

**Notice of Determination (Amended)**

**Appendix D**

**To:**

Office of Planning and Research  
U.S. Mail: \_\_\_\_\_ Street Address: \_\_\_\_\_  
P.O. Box 3044 1400 Tenth St., Rm 113  
Sacramento, CA 95812-3044 Sacramento, CA 95814

County Clerk  
County of: San Benito  
Address: 440 Fifth Street, Room 206  
Hollister, CA 95023

**From:**

Public Agency: San Benito County  
Address: 2301 Technology Drive  
Hollister, CA 95023

Contact: M. Abraham Prado  
Phone: 831-637-5313

Lead Agency (if different from above): \_\_\_\_\_  
Address: \_\_\_\_\_

Contact: \_\_\_\_\_  
Phone: \_\_\_\_\_

**SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.**

State Clearinghouse Number (if submitted to State Clearinghouse): 2022040455

Project Title: Betabel Commercial Conditional Use Permit PLN 210054

Project Applicant: Henry Ruhnke/Thomas John McDowell and Victoria Knight McDowell, Trustees

Project Location (include county): 9644 Betabel Road, in unincorporated San Benito County bordered by the Betabel RV Park to the north, agricultural/open space to the south and west, and Betabel Road and US 101 to the east.

**Project Description:**

A Notice of Determination was filed timely on 10/14/2022 for this item. The San Benito County Planning Commission approval of this item was appealed to the San Benito County Board of Supervisors. The San Benito County Board of Supervisors held a public hearing on 11/8/2022 for the appeal and upheld the approval of the item by the planning commission and denied the appeal. The applicant received project approval to develop/improve approximately 26-acres of the 111.61-acre property area and create approximately 108,425 square feet (sf) of total commercial and building space on the project site, consisting of a gas station with convenience store, a restaurant, amusement buildings with exhibits, a motel and banquet hall with outdoor pool and outdoor movie screen, and an outdoor event center. This project site is located within the Commercial Thoroughfare (C1) and Agricultural Rangeland/Floodplain (AR/FP) Zoning Districts.

This is to advise that the County of San Benito has approved the above  
( Lead Agency or  Responsible Agency)

described project on 10/12/2022 and has made the following determinations regarding the above  
(date)

described project. Appeal of certified FEIR denied on 11/8/2022 by Board of Supervisors

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1. The project [ will  will not] have a significant effect on the environment.
2.  An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.  
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [ were  were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [ was  was not] adopted for this project.
5. A statement of Overriding Considerations [ was  was not] adopted for this project.
6. Findings [  were  were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

2301 Technology Parkway, Hollister, CA 95023

Signature (Public Agency): AP Title: Asst. Director of Planning and Building

Date: 11/10/2022 Date Received for filing at OPR: 11/10/22

Authority cited: Sections 21083, Public Resources Code.  
Reference Section 21000-21174, Public Resources Code.

Revised 2011