

# Notice of Determination

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**To:** × Office of Planning and Research  
1400 10th Street  
Sacramento, CA 95814-5502

× County Clerk  
1601 Lana Way  
Hollister, CA 95023-2533

**From:** County of San Benito  
Resource Management Agency  
2301 Technology Parkway  
Hollister, CA 95023-2513

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

**Project Title:** New Community Study Areas Map/Text Deletion  
(General Plan Amendment under County File REF230001)

n/a	County of San Benito	Michael Kelly <i>mkelly@cosb.us</i>	831 902-2287 or 831 637-5313
<b>State Clearinghouse Number</b>	<b>Lead Agency</b>	<b>Contact Person</b>	<b>Telephone</b>
County of San Benito	2301 Technology Parkway Hollister, CA 95023-2513		831 637-5313
<b>Applicant Name</b>	<b>Address</b>		<b>Telephone</b>

**Project Location:** All unincorporated San Benito County.

**Project Description:** The project amends the San Benito County 2035 General Plan (General Plan) map and text for removal of New Community Study Areas (NCSAs) from maps found in the General Plan Land Use Element and removal of related New Community policy text throughout the General Plan.

On July 21, 2015, the County of San Benito (County) certified the *Revised Draft Environmental Impact Report San Benito County 2035 General Plan, State Clearinghouse No. 2011111016* (General Plan EIR or previous EIR) and adopted the General Plan. This previous EIR evaluated potential environmental impacts of adopting the 2035 General Plan both with and without the NCSAs, and in certifying the EIR the Board adopted mitigation measures corresponding to the EIR's study of a scenario omitting NCSAs despite subsequently adopting on the same date the 2035 General Plan with NCSAs included.

In accordance with the California Environmental Quality Act (CEQA), the County prepared the *Addendum to San Benito County 2035 General Plan (General Plan Amendment 09-42) Environmental Impact Report (State Clearinghouse No. 2011111016) for New Community Study Areas Map/Text Deletion* (Addendum to the General Plan EIR, or Addendum) to review the project and examine whether the project would result in any new or substantially more severe significant impacts than were identified in the General Plan EIR. The Addendum to the General Plan EIR concluded that the project will not have any new significant impacts on the environment or substantially more severe significant impacts than were analyzed in the General Plan EIR.

On December 13, 2023, the San Benito County Planning Commission adopted Planning Commission Resolution 2023-17, recommending that the San Benito County Board of Supervisors adopt the General Plan amendment and the Addendum. On February 6, 2024, the Board of Supervisors adopted Board of

**Notice of Determination**

Page 2 of 3

Supervisors Resolution 2024-11, adopting the General Plan amendment in addition to adopting the Addendum and its finding pursuant to Sections 15162 and 15164 of State CEQA Guidelines.

**This notice is to advise that on February 6, 2024, the San Benito County Board of Supervisors, on behalf of the County of San Benito, the Lead Agency for the project, made the following determinations regarding the project:**

1. The policy enacted by the General Plan amendment was reviewed under CEQA as part of the General Plan EIR to study the environmental impacts of the General Plan, which included both inclusion and omission of New Community policy, and the General Plan EIR was certified on July 21, 2015.
2. The Board of Supervisors determined that the General Plan EIR sufficiently identifies any reasonably foreseeable effects of the General Plan amendment.
3. Pursuant to Sections 15162 and 15164 of State CEQA Guidelines, the County has found, on the basis of substantial evidence in light of the whole record, that:
  - a) The proposed General Plan amendment does not propose such substantial changes to County policy as to require major revisions to the environmental impact report due to new or substantially more severe significant environmental effects than previously analyzed in the environmental impact report.
  - b) There have been no substantial changes in circumstances under which County policy would be exercised and implemented that will require major revisions to the environmental impact report due to new or substantially more severe significant environmental effects than previously analyzed in the environmental impact report.
  - c) No new information of substantial importance as described in subsection (a)(3) of Section 15162 has been revealed that would require major revisions to the environmental impact report.
  - d) Therefore, in accordance with State CEQA Guidelines Section 15164, the Addendum to the General Plan EIR has been prepared because only minor technical changes or additions are necessary and none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred in connection with its consideration of the General Plan amendment.
  - e) As a basis for this authority, the County cites California Public Resources Code §21166, State CEQA Guidelines §15162, and State CEQA Guidelines §15164.
4. Pursuant to State CEQA Guidelines, the County of San Benito, as the Lead Agency, is filing this Notice of Determination.
5. No new mitigation measures were made a condition of the approval of the project. General Plan EIR mitigation measures consisted of revised policy subsequently incorporated into the General Plan upon its adoption, and Board of Supervisors Resolution 2024-11 found the current project consistent with the General Plan and therefore with said revised policy resulting from said General Plan EIR mitigation measures.
6. A Statement of Overriding Considerations was not adopted for the project. No new or substantially more severe significant impacts were identified.
7. Findings were made pursuant to the provisions of CEQA.

**This is to certify that the project file, which includes the Addendum to the General Plan EIR and all supporting materials, is available for review by the General Public at:**

County of San Benito Resource Management Agency  
2301 Technology Parkway  
Hollister, CA 95023-2513

The project file can also be viewed by

- 1) going to the website *aca.accela.com/SANBENITO*,
- 2) going to Planning and clicking on "Search Cases,"
- 3) entering the Record Number **REF230001** and clicking "Search," then
- 4) opening the drop-down menu "Record Info" and clicking "Attachments."



Signature (Lead Agency Contact)  
Michael Kelly

Senior Planner  
Title



Date

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Date received for filing at Clerk