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## **4.0 ENVIRONMENTAL SETTING AND ANALYSIS**

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The following is an introduction to the project-specific environmental analysis, cumulative impacts, and general assumptions used in the environmental analysis in the Draft Environmental Impact Report (Draft EIR) for the proposed Mitchell Ranch Center. The reader is referred to the individual technical sections of the Draft EIR regarding specific assumptions and methodology and significance criteria used in the analysis.

#### 4.0.1 ASSUMPTIONS GENERALLY USED TO EVALUATE THE IMPACTS OF THE PROJECT

##### BASELINE ENVIRONMENTAL CONDITIONS ASSUMED IN THE DRAFT EIR

Section 15125(a) of the California Environmental Quality Act (CEQA) Guidelines requires that an EIR include a description of the physical environmental conditions (baseline) in the vicinity of the project site, as they exist at the time the Notice of Preparation (NOP) is published. The CEQA Guidelines also specify that this description of the physical environmental conditions is to serve as the baseline physical conditions by which a lead agency determines whether impacts of a project are considered significant.

The analysis contained in the individual technical sections of the Draft EIR (see Sections 4.1 through 4.14) uses the physical environmental conditions that existed on the project site on the Notice of Preparation's publication date as the baseline for environmental analysis. All site visits and surveys required for completion of this Draft EIR were conducted under these conditions.

After publication of the NOP on September 5, 2007, and completion of all field evaluations, minor alterations were made to the project site. The City of Ceres issued demolition permits for the removal of three of the four structures on the project site. (Permit Nos. BLD07 0924, 0927, 0928, and 0929) In addition, some vegetation was removed. The issuance of demolition permits by the City is a ministerial action and is not subject to CEQA (CEQA Guidelines Section 15300.1).

CEQA does not require the analysis presented in the EIR to reflect changes which occur on the project site once baseline conditions are established. However, the alterations to the project site could potentially affect mitigation measures. Therefore, the mitigation measures provided in the Draft EIR reflect the changes that occurred on site after the establishment of the baseline conditions.

As the analysis contained in this EIR assumes baseline conditions as of issuance of the NOP, changes in the surrounding area will not have been included in the analysis. Changes can take the form of new homes or retail uses being constructed, or new applications for development begin filed in the City of Ceres or adjacent communities. Fortunately, new projects are also required to complete CEQA and as any new projects would be processed after the NOP for this project was issued, the new project(s) would have to consider the proposed project in their analysis. Since issuance of the NOP, the City has learned that two additional Walmart projects have been proposed, a new store in the City of Livingston, approximately 20 miles south of the City of Ceres on State Route 99, and an expansion of an existing store in the City of Los Baños, approximately 40 miles south and west of the City. Neither of these projects has advanced to the entitlement phase, nor have they completed their environmental analysis. Since issuance of the NOP, Walmart store shown in Table 4.0-1 has opened in the City of Modesto.

## 4.0 ENVIRONMENTAL SETTING AND ASSUMPTIONS USED

### DEVELOPMENT ASSUMPTION

The currently proposed project contains less square footage than the project as originally proposed. In addition, when the project was originally proposed, the developer asked that the City assume a three percent increase in the size of the project as a “buffer” to allow for slight modifications to the project should such changes be needed. As noted previously, a number of the studies for this EIR were conducted assuming this larger square footage. Therefore, the studies present an extremely conservative estimate of project impacts. The reader should be aware of these assumptions and note this as the reason some of the charts, analyses and technical appendices use a larger square footage than that in the project description. (See e.g., **Section 4.5, Economics and Blight**, and **Appendix 4.5-1**) and the geotechnical study (see **Section 4.6, Geology and Soils**, and **Appendix 4.6-1 and Appendix 4.6-2**).

### APPROVED AND PENDING PROJECTS

The status of approved and pending projects in the City of Ceres and adjacent areas of Stanislaus County are described in **Table 4.0-1**, below. Past, present, and probable future projects will be considered when determining the cumulative setting and the proposed project’s contribution to identified cumulative impacts. The context of particular impact analysis will determine which of these projects are relevant to that analysis.

**TABLE 4.0-1  
APPROVED/PENDING PROJECTS AS OF SEPTEMBER 5, 2007**

<b>Project Name</b>	<b>Description of Project</b>	<b>Location</b>	<b>Jurisdiction</b>	<b>Status</b>
Copper Trails	Conceptual land use plan provides for a total of 568 housing units on 175 net acres including 410 single-family residential units, 80 medium-density residential units, and 78 high-density residential units.	Southwest of the intersection of Service Road and Central Avenue in Ceres	City of Ceres	Preparing environmental document
Maple Glen	Conceptual land use plan provides for a total of 910 housing units on 195 net acres including 11 very low-density residential units, 617 low-density residential units, 178 medium-density residential units, and 103 high-density residential units. Annexation of 195 acres.	Southeast of the intersection of Service Road and Central Avenue in Ceres	Stanislaus County (planned for annexation to City of Ceres)	The developer has withdrawn application for development at this time.
Ceres Gateway Center	Includes 25,955 square feet of commercial uses in multiple buildings and 2 three-story hotels with a total of 157 rooms.	Southwest of the intersection of Service Road and Mitchell Road in Ceres	City of Ceres	Approved May 19, 2008
Three Amigos Annexation	Annexation of 23.48 acres. Currently, no development is proposed and no entitlements have been requested or granted beyond the annexation. The General Plan designates this project site for Regional	Southeast of the intersection of Service Road and Mitchell Road in Ceres	Stanislaus County (planned for annexation to City of Ceres)	Approved November 27, 2007

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**TABLE 4.0-1  
APPROVED/PENDING PROJECTS AS OF SEPTEMBER 5, 2007**

Project Name	Description of Project	Location	Jurisdiction	Status
	Commercial uses.			
West Ceres Specific Plan	A 960-acre site planned for mixed-use development. Specific unit counts have not been defined. The current General Plan Designations allow for residential, light industrial, community facility, general industrial, community commercial, and office development.	South of Whitmore Avenue and west of the Union Pacific Railroad	Stanislaus County (planned for annexation to City of Ceres)	Preparing Specific Plan
Davante Villas VTSM 03-09	32 single-family residential units	River Road and North Canyon Drive	City of Ceres	Final Map approved
Bing Cherry Estates VTSM 04-11	172 single-family residential units	Hatch Road between Boothe Road and Eastgate Boulevard	City of Ceres	Approved, under construction
Joe Tedesco Townhouses Permit 04-28	12 multi-family residential units	Roeding Road between 7 <sup>th</sup> and 8 <sup>th</sup> streets	City of Ceres	Approved, under construction
Tuscany Village VTSM 04-14	40 multi-family residential units	Whitmore Avenue between Rockefeller and Fairview drives	City of Ceres	VTSM approved
San Pedro North VTSM 05-16	11 single-family residential units	San Pedro Road and San Juan Road	City of Ceres	Approved, under construction
Dow Ranch VTSM 05-55	46 single-family residential units	Richland Avenue and Richard Way	City of Ceres	VTSM and Rezone approved, model homes constructed
Frank Sequira VTPM 06-17	10 multi-family residential units	10 <sup>th</sup> Street between Roeding Road and Pyramid Avenue	City of Ceres	VTPM and ASPA approved
GDR Engineering VTSM 06-28	8 single-family residential units	Richland Avenue between Richard Way and Darby Lane	City of Ceres	VTSM approved
Aspen Survey VTSM 06-36	6 single-family residential units	Blaker Road between Flower Garden and Cancimilla Court	City of Ceres	VTSM approved
Frank Sequira ASPA 06-41	6 multi-family residential units	9 <sup>th</sup> Street between Lawrence and Park streets	City of Ceres	ASPA approved, in plan check stage

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**TABLE 4.0-1  
APPROVED/PENDING PROJECTS AS OF SEPTEMBER 5, 2007**

Project Name	Description of Project	Location	Jurisdiction	Status
Gary and Lindy Middleton ASPA 07-11	Triplex unit	Lawrence and 9 <sup>th</sup> Street	City of Ceres	ASPA approved
Walmart Store PD 515	Reuse of an existing approximately 100,000 square foot building as a "mini" Wal-Mart Supercenter with grocery sales	North Point Landing shopping center on North McHenry Avenue in Modesto	City of Modesto	Opened

Source: City of Ceres project data through August 2008; City of Modesto Planning Staff, June 2008

Note: VTSM = Vesting Tentative Subdivision Map  
ASPA = Architectural and Site Plan Approval

### GENERAL PLAN CONSISTENCY ANALYSIS

As required by CEQA Guidelines Section 15125(d), each technical section of the Draft EIR (Sections 4.1 through 4.13) has been evaluated for consistency with policies contained in the City of Ceres General Plan and the Mitchell Road Corridor Specific Plan. The consistency tables are located in the relevant sections of this Draft EIR. Project inconsistencies with the General Plan do not necessarily constitute significant impacts. The determination of the proposed Mitchell Ranch Center project's consistency with the Ceres General Plan ultimately rests with the City.

### STRUCTURE OF THE ENVIRONMENTAL IMPACT ANALYSIS

Sections 4.1 through 4.13 of this Draft EIR contain a detailed description of current setting conditions (including applicable regulatory setting), an evaluation of the direct and indirect environmental effects resulting from the implementation of the proposed project, feasible mitigation measures and project alternatives that would reduce identified impacts, and identification of whether significant environmental effects of the project would remain after application of the feasible mitigation measures and alternatives. The individual technical sections of the Draft EIR follow the following format.

#### Existing Setting

This subsection includes a description of the physical setting conditions associated with the technical area of discussion, consistent with CEQA Guidelines Section 15125. As previously identified above, the existing setting is based on conditions as they existed when the NOP for the proposed project was released.

#### Regulatory Framework

This subsection consists of the identification of applicable federal, state, regional, and local plans, policies, laws, and regulations that apply to the technical area of discussion.

#### Project Impact Analysis

The proposed Mitchell Ranch Center project would result in a variety of impacts associated with the construction and operation of a large retail development within the City of Ceres. Impacts

resulting from the proposed project are examined on a project level relative to the topic of each section (e.g., aesthetics and visual resources, air quality).

The impacts and mitigation measures subsection identifies direct and indirect environmental effects associated with implementation of the proposed project. Standards of significance are identified and utilized to determine whether identified environmental effects are considered "significant" and require the application of mitigation measures. Each environmental impact analysis is identified numerically (e.g., Impact 4.1.1 – Economic Blight and Degradation) and is supported by substantial evidence included in the discussion.

Mitigation measures for the proposed project were developed following a thorough review of the environmental effects of the project. After identification of proposed policies and action items that mitigate the environmental impact being discussed, any additional feasible mitigation measures that could minimize significant adverse impacts are discussed. The impact discussion then notes whether the impact has been mitigated to a less than significant level or remains significant and unavoidable.

### APPROACH TO THE CUMULATIVE IMPACT ANALYSIS

#### **Definition of Cumulative Setting**

CEQA Guidelines Section 15130 requires that EIRs include an analysis of the cumulative impacts of a project when the project's effect in combination with other similar projects is considered cumulatively considerable. In general, the cumulative setting conditions considered in this Draft EIR are based on the proposed and approved development projects listed in **Table 4.0-1**.

The geographic extent of the cumulative setting for this Draft EIR varies depending on the impact analyzed. For most impacts, the geographic extent of the cumulative setting generally consists of the City of Ceres as well as the City's Sphere of Influence, the unincorporated areas near the City (e.g., the community of Keyes), the City of Modesto, the City of Hughson, and the City of Turlock. For other impacts, such as air quality and traffic, larger regional areas are analyzed and regional activities and attributes are considered (e.g., regional traffic volumes and patterns associated with State Route 99). The cumulative settings are based on the extent of the effect of project environmental impacts beyond the City of Ceres, based on the analysis provided in the technical sections of this Draft EIR (e.g., traffic impacts [Section 4.13], public services [Section 4.12], noise [Section 4.10] and land use [Section 4.9]). However, each technical section of the Draft EIR includes a description of the geographic extent of the cumulative setting based on the characteristics of the environmental issue under consideration (e.g., consideration of the City of Ceres for cumulative aesthetics analysis) as set forth in Section 15130(b) of the CEQA Guidelines.

#### **Cumulative Setting, Impacts, and Mitigation Measures**

Each technical section in the Draft EIR considers whether the proposed project together with past, present, and probable future projects would have cumulatively significant impacts and, if so, whether the project's contribution would be cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects (CEQA Guidelines Section 15065(a)(3)). The determination of whether the proposed Mitchell Ranch Center project's impact on cumulative conditions is considerable is based on a number of factors including consideration of applicable public agency standards, consultation with public agencies, and expert opinion.

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### TERMINOLOGY USED IN THE DRAFT EIR

This Draft EIR uses the following terminology to describe environmental effects of the proposed project:

**Standards of Significance:** A set of significance criteria used by the CEQA lead agency (City of Ceres) as well as by other public agencies with regulatory jurisdiction over the project to determine at what level or threshold an impact would be considered significant. Significance criteria used in this Draft EIR are derived from the CEQA Guidelines; factual or scientific information; regulatory performance standards of local, state, and federal agencies; and City goals, objectives, and policies (e.g., City of Ceres General Plan). Specified significance criteria are identified at the beginning of the impact analyses in each technical section of the Draft EIR.

**Less Than Significant Impact:** A project is considered to have a less than significant impact when the incremental effects of an individual project are not cumulatively considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

**Significant Impact:** A significant impact would cause a substantial adverse change in the physical conditions of the environment. Significant impacts are identified by the evaluation of project effects using specified standards of significance provided in each technical section of the Draft EIR. Identified significant impacts are those where the proposed project would result in an impact that can be measured or quantified, while identified potentially significant impacts are those impacts where an exact measurement of the project's effect cannot be made but substantial evidence indicates that the impact would exceed standards of significance.

A potentially significant impact may also be an impact that may or may not occur and where a definite determination cannot be foreseen. Mitigation measures and/or project alternatives are identified to avoid or reduce to a less than significant level project effects to the environment.

**Significant and Unavoidable Impact:** A significant and unavoidable impact would result in a substantial change in the environment that cannot be avoided or mitigated through feasible measures to a less than significant level if the proposed project is implemented.

**Cumulative Significant Impact:** A project is considered to have a cumulatively significant impact when the incremental effects of an individual project are cumulatively considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

**Project Buildout:** This term is used to refer to the buildout of the proposed project including Walmart and all other retail and restaurant uses proposed for development on the project site. This includes the construction of infrastructure and roadways required to serve the project.