

# Notice of Intent to Adopt a Negative Declaration for the Mountain House Incorporation Project

## Lead Agency:

San Joaquin County LAFCo  
344 North San Joaquin Street, Suite 374  
Stockton, CA 95202

## Project Title: Mountain House Incorporation Project

**Project Location:** The proposed Project area is located along the Alameda County-San Joaquin County border, near the foothills of the Diablo range and north of Interstate 205 (I-205) in the southwestern portion of San Joaquin County, California. The City of Tracy located to the southeast, across I-205, and the City of Livermore is located approximately eight miles to the southwest.

The existing landform consists of gently northeast-sloping terrain. Topographic features are limited to areas along Mountain House Creek, and the levee bordering Old River. The Union Pacific Railroad Mococo Subdivision crosses the northern portion of the site and two minor creeks traverse the site, the larger of the two being Mountain House Creek. Major highway access is available from Interstate 580 (I-580) and I-205. Local road access is available via Grant Line Road, Mountain House Parkway, and Byron Road, all of which connect to I-205 and other points.

For purposes of this Initial Study, the Project area is comprised of two Study Areas. Study Area 1 consists of approximately 6.47 square miles (8,062 parcels) and is generally bound by I-205 to the south, Old River to the north, and the Alameda County line to the east. Along the eastern edge is Mountain House Parkway and the Wicklund Cut, an irrigation inlet off Old River.

Study Area 2 consists of approximately 6.70 square miles (8,137 parcels), including all of the land comprising Study Area 1, as well as an additional 0.23 square miles (75 additional parcels) of land that is located within the existing Master Plan, but not included as part of the proposed Mountain House Incorporation Boundary, as described further below.

The Project area is generally developed with a mix of residential, parks and schools, and some commercial and industrial uses, consistent with the Land Use Plan contained within the Master Plan and subsequent Specific Plans. Undeveloped areas are primarily located within the northernmost and southernmost portions of the Project area.

**Project Description:** The San Joaquin County Local Agency Formation Commission (LAFCo) has received an application from the MHCS D to incorporate the existing district boundary (Study Area 1). As discussed, this existing boundary comprises a smaller area than the Master Plan area and MHCS D SOI, which represent the community's potential boundaries at buildout. LAFCo is evaluating two proposals: one filed by MHCS D (Study Area 1: Proposed Mountain House Incorporation Boundary); and one developed by LAFCo as an alternative to the proposal (Study Area 2: Mountain House Incorporation Alternative Boundary). LAFCo proposes an alternative boundary to eliminate islands of unincorporated County land that would occur with incorporation of the existing MHCS D boundary (Study Area 1), as proposed.

The project analyzed in this Initial Study involves the incorporation of Mountain House and the creation of a subsidiary district in order to enforce Declaration of Covenants, Conditions and Restrictions (CC&Rs) for both incorporation boundary scenarios (Study Area 1 and Study Area 2). The existing MHCS D would divest all of its current powers except enforcement of CC&Rs and become a subsidiary district with the new City Council as its Board of Directors. The Project includes a change in organization; no modifications to the San Joaquin County 2035 General Plan (2035 General Plan) Land Use Map, the land use designations, or intensities/densities identified within the General Plan 2035 Land Use Element are not proposed under either Study Area 1 or Study Area 2.

Mountain House is also proposing the creation of a subsidiary district in order to enforce CC&Rs. This is an existing power of the CSD, but cannot be enforced by cities. The existing CSD would divest all of its current powers except enforcement of CC&Rs and become a subsidiary district with the new City Council as its Board of Directors.

**Findings:** LAFCo finds that the proposed project could not have a significant adverse effect on the environment. LAFCo intends to adopt a Negative Declaration, while also finding that, in light of CEQA Guidelines section 15061 (Review of Exemption), the proposed Project meets the "common sense rule" exemption in that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment (CEQA Guidelines section 15061 (b)(3)). For these reasons, the project qualifies as exempt from CEQA and LAFCo intends to adopt a Notice of Exemption concurrently with the adoption of the Negative Declaration.

**Public Review Period:** A 30-day public review period for the proposed Negative Declaration/Initial Study will commence on May 27, 2022, and will end on June 27, 2022 for interested individuals and public agencies to submit written comments on the document. Any written comments on the proposed Negative Declaration/Initial Study should be sent to the attention of Jim Glaser, Executive Director at 344 North San Joaquin Street, Suite 374, Stockton, CA 95202 by 5:00 PM on June 27, 2022. Copies of the proposed Negative Declaration/Initial Study are available for review online.

**Document Availability:** Copies of the Initial Study/ Negative Declaration are available for review online at: [www.sjgov.org/commission/lafco/home](http://www.sjgov.org/commission/lafco/home)