



CITY OF LIVINGSTON

California

GENERAL PLAN AMENDMENT 2016-2024 HOUSING ELEMENT UPDATE INITIAL STUDY & NEGATIVE DECLARATION

April 20, 2016

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INITIAL STUDY AND NEGATIVE DECLARATION

FOR THE

CITY OF LIVINGSTON 2016-2024 HOUSING ELEMENT

April 20, 2016

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1.1 BACKGROUND AND INTRODUCTION

This Initial Study provides environmental analysis pursuant to the California Environmental Quality Act (CEQA) for the City of Livingston 2016 Housing Element Update (project). The project site to be affected by the 2016 Housing Element Update is the area within the city limits.

An initial study is conducted by a lead agency to determine if a project may have a significant effect on the environment. In accordance with the CEQA Guidelines, Section 15064, an environmental impact report (EIR) must be prepared if the initial study indicates that the proposed project under review may have a potentially significant impact on the environment. A negative declaration may be prepared instead if there is no substantial evidence that the proposed project or any of its aspects may cause a significant effect on the environment (CEQA Guidelines Section 15371). According to CEQA Guidelines Section 15070, a negative declaration shall be prepared for a project subject to CEQA when either:

- a) *The initial study shows there is no substantial evidence, in light of the whole record before the agency, that the proposed project may have a significant effect on the environment, or*
- b) *The initial study identified potentially significant effects, but:*
 - (1) *Revisions in the project plans or proposals made by or agreed to by the applicant before the proposed negative declaration is released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur, and*
 - (2) *There is no substantial evidence, in light of the whole record before the agency, that the proposed project as revised may have a significant effect on the environment.*

This Housing Element Update is required by State law (California Government Code Section 65580 – 65589.8). The Draft Housing Element identifies residential sites adequate to accommodate a variety of housing types for all income levels and needs of special population groups defined under State law (California Government Code Section 65583); analyzes governmental constraints to housing maintenance, improvement, and development; addresses conservation and improvement of the condition of the existing affordable housing stock; and outlines policies to promote housing opportunities for all persons.

The Initial Study focuses on whether the proposed project may cause significant effects on the environment. In particular, consistent with CEQA Guidelines Section 21083.3, this Initial Study is intended to assess any effects on the environment that are peculiar to the proposed project or to the parcels on which the project would be located that were not addressed or analyzed as significant effects in an EIR, or which substantial new information shows will be more significant than described in the General Plan EIR or a more recent special purpose plan or planned development EIR.

The Housing Element is formulated and adopted as part of the General Plan. The General Plan EIR evaluates the direct, indirect, and citywide impacts of implementing the Housing Element. The City of Livingston adopted its current General Plan in 1999. The 1999 General Plan underwent extensive environmental review in the form of an EIR, which was adopted in 1999.

1.0 INTRODUCTION

The 2016 Housing Element is a policy document intended as a guide for decision-makers in meeting the City's housing objectives over the next eight years. The 2016 Housing Element modifies existing policies and implementation programs from the previous Housing Element, preserves the most successful programs; and proposes new programs to meet the housing needs of the city's residents. The Housing Element Update does not include any changes to land use designations, zoning, building heights and intensities, or residential densities.

The Housing Element will not, in and of itself, result in environmental impacts. All future development will require project-specific environmental evaluation in order to determine that any potential impacts are less than significant. Potential impacts are location-specific and cannot be assessed in a meaningful way until the location of a project site is known. At such time that a development proposal is considered, that project will be subject to adopted development guidelines/standards, and any impacts identified with the development project will be addressed through mitigation measures specific to the impact.

1.2 LEAD AGENCY

The lead agency is the public agency with primary responsibility over a proposed project. Where two or more public agencies will be involved with a project, CEQA Guidelines Section 15051 provides criteria for identifying the lead agency. In accordance with CEQA Guidelines Section 15051(b) (1), —the lead agency will normally be the agency with general governmental powers, such as a city or county, rather than an agency with a single or limited purpose. Based on these criteria, the City of Livingston will serve as lead agency for the proposed project. The project will be submitted to the California Department of Housing and Community Development (HCD) for certification after adoption by the City of Livingston.

1.3 PURPOSE AND DOCUMENT ORGANIZATION

The purpose of this Initial Study/Negative Declaration is to evaluate the potential environmental impacts of the proposed project.

This document is divided into the following sections:

1.0 Introduction - Provides an introduction and describes the purpose and organization of this document.

2.0 Project Description - Provides a detailed description of the proposed project.

3.0 Initial Study Checklist - Evaluates the potential environmental impacts of the proposed project, including evaluation of the CEQA Mandatory Findings of Significance. The issues evaluated satisfy CEQA review requirements and consist of:

- Aesthetics
- Agricultural Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology/Soils
- Greenhouse Gas Emissions
- Hazards & Hazardous Materials
- Hydrology/Water Quality
- Land Use/Planning
- Mineral Resources
- Noise
- Population/Housing
- Public Services
- Recreation
- Transportation/Traffic
- Utilities/Services System

2.0 Project Description

For each issue, one of four conclusions is made:

- **No Impact:** No project-related impact to the environment would occur with project development.
- **Less Than Significant Impact:** The impact would not result in a substantial and adverse change in the environment. This impact level does not require mitigation measures.
- **Less than Significant with Mitigation Incorporated:** For an impact that is "potentially significant" as described below; the incorporation of mitigation measure(s) would reduce the Project related impact to a less-than-significant level.
- **Potentially Significant Impact:** An impact that may have a "substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project" (State CEQA Guidelines Section 15382); however, the occurrence of the impact cannot be immediately determined with certainty.

4.0 Determination – Identifies the appropriate level of environmental review for the proposed project and whether an Environmental Impact Report (EIR) is required.

5.0 Report Preparers and References - Identifies report preparers and references consulted in preparation of this document.

2.1 PROJECT LOCATION

The City of Livingston is located in Merced County in the San Joaquin Valley of the State of California. Merced County is bordered by Mariposa County to the east, portions of Madera, Fresno, and San Benito counties to the south, portions of San Benito and Santa Clara counties to the west, and Stanislaus County and portions of Santa Clara and Tuolumne counties to the north. The city is located along State Route 99 (SR 99) between Modesto and Merced (**Figure 1**). Regional access to and from this area is provided by SR 99 and numerous existing local roads.

The proposed Housing Element Update project area is the area within the existing city limits. The existing city limits contain approximately 3.5 square miles (**Figure 2**).

2.2 PROJECT PURPOSE AND GOALS

The purpose of the project is to update the City's Housing Element to address the housing needs and objectives of the City and to meet the requirements of State law. The goals of the Housing Element are:

- **Goal 1 - Housing and Economic Diversity:** Promote the development of a balanced residential environment, including a range of housing types, with access to employment opportunities, community facilities, and adequate services to meet the needs of residents and persons working in Livingston.
- **Goal 2 - Adequate Sites:** Maintain an adequate supply of appropriately zoned sites in order to meet Livingston's housing needs.

2.0 Project Description

- **Goal 3 - Affordable Housing:** Further the development and provision of housing to meet the needs of lower- and moderate-income households, particularly those with special needs.
- **Goal 4 - Addressing Governmental Constraints:** Identify and, where appropriate, remove governmental constraints to the maintenance, improvement, and development of housing, especially housing affordable to low- and moderate-income households and special needs groups.
- **Goal 5 - Housing Conservation and Neighborhood Preservation:** Improve and maintain the existing housing stock through conservation and preservation efforts in specific neighborhoods and throughout the City.
- **Goal 6 - Fair Housing/Equal Housing Opportunity:** Promote equal housing opportunities for all persons without discrimination regardless of age, race, ethnicity, religion, sex, sexual orientation, marital status, ancestry, national origin, disability, household composition, sources of income, or other arbitrary factors.
- **Goal 7 - Energy Conservation:** Encourage energy conservation in residential development.
- **Goal 8 - Community Sustainability:** Encourage sustainable development and smart growth practices in residential development.

2.3 PROJECT CHARACTERISTICS

The City of Livingston 2016-2024 Housing Element Update would revise the City's existing 2010 Housing Element consistent with the requirements of State law. Government Code Section 65583 requires that the Housing Element include the following components:

- A review of the previous element's goals, policies, programs, and objectives to ascertain the effectiveness of each of these components, as well as the overall effectiveness of the Housing Element.
- An assessment of housing needs and an inventory of resources and constraints related to the meeting of these needs.
- An analysis and program for preserving assisted housing developments.
- A statement of community goals, quantified objectives, and policies relative to the preservation, improvement, and development of housing.
- A program which sets forth a schedule of actions that the City is undertaking or intends to undertake, in implementing the policies set forth in the Housing Element.

The Housing Plan of the Housing Element Update identifies the City's commitment to specific actions in order to maintain and improve existing housing, promote development of housing affordable to all income levels and special needs populations, require non-discrimination in housing, and meet the requirements of State law related to housing elements.

2.0 Project Description

The Housing Plan includes 28 programs to assist the City in meeting its eight housing goals. The housing programs are identified below.

Goal 1 – Housing and Economic Diversity

- 1. Housing Diversity:** Use a variety of incentives including zoning and land use controls, flexible development standards, technical assistance, and expedited processing to promote affordable housing or to promote a range of housing types. Encourage and support the use of the City's Planned Development Permit Process in the review and consideration of new housing projects. This may include exceptions to setbacks, clustering of units and lot configuration, lot size, and lot coverage.
- 2. Economic Development:** Continue to identify and promote economic development opportunities that bring additional employment for City residents, including jobs paying a range of wages. Conduct targeted outreach to businesses in order to get them to locate in Livingston.

Goal 2 – Adequate Sites

- 3. Maintain Adequate Sites:** In order to ensure that there are sufficient sites to address the City's share of the regional housing need, the City will monitor the existing inventory of available land and, if necessary, rezone land within the existing city limits or annex land within its Sphere of Influence (SOI). To ensure sufficient residential capacity is maintained to accommodate the RHNA, the City will develop and implement a formal ongoing (project-by-project) evaluation procedure pursuant to Government Code Section 65863. Should an approval of development result in a reduction of capacity below the residential capacity needed to accommodate the remaining need for lower income households, the City will identify and if necessary rezone sufficient sites to accommodate the shortfall and ensure "no net loss" in capacity to accommodate the RHNA. If rezoning is required to replenish the sites inventory for meeting the RHNA shortfall, the sites shall be large enough to accommodate at least 16 units per site at a minimum density of 20 units per acre, and shall be rezoned within two years.
- 4. Tax Sharing Agreement:** Re-establish a master tax-sharing agreement with the County in order to facilitate the annexation of land within the City's SOI when sites are needed to address housing needs.
- 5. Multifamily Lot Consolidation Program:** In order to provide vacant parcels of adequate size to encourage affordable multi-family development, encourage the consolidation of adjacent parcels zoned High Density Residential (R-3) or Downtown Commercial (DTC). This may include working with property owners to consolidate parcels, coordinating with local property owners to support the development of affordable multifamily housing development, or working with developers to identify suitable vacant adjoining R-3 or DTC sites.
- 6. Annual Reporting:** Review and report annually on the implementation of Housing Element programs and the City's effectiveness in meeting the program objectives for the prior calendar year. Present the annual report to the City Council at a public hearing before submitting the annual report to the California Department of Housing and Community Development (HCD) and the Office of Planning and Research (OPR).

2.0 Project Description

Goal 3 – Affordable Housing

- 7. Incentives for Affordable Housing:** Use a variety of incentives including zoning and land use controls, flexible development standards, technical assistance, reduced development fees (see Program 16) and expedited processing (see Program 20) to promote affordable housing, including housing that meets the needs of special groups (e.g., seniors, persons with disabilities, persons with developmental disabilities, farmworkers, large households, and the homeless). Work with developers to identify sites and potential funding sources for the development of affordable housing and special needs housing.
- 8. First-Time Homebuyer Program:** Continue to identify and apply for funding in order to continue the City's first-time homebuyer program to help lower-income homebuyers, including extremely low-, very low-, and low-income, with downpayment and closing costs.
- 9. Extremely Low-Income Housing Development Funding:** Support applications for funding for the development of extremely low-income housing. Research potential funding opportunities and reach out to affordable housing developers on an annual basis to identify grants or loans, and providing expedited processing of applications for the development of extremely low-income housing.
- 10. Farmworker Housing:** Support regional efforts, such as those of the Merced County Housing Authority and other organizations, to identify sites, including sites within the SOI, and secure funding for permanent and seasonal farmworker housing. Provide assistance in the form of reduced development standards and/or fee deferrals to developers of affordable farmworker housing.
- 11. Section 8 Rental Assistance:** Encourage new multifamily apartment owners to participate in the Housing Choice (Section 8) Voucher Program by accepting vouchers at their complexes. Refer extremely low and very low-income households seeking rental assistance to the Merced County Housing Authority's Housing Choice Voucher Program.
- 12. Housing Program Information:** Make information on housing, housing programs, and housing assistance available to all members of the community. Continue to provide materials in both Spanish and English. Place information at the public counter in City Hall, the City's website, and at other public locations.

Goal 4 – Addressing Governmental Constraints

- 13. Infrastructure Improvements:** Continue to identify and apply for loans and grants to improve and upgrade City infrastructure, such as the water, sewer, storm drainage, and circulation systems in order to meet future residential, industrial, and commercial demand. Give priority to providing infrastructure to vacant R-3 parcels, especially those in the southeastern portion of the city, as well as DTC parcels in order to support the development of multifamily housing in these areas.
- 14. Impact Fee Program:** Periodically review and update the City's impact fees to ensure that they are consistent with the City's costs to provide these services and that they do not act as a constraint to residential development.
- 15. Provide Information on Reasonable Accommodation:** Consistent with the Reasonable Accommodation provisions of City Code, prepare a notice of the availability

2.0 Project Description

of reasonable accommodation for persons with disabilities and display it prominently at the public information counter in the Planning and Building Departments advising the public of the availability of the procedure. Make forms for requesting reasonable accommodation available to the public in the Planning and Building Departments.

- 16. Permitting Fees:** As appropriate and feasible, waive, reduce or defer permitting fees for new housing developments in the city affordable to extremely low-, very low-, low-, and moderate-income households.
- 17. CUP Requirement on Affordable Housing Projects:** For Projects within the R-3 Zone District that consist of 25 units or more, the City shall, where feasible, waive the requirement for a Conditional Use Permit when said project(s) consist of affordable units financed by State and/or Federal funds. Monitor the conditional use permit process and evaluate potential constraints on multifamily development in the R-3 zone. The evaluation will address approvals and denials, number of submittals or lack of submittals, length of approval, cost, and any reductions in the initially proposed number of units. In addition, the City will gather and consider input from developers including non-profits. If it is determined that the process does pose a constraint to the development of housing affordable to lower-income households, the City will take necessary steps to remove or mitigate the constraint such as replacing or eliminating the CUP process or other similar action. The City will report on the results of this program through the annual progress report, required pursuant to Government Code Section 65400.
- 18. Permit Streamlining:** Continue to encourage applicants to meet for pre-application conferences to address any issues before the application is submitted. As funding permits, hire additional planning staff to handle permit processing.
- 19. Development Handbook:** Develop an informational handbook for developers interested in building in Livingston. The handbook should include information on permit processing requirements, steps in the process, and a schedule of building and permitting fees, among others. The handbook should be designed to provide information, answer typical questions, and reduce confusion about the permit process for developers. Continue to maintain and update information on the City's website.
- 20. Expedited Processing:** Provide expedited processing for developments that contain units that are affordable to extremely low, very low, and low-income households as well as special needs groups, such as persons with disabilities. The City will also provide expedited processing to commercial and industrial projects by businesses, which will generate higher paying jobs in the community.
- 21. Zoning for Residential Care Facilities:** Amend the Zoning Ordinance to allow residential care facilities for more than 15 persons in appropriate zones in the city.

2.0 Project Description

Goal 5 - Housing Conservation and Neighborhood Preservation

- 22. Conservation of Affordable Housing:** Monitor affordable multifamily housing projects to help prevent the conversion of affordable units to market rate. Work with non-profit organizations and other agencies to preserve the affordability of these units. Ensure tenants are properly noticed and informed of their rights and eligibility to obtain special Section 8 vouchers reserved for tenants of converted HUD properties.
- 23. Housing Rehabilitation Program:** Continue to provide loans to lower-income households and special needs groups, such as seniors and the disabled, for rehabilitation assistance and emergency housing repairs.
- 24. Overcrowding Reduction:** Encourage developers of both affordable and market-rate housing to construct housing units with three or more bedrooms to accommodate large households and alleviate overcrowding in Livingston. Where feasible, provide incentives to developers who provide housing units affordable to lower-income households that have three or more bedrooms. Such incentives may include, but are not limited to flexible development standards, fee deferrals, density bonuses, or expedited processing.
- 25. Code Enforcement:** Continue code enforcement efforts to identify substandard housing and housing in need of substantial rehabilitation. Provide information about the City's rehabilitation program to low- and moderate-income households with homes or apartments in need of repairs.

Goal 6 - Fair Housing/Equal Housing Opportunity

- 26. Fair Housing Services:** Collaborate with the County and fair housing service providers that serve the County to: 1) identify funding sources to support fair housing and landlord/tenant counseling programs; 2) provide information on fair housing laws at City Hall, the library, senior center, on the City's website, and other areas in which the community gathers information; and 3) address or refer complaints of housing discrimination to appropriate State or federal agencies.

Goal 7 - Energy Conservation

- 27. Weatherization Assistance:** Continue to provide weatherization assistance to lower-income households through the City's rehabilitation program. Provide information at City Hall on PG&E and the Merced Irrigation District's (MID) weatherization and energy assistance programs.

Goal 8 - Community Sustainability

- 28. Innovative Neighborhood Design:** Encourage the use of pedestrian-oriented design, greenbelts, parks, bicycle routes, and open-space to enhance new residential neighborhoods in Livingston. Make available on the City's Website the City's Design Guidelines.

The majority of programs in the Housing Element encourage the maintenance of existing housing and development of affordable housing and housing appropriate for special needs groups. None of the proposed goals, policies, or programs in the Housing Element would result in changes to the General Plan Land Use Map or to the Zoning Map. Any development encouraged by these

2.0 Project Description

programs would be required to be consistent with the City's Land Use Map and Zoning Code and would not result in impacts beyond those identified in the General Plan EIR.

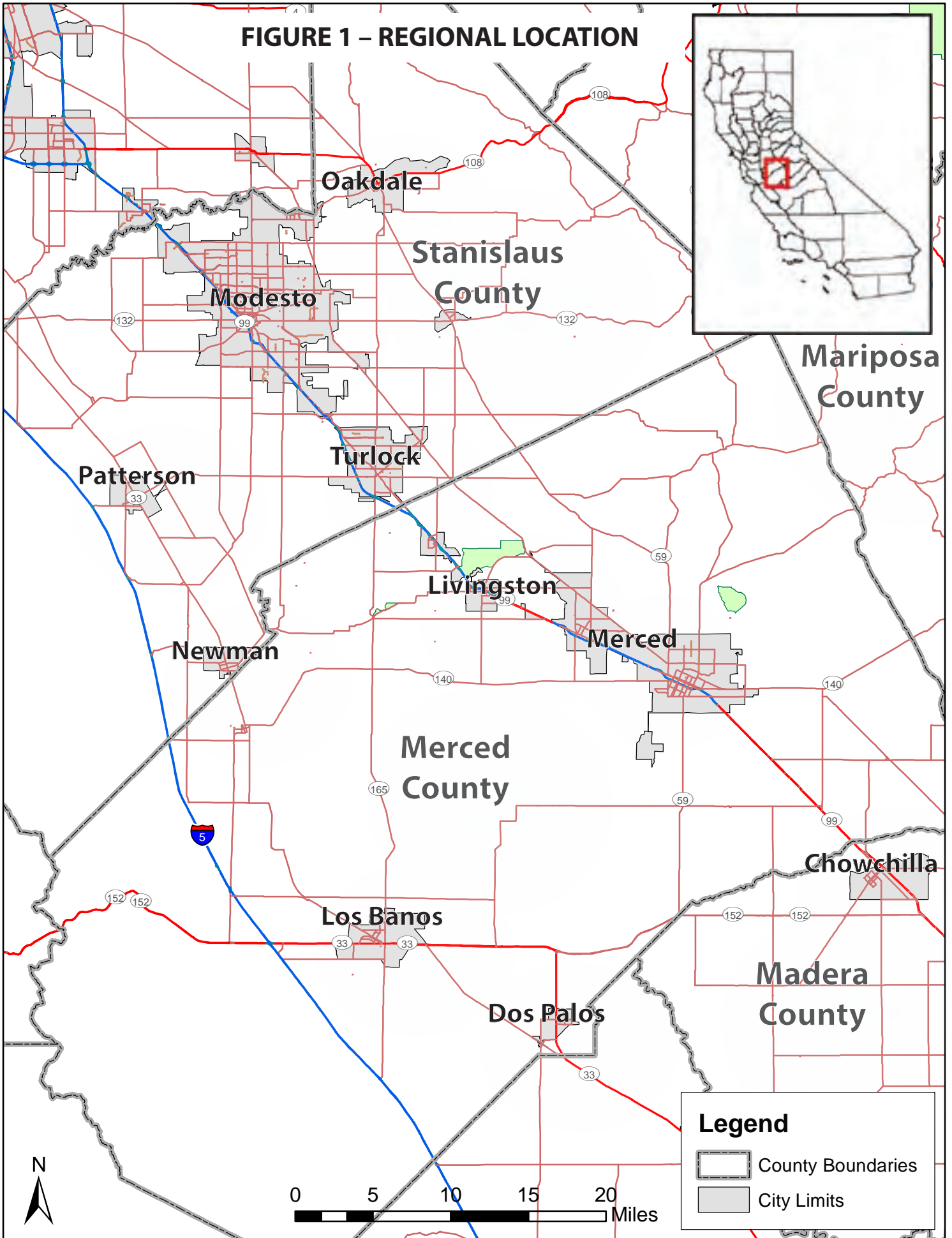
The programs included in the Housing Element would not change the potential location of development, increase the intensity of development, or result in development that is not consistent with the growth allowed under the City's General Plan.

Housing Element law requires the City to identify adequate sites to meet its regional housing needs allocation (RHNA) of 1,023 housing units. As described in Chapter 4 of the Housing Element, the existing General Plan and zoning for residential uses in the city have more than enough capacity to accommodate the RHNA. In order to accommodate its allocated housing needs, the City does not need to identify additional sites.

2.0 Project Description

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FIGURE 1 – REGIONAL LOCATION



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FIGURE 2 – PROJECT LOCATION



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



0 0.25 0.5 0.75 1 Miles

Legend

 City Limits

2.4 Environmental Factors Potentially Affected

I. AESTHETICS

Would the project:

| <i>Issues</i> | <i>Potentially Significant Impact</i> | <i>Potentially Significant With Mitigation Incorporated</i> | <i>Less-Than-Significant Impact</i> | <i>No Impact</i> |
|--|---------------------------------------|---|-------------------------------------|--------------------------|
| a. Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | × | <input 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"/> |
| c. Substantially degrade the existing visual character or quality of the site and its surroundings? | <input type="checkbox"/> | <input type="checkbox"/> | × | <input 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"/> |

ENVIRONMENTAL SETTING

The City of Livingston (City) comprises a commercial center that is bisected by SR 99, medium- and low density residential development, agricultural lands, and industrial uses. The downtown core consists of a government center and public facilities such as schools and parks. Nearly half of the land within the city limits is developed with or designated for residential use. The Foster Farms poultry processing plant and associated wastewater treatment plant, located in north Livingston, are dominant features of the landscape and can be seen clearly from SR 99.

Scenic resources in the area include the Merced River corridor, agricultural lands, and vegetated areas. Merced River traverses portions of the northwestern boundary of the city. The river and its associated riparian habitat provide one of the last natural communities along the city's northern limits. The range of natural vegetation communities has been significantly reduced from historic levels as a result of conversion of these lands to urban and agricultural uses. Agricultural lands are dominated by orchard and row crops with some pasture or open land. With the exception of the Merced River environs, the area is almost entirely developed with urban or agricultural uses. As a result of the nearby agricultural lands and the city's current compact size, Livingston retains an open character.

There are no designated scenic highways in the city.

DISCUSSION

3.1a through 3.1d – Would the project result in substantial adverse effects regarding a scenic vista, scenic resources, visual character, and light or glare?

The Housing Element may broaden the range of households that can afford existing and future housing in Livingston, and may assist with making potential and future housing available to special needs groups. The proposed project does not entitle, propose, or otherwise require the construction of new development or rehabilitation of existing development, but rather includes goals and policies to facilitate the development and rehabilitation of housing consistent with existing and proposed uses identified in the General Plan. The City has adequate housing sites to accommodate its regional housing needs allocation over the current housing cycle. The proposed Housing Element Update is consistent with the General Plan as analyzed in the General Plan EIR and does not propose any changes to the Land Use Map. Development under the Housing Element would be consistent with development envisioned for the 1999 General Plan and analyzed in the General Plan EIR. The goals, policies, and implementation programs in the Housing Element Update would not result in any impact to scenic vistas or resources, would not degrade the visual character of the city, and would not cause light or glare impacts beyond what has already been addressed in the General Plan EIR. The Housing Element Update project would have a less than significant impact on aesthetics.

II. 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 prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland.

Would the project:

| <i>Issues</i> | <i>Potentially Significant Impact</i> | <i>Potentially Significant With Mitigation Incorporated</i> | <i>Less-Than-Significant Impact</i> | <i>No Impact</i> |
|---|---------------------------------------|---|-------------------------------------|------------------|
| a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping Program of the California Resources Agency, to non-agricultural use? | . | <input type="checkbox"/> | ✘ | . |
| b. Conflict with existing zoning for agricultural use, or a Williamson Act contract? | . | <input type="checkbox"/> | ✘ | . |
| c. Involve other changes in the existing environment which, due to their location or nature, could individually or cumulatively result in loss of Farmland to non-agricultural use? | . | <input type="checkbox"/> | ✘ | . |

ENVIRONMENTAL SETTING

The area surrounding Livingston contains a variety of agricultural uses, including row crops, field crops, orchards, vineyards, and dairies, as well as grazing land for cattle. While the city is located within a rich agricultural area, the City of Livingston does not have any land zoned for agriculture within city limits. There are also no lands classified as timberland protection zones, and the Housing Element does not propose rezoning any land designated for forest land. The City does allow some agricultural activities within city limits consistent with current General Plan land use designations and zoning.

DISCUSSION

3.2a through 3.2c Would the project convert Farmland to non-agricultural use, conflict with existing agricultural zoning or Williamson Act contracts, or involve other changes that could convert Farmland?

The Housing Element may broaden the range of households that can afford existing and future housing in Livingston, and may assist with making potential and future housing available to special needs groups. The proposed project does not entitle, propose, or otherwise require the construction of new development or rehabilitation of existing development, but rather includes goals and policies to facilitate the development and rehabilitation of housing consistent with

3.0 INITIAL STUDY CHECKLIST

existing and proposed uses identified in the General Plan. The City has adequate housing sites to accommodate its regional housing needs allocation over the current housing cycle. The proposed Housing Element Update is consistent with the General Plan as analyzed in the General Plan EIR and does not propose any changes to the Land Use Map. Development under the Housing Element would be consistent with development envisioned for the 1999 General Plan and analyzed in the General Plan EIR. The goals, policy guidance, and implementation measures in the Housing Element Update would not result in any impact to agricultural resources, agricultural zoning, or Williamson Act contracts beyond what has already been addressed in the General Plan EIR. The Housing Element Update project would have a less than significant impact on agricultural resources.

III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:

| <i>Issues</i> | <i>Potentially Significant Impact</i> | <i>Potentially Significant With Mitigation Incorporated</i> | <i>Less-Than-Significant Impact</i> | <i>No Impact</i> |
|---|---------------------------------------|---|-------------------------------------|--------------------------|
| a. Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | • | ✘ | <input type="checkbox"/> |
| b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/> | • | ✘ | <input type="checkbox"/> |
| 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"/> |
| d. Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | • | ✘ | <input type="checkbox"/> |
| e. Create objectionable odors affecting a substantial number of people? | <input type="checkbox"/> | • | <input type="checkbox"/> | ✘ |

ENVIRONMENTAL SETTING

The proposed project is located in the San Joaquin Valley Air Basin (SJVAB), which is under the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD). The SJVAB is currently designated as a nonattainment area with respect to the state PM₁₀ standard, as well as the state and national 1-hour ozone standards. The SJVAB is also designated nonattainment for the national 8-hour ozone and PM_{2.5} standards. Although U.S. EPA has determined that the SJVAB has attained the federal PM₁₀ standards, their determination does not constitute a redesignation to attainment per section 107(d)(3) of the Federal Clean Air Act.

The term “sensitive receptors” refers to specific population groups, as well as the land uses where they would reside for long periods. Commonly identified sensitive population groups are children, the elderly, the acutely ill, and the chronically ill. Commonly identified sensitive land uses are residences, schools, playgrounds, childcare centers, retirement homes or convalescent homes, hospitals, and clinics. These populations may be susceptible to health impacts associated with exposure to toxic air contaminants.

DISCUSSION

3.3a through 3.3d Would the project conflict with or obstruct implementation of the applicable air quality plan, violate or contribute to violation of an air quality standard, result in a cumulatively considerable net increase of a non-attainment criteria pollutant, expose sensitive receptors to substantial pollutant concentrations, or create objectionable odors affecting a substantial number of people?

The Housing Element may broaden the range of households that can afford existing and future housing in Livingston, and may assist with making potential and future housing available to special needs groups. The proposed project does not entitle, propose, or otherwise require the construction of new development or rehabilitation of existing development, but rather includes goals and policies to facilitate the development and rehabilitation of housing consistent with existing and proposed uses identified in the General Plan. The City has adequate housing sites to accommodate its regional housing needs allocation over the current housing cycle. The proposed Housing Element Update is consistent with the General Plan as analyzed in the General Plan EIR and does not propose any changes to the Land Use Map. Development under the Housing Element would be consistent with development envisioned for the 1999 General Plan and analyzed in the General Plan EIR. The goals, policy guidance, and implementation measures in the Housing Element Update would not affect the potential to impact air quality, conflict with or obstruct the implementation of the air quality plan, or violate any air quality standard beyond those impacts addressed in the General Plan EIR. Additionally, the proposed project would not expose sensitive receptors to substantial pollutant concentrations or objectionable odors. The Housing Element Update does encourage energy-efficiency, which may result in an indirect improvement to air quality. The project would not result in any indirect or cumulatively considerable adverse impacts on air quality beyond those addressed in the General Plan EIR. The Housing Element Update project would have a less than significant impact on air quality.

IV. BIOLOGICAL RESOURCES

Would the project:

| <i>Issues</i> | <i>Potentially Significant Impact</i> | <i>Potentially Significant With Mitigation Incorporated</i> | <i>Less-Than-Significant Impact</i> | <i>No Impact</i> |
|--|---------------------------------------|---|-------------------------------------|-------------------------------------|
| 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified 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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| d. Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established resident or migratory wildlife corridors, or impede the use of wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or State habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

ENVIRONMENTAL SETTING

Historically, the natural vegetation within the vicinity of the city has been characterized by vast stretches of savanna traversed by the riparian stands of the Merced River and its tributaries. The range of natural vegetation communities has been significantly reduced from historic levels as a result of conversion of these lands to urban and agricultural uses. Agricultural and suburban development has nearly eliminated most historic natural communities.

DISCUSSION OF IMPACTS

3.4a through 3.4f Would the project cause a substantial adverse effect on special-status species, sensitive habitat, federally protected wetlands, wildlife movement corridors, local policies and ordinances adopted to protect biological resources, and adopted habitat or conservation plan?

The Housing Element may broaden the range of households that can afford existing and future housing in Livingston, and may assist with making potential and future housing available to special needs groups. The proposed project does not entitle, propose, or otherwise require the construction of new development or rehabilitation of existing development, but rather includes goals and policies to facilitate the development and rehabilitation of housing consistent with existing and proposed uses identified in the General Plan. The City has adequate housing sites to accommodate its regional housing needs allocation over the current housing cycle. The proposed Housing Element Update is consistent with the General Plan as analyzed in the General Plan EIR and does not propose any changes to the Land Use Map. Development under the Housing Element would be consistent with development envisioned for the 1999 General Plan and analyzed in the General Plan EIR. The goals, policy guidance, and implementation measures in the Housing Element Update would not affect the potential to impact special-status species or their habitat, sensitive communities, wildlife movement corridors, federally protected wetlands, or policies, ordinances, and plans adopted to protect biological resources beyond those impacts addressed in the General Plan EIR. The Housing Element Update project would have a less than significant impact on biological resources.

V. CULTURAL RESOURCES

Would the project:

| <i>Issues</i> | <i>Potentially Significant Impact</i> | <i>Potentially Significant With Mitigation Incorporated</i> | <i>Less-Than-Significant Impact</i> | <i>No Impact</i> |
|--|---------------------------------------|---|-------------------------------------|------------------|
| a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✘ |
| b. Cause a substantial adverse change in the significance of a unique archaeological resource pursuant to Section 15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✘ |
| c. Directly or indirectly destroy a unique paleontological resource on site or unique geologic features? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✘ |
| d. Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✘ |

ENVIRONMENTAL SETTING

The San Joaquin Valley has a rich cultural background. Its prehistory is generally divided into three periods characterized by: 1) big game hunting, 2) a shift in subsistence strategy from hunting to collection of plant resources, and 3) habitation of the area by Yokuts. Prior to the arrival of Euroamericans in the region, the Livingston area was part of the territory of the Northern Valley Yokuts. Euroamericans made initial expeditions into the San Joaquin Valley that were followed by campaigns to convert and/or relocate Native Americans to missions. The area was initially settled and used for sheep and cattle ranching, followed by agricultural development with the introduction of irrigation.

DISCUSSION OF IMPACTS

3.5a Would the project cause a substantial adverse change in the significance of a historical, archaeological, paleontological, or geologic resource or disturb human remains?

The Housing Element may broaden the range of households that can afford existing and future housing in Livingston, and may assist with making potential and future housing available to special needs groups. The proposed project does not entitle, propose, or otherwise require the construction of new development or rehabilitation of existing development, but rather includes goals and policies to facilitate the development and rehabilitation of housing consistent with existing and proposed uses identified in the General Plan. The City has adequate housing sites to accommodate its regional housing needs allocation over the current housing cycle. The proposed Housing Element Update is consistent with the General Plan as analyzed in the General Plan EIR and does not propose any changes to the Land Use Map. Development under the Housing Element would be consistent with development envisioned for the 1999 General Plan and analyzed in the General Plan EIR. The goals, policy guidance, and implementation measures in the Housing Element Update would not result in adverse effects to cultural, archaeological, paleontological, or geologic resources or to human remains beyond those impacts addressed in the General Plan EIR. The Housing Element Update project would have a less than significant impact on this topic.

VI. GEOLOGY AND SOILS

Would the project:

| <i>Issues</i> | <i>Potentially Significant Impact</i> | <i>Potentially Significant With Mitigation Incorporated</i> | <i>Less-Than-Significant Impact</i> | <i>No Impact</i> |
|--|---------------------------------------|---|-------------------------------------|-------------------------------------|
| 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 based on other substantial evidence of a known fault? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ii. Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iii. Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iv. Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| e. Be located on expansive soil, as defined in Table 18-1B of the Uniform Building Code? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

ENVIRONMENTAL SETTING

The City of Livingston is located near the center of the San Joaquin Valley, which is characterized by relatively flat gradients, with slopes uniformly trending northeast to southwest. The average elevation of the city is approximately 125 feet above sea level. The numerous irrigation canals and the sloughs that traverse the city from the northeast to the southwest are the only significant topographic features in the area.

The entire San Joaquin Valley is a structural trough. The flat valley floor lies over thousands of feet of alluvial, lacustrine and marine deposits that have accumulated in the valley as the adjacent mountains have been elevated and the trough has been lowered. These marine deposits developed throughout the Late Cretaceous period and much of the Tertiary time. These deposits were combined with continental deposits of the later Tertiary and Quaternary age, which thickened from east to west and north to south, to form an immense wedge. As of 2016, alluvial fans occupy most of the valley floor. They are featureless and relatively flat. The fans along the eastern edge of

3.0 INITIAL STUDY CHECKLIST

the valley contain high proportions of well-sorted sand and gravel. The interstream areas between the fans lie over poorly sorted, fine-grained fluvial sediment deposited by intermittent streams.

The City of Livingston is not located within an Alquist-Priolo fault zone. No faults have been mapped in the area, and there is no record of seismic activity. The relatively flat topography and low elevation dramatically reduce threats from landslides, liquefaction, or other seismically related activities. The city is located between two major fault systems—the San Andreas Fault System that lies 59 miles to the west of Livingston, and the Mother Lode Fault System, which lies 42 miles to the east.

DISCUSSION OF IMPACTS

3.6a through 3.6e Would the project expose people or structures to potential substantial adverse effects associated with seismicity, geologic or soil instability, expansive soil, result in substantial soil erosion or loss, or have soils incapable of supporting septic or alternative wastewater disposal systems?

The Housing Element may broaden the range of households that can afford existing and future housing in Livingston, and may assist with making potential and future housing available to special needs groups. The proposed project does not entitle, propose, or otherwise require the construction of new development or rehabilitation of existing development, but rather includes goals and policies to facilitate the development and rehabilitation of housing consistent with existing and proposed uses identified in the General Plan. The City has adequate housing sites to accommodate its regional housing needs allocation over the current housing cycle. The proposed Housing Element Update is consistent with the General Plan as analyzed in the General Plan EIR and does not propose any changes to the Land Use Map. Development under the Housing Element would be consistent with development envisioned for the 1999 General Plan and analyzed in the General Plan EIR. The goals, policy guidance, and implementation measures in the Housing Element Update would not expose people or structures to geologic, seismic, or soils hazards, result in substantial soil erosion or loss, or place septic or alternative wastewater disposal systems where soils are incapable of supporting them, beyond the extent to which those impacts were identified in the General Plan EIR. The Housing Element Update project would have a less than significant impact associated with geology, seismicity, and soils and would have no impact related to use of septic or alternative wastewater treatment systems.

VIII. GREENHOUSE GAS EMISSIONS

Would the project:

| <i>Issues</i> | <i>Potentially Significant Impact</i> | <i>Potentially Significant With Mitigation Incorporated</i> | <i>Less-Than-Significant Impact</i> | <i>No Impact</i> |
|---|---------------------------------------|---|-------------------------------------|------------------|
| a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | . | . | . | ✘ |
| b. Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | . | . | . | ✘ |

ENVIRONMENTAL SETTING

The earth’s climate has been warming for the past century because of global climate change. Global climate change is a public health and environmental concern around the world. As global concentrations of atmospheric greenhouse gases increase, global temperatures increase, weather extremes increase, and air pollution concentrations increase. The predominant opinion within the scientific community is that global warming is currently occurring, and that it is being caused and/or accelerated by human activities, primarily the generation of “greenhouse gases” (GHG). Greenhouse gases (GHG) absorb infrared energy that would otherwise escape from the earth. As the infrared energy is absorbed, the air surrounding the earth is heated. Human activities have been attributed to an increase in the atmospheric abundance of greenhouse gases. The more commonly recognized GHGs include carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), water vapor, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride (CARB, 2006; CEC, 2008).

In 2006, the California State Legislature adopted AB32, the California Global Warming Solutions Act of 2006, which aims to reduce greenhouse gas emissions in California. Greenhouse gases, as defined under AB 32, include carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. AB 32 requires the California Air Resources Board (ARB), the State agency charged with regulating statewide air quality, to adopt rules and regulations that would achieve greenhouse gas emissions equivalent to 1990 statewide levels by 2020.

DISCUSSION OF IMPACTS

3.8a through 3.8b Would the project expose people or structures to greenhouse gas emissions that may have a significant impact on the environment or conflict with policies or regulations adopted to reduced greenhouse gas emissions?

The Housing Element may broaden the range of households that can afford existing and future housing in Livingston, and may assist with making potential and future housing available to special needs groups. The proposed project does not entitle, propose, or otherwise require the construction of new development or rehabilitation of existing development, but rather includes goals and policies to facilitate the development and rehabilitation of housing consistent with existing and proposed uses identified in the General Plan. The City has adequate housing sites to accommodate its regional housing needs allocation over the current housing cycle. The proposed Housing Element Update is consistent with the General Plan as analyzed in the General Plan EIR and does not propose any changes to the Land Use Map. Development under the Housing Element would be consistent with development envisioned for the 1999 General Plan and analyzed in the General Plan EIR. The goals, policy guidance, and implementation measures in the Housing Element Update would not expose people or structures to geologic, seismic, or soils hazards,

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result in substantial soil erosion or loss, or place septic or alternative wastewater disposal systems where soils are incapable of supporting them, beyond the extent to which those impacts were identified in the General Plan EIR. The Housing Element Update project would have a less than significant impact associated with geology, seismicity, and soils and would have no impact related to use of septic or alternative wastewater treatment systems.

IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

| <i>Issues</i> | <i>Potentially Significant Impact</i> | <i>Potentially Significant With Mitigation Incorporated</i> | <i>Less-Than-Significant Impact</i> | <i>No Impact</i> |
|--|---------------------------------------|---|-------------------------------------|--------------------------|
| 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"/> |
| b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment? | <input type="checkbox"/> | <input type="checkbox"/> | ✘ | <input type="checkbox"/> |
| c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | ✘ | <input 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"/> | ✘ |
| 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"/> |
| 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"/> |
| 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"/> |
| h. Expose people or structures to the 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"/> |

ENVIRONMENTAL SETTING

Under Title 22 of the California Code of Regulations (CCR), the term hazardous substance refers to both hazardous materials and hazardous wastes and both are classified according to four properties: toxicity, ignitability, corrosiveness, and reactivity (CCR Title 22, Chapter 11, Article 3). A hazardous material is defined as a substance or combination of substances that may cause or significantly contribute to an increase in serious, irreversible, or incapacitating illness or may pose a substantial presence or potential hazard to human health or the environment when

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improperly treated, stored, transported, or disposed of, or otherwise managed. Hazardous wastes are hazardous substances that no longer have practical use, such as materials that have been discarded, discharged, spilled, or contaminated or are being stored until they can be disposed of properly (CCR Title 22, Chapter 11, Article 2, Section 66261.10). Soil that is excavated from a site containing hazardous materials is a hazardous waste if it exceeds specific CCR Title 22 criteria. While hazardous substances are regulated by multiple agencies, cleanup requirements of hazardous wastes are determined on a case-by-case basis according to the agency with lead jurisdiction over the project. Public health is potentially at risk whenever hazardous materials are or will be used.

Potential hazards within city limits include asbestos containing materials, lead-based materials, septic systems, electrical facilities and electromagnetic fields, polychlorinated biphenyls (PCB) transformers, residual agricultural chemicals, and mosquitoes as a disease vector.

DISCUSSION OF IMPACTS

3.8a through 3.8h Would the project create a significant hazard to the public or the environment through potential exposure to hazardous materials, wildland fires, or incidents associated with airplane facilities and uses, or conflict with implementation of plan adopted to address emergencies?

The Housing Element may broaden the range of households that can afford existing and future housing in Livingston, and may assist with making potential and future housing available to special needs groups. The proposed project does not entitle, propose, or otherwise require the construction of new development or rehabilitation of existing development, but rather includes goals and policies to facilitate the development and rehabilitation of housing consistent with existing and proposed uses identified in the General Plan. The City has adequate housing sites to accommodate its regional housing needs allocation over the current housing cycle. The proposed Housing Element Update is consistent with the General Plan as analyzed in the General Plan EIR and does not propose any changes to the Land Use Map. Development under the Housing Element would be consistent with development envisioned for the 1999 General Plan and analyzed in the General Plan EIR. The goals, policy guidance, and implementation measures in the Housing Element Update would not result in any increase in potential hazards or exposure to hazardous materials beyond those impacts addressed in the General Plan EIR. The Housing Element Update project would have a less than significant impact related to potential exposure to hazards and hazardous materials and would have no impact on hazardous materials sites.

X. HYDROLOGY AND WATER QUALITY

Would the project:

| <i>Issues</i> | <i>Potentially Significant Impact</i> | <i>Potentially Significant With Mitigation Incorporated</i> | <i>Less-Than-Significant Impact</i> | <i>No Impact</i> |
|---|---------------------------------------|---|-------------------------------------|------------------|
| a. Violate any water quality standards or waste discharge requirements? | <input type="checkbox"/> | <input type="checkbox"/> | <input 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 (i.e., 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"/> | ✘ |
| 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"/> | ✘ |
| 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"/> | ✘ |
| 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"/> | ✘ |
| f. Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✘ |
| g. Place housing within a 100-year floodplain, 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"/> | ✘ |
| h. Place within a 100-year floodplain structures which would impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input 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"/> | ✘ |
| j. Expose people or structures to a significant risk of loss, injury, or death involving inundation by seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✘ |

ENVIRONMENTAL SETTING

The city is located in the San Joaquin River Basin, which includes all watersheds tributary to the San Joaquin River and the Sacramento-San Joaquin Delta south of the Sacramento River and the American River watershed. The most significant hydrological feature of this basin is the San Joaquin River, which flows from its source near Devils Postpile National Monument, approximately 350 miles to the west and northwest, before merging with the Sacramento River prior to its entrance into Suisun Bay. At its closest point, the San Joaquin River is approximately 15 miles southwest of the City of Livingston. The nearest natural stream to the city is the Merced River, a tributary of the San Joaquin River.

The City of Livingston is located in the Merced Groundwater Subbasin, which is part of the larger San Joaquin Valley Groundwater Basin. The Merced Subbasin, approximately 767 square miles, includes land south of the Merced River between the San Joaquin River and the Sierra Nevada foothills.

Storm water runoff generated in the city's existing developed areas is collected and discharged by a combination of the following facilities: underground storm drains, detention and percolation basins, limited discharge into City sanitary sewer system facilities, and discharge into MID canals and laterals, via pump stations.

DISCUSSION OF IMPACTS

3.9a through 3.9j Would the project result in adverse environmental effects associated with water quality, waste discharge, drainage patterns, groundwater supplies, runoff, flood hazards, or other hydrological hazards?

The Housing Element may broaden the range of households that can afford existing and future housing in Livingston, and may assist with making potential and future housing available to special needs groups. The proposed project does not entitle, propose, or otherwise require the construction of new development or rehabilitation of existing development, but rather includes goals and policies to facilitate the development and rehabilitation of housing consistent with existing and proposed uses identified in the General Plan. The City has adequate housing sites to accommodate its regional housing needs allocation over the current housing cycle. The proposed Housing Element Update is consistent with the General Plan as analyzed in the General Plan EIR and does not propose any changes to the Land Use Map. Development under the Housing Element would be consistent with development envisioned for the 1999 General Plan and analyzed in the General Plan EIR. The goals, policy guidance, and implementation measures in the Housing Element Update would not affect the potential to impact surface waters, including quality or drainage patterns, groundwater supplies or recharge, water quality, flooding, or other hydrological issues and hazards beyond those impacts addressed in the General Plan EIR. The Housing Element Update project would have a less than significant impact on hydrology and storm water quality.

XI. LAND USE AND PLANNING

Would the project:

| <i>Issues</i> | <i>Potentially Significant Impact</i> | <i>Potentially Significant With Mitigation Incorporated</i> | <i>Less-Than-Significant Impact</i> | <i>No Impact</i> |
|---|---------------------------------------|---|-------------------------------------|--------------------------|
| a. Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | ✘ | <input type="checkbox"/> |
| b. Conflict with any applicable land use plans, policies, or regulations 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 on environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | ✘ | <input type="checkbox"/> |
| c. Conflict with any applicable habitat conservation plan or natural communities conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | ✘ | <input type="checkbox"/> |

ENVIRONMENTAL SETTING

The city is bisected by SR 99 with the existing downtown located on the south side of SR 99. Schools (Livingston High School), government buildings (City Hall, Police and Fire Department, Library), community facilities (Portuguese Center, Library, Livingston Museum), and older established residential neighborhoods surround the downtown.

A limited amount of commercial uses, including a car lot and strip retail center, are located on the north side of SR 99 along Main Street. Newer single-family residential subdivisions as well as high-density apartment complexes have been developed in this portion of the city. Several new subdivisions with large single-family homes are currently under construction in the area north of Walnut Avenue, on the east and west sides of Hammatt Avenue, and south of Olive Avenue. Growth in the city is also occurring south of downtown in the area north of Peach Avenue and south of F Street between Robin Avenue on the west and Prusso Street on the east. Highway commercial uses, such as gas stations and fast food restaurants, have been constructed at the Winton Parkway interchange on SR 99. Some commercial uses are located on the south side of SR 99 at the Hammatt Road interchange. The frontage on both the north and south side of SR 99 is primarily vacant or in agricultural production (almond orchards), with some scattered industrial uses and a dairy.

DISCUSSION OF IMPACTS

3.10a through 3.10c Would the project physically divide an established community or conflict with any applicable land use plan, policy or regulation adopted for purpose of avoiding or mitigating an environmental effect?

The Housing Element may broaden the range of households that can afford existing and future housing in Livingston, and may assist with making potential and future housing available to special needs groups. The proposed project does not entitle, propose, or otherwise require the construction of new development or rehabilitation of existing development, but rather includes

3.0 INITIAL STUDY CHECKLIST

goals and policies to facilitate the development and rehabilitation of housing consistent with existing and proposed uses identified in the General Plan. The City has adequate housing sites to accommodate its regional housing needs allocation over the current housing cycle. The proposed Housing Element Update is consistent with the General Plan as analyzed in the General Plan EIR and does not propose any changes to the Land Use Map. Development under the Housing Element would be consistent with development envisioned for the 1999 General Plan and analyzed in the General Plan EIR. The goals, policy guidance, and implementation measures in the Housing Element Update would not result in impacts associated with division of established communities or conflicts with plans, policies, or regulations adopted to reduce or avoid an environmental effect beyond those impacts addressed in the General Plan EIR. The Housing Element Update project would have a less than significant impact related to land use and planning.

XII. MINERAL RESOURCES

Would the project:

| <i>Issues</i> | <i>Potentially Significant Impact</i> | <i>Potentially Significant With Mitigation Incorporated</i> | <i>Less-Than-Significant Impact</i> | <i>No Impact</i> |
|--|---------------------------------------|---|-------------------------------------|------------------|
| 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? | . | . | . | ✘ |
| 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? | . | . | . | ✘ |

ENVIRONMENTAL SETTING

The General Plan EIR identifies that there are no significant mineral resources or other mining operations within the city.

DISCUSSION OF IMPACTS

3.11a and 3.11b *Would the project result in the loss of availability of a known mineral resource or recovery site?*

There are no known significant mineral resources or other mining operations within the city. Therefore, the project has no potential to affect mineral resources.

XIII. NOISE

Would the project:

| <i>Issues</i> | <i>Potentially Significant Impact</i> | <i>Potentially Significant Impact With Mitigation Incorporated</i> | <i>Less-Than-Significant Impact</i> | <i>No Impact</i> |
|---|---------------------------------------|--|-------------------------------------|------------------|
| 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? | · | · | ✘ | · |
| b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | · | · | ✘ | · |
| c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | · | · | ✘ | · |
| d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | · | · | ✘ | · |
| 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? | · | · | ✘ | · |
| 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? | · | · | ✘ | · |

ENVIRONMENTAL SETTING

While most noise is common and acceptable, exposure to excessive noise is often cited as a health problem in terms of general well-being and contribution to undue stress and annoyance. The major noise sources in the City of Livingston consists of SR 99 and local traffic on streets, commercial and industrial uses, active recreation of parks, outdoor play areas of schools, and railroad operations.

DISCUSSION OF IMPACTS

3.12a through 3.12f Would the project result in noise levels in excess of standards, a substantial temporary, periodic, or permanent increase in ambient noise levels, or exposure to excessive noise associated with an airport or airstrip?

The Housing Element may broaden the range of households that can afford existing and future housing in Livingston, and may assist with making potential and future housing available to special needs groups. The proposed project does not entitle, propose, or otherwise require the construction of new development or rehabilitation of existing development, but rather includes goals and policies to facilitate the development and rehabilitation of housing consistent with existing and proposed uses identified in the General Plan. The City has adequate housing sites to accommodate its regional housing needs allocation over the current housing cycle. The proposed Housing Element Update is consistent with the General Plan as analyzed in the General Plan EIR and does not propose any changes to the Land Use Map. Development under the Housing Element would be consistent with development envisioned for the 1999 General Plan and analyzed in the General Plan EIR. The goals, policy guidance, and implementation measures in the Housing Element Update would not result in increases in noise levels that would exceed established standards, result in groundborne vibration noise, affect ambient noise levels, or expose persons to noise associated with an airport or airstrip beyond those impacts addressed in the General Plan EIR. The Housing Element Update project would have a less than significant impact on noise.

XIV. POPULATION AND HOUSING

Would the project:

| <i>Issues</i> | <i>Potentially Significant Impact</i> | <i>Potentially Significant With Mitigation Incorporated</i> | <i>Less-Than-Significant Impact</i> | <i>No Impact</i> |
|--|---------------------------------------|---|-------------------------------------|------------------|
| a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)? | . | . | ✘ | . |
| b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | . | . | ✘ | . |
| c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | . | . | ✘ | . |

ENVIRONMENTAL SETTING

The City of Livingston is located in the center of the San Joaquin Valley in the northern part of Merced County. The City was incorporated in 1922 and is home to approximately 13,700 residents as of 2015. Between 2010 and 2015, the California Department of Finance estimates that the total number of households in the City of Livingston grew from 3,156 to 3,268, an increase of 3.5 percent.

Livingston is a highly productive agricultural community with both farming and agricultural processing. Foster Farms is the largest employer in both Livingston and the County. Though agriculture remains the predominant industry in the community, Livingston has seen dramatic growth over the past 20 years. The city is increasingly becoming a bedroom community for workers in Merced, Modesto, and the San Francisco Bay Area.

Between 2003 and 2008 alone, the City issued 811 building permits for single-family residential units, with a majority of this occurring during the housing boom between 2003 and 2006. Since 2008, the City issued 111 building permits for single family residential units, but between the years 2011 and 2014 only one permit was issued.

DISCUSSION OF IMPACTS

3.13a through 3.13c Would the project induce substantial population growth or displace substantial numbers of housing or people?

The Housing Element may broaden the range of households that can afford existing and future housing in Livingston, and may assist with making potential and future housing available to special needs groups. Growth envisioned by the Housing Element is less than the growth that would be accommodated under the General Plan. The proposed project does not entitle, propose, or otherwise require the construction of new development or rehabilitation of existing

3.0 INITIAL STUDY CHECKLIST

development, but rather includes goals and policies to facilitate the development and rehabilitation of housing consistent with existing and proposed uses identified in the General Plan. The City has adequate housing sites to accommodate its regional housing needs allocation over the current housing cycle. The proposed Housing Element Update is consistent with the General Plan as analyzed in the General Plan EIR and does not propose any changes to the Land Use Map. Development under the Housing Element would be consistent with development envisioned for the 1999 General Plan and analyzed in the General Plan EIR. The goals, policy guidance, and implementation measures in the Housing Element Update would not result in population growth or displacement of housing or persons beyond the impacts addressed in the General Plan EIR. The Housing Element Update project would have a less than significant impact on population and housing.

XV. PUBLIC SERVICES

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

| <i>Issues</i> | <i>Potentially Significant Impact</i> | <i>Potentially Significant With Mitigation Incorporated</i> | <i>Less-Than-Significant Impact</i> | <i>No Impact</i> |
|-----------------------------|---------------------------------------|---|-------------------------------------|------------------|
| a. Fire protection? | . | . | ✘ | . |
| b. Police protection? | . | . | ✘ | . |
| c. Schools? | . | . | ✘ | . |
| d. Parks? | . | . | ✘ | . |
| e. Other public facilities? | . | . | ✘ | . |

ENVIRONMENTAL SETTING

The City of Livingston is the primary service provider for police, parks, general government, and other services. The Merced County Fire Department provides fire, medical and emergency response services for the City. Schools services would continue to be provided by the districts currently serving the properties.

DISCUSSION OF IMPACTS

3.14a through 3.14e Would the project have an effect upon, or generate a need fire protection, police services, parks, schools, or other public facilities?

The Housing Element may broaden the range of households that can afford existing and future housing in Livingston, and may assist with making potential and future housing available to special needs groups. The proposed project does not entitle, propose, or otherwise require the construction of new development or rehabilitation of existing development, but rather includes goals and policies to facilitate the development and rehabilitation of housing consistent with existing and proposed uses identified in the General Plan. The City has adequate housing sites to accommodate its regional housing needs allocation over the current housing cycle. The proposed Housing Element Update is consistent with the General Plan as analyzed in the General Plan EIR and does not propose any changes to the Land Use Map. Development under the Housing Element would be consistent with development envisioned for the 1999 General Plan and analyzed in the General Plan EIR. The goals, policy guidance, and implementation measures in the Housing Element Update would not result in an increased demand for public services, result in decreased response times or service capacities, or otherwise affect public services beyond those impacts addressed in the General Plan EIR. The Housing Element Update project would have a less than significant impact on public services.

XVII. TRANSPORTATION AND CIRCULATION

Would the project:

| <i>Issues</i> | <i>Potentially Significant Impact</i> | <i>Potentially Significant With Mitigation Incorporated</i> | <i>Less-Than-Significant Impact</i> | <i>No Impact</i> |
|--|---------------------------------------|---|-------------------------------------|------------------|
| 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)? | . | . | . | ✘ |
| b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? | . | . | . | ✘ |
| 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? | . | . | . | ✘ |
| d. Substantially increase hazards due to a design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | . | . | . | ✘ |
| e. Result in inadequate emergency access? | . | . | . | ✘ |
| f. Result in inadequate parking capacity? | . | . | . | ✘ |
| g. Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)? | . | . | . | ✘ |

Although automobile travel is the primary function of the city’s roadway network, it also serves a variety of other modes: trucks, transit, bicycling, and walking. Livingston’s roadway network is urban in character around the downtown area and near State Route 99 (SR 99), the only interstate system in close proximity to the city, but it becomes more rural in character in the more outlying areas of the city. The Union Pacific Railroad (UPRR) line parallels SR 99 and bisects the city in an east-west direction.

SR 99 is a four-lane controlled access freeway that traverses the City of Livingston. Access to the freeway occurs at interchanges with Winton Parkway, Hammatt Avenue, and Sultana Drive-Liberty Avenue. Main Street crosses SR 99 at a grade separation without access to the freeway.

The 1999 General Plan Circulation Element classifies streets according to their function. Major Arterial streets and Minor Arterial streets provide regional circulation and link the community with SR 99. Collector streets provide access to major activity centers (commercial or employment) and some abutting land uses. Local streets provide access to individual residences and businesses, as well as circulation around and between the various city neighborhoods. Arterial streets serving the city include Liberty Road, Sultana Drive, Campbell Avenue, Winton Parkway, Hammatt Avenue,

XVIII. UTILITIES AND SERVICE SYSTEMS

Would the project:

| <i>Issues</i> | <i>Potentially Significant Impact</i> | <i>Potentially Significant With Mitigation Incorporated</i> | <i>Less-Than-Significant Impact</i> | <i>No Impact</i> |
|---|---------------------------------------|---|-------------------------------------|------------------|
| a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | . | . | . | ✘ |
| 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? | . | . | . | ✘ |
| 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? | . | . | . | ✘ |
| d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | . | . | . | ✘ |
| 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? | . | . | . | ✘ |
| f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | . | . | . | ✘ |
| g. Comply with federal, State, and local statutes and regulations related to solid waste? | . | . | . | ✘ |

The City of Livingston provides water, wastewater, and stormwater service to its residential, commercial, industrial, and institutional customers within the city limits and contracts to a private provider for solid waste disposal. The source of domestic water for the City of Livingston is groundwater, drawn from eight active groundwater wells together with a 1.0 million gallon potable water storage tank located at Burgundy and Chardonnay Streets. The City's existing wells are spread throughout the city, with total system capacity of approximately 10.8 million gallons per day (mgd). The City is currently (January 2016) constructing a new well (well 17) that is expected to be operational by Fall 2016. The existing Domestic Wastewater Treatment Plant located west of State Highway 99 has an average day maximum month flow (ADMMF) capacity of 2.0 million gallons per day (mgd).

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As of January 2016, the groundwater is recharged from several sources: the Merced River, percolation from the Merced Irrigation District (MID) canals which pass through the area, from stormwater detention basins, by percolation from treated wastewater disposal facilities, and from percolation attributed to excess applied surface irrigation water. However, because of the current drought situation, groundwater recharge in the area has been greatly reduced. This has led to an increase in groundwater depths. Groundwater depth in the Livingston area has historically been about 25 feet below the ground surface, or higher; however, due to the drought, the groundwater elevation is currently (2016) in the range of 80 to 90 feet.

DISCUSSION OF IMPACTS

3.17a through 3.17g Would the project exceed wastewater treatment requirements or capacity, require the construction or expansion of utility facilities that would result in a significant environmental effects, be served by a landfill with sufficient capacity, and comply with applicable statutes and regulations related to solid waste?

The Housing Element may broaden the range of households that can afford existing and future housing in Livingston, and may assist with making potential and future housing available to special needs groups. The proposed project does not entitle, propose, or otherwise require the construction of new development or rehabilitation of existing development, but rather includes goals and policies to facilitate the development and rehabilitation of housing consistent with existing and proposed uses identified in the General Plan. The City has adequate housing sites to accommodate its regional housing needs allocation over the current housing cycle. The proposed Housing Element Update is consistent with the General Plan as analyzed in the General Plan EIR and does not propose any changes to the Land Use Map. Development under the Housing Element would be consistent with development envisioned for the 1999 General Plan and analyzed in the General Plan EIR. The goals, policy guidance, and implementation measures in the Housing Element Update would not increase the demand for public utilities, exceed wastewater treatment requirements or capacity, require the construction or expansion of utility facilities and infrastructure, or result in noncompliance with applicable statutes and regulations related to solid waste beyond the extent of which impacts associated with utilities were determined to occur under the General Plan and were addressed in the General Plan EIR, including those impacts identified in Section 4.13. The Housing Element Update project would have a less than significant impact on utilities and service systems.

XIX. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

| <i>Issues</i> | <i>Potentially Significant Impact</i> | <i>Potentially Significant With Mitigation Incorporated</i> | <i>Less-Than-Significant Impact</i> | <i>No Impact</i> |
|--|---------------------------------------|---|-------------------------------------|------------------|
| 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? | . | . | . | ✘ |
| b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? | . | . | . | ✘ |
| c. 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)? | . | . | . | ✘ |
| d. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | . | . | . | ✘ |

CUMULATIVE SETTING

The general cumulative setting conditions is based on the existing land use plans in the City of Livingston.

DISCUSSION OF IMPACTS

3.18a through 3.18d The Housing Element may broaden the range of households that can afford existing and future housing in Livingston, and may assist with making potential and future housing available to special needs groups. The proposed project does not entitle, propose, or otherwise require the construction of new development or rehabilitation of existing development, but rather includes goals and policies to facilitate the development and rehabilitation of housing consistent with existing and proposed uses identified in the General Plan. The City has adequate housing sites to accommodate its regional housing needs

3.0 INITIAL STUDY CHECKLIST


allocation over the current housing cycle. The proposed Housing Element Update is consistent with the General Plan as analyzed in the General Plan EIR and does not propose any changes to the Land Use Map. Development under the Housing Element would be consistent with development envisioned for the 1999 General Plan and analyzed in the EIR.

The proposed project would not result in new adverse environmental impacts. The project would not threaten a significant biological resource, nor would it eliminate important examples California history or prehistory. The proposed project does not have impacts that are cumulatively considerable, nor would it have substantial adverse effects on human beings. Implementation of the proposed project would have a less than significant impact on these environmental topics.

DETERMINATION OF REQUIRED ENVIRONMENTAL DOCUMENT

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 the mitigation measures described on the attached sheet have been added to the project. **A MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find 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 "potential 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.



 Randy Hatch, City Planner
 City of Livingston

April 27, 2016

 Date