Pereira Subdivision
Public Review Draft Initial Study / Mitigated Negative Declaration

Prepared By
City of Ripon
Planning Department
259 North Wilma Avenue
Ripon, CA 95366

Prepared with the Assistance Of
J.B. Anderson Land Use Planning
139 S. Stockton Avenue
Ripon, California 95366

December 2019
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MITIGATED NEGATIVE DECLARATION

Lead Agency:
City of Ripon
259 North Wilma Avenue
Ripon, California 95366

PROJECT NAME:
Pereira Subdivision – Annexation (A19-01)
Prezone (Z19-01)
Development Agreement (DA19-01)
Tentative Subdivision Map (S19-01)

PROJECT PROONENT AND LEAD AGENCY:
Project Applicant: HPG Ripon Development, LLC.
P.O. Box 1096
Danville, CA 94526

Property Owner(s): Pereira Properties
2478 East Avenue
Turlock, CA 95380
Gregory R. and Donna L. Miller
22874 N. Ripon Road
Ripon, CA 95366

Lead Agency: City of Ripon
Planning Department
259 North Wilma Avenue
Ripon, California 95366

PROJECT LOCATION:
The Proposed Project is located within the County of San Joaquin, adjacent to the Ripon City limits. Specifically, the project is bounded by row crops to the north, John Roos Avenue to the east, E. Boesch Drive to the south, and N. Ripon Road and N. Stockton Avenue to the west. The project site is further identified as having an Accessor Parcel Number (APN) of 261-210-08 and -09. The project site is within the Ripon’s Sphere of Influence, the 10-year planning horizon, as adopted by San Joaquin Local Agency Formation Commission (LAFCo) in 2018.
PROJECT DESCRIPTION:

The Proposed Project is comprised of two (2) parcels totaling 17.9± acres located at the northeast corner of N. Ripon Road/N. Stockton Avenue and E. Boesch Drive. The project is located outside of the City of Ripon limits, but is surrounded on three (3) sides by City limits and is located within the City’s adopted Sphere of Influence. As discussed above, the project site is bordered by row crops and two (2) single-family homes to the north, which currently reside outside of city limits and will remain outside city limits after annexation. The other three (3) borders, John Roos Avenue to the east, E. Boesch Drive to the south and N. Ripon Road/N. Stockton Avenue to the west, all currently reside within city limits and contain developed single-family homes.

The Proposed Project consists of the following entitlements:

- Pre-Zone;
- Annexation;
- Tentative Subdivision Map; and,
- Development Agreement.

The project site has an existing General Plan 2040 Land Use Designation of High-Low Density Residential (HLD), which allows for a maximum seven (7) dwelling units per gross acre (du/ac). An illustration of the General Plan Land Use Designation Map is included in this Initial Study as Figure 2.

**Pre-Zone**

The project site is located within the unincorporated area of San Joaquin County. The current zoning for the property is Agriculture-Urban Reserve (AU-20) and General Agriculture (AG-40). The applicant is proposing to pre-zone the project site to Single Family Urban (R1U) which includes a mixture of Single-Family Residential (R1), Single-family Residential – Large (R1-L), Single-family Residential – Custom (R1-C), and Limited Multiple Family (R3). The multiple zoning allows for a variety of lot sizes and is consistent with the City of Ripon’s existing General Plan. A Zoning Exhibit is included in this Initial Study as Figure 3.

**Annexation**

The Proposed Project includes an Annexation of approximately 17.19± acres into the City of Ripon. As discussed above, the project site is adjacent to the City of Ripon limits on three (3) sides and is within the City’s Sphere of Influence (SOI) and General Plan 2040 area (Milgeo Planning District). According to the City’s Municipal Service Review (MSR), adopted by SJ LAFCo in 2018, the project site is within the City’s 10-year Planning Horizon (SOI). The Annexation Exhibit is included in this Initial Study as Figure 4.
Tentative Subdivision Map

As noted above, the proposed project includes the subdivision of two (2) properties that are 17.19± acres in size (APNs: 261-210-08 & -09) into forty-seven (47) single-family residential lots for a gross density of 2.88 dwelling units per acre (du/ac). A remainder lot is included (Lot 48) to preserve an existing single-family residential unit and associated accessory structures. Four (4) of the forty-seven (47) lots are to be offered as affordable housing units consistent with the Ripon Municipal Code Chapter 16.194 (Affordable Housing). The proposed project will also include the demolition of one (1) existing residential home, a barn, an existing well, and an abandonment of an existing septic tank. The proposed project will include a variety of lot sizes, with a minimum lot size of 5,500 square feet and maximum of 15,500 square feet. The Tentative Subdivision Map (TSM), Topography Map, Dimension Plan, and Utility Plan are included in this Initial Study as Figure 5.

Primary access to the project site will be provided via installation of new streets (Pleasant Bay Drive, Drive A and Drive B) within the subdivision, extension of John Roos Avenue along the eastern border of the project site and construction of a portion of Shasta Avenue along the northern border, which per the City’s General Plan 2040, will ultimately extend to the east and west (connecting to the existing Shasta Avenue to the west). According to the TSM, the future widening of John Roos Avenue will be sixty (60) feet of right-of-way acquisition from the property to the east (identified as Accessor Parcel Number of 261-210-03). In addition, construction of Shasta Avenue (seventy-four (74) feet of right-of-way) along a portion of the northern border of the project site will include the acquisition of thirty-seven (37) feet of right-of-way from the property to the north (identified as Accessor Parcel Number of 261-210-20). The Annexation Exhibit (Figure 4) includes the full right-of-way of John Roos Avenue and Shasta Avenue. The dedication of land from the adjacent property owners will occur prior to the approval of the Final Map and is included as part of the Conditions of Approval for the Proposed Project. Following approval of the Annexation, the project proponent will execute agreements with the adjacent property owners for the dedication. Shasta Avenue will be improved to the northern curb-line and John Roos Avenue will be improved to the eastern curb-line. Future development to the north and east (north-east) will be required to install the remaining improvements, such as the sidewalk.

Domestic water will be provided to the Proposed Project via connecting to an existing water line in N. Ripon Road, Boesch Drive, and John Roos Avenue, which will provide water services to lots fronting those roadways. The water line will extend through Pleasant Bay Drive, Drive A and Drive B to serve the subdivision and extended along John Roos Avenue and Shasta Avenue.

Sanitary sewer services will be provided to the Proposed Project via connecting to existing sanitary sewer lines in N. Ripon Road, Boesch Drive and John Roos avenue. Sanitary sewer lines will be extended through the subdivision streets and north along John Roos Avenue and then to Shasta Avenue. As discussed above, according to project plans, an existing septic tank will be abandoned and removed as part of the development of this project.
Storm water services are to be provided by the City of Ripon and development of the Proposed Project will include necessary connections to the existing storm water system in this area. The Proposed Project includes connection to the existing 18” storm drain line in Boesch Drive and a 30” storm drain line in John Roos Avenue. The Proposed Project also includes an extension of the John Roos Avenue storm drain line north and to Shasta Avenue. Five (5) private irrigation gate structures, located on the northern border of the project site, are to be relocated.

**Development Agreement**

The Proposed Project includes a Development Agreement to memorialize the Tentative Map life, impact fees, project requirements (i.e. Conditions of Approval), extension of City services to the subdivision and language regarding agricultural land mitigation requirements for the project.

**ENVIRONMENTAL DETERMINATION:**

The Lead Agency has prepared an Initial Study, which considers the potential environmental effects of the Proposed Project. The Initial Study shows 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.

**MITIGATION MEASURES:**

The following Mitigation Measures shall be incorporated into the Proposed Project:

*Mitigation Measure HAZ-1*
Prior to the issuance of a demolition permit to remove any structures on the project site, the applicant and/or project proponent, shall prepare and submit to the City a Phase I/Environmental Site Assessment (ESA). The recommendations of the Phase I/ESA shall be incorporated into the Proposed Project, as deemed necessary by City staff.

*Mitigation Measure AG-1*
The Applicant shall enter into an agreement with the Central Valley Farm Trust for the permanent protection of farmland or other form of agricultural land mitigation as approved by the City Council of the City of Ripon. Proof of an agreement shall be transmitted to the City of Ripon prior to recordation of the final map.

*Mitigation Measure AIR-1*
Prior to issuance of a building permit, the applicant shall demonstrate compliance with all applicable rules and regulations of the San Joaquin Valley Air Pollution Control District (SJVAPCD). The applicant shall submit proof of compliance with applicable SJVAPD rules and regulations prior to the issuance of a
building permit. Applicable rules and regulations include but are not limited to a Dust Control Plan (Rule 8021) and Air Impact Assessment (Rule 9510).

**Mitigation Measure BIO-1**
Prior to commencement of any grading activities, the project proponent shall seek coverage under the San Joaquin Multi-Species Habitat Conservation and Open Space Plan to mitigate for habitat impacts to covered special status species. Coverage involves compensation for habitat impacts on covered species through payment of development fees for conversion of open space lands that may provide habitat for covered special status species. Coverage under the SJMSCP would fully mitigate all habitat impacts on covered special-status species. Proof of coverage and participation in the Plan shall be submitted to the City prior to the issuance of a grading permit.

**Mitigation Measure BIO-2**
Prior to the commencement of grading activities, the project proponent shall submit a Tree Management Plan for review and approval by the City Planning Department. The Tree Management Plan shall include but not limited to the following information:

- Location, size, type and species of all existing trees on the project site;
- Tree removal plan (i.e. identifying trees that are to be removed as part of the proposed project). Tree removal plan shall include justification for removal of existing trees;
- Landscape Plan illustrating proposed planting plan for the proposed project; and
- Plan to avoid tree damage and removal of existing trees on the project site that are not identified in the tree removal plan.

[Signature]
Mr. Ken Zuidervaart, Director of Planning

Date: 12-2-19
INITIAL STUDY

1. PROJECT TITLE

Pereira Subdivision –
Annexation (A19-01)
Prezone (Z19-01)
Development Agreement (DA19-01)
Tentative Subdivision Map (S19-01)

2. LEAD AGENCY NAME AND ADDRESS

City of Ripon
259 North Wilma Avenue
Ripon, CA 95366

3. CONTACT PERSON AND PHONE NUMBER

Mr. Ken Zuidervaart
(209) 599-2108
kzuidervaart@cityofripon.org

4. PROJECT LOCATION

The Proposed Project is located within the County of San Joaquin, adjacent to the City of Ripon City limits. Specifically, the project is bounded by row crops to the north, John Roos Avenue to the east, E. Boesch Drive to the south, and N. Ripon Road and N. Stockton Avenue to the west. The project site is further identified as having an Accessor Parcel Number (APN) of 261-210-08 and -09.

5. PROJECT SPONSOR’S NAME AND ADDRESS

HPG Ripon Development, LLC.
P.O. Box 1096
Danville, CA 94526

6. EXISTING SETTING

As Stated above, the project site includes two (2) parcels located north of Boesch Drive. The parcel identified as having an APN of 261-210-08 is vacant, undeveloped and relatively flat in topography. According to the Tentative Subdivision Map (TSM), there is an existing ten (10) foot roadway easement and electrical transmission line easement, which will be abandoned upon development of the project site, that runs east to west through the property. Traditionally, the property was used for agricultural purposes and the current zoning of the property is Agriculture-Urban Reserve (AU-20) and General Agriculture (AG-
40). The parcel identified as having an APN of 261-210-09 is improved with a single-family residential unit and associated accessory structures (barn, garage, etc.) and would remain as a result of the subdivision of the two (2) parcels (identified as Parcel #48 on the TSM). Site photographs are included in this Initial Study as Figure 1 below.

7. **Existing General Plan 2040 Designation**

The project site has a current General Plan 2040 Land Use Designation of High-Low Density Residential (HLD). The HLD Designation promotes single-family detached and attached homes, secondary dwelling units, limited multi-family residential units, limited agricultural uses, public and quasi-public uses, and similar and compatible uses with a maximum residential density of seven (7) dwellings units per gross acre.

8. **Planning District**

The Proposed Project is located within the Milgeo Planning District. The Milgeo Planning District includes about one-half of properties located within the Core Area while the other half is in the Phase Two development area, according to the City's MSR which was adopted in 2018. As of 1997, all of the properties in this district are outside of the City limits and consist of a mixture of medium and small size parcels.

9. **Existing and Proposed Zoning**

The project site is located within the unincorporated area of San Joaquin County. The current zoning for the property is Agriculture-Urban Reserve (AU-20) and General Agriculture (AG-40). The Proposed Project zoning is R1U (Single Family Residential Urban) which includes a mixture of Single-family Residential (R1), Single-family Residential – Large (R1-L), Single-family Residential – Custom (R1-C), and Limited Multiple Family (R3).

10. **Surrounding Land Uses and Setting**

The project site is surrounded by row crops and ranchette style homes to the north, and single-family residential uses to the east, south and west. The project site is adjacent to the City limits of Ripon on three (3) sides (east, south and west). The surrounding land uses include:

<table>
<thead>
<tr>
<th>Project Site</th>
<th>EXISTING LAND USE</th>
<th>ZONING (City/County)</th>
<th>RIPON GENERAL PLAN</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Site</td>
<td>Vacant Land and Ranchette Home</td>
<td>Agriculture-Urban Reserve (AU-20) and General Agriculture (AG-40) (SJ County)</td>
<td>High-Low Density Residential (HLD)</td>
</tr>
<tr>
<td>North</td>
<td>Row Crops</td>
<td>General Agriculture (AG-40) (SJ County)</td>
<td>High-Low Density Residential (HLD)</td>
</tr>
<tr>
<td>South</td>
<td>Single-family Residential</td>
<td>Single-family Residential (R1A) (Ripon)</td>
<td>Low Density Residential (LD)</td>
</tr>
<tr>
<td>-----------</td>
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<td>----------------------------------------</td>
<td>-------------------------------</td>
</tr>
<tr>
<td>East</td>
<td>Single-family Residential</td>
<td>Single-family Residential (R1A) (Ripon)</td>
<td>Low Density Residential (LD)</td>
</tr>
<tr>
<td>West</td>
<td>Single-family Residential</td>
<td>Single-family Residential (R1A) (Ripon)</td>
<td>Low Density Residential (LD)</td>
</tr>
</tbody>
</table>

11. **Description of the Project**

The Proposed Project is comprised of two (2) parcels totaling 17.9± acres located at the northeast corner of N. Ripon Road/N. Stockton Avenue and E. Boesch Drive. The project is located outside of the City of Ripon limits, but is surrounded on three (3) sides by City limits and is located within the City’s adopted Sphere of Influence. As discussed above, the project site is bordered by row crops and two (2) single-family homes to the north, which currently reside outside of city limits and will remain outside city limits after annexation. The other three (3) borders, John Roos Avenue to the east, E. Boesch Drive to the south and N. Ripon Road/N. Stockton Avenue to the west, all currently reside within city limits and contain developed single-family homes.

The Proposed Project consists of the following entitlements:

- Pre-Zone;
- Annexation;
- Tentative Subdivision Map; and,
- Development Agreement.

The project site has an existing General Plan 2040 Land Use Designation of High Low Density Residential (HLD) which allows for a maximum seven (7) dwelling units per gross acre (du/ac). An illustration of the General Plan Land Use Designation Map is included in this Initial Study as Figure 2.

**Pre-Zone**

The project site is located within the unincorporated area of San Joaquin County. The current zoning for the property is Agriculture-Urban Reserve (AU-20) and General Agriculture (AG-40). The applicant is proposing to pre-zone the project site to Single Family Urban (R1U) which includes a mixture of Single-Family Residential (R1), Single-family Residential – Large (R1-L), Single-family Residential – Custom (R1-C), and Limited Multiple Family (R3). The multiple zoning allows for a variety of lot sizes and is consistent with the City of Ripon’s existing General Plan A Zoning Exhibit is included in this Initial Study as Figure 3.
Annexation

The Proposed Project includes an Annexation of approximately 17.19± acres into the City of Ripon. As discussed above, the project site is adjacent to the City of Ripon limits on three (3) sides and is within the City’s Sphere of Influence (SOI) and General Plan 2040 area (Milgeo Planning District). According to the City’s Municipal Service Review (MSR), adopted by SJ LAFCo in 2018, the project site is within the City’s 10-year Planning Horizon (SOI). The Annexation Exhibit is included in this Initial Study as Figure 4.

Tentative Subdivision Map

As noted above, the proposed project includes the subdivision of two (2) properties that are 17.19± acres in size (APNs: 261-210-08 & -09) into forty-seven (47) single-family residential lots for a gross density of 2.88 dwelling units per acre (du/ac). A remainder lot is included (Lot 48) to preserve an existing single-family residential unit and associated accessory structures. Four (4) of the forty-seven (47) lots are to be offered as affordable housing units consistent with the Ripon Municipal Code Chapter 16.194 (Affordable Housing). The proposed project will also include the demolition of one (1) existing residential home, a barn, an existing well, and an abandonment of an existing septic tank. The proposed project will include a variety of lot sizes, with a minimum lot size of 5,500 square feet and maximum of 15,500 square feet. The Tentative Subdivision Map (TSM), Topography Map, Dimension Plan, and Utility Plan are included in this Initial Study as Figure 5.

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Domestic water will be provided to the Proposed Project via connecting to an existing water line in N. Ripon Road, Boesch Drive, and John Roos Avenue, which will provide water services to lots fronting those roadways. The water line will extend through Pleasant Bay Drive, Drive A and Drive B to serve the subdivision and extended along John Roos Avenue and Shasta Avenue.
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Storm water services are to be provided by the City of Ripon and development of the Proposed Project will include necessary connections to the existing storm water system in this area. The Proposed Project includes connection to the existing 18” storm drain line in Boesch Drive and a 30” storm drain line in John Roos Avenue. The Proposed Project also includes an extension of the John Roos Avenue storm drain line north and to Shasta Avenue. Five (5) private irrigation gate structures, located on the northern border of the project site, are to be relocated.

**Development Agreement**

The Proposed Project includes a Development Agreement to memorialize the Tentative Map life, set impact fees, define project requirements (i.e. Conditions of Approval), confirm extension of City services to the subdivision, and language regarding agricultural land mitigation requirements for the project.

**12. OTHER PUBLIC AGENCIES WHOSE APPROVAL IS REQUIRED:**

Other public agencies which approval is required (e.g. permits, financing approval, or participation agreement):

- Annexation - San Joaquin Local Agency Formation Commission (LAFCo)
- Air Quality Rules and Regulations – San Joaquin Valley Air Pollution Control District (SJVAPCD)

**13. HAVE CALIFORNIA NATIVE AMERICAN TRIBES TRADITIONALLY AND CULTURALLY AFFILIATED WITH THE PROJECT AREA REQUESTED CONSULTATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 21080.3.1?**

None have requested consultation.
Figure 1 – Site Photographs

Looking North from E. Boesch Dr. and N. Ripon Rd. Intersection

Looking North from E. Boesch Dr.

Looking NW from E. Boesch Dr.

Looking South from John Roos Ave.
Looking West from E. Boesch Dr.

Looking West from John Roos Ave.
Figure 2 – General Plan Designation Map

[Map showing various designations with a red outline indicating the Project Site]
**ENVIRONMENTAL FACTORS**

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.

<table>
<thead>
<tr>
<th>Aesthetics</th>
<th>X</th>
<th>Agriculture and Forestry Resources</th>
<th>X</th>
<th>Air Quality</th>
</tr>
</thead>
<tbody>
<tr>
<td>X Biological Resources</td>
<td></td>
<td>Cultural Resources</td>
<td></td>
<td>Energy</td>
</tr>
<tr>
<td>Geology and Soils</td>
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<td>Greenhouse Gas Emissions Materials</td>
<td></td>
<td>X Hazards and Hazardous</td>
</tr>
<tr>
<td>Hydrology and Water Quality</td>
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<td>Wildfire</td>
<td></td>
<td>Mandatory Findings of Significance</td>
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20
**LEAD AGENCY DETERMINATION:**

On the basis of this initial evaluation:

<p>| | |</p>
<table>
<thead>
<tr>
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<tbody>
<tr>
<td></td>
<td>I find that the Proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.</td>
</tr>
<tr>
<td>X</td>
<td>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.</td>
</tr>
<tr>
<td></td>
<td>I find that the Proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.</td>
</tr>
<tr>
<td></td>
<td>I find that the Proposed Project MAY have a &quot;potentially significant impact&quot; or &quot;potentially significant unless mitigated&quot; 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.</td>
</tr>
<tr>
<td></td>
<td>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.</td>
</tr>
</tbody>
</table>

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Mr. Ken Zuidervaart, Director of Planning  

Date: 12-2-19
EVALUATION INSTRUCTIONS:

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

a) Earlier Analysis Used. Identify and State where they are available for review.

b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and State whether such effects were addressed by mitigation measures based on the earlier analysis.

c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the Statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used, or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:

a) The significance criteria or threshold, if any, used to evaluate each question; and

b) The mitigation measure identified, if any, to reduce the impact to less than significance.