



City of Los Banos

At the Crossroads of California

NOTICE OF INTENT TO ADOPT MITIGATED NEGATIVE DECLARATION AND NOTICE OF PUBLIC MEETING

F Street Multi-Family Project General Plan Amendment #2020-02, Zone Change #2020-02, and Site Plan Review #2020-06

Notice is hereby given that the City of Los Banos has prepared an Initial Study (IS) of environmental effects, and intends to adopt a Mitigated Negative Declaration (MND), for the F Street Multi-Family Project, Application Nos. GPA #2020-02, ZC #2020-02, and SPR #2020-06. The proposed project consists of a General Plan Amendment of 0.90 acres from Industrial to High Density Residential; a Zone Change of 0.90 acres from General Commercial (C-1) to High Density Residential (R-3); and the construction of two (2) multi-family buildings (9,068 square feet each) with a total of 16 residential dwelling units. The project site is located on the southwest corner of F Street and Santa Rita Avenue; more specifically identified as Assessor's Parcel Number: 025-152-005.

The IS/MND has analyzed the potential environmental effects of the project in the range of environmental subject areas specified in the California Environmental Quality Act (CEQA) and the CEQA Guidelines. On the basis of this analysis, the IS/MND finds that the project will not involve any significant environmental effects, provided that the mitigation measures described in the IS/MND are implemented. The City will consider the adoption of the Mitigated Negative Declaration, and proposed mitigation measures in a Mitigation Monitoring/Reporting Plan before approval of the proposed improvement project.

Copies of the IS/MND are available for public review at the City of Los Banos City Hall at 520 J Street, Los Banos, California 93635.

The City of Los Banos will accept public and agency comments on the IS/MND during a 30-day review period that will begin on September 10, 2021, and end at 5:00 p.m. on October 11, 2021. Comments may be sent to the City of Los Banos, 520 J Street, Los Banos, CA 93635, Attn: Stacy Souza Elms, Community and Economic Development Director.

In addition, notice is hereby given that the Los Banos Planning Commission will consider a recommendation to the Los Banos City Council on the IS/MND and Mitigation Monitoring/Reporting Plan for the project at a public meeting scheduled for October 13, 2021, at 6:00 p.m. to be held virtually via Zoom.

Stacy Souza Elms, Community and Economic Development Director

September 10, 2021



City of
Los Banos
At the Crossroads of California

Initial Study/ Mitigated Negative Declaration

F Street Multi-Family

**General Plan Amendment #2020-02 Zone Change #2020-02,
and Site Plan Review #2020-06**

September 10, 2021

Lead Agency:

City of Los Banos

Community and Economic Development Department

Contact: Rudy Luquin

Associate Planner

City Hall 520 J St.

Los Banos, CA 93635

(209) 827-2432

www.losbanos.org

Purpose

The California Environmental Quality Act (CEQA) requires that public agencies document and consider the potential environmental effects of any agency actions that meet CEQA's definition of a "Project". Briefly summarized, a "Project" is an action that has the potential to result in direct or indirect physical changes in the environment. A Project includes the agency's direct activities as well as activities that involve public agency approvals or funding. Guidelines for an agency's implementation of CEQA are found in the "CEQA Guidelines" (Title 14, Chapter 3 of the California Code of Regulations).

Provided that a Project is not found to be exempt from CEQA, the first step in the agency's evaluation of the potential environmental effects of the Project is the preparation of an Initial Study. The purpose of an Initial Study is to determine whether the Project would involve "significant" environmental effects as defined by CEQA and to describe feasible mitigation measures that would be necessary to avoid the significant effects or reduce them to a less than significant level. In the event that the Initial Study does not identify significant effects, or identifies mitigation measures that would reduce all of the significant effects of the Project to a less than significant level, the agency may prepare a Negative Declaration. If this is not the case, the agency must prepare an Environmental Impact Report (EIR); the agency may also decide to proceed directly with the preparation of an EIR without preparation of an Initial Study.

The purpose of this Initial Study and Proposed Mitigated Negative Declaration (IS/MND) is to identify the potential environmental impacts and proposed mitigation measures associated with the proposed Stonefield Home, Inc. Project located within the City of Los Banos, County of Merced.

Pursuant to Section 15367 of the CEQA Guidelines, the City is the Lead Agency in the preparation of this IS/MND, and any additional environmental documentation required for the Project. The City has responsibility for approval or denial of the Project application. The intended use of this document is to provide information to support conclusions regarding the potential environmental impacts of the Project. The IS/MND provides the basis for input from public agencies, organizations, and interested members of the public.

Project Location

The Project site is located within the City of Los Banos, County of Merced. Specifically, the project is located at 1133 F Street (APN:025-152-005) on approximate 0.90 acres on the south west corner of Santa Rita Avenue and F Street. The uses surrounding the site include:

East: Vacant commercial parcel

South: Existing business

West: Existing mechanic shop

North: Existing multi-family residential development

Project Description

The proposed project consists of a General Plan Amendment of 0.90 acres from Industrial to High Density Residential; a Zone Change of 0.90 acres from General Commercial (C-1) to High Density Residential (R-3); and the construction of two (2) multi-family buildings (9,068 square feet each) with a total of 16 residential dwelling units. The proposed parcel will be developed in accordance with Title 9, Chapter 3, Article 8, High Density Residential (R-3) of the Los Banos Municipal Code and the High Density Residential (HDR) land use designation from the Los Banos 2030 General Plan.

A copy of the proposed project's Site Plan is included as part of this Initial Study as Exhibit A.

Domestic water services will be provided by the City of Los Banos by connecting to an existing eight (8) inch water line located on Santa Rita Avenue. Sanitary sewer services will be provided by connecting to the City of Los Banos off of Santa Rita Avenue. Storm drain services will be provided by connecting to an existing eighteen (18) inch line located on F St. Fire hydrants will also be installed in accordance with the City of Los Banos Fire Department standards and specifications. Dry utilities (i.e. gas and electric) will be provided via Pacific Gas and Electric.

The existing site includes disked vacant land. No structures currently exist on the site.

Environmental Determination:

The Lead Agency has prepared an Initial Study, following, which considers the potential environmental effects of the proposed project. The Initial Study shows that there is no substantial evidence, in light of the whole record before the Lead Agency, that the project may have a potentially significant effect on the environment, provided that the following mitigation measures are included in the project.

MITIGATION MEASURES:

The following mitigation measures shall be incorporated into the proposed project:

Mitigation Measure V-1:

In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps shall be taken:

1. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until;
 - a. The corner of Merced County is contacted to determine that no investigation of the cause of death is required; and
 - b. If the corner determines the remains to be Native American:
 - i. The corner shall contact the Native American Heritage Commission within 24 hours.
 - ii. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American.

Mitigation Measure VIII-1:

Prior to the approval of the proposed project's Improvement Plans, the applicant, or project proponent, shall prepare and submit to the City of Los Banos Community and Economic Development Department a Phase 1/Environmental Site Assessment (ESA). The recommendations of the Phase I/ESA shall be incorporated into the proposed project, as deemed necessary by City staff.

The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Pubic Resources Code Section 5097.98

Therefore, the Lead Agency proposed to adopt a Mitigated Negative Declaration for the project, in accordance with the provisions of the California Environmental Quality Act (CEQA) and the State CEQA Guidelines.



Rudy Luquin
Associate Planner

Date 9/10/21

City of Los Banos
520 J Street
Los Banos, CA 93635
(209) 827-7000

Environmental Checklist Form

Project Title

F Street Multi-Family – GPA #2020-02, ZC #2020-02, and SPR #2020-06

Lead Agency Name and Address

City of Los Banos
520 J Street
Los Banos, CA 93635

Contact Person and Phone Number

Rudy Luquin, Associate Planner
Phone: (209) 827-2432
rudy.luquin@losbanos.org

Project Sponsor's Name and Address

Stonefield Home, Inc.
923 E. Pacheco Blvd
Los Banos, CA 93635

Project Location and Setting

The Project site is located within the City of Los Banos, County of Merced. Specifically, the project is located on approximately 0.90 acres at 1133 F Street (APN: 025-152-005) on the south west corner of Santa Rita Avenue and F Street. The uses surrounding the site include:

East: Vacant commercial parcel

South: Existing business

West: Existing mechanic shop

North: Existing multi-family development

Figure 1 - Location Map, provides an illustration of the proposed project's regional location.

Figure 2 – Vicinity Map, provides an illustration of the proposed projects actual site.

The proposed project site has been vacant and undeveloped for over 30 years. Urban development has occurred surrounding the project site, along with associated street and utility improvements. Topography of the site is relatively flat. There is small vegetation located throughout the project site. The vegetation will be removed as part of the development of the proposed project. There are no structures located on the project site.

General Plan and Zoning Designations

General Plan: Industrial

Zoning: General Commercial

Project Description

The proposed project consists of a General Plan Amendment of 0.90 acres from Industrial to High Density Residential; a Zone Change of 0.90 acres from General Commercial (C-1) to High Density Residential (R-3); and the construction of two (2) multi-family buildings (9,068 square feet each) with a total of 16 residential dwelling units. The proposed project will be developed in accordance with Title 9, Chapter 3, Article 8, High Density Residential (R-3) of the Los Banos Municipal Code and the High Density Residential land use designation from the Los Banos 2030 General Plan.

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The existing site includes disked vacant land. No structures currently exist on the site.



Figure 1 – Location Map

SUMMARY OF ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: *(Boxes are checked below if the proposed project has the potential to cause significant impacts. If none then "No Significant Impacts" may be checked)*

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

DETERMINATION: (To be completed by the Lead Agency)

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 will be prepared.

X 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 significant effect on the environment, because all potentially significant effect (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standard, 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.


 Rudy Luquin
 Associate Planner

Date

9/10/21

EVALUATION OF ENVIRONMENTAL IMPACTS:

Notes:

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources cited 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 a determination has been made that a particular physical impact may occur, 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) Impact 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. Information sources for potential impacts (e.g., general plans, zoning ordinances) have been incorporated into the checklist references. Reference to a previously prepared or outside document, where appropriate, includes a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list is attached, and other sources used or individuals contacted are cited in the discussion.
8. This initial study format is the format suggested in the 2018 CEQA Guidelines.
9. The explanation of each issue identifies:
 - 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 significant

ENVIRONMENTAL REVIEW CHECKLIST: (A brief answer to all questions is provided)

	Potentially Significant Impact	Less than Significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
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Categories and Issues:

I. Aesthetics. Would the proposal:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Comments: According to the City of Los Banos 2030 General Plan and Environmental Impact Report (EIR), the proposed project area is not considered a scenic vista. Therefore, the proposed project will have a less than significant impact.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b. Substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comments: The proposed project is not located on a State designated highway. Based on a review of the California Department of Transportation website (http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm), the nearest State scenic highway is Interstate 5, between the SR 152 and north to the San Joaquin County line. The proposed project is not located on or adjacent to Interstate 5 or SR 152, and therefore will have no impact to a State scenic highway.

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c. Substantially degrade the existing visual character or quality of the site and its surroundings? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Comments: The proposed project is located on an approximately 0.90 acre vacant site within the City of Los Banos and is currently surrounded by urban development on all four sides. The existing visual character of the proposed project and its surroundings consists of commercial and multi-family residential development. The construction of multi-family structures consisting of 16 dwelling units in this area would alter the existing visual character of the project site; however, given that it would be located adjacent to existing commercial and multi-family residential development within the City limits, it would be considered contextually consistent with surrounding land uses.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Comments: Development of the proposed project will include the installation of street lighting and lighting associated with multi-family residential development. As such, the proposed project will result in a new source of light. However, any street lighting installed will be installed in accordance with the City of Los Banos standards and specifications. In addition, the project site is surrounded by existing development on four sides and associated lighting (i.e. street lighting, residential lighting, etc.). Therefore, the proposed project will have a less than significant impact to lighting and glare.

Potentially Significant Impact	Less than Significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
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Categories and Issues:

II. **Agriculture and Forest Resources** In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts of forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

a	Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring program of the California Resource Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Comments: According to the State of California Department of Conservation Farmland Mapping and Monitoring Program, the proposed project is located on land classified as "Urban and Built-Up Land" and is not located on soils classified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Therefore, the proposed project will have a less than significant impact.

b.	Conflict with existing zoning for agricultural use, or a Williamson Act Contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comments: The proposed project is currently zoned General Commercial and the General Plan land use designation is Industrial. The applicant is requesting the adoption of a General Plan Amendment and Zone Change that would allow High Density Residential uses. The project site was evaluated by the City of Los Banos 2030 General Plan/EIR and identified as being "Urban and Built-Up Land", and therefore, is not considered to be agricultural or forest land. In addition, a Williamson Act Contract does not exist for the project site. Therefore, the proposed project will have no impact.

c.	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Comments: Please refer to comment II.b.

d.	Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comments: The proposed project is located on existing vacant land, and is surrounded by existing commercial and multi-family residential land uses. The project site is not situated on lands considered to be forest land. Therefore, the proposed project will have no impact.

e.	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Comments: As noted above, the proposed project is located on existing vacant land that is not in production for agricultural crops. The project site is surrounded by existing commercial and multi-family residential land uses and it is designated and zoned for urban development by the City of Los Banos 2030 General Plan and the Los Banos Municipal Code. The proposed General Plan Amendment and Zone Change will retain the urban development designation. Therefore, the proposed project will have a less than significant impact.

Potentially Significant Impact	Less than Significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
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Categories and Issues:

- III. **Air Quality** Where available, the significance criteria established by the applicable air quality management 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. 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 (including releasing emissions, which exceed quantitative thresholds for ozone precursor)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d. Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e. Create objectionable odors affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

BACKGROUND DISCUSSION:

The proposed project is located in west Merced County, which is a portion of the San Joaquin Valley Air Basin (SJVAB). Air quality management under the federal and state Clean Air Acts is the responsibility of the San Joaquin Valley Air Pollution Control District (SJVAPCD).

The Federal and State governments have adopted ambient air quality standards (AAQS) for the primary air pollutants of concern, known as "criteria" air pollutants. Air quality is managed by the SJVAPCD to attain these standards. Primary standards are established to protect the public health; secondary standards are established to protect the public welfare. The attainment status of the SJVAB for Merced County with respect to the applicable AAQS are shown in the following table.

The SJVAB is considered non-attainment for ozone and particulate matter (PM10 and PM2.5), because the AAQS for the pollutants are sometimes exceeded. The SJVAB is Attainment/Unclassified for carbon monoxide, but select areas, not including the City of Los Banos, are required to abide by adopted carbon monoxide maintenance plans.

The California Air Resources Board (CARB) through the Air Toxics Program is responsible for the identification and control of exposure to air toxics, and notification of people that are subject to significant air toxic exposure. A principal air toxic is diesel particulate matter, which is a component of diesel engine exhaust.

The SJVAPCD has adopted regulations establishing control over air pollutant emissions associated with land development and related activities. These regulations include:

Regulation VIII (Fugitive Dust Rules)
Rule 4101 (Visible Emissions)
Rule 9510 (Indirect Source Review)

SAN JOAQUIN VALLEY FEDERAL AND STATE AAQS ATTAINMENT STATUS

Pollutant	Designation / Classification Federal Standards ^a	State Standards ^b
Ozone, 1-hour	No federal standard ^f	Nonattainment / Severe
Ozone, 8-hour	Nonattainment / Extreme ^e	Nonattainment
PM10	Attainment ^c	Nonattainment
PM2.5	Nonattainment ^d	Nonattainment
Carbon Monoxide	Attainment / Unclassified	Attainment / Unclassified
Nitrogen Dioxide	Attainment / Unclassified	Attainment
Sulfur Dioxide	Attainment / Unclassified	Attainment
Lead (particulate)	No designation	Attainment
Hydrogen Sulfide	No federal standard	Unclassified
Sulfates	No federal standard	Attainment
Visibility-Reducing Particles	No federal standard	Unclassified
Vinyl Chloride	No federal standard	Attainment

^aSee 40 CFR Part 81

^bSee CCR Title 17 Sections 60200-60210

^cOn September 25, 2008, EPA redesignated the San Joaquin Valley to Attainment for the PM10 National AAQS and approved the PM10 Maintenance Plan

^dThe SJV is designated nonattainment for the 1997 PM2.5 NAAQS. EPA designated the SJV as nonattainment for the 2006 PM2.5 on November 13, 2009 (effective December 14, 2009).

^eThough the SJV was initially classified as serious nonattainment for the 1997 8-hour ozone standard, EPA approved reclassification of the SJV to extreme nonattainment in the Federal Register on May, 2010 (effective June 4, 2010).

^fEffective June 15, 2005, the EPA revoked the federal 1-hour ozone standard, including associated designations and classifications. EPA has previously classified the SJV as extreme nonattainment for this standard. EPA approved the 2004 Extreme Ozone Attainment Demonstration Plan on March 8, 2010 (effective April 7, 2010). Many applicable requirements for extreme 1-hour ozone nonattainment areas continue to apply to the SJVAB.

The SJVAPCD has adopted a CEQA impact analysis guideline titled *Guide for Assessing and Mitigating Air Quality Impacts* (GAMAQI). The GAMAQI is utilized in the following air quality impact analysis where applicable. The GAMAQI establishes impact significance thresholds for the non-attainment pollutant PM10 and precursors to the non-attainment pollutant ozone: reactive organic gases (ROG) and oxides of nitrogen (NOx).

ROG	10 tons/year
NOx	10 tons/year
PM10	15 tons/year

Projects that do not generate emissions in excess of these thresholds are considered to have less than significant air quality impacts. In accordance with Table 5-3(a) of GAMAQI, the proposed project is considered a small project according to the Small Project Analysis Level (SPAL), as it the project will produce 16 multi-family units which is less than threshold of the stated 590 multi-family units. Because the proposed project qualifies as small project in accordance to SPAL, GAMAQI notes that it has no possibility of exceeding emission thresholds.

Project construction will be subject to SJVAPCD rules related to control of construction emissions, including the various rules comprising Regulation VIII. The application of these rules to the project will further limit the potential air quality effects of the project.

The project will generate small amounts of new on-road traffic and associated ROG, NOx and PM emissions during project operation. Operation of the project site will not generate any substantial air emissions. As shown in the table below, potential emissions from project operation will be incidental and will not approach the GAMAQI significance thresholds.

Potentially significant emissions related to the construction and operation of land development projects are subject to regulation under SJVAPCD Rule 9510 Indirect Sources. Development associated with the proposed project will exceed the thresholds triggering the requirements of Rule 9510. Therefore, the project proponent will be required to comply with Rule 9510 and conduct an Indirect Source Review (ISR) process with the SJVAPCD.

COMMENTS:

- a) The proposed project will not involve any conflict with, or potential to obstruct, implementation of, applicable Air Quality Attainment Plans. As discussed above, project related air emissions will be minor and below the threshold identified in GAMAQI. Therefore, the proposed project will have a less than significant impact.
- b) Proposed project construction emissions will be minor and short-term, and will not contribute to or cause violation to any air quality standards. The proposed project will not involve any substantial operational emissions. Therefore, the proposed project will have a less than significant impact.
- c) The proposed project will result in minor ROG, NOx, and particulate matter emissions during project construction, which will contribute to existing non-attainment status of the SJVAB for ozone and particulate matter. However, in accordance with GAMAQI, these emissions are considered to be below the threshold and therefore be less than significant. The proposed project will be required to comply with Rule 9510, and conduct an ISR process with the SJVAPCD. The ISR process will determine the proposed project's actual emission and subsequently, allow for mitigation under Rule 9510. Therefore, the proposed project will have a less than significant impact.
- d) Sensitive receptors are defined as facilities that house or attract children, the elderly, people with illnesses, or others who are especially sensitive to the effects of air pollutants. Hospitals, schools, convalescent facilities, and residential areas are examples of sensitive receptors.

The proposed project is located in the vicinity of residential areas as it is surrounded on three sides by existing residential development. However, because the proposed project is considered a Small Project

Analysis Level (SPAL) under GMAQI, the proposed project has no possibility of exceeding the emission thresholds and therefore, will have a less than significant impact.

- e) The proposed project does not involve any features that will generate odors. Therefore, the proposed project will have a less than significant impact.

	Potentially Significant Impact	Less than Significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
Categories and Issues:				
IV. <u>Biological Resources</u> Would the project:				
a. 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 regulation, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Comments: As noted previously, the proposed project is located on vacant land and is surrounded by urban development. However, based on a review of the City's 2030 General Plan EIR, and most notably, Figure 3.8-1, the proposed project is not located within any areas known for the potential of containing special status species and or habitats. Therefore, the proposed project will have a less than significant impact.				
b. 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 California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Comments: Based on the Los Banos 2030 General Plan and EIR, the proposed project is not located within an area known to contain riparian habitat. Most, if not all, of the riparian habitat located within the City is located along Los Banos Creek. The proposed project is not located within, or adjacent to Los Banos Creek. Therefore, the proposed project will have no impact.				
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Comments: Based on the Los Banos 2030 General Plan and EIR, there are no identified wetlands within the project site. Therefore, the proposed project will have no impact.				
d. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Comments: The proposed project is surrounded by existing commercial and multi-family residential development. New multi-family residential development created as a result of the proposed project would have no impacts to wildlife corridors as surrounding urban development already exists. Therefore, the proposed project will have no impact.				
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Comments: Development of the proposed project will not require the removal of any trees. Therefore, the proposed project will have no impact.				
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Comments: The City of Los Banos, including the proposed project, is not located within an adopted Habitat Conservation Plan or Natural Community Plan. Therefore, the proposed project will have no impact.				

Categories and Issues:	Potentially Significant Impact	Less than Significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
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V. **Cultural Resources** Would the project:

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| a. Cause a substantial adverse change in the significance of a historical resource as defined in section 15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Comments: The proposed project site is currently vacant with minimal vegetation and does not contain any buildings or structures. Based on a review of the Los Banos 2030 General Plan EIR, there are thirteen (13) historic resource sites within the City's Planning Area, primarily in the downtown area. None of these sites include the proposed project. As such, there are no historic resources or sites as defined by Section 15064.5 of the Government Code within the proposed project area. Therefore, the proposed project will have a less than significant impact.

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| b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to section 15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Comments: Based on a review of the Los Banos 2030 General Plan and EIR, the Los Banos Creek area has been identified as a highly sensitive area for potential archaeological sites. The proposed project is not located within the Los Banos Creek area, and therefore, potential impacts to archaeological resources are considered to be minimal. The project site has been disked yearly to reduce potential fire hazards and given the disturbed nature of the project site it would be unlikely that unknown cultural resources would be found on-site during grading and excavation associated with construction and installation of utilities for the new development. Therefore, the proposed project will have a less than significant impact.

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| c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Comments: The Los Banos 2030 General Plan and EIR do not identify any unique paleontological resources or sites or unique geologic features within the proposed project area. As noted in the 2030 General Plan, paleontological resources have been typically identified within the Los Banos Creek area. Therefore, the proposed project will have a less than significant impact.

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| d. Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
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Comments: It is not anticipated that the proposed project will disturb any human remains. However, through development and construction of the proposed project, human remains may be identified, particularly during activities requiring ground disturbance (i.e. grading, trench digging, etc.). As such, the proposed project shall incorporate Mitigation Measure No. V-1, specified below, in accordance with Section 15064.5(e) of the CEQA Guidelines, to reduce any potentially significant impacts to a level of less than significant.

Mitigation Measure V-1: In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps shall be taken:

2. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until;
 - a. The corner of Merced County is contacted to determine that no investigation of the cause of death is required; and
 - b. If the corner determines the remains to be Native American:
 - i. The corner shall contact the Native American Heritage Commission within 24 hours.
 - ii. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American.
 - iii. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98

Categories and Issues:	Potentially Significant Impact	Less than Significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
VI. <u>Geology and Soils</u> Would the project:				
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comments: No known earthquake faults traverse the project site. The effects of seismic activity were addressed in the Los Banos General Plan EIR and found to be potentially significant. Implementation of General Plan policies S-I-8 mitigates this potentially significant impact to a less than significant level. Policy S-I-8 requires all new buildings be built according to the seismic requirements of the Uniform Building Code. Therefore, these potential impacts are considered less than significant. No further environmental review is necessary.

b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Comments: Development of the proposed project will include grading of the site to allow for the installation of multi-family residential building units. Thus, said grading would result in the loss of topsoil. However, through the preparation of Improvement Plans, the proposed project will be required to obtain a Grading Permit from the City of Los Banos. The Grading Permit process will ensure the proposed project is graded in accordance with the City of Los Banos Standards and Specifications. Therefore, the proposed project will have a less than significant impact.

c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Comments: According to the United States Department of Agriculture (USDA) <https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx> the soils in the area of the project site are primarily Stanislaus-Dosamigos-Urban land complex on flat or nearly flat ground that may be subject to vertical displacement under seismic or static conditions. Such movement could include settlement, compaction, or liquefaction. Future development on the project site (e.g. single-family dwelling units and access driveways) would implement standard engineering and seismic safety design techniques in conformance with the recommendation of a project specific design level geotechnical investigation as a standard condition of development would reduce potential impacts to less than significant.

d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Comments: As noted above, the soils within the project area are generally Stanislaus-Dosamigos-Urban land complex. The soil is well drained, but has moderate expansion potential. Future development on the project site would be required to follow the recommendations of a project-specific design-level geotechnical investigation as a standard condition of development. Development within the City of Los Banos would require review and approval by the Los Banos Building Department and the City Engineer. Given that the proposed project would be required to conform to the recommendations of the geotechnical report and the requirements of the City of Los Banos, the potential risks associated with expansive soils would be reduced to less than significant levels.

- e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?

☐☐☐☒

Comments: The proposed project consists of a General Plan Amendment, Zone Change, and Site Plan Review for the development of 16 multi-family residential units, which will be served by City of Los Banos sanitary sewer system. The use of septic tanks or alternative water systems are not part of the proposed project. Therefore, the proposed project will have no impact.

	Potentially Significant Impact	Less than Significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
Categories and Issues:				

VII. **Greenhouse Gas Emissions** Would the project:

a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Background Discussion:

Human-generated emissions greenhouse gases (GHGs) are understood to be an important cause of global climate change, which is a subject of increasing scientific, public concern, and government action. Atmospheric concentrations of GHGs that trap heat in the earth's atmosphere and lead to a variety of effects, including increasing temperature, changes in patterns and intensity of weather and various secondary effects resulting from those changes, including potential effects on public health and safety.

California AB 32 identifies global climate change as a "serious threat to the economic well-being, public health, natural resources and the environment of California." As a result, global climate change is an issue that needs to be considered under CEQA.

GHGs include carbon dioxide (CO₂), the most abundant GHG, as well as methane, nitrous oxide and other gases, each of which have GHG potential that is several times that of CO₂. GHG emissions result from combustion of carbon-based fuels; major GHG sources in California include transportation (40.7%), electric power generation (20.5%), industrial (20.5%), agriculture and forestry (8.3%) and others (8.3%).

The State of California is actively engaged in developing and implementing strategies for reducing GHG emissions. State programs for GHG reduction include a regional cap-and-trade program, new industrial and emission control technologies, alternative energy generation technologies, advanced energy conservation in lighting, heating, cooling and ventilation, reduced-carbon fuels, hybrid and electric vehicles, and other methods of improving vehicle mileage reduction programs. Using these and other strategies, the State's Global Climate Change Scoping Plan, adopted in December 2008, proposes to achieve a 29% reduction in projected business-as-usual emission levels for 2020.

The City of Los Banos 2030 General Plan and EIR includes policies and mitigation measures that reduce the impact level that is less than significant. Policies POSR-I-46, 52, 53, and C-I-4 of the City's 2030 General Plan include measures, that upon implementation, helps reduce the amount of greenhouse gases generated per capita in the City. It is important to note that the proposed project is consistent with the City's 2030 General Plan.

The SJVAPCD adopted a Climate Change Action Plan in 2008, and issued guidance for development project compliance with the plan in 2009. The guidance adopted an approach that relies on the use of Best Performance Standards to reduce GHG emissions. Projects implementing Best Performance Standards would be determined to have a less than cumulatively significant impact. For projects not implementing Best Performance Standards, demonstration of a 29% reduction in GHG emissions from business-as-usual conditions is required to determine that a project would have a less than cumulatively significant impact.

Comments:

- VII-a) The proposed project would not generate any substantial greenhouse gas emissions beyond what has previously been identified in the City's 2030 General Plan and EIR. The proposed project is consistent with the 2030 General Plan, and will comply with the Policies noted in the discussion above.
- VII-b) The proposed project will not involve any known conflict with any adopted plan, policy, or regulation for reducing greenhouse gas emissions. The City of Los Banos also requires that all buildings conform to the energy conservation requirements of the California Administrative Code Title 24, as well as the California Green Building Standards (CALGreen) code, which includes requirements for energy and water conservation in new construction.

	Potentially Significant Impact	Less than Significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
Categories and Issues:				

VIII. **Hazards and Hazardous Material** Would the project:

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|----|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| 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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|----|--|--------------------------|-------------------------------------|--------------------------|--------------------------|

Comments: General Plan Amendment, Zone Change, and development of multi-family residential structures do not typically involve the transport, use, or disposal of hazardous materials. However, the project site was historically used for agricultural purposes over 30 years ago, and as such, there may be hazardous materials within the soil. Therefore, prior to the approval of the proposed project's Improvement Plans and Final Map, the applicant, 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 necessary. Therefore, the proposed project will have a less than significant impact with mitigation incorporated. Refer to Mitigation Measure VIII-1, below.

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|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b. | Create a significant hazard to the public or the environment through reasonable 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"/> |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Comments: It is not anticipated that through the General Plan Amendment, Zone Change, Site Plan Review, and development of the proposed project, foreseeable upset and accident conditions will occur. Development of the proposed project will comply with all Federal, State, and local policies and regulations related to the construction of the proposed project. Therefore, the proposed project will have a less than significant impact.

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| 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"/> |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Comments: The proposed project is located approximately 0.35 miles to the nearest school which is greater than the stated quarter mile proximity. However, as noted above in VIII-a, the General Plan Amendment, Zone Change, Site Plan Review, and development of a multi-family residential do not typically involve the emission of handling of hazardous materials are identified, all Federal, State, and local policies and regulations related to hazardous materials shall be complied with. Therefore, the proposed project will have a less than significant impact.

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|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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 create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comments: Appendix A of the Los Banos 2030 General Plan provides a list of hazardous sites within the City of Los Banos. Based on a review of Appendix A, the proposed project is not located on a site identified as hazardous. Therefore, the proposed project will have no impact.

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| 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 for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comments: The Los Banos Municipal Airport is located within the City of Los Banos and is a general aviation facility with a single paved runway 3,800 feet in length. According to the Merced County Airport Land Use Compatibility Plan, adopted June 21, 2012, the proposed project is not located within the airport's "Airport Influence Area". Therefore, the proposed project will have no impact.

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| f. | For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comments: The project site is not located within the vicinity of a private airstrip. Therefore, the proposed project will have no impact.

- g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? ☐ ☐ ☒ ☐

Comments: The Los Banos Fire Department has reviewed the proposed project, and provided feedback to ensure the proposed project complies with any emergency response plan or emergency evacuation plan. To ensure this compliance, the project proponent will be required to submit for approval to the Los Banos Fire Department the proposed project's Improvement Plans. This approval shall occur prior to the approval of the Improvement Plan. Therefore, the proposed project will have a less than significant impact.

- h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? ☐ ☐ ☐ ☒

Comments: The proposed project is located within an urban area and within the City of Los Banos, and is surrounded by existing development. As such, no wildlands exist within or adjacent to the proposed project. Therefore, the proposed project will have no impact.

Mitigation Measure VIII-1: Prior to the approval of the proposed project's Improvement Plans, the applicant, or project proponent, shall prepare and submit to the City of Los Banos Community and Economic Development Department a Phase 1/Environmental Site Assessment (ESA). The recommendations of the Phase I/ESA shall be incorporated into the proposed project, as deemed necessary by City staff.

Categories and Issues:	Potentially Significant Impact	Less than Significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
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IX. **Hydrology and Water Quality** Would the project:

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Violate any water quality standards or waste discharge requirements? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Comments: The proposed project will not violate any Federal, State, or local water quality standards or waste discharge requirements. Prior to the Building Permit issuance, the Applicant will be required to obtain approval from the City of Los Banos for the project's Improvement Plans. These Improvement Plans include the design of infrastructure (i.e. water, sanitary sewer, storm drainage) required for the proposed project. Review and approval by City staff will ensure the proposed project complies with any applicable water quality standards and waste discharge requirements. Therefore, the proposed project will have a less than significant impact.

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| b. Substantially deplete groundwater supplies or interfere substantially with ground water recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Comments: The domestic water infrastructure proposed as part of the proposed project consists of connecting to the City of Los Banos existing domestic water system. According to Section 8.2 of the Los Banos 2030 General Plan, "*the 2008 Urban Water Management Plan estimates that this supply is sufficient to meet City needs through 2030.*" Therefore, it is anticipated that the City has sufficient supply to meet the demands of the proposed project. As such, the proposed project will have a less than significant impact.

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Comments: The proposed project will alter the existing drainage pattern of the site through construction and converting the site from vacant land to urban development. However, the proposed project, and its storm drainage design, will comply with the City's Drainage Design Manual and City Standards and Specifications. Compliance will be ensured through the proposed project's Improvement Plan process. Therefore, the proposed project will have a less than significant impact.

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| d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Comments: The proposed project will contribute runoff water by adding 16 multi-family residential units and associated improvements (i.e. streets, water, sanitary sewer, storm drainage, etc.). However, through the design of the proposed project's storm drainage system, the project proponent will be required to comply with the Los Banos Drainage Design Manual and the City's Standards and Specifications. Therefore, the proposed project will have a less than significant impact.

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Comments: The proposed project will not degrade water quality within the vicinity of the project site. Therefore, the proposed project will have a less than significant impact.

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| f. Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Comments: Please refer to the comments and determination above, for IX-a.

- g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary of Flood Insurance Rate Map or other flood hazard delineation map? ☐ ☐ ☐ ☒

Comments: Based on a review of FEMA Flood Map No. 06047C0850G, dated December 2, 2008, which includes the proposed project site, the proposed project is not located within a 100-year flood plain. Therefore, the proposed project will have no impact.

- h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows? ☐ ☐ ☐ ☒

Comments: Please refer to the comments and determination above, for IX-g.

- i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? ☐ ☐ ☒ ☐

Comments: The proposed project is located within the Planning Area as it defined in the Los Banos 2030 General Plan. According to Section 7.2 of the Los Banos 2030 General Plan, *"three dams close to Los Banos have the potential of inundating portions or the whole of the Planning Area. Flood zone mapping by the U.S. Army Corps of Engineers indicates that all of the Planning Area is located within the San Luis Reservoir dam inundation area. Northern portions of the Planning Area are also located within the Los Banos Detention Reservoir and the Little Panoche Reservoir Dam inundation area."* All three dams are owned by the Bureau of Reclamation, and are inspected regularly for their structural integrity. In response to the potential of inundation by a result of dam failure, the City has adopted General Plan policies, which include coordination with the U.S. Army Corps of Engineers on potential flooding risks, and ensuring that City staff and Emergency Response Services are trained to respond to catastrophic dam failure. Therefore, the proposed project will have a less than significant impact.

- j. Inundation by seiche, tsunami, or mudflow? ☐ ☐ ☐ ☒

Comments: The City of Los Banos, including the proposed project, is located approximately sixty-six (66) miles east of the Pacific Ocean. Exposure of future residents within the proposed project to the risk of seiches, tsunami, or mudflows is minimal. Therefore, the proposed project will have no impact.

Potentially Significant Impact	Less than Significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
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Categories and Issues:

X. **Land Use and Planning** Would the project:

a. Physically divide an established community? ☐ ☐ ☒ ☐

Comments: The proposed project is located within the City of Los Banos, which is an urbanized City located along State Route 152 and State Route 165. Specifically, the proposed project is surrounded by existing residential and commercial urban development on the north, south, east, and west sides of the project site. No new streets are proposed to be developed as a result of the proposed development. Therefore, the proposed project would not physically divide the established community, and would have no impact.

b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? ☐ ☐ ☒ ☐

Comments: The proposed project would be consistent with existing uses in the project vicinity and would not result in substantial land use conflicts with the surrounding residential uses in the area. The project proposes to amend the General Plan to designate the approximate 0.90 acre project site from Industrial to High Density Residential and rezone the property from General Commercial (C-1) to High Density Residential (R-3), which would be consistent with the surrounding area that is primarily a mixture of single-family and multi-family dwelling units. The High Density Residential Zoning District (R-3) is intended to stabilize and maintain the residential character of the district for multi-family living with substantial space for cooperatively-used facilities and open spaces, which would be consistent with the surrounding area. Thus, the proposed General Plan Amendment to the land use designations and Zone Change would be consistent with the overall intent of the Los Banos 2030 General Plan and the Los Banos Municipal Code.

c. Conflict with any applicable habitat conservation plan or natural community conservation plan? ☐ ☐ ☐ ☒

Comments: The proposed project is not located within an adopted Habitat Conservation Plan or Natural Community Conservation Plan. Therefore, the proposed project will have no impact.

Potentially Significant Impact	Less than Significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
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Categories and Issues:

XI. **Mineral Resources** Would the project:

a.	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b.	Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments XI-a,b: Section 5.6 of the Los Banos 2030 General Plan, dated July 15, 2009, states, "According to the Department of Conservation: Mines and Geology, there are no known significant mineral resources located within the Planning Area. The Planning Area contains parts of San Luis Ranch alluvium and Modesto alluvium, known mineral occurrences of underdetermined mineral resources significance. According to the State Office of Mine Reclamation, sand and gravel is currently mined within portions of the Los Banos Creek Fan, located southwest of the Planning Area. Although further exploration of the Planning Area could result in the reclassification of specific localities, no mineral resources have been historically exploited or are being currently exploited commercially within the Planning Area."

The proposed project is located within the Planning Area as it is defined in the Los Banos 2030 General Plan, and is consistent with the land use designation prescribed by the General Plan. Therefore, as determined in the Los Banos 2030 General Plan, the proposed project will have no impact to mineral resources of Statewide or local importance.

Potentially Significant Impact	Less than Significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
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Categories and Issues:

XII. Noise Would the project:

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Comments: Within the City of Los Banos, a primary source of noise is vehicle traffic. Under the City of Los Banos 2030 General Plan noise standards, the maximum allowable noise exposure to ground transportation is 60 dB CNEL for outdoor activity areas in residential, transient lodging, medical facilities, and church land uses. These land uses, which include the proposed project (residential), require a maximum allowable noise level of 45 dB CNEL for interior spaces. The proposed project will increase the number of vehicle trips within the project area. However, based on a review of Figure 3.11-3 of the Los Banos 2030 General Plan EIR, the proposed project is not located within an area identified as exceeding the City's General Plan noise standard upon build-out of the City's "Planning Area." Therefore, the proposed project will not exceed the Los Banos General Plan noise standards, and will have a less than significant impact.

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Comments: Construction of the proposed project will expose residence within the surrounding area to groundborne vibration and noise levels. However, that exposure will be temporary, and the project proponent will be required to comply with the Los Banos Noise Control Ordinance, Article 27. Therefore, the proposed project will have a less than significant impact.

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Comments: The Los Banos 2030 General Plan EIR states, "The future noise contours suggest that even at build-out there is virtually no land, other than directly on the roadways, being exposed to noise levels above 60 dB." Figure 3.11-3 of the 2030 General Plan EIR further illustrates areas within the City that would be exposed to noise levels above the City's standard. Development of the proposed project will increase noise levels in the project area. However, the proposed project is not located within an area anticipated to generate noise levels above the standard identified in the Los Banos 2030 General Plan. Therefore, the proposed project will have a less than significant impact.

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Comments: Please refer to XII-c for comments and determination.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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 expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comments: Figure 3-11.2 of the 2030 General Plan EIR illustrates the existing noise contours as it relates to the airport. The 55 dBA CNEL noise contour line for the airport does not enter the project site, so noise levels from aircraft operations do not exceed standards. Therefore, the proposed project will have no impact.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comments: The project site is not located within the vicinity of a private airstrip. Therefore, no impacts would occur related to noise from a private airstrip.

Potentially Significant Impact	Less than Significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
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Categories and Issues:

XIII **Population and Housing** Would the project:

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|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. | Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Comments: According to the California Department of Finance, 2021 E-5 City/County Population and Housing Estimates (January 1, 2021), the population of Los Banos is 42,869 persons with an average of 3.57 persons per household. The proposed project would enable the future development of 16 multi-family dwelling units within the City of Los Banos. With an average of 3.57 persons per household, the addition of 16 multi-family dwelling units within the City of Los Banos could add up to 57.12 people to the City. The potential population increase as a result of the project implementation is relatively low. Thus the proposed project would not induce substantial population growth. Therefore, the proposed project will have a less than significant impact.

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|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b. | Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comments: The proposed project will not require the displacement of existing housing which would necessitate the construction of replacement housing. Therefore, the proposed project will have no impact.

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|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c. | Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comments: The proposed project site is currently vacant, and at build-out will not displace substantial number of existing housing. Therefore, the proposed project will have no impact.

Potentially Significant Impact	Less than Significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
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Categories and Issues:

XIV. Public Services

a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

1) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comments: The proposed project consists of a General Plan Amendment, Zone Change, Site Plan Review, and development of 16 multi-family residential units. The addition of these units and future residents will impact public services such as fire protection, police protection, schools, and parks.

Fire and police protection are provided by the City of Los Banos via the Los Banos Fire Department and Los Banos Police Department. To offset any potential impacts to fire and police services as a result of the proposed project, the proposed project will be required to pay the appropriate Capital Facilities Fees at the time a Building Permit is issued. In addition, as a Condition of Approval for the proposed project, the project will be required to annex into Community Facilities District (CFD) No. 2002-01 (Public Safety Services), which is an annual tax assessed to each new parcel within the proposed project. Therefore, potential impacts to fire and police protection services will be offset by payment of the applicable Capital Facilities Fees and annexing into CFD 2002-01. Therefore, the proposed project will have a less than significant impact.

The proposed project is located within the Los Banos Unified School District (LBUSD). According to LBUSD School Facility Needs Analysis and Justification Study, dated June 2020, the proposed project will generate sixteen (16) students within the LBUSD. 2030 General Plan Policy LU-I-8 states, "Require new development to pay its proportionate share of the costs of public infrastructure, services and transportation facilities. This shall include parks, fire, and police stations, schools, utilities, roads, and other needed infrastructure."

Specifically, based on the Table 1-8, Student Generation Rates, of the LBUSD School Facilities Needs Analysis, the proposed project will generate the following students per grade group:

Grade Group	Multi-Family Student Generation Rate	Number of Students Generated by Proposed Project
K-6	0.611	10
7-8	0.157	3
9-12	0.211	3
Total		16

According to the LBUSD Boundary Map, these students generated by the proposed will likely attend the following schools:

- R.M. Miano Elementary, which would see an increase of 10 students generated by the proposed project;
- Creekside Junior High School, which would see an increase of 3 students generated by the proposed project; and,
- Los Banos High School, which would see an increase of 3 students generated by the proposed project.

The LBUSD School Facility Needs Analysis and Justification Study, dated June 2020, states, "The District's 2019-/20 enrollment is greater than the capacities listed above for the K-6, 7-8 and 9-12 grade groups. The District, therefore, has no existing excess capacity available for students from new residential development in the K-6, 7-8, 9-12 grade groups."

In addition, as noted above, the Los Banos Unified School District ("District") has prepared and adopted a School Facility Needs

Analysis, and in accordance with Senate Bill 50, has adopted Level II and III impact fees. On June 11, 2020 the Los Banos Unified District School Board adopted a Level II Fee of \$10.36 per square foot and a Level III Fee of \$20.72 per square foot for new residential development. Prior to building permit issuance for the project, the developer will be required to pay the Level II fees to the Los Banos Unified School District in consistency with State Law. The payment of the fees will offset impacts by funding LBUSD for future development of schools and/ or facilities to accommodate the potential new students.

The proposed project will impact parks and recreational facilities by adding additional residential units and residents within the City. However, to offset any potential impacts, the developer of the proposed project shall pay the applicable Capital Facilities Fees at the time of building permit issuance. Therefore, the proposed project will have a less than significant impact.

Potentially Significant Impact	Less than Significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
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Categories and Issues:

XV. **Recreation**

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|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. | Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Comments: The proposed project will increase the use of existing park facilities in the City of Los Banos. However, as noted previously in this Initial Study, the developer of the proposed project will be required to pay the applicable Capital Facilities Fees, which include park facilities, at the time of building permit issuance. This Capital Facilities Fee is intended to offset impacts of new development to public services, including parks and park facilities. Therefore, the proposed project will have a less than significant impact.

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|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b. | Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Comments: The proposed project does not consist of the development of new recreational facilities, nor will it necessitate the construction or expansion of existing recreational facilities. As noted above, the developer of the proposed project will be required to pay the applicable Capital Facilities Fee at the time of the building permit issuance. The intent of the Capital Facilities Fee is to offset any potential impacts to public services and facilities, including parks and recreational facilities, as a result of new development. Therefore, the proposed project will have a less than significant impact.

Potentially Significant Impact	Less than Significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
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Categories and Issues:

XVI. **Transportation / Traffic:** Would the project:

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|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. | Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Comments: The City's 2030 General Plan Circulation Element provides the guiding policies and implementing actions associated with transportation in the City. Specifically, Implementing Action C-I-12 of the 2030 General Plan states, "Require traffic impact studies for all proposed new developments that will generate significant amounts of traffic (100 or more peak hour trips)."

The project will develop two multi family structure totaling 16 units. It is not anticipated that the project will generate 100 or more peak hour trips based on the 16 units with 32 associated off-street parking spaces.

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|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b. | Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Comments: Please see the comment above in item XVI-a.

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|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c. | Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comments: The proposed project will not result in the change of air patterns, most notably from the Los Banos Municipal Airport. Therefore, the proposed project will no impact.

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|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d. | Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Comments: Street improvements installed as part of the proposed project will be done in accordance with Caltrans and City standards and specifications. As such, hazards due to a design feature are not anticipated to occur. Therefore, the proposed project will have a less than significant impact.

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|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e. | Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comments: The proposed project is considered infill on an existing street where the access to multi-family development will be from two (2) points, one access at F Street and the second on Santa Rita Avenue. The project will have adequate emergency access available. Therefore, the proposed project will have a no impact.

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|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| f. | Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Comments: The frontages of F Street and Santa Rita Avenue currently have curb and gutter with no sidewalk, however the development of the sidewalk shall meet the adopted polices and plans for pedestrian/bicycle access and shall also meet the City of Los Banos Standards. Public transit is not located within near proximity to the project site. The proposed project will not decrease the performance or safety of these existing facilities. Therefore, the proposed project will have a less than significant impact.

Potentially Significant Impact	Less than Significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
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Categories and Issues:

XVII. **Tribal Cultural Resources**

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:

1. 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

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Comments: Tribal cultural resources are generally defined by Public Resources Code 21074 as sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe. A Sacred Lands File Search, performed by the Native American Heritage Commission (NAHC) for the immediate project area did not indicate the presence of Native American cultural resources in the immediate project area. The project site has been annually disked and is surrounded by existing developments. As such, the proposed project will have a less than significant impact.

2. A resource determined by the lead agency, in its discretion and supported by a substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resource 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.

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Comments: The project site is not known to contain any identified Native American tribal cultural resources and is not a known Native American sacred site. The City of Los Banos has not received any letters from any Native American tribes requesting tribal consultation per Public Resources Code, Section 210080.3.1(b) regarding the potential for a Native American tribal cultural resource to be located on or near the project site. A Sacred Lands File Search, performed by the Native American Heritage Commission (NAHC) for the immediate project area failed to indicate the presence of Native American cultural resources in the immediate area. In addition, Mitigation Measure V-1, as previously discussed, would ensure that the proposed project would not cause any substantial adverse changes in the significance of previously unknown tribal cultural resources. Given the results of the NAHC and compliance with Mitigation Measure V-1, impacts related to tribal cultural resources, in accordance with the criteria set forth in Public Resource Code Section 5024.1, would be considered less than significant.

	Potentially Significant Impact	Less than Significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
Categories and Issues:				
XVIII. <u>Utilities and Service Systems:</u> Would the project:				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Comments: The proposed project will connect to the City's existing sanitary sewer system. The City has sufficient capacity to accommodate the proposed project and will not exceed any treatment requirements imposed by the Regional Water Quality Control Board. Therefore, the proposed project will have a less than significant impact.				
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Comments: The proposed project will connect to the City's existing water and sanitary sewer system. As part of this connection, the proposed project will not be required to increase the size of existing water and sanitary sewer lines in order to serve the project. The City has sufficient capacity in its domestic water and sanitary sewer systems to accommodate development within the proposed project. In addition, the proposed project will be required to pay the applicable Capital Facilities Fees, which include water and sanitary sewer fees, at the time of Building Permit issuance. Therefore, the proposed project will have a less than significant impact.				
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Comments: The proposed project will connect to the City's existing storm drainage system via connecting to an existing storm drain line located on F Street. The design and installation of the proposed project's storm drainage system will be done in accordance with the City's Drainage Design Manual, and does not require the construction or expansion of new/existing facilities. Therefore, the proposed project will have a less than significant impact.				
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Comments: It has been determined that there is sufficient water supply capacity available to serve the proposed project. The proposed project does not require the construction of new or expansion of existing facilities.				
e. Result in a determination by the wastewater treatment provider which 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Comments: It has been determined that there is sufficient waste water supply capacity available to serve the proposed project. The proposed project does not require the construction of new or expansion of existing facilities.				
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Comments: Solid waste in the City of Los Banos is managed by the Merced County Association of Governments. The majority of the City's solid waste is taken to Billy Wright Landfill and additional waste is taken to Highway 59 Landfill. The City's 2030 General Plan EIR determined that there are sufficient options for expansion or relocation of services to meet the demand created by future growth in Los Banos. Therefore, the proposed project will have a less than significant impact.				

g. Comply with federal, state, and local statutes and regulations related to solid waste?

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Comments: The proposed project will comply with all Federal, State, and local statutes and regulations related to solid waste. Therefore, the proposed project will have a less than significant impact.

	Potentially Significant Impact	Less than Significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
MANDATORY FINDINGS OF SIGNIFICANCE				
a. Does the project have the potential to 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, 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 checked="" type="checkbox"/>	<input type="checkbox"/>

Comments: Finding (a) is checked as "Less Than Significant Impact" on the basis of the proposed project's potential impact on biological resources, as described in Category 4 of this Initial Study. Potential impacts were identified in this issue area but they were identified to be less than significant.

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 checked="" type="checkbox"/>	<input type="checkbox"/>
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Comments: As described in this Initial Study, the potential environmental effects of the proposed project will either be less than significant, or will have no impact at all. Where the proposed project involves potentially significant impacts, these impacts would have a less than significant impact with mitigation measures incorporated.

The potential environmental impacts identified in this Initial Study have been considered in conjunction with each other as to their potential to generate other potentially significant impacts. The various potential environmental impacts of the proposed project will not combine to generate any potentially significant cumulative impacts.

The City of Los Banos 2030 General Plan and EIR comprehensively account for ongoing and foreseeable urban development within the City's "Planning Area" and the cumulative environmental impacts of planned development. Future urban development in Los Banos includes the provision of roads, utilities, schools, and recreational facilities needed to serve City residents and visitors as their demands for urban services increase over time.

The proposed project will contribute to planned urban development in the City of Los Banos, by adding 16 multi-family residential units. The potential environmental impacts associated with the proposed project represent a portion of the environmental consequences of the planned growth and development permitted by the 2030 General Plan. The proposed project may involve a minor addition to the potential environmental impacts identified in the 2030 General Plan EIR, but the proposed project will not result in any substantial contribution to any of the significant cumulative impacts identified in the 2030 General Plan EIR.

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 checked="" type="checkbox"/>	<input type="checkbox"/>
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Comments: This Initial Study has considered the potential environmental impacts of the proposed project in the discrete issue areas outlined in the CEQA Environmental Checklist. During the environmental analysis, the potential for the proposed project to result in substantial impacts on human beings in these issue areas, as well as the potential for substantial impacts on human beings to occur outside of these issue areas, was considered, and no other such impacts were identified.

REFERENCES

City of Los Banos 2030 General Plan
City of Los Banos Municipal Code
CEQA

All reference material may be reviewed at the City of Los Banos Community Development Department, 520 J Street, Los Banos, CA 93635.

APPENDIX A

Site Plan



3
SHEET
NUMBER

DATE: 06/11/2021
BY: [Signature]
CHECKED: [Signature]
APPROVED: [Signature]

HORIZONTAL CONTROL PLAN
CONCEPTUAL BIRTH PLAN FOR
P STREET MULTI-FAMILY
LOS ANGELES, CALIFORNIA



BENCHMARK ENGINEERING & LAND SURVEYING, INC.
CIVIL ENGINEERING & LAND SURVEYING
915 17th STREET, MODESTO, CALIFORNIA 95354
(209) 540-0300 FAX (209) 540-0303

NO.	DESCRIPTION	DATE	APPROVED

