

# INITIAL STUDY AND NEGATIVE DECLARATION

## ADDENDUM

### SAN BENITO HIGH SCHOOL MEASURE U PROJECT REMOVAL ACTION WORKPLAN



Prepared for  
San Benito High School District

April 2022

Prepared by  
Amy O. Skewes-Cox, AICP  
Environmental Planner



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## CHAPTER I INTRODUCTION

This Initial Study and Negative Declaration Addendum addresses the Removal Action Workplan (RAW) prepared by Padre Associates, Inc. (Padre Associates, Inc., 2022) for the San Benito High School modernization project in Hollister, CA. The RAW is necessary for the removal of contaminated soils in an area of the campus designated for a new multi-purpose building and a student quad area, which are components of the Measure U Project at San Benito High School. The Lead Agency is the San Benito High School District, and the San Benito School District Board of Trustees is the District's governing board.

### BACKGROUND

In 2018, the San Benito High School District approved an Initial Study/Negative Declaration for the Measure U Project (State Clearinghouse Number [SCH] 2018031086) (School Site Solutions, 2018), which is incorporated herein by reference. At that time, it was not known that a RAW would be required. The 2018 Initial Study/Negative Declaration addressed: (1) the conversion of an existing building to a multi-purpose and Associated Student Body (ASB) building with adjoining student quad; (2) construction of an extended parking lot; (3) replacement of the softball field; (4) installation of a track and field with lighting, a track, and field locker rooms; and (5) construction of an aquatics complex with replacement lighting and a locker room.

The need for removal of contaminated soils in the area of the ASB building and adjoining student quad was identified after the approval of the 2018 Initial Study/Negative Declaration. For this reason, an addendum was selected as the best document to meet the requirements of the California Environmental Quality Act (CEQA). Section 15164(b) of the CEQA Guidelines states that "an addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for preparation of a subsequent EIR or negative declaration have occurred." The 2018 Initial Study/Negative Declaration included a comment letter from the California Department of Toxic Substances Control (DTSC) that stated the following:

- The District shall comply with the California Education Code, Sections 17210, 17213.1 and 17213.2;
- The District shall clarify site boundaries as related to the Preliminary Environmental Assessment (PEA) of 2001 and 2017 Phase I study and further evaluate the site as related to contaminants for areas that may be proposed for development that have not undergone earlier analysis; and
- If a response action is required as a result of the above investigations, the public health and environmental impacts shall be analyzed in compliance with CEQA.<sup>1</sup>

Pursuant to CEQA Guidelines Section 15162(a), a subsequent negative declaration would be necessary if substantial changes are proposed in the project or occur with respect to the circumstances under which the

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<sup>1</sup> The Removal Action Workplan (RAW) that is the subject of this Addendum is the result of further investigations undertaken at the site where new development was proposed. This Addendum is intended to comply with the requirements of CEQA.

project is undertaken, requiring major revisions to the previous negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Given the information contained in the 2022 proposed RAW, existing conditions on the high school campus and in the vicinity, and the impacts identified in the 2018 Initial Study/Negative Declaration, it was determined that an addendum would be the appropriate document for evaluating the proposed RAW to meet the statutory requirements of CEQA.

## **ADDENDUM CONTENTS AND REVIEW**

As required pursuant to CEQA Guidelines Sections 15162(a) and 15164(e), this Addendum provides substantial evidence supporting the Lead Agency's decision not to prepare a subsequent or supplemental EIR or negative declaration. The environmental analysis evaluates the potential impacts of the proposed changes to the 2018 project in relation to the current environmental conditions and in consideration of the environmental findings for the project. As summarized in this Addendum, the proposed changes to the 2018 project are relatively minor and would not result in any new significant environmental impacts. The analysis contained herein demonstrates that all of the impact issues previously examined in the approved Negative Declaration would remain unchanged with the proposed project changes. Therefore, the analysis of the changes to the 2018 project supports the determination that the proposed changes would not involve new significant environmental effects or result in a substantial increase in the severity of previously identified significant effects that would require the preparation of a subsequent or supplemental EIR or negative declaration pursuant to Section 15162(a)(1) of the CEQA Guidelines.

Likewise, as summarized in this Addendum, the need for the RAW and removal of contaminated soils in a portion of the project area was identified after the approval of the 2018 Initial Study/Negative Declaration, but this change in the circumstances under which the project would be undertaken is not substantial, and requires only minor and/or technical changes and/or additions that can be addressed in an addendum to a negative declaration pursuant to CEQA Guidelines Section 15164(b). The change in circumstances raises no new or substantially more severe adverse effects, and the project's overall impacts, including the changed circumstances, remain unchanged as had been projected in the Initial Study/Negative Declaration. Therefore, the analysis contained herein supports the determination that the changes do not require the preparation of a subsequent or supplemental EIR or negative declaration pursuant to Section 15162(a)(2) of the CEQA Guidelines.

An addendum does not require circulation for public review but can be included or attached to the final adopted negative declaration, as stated in Section 15164(c) of the CEQA Guidelines. Before making a decision on the project, the decision-making body (which in this case is the Board of Trustees of the San Benito High School District) shall consider the Addendum with the adopted Negative Declaration.

This Addendum and approval of the proposed RAW will be heard by the Board of Trustees as follows:

Location: Davis Library

Date: May 10, 2022

Time: 7:00 PM



## REFERENCES

- Padre Associates, Inc., 2022. Removal Action Workplan: San Benito High School Modernization Project Southeast of Nash Road and West Street, Hollister, San Benito County, California, Site Code 204300, prepared for San Benito High School District, February.
- School Site Solutions, 2018. Final Initial Study and Negative Declaration for the San Benito High School Measure U Project, May.

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## CHAPTER II PROJECT DESCRIPTION AND MODIFICATIONS

1. **Project Title:** San Benito High School Measure U Project -- Removal Action Workplan
2. **Lead Agency Name and Address:**  
San Benito High School District  
1220 Monterey Street  
Hollister, CA 95023
3. **Contact Person and Phone Number:** Mr. Shawn Tennenbaum, Superintendent (831-637-5831, extension 132)
4. **Project Location:** San Benito High School campus, Nash Road between West Street and San Benito Street, Hollister, CA (Assessor Parcel Number 020-170-043)
5. **Project Sponsor's Name and Address:**  
San Benito High School District  
1220 Monterey Street  
Hollister, CA 95023
6. **General Plan Designation:** Public Facility
7. **Zoning:** Public Facility
8. **Description of Project:** San Benito High School is located on an 11.6-acre site and has a capacity for 3,000 students. The 2018 Measure U Project provides for: (1) the conversion of an existing building to a multi-purpose and Associated Student Body (ASB) building with adjoining student quad; (2) construction of an extended parking lot; (3) replacement of the softball field; (4) installation of a track and field with lighting, a track, and field locker rooms; and (5) construction of an aquatics complex with replacement lighting and a locker room (see **Figure 1**).

This Addendum addresses a proposed change to the 2018 project: a RAW that would allow for the removal of 645 cubic yards of contaminated soils from the campus where former structures have been removed (see **Figure 1** and **Figure 2**). The RAW project site is in the area of the campus designated for the ASB Project in the 2018 Measure U Project (i.e., the site labeled "1" in **Figure 1**).

Based on a review of historical aerial photographs, the 1.4-acre RAW project site was used for agricultural purposes (farm structure and orchards) from about 1939 into the early 1960s. At that point, the RAW project site was developed as part of San Benito High School. A two-story building constructed on the RAW project site still remains. Two other one-story buildings that once stood along the north and west portions of the RAW project site have been removed.

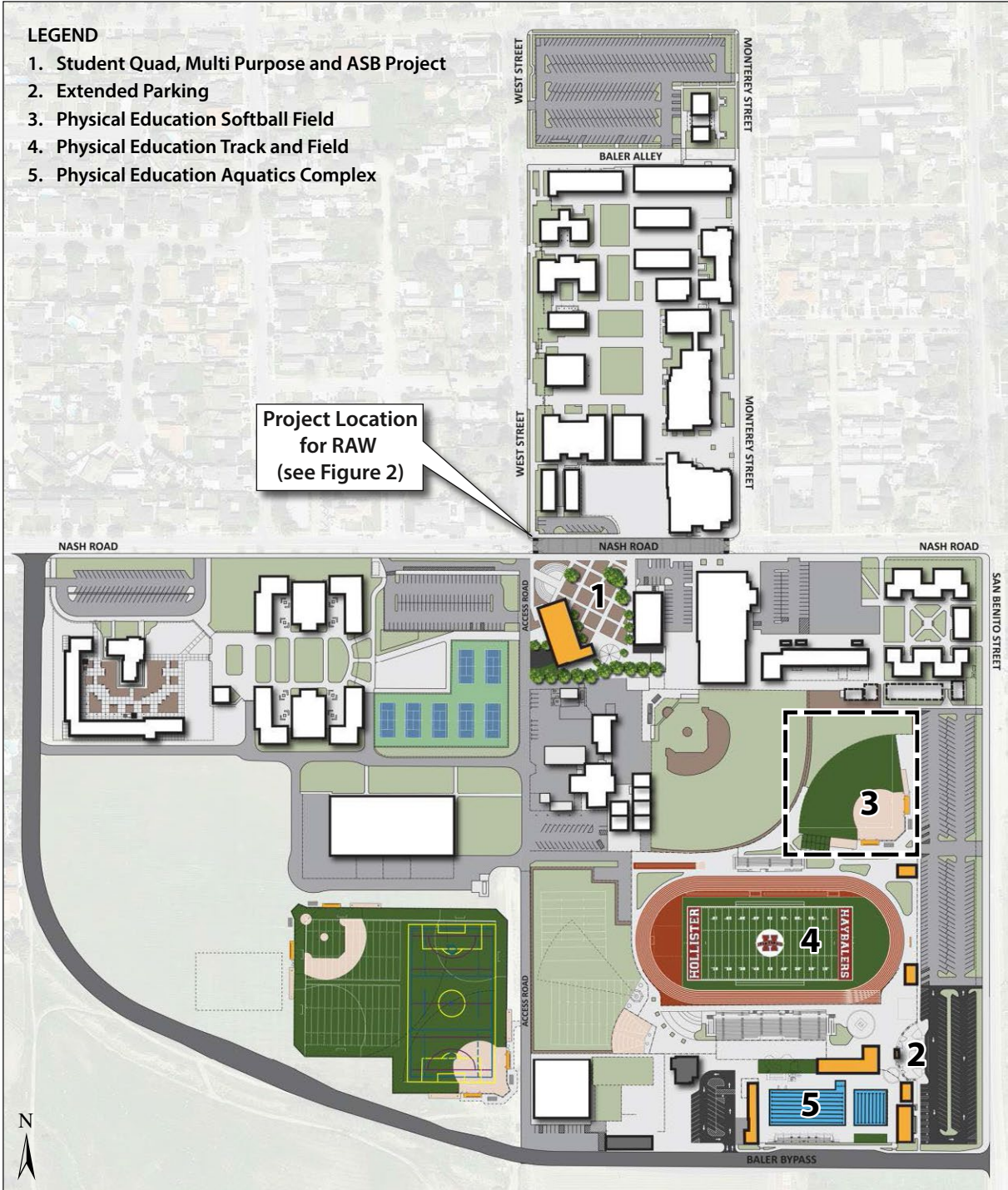


Figure 1

**PROJECT LOCATION**

SOURCE: Aedis Architects, 2017



Figure 2

PROJECT SITE AREA OF CONCERN

SOURCE: Padre Associates, Inc., 2022



A PEA conducted in 2018 determined that the following potential chemicals of concern (COC) were located on a portion of the project site (see **Figure 2**) that shall be specifically referred to herein as the RAW project site (Padre Associates, Inc., 2018):<sup>2</sup>

- Residual pesticides and arsenic in soil associated with previous agricultural use;
- Residual pesticides in soil from direct application of termiticides and/or control at the perimeter of structures;
- Residual lead in soil from weathering of lead-based paint from structures; and
- Polychlorinated biphenyls (PCBs) in soil from weathering of caulking used in weather panes containing PCBs, and PCBs in soil beneath pole-mounted electrical transformers.

The amount of lead identified was up to 720 milligrams per kilogram (mg/kg), which exceeds the DTSC school screening level of 80 mg/kg. Therefore, a Supplemental Site Investigation (SSI) was conducted in January 2020 to further delineate the horizontal and vertical extent of lead-impacted soil. It was determined that contaminants on the RAW project site could exceed the acceptable blood toxicity level of 1 microgram per deciliter. Thus, a response action to reduce or eliminate the lead-impacted soils at the site was recommended and DTSC concurred in 2020. It was determined that approximately 645 cubic yards of impacted soil would require a removal action. The other COC were not at levels that required that any action be taken.

**9. Surrounding Land Uses and Setting:** The high school campus is surrounded by San Benito Street on the east, B Street on the north, River Parkway on the south, and West Street on the west. Residential development is located north, west, and east of the campus.<sup>3</sup> The RAW project site is bordered on the north by Nash Road, beyond which are additional high school facilities. To the east, the RAW project site is bordered by a student government building and equipment storage yard. The District's bus maintenance and transportation facility is located to the south, and parking lots and tennis courts are located to the west.

**10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)**

Development of the RAW project site is controlled by the San Benito High School District. Approval by the DTSC would be required before the RAW could be undertaken.

**11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?**

According to the 2018 Initial Study/Negative Declaration for the Measure U Project (State Clearinghouse Number [SCH] 2018031086) (School Site Solutions, 2018), San Benito High School District staff met with Mr. Valentin Lopez, representative of the Amah Mutsun Tribal Band, on

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<sup>2</sup> The PEA field work was conducted in 2018. The Final PEA was dated January 11, 2019 and approved by DTSC with a Further Action Determination in a letter dated May 15, 2019.

<sup>3</sup> River Parkway is identified in Figure 1 as Baler Bypass.

February 21, 2018. After review of the project evaluated in the 2018 Initial Study/Negative Declaration, Mr. Lopez informed the District that the tribe had no specific concerns regarding the project at that time.

## **REFERENCES**

Padre Associates, Inc., 2018. Phase I Environmental Site Assessment and Title V Hazards Review, San Benito High School New Multi-Purpose Building and Student Union Area, Southeast of Nash Road and West Street, Hollister, San Benito County, California, March.

Padre Associates, Inc., 2022. Removal Action Workplan: San Benito High School Modernization Project Southeast of Nash Road and West Street, Hollister, San Benito County, California, Site Code 204300, prepared for San Benito High School District, February.

School Site Solutions, 2018. Final Initial Study and Negative Declaration for the San Benito High School Measure U Project, May.

**Environmental Factors Potentially Affected:**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Aesthetics                    | <input type="checkbox"/> Agricultural and Forestry Resources | <input type="checkbox"/> Air Quality                        |
| <input type="checkbox"/> Biological Resources          | <input type="checkbox"/> Cultural Resources                  | <input type="checkbox"/> Energy                             |
| <input type="checkbox"/> Geology and Soils             | <input type="checkbox"/> Greenhouse Gas Emissions            | <input type="checkbox"/> Hazards and Hazardous Materials    |
| <input type="checkbox"/> Hydrology and Water Quality   | <input type="checkbox"/> Land Use and Planning               | <input type="checkbox"/> Mineral Resources                  |
| <input type="checkbox"/> Noise                         | <input type="checkbox"/> Population and Housing              | <input type="checkbox"/> Public Services                    |
| <input type="checkbox"/> Recreation                    | <input type="checkbox"/> Transportation                      | <input type="checkbox"/> Tribal Cultural Resources          |
| <input type="checkbox"/> Utilities and Service Systems | <input type="checkbox"/> Wildfire                            | <input type="checkbox"/> Mandatory Findings of Significance |

**Determination.**

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION ADDENDUM will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY 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 could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) 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, nothing further is required.

\_\_\_\_\_  
Signature



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

Shawn Terrence

\_\_\_\_\_  
Date

May 10, 2022

\_\_\_\_\_  
For

## CHAPTER III ENVIRONMENTAL CHECKLIST

### INTRODUCTION

The Checklist below addresses five topics that are considered relevant to the proposed RAW soil removal project: Air Quality (Section III of the full Checklist), Hazards and Hazardous Materials (Section IX of the full Checklist), Tribal Cultural Resources (Section XVIII of the full Checklist), Wildfire (Section XX of the full Checklist), and Mandatory Findings of Significance (Section XXI of the full Checklist). The 2018 Initial Study/Negative Declaration addressed all of these topics except wildfire, which was not a required subject for the Checklist under CEQA at that time. Whenever a potentially significant impact is identified, a mitigation measure would be identified. However, no significant impacts were identified for the proposed RAW soil removal project.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or State ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### INTRODUCTION

The 2018 Initial Study/Negative Declaration completed for the Measure U Project (School Site Solutions, 2018) concluded that there would be no significant impacts requiring mitigation related to air quality.



## IMPACT EVALUATION

a) *Would the project conflict with or obstruct implementation of the applicable air quality plan?*

### **No Impact**

The RAW project site is located within the jurisdiction of the Monterey Bay Air Resources District (MBARD) and the applicable air quality plan is the 2012-2015 Air Quality Management Plan adopted in March 2017 (MBARD, 2017). The MBARD monitors air quality in the North Central Coast Air Basin (NCCAB) in which the RAW project site is located. This air basin includes Monterey, Santa Cruz, and San Benito counties. In addition to focusing on having the state ozone standard met, the MBARD also monitors for other pollutants such as inhalable particulates (PM<sub>10</sub>), fine particulates (PM<sub>2.5</sub>), carbon monoxide (CO), nitrogen dioxide (NO<sub>2</sub>), sulfur dioxide (SO<sub>2</sub>), and lead. The Air Quality Management Plan addresses ambient air quality, emission inventory trends, ozone transport, control measures, mobile source programs, public outreach, and emission reduction strategies.

The construction emissions from implementation of the RAW soil removal project would be temporary and relatively limited compared to typical land use development projects. The RAW soil removal project would not include any new stationary sources (e.g., emergency generators) or other long-term sources of air pollutant emissions. Therefore, the RAW soil removal project would not generate substantial air pollutant emissions that could potentially hinder or disrupt implementation of the Air Quality Management Plan.

b) *Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or State ambient air quality standard?*

### **Less Than Significant Impact**

Given the limited amount of construction associated with the RAW soil removal project, the project is not expected to result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard. About 54 haul truck trips would be required for the removal of the soil over one week.<sup>4</sup> The temporary emissions from these haul trips and off-road construction equipment are not expected to result in a cumulatively considerable net increase in any criteria air pollutant emissions.

c) *Would the project expose sensitive receptors to substantial pollutant concentrations?*

### **Less Than Significant Impact**

Given the limited amount of construction associated with the RAW soil removal project, the project is not expected to expose sensitive receptors to substantial pollutant concentrations. Excavated soil generated during removal action activities would be stockpiled and covered on-site pending waste characterization. It is estimated that three stockpiles would be generated. Waste characterization samples would be collected and chemically analyzed to determine the best waste disposal facility. Based on the analytical results

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<sup>4</sup> These truck loads have been estimated assuming a total of 1,064 tons of material and 20 tons per load (Padre Associates, Inc., 2022).

gathered during preparation of the RAW, it is anticipated that the removed soil would be disposed of as non-hazardous waste (Padre Associates, Inc., 2022).

Dust control measures and monitoring activities would be implemented as part of the project. As explained in Section 7.6 of the RAW, dust control measures would be put in place to ensure that dust levels do not exceed the ambient air quality standards for particulate matter. An air monitoring professional would monitor on-site meteorological instrumentation and/or coordinate with off-site meteorological professionals to identify conditions that require cessation of work. If wind speeds become elevated, initially the application of water suppressant (water) would be increased. If an uncontrollable condition (e.g., a condition exceeding dust action levels) occurs, all soil removal activities would cease, stockpiled soil(s) would be covered, and the excavation areas would be covered, if necessary. Work activities would not resume until conditions are stabilized or effective engineering control measures are implemented, and conditions are found acceptable to proceed.

As set forth in the RAW, during the course of all soil-disturbing activities (including excavation, truck loading, and soil tilling activities), dust levels would be monitored at one location upwind of the exclusion zone (i.e., the active construction site), at one location within the exclusion zone, at one location closest to the nearest residences, and at the nearest high school building (if removal is to take place during the school year). Perimeter fencing would be equipped with wind/dust/privacy screens for added off-site dust control (Padre Associates, Inc., 2022).

d) *Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?*

### **No Impact**

The RAW soil removal project would not result in other emissions (e.g., those leading to odors) adversely affecting a substantial number of people. No other emissions or odors would be associated with the project.

### **REFERENCES**

Monterey Bay Air Resources District (MBARD), 2017. 2012-2015 Air Quality Management Plan, adopted March 15.

Padre Associates, Inc., 2022. Removal Action Workplan: San Benito High School Modernization Project Southeast of Nash Road and West Street, Hollister, San Benito County, California, Site Code 204300, prepared for San Benito High School District, February.

School Site Solutions, 2018. Final Initial Study and Negative Declaration for the San Benito High School Measure U Project, May.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## INTRODUCTION

The 2018 Initial Study/Negative Declaration completed for the Measure U Project (School Site Solutions, 2018) concluded that there would be no significant impacts requiring mitigation related to hazards and hazardous materials.

## IMPACT EVALUATION

- a) *Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

### Less Than Significant Impact

The RAW has identified a total of 645 cubic yards of soil to be removed due to COC (e.g., lead) at concentrations exceeding the respective risk screening levels. The vertical extent of soil contamination extends to depths of approximately 1.5 feet. Impacts from routine transport, use, or disposal of hazardous materials would be less than significant due to existing regulations that control all of these elements of the project. Workers who handle hazardous materials are required to adhere to health and safety requirements enforced by the California Occupational Health and Safety Administration (Cal/OSHA). Hazardous materials must also be transported to and from the project site in accordance with Resource Conservation and Recovery Act (RCRA) and U.S. Department of Transportation (DOT) regulations and disposed of in accordance with RCRA regulations at a facility that is permitted to accept the waste.

Compliance with the regulations described above, including Cal/OSHA, RCRA, and DOT regulations, is included in the RAW and is part of the RAW soil removal project (Padre Associates, Inc., 2022). Compliance with these regulations would ensure that the proposed change to the Measure U Project, and the change in circumstances requiring the RAW, would not create a significant hazard to the public or the environment associated with the routine transport, use, or disposal of hazardous materials by ensuring that these materials are properly handled during construction of the project. Therefore, this impact would be less than significant.

- b) *Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

### Less Than Significant Impact

The disturbance of soils with concentrations of lead above the cleanup goals established in the RAW could potentially pose a health risk to workers, the public, or the environment during remedial action activities if the soils are not properly managed, as lead-impacted soil could be released into the environment as airborne dust or through stormwater runoff. However, the RAW includes detailed soil management and safety protocols to minimize potential health risks to workers, the public, and the environment, including procedures for dust control, air monitoring, and stormwater protection. Protocols included in the RAW that would be implemented during the remedial action include the following (Padre Associates, Inc., 2022):

- The excavation and soil stockpile areas would be fenced off and would contain the appropriate signage to prevent any pedestrians and/or site visitors from entering.
- Community members would be informed prior to initiation of any soil removal activities.
- Excavation and soil staging areas would be controlled to avoid dust generation, using water as a dust suppressant.
- Air monitoring would be performed during remedial action activities in which contaminated soils are being handled or disturbed by measuring dust levels at one location upwind of the exclusion zone, at

one location within the exclusion zone,<sup>5</sup> and at two downwind locations, with one located closest to the nearest residences. Air/dust monitoring locations would change daily in accordance with excavation location and wind direction.

- Perimeter fencing would be equipped with wind/dust/privacy screens for added off-site dust control.
- During non-excavation hours, the excavated soil stockpile(s) would be covered with plastic sheeting to prevent dust generation and/or runoff during rain events.
- The temporary on-site storage of excavated soil would be secured and properly labeled until the soil awaiting off-site transportation and disposal is ready for loading.
- Soil, debris, and dust would be removed from excavation equipment, transportation vehicles, and personnel before they leave the exclusion zone.
- Prior to leaving the project site, all truck loads would be inspected to ensure that the truck exterior is clean and clear of excess soil and debris, and that each truck load is properly covered.

As stated in the RAW, the project site air monitoring professional would monitor dust levels and have the authority to stop work in the event that on-site activities generate dust levels in excess of the dust action level (0.05 milligrams per cubic meter) at the downwind air monitoring locations. Additionally, dust control measures would be taken if visible dust emissions are observed from the point-of-origin. Generation of dust during the removal operations would be minimized as necessary with the use of water as a dust suppressant. The water would be available via a water truck or a metered discharge from a fire hydrant located proximate to the project site. The remedial action contractor would control dust generation by spraying water prior to daily work activities, during excavation/loading activities (as necessary to maintain dust concentrations below action levels), and at truck staging locations. Watering equipment would be continuously available to provide proper dust control.

The air monitoring professional would monitor on-site meteorological instrumentation and/or coordinate with off-site meteorological professionals to identify conditions that require cessation of work. If wind speeds become elevated, initially the application of water suppressant (water) would be increased. If an uncontrollable condition (e.g., a condition exceeding action levels) occurs, all removal activities would cease, stockpiled soil(s) would be covered, and the excavation areas would be covered, if necessary. Work activities would not resume until conditions are stabilized or effective engineering control measures are implemented, and conditions are found acceptable to proceed.

The stockpiled soil would be profiled for waste disposal prior to loading the soil into trucks to be transported, and properly disposed of at an approved landfill. According to the RAW, it is anticipated that the removed soil would be disposed of as non-hazardous waste.

As stated in Section 6.2.3 of the RAW, depending on weather conditions at the time of removal action activities, the following stormwater best management practices would be implemented as appropriate to prevent lead-impacted soil from affecting stormwater runoff quality:

- Control of runoff from stockpiled soil by covering each pile with plastic sheeting and surrounding the stockpile with silt fencing and/or filter roll barriers;

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<sup>5</sup> The exclusion zone includes the excavation areas; soil stockpiling areas; and soil loading areas for hauling off-site.

- Temporary perimeter controls with silt fencing and/or filter roll barriers;
- Protection of storm drain inlets with filter fabric and sand/gravel bag barriers;
- Stabilized construction entrance/exit with truck tracking controls; and
- Post-construction erosion control measures (i.e., landscape and/or hardscape ground cover).

Implementation of the remedial action activities in accordance with RAW and under DTSC oversight would ensure that the proposed change to the Measure U Project, and the change in circumstances requiring the RAW, would have a less-than-significant impact related to the potential for accidental releases of hazardous materials (e.g., lead) that are present in soil at the project site.

- c) *Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

### **Less Than Significant Impact**

The handling or emission of hazardous or acutely hazardous materials near schools must consider potential health effects on children, who are considered sensitive receptors. The RAW project site is located within the San Benito High School campus. No other school sites are within one-quarter mile of the site. The only plausible exposure pathway of concern for children at nearby schools is through the inhalation of air contaminants, such as particulate matter.

Sources of hazardous emissions during remedial action activities would include diesel particulate matter from the exhaust of construction equipment (e.g., excavator and loader) and dust (which could also contain lead). See Item b above for discussion of wind and dust issues during soil removal.

As discussed under Item b above, implementation of the remedial action activities in accordance with DTSC oversight and the RAW would ensure that the proposed change to the Measure U Project, and the change in circumstances requiring the RAW, would have a less-than-significant impact related to the potential release of dust and lead into the air. As discussed in Section III, Air Quality, the RAW soil removal project is not expected to expose sensitive receptors to substantial pollutant concentrations, given the limited extent and temporary nature of construction activities. The project therefore would not pose a significant health risk to students on the San Benito High School campus.

- d) *Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

### **No Impact**

The provisions of California Government Code Section 65962.5 require the State Water Resources Control Board, DTSC, California Department of Health Services, and California Department of Resources Recycling and Recovery to submit information to the California Environmental Protection Agency pertaining to sites that were associated with solid waste disposal, hazardous waste disposal, and/or hazardous materials releases. The compilation of hazardous materials release sites that meet criteria specified in Government Code Section 65962.5 is known as the Cortese List. The project site is not included on any of the lists of hazardous materials releases sites that meet the criteria for inclusion on the Cortese List

(California Environmental Protection Agency, 2022). Therefore, the RAW soil removal project would not be located on a hazardous materials release site included on the Cortese List and would not create any hazards related to such sites.

- e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?*

### **No Impact**

No airports are located within two miles of the RAW project site (School Site Selections, 2018). Therefore, the project would have no impacts related to aviation hazards.

- f) *Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

### **Less Than Significant Impact**

The RAW soil removal project would not alter the current emergency vehicle access, nor would it affect vehicle circulation at the RAW project site. Therefore, the project would have a less-than-significant impact on the implementation of any emergency response and evacuation plans.

- g) *Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?*

### **No Impact**

The RAW project site is surrounded by educational and residential land uses in a highly urbanized area and is not located near heavily vegetated areas. The project site is not located in an area mapped as Moderate, High, or Very High Fire Hazard Severity Zone by the California Department of Forestry and Fire Protection (CAL FIRE, 2007). Therefore, the RAW soil removal project would have no impact related to wildland fire hazards.

## **REFERENCES**

California Department of Forestry and Fire Protection (CAL FIRE), 2007. Map showing fire severity zones at website viewed on March 7, 2022: <https://egis.fire.ca.gov/FHSZ/>.

California Environmental Protection Agency, 2022. Cortese List Data Resources. Website available at: <https://calepa.ca.gov/sitecleanup/corteselist/>, accessed March 14.

Padre Associates, Inc., 2018. Phase I Environmental Site Assessment and Title V Hazards Review, San Benito High School New Multi-Purpose Building and Student Union Area, Southeast of Nash Road and West Street, Hollister, San Benito County, California, March.

Padre Associates, Inc., 2022. Removal Action Workplan: San Benito High School Modernization Project Southeast of Nash Road and West Street, Hollister, San Benito County, California, Site Code 204300, prepared for San Benito High School District, February.

School Site Solutions, 2018. Final Initial Study and Negative Declaration for the San Benito High School Measure U Project, May.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVIII. TRIBAL CULTURAL RESOURCES. Would the project:				
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and this is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k); or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**IMPACT EVALUATION**

- a) *Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: (i) Listed or eligible for listing in the California Register of Historical Resources or in a local register of historical resources as defined in Public Resources Code section 5020.1(k); or ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1?*

**Less Than Significant Impact**

According to the 2018 Initial Study/Negative Declaration for the Measure U Project (School Site Solutions, 2018), San Benito High School District staff met with Mr. Valentin Lopez, representative of the Amah Mutsun Tribal Band, on February 21, 2018. After review of the project evaluated in the 2018 Initial Study/Negative Declaration, Mr. Lopez informed the District that the tribe had no specific concerns regarding the project at that time. It is assumed that the removal of contaminated soils as provided by the RAW would also be considered acceptable because the excavation of soils would be only 1.5 feet and



would not be expected to uncover tribal resources. In addition, Appendix F of the 2018 Initial Study/Negative Declaration provided cultural resource protection measures to include in any contract specifications. The measures address actions to take should cultural resources be uncovered during construction activities. For these reasons, the project would have a less-than-significant impact on tribal cultural resources.

## REFERENCES

School Site Solutions, 2018. Final Initial Study and Negative Declaration for the San Benito High School Measure U Project, May.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XX. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## IMPACT EVALUATION

a) *Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?*

### No Impact

The RAW project site is surrounded by educational and residential land uses in a highly urbanized area and is not located near heavily vegetated areas. The project site is not located in an area mapped as Moderate, High, or Very High Fire Hazard Severity Zone by the California Department of Forestry and Fire Protection (CAL FIRE, 2007). The project would not substantially impair an adopted emergency response plan or an emergency evacuation plan. The site is well served by public roads and no road closures would be necessary during the soil removal activities.

- b) *Due to slope, prevailing winds, and other factors, would the project exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?*

**No Impact**

The RAW project site is level and is not subject to severe wildland fires. The project site is not located in an area mapped as Moderate, High, or Very High Fire Hazard Severity Zone by the California Department of Forestry and Fire Protection (CAL FIRE, 2007).

- c) *Would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?*

**No Impact**

The RAW project site is surrounded by educational and residential land uses in a highly urbanized area and is not located near heavily vegetated areas. The project site is not located in an area mapped as Moderate, High, or Very High Fire Hazard Severity Zone by the California Department of Forestry and Fire Protection (CAL FIRE, 2007). The project would not require the installation or maintenance of associated infrastructure that could exacerbate fire risk or result in temporary or ongoing impacts to the environment. No infrastructure would be required for the project, which would be short term.

- d) *Would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

**No Impact**

As mentioned above, the site is level and not subject to landslides, nor is it within a fire hazard zone. People or structures would not be exposed to significant risks such as flooding or runoff.

**REFERENCES**

California Department of Forestry and Fire Protection (CAL FIRE), 2007. Map showing fire severity zones at website viewed on March 7, 2022: <https://egis.fire.ca.gov/FHSZ/>.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XXI. MANDATORY FINDINGS OF SIGNIFICANCE.				
a) Does the project have the potential to substantially degrade the quality of the environment, 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, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## IMPACT EVALUATION

- a) *Does the project have the potential to substantially degrade the quality of the environment, 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, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?*

### No Impact

The proposed RAW soil removal project would not create any significant impacts related to habitat, fish or wildlife populations, plant or animal communities, rare or endangered plants or animals, or examples of major periods of California history or prehistory.

- b) *Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)*

### No Impact

The proposed RAW soil removal project would be limited to the specific area of the soil removal actions and would not contribute to any cumulative effects. No other development projects are proposed in the vicinity of the San Benito High School campus (Lopez, 2022).

- c) *Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

### No Impact

The proposed RAW soil removal project would not cause substantial direct or indirect impacts on human beings. Protocols included in the project and enforced by federal, state, and local agencies, as described in Sections III and IX of this chapter, would limit the project’s air quality and hazards impacts.

## REFERENCES

Lopez, Vanessa, City of Hollister Planning Department, 2022. Personal communication with A. Skewes-Cox, March 10.