



# City of Newman

1162 Main Street • P.O. Box 787 • Newman, CA 95360 • (209) 862-3725 • Fax (209) 862-3199  
www.cityofnewman.com • E-mail info@cityofnewman.com

April 09, 2010

Stanislaus County  
Board of Supervisors  
c/o Jim DeMartini, Chairman  
PO Box 3404  
Modesto, CA 95353

Re: Proposed 2010 Amendment to the Redevelopment Plan for the Newman  
Redevelopment Project

Dear Mr. DeMartini,

The Community Redevelopment Agency of the City of Newman is continuing to process the proposed 2010 Amendment to the Redevelopment Plan (the "2010 Amendment" and the "Plan," respectively) for the Newman Redevelopment Project (the "Project" or the "Project Area," as appropriate), for the purposes of: i) increasing the Plan's total tax increment allocation limit; ii) eliminating the Plan's annual limitation on tax increment allocation; iii) establishing a bonded indebtedness limit, and iv) modifying the Plan's projects and programs list, as appropriate; all as a means to better attain the Agency's long-term goal to improve or alleviate the economic and physical conditions of blight within the Project Area.

Accordingly, the following information pertaining to the adoption of the 2010 Amendment is transmitted herewith, for your information:

1. Notice of Joint Public Hearing;
2. Map of the Project Area (included with the Notice of Joint Public Hearing);
3. Notice of Intent to Adopt Negative Declaration;
4. Proposed Negative Declaration; and
5. Initial Study/Environmental Checklist (on CD).

Should you have any questions, please feel free to contact the Agency at (209) 862-3725.

Sincerely,

COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF NEWMAN

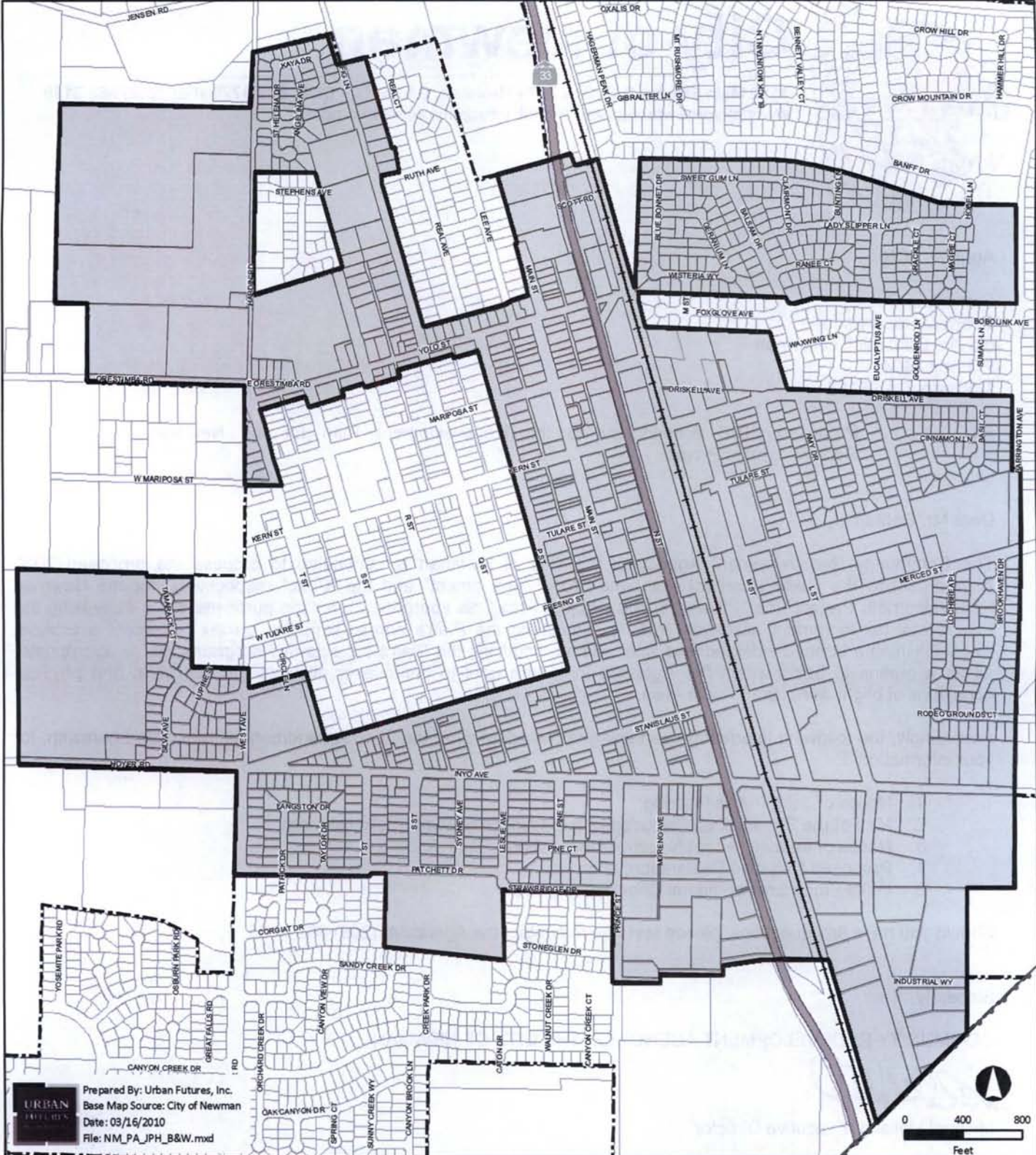
Michael Holland, Executive Director

Enclosures

BOARD OF SUPERVISORS  
2010 APR 13 A 11:19

ATTACHMENTS AVAILABLE  
FROM YOUR CLERK





Prepared By: Urban Futures, Inc.  
 Base Map Source: City of Newman  
 Date: 03/16/2010  
 File: NM\_PA\_JPH\_B&W.mxd

**Community Redevelopment Agency  
 of the City of Newman**

**PROPOSED 2010 AMENDMENT TO  
 THE REDEVELOPMENT PLAN FOR  
 THE NEWMAN REDEVELOPMENT PROJECT**

**PROJECT AREA MAP**



- Stanislaus County Boundaries
- Newman City Boundaries
- Project Area
- Highways
- Railroads

**NOTICE OF INTENT TO ADOPT NEGATIVE DECLARATION**

**NOTICE IS HEREBY GIVEN** that in accordance with the California Environmental Quality Act Guidelines Section 15063, the Community Redevelopment Agency of the City of Newman (the "Agency") has completed an "Initial Study" for the proposed 2010 Amendment (the "2010 Amendment") to the Redevelopment Plan (the "Plan") for the Newman Redevelopment Project (hereafter referred to as the "Project," or "Project Area," as appropriate). Initial Study conclusions indicate that preparation and adoption of a negative declaration of environmental impact (the "Negative Declaration") is the appropriate approach to CEQA compliance with regard to the 2010 Amendment action, because the Initial Study demonstrates that there is no substantial evidence that the Plan, as proposed to be amended, will have a significant effect on the environment, either as a result of previously completed CEQA compliance with mitigation measures previously adopted, or in and of itself. A map of the Project Area is included herewith and made part hereof by reference. The Initial Study is on file at the Agency's offices at the address below.

**PROPOSAL:** Proposed 2010 Amendment to the Redevelopment Plan for the Newman Redevelopment Project

**APPLICANT:** Community Redevelopment Agency of the City of Newman (as Lead Agency)

**PREPARED BY:** Lead Agency

**PROJECT DESCRIPTION:** The 2010 Amendment is proposed for the purpose of increasing established fiscal and time limits codified in the Plan, specifically to increase the Plan's total tax increment allocation limit, eliminate the Plan's annual limitation on tax increment allocation, establish a bonded indebtedness limit, and modify the Plan's projects and programs list, as appropriate, all as a means to better attain the Agency's long-term goal to improve or alleviate the economic and physical conditions of blight within the Project Area. These are administrative and fiscal changes to the Plan for the Project; no change in boundaries, designated land uses, land use policies, or site-specific development projects are being proposed by the 2010 Amendment.

**LOCATION/ ENVIRONMENTAL SETTING:** The Project Area is located within the incorporated limits of the City of Newman, County of Stanislaus, State of California. See the Project Area map included herewith. The Project Area is an urbanized area located in an urban setting. In accordance with CEQA Guidelines Section 15072(g)(5), no locations contained within the Project Area have been identified as hazardous waste facilities, land designated as hazardous waste property, and/or hazardous waste disposal sites on lists enumerated under Government Code Section 65962.5.<sup>1</sup>

**REVIEW PERIOD:** From the date of this Notice shown below until May 11, 2010, by 4:00 p.m.

**DOCUMENT(S) LOCATION:** A copy of the Negative Declaration, including the Initial Study with Environmental Checklist and documents referred to therein, are available for review at the City Clerk's Office (see address below). The City Clerk's office hours are: Monday through Friday, 8 a.m. to 5 p.m.

**PUBLIC HEARING:** May 11, 2010, at 7:00 p.m., City Council Chambers, Newman City Hall, 1162 Main Street, Newman, CA 95360.

Written comments, if any, may be sent to Mr. Michael E. Holland, Executive Director, Community Redevelopment Agency of the City of Newman, 1162 Main Street, P.O. Box 787, Newman, CA 95360 on or before May 11, 2010, by 4:00 p.m. Please include the name and telephone number of a contact person in your letter. Comments on the Negative Declaration will also be accepted at the Public Hearing on the proposed 2010 Amendment (City Council Chambers, Newman City Hall, 1162 Main Street, Newman, CA 95360 on May 11, 2010, at 7:00 p.m.). If you have questions regarding the content of this notice, please call (209) 862-3725.

Be advised that if you challenge the adoption of the Negative Declaration in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City Clerk's Office at the address listed above at or prior to the Public Hearing.

**Attachments:** (Proposed) Negative Declaration, Initial Study and Map of the Project Area

Date: April 9, 2010

<sup>1</sup> Department of Toxic Substances Control, EnviroStor Database, <http://www.envirostor.dtsc.ca.gov/public/>.

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**[PROPOSED] NEGATIVE DECLARATION**

**LEAD AGENCY:** Community Redevelopment Agency of the City of Newman  
1162 Main Street, Newman, P.O. Box 787, CA 95360

**PROJECT NAME:** Proposed 2010 Amendment (the "2010 Amendment") to the Redevelopment Plan (the "Plan") for the Newman Redevelopment Project (hereafter referred to as the "Project" or "Project Area," as appropriate).

**PROJECT PROPONENT:** Community Redevelopment Agency of the City of Newman (the "Agency")

**PREPARED BY:** Community Redevelopment Agency of the City of Newman (Lead Agency)

**PROJECT LOCATION:** City of Newman, County of Stanislaus, State of California. See Project Area Map, included herewith and made part hereof by reference.

**PROJECT DESCRIPTION:** The 2010 Amendment is proposed for the purposes of increasing established fiscal and time limits codified in the Plan, specifically to increase the Plan's total tax increment allocation limit, eliminate the Plan's annual limitation on tax increment allocation, establish a bonded indebtedness limit, and modify the Plan's projects and programs list, as appropriate, all as a means to better attain the Agency's long-term goal to improve or alleviate the economic and physical conditions of blight within the Project Area. These are administrative and fiscal changes to the Plan for the Project; no change in boundaries, designated land uses, land use policies, or site-specific development projects are being proposed by the 2010 Amendment.

**MITIGATION MEASURES:** None recommended.

**DETERMINATION:** Pursuant to the Initial Study, on file in the City Clerk's Office at the address above, potential physical impacts resulting from the 2010 Amendment have been evaluated within environmental impact analyses previously completed pursuant to the California Environmental Quality Act (CEQA) and applicable to the 2010 Amendment (see Initial Study, Section VI – Project Objective and Description, Responsible Agencies and Initial Study Purpose, and Section V – Documents Incorporated into the Initial Study by Reference); the 2010 Amendment is administrative in character, and the Plan, as proposed to be amended, will in and of itself effect no physical impacts in the Project Area. The Initial Study prepared for the 2010 Amendment shows there is no substantial evidence, in light of the whole record before the Agency as Lead Agency, that the 2010 Amendment will have any significant effect on the environment that has not been previously evaluated and, as necessary, mitigated as part of previous environmental analyses.

Therefore, an Initial Study having been conducted and a finding made that the proposed action will have no significant effect on the environment in accordance with CEQA Guidelines 15070(a), the Agency, as Lead Agency, hereby determines that an environmental impact report is not required for the 2010 Amendment to the Plan for the Project and adoption of a Negative Declaration is appropriate.

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**ENVIRONMENTAL CHECKLIST FORM**

**INITIAL STUDY**

**I. PROJECT INFORMATION**

**1. Project Title:**

2010 Amendment to the Redevelopment Plan for the Newman Redevelopment Project

**2. Lead Agency Name and Address:**

Community Redevelopment Agency of the City of Newman  
1162 Main Street, P.O. Box 787, Newman, CA 95360

**3. Contact Person and Phone Number:**

Mr. Michael E. Holland, City Manager/Community Redevelopment Agency Director  
(209) 862-3725 - mholland@cityofnewman.com

**4. Project Location:**

City of Newman, County of Stanislaus (See Project Area Map), State of California

**5. Project Sponsor's Name and Address:**

Community Redevelopment Agency of the City of Newman  
1162 Main Street, P.O. Box 787, Newman, CA 95360

**6. Project Description Summary**

The 2010 Amendment is proposed for the purposes of increasing established fiscal and time limits codified in the Plan, specifically to increase the Plan's total tax increment allocation limit, eliminate the Plan's annual limitation on tax increment allocation, establish a bonded indebtedness limit, and modify the Plan's projects and programs list, as appropriate, all as a means to better attain the Agency's long-term goal to improve or alleviate the economic and physical conditions of blight within the Project Area. These are administrative and fiscal changes to the Plan for the Project; no change in boundaries, designated land uses, land use policies, or site-specific development projects are being proposed by the 2010 Amendment

**7. General Plan Land Use Designation(s):**

Agriculture, Business Park Central Residential, Community Commercial, Downtown Commercial, Service Commercial, Heavy Industrial, High Density Residential, Industrial Reserve, Light Industrial, Low Density Residential, Medium Density Residential, Planned Mixed Residential, Public/Quasi-Public, Recreation and Parks, Urban Reserve.<sup>2</sup>

**8. Zoning Designation(s):**

C1 (Retail Commercial), C2 (General Service Commercial), I (Controlled Manufacturing), M (Industrial), OS (Open Space), PD (Planned Development), R-1 (Single Family Residential), R-2 (Duplex Residential), R-3 (Multiple Family Residential).<sup>3</sup>

**9. Surrounding Land Uses and Setting: Briefly describe the project's surroundings:**

**Setting:** Urban, Semi-Urban and Rural

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<sup>2</sup> City of Newman *General Plan 2030 Land Use Map*, last amended on April 10, 2007; the Housing Element was last updated in 2003.

<sup>3</sup> City of Newman, *City Zoning Map*, last amended 1990



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

City Council of the City of Newman, Planning Commission of the City of Newman

**11. Individuals Involved in the Preparation of this Initial Study:**

Jon Huffman, Managing Principal, Urban Futures, Inc.  
Julie Myhra, Planner, Urban Futures, Inc.  
Jung Seo, Planner, Urban Futures, Inc.  
Jen Tran, Assistant Planner, Urban Futures, Inc.

**II. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED**


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

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Aesthetics                  | <input type="checkbox"/> Agriculture Resources              | <input type="checkbox"/> Air Quality            |
| <input type="checkbox"/> Biological Resources        | <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Geology/Soils          |
| <input 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 type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities/Service Systems   | <input type="checkbox"/> Mandatory Findings of Significance |   |

**III. LEAD AGENCY DETERMINATION:**

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

  
\_\_\_\_\_  
Signature

3/23/2010  
\_\_\_\_\_  
Date

Michael E. Holland, Redevelopment Director  
for Community Redevelopment Agency of the City of Newman



**IV. DEFINITIONS**

The following **bold** terms shall have the following meanings unless the context in which they are used clearly requires otherwise:

**"2010 Amendment" or "Amendment"** means the proposed amendment, as described herein, to the Plan, as defined below.

**"Amended Plan"** means the Redevelopment Plan as defined below as proposed to be amended by the 2010 Amendment.

**"Agency"** means the Community Redevelopment Agency of the City of Newman.

**"Bonded indebtedness limit"** means the limit on the amount of tax allocation bonded indebtedness which can be outstanding at one time without an amendment of the plan, established pursuant to Section 33334.1 of the CCRL, as defined below.

**"CCRL"** means the California Community Redevelopment Law, Section 33000, *et seq.* of the California Health and Safety Code, as currently drafted and as may be amended from time to time.

**"CEQA"** means the California Environmental Quality Act (CEQA; Public Resources Code, Section 21000, *et seq.*, referred to as the "CEQA Statutes," and Title 14, California Code of Regulations, Section 15000, *et seq.*, referred to as the "CEQA Guidelines") as currently drafted and as may be amended from time to time. **"EIR"** means an environmental impact report prepared, published and circulated according to CEQA requirements.

**"City" and "City Council"** mean the City of Newman and its City Council, respectively; the City Council is also the Agency's Board of Directors (the "Agency Board").

**"County"** means County of Stanislaus, State of California.

**"General Plan"** means the General Plan of the City, as it may be amended from time to time, and as more specifically described in Section V below.

**"Project"** means the Newman Redevelopment Project, which was adopted on September 22, 1992, by City Council's Ordinance No. 92-14. **"Project Area"** means the approximately 610 acres included in the Project. The Project Area is described in more detail under Project Description below and shown on the Map in Attachment "A" hereto, incorporated herein by reference.

**"Redevelopment Plan" or "Plan"** means the Redevelopment Plan for the Project, as defined above.

**"State"** means the State of California.

**"Tax increment allocation limit"** means the limit on the total amount of tax increment funds to be allocated to the Agency over the life of the Amended Plan.

**"Zoning Ordinance"** means the zoning ordinance in the City in effect at the time of the adoption of the 2010 Amendment and as it may be amended from time to time. The City's Zoning Ordinance as codified in Title 5 of the City's Municipal Code.

**V. Documents Relied on in the Initial Study, Incorporation by Reference, and Availability for Public Review**

- Community Redevelopment Agency of the City of Newman, *Preliminary Draft and Final Environmental Impact Reports for the Redevelopment Plan of the Newman Redevelopment Project*, SCH No. 91012091, September 1992, certified by City Council Resolution No. 92-64 adopted on September 22, 1992; collectively referred to hereafter as the "**Project EIR.**" The Project EIR was prepared as a part of the adoption proceedings for the Plan. The Project EIR evaluated potential significant environmental impacts related to the adoption of the Plan and the creation of the Project Area, as defined above. This Initial Study incorporates the mitigation measures contained within the Project EIR as they apply to Plan-related implementation activities within the Project Area. To the extent applicable, the Mitigation Measures Section found on pp. 3-7 in the Final Environmental Impact Report will be referred to hereafter as the "**Mitigation Monitoring Program**" while the Initial Study completed as part of the preparation of and attached to the Project EIR for adoption of the Redevelopment Plan will be referred to as the "**1991 Initial Study.**"
- City of Newman, *Newman 2030 General Plan*, adopted on April 10, 2007, by City Council Resolution No. 2007-12, and hereafter referred to as the "**General Plan.**" The General Plan of the City promulgates the policies that guide the community in its planning and decision-making process. CCRL Section 33331 requires that a redevelopment plan be consistent with the general plan of the community, as amended from time to time. This Initial Study incorporates the goals, policies and actions contained within the General Plan.
- City of Newman, *Draft and Final Environmental Impact Reports for the Newman 2030 General Plan*, SCH No. 2006072025, dated October 2006, certified by City Council Resolution No. 2007-12 adopted on April 10, 2007, collectively referred to hereafter as the "**General Plan EIR.**" The General Plan EIR was prepared as a part of the adoption proceedings for the comprehensive update of the General Plan, and it evaluated potential significant environmental impacts related to the adoption and implementation of the policies contained within the General Plan. To the extent applicable, this Initial Study incorporates the mitigation measures contained within the Mitigation Monitoring and Reporting Program of the General Plan EIR.

Copies of the above document(s) are available for public review at Agency/City offices, 1162 Main Street, Newman, California 95360.

**VI. Project Description and Objectives, Responsible Agencies and Initial Study Purpose****1. Project Description**

The City Council adopted the Plan pursuant to the requirements and procedures under the then current CCRL provisions on September 22, 1992, by Ordinance No. 92-14. The Project Area consists of approximately 610 acres generally bounded by Jensen Road on the north, the Waste-Way and Merced County Boundary on the south, approximately Barrington Avenue on the east, and Harvey Road on the west.

The Project Area consists of approximately 610 acres,<sup>4</sup> and includes the historic downtown core of the City as well as neighborhoods consisting largely of single family residential uses located to the east and west of the urban core. The Project Area also contains industrial properties located mainly along the railroad tracks east of Highway 33, the City's highway-oriented commercial properties lie mainly along Main Street, east of Highway 33, with some properties located on the east side of Highway 33 toward the southern section of the City.

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<sup>4</sup> Based on 2006-07 State Controller Report and Project EIR.

**VI. Project Description and Objectives, Responsible Agencies and Initial Study Purpose**

The 2010 Amendment will amend fiscal and administrative limits of the Redevelopment Plan for the Newman Redevelopment Project; no change in Project Area boundaries, designated land uses, land use policies, or site-specific development or redevelopment projects are being proposed by the 2010 Amendment.

**2. Project Objectives**

The purpose of the 2010 Amendment, is to modify the Plan by: i) increasing tax increment allocation limit, ii) eliminating the Plan's annual limitation on tax increment allocation, iii) establishing a bonded indebtedness limit, and ii) modifying the Plan's projects and programs list, as appropriate; all as a means to better attain the Agency's long-term goal to improve or alleviate the economic and physical conditions of blight within the Project Area. The 2010 Amendment will allow the Agency to have greater flexibility with respect to long-term project financing and will permit the Agency to continue to implement redevelopment projects and programs within the Project Area that will eliminate blighting conditions, increase economic development opportunities, repair and/or upgrade substandard infrastructure, and increase the supply of affordable housing within the Project Area and the surrounding community. The 2010 Amendment is fiscal and administrative in character and does not contemplate any physical redevelopment implementation activities within the Project Area. Increasing the Plan's bonded indebtedness and tax increment allocation limits will permit the Agency to, among other things; more effectively alleviate blighting conditions, increase economic development opportunities, and provide affordable housing for eligible persons/families within the Project Area and the surrounding community. The 2010 Amendment will not: i) add territory to the Project Area; ii) propose new projects to the existing Projects/Programs list; or iii) affect existing or create new fiscal agreements. The 2010 Amendment will not authorize any other Plan amendment actions.

The Plan is the legal framework from which the Agency has been and will continue to implement redevelopment projects within the Project Area, shown on the Project Area Map attached hereto. Since adoption of the Plan, the Agency has undertaken many redevelopment activities within the Project Area to meet its redevelopment goals to lessen or eliminate blight. As previously amended, the term of the Plan for the Project is 45 years from the date it was originally adopted, or until September 22, 2037.

**3. Responsible Agencies' Actions**

The following agencies will be responsible for certain actions regarding adoption of the 2010 Amendment:

- Community Redevelopment Agency of the City of Newman (Lead Agency) –adopt the Negative Declaration and approve the Amendment and recommend Amendment Adoption to City Council
- City Council of the City of Newman (Responsible Agency, Legislative Body) – adopt the Negative Declaration, and consider ordinance adopting the Amendment
- Planning Commission of the City of Newman (Advisory Agency) – reviews the Negative Declaration and Amendment, and advises as to Amendment's conformity with the General Plan.

**4. Purpose of the Initial Study**

The Agency has caused an initial study ("Initial Study") to be prepared for the 2010 Amendment pursuant to the requirements and procedures found in CEQA to determine if adoption of the Amendment may have a significant effect on the environment. CEQA requires that the Lead Agency, when preparing the Initial Study, review the whole of a project. In this case, the "whole" of the project is the fiscal and administrative changes to the Redevelopment Plan contained in the 2010 Amendment.

**VI. Project Description and Objectives, Responsible Agencies and Initial Study Purpose**

The lead Agency is not required to revisit environmental effects that may result as a consequence of Plan implementation in the Project Area. These effects were evaluated at the time the Project EIR was certified as being in compliance with CEQA and the Plan adopted in 1992. This Initial Study is based on these earlier CEQA documents and relies on the conclusions reached therein, which are incorporated by reference.

Potential environmental impacts that could be caused by redevelopment activities in the Project Area have been previously evaluated within the Project EIR for the Project, which was certified by the Agency and the City Council in accordance with CEQA prior to the Redevelopment Plan's adoption on September 22, 1992.

**CEQA and Other Compliance Material to the 2010 Amendment**

The Project EIR, incorporated by reference above, was prepared as a part of Plan adoption proceedings in 1992. The Project EIR evaluated potential environmental impacts related to the adoption of the Plan and the creation of the Project Area and, as appropriate, recommended mitigation measures to reduce any identified significant environment effects to less than significant levels as feasible.

The Project EIR is an integral part of the analysis contained in this Initial Study (as are the City's General Plan and General Plan EIR, updated in April 2007 subsequent to Plan adoption). CCRL Section 33331 requires that a redevelopment plan, as it may be amended from time to time, be consistent with the general plan of the community.

Attached to this Initial Study is a map of the Project Area. Potential environmental impacts that could be caused by Redevelopment Plan adoption and implementation have been previously evaluated at the program level (as permitted by Section 21090 of the CEQA Statutes for redevelopment plans and amendments) within the Project EIR and are final and conclusive, no objection having been timely made.

**Persons Participating in the Initial Study**

CEQA Guidelines, Section 15063(d) (6) requires that the Initial Study include, in brief form, the name of the person or persons who prepared or participated in the Initial Study. The following persons provided information and/or participated in the preparation of the Initial Study:

The following members of Community Redevelopment Agency of the City of Newman, 1162 Main Street, P.O. Box 787, Newman, CA 95360 and Urban Futures, Inc. 3111 N. Tustin, Suite 230, Orange CA 92865, redevelopment consultants to the City:

Michael E. Holland, Community Redevelopment Agency Director  
Stephanie Ocasio, Community Redevelopment Agency Assistant Planner.  
Jon Huffman, Urban Futures Managing Principal  
Julie Myhra, Urban Futures Planner  
Jung Seo, Urban Futures GIS/Planner  
Jen Tran, Urban Futures Assistant Planner

**VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS**

	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
<b>1. <u>Aesthetics</u></b>				
Would the Project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 type="checkbox"/>	<input checked="" type="checkbox"/>

**Comments:**

As detailed in Section VI of this Initial Study, the 2010 Amendment is administrative and fiscal in nature and proposes no site-specific development or redevelopment activities, no changes to land use policy or circulation design, and no Project Area boundary modification; therefore, it is reasonable to conclude that the 2010 Amendment will have no significant environmental impacts resulting from Plan Implementation with respect to aesthetics in the Project Area beyond those impacts identified in previously adopted Project EIR and General Plan EIR in compliance to CEQA. Adverse environmental impacts on aesthetics are addressed in pp. 91-94 of the Project EIR. Three mitigation measures recommended as a condition of Plan adoption are contained in the Mitigation Monitoring Program, p.6, Item 10: Aesthetics, which measures are incorporated herein by reference. The Project EIR concluded that with the identified mitigation measures, there were no potential environment impacts resulting from Plan Implementation which could not be mitigated to a level of insignificance.<sup>5</sup>

The 1991 Initial Study determined that there were no unavoidable adverse effects with respect to increased light and glare due to redevelopment activities; consequently no mitigation measures were recommended in this regard.<sup>6</sup>

No further environmental assessment with respect to aesthetics is required for purposes of 2010 Amendment adoption.

<sup>5</sup> Project EIR, pp. 2, 8.

<sup>6</sup> 1991 Initial Study, Item 7: Light and Glare, pp. 16-17.



**VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS**

	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
POTENTIALLY SIGNIFICANT IMPACT			

**2. Agriculture 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 Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. 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 Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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"/> |
| c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**Comments:**

As detailed in Section VI of this Initial Study, the 2010 Amendment is administrative and fiscal in nature and proposes no site-specific, development or redevelopment activities, no changes to land use policy or circulation design, and no Project Area boundary modification; therefore, it is reasonable to conclude that the 2010 Amendment will have no significant environmental impacts resulting from Plan Implementation with respect to agricultural resources in the Project Area beyond those impacts identified in previously adopted Project EIR and General Plan EIR in compliance to CEQA.

The Project EIR identified no Williamson Act parcels in the Project Area, and further determined that redevelopment activities within the Project Area "should not effect [sic] long term agricultural productivity in the region."<sup>7</sup>

Based on the conclusion that there were no unavoidable adverse effects on Agricultural Land and Prime Farmland due to redevelopment activities in the Project Area, the Project EIR proposed no mitigation measure with respect to agricultural resources.<sup>8</sup>

No further environmental assessment with respect to agricultural resources is required for purposes of 2010 Amendment adoption.

<sup>7</sup> Project EIR, Sec. IV.D., Plant Life Agriculture, p. 57.

<sup>8</sup> *Ibid.*

**VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS**

**3. 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:

	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Comments:**

The State of California has recently enacted legislation which aims to reduce greenhouse gas emissions (carbon dioxide, methane, and nitrous oxide), assumed to be a cause of global climate change. The California Global Warming Solutions Act of 2006 (Assembly Bill 32) calls for a greenhouse gas emissions cap for 2020, to reduce such emissions to 1990 levels (essentially a 25% reduction below 2005 emission levels), and called for the California Air Resources Board to develop thresholds, methodologies and targets by January 1, 2008. The deadline has since been extended

The City (and therefore the Project Area) lies within the San Joaquin Valley Air Basin (SJVAB), which is comprised of eight county jurisdictions, including Stanislaus County. The San Joaquin Valley Air Pollution Control District (SJVAPCD) is the responsible regional air quality management district of which the City and the Project Area are a part. The SJVAB, which is approximately 250 miles long and 35 miles across, is designated as nonattainment/serious for the federal 8-hour ozone standard; nonattainment/ severe for the State 1-hour and nonattainment for the State 8-hour ozone standards, respectively. In addition, the SJVAB is classified non-attainment for the federal fine particulate matter (PM<sub>2.5</sub>) standard, and nonattainment for the State particulate matter (PM<sub>10</sub>) and PM<sub>2.5</sub> standards.<sup>9</sup>

<sup>9</sup> San Joaquin Valley Air Pollution Control District, Ambient Air Quality Standards & Valley Attainment Status, July 2009; <http://www.valleyair.org/aqinfo/attainment.htm>

The City's recently adopted General Plan Natural Resources Element includes goals and policies to improve air quality in the City and the region in accordance with the requirements of State law. Climate change is presently thought to be both naturally occurring and induced by increases in the amounts of carbon dioxide (CO<sub>2</sub>) and other greenhouse gases (GHGs) in the earth's atmosphere attributable to the burning of fossil fuels. The General Plan Natural Resources Element is intended to help the City, as well as the Basin, improve its air quality to meet State and Federal air quality requirements and growing climate change concerns.<sup>10</sup>

As a matter of law, the 2010 Amendment is required to be consistent with and conform to the City's General Plan, and to all other applicable local, regional, State and federal codes, statutes and regulations; consequently, the Amendment will not conflict or obstruct implementation of the SJVAPCD's air quality attainment plans.

The 2010 Amendment contemplates no site-specific development or any other physical implementation activities in the Project Area. In accordance with applicable legal requirements, at such time as specific Plan implementation projects are proposed, the City/Agency may require site-specific project analyses to determine environmental impacts with respect to any potential increases in greenhouse gas emissions as a part of the specific project environmental review and approval process

As detailed in Section VI of this Initial Study, the 2010 Amendment is administrative and fiscal in nature and proposes no site-specific development or redevelopment activities, no changes to land use policy or circulation design, and no Project Area boundary modification; therefore, it is reasonable to conclude that the 2010 Amendment will have no significant environmental impacts resulting from Plan Implementation with respect to air quality in the Project Area beyond those impacts identified in previously adopted Project EIR and General Plan EIR in compliance to CEQA. Adverse environmental impacts on air quality are addressed in pp. 39-47 of the Project EIR. Several mitigation measures recommended as a condition of Plan adoption are contained in the Mitigation Monitoring Program, pp.4-5, Item 2: Air Quality, which measures are incorporated herein by reference.

Air quality will not be physically affected as a result of 2010 Amendment adoption. No further environmental assessment with respect to air quality is required for purposes of 2010 Amendment adoption.

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<sup>10</sup> General Plan Natural Resources Element, pp. NR-22, 23; NR4.1 through NR 4.14 (pp NR-22, NR-23)

**VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS**

	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
<b>4. <u>Biological Resources</u></b>				
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 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"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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"/>
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"/>
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"/>
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:**

As detailed in Section VI of this Initial Study, the 2010 Amendment is administrative and fiscal in nature and proposes no site-specific development or redevelopment activities, no changes to land use policy or circulation design, and no Project Area boundary modification; therefore, it is reasonable to conclude that the 2010 Amendment will have no significant environmental impacts resulting from Plan Implementation with respect to biological resources in the Project Area beyond those impacts identified in previously adopted Project EIR and General Plan EIR in compliance to CEQA.

The 1991 Initial Study determined that there were no unavoidable adverse effects on animal life or any unavoidable adverse effect on plant life due to redevelopment activities in the Project Area.<sup>11</sup> Based on the 1991 Initial Study conclusion, the Project EIR did not further analyze impacts on biological resources and recommended no mitigation measures. Additionally with respect to Biological Resources, the City's General Plan promulgates Policies NR-3.1 through NR-3.11 in support of General Plan Goal NR-3 to protect sensitive native vegetation and wildlife communities and habitat.<sup>12</sup> As a matter of law, the Amended Plan is required to be consistent with the City General Plan.

No further environmental assessment with respect to biological resources is required for purposes of 2010 Amendment adoption.

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<sup>11</sup> 1991 Initial Study, Item 5: Animal Life, p.16 and Project EIR, Section IV.D: Plant Life-Agriculture, pp.56-57.

<sup>12</sup> General Plan, Natural Resources Element, pp. NR-20-Nr-21.



**VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS**

	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
<b>5. <u>Cultural Resources</u></b>				
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Comments:**

As detailed in Section VI of this Initial Study, the 2010 Amendment is administrative and fiscal in nature and proposes no site-specific, development or redevelopment activities, no changes to land use policy or circulation design, and no Project Area boundary modification; therefore, it is reasonable to conclude that the 2010 Amendment will have no significant environmental impacts resulting from Plan Implementation with respect to cultural resources in the Project Area beyond those impacts identified in previously adopted Project EIR and General Plan EIR in compliance to CEQA. Adverse environmental impacts on cultural resources are addressed in pp. 94-95 of the Project EIR. Five mitigation measures recommended as a condition of Plan adoption are contained in the Mitigation Monitoring Program, pp.6-7, Item 11: Cultural Resources, which measures are incorporated herein by reference. The Project EIR concluded that, with mitigation, significant impacts to cultural resources are reduced to less than significant levels.<sup>13</sup>

No further environmental assessment with respect to cultural resources is required for purposes of 2010 Amendment adoption.

<sup>13</sup> Project EIR, pp. 2, 8; Section IV.K, Cultural Resources, pp. 94-95.

## VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS

	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
<b>6. <u>Geology and Soils</u></b>				
Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) 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 type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 type="checkbox"/>	<input checked="" type="checkbox"/>
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 type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Comments:**

As detailed in Section VI of this Initial Study, the 2010 Amendment is administrative and fiscal in nature and proposes no site-specific development or redevelopment activities, no changes to land use policy or circulation design, and no Project Area boundary modification; therefore, it is reasonable to conclude that the 2010 Amendment will have no significant environmental impacts resulting from Plan Implementation with respect to geology and soils in the Project Area beyond those impacts identified in previously adopted Project EIR and General Plan EIR in compliance to CEQA.

The 1991 Initial Study determined that because there are no unstable earth or geologic conditions or features of significance in the Project Area, consequent risk from landslides, mudslides, or ground failure is “essentially non-existent.”<sup>14</sup>

Potential adverse environmental impacts with respect to geology and soils are addressed in pp. 32-39 of the Project EIR. Five mitigation measures recommended as a condition of Plan adoption are contained in the Mitigation Monitoring Program, p.3, Item 1: Earth, which mitigation measures are incorporated herein by reference. The Project EIR concluded that with the mitigation incorporation, potential significant impacts related to geologic events would be reduced to less than significant levels.<sup>15</sup>

Additionally, the General Plan EIR determined that since the degree of groundshaking in the City Planning Area is not expected to be high, it is unlikely to expect any significant liquefaction.<sup>16</sup> General Plan Policies HS-1.1 through HS-1.5 support General Plan Goal HS-1 to prevent loss of life, injury, and property damage due to geologic and seismic hazards.<sup>17</sup> As a matter of law, the Redevelopment Plan is required to be consistent with the General Plan.

No further environmental assessment with respect to geology and soil is required for purposes of 2010 Amendment adoption.

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<sup>14</sup> 1991 Initial Study, p.14.

<sup>15</sup> Project EIR, pp. 2, 8.

<sup>16</sup> General Plan, Sec. 8A.1, Geologic Seismic Hazards, pp. HS-2 – HS-5.

<sup>17</sup> *Ibid*, pp. HS-16 through HS-18.

## VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS

	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
<b>7. <u>Hazards and Hazardous Materials</u></b>				
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, 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"/>
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"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Comments:**

As detailed in Section VI of this Initial Study, the 2010 Amendment is administrative and fiscal in nature and proposes no site-specific development or redevelopment activities, no changes to land use policy or circulation design, and no Project Area boundary modification; therefore, it is reasonable to conclude that the 2010 Amendment will have no significant environmental impacts resulting from Plan Implementation with respect to hazards and hazardous materials in the Project Area beyond those impacts identified in previously adopted Project EIR and General Plan EIR in compliance to CEQA.

The Project Area is not located within an airport land use plan nor is it located within two miles of a public airport or public use airport or within the vicinity of a private airstrip.

In accordance with CEQA Guidelines Section 15072(g)(5), no locations contained within the Project Area have been identified as hazardous waste facilities, land designated as hazardous waste property, and/or as hazardous waste disposal sites on lists enumerated under Government Code Section 65962.5.<sup>18</sup>

The 1991 Initial Study determined that there were no unavoidable adverse effects with respect to hazards and hazardous materials (Risk of Upset) due to redevelopment activities in the Project Area.<sup>19</sup> Consequently, the Project EIR did not further evaluate such risks in the Project Area and recommended no mitigation measures.

The City General Plan Health and Safety Element promulgates Policies HS-4.1 through HS-4.5 in support of General Plan goal HS-4 to "prevent the loss of life, injury and property damage due to the release of hazardous materials"; Policies HS-5.1 through HS-5.4 for General Plan Goal HS-5 to "maintain emergency response procedures that are adequate in the event of natural or man-made disaster;" and policies HS-3.1 through 3.6 in support of Goal HS-3 to "prevent the loss of life, injury and property damage due to fires."<sup>20</sup> The Amended Plan is required as a matter of law to be consistent with the City General Plan.

No further environmental assessment with respect to hazards and hazardous materials is required for purposes of 2010 Amendment adoption.

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<sup>18</sup> Department of Toxic Substances Control, EnviroStor Database, October 01, 2009; <http://www.envirostor.dtsc.ca.gov/public/>.

<sup>19</sup> 1991 Initial Study, Item 10: Risk of Upset, p. 18

<sup>20</sup> General Plan Health and Safety Element, pp.HS-19-HS-22.



## VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS

	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
<b>8. <u>Hydrology and Water Quality</u></b>				
Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater 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 type="checkbox"/>	<input checked="" type="checkbox"/>
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 type="checkbox"/>	<input checked="" type="checkbox"/>
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 type="checkbox"/>	<input checked="" type="checkbox"/>
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 type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS

	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
<b>8. <u>Hydrology and Water Quality</u></b>				
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Comments:**

As detailed in Section VI of this Initial Study, the 2010 Amendment is administrative and fiscal in nature and proposes no site-specific development or redevelopment activities, no changes to land use policy or circulation design, and no Project Area boundary modification; therefore, it is reasonable to conclude that the 2010 Amendment will have no significant environmental impacts resulting from Plan Implementation with respect to hydrology and water quality in the Project Area beyond those impacts identified in previously adopted Project EIR and General Plan EIR in compliance to CEQA.

Adverse environmental impacts on hydrology and water quality are addressed in pp. 47-56 of the Project EIR. The Project EIR determined that stormwater runoff and stormwater discharge into receiving bodies would be minimal because much of the Project Area is over-covered with hard surfaces. It further concluded that provision of storm drain improvements in the Downtown area facilitated by the Redevelopment Plan would serve to improve existing stormwater drainage- a positive impact.<sup>21</sup> Three mitigation measures recommended as a condition of Plan adoption are contained in the Mitigation Monitoring Program, p.5, Item 3: Water, which measures are incorporated herein by reference. The Project EIR concluded that, after mitigation, the potentially significant adverse hydrologic effects of redevelopment activities within the Project Area would be reduced to less than significant levels.<sup>22</sup>

No further environmental assessment with respect to hydrology and water quality is required for purposes of 2010 Amendment adoption

<sup>21</sup> *Ibid.*

<sup>22</sup> Project EIR, pp. 2, 8.

**VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS**

	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
<b>9. <u>Land Use and Planning</u></b>				
Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Comments:**

As detailed in Section VI of this Initial Study, the 2010 Amendment is administrative and fiscal in nature and proposes no site-specific development or redevelopment activities, no changes to land use policy or circulation design, and no Project Area boundary modification; therefore, it is reasonable to conclude that the 2010 Amendment will have no significant environmental impacts resulting from Plan Implementation with respect to land use and planning in the Project Area beyond those impacts identified in previously adopted Project EIR and General Plan EIR in compliance to CEQA.

The Project EIR and 1991 Initial Study determined that there were no unavoidable adverse effects on land use and planning due to redevelopment activities in the Project Area.<sup>23</sup> No mitigation measures were recommended with respect to land use and planning.

No further environmental assessment with respect to land use and planning is required for purposes of 2010 Amendment adoption.

<sup>23</sup> Project EIR, Sec. III.D, Relationship to Public Plans and Policy, pp. 28-31 and 1991 Initial Study, Item 8: Land Use, p. 17.

**VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS**

	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
<b>10. <u>Mineral Resources</u></b>				
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:**

As detailed in Section VI of this Initial Study, the 2010 Amendment is administrative and fiscal in nature and proposes no site-specific, development or redevelopment activities, no changes to land use policy or circulation design, and no Project Area boundary modification; therefore, it is reasonable to conclude that the 2010 Amendment will have no significant environmental impacts in the Project Area resulting from Plan Implementation with respect to mineral resources. Neither the Project EIR nor the General Plan EIR identify any mineral resources in the Project Area that could be lost as the result of urban activities in the Project Area and City Planning Area, respectively.

No further environmental assessment with respect to mineral resources is required for purposes of 2010 Amendment adoption.

**VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS**

	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
<b>11. <u>Noise</u></b>				
Would the project result in:				
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 type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 type="checkbox"/>	<input checked="" type="checkbox"/>
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 type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, 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"/>
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:**

As detailed in Section VI of this Initial Study, the 2010 Amendment is administrative and fiscal in nature and proposes no site-specific development or redevelopment activities, no changes to land use policy or circulation design, and no Project Area boundary modification; therefore, it is reasonable to conclude that the 2010 Amendment will have no significant environmental impacts resulting from Plan Implementation with respect to noise in the Project Area beyond those impacts identified in previously adopted Project EIR and General Plan EIR in compliance to CEQA.

The Project Area is not located within an airport land use plan nor is it located within two miles of a public airport or public use airport or within the vicinity of a private airstrip. The 1991 Initial Study determined that there were no significant impacts to the noise environment due to redevelopment activities in the Project Area therefore no mitigation measures were proposed.<sup>24</sup>

<sup>24</sup> 1991 Initial Study, Item 6: Noise, p. 16.

The General Plan Health and Safety Element promulgates Policies HS-6.1 through HS-6.11 in support of General Plan Goal HS-6 to “provide compatible noise environments for new developments and control sources of excessive noise.”<sup>25</sup> The Amended Plan is required, as a matter of law, to be consistent with the City General Plan. No further environmental assessment with respect to noise is required for purposes of 2010 Amendment adoption.

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<sup>25</sup> General Plan Health and safety Element, pp. HS-22-HS-27.

**VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS**

	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
<b>12. <u>Population and Housing</u></b>				
Would the project:				
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 type="checkbox"/>	<input checked="" type="checkbox"/>
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"/>
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:**

As detailed in Section VI of this Initial Study, the 2010 Amendment is administrative and fiscal in nature and proposes no site-specific development or redevelopment activities, no changes to land use policy or circulation design, and no Project Area boundary modification; therefore, it is reasonable to conclude that the 2010 Amendment will have no significant environmental impacts resulting from Plan Implementation with respect to population and housing resources in the Project Area beyond those impacts identified in previously adopted Project EIR and General Plan EIR in compliance to CEQA.

The Project EIR determined that there were no unavoidable adverse effects on population and housing due to redevelopment activities in the Project Area.<sup>26</sup>

No further environmental assessment with respect to population and housing is required for purposes of 2010 Amendment adoption.

<sup>26</sup> Project EIR, Section I.H: Growth Inducing Effects of Proposed Project, pp. 12-13.

**VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS**

	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
POTENTIALLY SIGNIFICANT IMPACT			

**13. Public Services**

Would the project:

- a) 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:
- |                             |                          |                          |                          |                                     |
|-----------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| i) Fire protection?         | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii) Police protection?      | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iii) Schools?               | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iv) Parks?                  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| v) Other public facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**Comments:**

As detailed in Section VI of this Initial Study, the 2010 Amendment is administrative and fiscal in nature and proposes no site-specific development or redevelopment activities, no changes to land use policy or circulation design, and no Project Area boundary modification; therefore, it is reasonable to conclude that the 2010 Amendment will have no significant environmental impacts resulting from Plan Implementation with respect to public services in the Project Area beyond those impacts identified in previously adopted Project EIR and General Plan EIR in compliance to CEQA.

The Project EIR determined that there were no unavoidable adverse effects on public services due to redevelopment activities in the Project Area.<sup>27</sup>

No further environmental assessment with respect to public services is required for purposes of 2010 Amendment adoption.

<sup>27</sup> Project EIR, Sec. IV.H., Public Services, pp. 70-90



**VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS**

	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
<b>14. Recreation</b>				
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 type="checkbox"/>	<input checked="" type="checkbox"/>
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 type="checkbox"/>	<input checked="" type="checkbox"/>

**Comments:**

As detailed in Section VI of this Initial Study, the 2010 Amendment is administrative and fiscal in nature and proposes no site-specific development or redevelopment activities, no changes to land use policy or circulation design, and no Project Area boundary modification; therefore, it is reasonable to conclude that the 2010 Amendment will have no significant environmental impacts resulting from Plan Implementation with respect to recreation in the Project Area beyond those impacts identified in previously adopted Project EIR and General Plan EIR in compliance to CEQA.

The 1991 Initial Study determined that there were no unavoidable adverse effects on recreation due to redevelopment activities; consequently, the environmental topic was not evaluated further in the Project EIR and no mitigation measures were recommended.<sup>28</sup>

No further environmental assessment with respect to recreation is required for purposes of 2010 Amendment adoption.

<sup>28</sup> 1991 Initial Study, Item 19: Recreation, p. 19.

**VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS**

	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
<b>15. <u>Transportation/Traffic</u></b>				
Would the project:				
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 type="checkbox"/>	<input checked="" type="checkbox"/>
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 type="checkbox"/>	<input checked="" type="checkbox"/>
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"/>
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 type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Comments:**

As detailed in Section VI of this Initial Study, the 2010 Amendment is administrative and fiscal in nature and proposes no site-specific development or redevelopment activities, no changes to land use policy or circulation design, and no Project Area boundary modification; therefore, it is reasonable to conclude that the 2010 Amendment will have no significant environmental impacts resulting from Plan Implementation with respect to transportation/traffic in the Project Area beyond those impacts identified in previously adopted Project EIR and General Plan EIR in compliance to CEQA. Adverse environmental impacts on Transportation/Traffic are addressed in pp. 66-69 of the Project EIR. Three mitigation measures recommended as a condition of Plan adoption are contained in the Mitigation Monitoring Program, pp.5-6, Item 7: Transportation and Circulation, which measures are incorporated herein by reference.

No further environmental assessment with respect to transportation/traffic is required for purposes of 2010 Amendment adoption.

**VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS**

	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
<b>16. <u>Utilities and Service Systems</u></b>				
Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 type="checkbox"/>	<input checked="" type="checkbox"/>
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 type="checkbox"/>	<input checked="" type="checkbox"/>
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 type="checkbox"/>	<input checked="" type="checkbox"/>
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 type="checkbox"/>	<input checked="" type="checkbox"/>
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 type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Comments:**

As detailed in Section VI of this Initial Study, the 2010 Amendment is administrative and fiscal in nature and proposes no site-specific development or redevelopment activities, no changes to land use policy or circulation design, and no Project Area boundary modification; therefore, it is reasonable to conclude that the 2010 Amendment will have no significant environmental impacts resulting from Plan Implementation with respect to utilities and service systems in the Project Area beyond those impacts identified in previously adopted Project EIR and General Plan EIR in compliance to CEQA.

The 1991 Initial Study determined that there were no significant impacts from the increased use of energy due to redevelopment activities in the Project Area.<sup>29</sup> The Project EIR determined that there were no unavoidable adverse effects on utilities due to redevelopment activities in the Project Area.<sup>30</sup>

<sup>29</sup> 1991 Initial Study, Item 15: Energy, p. 20.

<sup>30</sup> Project EIR, Sec. IV.I, Utilities, pp. 90-91

The Project EIR concluded that, with respect to Utilities, because several redevelopment implementations projects are extensions or improvements to utilities such as sewer, water and storm drainage facilities, they will enhance the Project Area's present utility system and are seen as positive.<sup>31</sup>

No further environmental assessment utilities and service systems is required for purposes of 2010 Amendment adoption.

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<sup>31</sup> *Ibid*, p.14.

## VII. EVALUATION OF POTENTIAL ENVIRONMENTAL IMPACTS

	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
<b>17. <u>Mandatory Findings of Significance</u></b>				
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 type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Comments:**

The 2010 Amendment will not impact any of the environmental issue areas as evidenced by the assessment contained in the preceding checklist. The 1991 Initial Study determined that there were no unavoidable adverse effects on animal life or any unavoidable adverse effect on fish and wildlife species and their habitats due to redevelopment activities.<sup>32</sup> As site-specific projects are proposed and assessed in compliance with CEQA requirements, additional project-specific CEQA analysis and specific mitigation measures may be required for project approval. The 2010 Amendment proposes no new development, nor any change in land uses, therefore the adoption of the 2010 Amendment will not 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.

<sup>32</sup> 1991 Initial Study, Item 5: Animal Life, p.16 and Project EIR, Section IV.D: Plant Life-Agriculture, pp.56-57.

As detailed in Section VI of this Initial Study, the 2010 Amendment is administrative and fiscal in nature and proposes no site-specific development or redevelopment activities, no changes to land use policy or circulation design, and no Project Area boundary modification; therefore, it is reasonable to conclude that the 2010 Amendment does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals, and it will not result in cumulatively considerable impacts that have not previously been considered by the Project EIR previously prepared and certified as part of the Plan adoption. Furthermore, due to the fiscal and administrative nature of the 2010 Amendment, no environmental effects which will directly or indirectly cause substantial adverse effects on human beings are expected to occur as a consequence of adoption of the 2010 Amendment.

No further environmental assessment with respect to mandatory finding of significance is required for purposes of 2010 Amendment adoption.

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**APPENDIX A-**

**PROJECT AREA MAP**

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**NOTICE OF JOINT PUBLIC HEARING**

**NOTICE OF JOINT PUBLIC HEARING OF THE CITY COUNCIL OF THE CITY OF  
NEWMAN AND THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF  
NEWMAN REGARDING THE PROPOSED 2010 AMENDMENT TO THE  
REDEVELOPMENT PLAN FOR THE NEWMAN REDEVELOPMENT PROJECT AND  
NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION OF ENVIRONMENTAL  
IMPACT RELATED THERETO**

**NOTICE IS HEREBY GIVEN** that a joint public hearing will be held before the City Council of the City of Newman (the "City Council") and the Community Redevelopment Agency of the City of Newman (the "Agency"):

<b>DATE OF HEARING:</b>	May 11, 2010
<b>TIME OF HEARING:</b>	7:00 p.m. or as soon thereafter as possible
<b>PLACE OF HEARING:</b>	City Council Chambers, 1200 Main Street Newman, CA 95360

A purpose of this hearing is to consider approval and adoption of the proposed amendment (the "2010 Amendment") to the Redevelopment Plan for the Newman Redevelopment Project (the "Project" or the "Project Area," as appropriate) and to consider all evidence and testimony for or against the approval and adoption of the 2010 Amendment.

The Agency is proposing the 2010 Amendment, as permitted by the California Community Redevelopment Law (CCRL; Health and Safety Code, Section 33000, *et seq.*), specifically Sections 33333.4(g)(1) and 33334.1, for the purposes of: i) increasing the Plan's total tax increment allocation limit; ii) eliminating the Plan's annual limitation on tax increment allocation; iii) establishing a bonded indebtedness limit; and iv) modifying the Plan's projects and programs list, as appropriate; all as a means to better attain the Agency's long-term goal to improve or alleviate the economic and physical conditions of blight within the Project Area.

**NOTICE IS FURTHER HEREBY GIVEN** that the City Council and the Agency will, at the same time and place, hold a joint public hearing to consider adoption of the Negative Declaration of Environmental Impact (the "Negative Declaration") for the 2010 Amendment in accordance with the California Environmental Quality Act (CEQA). The Initial Study and Environmental Checklist for the 2010 Amendment and the Negative Declaration are available for public inspection in the office of the City Clerk located at the address below. All evidence and testimony presented in writing prior to, or at the joint public hearing, or presented orally at the joint public hearing for or against adoption of the Negative Declaration will be considered by the City Council and the Agency. At the joint public hearing, any and all persons desiring to comment on, or having objections to the content or adequacy of the Negative Declaration may appear and be heard before the City Council and the Agency.

In accordance with CEQA Guidelines Section 15072(g)(5), no locations within the Project Area have been identified as hazardous waste facilities, land designated as hazardous waste property, and/or hazardous waste disposal sites on lists enumerated under Government Code Section 65962.5.

At any time not later than the hour set forth above for the hearing of objections to the proposed 2010 Amendment, any person or organization may file in writing with the City Clerk of the City of Newman, at the address below by 4:00 p.m., a statement of objections to the proposed 2010 Amendment and/or to the related Negative Declaration. At the day, hour and place of the hearing, any and all persons having any objections to the proposed 2010 Amendment, to the related Negative Declaration, or to the regularity of any of the prior proceedings, may appear before the City Council and the Agency and show cause why the proposed 2010 Amendment and/or the related Negative Declaration should not be adopted. Any person or organization desiring to be heard will be given an opportunity to be heard at the joint public hearing. At the joint public hearing, the City Council and the Agency shall proceed to hear and pass upon all written and oral objections to the 2010 Amendment prepared in accordance with the CCRL, and proceed to hear and pass upon all oral and written objections to the Negative Declaration or related matters. The Agency and the City Council shall consider all evidence and testimony for and against approval and adoption of the 2010 Amendment and of the related Negative Declaration.

A map of the Project Area is included with this Notice. A legal description of the Project Area (recorded with the Stanislaus County Recorder's Office, Instrument No.: 097937 OCT-992) is available for public review at the City Clerk's Office at the address below, Monday through Friday, 8 a.m. to 5 p.m. A copy of the legal description is available, upon request, free of charge.

**NOTICE IS FURTHER HEREBY GIVEN** to any person or organization who desires to present objections to the 2010 Amendment, or allegations of noncompliance with the CCRL, CEQA, or other applicable laws, that such person or organization may be precluded from raising such issue(s) in a subsequent legal action or proceeding challenging the 2010 Amendment or related Negative Declaration, unless the objections or alleged grounds for noncompliance were presented by the person or organization in writing prior to the joint public hearing, or were presented orally or in writing at the joint public hearing.

In order to give all interested citizens in the Project Area an opportunity to fully understand the redevelopment plan amendment process, the Agency has scheduled the following informational workshop:

Date: April 29, 2010  
Time: 7:00 p.m.  
Place: City Council Chambers,  
1200 Main Street  
Newman, CA 95360

**NOTICE IS FURTHER HEREBY GIVEN** that interested persons may review the draft 2010 Amendment to the Plan, the related Negative Declaration, the Initial Study and Environmental Checklist for the Project, and other information pertaining to the 2010 Amendment, at the City Clerk's Office at the address below. The Agency's Report to the City Council on the 2010 Amendment will be presented at the joint public hearing and should be available for public review not less than one week prior to the date set for the joint public hearing.

Any person or organization having specific questions regarding the 2010 Amendment or the related Negative Declaration may contact the Agency at (209) 862-3725. Written objections must be submitted to the Agency through the City Clerk's Office, City of Newman, 1162 Main Street, Newman, CA 95360 prior to the hour set for the joint public hearing or presented at, or prior to the close of, the joint public hearing described in this notice.



\_\_\_\_\_  
Michael Holland, City Clerk

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March 16, 2010

Published: April 8, 15, 22 and 29, 2010

Attachment: Project Area Map