



City of  
**Los Banos**  
*At the Crossroads of California*

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

**Camarena-Legacy Projects**

**SPR #2021-08, CUP #2022-06, CUP #2022-07 & SPR #2022-06**

Notice is hereby given that the City of Los Banos has prepared an Initial Study (IS) of environmental effects, and intends to adopt a Mitigated Negative Declaration (MND), for the Camarena –Legacy Project, Application Nos. SPR #2021-08, CUP #2022-06, CUP #2022-07, and SPR #2022-06. Camarena Health proposes to develop a two story Medical-Dental Office Building with a combined 16,600 square feet on a 1.94-acre site generally located along the north side of Pacheco Boulevard just east of Ward Road and Legacy Construction proposes to construct a 12 pump Gasoline/Service Station with Convenience Market and approximately 100,073 square feet of Mini-storage on a combined 6.43 acres. Within the Convenience Market building, 1,280 square feet Fast Food with drive-thru Window will be included. The projects will also include associated site improvements. The project site is located on the northeast corner of Ward Rd. and E. Pacheco Blvd.; more specifically identified as Assessor’s Parcel Numbers: 084-020-032 and 084-020-020.

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

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

The City of Los Banos will accept public and agency comments on the IS/MND during a 30-day review period that will begin on July 22, 2022, and end at 5:00 p.m. on August 23, 2022. Comments may be sent to the City of Los Banos, 520 J Street, Los Banos, CA 93635, Attn: Rudy Luquin, Associate Planner.

In addition, notice is hereby given that the Los Banos Planning Commission will consider a recommendation to the Los Banos City Council on the IS/MND and Mitigation Monitoring/Reporting Plan for the project at a public meeting scheduled for August 24, 2022, at 6:00 p.m. to be held in the Council Chambers of Los Banos City Hall.

  
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Rudy Luquin, Associate Planner

July 22, 2022



City of  
**Los Banos**  
*At the Crossroads of California*

**Initial Study/ Mitigated Negative Declaration**

**Camarena – Legacy Projects**

**SPR #2021-08, CUP #2022-06, CUP #2022-07, SPR #2022-06**

**July 22, 2022**

**Lead Agency:**

City of Los Banos

Community and Economic Development Department

Contact: Rudy Luquin

Associate Planner

City Hall 520 J St.

Los Banos, CA 93635

(209) 827-2432

[www.losbanos.org](http://www.losbanos.org)

## **Purpose**

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

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

The purpose of this Initial Study and Proposed Mitigated Negative Declaration (IS/MND) is to identify the potential environmental impacts and proposed mitigation measures associated with the proposed Camarena Health - Legacy Realty and Development, LLC. Project located within the City of Los Banos, County of Merced.

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

## **Project Location**

The Project site is located within the City of Los Banos, County of Merced. Specifically, the project is located at the northeast corner of Ward Rd. and E. Pacheco Blvd. (APNs: 084-020-032 & 084-020-020) on a combined total of 8.37 acres. The uses surrounding the site include:

East: Existing Residential and Existing Commercial Uses

South: Existing Motel

West: Existing Fuel Station and Existing Residential

North: Existing Residential

## **Project Description**

Camarena Health proposes to develop a two story Medical-Dental Office Building with a combined 16,600 square feet on a 1.94-acre site generally located along the north side of Pacheco Boulevard just east of Ward Road and Legacy Construction proposes to construct a 12 pump Gasoline/Service Station with Convenience Market and approximately 100,073 square feet of Mini-storage on a combined 6.43 acres. Within the Convenience Market building, 1,280 square feet Fast Food with drive-thru Window will be included. The projects will also include associated site improvements. The proposed project will be developed in accordance with Title 9, Chapter 3, Article 13, Highway Commercial (H-C) of the Los Banos Municipal Code and the Commercial (C) land use designation from the Los Banos 2030 General Plan.

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

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

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

## **Environmental Determination:**

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

## **MITIGATION MEASURES:**

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

### **Mitigation Measure V-1:**

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

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

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


**Mitigation Measure XVI-1:** Project driveways that fall across from existing driveways or local streets shall be aligned as closely as possible in order to ensure good traffic operations and safety.

**Mitigation Measure XVI-2:** Implement ADA compliant pedestrian sidewalks along internal streets connecting all uses to existing external sidewalks and along its frontages to Ward Rd. and Pacheco Blvd.

**Mitigation Measures XVI-3:** The corner sight distance for the proposed driveway to SR 152 shall be set to 300 feet.

**Mitigation Measures XVI-4:** The project shall contribute their equitable fair share, 3.5% for the Place Rd./ San Luis St. intersections and 26.7% for the Ward Rd./ Pacheco Blvd. intersection, for the recommended future improvements stated in the Traffic Impact Analysis Report necessary to maintain an acceptable Level of Service (LOS).

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

  
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Rudy Luquin  
Associate Planner

Date 7/22/22

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

## Environmental Checklist Form

### Project Title

Camarena - Legacy Projects SPR #2021-08, CUP #2022-06, CUP #2022-07, and SPR #2022-06

### Lead Agency Name and Address

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

### Contact Person and Phone Number

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

### Project Sponsor's Name and Address

Legacy Realty and Development, LLC  
5390 E. Pine Ave.  
Fresno, CA 93727

Camarena Health  
730 North I St., Ste. 202  
Madera, CA 93637

### Project Location and Setting

The Project site is located within the City of Los Banos, County of Merced. Specifically, the project is located on combined total of 8.37 acres at the northeast corner of Ward Rd. and E. Pacheco Blvd. intersection (APN: 084-020-032 & 084-020-020). The uses surrounding the site include:

East: Existing Residential and Existing Commercial Uses

South: Existing Motel

West: Existing Fuel Station and Existing Residential

North: Existing Residential

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

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

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

### **General Plan and Zoning Designations**

General Plan: Commercial

Zoning: Highway Commercial

### **Project Description**

Camarena Health proposes to develop a two story Medical-Dental Office Building with a combined 16,600 square feet on a 1.94-acre site generally located along the north side of Pacheco Boulevard just east of Ward Road and Legacy Construction proposes to construct a 12 pump Gasoline/Service Station with Convenience Market and approximately 100,073 square feet of Mini-storage on a combined 6.43 acres. Within the Convenience Market building, 1,280 square feet Fast Food with drive-thru Window will be included. The projects will also include associated site improvements. The proposed project will be developed in accordance with Title 9, Chapter 3, Article 13, Highway Commercial (H-C) of the Los Banos Municipal Code and the Commercial (C) land use designation from the Los Banos 2030 General Plan.

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



Figure 1 – Location Map





Figure 2 – Vicinity Map

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

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

**DETERMINATION: (To be completed by the Lead Agency)**

On the basis of this initial evaluation:


I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

X I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have significant effect on the environment, because all potentially significant effect (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standard, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

  
 Rudy Luquin  
 Associate Planner

Date 7/22/22

## **EVALUATION OF ENVIRONMENTAL IMPACTS:**

### **Notes:**

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources cited in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors, as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site, as well as on-site, cumulative, as well as project-level, indirect, as well as direct, and construction, as well as operational impacts.
3. Once a determination has been made that a particular physical impact may occur, the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
4. “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, “Earlier Analyses,” may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a) Earlier Analysis Used. Identify and state where they are available for review.
  - b) Impact Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Information sources for potential impacts (e.g., general plans, zoning ordinances) have been incorporated into the checklist references. Reference to a previously prepared or outside document, where appropriate, includes a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list is attached, and other sources used or individuals contacted are cited in the discussion.
8. This initial study format is the format suggested in the 2018 CEQA Guidelines.
9. The explanation of each issue identifies:
  - a. the significance criteria or threshold, if any, used to evaluate each question; and
  - b. the mitigation measure identified, if any, to reduce the impact to less than significant

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

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

I. **Aesthetics. Would the proposal:**

a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Comments:** According to the City of Los Banos 2030 General Plan and Environmental Impact Report (EIR), the proposed project area is not considered a scenic vista. Therefore, the proposed project will have a less than significant impact.

b. Substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comments:** The proposed project is not located on a State designated highway. Based on a review of the California Department of Transportation website ([http://www.dot.ca.gov/hg/LandArch/16\\_livability/scenic\\_highways/index.htm](http://www.dot.ca.gov/hg/LandArch/16_livability/scenic_highways/index.htm)), the nearest State scenic highway is Interstate 5, between the SR 152 and north to the San Joaquin County line. The proposed project is not located on or adjacent to Interstate 5 or SR 152, and therefore will have no impact to a State scenic highway.

c. Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Comments:** The proposed project is located on an combined 8.37 acre vacant site within the City of Los Banos and is currently surrounded by urban development on all four sides. The existing visual character of the proposed project and its surroundings consists of commercial and residential development. The development of commercial and medical structures in this area would alter the existing visual character of the project site; however, given that it would be located adjacent to existing commercial and residential development within the City limits, it would be considered contextually consistent with surrounding land uses.

d. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Comments:** Development of the proposed project will include the installation of parking lot lighting and lighting associated with commercial development. As such, the proposed project will result in a new source of light. However, any lighting installed will be installed in accordance with the City of Los Banos standards and specifications. In addition, the project site is surrounded by existing development on four sides and associated lighting (i.e. street lighting, residential lighting, etc.). Therefore, the proposed project will have a less than significant impact to lighting and glare.

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

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

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

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

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

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

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

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

- III. **Air Quality** Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:
- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Conflict with or obstruct implementation of the applicable air quality plan?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursor)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d. Expose sensitive receptors to substantial pollutant concentrations?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e. Create objectionable odors affecting a substantial number of people?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**BACKGROUND DISCUSSION:**

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

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

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

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

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

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

**SAN JOAQUIN VALLEY FEDERAL AND STATE AAQS ATTAINMENT STATUS**

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

<sup>a</sup>See 40 CFR Part 81

<sup>b</sup>See CCR Title 17 Sections 60200-60210

<sup>c</sup>On September 25, 2008, EPA redesignated the San Joaquin Valley to Attainment for the PM10 National AAQS and approved the PM10 Maintenance Plan

<sup>d</sup>The SJV is designated nonattainment for the 1997 PM2.5 NAAQS. EPA designated the SJV as nonattainment for the 2006 PM2.5 on November 13, 2009 (effective December 14, 2009).

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

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

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

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

Projects that do not generate emissions in excess of these thresholds are considered to have less than significant air quality impacts. In accordance with Table 5-3(b)(c)(d) of GAMAQI, the proposed project is considered a small project according to the Small Project Analysis Level (SPAL). as the project will produce a two (2) story 16,600 square foot medical-dental office, a 4,280 square foot commercial structure with a drive thru and fuel station, and a 97,000 square foot mini- storage area which is less than threshold of the stated 52,000 square feet for medical office building in table 5-3 (b), 10,000 square feet for bulk commercial uses with drive thru in table 5-3(c), and 510,000 square feet for general light industry in table 5-3(d). Because the proposed project qualifies as small project in accordance to SPAL, GAMAQI notes that it has no possibility of exceeding emission thresholds.

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

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

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

**COMMENTS:**

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

The proposed project is located in the vicinity of residential and commercial areas as it is surrounded on three sides by existing residential development. However, because the proposed project is considered a Small Project Analysis Level (SPAL) under GMAQI, the proposed project has no possibility of exceeding the emission thresholds and therefore, will have a less than significant impact.

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



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

IV. **Biological Resources** Would the project:

a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulation, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Comments:** As noted previously, the proposed project is located on vacant land and is surrounded by urban development. However, based on a review of the City's 2030 General Plan EIR, and most notably, Figure 3.8-1, the proposed project is not located within any areas known for the potential of containing special status species and or habitats. Therefore, the proposed project will have a less than significant impact.

b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comments:** Based on the Los Banos 2030 General Plan and EIR, the proposed project is not located within an area known to contain riparian habitat. Most, if not all, of the riparian habitat located within the City is located along Los Banos Creek. The proposed project is not located within, or adjacent to Los Banos Creek. Therefore, the proposed project will have no impact.

c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comments:** Based on the Los Banos 2030 General Plan and EIR, there are no identified wetlands within the project site. Therefore, the proposed project will have no impact.

d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comments:** The proposed project is surrounded by existing commercial and residential development. New development of commercial and medical structures created as a result of the proposed project would have no impacts to wildlife corridors as surrounding urban development already exists. Therefore, the proposed project will have no impact.

e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Comments:** Development of the proposed project will might require the removal of some trees. Therefore, the proposed project will have less than significant impact.

f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comments:** The City of Los Banos, including the proposed project, is not located within an adopted Habitat Conservation Plan or Natural Community Plan. Therefore, the proposed project will have no impact.

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

**V. Cultural Resources** Would the project:

- a. Cause a substantial adverse change in the significance of a historical resource as defined in section 15064.5?

**Comments:** The proposed project site is currently vacant with minimal vegetation and does not contain any buildings or structures. Based on a review of the Los Banos 2030 General Plan EIR, there are thirteen (13) historic resource sites within the City's Planning Area, primarily in the downtown area. None of these sites include the proposed project. As such, there are no historic resources or sites as defined by Section 15064.5 of the Government Code within the proposed project area. Therefore, the proposed project will have a less than significant impact.

- b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to section 15064.5?

**Comments:** Based on a review of the Los Banos 2030 General Plan and EIR, the Los Banos Creek area has been identified as a highly sensitive area for potential archaeological sites. The proposed project is not located within the Los Banos Creek area, and therefore, potential impacts to archaeological resources are considered to be minimal. The project site has been disked yearly to reduce potential fire hazards and given the disturbed nature of the project site it would be unlikely that unknown cultural resources would be found on-site during grading and excavation associated with construction and installation of utilities for the new development. Therefore, the proposed project will have a less than significant impact.

- c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

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

- d. Disturb any human remains, including those interred outside of formal cemeteries?

**Comments:** It is not anticipated that the proposed project will disturb any human remains. However, through development and construction of the proposed project, human remains may be identified, particularly during activities requiring ground disturbance (i.e. grading, trench digging, etc.). As such, the proposed project shall incorporate Mitigation Measure No. V-1, specified below, in accordance with Section 15064.5(e) of the CEQA Guidelines, to reduce any potentially significant impacts to a level of less than significant.

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

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

Categories and Issues:	Potentially Significant Impact	Less than Significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
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VI. **Geology and Soils** Would the project:

a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

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

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

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

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

**Comments:** The proposed project will be served by City of Los Banos sanitary sewer system. The use of septic tanks or alternative water systems are not part of the proposed project. Therefore, the proposed project will have no impact.

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

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

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

**Background Discussion:**

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

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

GHGs include carbon dioxide (CO<sub>2</sub>), the most abundant GHG, as well as methane, nitrous oxide and other gases, each of which have GHG potential that is several times that of CO<sub>2</sub>. GHG emissions result from combustion of carbon-based fuels; major GHG sources in California include transportation (40.7%), electric power generation (20.5%), industrial (20.5%), agriculture and forestry (8.3%) and others (8.3%).

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

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

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

**Comments:**

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

Categories and Issues:	Potentially Significant Impact	Less than Significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
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VIII. **Hazards and Hazardous Material** Would the project:

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Comments:** The development of commercial, medical, and mini-storage structures do not typically involve the transport, use, or disposal of hazardous materials. Therefore, the proposed project will have a less than significant impact

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b. Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

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

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Comments:** The proposed project is located approximately 0.45 miles to the nearest school which is greater than the stated quarter mile proximity. However, as noted above in VIII-a, the development of commercial and medical structures do not typically involve the emission of handling of hazardous materials are identified, all Federal, State, and local policies and regulations related to hazardous materials shall be complied with. Therefore, the proposed project will have a less than significant impact.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

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

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

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

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

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

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Comments:** The Los Banos Fire Department has reviewed the proposed project, and provided feedback to ensure the proposed project complies with any emergency response plan or emergency evacuation plan. To ensure this compliance, the project proponent

will be required to submit for approval to the Los Banos Fire Department the proposed project's Improvement Plans. This approval shall occur prior to the approval of the Improvement Plan. Therefore, the proposed project will have a less than significant impact.

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

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

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

- a. Violate any water quality standards or waste discharge requirements?

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

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

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

- 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?

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

- 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?

**Comments:** The proposed project will contribute runoff water by adding commercial, medical, mini-storage structures, and associated improvements (i.e. streets, water, sanitary sewer, storm drainage, etc.). However, through the design of the proposed project's storm drainage system, the project proponent will be required to comply with the Los Banos Drainage Design Manual and the City's Standards and Specifications. Therefore, the proposed project will have a less than significant impact.

- 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?

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

- f. Otherwise substantially degrade water quality?

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

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



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

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

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

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

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

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

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

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

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

a. Physically divide an established community?

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

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

**Comments:** The proposed project will be consistent with existing uses in the project vicinity and would not result in substantial land use conflicts with the surrounding commercial and residential uses in the area. The project proposes to develop an urban market with drive-thru and associated fuel canopy, mini-storage facility with ancillary admin office, and a medical-dental office building with substantial space for cooperatively-used facilities and open spaces, which would be consistent with the surrounding area. Thus, the proposed project would be consistent with the overall intent of the Los Banos 2030 General Plan and the Los Banos Municipal Code.

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

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

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

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

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

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

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

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

XII. **Noise** Would the project:

- 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?

**Comments:** Within the City of Los Banos, a primary source of noise is vehicle traffic. Under the City of Los Banos 2030 General Plan noise standards, the maximum allowable noise exposure to ground transportation is 60 dB CNEL for outdoor activity areas in residential, transient lodging, medical facilities, and church land uses. These land uses, which include the proposed project (commercial/medical), require a maximum allowable noise level of 70 dB CNEL for interior spaces. The proposed project will increase the number of vehicle trips within the project area. However, based on a review of Figure 3.11-3 of the Los Banos 2030 General Plan EIR, the proposed project is not located within an area identified as exceeding the City's General Plan noise standard upon build-out of the City's "Planning Area." Therefore, the proposed project will not exceed the Los Banos General Plan noise standards, and will have a less than significant impact.

- b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

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

- c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

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

- d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

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

- 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?

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

- 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?

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

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

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

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

**Comments:** The proposed project is for the development of a urban market with drive-thru and fuel station, a mini-storage facility, and a medical- dental office building, in which the project. Thus, the proposed project would not induce substantial population growth. Therefore, the proposed project will have no impact.

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

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

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

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

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

XIV. **Public Services**

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

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

**Comments:** The proposed project for the development of urban market / fuel stations with drive-thru , a mini-storage facility, and a medical-dental office will impact public services such as fire protection and police protection, however the proposed project will not impact schools, and parks.

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

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

**XV. Recreation**

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

**Comments:** The proposed project will not increase the use of existing park facilities in the City of Los Banos. However, as noted previously in this Initial Study, the developer of the proposed project will be required to pay the applicable Capital Facilities Fees, which include park facilities, at the time of building permit issuance. This Capital Facilities Fee is intended to offset impacts of new development to public services, including parks and park facilities. Therefore, the proposed project will have a less than significant impact.

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

**Comments:** The proposed project does incorporate a dog park area located within the parking lot, however the project will not require the construction or expansion of existing recreational facilities. As noted above, the developer of the proposed project will be required to pay the applicable Capital Facilities Fee at the time of the building permit issuance. The intent of the Capital Facilities Fee is to offset any potential impacts to public services and facilities, including parks and recreational facilities, as a result of new development. Therefore, the proposed project will have a less than significant impact.

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

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

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

**Comments:** A Traffic Impact Analysis Report was completed for the project, the report has mitigations incorporated to create a less than significant impact on the existing traffic patterns. Refer to Mitigation Measures below.

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

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

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

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

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

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

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

**Comments:** Based on the Project Site Plan, access to and from the Project site is predominantly from four (4) proposed access points. The proposed access point for the mini-storage component is located on the east side of Ward Road approximately 620' north of Pacheco Boulevard. This proposed access point will be aligned with Canal Farm Lane and is proposed to have full access. The mini storage component will have access to the mixed-use component that is to be served as a crash gate for emergency purposes. The two (2) primary proposed access points for the retail component are located on the east side of Ward Road approximately 220' and 440' north of Pacheco Boulevard. The northern proposed access point will be aligned with the existing median opening and has full access. The southern proposed access point will be limited to right-in right-out access. The primary proposed access point for the medical-dental office component is located on the north side of Pacheco Boulevard approximately 650' east of Ward Road. This access is limited to right-in right-out access. The medical-dental office component and retail component will also have one cross access point between each other. The project will have adequate emergency access available. Therefore, the proposed project will have a no impact.

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

**Comments:** The Ward Rd. frontage has existing sidewalk, curb and gutter, however on the E. Pacheco Blvd. frontage there is existing curb on a portion of the frontage closer to the Ward Rd./ E. Pacheco Blvd. intersection. The development of the frontage improvements on E. Pacheco Blvd. shall be consistent to the standards and specifications of Cal-Trans as E. Pacheco Blvd. SR 152 is under the Cal-Trans jurisdiction and the adopted polices and plans for pedestrian/bicycle access and shall also meet the City of Los Banos



Standards. Public transit is not located within near proximity to the project site. The proposed project will not decrease the performance or safety of these existing facilities. Therefore, the proposed project will have a less than significant impact.

**Mitigation Measure XVI-1:** Project driveways that fall across from existing driveways or local streets shall be aligned as closely as possible in order to ensure good traffic operations and safety.

**Mitigation Measure XVI-2:** Implement ADA compliant pedestrian sidewalks along internal streets connecting all uses to existing external sidewalks and along its frontages to Ward Rd. and Pacheco Blvd.

**Mitigation Measures XVI-3:** The corner sight distance for the proposed driveway to SR 152 shall be set to 300 feet.

**Mitigation Measures XVI-4:** The project shall contribute their equitable fair share, 3.5% for the Place Rd./ San Luis St. intersection and 26.7% for the Ward Rd./ Pacheco Blvd. intersection, for the recommended future improvements stated in the Traffic Impact Analysis Report necessary to maintain an acceptable Level of Service (LOS).

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

**XVII. Tribal Cultural Resources**

a. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 1. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

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

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 2. A resource determined by the lead agency, in its discretion and supported by a substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resource Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

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

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

XVIII. **Utilities and Service Systems:** Would the project:

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Comments:** The proposed project will connect to the City's existing sanitary sewer system. The City has sufficient capacity to accommodate the proposed project and will not exceed any treatment requirements imposed by the Regional Water Quality Control Board. Therefore, the proposed project will have a less than significant impact.

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Comments:** The proposed project will connect to the City's existing water and sanitary sewer system. As part of this connection, the proposed project will not be required to increase the size of existing water and sanitary sewer lines in order to serve the project. The City has sufficient capacity in its domestic water and sanitary sewer systems to accommodate development within the proposed project. In addition, the proposed project will be required to pay the applicable Capital Facilities Fees, which include water and sanitary sewer fees, at the time of Building Permit issuance. Therefore, the proposed project will have a less than significant impact.

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Comments:** The proposed project will connect to the City's existing storm drainage system via connecting to an existing storm drain line located on Ward Rd. The design and installation of the proposed project's storm drainage system will be done in accordance with the City's Drainage Design Manual, and does not require the construction or expansion of new/existing facilities. Therefore, the proposed project will have a less than significant impact.

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Comments:** It has been determined that there is sufficient water supply capacity available to serve the proposed project. The proposed project does not require the construction of new or expansion of existing facilities.

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Comments:** It has been determined that there is sufficient waste water supply capacity available to serve the proposed project. The proposed project does not require the construction of new or expansion of existing facilities.

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Comments:** Solid waste in the City of Los Banos is managed by the Merced County Association of Governments. The majority of the City's solid waste is taken to Billy Wright Landfill and additional waste is taken to Highway 59 Landfill. The City's 2030 General Plan EIR determined that there are sufficient options for expansion or relocation of services to meet the demand created by future growth in Los Banos. Therefore, the proposed project will have a less than significant impact.

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

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

	Potentially Significant Impact	Less than Significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
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**MANDATORY FINDINGS OF SIGNIFICANCE**

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

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

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <p>b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

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

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

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

The proposed project will contribute to planned urban development in the City of Los Banos, with the development of a two (2) story medical-dental office building, a 12 pump gasoline/service station with convenience market with adjoined fast food with drive-thru, and mini-storage facility. The potential environmental impacts associated with the proposed project represent a portion of the environmental consequences of the planned growth and development permitted by the 2030 General Plan. The proposed project may involve a minor addition to the potential environmental impacts identified in the 2030 General Plan EIR, but the proposed project will not result in any substantial contribution to any of the significant cumulative impacts identified in the 2030 General Plan EIR.

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <p>c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

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

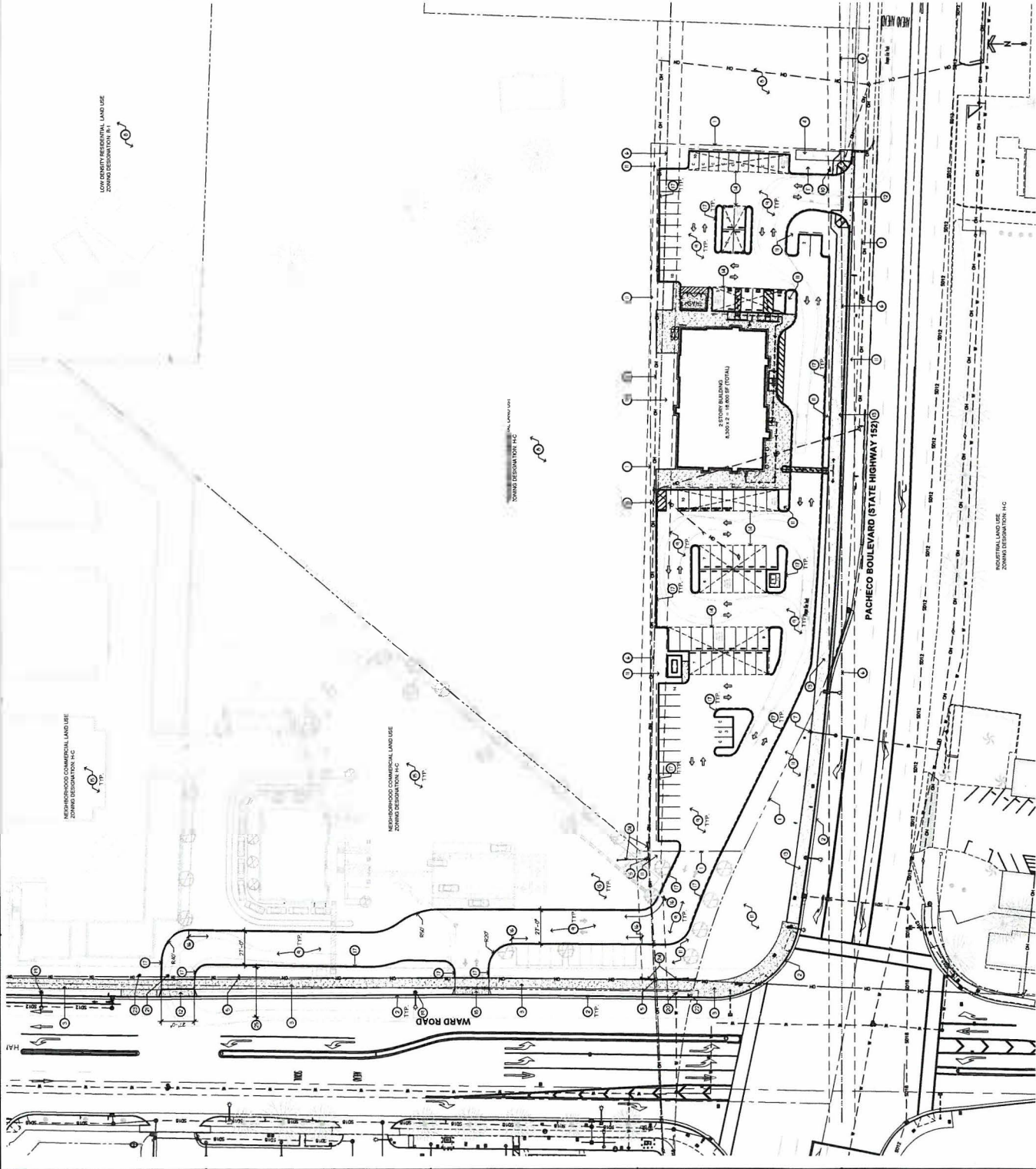
**REFERENCES**

- City of Los Banos 2030 General Plan
- City of Los Banos Municipal Code
- CEQA
- Traffic Impact Analysis Report, Camarena-Legacy Projects, JLB Traffic Engineering, Inc.

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

# APPENDIX A

## Site Plan



- ### KEYED NOTES
- 1 LOCATION OF EXISTING PROPERTY LINE
  - 2 LOCATION OF EXISTING CURB & GUTTER TO REMAIN
  - 3 LOCATION OF EXISTING PUBLIC SIDEWALK TO REMAIN
  - 4 LOCATION OF EXISTING OVERHEAD UTILITIES AND POLES TO REMAIN
  - 5 LOCATION OF EXISTING PUBLIC UTILITY TRENCH TO REMAIN
  - 6 LOCATION OF EXISTING PUBLIC UTILITY TRENCH TO REMAIN
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  - 100 LOCATION OF EXISTING FIRE TRENCH TO REMAIN

**CENTERLINE DESIGN, LLC**  
 PLANNING, DESIGN, CONSTRUCTION  
 15000 STATE STREET, SUITE 200  
 LOS ANGELES, CA 90044  
 TEL: (310) 550-0100

PROPOSED DEVELOPMENT FOR:  
**CAMARINA HEALTH LOS BANOS HEALTH CENTER**  
 77 E. PACHECO BLVD.  
 LOS BANOS, CA 93835

**REVISIONS**

No.	Description	Date
1	Issue for Review	06/15/2022
2	Planning Submission	06/15/2022

**IDENTIFICATION**

Scale	1" = 50'-0"
Project Coordinator	BOB LANGRISH
Project No.	19-017
Sheet	A-0.0

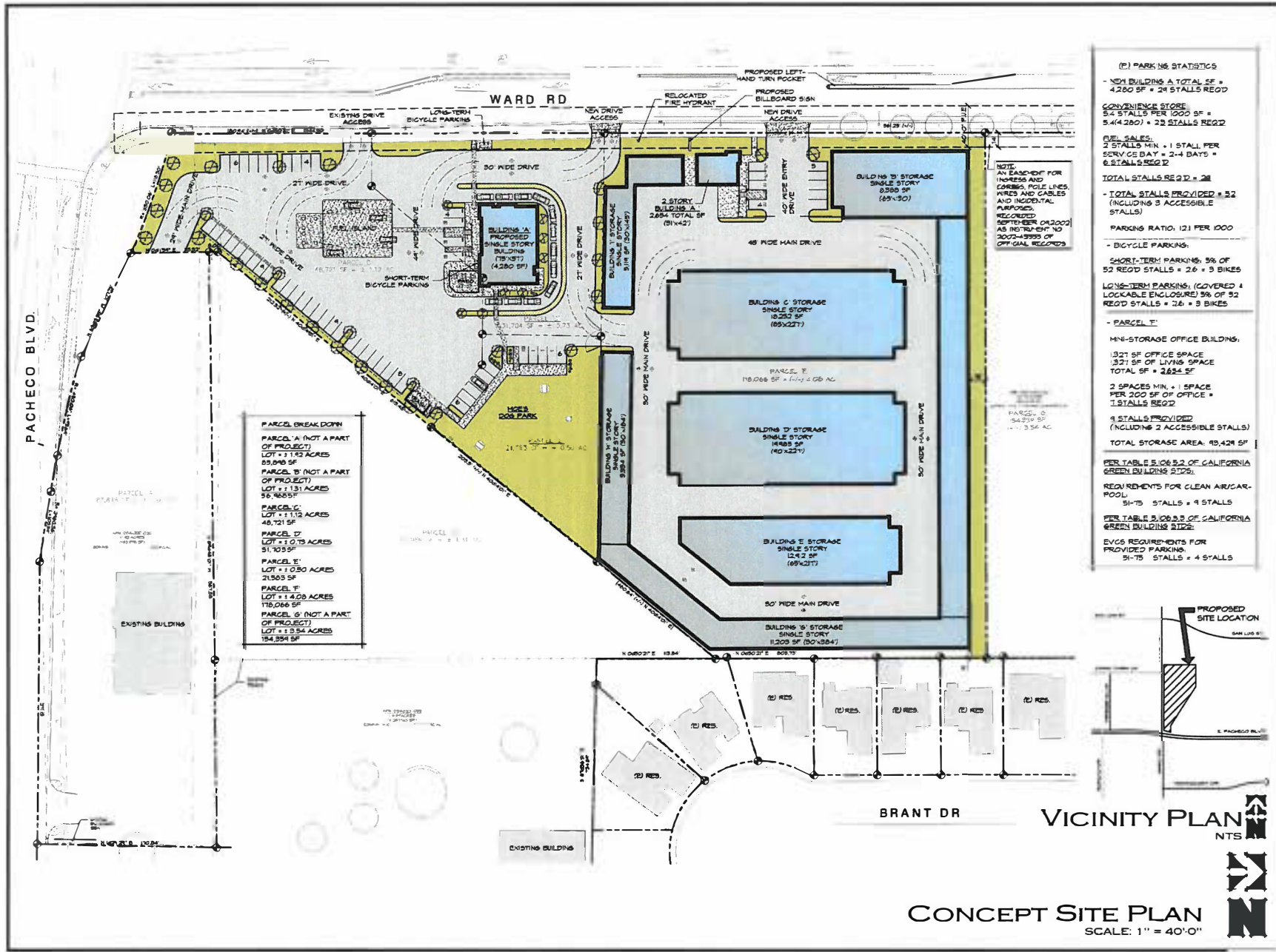
**PROJECT DATA**

<b>SITE DATA:</b>	77 E. PACHECO BLVD. LOS BANOS, CA 93835
<b>APN:</b>	044-007-0000
<b>LAND AREA:</b>	445,516 S.F. (10.16 ACRES)
<b>ZONING DESIGNATION:</b>	HC
<b>BUILDING DATA:</b>	PROFESSIONAL MEDICAL OFFICE TYPE III (1-1/2 STORIES) NUMBER OF STORIES: 2 FLOOR FINISHES: YES (OFFERED) FIRE SPRINKLERS: YES (OFFERED) TOTAL BUILDING AREA: 8,300 ± 2 ± S.F. COVERAGE: 14.12%
<b>PARKING DATA:</b>	REQUIRED PARKING: (14.00 SQ. FT. / 700) STANDARD VEHICLE PARKING SPACES: 52 ACCESSIBLE VEHICLE PARKING SPACES PROVIDED: 3 FUTURE CLEAR AND PARKING SPACES (15' X 5') PARKING RATIO: 5.24/1000



**OVERALL REFERENCE SITE PLAN**

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- ACQUISITION
- PLANNING
- DESIGN

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 info@cfresno.com

**CONCEPTUAL SITE AND BUILDING DEVELOPMENT**

WARD RD & PACHECO BLVD  
 LOS BANOS, CA

**REVISIONS**

NO.	DATE	DESCRIPTION

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**CONCEPT SITE PLAN**

**CONCEPT SITE PLAN**  
 SCALE: 1" = 40'-0"