4th Street intersection. In  
9 addition, drivers proceed westbound on Hillcrest Street and access the downtown area  
10 via the eastern portion of South Street;
- 11 • From southern Hollister and southern San Benito County, drivers reach the  
12 courthouse through routes that coalesce onto northbound San Benito Street, Westside  
13 Blvd., and other miscellaneous streets that serve downtown Hollister; and
- 14 • From western Hollister, San Juan Bautista, and western San Benito County, most  
15 drivers reach the courthouse area through routes that coalesce onto eastbound 4th  
16 Street, while some drivers utilize South Street to reach the courthouse area.

17  
18  
19 **Table 6. Levels of Service for Signalized Intersections<sup>13</sup>**

| Intersection                        | Peak Hour | Count Date | Average Delay (sec.) | LOS |
|-------------------------------------|-----------|------------|----------------------|-----|
| San Benito Street and Third Street  | AM        | 10/2/07    | 21                   | C   |
|                                     | PM        | 10/2/07    | 19                   | B   |
| San Benito Street and Fourth Street | AM        | 9/24/07    | 43                   | D   |
|                                     | PM        | 9/24/07    | 41                   | D   |
| San Benito Street and Fifth Street  | AM        | 10/2/07    | 13                   | B   |
|                                     | PM        | 10/2/07    | 10                   | B   |
| San Benito Street and South Street  | AM        | 10/3/07    | 18                   | B   |
|                                     | PM        | 10/3/07    | 16                   | B   |
| San Benito Street and Nash Rd.      | AM        | 10/3/07    | 40                   | D   |
|                                     | PM        | 10/3/07    | 41                   | D   |

20  
21 As stated above, SBCOG completed its State Route 25 Bypass in February 2009. Although  
22 SBCOG prepared an analysis of the bypass project’s projected Year 2025 impacts (including  
23 effects of projected population growth and additional development), SBCOG did not prepare an  
24 analysis of immediate post-project (Year 2009) effects. Since the existing courthouse is in  
25 Hollister’s downtown area and the purpose of the bypass is to relieve congestion in downtown  
26 Hollister by directing traffic around the downtown area, the AOC anticipates that the bypass will  
27 not directly affect courthouse-related traffic since the bypass will not provide an improved route  
28 to the courthouse. However, the bypass will indirectly improve courthouse traffic routes, traffic  
29 magnitude around the courthouse, and downtown intersections’ LOS ratings by moving through  
30 traffic from downtown streets and arterial streets to the bypass’ new alignment.

<sup>13</sup> Unless noted otherwise, the data is from the City’s General Plan EIR.

1 **4.15.1 Will the project cause a substantial increase in traffic in relation to the existing**  
2 **traffic load and capacity of the street system?**

3 **Less than Significant Impact:** The proposed project will not increase the Superior Court’s  
4 available courtroom facilities and not induce addition of substantial numbers of staff persons.  
5 After completion of the new courthouse, the AOC expects the Superior Court to have no  
6 additional employees and continue to attempt to secure a maximum of approximately 70 jurors.  
7 The maximum number of other visitors during the AM peak hour will continue to be  
8 approximately 50 persons.  
9

10 After the Superior Court moves to the new courthouse, the County will have an additional  
11 approximately 11,000 BGSF of space. The AOC presumes that the County will use the space for  
12 existing current staff, and that the County’s use of the vacated space will not increase the number  
13 of County employees working in downtown Hollister.  
14

15 The proposed courthouse site is only 300 feet north of the existing courthouse site, and the AOC  
16 presumes that persons driving to the courthouse will continue to use their current travel routes.  
17 The project is not increasing the number of the Superior Court’s courtrooms, and the AOC  
18 expects that the Superior Court’s proposed new location will not change Hollister’s court-related  
19 traffic demand. Since the project is simply re-locating the Superior Court one block north of its  
20 current location with no expansion in the courtrooms and the vacated space (approximately 11,  
21 000 building gross square feet) will not support a major expansion in the County’s downtown  
22 employee population or County office-related traffic, the AOC concludes that the project’s  
23 traffic impacts will be less than significant.  
24

25 **Mitigation Measures:** No mitigation measures are required.

26 **4.15.2 Will the project exceed a level of service standard established by the county**  
27 **congestion management agency for designated roads or highways?**

28 **No Impact:** San Benito County does not have a Congestion Management Plan. Therefore, the  
29 proposed project will not cause a level of service effect.

30 **Mitigation Measures:** No mitigation measures are required.

31 **4.15.3 Will the project substantially increase hazards due to a design feature or**  
32 **incompatible uses?**

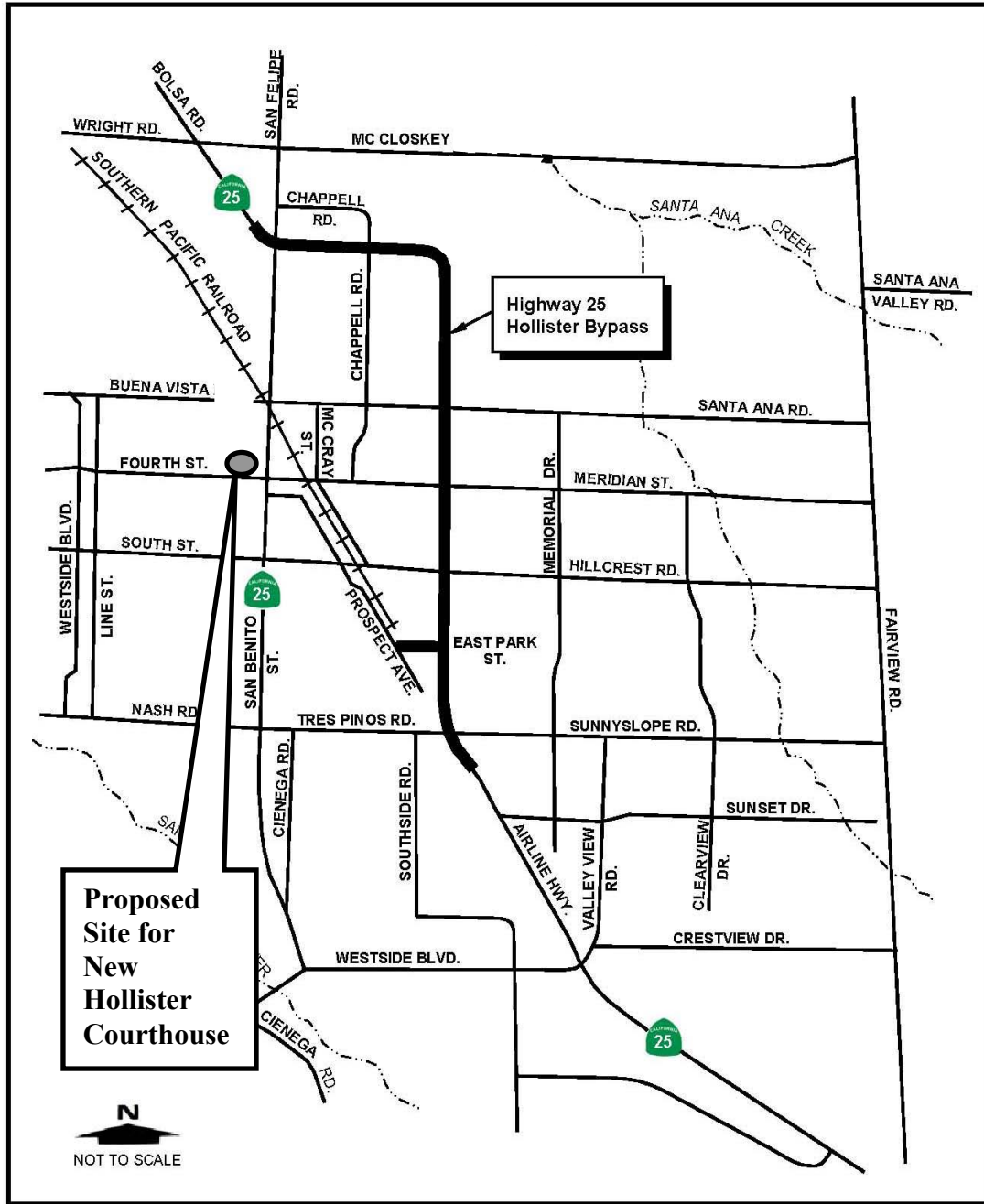
33 **No Impact:** The AOC’s development of the project site will conform to recommendations of the  
34 State Fire Marshall, the State Architect, the Superior Court, the San Benito Sheriff’s Department,  
35 the Hollister Police Department, and the Hollister Fire District to ensure adequate emergency  
36 access considerations. The courthouse project will not have a design feature that will  
37 substantially increase hazards or a use that will increase hazards. Therefore, the AOC believes  
38 that the project will have no impact.  
39

40 **Mitigation Measures:** No mitigation measures are required.

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Figure 4. State Route 25 Bypass<sup>14</sup>



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<sup>14</sup> Source: <http://www.sanbenitocog.org/highway25/pdf/hwy25vcinityMap.pdf>. Accessed on June 29, 2008.

1  
2

**Table 7. Hollister Trip Routes to Current Courthouse**

| Street                                     | Service to Current Courthouse   | % of Dep. Trips <sup>15</sup> | % of Arr. Trips <sup>16</sup> |             |              |               |          |            |               |
|--|---|-------------------------------|-------------------------------|-------------|--------------|---------------|----------|------------|---------------|
|  |   |                               | SB San Benito                 | WB Meridian | WB Hillcrest | NB San Benito | EB South | EB 4th St. | Miscellaneous |
| San Felipe Road (State Route 156 Business) | Northern Hollister & Airport area southbound (SB) route to downtown via SB San Benito Street  | 2                             | 2                             |             |              |               |          |            |               |
| Bolsa Road                                 | Northern Hollister & Airport area SB route to downtown via SB San Benito Street   | 5                             | 5                             |             |              |               |          |            |               |
| San Benito Street                          | North Hollister, northeast Hollister via Santa Ana Rd., & SB S.R. 25 route to downtown via SB San Benito Street                             | 1                             | 1                             |             |              |               |          |            |               |
| Santa Ana Road                             | Northeastern Hollister WB route to downtown via SB San Benito Street  | 3                             | 3                             |             |              |               |          |            |               |
| Meridian Street                            | Eastern Hollister westbound (WB) route to downtown via WB Meridian  | 15                            |                               | 15          |              |               |          |            |               |
| Hillcrest Road/ South Street               | Eastern Hollister route to downtown via WB Hillcrest + WB South Street  | 15                            |                               |             | 15           |               |          |            |               |
| Sunnyslope Road                            | Southeast Hollister route to downtown via Tres Pinos + northbound (NB) San Benito Street or WB Hillcrest + NB McCray Street + WB 4th Street | 15                            |                               | 5           | 3            | 7             |          |            |               |
| San Benito Street                          | Southern Hollister route to downtown via NB San Benito Street   | 10                            |                               |             |              | 10            |          |            |               |
| Nash Road                                  | Southwestern Hollister route to downtown via connection to NB San Benito Street or miscellaneous NB streets                                 | 3                             |                               |             |              | 3             |          |            |               |
| Westside Boulevard                         | Southwestern and western Hollister route to downtown via eastbound (EB) 4th Street  | 6                             |                               |             |              |               |          | 5          | 1             |
| South Street                               | Western Hollister route to downtown via EB South Street   | 5                             |                               |             |              |               | 5        |            |               |
| 4th Street                                 | Western Hollister and San Juan Bautista route to downtown via EB 4th Street   | 15                            |                               |             |              |               |          | 15         |               |
| Miscellaneous routes                       | Miscellaneous   | 5                             |                               |             |              |               |          |            | 5             |
| <b>Subtotal</b>                            |   | 100                           | 11                            | 20          | 18           | 20            | 5        | 20         | 6             |
| <b>Total</b>                               |   | 100                           | 100                           |             |              |               |          |            |               |

3  
4  
5  
6

<sup>15</sup> "Dep. Trips" = AM peak hour trips departing from Hollister neighborhoods  
<sup>16</sup> "Arr. Trips" = AM peak hour trips arriving at courthouse area



1 **4.15.4 Will the project produce inadequate parking capacity?**

2 **Less Than Significant Impact:** As noted Section 4.15.1, the AOC expects the Superior Court to  
3 have approximately 30 employees and secure a maximum of approximately 60 jurors. The  
4 maximum number of other visitors during the AM peak hour will be approximately 70 persons.  
5 The new courthouse will provide approximately 100 public parking spaces for visitors and staff,  
6 and additional parking is available around the site on West Street, 3<sup>rd</sup> Street, and Monterey  
7 Street. The City’s parking garage is also approximately one block east of the courthouse. The  
8 AOC concludes that the project will have sufficient parking. Therefore parking impacts will be  
9 less than significant.

10 **Mitigation Measures:** No mitigation measures are required.

11 **4.15.5 Will the project produce inadequate emergency access?**

12 **Less Than Significant Impact:** The AOC’s development of the project site will conform to  
13 recommendations of the Superior Court, the San Benito Sheriff’s Department, the Hollister  
14 Police Department, and the Hollister Fire District to ensure adequate emergency access  
15 considerations. The San Benito County Fire District will review plans to ensure emergency  
16 access. The proposed project does not include closure of any public through street, therefore, the  
17 AOC believes that the project will not interfere with the adopted emergency response plan and  
18 the project will have no impacts on emergency access.

19 **Mitigation Measures:** No mitigation measures are required.

20 **4.15.6 Will the project conflict with adopted policies, plans, or programs supporting**  
21 **alternative transportation?**

22 **No Impact:** The project site is in downtown Hollister and approximately 300 feet north of the  
23 current courthouse. Since the proposed courthouse site is close to the existing courthouse, the  
24 AOC expects that the project will not induce changes in County of San Benito residents’ travel  
25 plans. Therefore, the AOC concludes that the project will have no impacts.

26 **Mitigation Measures:** No mitigation measures are required.

27 **4.15.7 Will the project produce substantial safety risks due to a change in air traffic**  
28 **patterns, increase air traffic levels, or change in air traffic location?**

29 **No Impact:** The proposed project site is in downtown Hollister, and the Hollister Airport is  
30 approximately 2.5 miles north of the proposed courthouse site. Since the proposed courthouse  
31 will be only two stories tall, it will not affect air traffic patterns. Therefore, the project will have  
32 no impact on air safety levels or air traffic.

33 **Mitigation Measures:** No mitigation measures are required.

1    **4.16           UTILITIES/SERVICE SYSTEMS**

2    **4.16.1 Will the project have sufficient water supplies available to serve the project from**  
3           **existing entitlements and resources?**

4    **No Impact:** As noted previously, the proposed project does not include any housing and will  
5    provide no increase in employment or at most a very minor increase in employment. Therefore,  
6    the AOC concludes that the project will not increase Hollister’s population.

7    The City’s General Plan EIR indicates that the Hollister Municipal Water Department will serve  
8    the project, and the report does not indicate that the City’s Water Department has a water  
9    shortage. Therefore, the AOC concludes that the project will have no impact.

10   **Mitigation Measures:** No mitigation measures are required.

11   **4.16.2 Will the project require or produce the construction of new water supply facilities?**

12   **No Impact:** As explained for [Section 4.16.1](#), the AOC’s proposed project will not contribute to a  
13   significant increase in water demand. Since the project is in downtown Hollister, the project will  
14   connect to existing water supply lines on Third Street or Fourth Street. Therefore, the project will  
15   not require in the construction of new water facilities or expansion of existing facilities, and the  
16   project will have no impact.

17   **Mitigation Measures:** No mitigation measures are required.

18   **4.16.3 Will the project produce a determination by the wastewater treatment provider that**  
19           **serves or may serve the project that it has adequate capacity to serve the**  
20           **project’s projected demand in addition to the provider’s existing commitments?**

21   **No Impact:** The project does not include any housing and increases Hollister’s employment by a  
22   very minor amount; therefore the AOC believes that the project will not produce an increase in  
23   population or the related demand for wastewater treatment capacity or facilities. The project is in  
24   downtown Hollister and will connect to existing facilities. Therefore, the project will have no  
25   impact.

26   **Mitigation Measures:** No mitigation measures are required.

27   **4.16.4 Will the project require the construction of new wastewater treatment facilities?**

28   **No Impact:** The proposed project will connect to existing City wastewater facilities. Therefore,  
29   the project will connect to existing facilities, and the project will have no effect.

30   **Mitigation Measures:** No mitigation measures are required.

1 **4.16.5 Will the project have access to a landfill with sufficient permitted capacity to**  
2 **accommodate the project’s solid waste disposal needs?**

3 **No Impact:** Solid waste services are provided by the City of Hollister Refuse and Recycling  
4 Division.

5 As noted in [Section 4.16.1](#), the AOC’s proposed project will not contribute to a significant  
6 demand or population increase. Therefore, the AOC concludes that the project will have a less  
7 than significant effect on solid waste disposal.

8 **Mitigation Measures:** No mitigation measures are required.

9 **4.17 MANDATORY FINDINGS OF SIGNIFICANCE**

10 **4.17.1 Does the project have the potential to substantially reduce the habitat of a fish or**  
11 **wildlife species, cause a fish or wildlife population to drop below self-sustaining**  
12 **levels, threaten to eliminate a plant or animal community, or reduce the number**  
13 **or restrict the range of a rare or endangered plant or animal?**

14 **No Impact:** The proposed project site is in downtown Hollister on a site previously occupied by  
15 Fremont School. Therefore, the proposed project does not have the potential to substantially  
16 reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below  
17 self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number  
18 or restrict the range of a rare or endangered plant or animal.

19 **Mitigation Measures:** No mitigation measures are required.

20 **4.17.2 Does the project have the potential to degrade the quality of the environment or**  
21 **eliminate important examples of the major periods of California history or**  
22 **prehistory**

23 **Potentially Significant Impact:** As discussed in [Section 4.5.1](#), the project may have potentially  
24 significant impacts to sub-surface cultural resource artifacts. However, the AOC concluded that  
25 the project’s impacts to other resources supports the conclusion that impacts will be less than  
26 significant.

27 **Mitigation Measures:** The mitigation measure presented in [Section 4.5.1](#) will reduce the impact  
28 to a level that is less than significant.

1 **4.17.3 Does the project have impacts that are individually limited, but cumulatively**  
2 **considerable?**

3 **No Impact:** The proposed project is consistent with the City’s General Plan, its location is in  
4 downtown Hollister and near existing justice-related facilities, and the AOC’s analysis did not  
5 identify any project-related cumulatively considerable impacts. The proposed project will not  
6 cause any impact.

7 **Mitigation Measures:** No mitigation measures are required

8 **4.17.4 Does the project have environmental effects that will cause substantial adverse**  
9 **effects on human beings, either directly or indirectly?**

10 **Less than Significant Impact:** The AOC did not identify any effects that will cause substantial  
11 adverse effects. There are no other foreseeable substantial effects on human beings.

12 **Mitigation Measures:** No mitigation measures are necessary.

## 5.0 REFERENCES

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- California Building Code. 2008. Building Standards Commission. Available Online at: <http://www.bsc.ca.gov/default.htm>.
- California Air Resources Board. 2008a. Climate Change: Draft Scoping Plan. Available at: <http://www.arb.ca.gov/cc/scopingplan/document/draftscopingplan.htm>. Accessed on July 7, 2008.
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- Cartier, Robert, PhD. 2008. The Archaeological Monitoring Report For the Fremont School Seismic Trenching Project, In the City of Hollister. Archaeological Resource Management, for the City of Hollister. 70 p.
- City of Hollister. 2008. Fremont School Demolition and Site Clearance Draft Environmental Impact Report (SCH 2008091123). 51 p.
- William Lettis & Associates. 2008. *Fault Rupture Hazard Study, Fremont School Site, Hollister, California*. Prepared for the City of Hollister. 167 p.
- Monterey Bay Unified Air Pollution Control District. 2004. Air Quality Management Plan. Available at <http://www.mbuapcd.org/index.cfm/Cat/3.htm>
- Monterey Bay Unified Air Pollution Control District. 2004. CEQA Air Quality Guidelines. 101 p. Available at <http://www.mbuapcd.org/index.cfm?Doc=276>. State of California. 2006. Climate Action Team Report to Governor Schwarzenegger and the California Legislature, Environmental Protection Agency, Climate Action Team. March.
- Tetra Tech EM Inc. 2008. Draft Phase I Environmental Site Assessment West Street Property, Hollister, San Benito County, California. Prepared for the Administrative Office Of The Courts. 316 p.

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## **6.0 REPORT PREPARATION PERSONNEL**

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### **Administrative Office of the Courts**

*Project Manager*

*Jun Quan*

*Senior Real Estate Analyst*

*Mary Bustamante*

*Environmental Analyst:*

*Jerome J. Ripperda*

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## 7.0 Mitigation Monitoring Plan

Section 15097 of the California Environmental Quality Act (CEQA) requires all state and local agencies to establish monitoring or reporting programs for projects approved by a public agency whenever approval involves the adoption of either a Mitigated Negative Declaration or specified environmental findings related to an Environmental Impact Report. The Administrative Office of the Courts intends that its staff and other parties shall use this plan to ensure compliance with mitigation measures during project implementation.

The Administrative Office of the Courts prepared this Mitigation Monitoring Plan for the New Susanville Courthouse project. The intent of the Mitigation Monitoring Plan is to identify responsibilities and time periods for properly and successfully implementing the project’s mitigation measures to reduce or avoid significant environmental impacts.

Table 8 provides a summary of all mitigation measures and monitoring actions for the project. It also identifies the responsible monitoring party and implementation phase.

**Table 8. Mitigation Monitoring Features**

| Impact  | Mitigation Measure  | Implementation Method/<br>Monitoring Action  | Mitigation Timing  | Monitoring Party/<br>Parties                     |
|---|---|--|--|--|
| <b>CULTURAL RESOURCES</b>   |   |  |  |  |
| Potential effects involving archaeological or historic resources (Section 4.03.1) | <b>Cultural Resources 1:</b> During construction, an archaeological monitor will be present during site-clearing activities that expose bare ground. AOC and construction contractor personnel will not collect cultural resources found on the project site. If the construction contractor encounters archaeological resources during initial construction clearing, the construction contractor will halt all work within 100 feet of the discovery, and a qualified archaeologist will ascertain the nature of the discovery and the significance of the find. The archaeologist will provide proper management recommendations including avoidance, evaluation, or a mitigation plan to prevent any significant adverse effects on the resource. | Ensure monitoring requirements are included in contract specifications and ensure construction contractor’s compliance with contract specifications. | During preparation of contract documents and during construction excavation operations | AOC’s Project Manager and Construction Inspector |

## **8.0 Comments and Responses To Comments**

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The Administrative Office of the Courts filed a Notice of Completion for the Draft Initial Study and Mitigated Negative Declaration on March 25, and the public review period for the document extended from March 25 through April 23. Written public comments and the Administrative Office of the Court's responses are included below.

## 8.1 COMMENTS RECEIVED

4/12/09

Mr. Jerome Ripperda  
Administrative Office of the Courts  
Northern/Central Regional Office  
2860 Gateway Oaks, Suite #400  
Sacramento, CA 95833-3509

RE: 3/25/09 Draft Initial Study and Mitigated  
Negative Declaration for the New Hollister  
Courthouse for the Superior Court of  
California, County of San Benito

Dear Mr. Ripperda:

What follows are comments pertaining to the Negative Declaration for the New Hollister Courthouse as they relate to parking and transportation. One of the purposes of this document is to identify deficiencies in parking and traffic circulation in the area and propose mitigation to minimize future impacts of the site. I would suggest that this document more clearly defines whether the needed mitigation will be provided by this project, the City of Hollister or County of San Benito.

I am also suggesting changes on page 18, the CEQA Checklist, Section 15. Transportation/Traffic. The current Checklist designations for Sections 15.1, 15.2, 15.4, 15.5, 15.6 are "less than significant impact", but should all be upgraded to "Potentially Significant Impact Unless Mitigated". This project will definitely have cumulative effects in the area because the old site will not be abandoned and will continue to be used by other entities whose impact in this area will persist. The domino effect of more traffic and parking needs will continue to adversely impact pedestrians, residents and businesses in the area. If this project is allowed to proceed with a Negative Declaration, it is imperative to have these upgraded designations in place, along with the source(s) of the mitigation, to ensure that our community receives the mitigation that is needed.

The Hwy 156 and Hwy 25 Bypasses are a tremendous asset to the traffic circulation in the downtown area and surrounding thoroughfares. They certainly have increased the LOS in many areas of the community, but we need to ensure that the project's surrounding streets are also improved once the traffic from the surrounding areas actually reaches the new courthouse site. From a pedestrian and traffic circulation standpoint, a stop light at the corner of Fourth & Monterey Sts. is necessary. It is becoming more difficult for pedestrians to cross, as well as for vehicles to make left hand turns onto Fourth St. from both directions of Monterey St. Although the corner of Fourth & West Sts. will have a similar impact to a lesser degree (the parking lot located on the west side of the site), a 4-way stop at this intersection may meet the needs of this intersection. Again, the new courthouse will stimulate more activity on the surrounding streets from a vehicular and pedestrian point of view, as well as from the existing county facilities across the street. Should this mitigation be provided by the City and/or County?

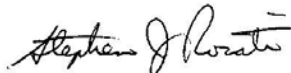
The parking problem is a little more complex. There are needs that have to be considered regarding residents in the surrounding areas, the Community Center and Library, as well as neighboring and surrounding businesses a few blocks away. I assume the approximately 32 parking spaces in the Secure Area along Third St. are designated for the judges, police, sheriff and loading/unloading of prisoners. If that is the case, today's level of 30 staff members, plus future increases in staffing, will use the Public Parking area of the complex, reducing its intended capacity. The parking needs will definitely increase when 2 or 3 courtrooms are used at the same time, resulting in an insufficient level of on-site parking. This necessitates the acquisition of neighboring parcels designated for Public Parking (provided by the City and/or County?), as well as changing parallel parking to diagonal parking wherever possible around the proposed complex. A perfect area for changing to diagonal parking is all along Third St. against Park Hill, and will require some excavation and a retaining wall (provided by the City and/or County?).

The increased usage of this proposed site will compound the parking on surrounding streets when on-site parking is not adequate. You can see that this problem exists today if you simply take a stroll along the surrounding streets two blocks away from the existing courthouse -- it is currently almost impossible for residents to park in front of their homes on these streets or for citizens to use the on-site County Parking Lot in order to access the library or existing county services. The streets surrounding the new Courthouse and the existing County Offices should have enforced two hour parking limits with special parking stickers provided to residents so they can park in front of their own homes. Moving the court facilities across the street will not solve this problem, but again result in a domino affect of parking problems unless solutions are created and in place before the completion of the new site or within 1 year of its completion (all identified in the Negative Declaration).

I expect that businesses and residential homes three blocks away to be indirectly impacted from a parking standpoint. Years ago, downtown businesses paid into a parking district in order to construct the parking lots throughout downtown. I'm sure there must be a creative way to combine another similar district, along with Re-development monies from the City of Hollister, grants from the City of Hollister and County of San Benito in order to acquire some neighboring properties, work on the diagonal parking and install the stop light(s) and stop signs necessary to ensure that the new court house (and the replacement of the old court offices) will cease to impact the surrounding areas as outlined in this letter. Businesses, both retail and service oriented, cannot be expected to survive or relocate to the downtown area unless parking is increased on neighboring streets around this proposed site.

We will have a site that will be more "active" throughout the day with vehicular and pedestrian traffic utilizing the facilities; a much different pattern than the previous use of the site as an elementary school where many of the students were bused and stayed on-site until school was over. I do not expect this project to provide every needed mitigation. However, it cannot be denied that this project has cumulative impacts on the traffic circulation and parking in the immediate area. Again, if changing the CEQA Checklist designations for Sections 15.1, 15.2, 15.4, 15.5, 15.6 to "Potentially Significant Impact Unless Mitigated" is not acceptable, and statements are not incorporated that identify potential sources of the needed mitigation to lessen the impact of this project, then this project should not be allowed to proceed on a Negative Declaration path. These changes are a must if the parking and traffic circulation mitigation for the area are not forgotten and will hopefully be implemented before the new courthouse opens; however, if it is going to take the stimulus from a full blown EIR to result in the identification of the cumulative effects and sources of mitigation, then so be it. I appreciate your serious consideration.

Sincerely,



Stephen J. Rosati  
549 San Benito St.  
Hollister, CA 95023

## 8.2 RESPONSES TO COMMENTS

1. "One of the purposes of this document is to identify deficiencies in parking and traffic circulation in the area and propose mitigation to minimize future impacts of the site. I would suggest that this document more clearly defines whether the needed mitigation will be provided by this project, the City of Hollister or County of Sari Benito."

**Response**—The AOC is responsible for providing mitigation for the project’s potentially significant impacts and significant and unavoidable impacts. The City and County have no mitigation responsibilities for the project’s impacts.

2. “I am also suggesting changes on page 18, the CEQA Checklist, Section 15, Transportation/Traffic. The current Checklist designations for Sections 15.1, 15.2, 15.4, 15.5, 15.6 are “less than significant impact”, but should all be upgraded to ‘Potentially Significant impact Unless Mitigated’”.

**Response**—The commenter proposes that the AOC change several traffic impact conclusions, but the commenter does not provide evidence to support the commenter’s proposals. Mr. Rosati provides additional traffic-related details for his concerns related to Sections 4.15.1 and 4.15.4 in the following text (see below), and the AOC provides its responses in the following text. However, Mr. Rosati does not provide supporting evidence or discussion of Sections 4.15.3 and 4.15.6.

3. “This project will definitely have cumulative effects in the area because the old site will not be abandoned and will continue to be used by other entities whose impact in this area will persist. The domino effect of more traffic and parking needs will continue to adversely impact pedestrians, residents and businesses in the area.”

**Response**—The Draft Initial Study’s traffic analysis in Section 4.15.1 includes an analysis of future use of the Superior Court’s existing space. Section 4.15.1 states that the AOC presumes that the County will use the approximately 11,000 BGSF of space, but the County will not increase the number of County employees working in downtown Hollister. Since the Superior Court’s staff, jurors, and visitors will move to the new courthouse site and utilize its new parking facilities and nearby on-street parking, the project will reduce the existing parking demand in the area adjacent to the existing courthouse.

As noted in Section 4.15, the AOC estimated that the Superior Court’s existing maximum peak morning population is approximately 150 persons. For a government office building, the Institute of Traffic Engineers suggests that analysts estimate approximately 6 morning peak hour trips per one thousand square feet of office space; therefore the projected trips for future County office use of the 11,000 BGSF equals 55 morning peak hour trips.

AOC staff counted vehicle traffic in the 4th Street/Monterey Street in January 2008; vehicles counted during 15-minute periods were:

| Time Period | 4th St. EB | 4th St. WB | Monterey Street SB | Monterey Street NB | Total |
|-------------|------------|------------|--------------------|--------------------|-------|
| 7:00        | 84         | 76         | 7                  | 3                  | 170   |
| 7:15        | 266        | 221        | 18                 | 11                 | 516   |
| 7:30        | 435        | 356        | 33                 | 21                 | 845   |

|      |       |     |    |    |       |
|------|-------|-----|----|----|-------|
| 7:45 | 642   | 506 | 44 | 30 | 1,222 |
| 8:00 | 788   | 628 | 58 | 40 | 1,514 |
| 8:15 | 936   | 734 | 69 | 45 | 1,784 |
| 8:30 | 1,033 | 817 | 78 | 53 | 1,981 |
| 8:45 | 1,177 | 943 | 99 | 71 | 2,290 |

As shown above, the total intersection traffic during the 7:00-8:00 hour was 2,753 vehicles, and total traffic during the 8:00-9:00 hour 7,569 vehicles. As noted in Section 4.15.1, the new courthouse project relocates the Superior Court’s operations, but the project does not increase the Superior Court’s operations or staff. Since the projected future County-related office operations will generate only an additional approximate 55 morning peak hour trips, the AOC concludes that additional traffic will be very minor in relation to the observed January 2008 vehicle traffic. Also, the AOC believes that the new State Route 2 Bypass will reduce traffic on 4th Street. Therefore, the AOC concludes that available evidence does not support Mr. Rosati’s claim, and the project’s impacts will be less than significant.

4. “From a pedestrian and traffic circulation standpoint, a stop light at the corner of Fourth & Monterey Sts. is necessary. It is becoming more difficult for pedestrians to cross, as well as for vehicles to make left hand turns onto Fourth St. from both directions of Monterey St.”

**Response**—The AOC’s project is relocating the Superior Court to the new site and providing the new courthouse with dedicated on-site parking. As noted in Section 4.15.4, additional parking will be available on West Street, 3rd Street, and Monterey Street. These parking resources are north of 4th Street, and they therefore concentrate the Superior Court’s projected population north of 4th Street and eliminate the need to cross 4th Street. In addition, persons walking to the proposed new courthouse from areas south of 4th Street can also proceed to the signalized San Benito Street/4th Street intersection to cross 4th Street. Therefore, the AOC concludes that the project’s parking features make crossing hazards less than significant.

5. “Although the corner of Fourth & West Sts. will have a similar impact to a lesser degree (the parking lot located on the west side of the site), a 4-way stop at this intersection may meet the needs of this intersection. Again, the new courthouse will stimulate more activity on the surrounding streets from a vehicular and pedestrian point of view, as well as from the existing county facilities across the street, Should this mitigation be provided by the City and/or County?”

**Response**—As explained above, these project’s parking resources are north of 4th Street, and they therefore concentrate the Superior Court’s projected population north of 4th Street and eliminate the need to cross 4th Street. In addition, persons walking to the proposed new courthouse from areas south of 4th Street can also proceed to the signalized San Benito Street/4th Street intersection to cross 4th Street. Therefore, the AOC concludes that the project’s parking features make crossing hazards less than significant.

6. “There are needs that have to be considered regarding residents in the surrounding areas, the Community Center and Library, as well as neighboring and surrounding businesses a few blocks away. I assume the approximately 32 parking spaces in the Secure Area along Third St. are designated for the judges, police, sheriff and loading/unloading of prisoners. If that is the case, today’s level of 30 staff members, plus future increases in staffing, will use the Public Parking area of the complex, reducing its intended capacity. The parking needs will definitely increase when 2 or 3 courtrooms are used at the same time, resulting in an insufficient level of on-site parking. This necessitates the acquisition of neighboring parcels designated for Public Parking (provided by the City and/or County?), as well as changing parallel parking to diagonal parking wherever possible around the proposed complex. A perfect area for changing to diagonal parking is all along Third St. against Park Hill, and will require some excavation and a retaining wall (provided by the City and/or County?).”

**Response**—As stated in Section 4.15.5, the project will add approximately 100 public parking spaces, and additional on-street parking is available on West Street, 3rd Street, and Monterey Street. In addition, the City’s parking garage is approximately one block east of the proposed courthouse site. The AOC concludes that there is sufficient parking available for the project, and the project’s parking impacts are less than significant.

7. “The increased usage of this proposed site will compound the parking on surrounding streets when on-site parking is not adequate. You can see that this problem exists today if you simply take a stroll along the surrounding streets two blocks away from the existing courthouse — it is currently almost impossible for residents to park in front of their homes on these streets or for citizens to use the on-site County Parking Lot in order to access the Library or existing county services. The streets surrounding the new Courthouse and the existing County Offices should have enforced two hour parking limits with special parking stickers provided to residents so they can park in front of their own homes. Moving the court facilities across the street will not solve this problem, but again result in a domino affect of parking problems unless solutions are created and in place before the completion of the new site or within 1 year of its completion (all identified in the Negative Declaration).”

**Response**—See response to comment #6.

8. “I expect that businesses and residential homes three blocks away to be indirectly impacted from a parking standpoint.”

**Response**— See response to comment #6.

9. “We will have a site that will be more ‘active’ throughout the day with vehicular and pedestrian traffic utilizing the facilities; a much different pattern than the previous use of the site as an elementary school where many of the students were bused and stayed on-site until school was over.”

**Response**—As noted in Section 2.3, Fremont School formerly occupied the site, but the site is currently vacant. The site currently attracts essentially no visitors.

The AOC’s traffic analysis in Section 4.15.1 adequately evaluates the proposed project’s impacts, and Mr. Rosati’s comment does not present information to contradict the AOC’s analysis.

10. “However, it cannot be denied that this project has cumulative impacts on the traffic circulation and parking in the immediate area.”

**Response**—The AOC’s response #3 summarizes the AOC’s analysis of cumulative traffic and parking impacts. Mr. Rosati’s comment does not present information to contradict the AOC’s analysis.



## **9.0 Other Revisions To The Draft Initial Study**

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The Administrative Office of the Courts has not made other revisions to the Draft Initial Study.



## 10.0 Lead Agency Determination

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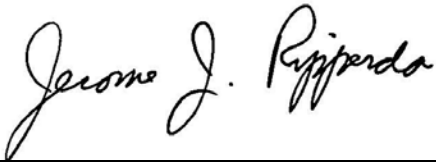
### 10.1 DETERMINATION

Based on the initial study checklist (Table 3) and related analyses included in Section 4:

- I find that the proposed project will not have a significant effect on the environment, and the Judicial Council will prepare a Negative Declaration for the project.
- I find that although the proposed project might have a significant effect on the environment, there will not be a significant effect on the environment because the Administrative Office of the Courts has added mitigation measures that will reduce the project's impacts to a level that are not significant, and the Administrative Office of the Courts will prepare a Mitigated Negative Declaration for the project.
- I find that the proposed project might have a significant impact on the environment, and the Administrative Office of the Courts will prepare an Environmental Impact Report for the project.
- I find that the proposed project might have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An Environmental Impact Report is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project might have a significant effect on the environment, all potentially significant effects have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and all potentially significant effects have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION including revisions or mitigation measures that are imposed upon the proposed project. Therefore, nothing further is required.

**10.2 CERTIFICATION**

I certify that the statements furnished above and in the attached sections present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.



\_\_\_\_\_  
Signature

April 30, 2009

\_\_\_\_\_  
Date

Jerome J. Ripperda

\_\_\_\_\_  
Printed Name

Administrative Office of the Courts

\_\_\_\_\_  
For

**APPENDIX A**

**LEED CERTIFICATION CHECKLIST FOR NEW CONSTRUCTION**

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## LEED for New Construction v2.2 Registered Project Checklist

Project Name:  
Project Address:

|     |   |    |  |  |  |                          |                  |
|-----|---|----|--|--|--|--------------------------|------------------|
| Yes | ? | No |  |  |  | <b>Sustainable Sites</b> | <b>14 Points</b> |
|-----|---|----|--|--|--|--------------------------|------------------|

|                                     |            |   |          |
|-------------------------------------|------------|---|----------|
| <input checked="" type="checkbox"/> | Prereq 1   | <b>Construction Activity Pollution Prevention</b>                             | Required |
| <input checked="" type="checkbox"/> | Credit 1   | <b>Site Selection</b>   | 1        |
| <input checked="" type="checkbox"/> | Credit 2   | <b>Development Density &amp; Community Connectivity</b>                       | 1        |
| <input checked="" type="checkbox"/> | Credit 3   | <b>Brownfield Redevelopment</b>   | 1        |
| <input checked="" type="checkbox"/> | Credit 4.1 | <b>Alternative Transportation, Public Transportation Access</b>               | 1        |
| <input checked="" type="checkbox"/> | Credit 4.2 | <b>Alternative Transportation, Bicycle Storage &amp; Changing Rooms</b>       | 1        |
| <input checked="" type="checkbox"/> | Credit 4.3 | <b>Alternative Transportation, Low-Emitting &amp; Fuel-Efficient Vehicles</b> | 1        |
| <input checked="" type="checkbox"/> | Credit 4.4 | <b>Alternative Transportation, Parking Capacity</b>                           | 1        |
| <input checked="" type="checkbox"/> | Credit 5.1 | <b>Site Development, Protect or Restore Habitat</b>                           | 1        |
| <input checked="" type="checkbox"/> | Credit 5.2 | <b>Site Development, Maximize Open Space</b>                                  | 1        |
| <input checked="" type="checkbox"/> | Credit 6.1 | <b>Stormwater Design, Quantity Control</b>                                    | 1        |
| <input checked="" type="checkbox"/> | Credit 6.2 | <b>Stormwater Design, Quality Control</b>                                     | 1        |
| <input checked="" type="checkbox"/> | Credit 7.1 | <b>Heat Island Effect, Non-Roof</b>   | 1        |
| <input checked="" type="checkbox"/> | Credit 7.2 | <b>Heat Island Effect, Roof</b>   | 1        |
| <input checked="" type="checkbox"/> | Credit 8   | <b>Light Pollution Reduction</b>  | 1        |

|     |   |    |  |  |  |                         |                 |
|-----|---|----|--|--|--|-------------------------|-----------------|
| Yes | ? | No |  |  |  | <b>Water Efficiency</b> | <b>5 Points</b> |
|-----|---|----|--|--|--|-------------------------|-----------------|

|                                     |            |   |   |
|-------------------------------------|------------|---|---|
| <input checked="" type="checkbox"/> | Credit 1.1 | <b>Water Efficient Landscaping, Reduce by 50%</b>                   | 1 |
| <input checked="" type="checkbox"/> | Credit 1.2 | <b>Water Efficient Landscaping, No Potable Use or No Irrigation</b> | 1 |
| <input checked="" type="checkbox"/> | Credit 2   | <b>Innovative Wastewater Technologies</b>                           | 1 |
| <input checked="" type="checkbox"/> | Credit 3.1 | <b>Water Use Reduction, 20% Reduction</b>                           | 1 |
| <input checked="" type="checkbox"/> | Credit 3.2 | <b>Water Use Reduction, 30% Reduction</b>                           | 1 |

|     |   |    |  |  |  |                                |                  |
|-----|---|----|--|--|--|--------------------------------|------------------|
| Yes | ? | No |  |  |  | <b>Energy &amp; Atmosphere</b> | <b>17 Points</b> |
|-----|---|----|--|--|--|--------------------------------|------------------|

|                                     |          |   |          |
|-------------------------------------|----------|---|----------|
| <input checked="" type="checkbox"/> | Prereq 1 | <b>Fundamental Commissioning of the Building Energy Systems</b> | Required |
| <input checked="" type="checkbox"/> | Prereq 2 | <b>Minimum Energy Performance</b>                               | Required |
| <input checked="" type="checkbox"/> | Prereq 3 | <b>Fundamental Refrigerant Management</b>                       | Required |

**\*Note for EAc1:** All LEED for New Construction projects registered after June 26<sup>th</sup>, 2007 are required to achieve at least two (2) points under EAc1.

|                                     |          |  |         |
|-------------------------------------|----------|--|---------|
| <input checked="" type="checkbox"/> | Credit 1 | <b>Optimize Energy Performance</b>                         | 1 to 10 |
| <input type="checkbox"/>            |          | 10.5% New Buildings or 3.5% Existing Building Renovations  | 1       |
| <input type="checkbox"/>            |          | 14% New Buildings or 7% Existing Building Renovations      | 2       |
| <input type="checkbox"/>            |          | 17.5% New Buildings or 10.5% Existing Building Renovations | 3       |
| <input type="checkbox"/>            |          | 21% New Buildings or 14% Existing Building Renovations     | 4       |
| <input type="checkbox"/>            |          | 24.5% New Buildings or 17.5% Existing Building Renovations | 5       |
| <input type="checkbox"/>            |          | 28% New Buildings or 21% Existing Building Renovations     | 6       |
| <input type="checkbox"/>            |          | 31.5% New Buildings or 24.5% Existing Building Renovations | 7       |
| <input type="checkbox"/>            |          | 35% New Buildings or 28% Existing Building Renovations     | 8       |
| <input type="checkbox"/>            |          | 38.5% New Buildings or 31.5% Existing Building Renovations | 9       |
| <input type="checkbox"/>            |          | 42% New Buildings or 35% Existing Building Renovations     | 10      |
| <input checked="" type="checkbox"/> | Credit 2 | <b>On-Site Renewable Energy</b>                            | 1 to 3  |
| <input type="checkbox"/>            |          | 2.5% Renewable Energy                                      | 1       |
| <input type="checkbox"/>            |          | 7.5% Renewable Energy                                      | 2       |
| <input type="checkbox"/>            |          | 12.5% Renewable Energy                                     | 3       |
| <input checked="" type="checkbox"/> | Credit 3 | <b>Enhanced Commissioning</b>                              | 1       |
| <input checked="" type="checkbox"/> | Credit 4 | <b>Enhanced Refrigerant Management</b>                     | 1       |
| <input checked="" type="checkbox"/> | Credit 5 | <b>Measurement &amp; Verification</b>                      | 1       |
| <input checked="" type="checkbox"/> | Credit 6 | <b>Green Power</b>   | 1       |

continued...

|     |   |    |  |  |  |                                  |                  |
|-----|---|----|--|--|--|----------------------------------|------------------|
| Yes | ? | No |  |  |  | <b>Materials &amp; Resources</b> | <b>13 Points</b> |
|-----|---|----|--|--|--|----------------------------------|------------------|

|                                     |                          |                          |                          |            |   |          |   |
|-------------------------------------|--------------------------|--------------------------|--------------------------|------------|---|----------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Prereq 1   | <b>Storage &amp; Collection of Recyclables</b>                            | Required |   |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Credit 1.1 | <b>Building Reuse</b> , Maintain 75% of Existing Walls, Floors & Roof     |          | 1 |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Credit 1.2 | <b>Building Reuse</b> , Maintain 95% of Existing Walls, Floors & Roof     |          | 1 |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Credit 1.3 | <b>Building Reuse</b> , Maintain 50% of Interior Non-Structural Elements  |          | 1 |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Credit 2.1 | <b>Construction Waste Management</b> , Divert 50% from Disposal           |          | 1 |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Credit 2.2 | <b>Construction Waste Management</b> , Divert 75% from Disposal           |          | 1 |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Credit 3.1 | <b>Materials Reuse</b> , 5%   |          | 1 |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Credit 3.2 | <b>Materials Reuse</b> , 10%  |          | 1 |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Credit 4.1 | <b>Recycled Content</b> , 10% (post-consumer + ½ pre-consumer)            |          | 1 |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Credit 4.2 | <b>Recycled Content</b> , 20% (post-consumer + ½ pre-consumer)            |          | 1 |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Credit 5.1 | <b>Regional Materials</b> , 10% Extracted, Processed & Manufactured Regio |          | 1 |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Credit 5.2 | <b>Regional Materials</b> , 20% Extracted, Processed & Manufactured Regio |          | 1 |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Credit 6   | <b>Rapidly Renewable Materials</b>  |          | 1 |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Credit 7   | <b>Certified Wood</b>   |          | 1 |

|     |   |    |  |  |  |                                     |                  |
|-----|---|----|--|--|--|-------------------------------------|------------------|
| Yes | ? | No |  |  |  | <b>Indoor Environmental Quality</b> | <b>15 Points</b> |
|-----|---|----|--|--|--|-------------------------------------|------------------|

|                                     |                          |                          |                          |            |   |          |   |
|-------------------------------------|--------------------------|--------------------------|--------------------------|------------|---|----------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Prereq 1   | <b>Minimum IAQ Performance</b>                                      | Required |   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Prereq 2   | <b>Environmental Tobacco Smoke (ETS) Control</b>                    | Required |   |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Credit 1   | <b>Outdoor Air Delivery Monitoring</b>                              |          | 1 |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Credit 2   | <b>Increased Ventilation</b>  |          | 1 |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Credit 3.1 | <b>Construction IAQ Management Plan</b> , During Construction       |          | 1 |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Credit 3.2 | <b>Construction IAQ Management Plan</b> , Before Occupancy          |          | 1 |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Credit 4.1 | <b>Low-Emitting Materials</b> , Adhesives & Sealants                |          | 1 |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Credit 4.2 | <b>Low-Emitting Materials</b> , Paints & Coatings                   |          | 1 |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Credit 4.3 | <b>Low-Emitting Materials</b> , Carpet Systems                      |          | 1 |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Credit 4.4 | <b>Low-Emitting Materials</b> , Composite Wood & Agrifiber Products |          | 1 |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Credit 5   | <b>Indoor Chemical &amp; Pollutant Source Control</b>               |          | 1 |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Credit 6.1 | <b>Controllability of Systems</b> , Lighting                        |          | 1 |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Credit 6.2 | <b>Controllability of Systems</b> , Thermal Comfort                 |          | 1 |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Credit 7.1 | <b>Thermal Comfort</b> , Design                                     |          | 1 |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Credit 7.2 | <b>Thermal Comfort</b> , Verification                               |          | 1 |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Credit 8.1 | <b>Daylight &amp; Views</b> , Daylight 75% of Spaces                |          | 1 |
| <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Credit 8.2 | <b>Daylight &amp; Views</b> , Views for 90% of Spaces               |          | 1 |

|     |   |    |  |  |  |  |                 |
|-----|---|----|--|--|--|--|-----------------|
| Yes | ? | No |  |  |  | <b>Innovation &amp; Design Process</b> | <b>5 Points</b> |
|-----|---|----|--|--|--|--|-----------------|

|                          |                          |                          |                          |            |  |  |   |
|--------------------------|--------------------------|--------------------------|--------------------------|------------|--|--|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Credit 1.1 | <b>Innovation in Design</b> : Provide Specific Title |  | 1 |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Credit 1.2 | <b>Innovation in Design</b> : Provide Specific Title |  | 1 |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Credit 1.3 | <b>Innovation in Design</b> : Provide Specific Title |  | 1 |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Credit 1.4 | <b>Innovation in Design</b> : Provide Specific Title |  | 1 |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Credit 2   | <b>LEED® Accredited Professional</b>                 |  | 1 |

|     |   |    |  |  |  |   |                  |
|-----|---|----|--|--|--|---|------------------|
| Yes | ? | No |  |  |  | <b>Project Totals (pre-certification estimates)</b> | <b>69 Points</b> |
|-----|---|----|--|--|--|---|------------------|

Certified: 26-32 points, Silver: 33-38 points, Gold: 39-51 points, Platinum: 52-69 points