

CITY OF FOSTER CITY/ESTERO MUNICIPAL IMPROVEMENT DISTRICT

ENVIRONMENTAL REVIEW GUIDELINES

**Recommended for City Council Approval by
the Planning Commission on September 6, 2007**

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APPENDICES

I. GENERAL INFORMATION

A. APPLICATION

1. These Guidelines are applicable to any public or private project subject to a permit or approval from the City of Foster City or the Estero Municipal Improvement District (EMID). All references to “City” shall be construed to mean both the City of Foster City and Estero Municipal Improvement District. All references to the City Council shall be construed to mean the City Council, the EMID Board, or both as may be applicable. The Guidelines also apply to any capital improvement projects and/or City/District projects which do not require an Architectural Review Permit or Use Permit, but require City Council/Board authorization (21001.1). They are intended to be consistent with the State of California Resources Agency Guidelines for Implementation of the California Environmental Quality Act (CEQA).
2. The City of Foster City and the Estero Municipal Improvement District hereby incorporate by reference the State CEQA Guidelines prescribed by the Secretary for Resources as most recently amended.
3. These Guidelines set forth definitions, procedures, criteria and locally important thresholds of significance to be used by the City of Foster City and the EMID in implementation of the California Environmental Quality Act of 1970 (Public Resources Code, Sections 21000 et seq.) and may be cited as the “City of Foster City/EMID Environmental Review Guidelines”. These Guidelines contain only those provisions which are necessary to tailor the general provisions of the State CEQA Guidelines to the specific operation of the City of Foster City (15022.d). (Section numbers contained in parentheses refer to sections of the CEQA or State CEQA Guidelines which relate to local provisions).

B. FEES

The City of Foster City will charge and collect reasonable fees (to be approved by the City Council) to recover costs incurred by the City in preparing environmental documents not covered in contractual agreements with consultants, as follows:

1. A fee to recover costs of preparation of the Initial Study (and Negative Declaration where one is issued).

2. A time and materials charge to recover costs incurred in solicitation and administration of the EIR consultant contract and processing of environmental documents arising therefrom.
3. A fixed fee to recover costs of processing appeals.
4. A fee from members of the public for the actual cost of reproducing a copy of an environmental document.
5. Fees paid to California Department of Fish and Game upon filing of the Notice of Determination.

II. DEFINITIONS

Section numbers in parentheses refer to definitions in the State CEQA Guidelines incorporated by reference.

A. Words/Terms beginning with "A"

ABAG

Association of Bay Area Governments. ABAG serves as an area wide clearing house for distribution of environmental documents to regional and local agencies for projects which are of statewide, regional or area wide environmental significance.

Area wide Clearing House

A regional agency which distributes environmental documents to regional and local agencies for projects which are of statewide, regional or area wide environmental significance.

Applicant (15351)

Approval (15352)

B. Words/Terms beginning with "C"

California Environmental Quality Act (CEQA) (15353)

Caltrans

State Department of Transportation

Categorical Exemption (15354)

A list of projects considered categorically exempt is included in Appendix B.

Community Development Director

Director of the Community Development Department of the City of Foster City

Cumulative Impacts (15355)

- C. Words/Terms beginning with “D”

Decision-making Body

- D. Words/Terms beginning with “E”

Effects (15358)

Emergency Projects (15359)

Environment (15360)

Environmental Assessment Information Form

Information submitted by the project applicant describing the nature of the project and the changes it could produce in the environment to be used as the basis for preparation of the Environmental Checklist. (The format of the Environmental Assessment Information Form is provided in Appendix E).

Environmental Checklist Form

An inclusive list of environmental effects used as a format for findings of significance, possible significance, or insignificance which forms a recommendation to the Community Development Director for his/her determination of whether or not an EIR is required (see Appendix F for format).

Environmental Documents (15361)

Environmental Impact Report (EIR) (15362)

Environmental Impact Statement (15363)

E. Words/Terms beginning with “F”

Feasible (15364)

F. Words/Terms beginning with “I”

Initial Study (15063)

A preliminary environmental analysis consisting of the Environmental Assessment Information Form and the Environmental Checklist Form, to be used by the Community Development Director to determine whether an EIR or a Negative Declaration must be prepared or to identify significant environmental effects to be analyzed in an EIR.

G. Words/Terms beginning with “J”

Jurisdiction by Law (15366)

H. Words/Terms beginning with “L”

Lead Agency (15367)

Lead City Department

A City department which has the responsibility for carrying out a public project or recommending approval of a private project.

Local Agency (15368)

I. Words/Terms beginning with “M”

Ministerial Projects (15369)

A list of Ministerial projects is included in Appendix A.

May

Identifies a permissive element which is left fully to the discretion of the public agencies involved.

Mitigation (15370)

MTC

Metropolitan Transportation Commission

J. Words/Terms beginning with “N”

Negative Declaration (15371)

Notice of Completion (15372)
(See Appendix L for format.)

Notice of Draft Negative Declaration and Notice of Public Hearing (21092)
(See Appendix G for format.)

Notice of Determination (15373)
(See Appendix I for format.)

Notice of Exemption (15374)
(See Appendix C for format.)

Notice of Preparation (15375)
(See Appendix J for format.)

K. Words/Terms beginning with “P”

Person

Private Project

Project

Public Agency

L. Words/Terms beginning with “R”

Rare or Endangered Species

Responsible Agency

M. Words/Terms beginning with “S”

Shall or Must

Identifies a mandatory statement which agencies and applicants are required to follow.

Should

A “should” statement is strongly suggested, based on policy considerations, but not required.

Significant Effect on Environment (15382)

State Agency (15383)

State Clearinghouse

A division of the Office of Planning and Research responsible for distributing environmental documents to State agencies, departments, boards and commissions for review and comment.

Substantial Evidence (15384)

N. Words/Terms beginning with “T”

Thresholds of Local Significance

Tiering (15385)

Tiering refers to the preparation of environmental documents using a multi-level approach where the first tier includes the analysis of general matters contained in a broader EIR and subsequent tiers include analysis of narrow projects with later EIRs and Negative Declarations. Tiering is a method to streamline the environmental review process by allowing a Lead Agency to focus on issues that are proposed for an immediate decision.

Trustee Agency (15386)

O. Words/Terms beginning with “U”

Urbanized Area (15387)

III. ENVIRONMENTAL DOCUMENTS AND PROCEDURES

A. PRELIMINARY REVIEW

1. When an application for a permit or other entitlement for use is submitted, the Planning/Code Enforcement Division staff should be alert for environmental issues that might require preparation of an EIR or may require additional information by the applicant while reviewing an application for completeness (15060.a).

B. REVIEW FOR EXEMPTION

1. When an application for a permit or other entitlement for use is submitted, the Planning/Code Enforcement Division staff shall determine whether a particular activity is exempt from CEQA (15061).
2. If the Planning/Code Enforcement Division staff determines that a project is exempt, the City or the applicant may file a Notice of Exemption using the form provided in Appendix C after the project is approved (15062.a).
3. The Notice of Exemption shall be filed with the County Clerk (15062.c.2).
4. The Notice filed by an applicant shall be filed with the County Clerk along with a certified document issued by the public agency stating that the agency has found the project to be exempt (15062.c.3).

C. INITIAL STUDY

1.
 - a. If a project is not exempt, the City shall conduct an Initial Study to determine if the project may have a significant effect on the environment.
 - b. If the Community Development Director determines that an EIR will clearly be required for the project, an Initial Study may or may not be required by the Community Development Director (15063.a).
2.
 - a. The applicant shall provide an Environmental Assessment Information Form, including a description of the project and a brief statement of expected environmental consequences. The format for this information is contained in Appendix E. The applicant may also submit any additional information to aid in the determination of environmental impacts.
 - b. The Community Development Director may request and the applicant shall provide, any additional information needed to prepare adequate environmental documents. Such information may be necessary and required after the application has been accepted as complete (15063.e & 15060.a).

3. Based upon the Environmental Assessment Information Form and other data which may be available, a member of the Planning/Code Enforcement Division staff assigned to the project will complete the Environmental Checklist Form using the form provided in Appendix F. The Environmental Checklist Form shall cite sources of information to support the conclusions contained therein. The Environmental Assessment Information Form and the Environmental Checklist Form comprise the Initial Study (15063.f).
4. A previously prepared EIR may also be used as the Initial Study for a later project (15063.f).

D. DETERMINING SIGNIFICANT EFFECT

1.
 - a. On the basis of the Initial Study and any consultation with other agencies or individuals, the Community Development Director shall determine if the project may have significant environmental impacts and shall enter such determination in the space provided at the end of the Environmental Checklist Form.
 - b. The Community Development Director shall also determine if there are mitigation measures which will reduce or eliminate significant impacts.
 - c. Mitigation measures can be proposed by the applicant, City staff, or the Community Development Director, but in all cases the applicant's willingness to adopt and implement them in a manner and in a time frame acceptable to the City shall be set forth in writing if they are to be considered included in the proposed project (15070.b.1).
2. When the Community Development Director determines that a project will not have a significant effect on the environment, a Draft Negative Declaration shall be prepared (15064.f.3 & 15070.a).
3. When the Community Development Director determines that a project will have a significant effect on the environment, but revisions in the project plans and/or mitigation measures proposed would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur, then a Draft Mitigated Negative Declaration shall be prepared (15070.b).
4. When the Community Development Director determines that there is substantial evidence that a project may have a significant effect on the environment, an EIR shall be prepared (15064.f.1).

5. If the Community Development Director is presented with a fair argument that a project may have a significant effect on the environment, an EIR shall be prepared even though he/she may also be presented with other substantial evidence that the project will not have a significant effect (15064.g.1).
6. The lead agency shall determine within 30 days after accepting an application as complete whether it intends to prepare an EIR or a Draft Negative Declaration of use a previously prepared EIR or Negative Declaration, except as provided in Section 15111. The 30-day period may be extended 15 days by the City upon consent of the project applicant (15102).

E. THRESHOLDS OF LOCAL SIGNIFICANCE

The California Environmental Quality Act (CEQA) provides thresholds to determine the significance of environmental impacts as defined in Sections 21000-21177 of the Public Resources Code. The City will use these general, State-wide thresholds of significance as and when appropriate, depending on the type of project under review. The City of Foster City Thresholds of Local Significance are intended to augment the general, State-wide thresholds established in CEQA, based on important or sensitive local conditions, and Foster City community values.

1. VISUAL AND AESTHETIC IMPACTS

Projects that eliminate, limit, or significantly alter public views of the San Francisco Bay to persons using the levee/pedway, driving on or residing on Beach Park Blvd, between Teal Street and Foster City Blvd., shall be considered to have the potential to cause a significant adverse impact on the visual quality of the City and therefore shall require a visual impact analysis to be prepared by qualified experts and conducted as part of an overall environmental assessment on the project to be reviewed by the Planning Commission and/or City Council prior to approval of any land development permits. The visual impact analysis may consist of photomontage studies, computer simulations, or any other form of analysis approved by the Planning Commission or City Council.

Projects that propose the placement of residential, office, commercial, and/or retail land uses south of East Hillsdale Blvd., within established residential neighborhoods, in building configurations that are out-of-scale with immediately abutting properties or those within the neighborhood of the proposed project site, shall be considered to have the potential to cause a significant

adverse impact on the visual quality of the City and therefore shall require a visual impact analysis to be prepared by qualified experts and conducted as part of an overall environmental assessment on the project to be reviewed by the Planning Commission and/or City Council prior to approval of any land development permits. The visual impact analysis may consist of photomontage studies, computer simulations, or any other form of analysis approved by the Planning Commission or City Council.

2. TRAFFIC IMPACTS

A Traffic Impact Analysis (TIA) report will generally be required for projects unless they fall into the following categories:

- Residential projects of **less** than five units.
- Commercial projects where the total new or added square footage is **less** than 5,000 square feet.
- Projects that are exempt under CEQA guidelines.

At the sole discretion of the City, a TIA report may be required for any size of project, if the location, type, or density/intensity of the project indicate its potential to cause a significant traffic impact.

The TIA report must be prepared by a registered Civil or Traffic Engineer who is selected by the City and paid for by the project applicant.

(See City requirements for preparation of TIA report.)

3. BIOLOGICAL RESOURCE IMPACTS

Projects that propose the placement of residential, recreational, office, commercial, and/or retail land uses on: a) the east side of Beach Park Blvd, between Teal Street and Foster City Blvd.; and/or, b) within federally protected wetlands as defined by Section 404 of the Clean Water Act, shall be considered to have the potential to cause a significant adverse impact on the habitat of species deemed to be endangered by the United States and/or the State of California, including the Salt Marsh Harvest Mouse, the Clapper Rail, and the Flowering Popcorn Plant, and shall require the preparation of habitat protection and mitigation studies, prepared by qualified experts to be reviewed by the Planning Commission and/or City Council prior to approval of any land development or site use permits.

4. HAZARDOUS MATERIALS USAGE, PLACEMENT, STORAGE AND TRANSPORT IMPACTS

Projects that propose the usage, placement, storage, or transport of hazardous materials, as defined by the Foster City Fire Department, shall be considered to have the potential to cause a significant adverse impact on one or more of the following: a) the health and safety of workers within the building in which the hazardous materials are located; b) the health and safety of workers in other buildings and on other sites in the immediate vicinity; c) the health and safety of people living in the immediate vicinity; d) the safety of other people traveling along public roads who may be subject to exposure to hazardous materials/emissions due to a vehicular accident or materials spill, and therefore shall require the preparation of appropriate studies (including hazardous event mitigation recommendations), as determined by the Planning Commission and/or the City Council prior to approval of any land development and/or building use permits.

5. LAGOON IMPACTS

Projects that propose the placement of buildings, structures or materials, other than those commonly associated with residential properties (such as rip rap, bulkhead walls, docks, decks, bridges and patios), into or affecting the Lagoon shall be considered to have the potential to cause a significant adverse impact to the lagoon, including but not limited to the following: a) the safety of boaters and boats traveling upon the Lagoon; b) the aesthetics of the Lagoon; c) the water quality of the Lagoon, and therefore shall require the preparation of appropriate studies, as determined by the Planning Commission and/or the City Council prior to approval of any land development or site use permits.

6. GEOLOGY AND SOILS IMPACTS (Seismic Safety)

Projects that have the potential to impact the structural integrity of the Foster City levee through construction or other secondary effects shall be considered to have the potential to cause a significant environmental impact and therefore shall be required to prepare a geology and soils/seismic analysis to be prepared by qualified experts as part of an overall environmental assessment on the project.

7. HYDROLOGY/HYDRAULIC AND WATER QUALITY IMPACTS

Projects that have the potential to impact the City's lagoon system in its functionality as the City storm drain system and storm drainage detention basin shall be considered to have a potentially significant environmental impact and therefore shall be required to prepare a hydrology and water quality impact analysis to be prepared by qualified experts as part of an overall environmental assessment on the project.

Projects that have the potential to impact the chemistry of the City's lagoon shall be considered to have a potentially significant environmental impact and therefore shall be required to prepare a hydrology and water quality impact analysis to be prepared by qualified experts as part of an overall environmental assessment on the project.

8. WATER SUPPLY AND UTILITIES AND SERVICE SYSTEMS IMPACTS

Projects that have the potential to exceed the capacity or disrupt the supply of water to the City, and in particular the one main distribution point to the City, located at the northwestern quadrant of the City along E. Third Ave., shall be considered to have a potentially significant environmental impact and therefore shall be required to prepare a water supply assessment to be prepared by qualified experts as part of an overall environmental assessment on the project.

Projects that have the potential to exceed the capacity or disrupt the operation of EMID's lift stations and sewer collection system shall be considered to have a potentially significant environmental impact and therefore shall be required to prepare a utility and service systems analysis to be prepared by qualified experts as part of an overall environmental assessment on the project.

Projects that have the potential to exceed the Estero Municipal Improvement District's waste water treatment capacity or disrupt the operation of the waste water treatment plant shall be considered to have a potentially significant environmental impact and therefore shall be required to prepare a waste water treatment capacity analysis to be prepared by qualified experts as part of an overall environmental assessment on the project, which may also require review by outside agencies if additional capacity is required.

Projects that have the potential to disrupt or damage existing utility lines or facilities shall be considered to have a potentially significant environmental impact and therefore shall be required to prepare an analysis to be prepared by qualified experts as part of either an overall environmental assessment on the project or as a “stand-alone” evaluation to be part of the Initial Study, which may also require review by outside agencies if additional capacity is required.

F. SELECTION OF CONSULTANTS/CITY AND PROJECT APPLICANT’S ROLES*

When it is determined that the professional services of a consultant are needed in order to prepare required environmental documents, the following process and/or steps, as well as those described in Appendix K of these Environmental Review Guidelines, shall be followed by the City, consultants and the project applicant:

1. CITY ROLE
 - a. Prepare Requests for Proposals (RFP) from qualified consultants.
 - b. Identify at least three qualified consultants (conduct brief telephone interviews with firms to determine their interest, availability, and general qualifications to perform the work required).
 - c. Seek City Council authorization to proceed to distribute the RFP to at least three qualified consultants.
 - d. Conduct interviews.
 - e. Select consultant.
 - f. Prepare legal agreement between City/consultant(s).
 - g. Prepare and mail Notice to Consultant to Proceed.
 - h. Monitor consultant’s work, work schedule, and expenditures for compliance with EIR preparation budget.
 - i. Coordinate all contact with consultant.
 - j. Review all work prepared by consultant.
2. PROJECT APPLICANT’S ROLE
 - a. Suggest firms to be interviewed by City.
 - b. Fund the costs associated with preparation of the documents.

*The RFP process and the hiring of consultants shall be conducted in conformance with the City’s Adopted Purchasing Ordinance contained in Municipal Code Section 3.04. See Appendix K for City’s process for EIR preparation.

G. CITY EXPECTATIONS OF CONSULTANT SELECTED

After a consultant is selected to prepare required environmental documents, the consultant shall adhere to the following City expectations:

1. There shall be no direct contact with the applicant unless the City approves such contact in advance.
2. All work prepared under the agreement with the City will be vetted by the City – not the project applicant, unless the City approves such review in advance.

H. NEGATIVE DECLARATION PROCESS AND CONTENT

1. Preparation of a Draft Negative Declaration

A Draft Negative Declaration shall be prepared for a project subject to CEQA when either (15070):

- a. The Initial Study shows that there is no substantial evidence that the project may have a significant effect on the environment, or
- b. The Initial Study identified potentially significant effects but:
 - i. Revisions in the project plans or proposals made by or agreed to by the applicant before the proposed Negative Declaration is released for public review would avoid the effects or mitigate the effects to a point where, clearly, no significant effects would occur, and
 - ii. There is no substantial evidence before the agency that the project as revised may have a significant effect on the environment.

2. Contents of a Negative Declaration

A negative Declaration circulated for public review shall include:

- a. A brief description of the project, including a commonly used name for the project, if any.
- b. The location of the project, preferably shown on a map, and the name of the Project Proponent.

- c. A proposed finding that the project will not have a significant effect on the environment.
- d. An attached copy of the Initial Study documenting reasons to support the findings.
- e. Mitigation measures, if any, included in the project to avoid significant effects (15071).

An EIR prepared for an earlier project may be used as part of an Initial Study while preparing a Negative Declaration to document a finding that a later project will not have a significant effect (15063.f). When a Negative Declaration references portions of existing EIRs or other documents, the following conditions shall be met:

- a. The EIRs or documents that are referenced must be a matter of public record and generally available to the public.
- b. The location at which the public can review the document must be stated in the Negative Declaration.
- c. Where possible, the incorporated parts of the referenced documents should be briefly summarized or described (15150) in the Negative Declaration.

3. Public Notice Requirements for a Draft Negative Declaration

a. Purpose of a Public Notice

A lead agency must provide the public with notice of its intention to adopt a Negative Declaration, and an opportunity to review the supporting Initial Study and any other documents. Before reaching a decision on the project, the lead agency must consider those comments (21091.c).

b. Time Limit for a Public Notice

- (1) The public review shall be for a period of at least 21 days for proposed negative declarations, and at least 30 days for those submitted to the State Clearinghouse (21091.b & 15205.d). Projects with “statewide, regional or area wide environmental significance” are generally submitted to the State Clearinghouse.

Refer to Appendix D for a list of projects which meet the criteria for a project of statewide, regional or area wide environmental significance.

- (2) Notices for items requiring Public Hearings, may include notice of hearing for both environmental and project review and be subject to the same time period. Such combined notices shall apply to, but are not limited to, City Council hearings and Planning Commission hearings.
- (3) Public Review begins from the day the public notice is first published. The public notice must be published at least 21 or 30 days (whichever is applicable) prior to the day the Negative Declaration is adopted.

c. Content

Refer to Appendix G for a sample of the Notice of Draft Negative Declaration and Notice of Public Hearing (21092.a).

d. Distribution of Public Notice

- (1) All agencies who have previously requested such notice must be notified (21092.1 & 15072.a).
- (2) Publication at least one time in a newspaper of general circulation in the area affected by the proposed project.
- (3) Posting of Notice on and off site.
- (4) Direct mailing to such owners as are shown on the latest equalized assessment roll (property owners within 300' radius of the subject property).
- (5) A copy of the public notice must be mailed to the County Clerk, San Mateo County for the public notice to be posted for at least 30 days in the office of the County Clerk (21092.3).
- (6) Every responsible agency and trustee agency concerned with the project and all other public

agencies with legal jurisdiction over resources affected thereby (15073.b).

- (7) Transportation planning agencies and public agencies which have transportation facilities within their jurisdictions which could be affected by the project, such as the City/County Association of Governments of San Mateo County. Such transportation facilities include major local arterials and public transit within 5 miles of proper site and freeways, highways and rail transit within 10 miles of the project site (for projects with statewide, regional or area wide significance) (21092.4.a).
- (8) State Clearinghouse for distribution to State agencies for projects with statewide, regional or area wide environmental significance using the form in Appendix H (15073.c).
- (9) Association of Bay Area Governments (ABAG) for projects with statewide, regional or area wide environmental significance using the form in Appendix H (15206.a).

e. Shortened Public Review Period

For projects with statewide, regional or area wide environmental significance, the public review period may be shortened to a minimum of 21 days, if the Office of Planning and Research grants permission for a shortened review period after receiving a written request from a lead agency (21091.e & 15205).

f. Recirculation of Notices

Recirculation is necessary when significant changes are made to a project or the Initial Study after an earlier circulation.

4. Consideration and Approval of a Negative Declaration

- a. (1) Prior to approving a project, the decision-making body shall consider and approve the Negative Declaration. Where an advisory body such as the Planning Commission is required to make a recommendation on a project to the decision-making body, the advisory

body shall also review and consider the Negative Declaration (15074).

- (2) The decision-making body shall approve the Negative Declaration if it finds, on the basis of the Initial Study and any comments received, that, 1) there is no substantial evidence that the project will have a significant effect on the environment (15074.b); and 2) that the Negative Declaration reflects the independent judgment of the lead agency (21082.1(c)(3).
- b.
- (1) When the Initial Study has identified a need for mitigation, the decision-making body shall adopt a reporting or monitoring program for any mitigation measures incorporated into the project and imposed as a condition of approval to avoid significant effects on the environment. The program must be designed to insure compliance during project implementation (21081.6).
 - (2)
 - a) For these changes which have been required or incorporated into the project at the request of an agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the lead or responsible agency, prepare and submit a proposed reporting or monitoring program (21081.6).
 - b) In case of applications like a General Plan amendment or rezoning application, where there will not be an action which will contain conditions of approval until a future date, the mitigation monitoring program must be attached as an Exhibit to the resolution approving the Negative Declaration or certifying the EIR. This Exhibit would list the conditions of approval that must be attached to the future action(s) on the project, stating which mitigation measures would be attached to which future action(s), which departments are responsible for monitoring compliance and when compliance shall occur.

The project planner shall be responsible for ensuring that mitigation monitoring is included

in the conditions of approval attached to the resolution approving a Negative Declaration or certifying the EIR.

If the mitigation monitoring is done by departments other than the Community Development Department, the conditions of approval must also state the format in which compliance is to be reported to the Planning/Code Enforcement Division and also the number of times in a year (quarterly, yearly, etc.) the reports must be submitted to the Planning/Code Enforcement Division.

- c) (i) Mitigation measures may be split up into the following categories, depending on the nature of the project and of the mitigation measures:
 - a) Pre-Construction phase mitigation measures.
 - b) Construction phase mitigation measures.
 - c) Post Occupancy mitigation measures. For example, if certain conditions regarding parking/shared parking need to be monitored on an on-going basis or acceptable traffic conditions must be maintained.

In such cases, a condition of approval may be added that the applicant submit an annual compliance report to the Planning Commission. The Planning Commission and staff would review the report for compliance with the recommended mitigation measures.

- (ii) For projects of statewide, regional or area wide significance, any transportation information such as increase in number of trips generated, changes in level of service, etc. resulting from the reporting or monitoring program must be submitted to the regional transportation planning agency (MTC and Caltrans) as per the guidelines for submittal adopted by them (21081.7).

Refer to Appendix O for an example of an exhibit containing Conditions of Approval which incorporate mitigation measures.

5. Appeals

- a. The action of the decision-making body to approve the Negative Declaration may be appealed to the City Council in writing within ten calendar days of the date of action. If the tenth day falls on a Saturday, Sunday or holiday, the appeal must be filed by 5 p.m. on the next business day. The appeal must be filed using the form in Appendix N.
- b. The grounds for appeal shall be limited to the following:
 - (1) That it can be fairly argued on the basis of substantial evidence that the project may have a significant effect on the environment.

6. Public Notice Requirements for Project Hearings

In addition to any other required notice, the lead agency shall notify any public agency which comments on a Negative Declaration, of the Public Hearing or hearings, if any, on the project for which the Negative Declaration was prepared (21092.5.(b)).

7. Notice of Determination

- a. After the project for which a Negative Declaration has been prepared is approved by the City Council, the Planning/Code Enforcement Division shall file a Notice of Determination with the County Clerk. If the project requires a discretionary approval from any state agency, the Notice of Determination

shall also be filed with the Office of Planning and Research (15075.a & d).

- b. The Notice of Determination must be filed within 5 working days following the City Council's approval of the Negative Declaration (21152.a).
- c. The Notice of Determination must also be sent to any person/agency who has filed a written request for such notices (21092.2). Refer to Appendix I for the format and contents of a Notice of Determination (15075.b & 21152.a).
- d. Fish and Game Fee
 - (1) A fee required by subdivision 711.4(c) of the Fish and Game Code shall be remitted to the County Clerk along with the filing of the Notice of Determination.
 - (2) A document handling fee must be remitted to the County Clerk along with the Fish and Game fee for all projects.
 - (3) The fees shall be paid by the applicant to the Planning/Code Enforcement Division within 2 working days following the approval of the project.

I. ENVIRONMENTAL IMPACT REPORT PROCESS

1. Decision to Prepare an EIR

- a. If the Community Development Director has determined that the project may have a significant impact on the environment, a DRAFT EIR shall be prepared (15081). If the applicant disagrees with this determination, or wishes input from the Planning Commission on the scope of the EIR, they may request a Public Hearing before the Planning Commission with notice provided pursuant to Section III.H.3 of these Guidelines.
- b. A decision by the Planning Commission to prepare an EIR is appealable to the City Council in the manner described for appeals for Negative Declarations in Section III.H.5 of these Guidelines.

2. Notice of Preparation

- a. Immediately upon determining that an EIR is required for a project, a Notice of Preparation (see Appendix J for format) for the project Draft EIR shall be mailed to the following:
- (1) All property owners within a minimum 300' radius
 - (2) Affected Homeowners' Associations
 - (3) All Responsible Agencies
 - (4) All Trustee Agencies responsible for natural resources affected by the report
 - (5) All federal agencies involved in approving or funding for the project (15082.a)
 - (6) Any person who has filed a written request for notices (21092.2)
 - (7) County Clerk (21092.3)
 - (8) When one or more state agencies will be a responsible agency, the notice must be sent to each responsible state agency and each trustee agency with a copy to the State Clearinghouse (15082.d)
 - (9) Transportation Planning Agencies and public agencies which have transportation facilities within their jurisdiction which could be affected by the project for a project of statewide, regional or area wide significance. As used in this section "transportation facilities" include major local arterials, and public transport within 5 miles of the project site, and freeways, highways, and rail transit service within 10 miles of the project site (21092.4).
- b. The Notice of Preparation shall be published at least one time in a newspaper of general circulation and shall be posted in accordance with a resolution adopted by the City Council as may from time to time be amended.

3. Scope of an EIR

- a. The City shall utilize the information contained in the Initial Study, responses to the Notice of Preparation, and any meetings held to discuss the environmental effects of the project when establishing the scope of an EIR (15082 & 15083).
- b. For a project that affects highways or facilities under the jurisdiction of Caltrans, the City shall arrange for a “scoping meeting” within 30 days of receiving a request for such a meeting from Caltrans (21083.9).
- c. The City shall arrange for a “scoping meeting” with any responsible or trustee agency within 30 days of receiving such request (15082.c).

4. Preparation of Draft EIR

- a. In case of a public project, the Draft EIR may be prepared directly by City staff or an independent consultant selected by the City. In case of a private project, the draft shall be prepared under the direction of the City by an independent consultant or by City staff at the option of the City.

The applicant shall be informed by the Planning/Code Enforcement Division of the procedures involved in the selection and payment of such consultant (see Appendix K) (15084).

- b. The lead agency shall do the following:
 - (1) Independently review and analyze the Draft EIR.
 - (2) Circulate draft documents which reflect its independent judgment.
 - (3) Make a finding that the report or declaration reflects the independent judgment of the lead agency (21082.1).
- c. Prior to completing an EIR, the City shall consult with and obtain comments from each responsible agency and any public agency which has jurisdiction by law with respect to the project and the County (21153).

5. Public Review of Draft EIR

a. Upon completion of the Draft EIR, the Planning/Code Enforcement Division shall file a Notice of Completion with the State Clearinghouse and ABAG (see format in Appendix H) (15085).

b. (1) When the Draft EIR is completed, the Lead City Department shall deliver, mail copies, or otherwise make copies available to all Responsible Agencies, Trustee Agencies, or other agencies of City departments with interest in the project (15086). The State Clearinghouse shall be used to distribute Draft EIRs to State agencies (15087). The Lead City Department may use the Area wide Clearinghouse to distribute Draft EIRs to Regional and Local agencies using the form provided in Appendix H.

(2) All organizations and individuals who have previously requested such notice shall also be notified (21092.2).

(3) Any interested member of the public shall also be notified.

(4) Copies shall be placed in the Foster City Library.

(5) Notice of the Draft EIR shall be posted on the Foster City website.

c. Notice of Completion

A Notice of Completion, using the form provided in Appendix L, shall be used to notify the public and other agencies of the existence of Draft EIRs by the following procedures (15087):

(1) Publication of the Notice of Completion in a newspaper of general circulation at the same time as Notice of Completion is filed with the State Resources Agency.

(2) Noticing of owners of property within 300 feet of the outside boundaries of the project site and affected Homeowners' Associations.

- (3) Posting of a notice in designated public places in accordance with a resolution adopted by the City Council as may from time to time be amended. (All notices shall specify the date set for Public Hearing on the adequacy of the Draft EIR).
 - (4) Placement of a special ¼ page (or larger) ad in a newspaper of general circulation.
 - (5) Posting of a notice in the County Clerk's office.
- d. After the public review period, a Public Hearing to assess the adequacy of the Draft EIR shall be conducted by the Planning Commission. A Public Hearing on the project shall not be conducted until the Final EIR is completed.
 - e. At Public Hearings, members of the public may express their views concerning the adequacy of the Draft EIR orally or in writing. Submission of comments in writing is encouraged. Reviewers should focus on the sufficiency of the EIR in discussing possible impacts upon the environment, ways in which adverse effects might be minimized, and alternatives to the project.
 - f. The City and/or the consultant shall prepare a written response to all the comments received during the noticed comment period and any extensions, and may also respond to late comments (15088.a).
 - g.
 - (1) Upon completion of the Public Hearing, the Planning Commission shall either accept the Draft EIR, if it is determined to be in conformance with CEQA Guidelines and the requirements for a Draft EIR stated herein, or move for continuance of the hearing pending receipt of additional information necessary to achieve such conformance.
 - (2) Upon acceptance of the Draft EIR, the Planning Commission shall then establish a reasonable period of time in which to allow completion of the Final EIR in the manner prescribed herein. Acceptance or continuance of the Draft EIR (as opposed to certification of the Final EIR) is not an appealable action.

- h. If, subsequent to public review and interagency consultation, significant new information is added to the EIR, the City must issue a new notice and must recirculate the EIR for additional commentary and consultation (21092.1).

6. Final Environmental Impact Reports

- a. The Final EIR shall consist of the following:

- (1) The Draft EIR including all revisions thereto, with such revisions incorporated into the text of the Draft EIR.
- (2) Copies of all written responses and a summary of verbal responses with a list of persons commenting; this will include the minutes from hearings on the Draft EIR.
- (3) The Lead City Department and/or consultant's responses to comments received on the Draft EIR.
- (4) Any modification or additional data which the Planning Commission or approving body deems necessary to provide an adequate environmental review of the project (15132 & 15362.(b)).

- b. Certification of Final EIR

- (1) The Final EIR shall be considered by the Planning Commission prior to the Public Hearing(s) on the merits of the project.
- (2) If approval of the project application is final at the Commission level, the Planning Commission shall certify completion of the Final EIR before taking action on the project.
- (3) If approval of the project application is not final at the Planning Commission level, the Commission shall make recommendations to the City Council regarding certification of the Final EIR.
- (4) If the Planning Commission or approving body determines that the Final EIR is not in conformance with CEQA Guidelines and the requirements for a Final EIR stated herein, consideration of the Final EIR

shall be continued pending receipt of additional information necessary to achieve such conformance.

- (5) The decision making body shall consider and certify the Final EIR before taking action on the project (15090). (See Appendix K)
- (6) At least 10 days prior to certifying an EIR, the City shall provide a written response to all public agencies which have commented on the EIR. Copies of responses or the environmental document prepared in conformance with other requirements of Section 21092 and 21083 may be used to meet these requirements (21092.5).
- (7) A decision of the Planning Commission or other decision making body to certify the Final EIR is appealable to the City Council in the manner prescribed for appeals for Negative Declarations in Section III.H.5 of these Guidelines.
- (8) Appeal of the Final EIR certification shall suspend any further consideration of the project until a decision on the appeal is made by the City Council.

7. Findings and Action on Project

- a. The City shall not approve or carry out a project for which an EIR has been completed which identifies one or more significant effects of the project unless the approving body makes written findings as required by Sections 15091-15093 of the State CEQA Guidelines.
- b. After the project for which an EIR has been prepared is approved, the Planning/Code Enforcement Division shall file a Notice of Determination (15094). (See Appendix I)
- c. A Notice of Determination shall be filed with the County Clerk. If the project requires discretionary approval from a state agency, the Notice of Determination shall also be filed with the Office of Planning and Research (15094.c).

d. Fish and Game Fee

- (1) A fee required by subdivision 711.4(c) of the Fish and Game Code shall be remitted to the County Clerk along with the filing of the Notice of Determination.
- (2) A document handling fee must be remitted to the County Clerk along with the Fish and Game fee for all projects.
- (3) The fees shall be paid by the applicant to the Planning/Code Enforcement Division within 2 working days following the approval of the project.

- e. The City shall include the EIR as part of the regular project report which is used in the existing project review. The City shall also retain copies of the EIR as public records and require the applicant to provide copies of the certified final EIR to each responsible agency (15095).

J. TIME LIMITS FOR COMPLETION OF ENVIRONMENTAL DOCUMENTS

The City establishes time limits not to exceed one year for completing and certifying EIRs and 105 days for completing Negative Declarations for projects requiring issuance of a lease, permit, license or certificate as described in Section 21065.c. These time limits may be extended in the event that compelling circumstances justify the additional time and the project applicant consents thereto.

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APPENDIX A
CITY OF FOSTER CITY/ESTERO MUNICIPAL IMPROVEMENT DISTRICT
ENVIRONMENTAL GUIDELINES

Ministerially Exempt Projects (CEQA Section 15268)

(a) Ministerial projects are exempt from the requirements of the California Environmental Quality Act (CEQA). The determination of what is "ministerial" can most appropriately be made by the particular public agency involved based upon its analysis of its own laws, and each public agency should make such determination either as a part of its implementing regulations or on a case-by-case basis. (CEQA Section 15268)

Pursuant to Section 15268 of the State CEQA Guidelines (as amended), the following actions are considered to be ministerially exempt from the provisions of CEQA:

1. Issuance of building permits
2. Issuance of business licenses
3. Approval of final subdivision maps
4. Approval of individual utility service connections and disconnections
5. Demolition permits not involving properties of historic or cultural significance
6. Issuance of swimming pool permits
7. Annual renewal of permits or licenses for existing and continuing uses and activities not involving new construction
8. Annual renewal of permits or licenses for existing and continuing uses and activities not involving new construction
9. Approval of final parcel maps
10. Approval of records of survey
11. Approval of certificates of inspection
12. Execution of subdivision improvement agreements
13. Execution of street improvement agreements
14. Acceptance of offers of dedication
15. Acceptance of deeds
16. Issuance of a grading permit for a single-family detached dwelling or swimming pool on existing lots
17. Issuance of any permits under the auspices of the Uniform Fire Code
18. Issuance of peddler or solicitor permits

19. Issuance of bingo permits

APPENDIX B

CITY OF FOSTER CITY/ESTERO MUNICIPAL IMPROVEMENT DISTRICT ENVIRONMENTAL GUIDELINES

CATEGORICALLY EXEMPT PROJECTS (CEQA Section 15300-15333)

Pursuant to Article 19 of the State California Environmental Quality Act (CEQA) Guidelines (as amended), the projects listed below are to be considered categorically exempt from the provisions of CEQA. Definitions of these categorical exemptions may be found in the State CEQA Guidelines under the sections listed.

A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances:

- 15300.1. Relation to Ministerial Projects
- 15300.2. Exceptions
- 15300.3. Revisions to List of Categorical Exemptions
- 15300.4. Application By Public Agencies
- 15301. Existing Facilities
- 15302. Replacement or Reconstruction
- 15303. New Construction or Conversion of Small Structures
- 15304. Minor Alterations to Land
- 15305. Minor Alterations in Land Use Limitations
- 15306. Information Collection
- 15307. Actions by Regulatory Agencies for Protection of Natural Resources
- 15308. Actions by Regulatory Agencies for Protection of the Environment
- 15309. Inspections
- 15310. Loans
- 15311. Accessory Structures
- 15312. Surplus Government Property Sales
- 15313. Acquisition of Lands for Wildlife Conservation Purposes
- 15314. Minor Additions to Schools
- 15315. Minor Land Divisions
- 15316. Transfer of Ownership of Land in Order to Create Parks
- 15317. Open Space Contracts or Easements
- 15318. Designation of Wilderness Areas
- 15319. Annexations of Existing Facilities and Lots for Exempt Facilities
- 15320. Changes in Organization of Local Agencies
- 15321. Enforcement Actions by Regulatory Agencies
- 15322. Educational or Training Programs Involving No Physical Changes
- 15323. Normal Operations of Facilities for Public Gatherings
- 15324. Regulations of Working Conditions
- 15325. Transfers of Ownership of Interest In Land to Preserve Existing Natural
Conditions and Historical Resources
- 15326. Acquisition of Housing for Housing Assistance Programs
- 15327. Leasing New Facilities
- 15328. Small Hydroelectric Projects at Existing Facilities
- 15329. Cogeneration Projects at Existing Facilities
- 15330. Minor Actions to Prevent, Minimize, Stabilize, Mitigate or Eliminate the Release
or Threat of Release of Hazardous Waste or Hazardous Substances.
- 15331. Historical Resource Restoration/Rehabilitation.
- 15332. In-Fill Development Projects.
- 15333. Small Habitat Restoration Projects.

APPENDIX D

CITY OF FOSTER CITY/ESTERO MUNICIPAL IMPROVEMENT DISTRICT ENVIRONMENTAL GUIDELINES

PROJECTS OF STATEWIDE, REGIONAL OR AREAWIDE ENVIRONMENTAL SIGNIFICANCE

Section 15206 of the State CEQA Guidelines state that a draft EIR or negative declaration prepared by a public agency that may have statewide, regional or areawide significance must also be submitted to the State Clearinghouse and to the appropriate metropolitan area council of governments for review and comments. The section below describes the types of projects that are applicable.

1. A proposed local general plan, element, or amendment thereof for which an Environmental Impact Report (EIR) and not a Negative Declaration was prepared.
2. A project has the potential for causing significant effect on the environment extending beyond the city or county in which the project would be located. Examples of the effects include generating significant amounts of traffic or interfering with the attainment or maintenance of state or national air quality standards. The list of potential projects is taken from Section 15206(b)(2) of the State CEQA Guidelines. Conditions that do not apply to Foster City have been omitted. Projects subject to this subsection include:
 - a. A proposed residential development of more than 500 dwelling units.
 - b. A proposed shopping center or business establishment employing more than 1,000 persons or encompassing more than 500,000 square feet of floor space.
 - c. A proposed commercial office building employing more than 1,000 persons or encompassing more than 250,000 square feet of floor space.
 - d. A proposed hotel/motel development of more than 500 rooms.
 - e. A proposed industrial, manufacturing, or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or encompassing more than 650,000 square feet of floor area.
3. A project which would substantially affect sensitive wildlife habitats including but not limited to riparian land, wetlands, bays, estuaries, marshes, and habitats for rare and endangered species as defined by Fish and Game Code Section 903 and State CEQA Guidelines 15380.
4. A project which would interfere with attainment of regional water quality standards as stated in the approved areawide waste treatment management plan.

APPENDIX E
CITY OF FOSTER CITY/ESTERO MUNICIPAL IMPROVEMENT DISTRICT
ENVIRONMENTAL GUIDELINES

ENVIRONMENTAL ASSESSMENT INFORMATION FORM

The CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) was passed in 1970 by the State legislature for the purpose of protecting the environment. The City of Foster City is responsible for insuring the implementation of the State CEQA Guidelines and the Foster City Environmental Review Guidelines. This ENVIRONMENTAL ASSESSMENT INFORMATION FORM is designed to assist the staff in preparing a complete and accurate environmental assessment in a timely manner and in conformance with the Environmental Review Guidelines. As the applicant, you are requested to complete this form and return it to the Community Development Department. Please type or print legibly in ink. Attach additional sheets or technical reports, if necessary. For additional information, contact the Planning/Code Enforcement Division staff at, 610 Foster City Blvd., Foster City, CA 94404, (650) 286-3225, or via email at cdd@fostercity.org.

APPLICANT – Fill out items below

GENERAL INFORMATION

1. Developer or Project Sponsor: _____
Address: _____
2. Address of Project: _____
Assessor's Parcel Number: _____
3. Contact Person: _____
Address: _____
Telephone Number: _____ Fax: _____
Email: _____
4. List and describe any other related permits and other public approvals required for this project, including those required by city, regional, state and federal agencies:

5. Existing Zoning District: _____
Proposed Zoning District: _____
6. Proposed Use of Site (Project for which this form is filed): _____

7. Current General Plan Designation: _____
Proposed General Plan Designation: _____

Case Number EA-_____-_____

PROJECT DESCRIPTION

8. Site size: _____ sq. ft. _____ acres
9. Building square footage _____ existing _____ proposed
10. Number of floors of construction _____
11. Amount of off-street parking provided _____ spaces
12. Proposed construction schedule _____
13. List any other applications or permits associated with this project: _____

14. Phasing schedule _____

15. If residential, include the number of units, schedule of unit sizes, range of sale prices or rents, and type of household size expected.

<u># Units</u>	<u>Unit Size</u>	<u>Projected Sale Price/Rent</u>	<u>Projected Household Size</u>
_____	_____	\$ _____	_____
_____	_____	\$ _____	_____

16. If commercial, indicate the type, whether neighborhood, city or regionally oriented, square footage of sales area, and loading facilities.

<u>Type Use</u>	<u>City, Regional or Neighborhood</u>	<u>Square Footage</u>	<u>Loading Facilities</u>
_____	_____	_____	_____
_____	_____	_____	_____

17. If industrial, indicate type, estimated employment per shift, and loading facilities.

<u>Type Use</u>	<u>Estimated # Employees/Shift</u>	<u>Square Footage</u>	<u>Loading Facilities</u>
_____	_____	_____	_____
_____	_____	_____	_____

18. If institutional, indicate the major function, estimated employment per shift, square footage, estimated occupancy, loading facilities, and community benefits to be derived from the project.

<u>Function</u>	<u>Estimated # Employees/Shift</u>	<u>Square Footage</u>	<u>Estimated Total Occupancy</u>	<u>Loading Facilities</u>
_____	_____	_____	_____	_____

Case Number EA-_____-_____

Community benefits derived from project:

19. Does the project involve a variance, conditional use permit, general plan change or rezoning application?

Yes _____

No _____

If yes, indicate clearly why the application is required.

Check below if any of the following items are applicable to the project or its effects. Attach additional sheets as necessary explaining how they apply.

YES NO

- | | | |
|-----|-----|--|
| ___ | ___ | 20. Change in existing features of any bays, tidelands, beaches, lakes or hills, or substantial alteration of ground contours. |
| ___ | ___ | 21. Change in scenic views or vistas from existing residential areas or public lands or roads. |
| ___ | ___ | 22. Change in pattern, scale or character of general area of project. |
| ___ | ___ | 23. Significant amounts of solid waste or litter. |
| ___ | ___ | 24. Change in dust, ash, smoke, fumes or odors in vicinity. |
| ___ | ___ | 25. Change in ocean, bay, lake, stream or ground water quality or quantity, or alteration of existing drainage patterns. |
| ___ | ___ | 26. Substantial change in existing noise or vibration levels in the vicinity. |
| ___ | ___ | 27. Site on filled land or on slope of 10% or more. |
| ___ | ___ | 28. Use or disposal of potentially hazardous materials, such as toxic substances, flammables or explosives. |
| ___ | ___ | 29. Substantial change in demand for municipal services (police, fire, water, sewage, etc.). |
| ___ | ___ | 30. Substantially increase fossil fuel consumption (electricity, oil, natural gas, etc.). |
| ___ | ___ | 31. Substantially increase the number of vehicle trips to and from the project site. |
| ___ | ___ | 32. Relationship to a larger project or series of projects. |

Case Number EA-____-_____

ENVIRONMENTAL SETTING

- 33. Describe the project site, as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site, and the use of the structures. Attach photographs of the site. Snapshots or Polaroid photos will be accepted.

- 34. Describe the surrounding properties, including information on plants and animals, and any cultural, historical or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (one family, apartment houses, shops, department stores, etc.), and scale of development (height, frontage, setback, rear yard, etc.). Attach photographs of the vicinity. Snapshots of Polaroid photos will be accepted.

CERTIFICATION

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Date: _____
Signature _____
For _____

APPLICANT - DO NOT WRITE IN SPACE BELOW

Date Filed: _____ In support of Application No.: _____
Categorical Exemption: Yes _____ No _____

Reasons why: _____

Case Number EA-_____-_____

APPENDIX F
CITY OF FOSTER CITY/ESTERO MUNICIPAL IMPROVEMENT DISTRICT
ENVIRONMENTAL GUIDELINES

ENVIRONMENTAL CHECKLIST FORM

PROJECT NAME

address

Foster City, CA 94404

(EA & other file numbers)

Prepared by:

CITY OF FOSTER CITY/ESTERO MUNICIPAL IMPROVEMENT DISTRICT
Community Development Department
Planning/Code Enforcement Division
610 Foster City Boulevard
Foster City, CA 94404

date

Application Nos:
EA-
RZ-
UP-

**CITY OF FOSTER CITY
ESTERO MUNICIPAL IMPROVEMENT DISTRICT**

CEQA CHECKLIST/INITIAL STUDY

1. **Project Title:**
2. **Lead Agency Name and Address:**
3. **Contact Person and Phone Number:**
4. **Project Location:**
5. **Project Sponsor's Name and Address:**
6. **General Plan Designation:**
7. **Zoning:**
8. **Description of the Project:** (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. (Attach additional sheets if necessary))
9. **Surrounding Land Uses and Setting:** (Briefly describe the project's surroundings)
10. **Other public agencies whose approval is required (e.g. permits, financing approval, or participation agreement).**

Enter text here

INITIAL STUDY – PROJECT DESCRIPTION

Project name – address. – EA-XX-XXX

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

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.
- 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 “potential significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Date

Printed Name

Evaluation of Environmental Impacts

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
-----------------------------------	--------------------------------	--	------------------------------	-----------	--------

1. AESTHETICS:

Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|--------------------------|
| a) Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <i>Explain choice of impact below each item; multiple lines may be entered or Delete this row if no explanation is required.</i> | | | | |
| 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 type="checkbox"/> |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

2. AGRICULTURE RESOURCES:

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project?

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|--------------------------|
| a) Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

3. AIR QUALITY:

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

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|--------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

* See Checklist Comments, attached

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
--	--------------------------------	--	------------------------------	-----------	--------

- | | | | | | |
|---|--------------------------|--------------------------|--------------------------|--------------------------|--|
| d) Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| e) Create objectionable odors affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |

4. 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 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 type="checkbox"/> | |
| b) Have a substantially 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. Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| d) Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |

5. CULTURAL RESOURCES:

Would the project:

- | | | | | | |
|---|--------------------------|--------------------------|--------------------------|--------------------------|--|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| b) Cause a substantial adverse change in the significance of an archaeological resources pursuant to Section 15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |

* See Checklist Comments, attached

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
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- | | | | | | |
|--|--------------------------|--------------------------|--------------------------|--------------------------|--|
| d) Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
|--|--------------------------|--------------------------|--------------------------|--------------------------|--|

6. 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: | | | | | |
| (i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| (ii) Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| (iii) Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| (iv) Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| d) Be located on expansive soil, as defined in Table 18-1-B of the California Building Code (2001), creating substantial risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |

7. HAZARDS AND HAZARDOUS MATERIALS:

Would the project:

- | | | | | | |
|--|--------------------------|--------------------------|--------------------------|--------------------------|--|
| a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |

* See Checklist Comments, attached

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
school?					
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
g) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

8. HYDROLOGY AND WATER QUALITY:

Would the project:					
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
b) Substantially degrade groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or surface runoff in a manner which would result in flooding on- or off site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
e) Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

* See Checklist Comments, attached

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
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systems or provide substantial additional sources of polluted runoff?

- | | | | | | |
|--|--------------------------|--------------------------|--------------------------|--------------------------|--|
| f) Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| g) Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| j) Inundation by seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |

9. LAND USE AND PLANNING:

Would the project:

- | | | | | | |
|---|--------------------------|--------------------------|--------------------------|--------------------------|--|
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| b) Conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| c) Conflict with any applicable habitat conservation plan or natural communities conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |

10. 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 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 type="checkbox"/> | |

11. NOISE:

Would the project result in:

- | | | | | | |
|---|--------------------------|--------------------------|--------------------------|--------------------------|--|
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |

* See Checklist Comments, attached

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
d) A substantially temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
e) For a project located within an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

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

13. PUBLIC SERVICES:

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government 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:

- | | | | | | |
|-----------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--|
| a) Fire protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| b) Police protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| c) Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| d) Parks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| e) Other public facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |

14. RECREATION:

- | | | | | | |
|--|--------------------------|--------------------------|--------------------------|--------------------------|--|
| a) Would the project increase the use of existing neighborhood or regional parks or other recreational | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
|--|--------------------------|--------------------------|--------------------------|--------------------------|--|

* See Checklist Comments, attached

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
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facilities such that substantial physical deterioration of the facility would occur or be accelerated?

- 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?

15. TRANSPORTATION/TRAFFIC:

Would the project:

- a) Cause an increase in the traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?
- b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?
- c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?
- d) Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?
- e) Result in inadequate emergency access?
- f) Result in inadequate parking capacity?
- g) Conflict with adopted policies or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

16. UTILITIES AND SERVICE SYSTEMS:

Would the project:

- a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?
- b) Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

* See Checklist Comments, attached

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
e) Result in a determination by the wastewater treatment provider which services or may serve the project determined that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

17. MANDATORY FINDINGS OF SIGNIFICANCE:

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

* See Checklist Comments, attached

EXHIBIT A

MITIGATION MEASURES

(project title – file number)

1.

Initial Study – Source List

- A. Field Inspections
- B. City of Foster City General Plan
 - 1. Chapter 3: Land Use and Circulation Element
 - 2. Chapter 5: Parks, Open Space, and Conservation Element
 - 3. Chapter 6: Noise Element
 - 4. Chapter 7: Safety Element
- C. City of Foster City Municipal Code; Estero Municipal Improvement District Code
- D. Environmental Impact Report (EIR) on the General Plan Revision, State Clearinghouse #92073017, April 1993
- E. Flood Insurance Rate Map for the City of Foster City, Community Panel No. 060318 0010C, as revised on January 19, 1995 (effective date of the current map)
- F. Aerial Photograph of Foster City by Towhill, Inc., San Francisco, March 12, 1997
- G. Project Plans and Submittals and/or Environmental Assessment Information Form
- H. California State and Federal Environmental Regulations and Standards
- I. Experience with Other Projects of this Size and Nature
- J. Land Use History of Project Site
- K. Consultation with Departments and Agencies
 - 1. Foster City Planning/Code Enforcement Division (Community Development Department)
 - 2. Foster City Building Inspection Division (Community Development Department)
 - 3. Foster City Fire Department
 - 4. Foster City Parks and Recreation Department
 - 5. Foster City Police Department
 - 6. Foster City Public Works Department
- L. Association of Bay Area Governments, Geographic Information Systems – Hazard Map
- M. The Rare and Endangered Plants of San Mateo and Santa Clara County, Toni Corelli and Zoe Chandick, Monocot Press, 1995
- N. Baylands Ecosystem Habitat Goals, San Francisco Bay Area Wetlands Ecosystem Goals Project, 1999
- O. Final Offsite Sewer System Study Report, TRS Consultants, Inc., September 2000

EVALUATION OF ENVIRONMENTAL IMPACTS – NOTES ON USE OF FORM (FOR STAFF USE ONLY)

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites 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 the lead agency has determined that a particular physical impact may occur, then 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: Potentially Significant Unless Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less 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 17, “Earlier Analysis,” may be cross-referenced).
- 5) Earlier analysis 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) Impacts 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) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

**APPENDIX G
CITY OF FOSTER CITY/ESTERO MUNICIPAL IMPROVEMENT DISTRICT
ENVIRONMENTAL GUIDELINES**

**Notice of Intent to Adopt a Negative Declaration
Notice of Public Hearing**

To: Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812-3044

From: City of Foster City/Estero Municipal
Improvement District
610 Foster City Boulevard
Foster City, CA 94404

County Clerk
County of San Mateo
555 County Center, 1st Floor
Redwood City, CA 94063

Lead Agency (if different from above)

Address: _____

Contact: _____

Phone: _____

Responsible Agencies, Trustee Agencies & Property Owners within 300'

Project Title: _____

Project Location - Specific: _____

Project Location – City: Foster City **Project Location – County:** San Mateo

Description of Nature, Purpose, and Beneficiaries of Project: _____

An **Initial Environmental Study** has been prepared for this project. Based on a determination by the Community Development Director that no significant environmental effects are anticipated, a proposed (Mitigated) Negative Declaration has been prepared for this project. The Initial Environmental Study/Proposed (Mitigated) Negative Declaration and supporting documentation may be reviewed at the Foster City Community Development Department, 610 Foster City Blvd., Foster City, CA.

Public Hearings: A Public Hearing to consider the Proposed (Mitigated) Negative Declaration and _____ will be held by the Planning Commission on _____ at 7:30 pm in the Council Chambers, 620 Foster City Blvd., Foster City, CA. (The Planning Commission will make a recommendation to the City Council.)

Public Comment Period: The public comment period for the project shall run from _____ to _____. Public comments on the Proposed (Mitigated) Negative Declaration can be sent by mail to _____, City of Foster City, Estero Municipal Improvement District, 610 Foster City Blvd., Foster City, CA 94404 or by e-mail to @fostercity.org, or by fax to 650 286-3589.

Name of Person or Agency Carrying Out Project: _____

Lead Agency Contact Person: _____ Telephone/Extension: _____

THE PUBLIC IS INVITED TO ATTEND. Copies of all background information are available in the Community Development Department office for public review. Copies of the Staff Report with recommendations to the Planning Commission/City Council can be reviewed beginning on the Monday preceding the meeting. Pursuant to Section 65009 of the California Government Code, if you challenge a Public Hearing item in court you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this Notice or in written correspondence delivered to the City at or prior to the Public Hearing. Interested members of the public may contact the Planning/Code Enforcement Division of the Community Development Department at 610 Foster City Boulevard, (650) 286-3225, or via e-mail at planning@fostercity.org for more information.

Any attendee wishing special accommodations at the meeting should contact Emely Tamayo, Executive Assistant, Community Development Department, at (650) 286-3232, or send an electronic mail request to etamayo@fostercity.org at least 48 hours in advance of the meeting or contact the staff at planning@fostercity.org per the Americans with Disabilities Act.

Publish: _____

Mail: _____

Signature: _____

Date: _____

Title: Community Development Director

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P. O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH # _____

Project Title: _____

Lead Agency: _____ Contact Person: _____

Mailing Address: _____ Phone: _____

City: _____ Zip: _____ County: _____

Project Location:

County: _____ City/Nearest Community: _____ Total Acres: _____

Cross Streets: _____ Zip Code: _____

Assessor's Parcel No. _____ Section: _____ Twp. _____ Range: _____ Base: _____

Within 2 Miles: State Hwy #: _____ Waterways: _____

Airports: _____ Railways: _____ Schools: _____

Document Type:

- | | | | |
|--------------------------------------|---|------------------------------------|--|
| CEQA: <input type="checkbox"/> NOP | <input type="checkbox"/> Draft EIR | NEPA: <input type="checkbox"/> NOI | Other: <input type="checkbox"/> Joint Document |
| <input type="checkbox"/> Early Cons | <input type="checkbox"/> Supplement to EIR (Note prior SCH # below) | <input type="checkbox"/> EA | <input type="checkbox"/> Final Document |
| <input type="checkbox"/> Neg Dec | <input type="checkbox"/> Subsequent EIR (Note prior SCH # below) | <input type="checkbox"/> Draft EIS | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Mit Neg Dec | <input type="checkbox"/> Other _____ | <input type="checkbox"/> FONSI | |

Local Action Type:

- | | | | |
|---|---|--|---|
| <input type="checkbox"/> General Plan Update | <input type="checkbox"/> Specific Plan | <input type="checkbox"/> Rezone | <input type="checkbox"/> Annexation |
| <input type="checkbox"/> General Plan Amendment | <input type="checkbox"/> Master Plan | <input type="checkbox"/> Prezone | <input type="checkbox"/> Redevelopment |
| <input type="checkbox"/> General Plan Element | <input type="checkbox"/> Planned Unit Development | <input type="checkbox"/> Use Permit | <input type="checkbox"/> Coastal Permit |
| <input type="checkbox"/> Community Plan | <input type="checkbox"/> Site Plan | <input type="checkbox"/> Land Division (Subdivision, etc.) | <input type="checkbox"/> Other _____ |

Development Type:

- | | |
|---|---|
| <input type="checkbox"/> Residential: Units _____ Acres _____ | <input type="checkbox"/> Water Facilities: Type _____ MGD _____ |
| <input type="checkbox"/> Office: Sq.ft. _____ Acres _____ Employees _____ | <input type="checkbox"/> Transportation: Type _____ |
| <input type="checkbox"/> Commercial: Sq.ft. _____ Acres _____ Employees _____ | <input type="checkbox"/> Mining: Mineral _____ |
| <input type="checkbox"/> Industrial: Sq.ft. _____ Acres _____ Employees _____ | <input type="checkbox"/> Power: Type _____ MW _____ |
| <input type="checkbox"/> Educational _____ | <input type="checkbox"/> Waste Treatment: Type _____ MGD _____ |
| <input type="checkbox"/> Recreational _____ | <input type="checkbox"/> Hazardous Waste: Type _____ |
| | <input type="checkbox"/> Other: _____ |

Project Issues Discussed in Document:

- | | | | |
|---|---|--|---|
| <input type="checkbox"/> Aesthetic/Visual | <input type="checkbox"/> Fiscal | <input type="checkbox"/> Recreation/Parks | <input type="checkbox"/> Vegetation |
| <input type="checkbox"/> Agricultural Land | <input type="checkbox"/> Flood Plain/Flooding | <input type="checkbox"/> Schools/Universities | <input type="checkbox"/> Water Quality |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Forest Land/Fire Hazard | <input type="checkbox"/> Septic Systems | <input type="checkbox"/> Water Supply/Groundwater |
| <input type="checkbox"/> Archeological/Historical | <input type="checkbox"/> Geologic/Seismic | <input type="checkbox"/> Sewer Capacity | <input type="checkbox"/> Wetland/Riparian |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Minerals | <input type="checkbox"/> Soil Erosion/Compaction/Grading | <input type="checkbox"/> Growth Inducement |
| <input type="checkbox"/> Coastal Zone | <input type="checkbox"/> Noise | <input type="checkbox"/> Solid Waste | <input type="checkbox"/> Land Use |
| <input type="checkbox"/> Drainage/Absorption | <input type="checkbox"/> Population/Housing Balance | <input type="checkbox"/> Toxic/Hazardous | <input type="checkbox"/> Cumulative Effects |
| <input type="checkbox"/> Economic/Jobs | <input type="checkbox"/> Public Services/Facilities | <input type="checkbox"/> Traffic/Circulation | <input type="checkbox"/> Other _____ |

Present Land Use/Zoning/General Plan Designation:

Project Description: *(please use a separate page if necessary)*

Reviewing Agencies Checklist

continued

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with and "X". If you have already sent your document to the agency please denote that with an "S".

- | | |
|---|---|
| <input type="checkbox"/> Air Resources Board | <input type="checkbox"/> Office of Emergency Services |
| <input type="checkbox"/> Boating & Waterways, Department of | <input type="checkbox"/> Office of Historic Preservation |
| <input type="checkbox"/> California Highway Patrol | <input type="checkbox"/> Parks & Recreation |
| <input type="checkbox"/> Caltrans District # _____ | <input type="checkbox"/> Pesticide Regulation, Department of |
| <input type="checkbox"/> Caltrans Division of Aeronautics | <input type="checkbox"/> Public Utilities Commission |
| <input type="checkbox"/> Caltrans Planning | <input type="checkbox"/> Reclamation Board |
| <input type="checkbox"/> Coachella Valley Mountains Conservancy | <input type="checkbox"/> Regional WQCB # _____ |
| <input type="checkbox"/> Coastal Commission | <input type="checkbox"/> Resources Agency |
| <input type="checkbox"/> Colorado River Board Commission | <input type="checkbox"/> S.F. Bay Conservation & Development Commission |
| <input type="checkbox"/> Conservation, Department of | <input type="checkbox"/> San Gabriel & Lower Los Angeles Rivers & Mountains Conservancy |
| <input type="checkbox"/> Corrections, Department of | <input type="checkbox"/> San Joaquin River Conservancy |
| <input type="checkbox"/> Delta Protection Commission | <input type="checkbox"/> Santa Monica Mountains Conservancy |
| <input type="checkbox"/> Education, Department of | <input type="checkbox"/> State Lands Commission |
| <input type="checkbox"/> Office of Public School Construction | <input type="checkbox"/> SWRCB: Clean Water Grants |
| <input type="checkbox"/> Energy Commission | <input type="checkbox"/> SWRCB: Water Quality |
| <input type="checkbox"/> Fish & Game Region # _____ | <input type="checkbox"/> SWRCB: Water Rights |
| <input type="checkbox"/> Food & Agriculture, Department of | <input type="checkbox"/> Tahoe Regional Planning Agency |
| <input type="checkbox"/> Forestry & Fire Protection | <input type="checkbox"/> Toxic Substances Control, Department of |
| <input type="checkbox"/> General Services, Department of | <input type="checkbox"/> Water Resources, Department of |
| <input type="checkbox"/> Health Services, Department of | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Housing & Community Development | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Integrated Waste Management Board | |
| <input type="checkbox"/> Native American Heritage Commission | |

Local Public Review Period (to be filled in by lead agency)

Starting Date _____ Ending Date _____

Lead Agency (Complete if applicable):	Applicant: _____
Consulting Firm: _____	Address: _____
Address: _____	City/State/Zip: _____
City/State/Zip: _____	Phone: (____) _____
Contact: _____	
Phone: (____) _____	

Signature of Lead Agency Representative _____ Date _____

**APPENDIX I
CITY OF FOSTER CITY/ESTERO MUNICIPAL IMPROVEMENT DISTRICT
ENVIRONMENTAL GUIDELINES**

Notice of Determination

To: Office of Planning and Research
P.O. Box 3044, 1400 Tenth St., Room 222
Sacramento, CA 95812-3044

From: City of Foster City/EMID
610 Foster City Boulevard
Foster City, CA 94404
(650) 286-3225

County Clerk
County of San Mateo
555 County Center, 1st Floor
Redwood City, CA 94063

Lead Agency (if different from above)

Address: _____

Contact: _____

Phone: _____

Subject: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): _____

Project Title: _____

Project Location (include county):

Project Description:

This is to advise that the City of Foster City, acting as a Lead Agency or Responsible Agency, has approved the above described project on _____ and has made the following determinations regarding the above described project:

1. The project [will will not] have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [were were not] made a condition of the approval of the project.
4. A Statement of Overriding Considerations [was was not] adopted for this project.
5. Findings [were were not] made for the project pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration or Final EIR with comments and responses and record of project approval is available to the General Public at the Community Development Department, City Hall, 610 Foster City Boulevard, Foster City, CA 94404.

Signature: _____
Richard B. Marks
Community Development Director

Date: _____

Date received for filing at OPR: _____

APPENDIX J
CITY OF FOSTER CITY/ESTERO MUNICIPAL IMPROVEMENT DISTRICT ENVIRONMENTAL
GUIDELINES

Notice of Preparation

PROJECT REFERENCE NUMBERS:

SUBJECT: Notice of Preparation of a Draft Environmental Impact Report

LEAD AGENCY:

City of Foster City/Estero Municipal Improvement District
610 Foster City Boulevard
Foster City, CA 94404
(650) 286-3225 or fax (650) 286-3589

Contact: _____
e-mail: _____@fostercity.org

Notice is hereby given that the City of Foster City/Estero Municipal Improvement District will be the Lead Agency and will prepare an environmental impact report for the project identified below. We need to know your views as to the scope and content of the environmental information which will be prepared to analyze the proposed project.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date but no later than 30 days after receipt of this notice. Please send your response to _____ at the address shown above. If your response is on behalf on an agency or organization, we will need the name of a contact person in your agency/organization.

Project Title: _____

Project Applicant: _____

Project Location: _____

Project Description: Copies of the Initial Study are available in the Community Development Department, 610 Foster City Blvd., Foster City, CA 94404.

Notice is further given that the Planning Commission of the City of Foster City will hold a Public Scoping Session on Thursday, _____ at 7:30 p.m. in the Council Chambers, 620 Foster City Boulevard, Foster City, California, 94404, to accept comments from the public on the scope of the EIR.

DATE: _____
FOR PUBLICATION: _____

SIGNATURE: _____
Richard B. Marks
Community Development Director

APPENDIX K
CITY OF FOSTER CITY/ESTERO MUNICIPAL IMPROVEMENT DISTRICT
ENVIRONMENTAL GUIDELINES

PROCEDURES FOR EIR PREPARATION

When the City has determined that a project will or may have significant effect upon the environment, the lead City department shall prepare or cause to have prepared an Environmental Impact Report. The following procedures shall govern preparation of an EIR by a consultant or lead City department.

- A. **POLICY** – It is the policy of the City of Foster City to select a consultant to prepare EIR’s for all private projects. The City will select a consultant on the basis of appropriate costs as well as demonstrated capability to perform the tasks outlined in the “Request for Proposal”. Proposals should show that the EIR will provide the City decision-makers with an accurate and complete report that meets the requirements of State law and these guidelines and provides sufficient information to reach a decision on the project.

- B. **REQUEST FOR PROPOSAL** – The lead City department shall prepare a “Request for Proposal”. Per the City’s Purchasing Policy and Chapter 3.04 Purchasing System of the Foster City Municipal Code, the City Council and/or the Estero Municipal Improvement District Board must authorize the issuance of a “Request for Proposal” and the approval of any resulting contract for services, if the contract is for more than \$30,000. This request shall be mailed to at least three firms. In order for a proposal to be deemed acceptable, it must respond completely to the requirements of the “Request for Proposal”.

- C. **GENERAL INFORMATION FOR PROPOSALS**
 - 1. The prospective consultant firm shall submit a minimum of five copies of its proposal to the City.
 - 2. The proposal shall be signed by an authorized official of the firm.
 - 3. The proposal shall be valid for a minimum of ninety days.
 - 4. The City reserves the right to reject any and all proposals.
 - 5. The terms and scope of the contract will be arrived at on the basis of professional negotiations between the City and the prospective consultant. If the City and the prospective consultant fail to reach a contractual agreement, the City may then renegotiate with any other consultant.
 - 6. The consultant will comply with affirmative action, access of records, conflict of interest and other provisions as required.

- D. **REQUIREMENTS FOR PROPOSALS**

All proposals submitted to the City must contain the following minimum information:

 - 1. A description and statement of the firm’s qualifications for this project, as well as those of any subconsultants.
 - 2. Names, qualifications and resumes of all project team members. Those names must be those who will directly participate in the project. A contact person in charge of the preparation of the EIR should be identified.
 - 3. A detailed statement (in layman’s language) regarding each of the following items:
 - a) A statement of overall problem/task as viewed by the firm.
 - b) An explanation of the general approach to be employed by the firm in preparing the circulation study.

- c) A proposed scope of work or program including a step-by-step breakdown of the tasks to be carried out with estimates of personnel time and costs for each task, including attendance at three public hearings, and clerical and reproduction costs of the Administrative Draft, the Draft, and the Final EIR.
 - d) A time/task schedule indicating the proposed time frame in which specific tasks will be completed and milestones along the way to project plan completion.
 - e) Cost of work described in the proposal, including an explanation of the basis for billing and proposed payment terms for each component of the RFP as well as total amount.
 - f) Any proposed program components as perceived necessary by the consultant based upon understanding of the RFP, but not necessarily stated within.
 - g) Other pertinent information deemed appropriate by the firm.
4. A list of other agencies (past and current), including address and telephone number, a contact person with whom the firm has provided similar services, and a description of projects worked on.
 5. Samples of work on projects similar to this project (samples will be returned upon request).
 6. Compliance with any additional requirements set forth in the "Request for Proposal".

E. EVALUATION OF PROPOSAL

1. Upon receipt, the lead City department shall evaluate each proposal based upon City policies and these guidelines. The City Department shall make a recommendation to the City Council/Estero Municipal Improvement District Board on which firm to award the contract to. City Council will make the final decision on the winning firm.
2. All proposals will be evaluated using the following criteria (not necessarily in the order listed):
 - a) Ability and experience of persons selected to work upon this project.
 - b) Methodology and work program
 - c) Knowledge of local needs and the ability to work closely with City staff, Planning Commission and City Council.
 - d) Ability to attend public, committee and staff level work meetings and general consultant availability.
 - e) Creativity and insight of proposal.
3. The lead City department shall select the consultant who will perform the work. The decision to accept any proposal shall be made not later than forty-five (45) calendar days after the deadline for proposals to be submitted. Consultants whose proposals have not been accepted shall be so notified.
4. When the consultant has been chosen, the applicant must, within fifteen (15) calendar days of said choice, deposit with the City the full amount of the consultant's total bid figure for services, plus an additional 10% contingency fee. The City of Foster City will then execute a contract between the consultant and the City on contract forms provided by the City.

F. FORMAT FOR EIR

1. The information contained in an EIR, including technical data, maps, plot plans, and diagrams, shall be presented in such a manner as to permit full assessment of significant environmental impacts by reviewing agencies and members of the public. Use of clear and descriptive graphics is especially encouraged.

Placement of highly technical or specialized data should be provided in appendices separated from the main body of the EIR.

2. EIRs shall be produced on 8 ½ x 11 inch paper and reproduced on both sides. An electronic copy of the EIR shall also be provided in a pdf format for posting on the City's website.
3. The EIR should be prepared using a systemic, well documented approach. The EIR shall reference all documents used in its preparation including a citation to the page and section number of documents used as a basis for any statements in the EIR. All sections written by someone other than an employee of the consultant firm shall be credited to the appropriate author(s).
4. The EIR should discuss environmental effects in proportion to their severity and probability of occurrence. Effects dismissed in an Initial Study as clearly insignificant need not be discussed further unless the City subsequently receives information inconsistent with the finding in the Initial Study.
5. If after thorough investigation, the City or consultant finds that a particular impact is too speculative for evaluation, the report should note this conclusion and terminate discussion of the impact.
6. An EIR may incorporate by reference all or portions of other documents which contain information relevant to the EIR. The incorporated document shall be available to the public at the lead City department office. Where an EIR uses incorporation by reference, the incorporated part of the document shall be briefly summarized in the EIR.
7. The discussion of mitigation measures shall distinguish between the measures which are proposed to be included in the project and other measures that are not included but could also reduce adverse impacts. This discussion shall identify levels to which impacts will be reduced by mitigation, and the basis upon which such levels were predicted. Where several measures are available to mitigate an impact, each should be discussed and the basis for selecting a particular measure should be identified.
8. Changes in the Draft EIR required through public hearing process will be incorporated in the text of the EIR. Comments and responses to comments shall be included as a appendix to the EIR. Responses to comments shall indicate the location of any amendments to the text of the EIR.

APPENDIX L
CITY OF FOSTER CITY/ESTERO MUNICIPAL IMPROVEMENT DISTRICT ENVIRONMENTAL
GUIDELINES

Notice of Completion

NOTICE IS HEREBY GIVEN that the City of Foster City has completed a Draft Environmental Impact report (DEIR) for the following project:

Title: _____

SCH #: _____

Location: _____

City: Foster City

County: San Mateo

Description of Nature, Purpose, and Beneficiaries of Project:

Copies of the DEIR are available for review at City Hall, 610 Foster City Boulevard, Foster City, CA 94404, at the Community Development Department office between the hours of 8:00 a.m. – 5:00 p.m.

Copies of the DEIR are available at the Foster City Library located at 600 Foster City Boulevard, Foster City, California, during its normal public hours. A copy of the DEIR is available at the City's website at www.fostercity.org.

The public is invited to review the DEIR during the period of _____, and submit any written comments to the City by the end of the review period for review and inclusion in the Final Environmental Impact Report. The Foster City Planning Commission will hold a Public Hearing on the DEIR at a date to be announced.

For any questions or information, the public is invited to contact _____, at 610 Foster City Boulevard, Foster City, CA 94404. (650) 286-3225.

DATE: _____
FOR PUBLICATION: _____

SIGNATURE: _____
Richard B. Marks
Community Development Director

APPENDIX M
CITY OF FOSTER CITY/ESTERO MUNICIPAL IMPROVEMENT DISTRICT
ENVIRONMENTAL GUIDELINES

RESOLUTION NO. P-____-XX

RESOLUTION OF THE _____ OF THE CITY OF FOSTER CITY CERTIFYING
THE FINAL ENVIRONMENTAL IMPACT REPORT FOR _____ --
SCH # _____; EA _____.

CITY OF FOSTER CITY PLANNING COMMISSION

WHEREAS, _____ has requested _____; and

WHEREAS, the City of Foster City, in accordance with the requirements of the California Environmental Quality Act (CEQA) and the State CEQA Guidelines adopted by the Secretary for Resources, has caused to be prepared an Environmental Impact Report (EIR) which analyzes the impacts of the proposed project (SCH # _____; EA _____); and

WHEREAS, the Final EIR has been prepared which responds to all comments received regarding the Draft EIR; and

WHEREAS, a Notice of Public Hearing was duly posted, published, and mailed for consideration of the Final EIR at the _____ meeting of _____, and on said date the Public Hearing was opened, held and closed.

WHEREAS, the _____ of the City of Foster City has read and considered all environmental documentation comprising the FEIR, and has found that the _____, is complete and adequate and fully complies with all requirements of CEQA and State CEQA Guidelines.

NOW, THEREFORE, BE IT RESOLVED that the _____, of the City of Foster City does hereby certify that the FEIR prepared by _____ dated, _____, as complete and adequate (SCH # _____; EA _____). The Final EIR consists of the following documents:

PASSED AND ADOPTED by the Planning Commission/City Council of the City of Foster City at a Regular Meeting thereof held on _____, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

(NAME),

ATTEST:

**APPENDIX N
CITY OF FOSTER CITY/ESTERO MUNICIPAL IMPROVEMENT DISTRICT
ENVIRONMENTAL GUIDELINES**

APPEAL FORM

You may complete this form if you wish to appeal a decision of the Planning Commission to approve a Negative Declaration or certify an Environmental Impact Report for EA- - _____/
SCH No. _____ in accordance with Section III E.5 of the City of Foster City/EMID Environmental Guidelines.

Please note: All appeals must be filed within ten (calendar) days after the decision of the Planning Commission. The appeal must be in writing and must provide information addressing all of the items below to be considered complete.

1. Appellant _____

(Your name, phone # _____

and address) _____

2. Address of project _____

3. Brief Project Description _____

(Improvement requested by property owner)

4. Relief or action sought _____

(Reversal of decision or reevaluation of findings.)

5. Basis for the appeal [information substantiating the basis for appeal] (e.g., failure to comply with the City's General Plan, state or local laws; or stating reasons why the approval would adversely affect surrounding property; the neighborhood, and/or the city.) You may attach other sheets. Please attach all documentation supporting your request.

Signature

Date

APPENDIX O
CITY OF FOSTER CITY/ESTERO MUNICIPAL IMPROVEMENT DISTRICT
ENVIRONMENTAL GUIDELINES
SAMPLE CONDITIONS OF APPROVAL REQUIRING MITIGATION MONITORING

Exhibit A

(Conditions attached to the approval of the Negative Declaration/EIR by the City Council for (EA-__-__ /SCH No. _____ on _____)

1. The following conditions shall be met prior to the issuance of a Use Permit except as otherwise specified. Any questions pertaining to these conditions should be directed to the City department as indicated.
(BD = Building Inspection Division, CBO = Chief Building Official, CC = City Council, CDA = Community Development Agency, CDD = Community Development Director, CE = City Engineer, E/PW = Engineering/Public Works, FIRE = Fire, P/R = Parks and Recreation, PC = Planning Commission and POL = Police). Other abbreviations used are as follows: N/A = not applicable, PBP = prior to building permit issuance; PBO = prior to building occupancy; PI = prior to installation; PCW = prior to commencement of work; PFM = prior to approval of Final Map; PFBI = prior to final building inspection; and PTO = prior to opening.
2. The applicant shall implement all the mitigation measures required by the City's adopted mitigation monitoring program for the project (attached).
3. The applicant shall report all compliance requirements as required by the attached mitigation monitoring program.
4. The applicant shall note that additional conditions of approval for the project shall be added when other permits for the project are approved.

**APPENDIX P
SAMPLE MITIGATION MONITORING CHECKLIST**

Mitigation Measures	Party Responsible for Implementation	Timing of Mitigation Implementation	Agency Responsible for Monitoring	Action by Monitor	Monitoring Timing
LAND USE AND PLANNING (LU)					
<u>MC-LU-2:</u> Future applications for Specific Development Plans on the Marlin Cove site shall include design amenities and other features consistent with LUC-A, LUC-B, LUC-D, LUC-6, LUC-14, LUC-15, LUC-16, LUC-17, LUC-38, LUC-39, LUC-40, LUC-66, LUC-67, LUC-68, PC-20 and recommendations of the Housing Opportunity Study.	Developer	During project design	Foster City Community Development Department	Ensure that project design is consistent with appropriate Land Use and Circulation Element guidelines and Housing Opportunity Study recommendations	Complete: UP approval 1/18/00 (LJC)
<u>MC-LU-3:</u> Prior to issuance of a Building Permit for buildings and improvements associated with a Specific Development Plan, the final improvement plans shall be submitted to PG&E for review and comment.	Developer, in conjunction with PG&E	During Building Permit application process	Foster City Community Development Department	Verify that PG&E has reviewed and approved final improvement plans	Prior to issuance of Building Permit
<u>MC-LU-4:</u> Displaced merchants/businesses will be provided with relocation assistance consistent with the State's redevelopment regulations, and where possible relocated to other neighborhood shopping centers in Foster City.	Redevelopment Agency	Prior to displacement	Foster City Community Development Department	Ensure that relocation assistance is provided for displaced merchants/businesses	Prior to and during displacement
<u>MC-LU-5:</u> Future development of the project site shall not allow the extension of any multiple-family homes or associated appurtenances (e.g. chimneys or satellite dishes) into the imaginary surfaces of FAR Part 77, as designated in the CLUP. Prior to issuance of a Building Permit for buildings and improvements associated with the Specific Development Plan, a "Notice of Proposed Construction or Alteration" shall be submitted with the FAA Western-Pacific Regional Office in Los Angeles for review and approval.	Developer	During project design	Foster City Community Development Department; Foster City Building Inspection Division	Ensure consistency of project with regulations regarding imaginary surfaces as designated in the CLUP	Prior to issuance of Building Permit; see COA 1.37, 1.38

Mitigation Measures	Party Responsible for Implementation	Timing of Mitigation Implementation	Agency Responsible for Monitoring	Action by Monitor	Monitoring Timing
POPULATION, EMPLOYMENT, AND HOUSING (POP)					
<u>MC-POP-1:</u> Any merchants/businesses displaced as a result of the proposed plan could, if vacancies exist, be relocated to vacant properties within existing shopping/retail centers in Foster City and/or new space available at the Marlin Cove Center once it is redeveloped, and /or available space in Foster City or neighboring cities. The Redevelopment Agency will provide relocation assistance consistent with the State's redevelopment regulations.	Redevelopment Agency	Prior to displacement	Foster City Community Development Department	Ensure that displaced merchants/businesses are relocated in local shopping/retail centers if vacancies exist	Prior to and following displacement
TRANSPORTATION, CIRCULATION, AND PARKING (T/C)					
<u>MC-T/C-1:</u> Prior to the approval of a Specific Development Plan and/or Tentative Map, the proposed site plan shall be carefully evaluated to ensure that adequate and safe site access and on-site circulation for vehicles, bicycles and pedestrians is provided for each development. One full-access driveway should be provided on each street frontage, at a minimum.	Foster City Community Development Department	During project approval process	Foster City Community Development Department	Ensure that proposed site plan includes adequate and safe site access	Complete: UP approval 1/18/00 (LJC)
<u>MC-T/C-2:</u> Prior to the approval of a Specific Development Plan and/or Tentative Map for either site, the proposed site plan shall be carefully evaluated to ensure that adequate parking is provided in close proximity to each use to minimize parking overflow onto adjacent streets. If private residential garages are utilized to meet the City's parking requirements, the development's Covenant Codes and Restrictions (CC&Rs) shall specifically prohibit the use of garages for storage of items that would not allow the spaces to be utilized for parking.	Foster City Community Development Department; Developer	During project approval process; during development of CC&R	Foster City Community Development Department	Ensure that proposed site plan includes adequate and convenient parking; ensure that CC&R prohibits use of garages for storage, if private residential garages are utilized to meet City parking requirements	See COA's 1.41, 1.47, 1.48, 1.49, 1.50, 1.51, 1.52, 1.71, 1.73, 1.75, 1.76