EXHIBIT H

Environmental Checklist for Determination Under CEQA Guidelines Section 15162

Section 15162 of the California Environmental Quality Act (CEQA) Guidelines sets forth the criteria for determining the appropriate level of additional environmental documentation, if any, to be completed when there is a previously certified Environmental Impact Report covering the project for which a subsequent discretionary action is required. This environmental analysis has been prepared to assist the County of Madera in determining whether any additional environmental documentation is needed for the subject discretionary action.

1. Background on the previously adopted Final Environmental Impact Report (FEIR) for the Gateway Village Specific Plan:

   The FEIR was prepared for the Gateway Village Specific Plan , which contemplates the development of a comprehensively planned conversion of 2,062 acre site to urban uses. The master planned community consists of 5,836 low-density residential units, 132 acres of commercial and mixed-use (including 742 residential units), 40 acres of highway service commercial uses, 19 acres of neighborhood commercial uses, 148 acres of open space, and 177 acres of right-of-way. The project is bounded to the north by the Avenue 13 alignment, to the east by State Route 41, to the south by Avenue 10, and to the west by Road 40.

   The proposed project being analyzed in this document is a Tentative Subdivision Map of 144 residential lots and 14 outlots (the "Tentative Map"). The area comprises a total of 24.44 acres per assessor's records. The project applicant is Wilson Premier Homes.

2. Lead Agency Name and Address:
   Planning Division
   Community and Economic Development
   Madera County
   200 W. Fourth Street, Suite 3100
   Madera CA 93637

3. Contact:
   Jamie Bax
   Deputy Director
   (559) 675-7821

4. Project Applicant's Name and Address:
   Wilson Premier Homes
   7550 N. Palm Avenue, Suite 102
   Fresno, CA 93711

5. Summary of the activities authorized by entitlement application:
   The proposed project being analyzed in this document is Tentative Subdivision Map (S#2020-004), which includes the creation of 144 residential lots and 14 outlots. The area comprises a total of 24.44 acres.

The environmental factors identified below have been analyzed to determine the following:

- Are substantial changes proposed in the project which will require major revisions to the certified EIR due to the involvement of any new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- Have substantial changes occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- Has new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified shows any of the following:
    1. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
    2. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
    3. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
    4. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

The factors below are either checked yes to indicate that additional analysis under the California Environmental Quality Act is necessary, or no which indicates that the previously certified EIR needs no further amendments.

Yes	No		Yes	No		Yes	No	
☐	☒	Aesthetics	☐	☒	Agriculture Resources	☐	☒	Air Quality
☐	☒	Biological Resources	☐	☒	Cultural Resources	☐	☒	Geology /Soils
☐	☒	Land Use / Planning	☐	☒	Hydrology / Water Quality	☐	☒	Hazards & Hazardous Materials
☐	☒	Mineral Resources	☐	☒	Noise	☐	☒	Population / Housing
☐	☒	Public Services	☐	☒	Recreation	☐	☒	Transportation/Traffic
☐	☒	Utilities / Service Systems	☐	☒	Greenhouse Gases	☐	☒	Mandatory Findings of Significance

I. AESTHETICS

Are Substantial changes proposed in the project from the previously certified EIR?

No. In review of the proposed Tentative Map, there are no significant changes that would cause one or more impacts to aesthetic resources that were discussed in the certified EIR. As explained in the certified EIR, the visual setting of the project site contains rural and agricultural features typical of the southern portion of Madera County. The site consists of flat uniform terrain, with higher topographical points to the northeast sloping generally to the southwest. Elevations range from 395 feet above mean sea level in the northeastern portion of the site to 335 feet mean sea level where Root Creek crosses the southwestern boundary of the site. The central and northern portions of the site have slight rolling terrain with hills averaging approximately 15 to 20 feet in height. The southern portion of the site is relatively level with about five feet of relief. The certified EIR analyzed a maximum of 6,578 dwelling units within the plan area as identified in Figure 1. Together with other maps approved within Riverstone the dwelling lot count has not yet met the total buildout, thereby creating less of an impact than what was analyzed within the certified EIR.

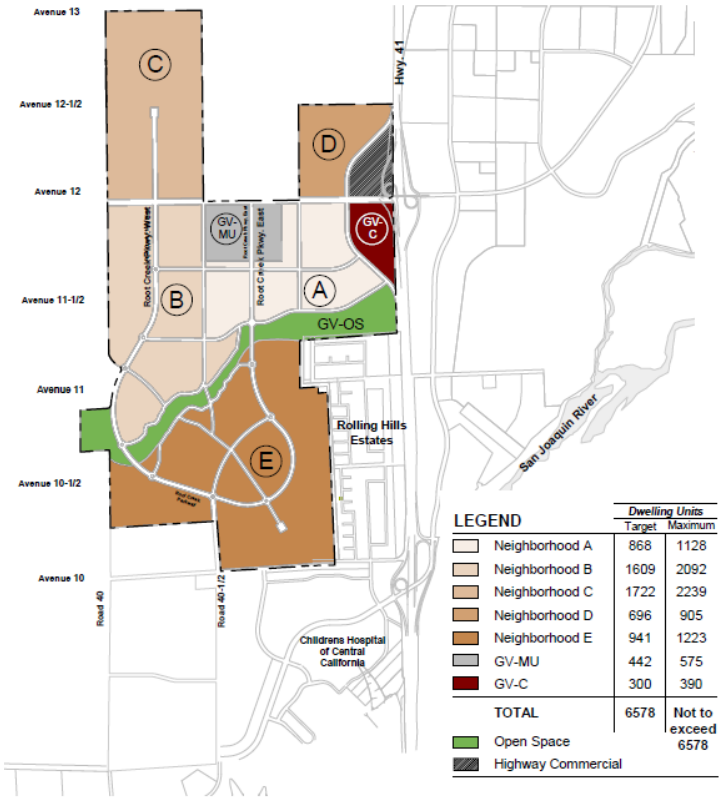


Figure 1 - Phased Neighborhood Development

Have Substantial aesthetic changes occurred in the circumstances under which the project is being undertaken?

No. There has been no development of the property or adjacent properties since the certification of the EIR. The circumstances are the same for this proposed tentative subdivision map as it was at the time the EIR was prepared and certified.

Has any new aesthetic information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:

1. **The project will have one or more significant effects not discussed in the previous EIR or negative declaration;**
2. **Significant effects previously examined will be substantially more severe than shown in the previous EIR;**
3. **Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or**
4. **Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more**

significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative?

No. The Certified EIR identified five potential impacts on aesthetics for the project. Of the five potential impacts, only one required mitigation. The mitigation measure adopted within the certified EIR remains applicable to the Tentative Map, and will be required as a condition of approval for the Tentative Map. The potential impacts on aesthetic resources have not changed, there are no additional significant effects that were not discussed within the certified EIR. Those impacts identified in the EIR have not become more severe since adoption of the Gateway Village Specific Plan in 2007, and as previously stated the proposed Tentative Map has less of an impact than what was analyzed in the certified EIR. With the incorporation of the required mitigation, the Tentative Map will result in a less than significant effect on the environment, and therefore no additional mitigation measures are required at this time. All feasible mitigation measures and alternatives were analyzed in the certified EIR, and no changes are required as a result of aesthetic impacts.

II. AGRICULTURAL RESOURCES

Are Substantial changes proposed in the project from the previously certified EIR?

No. In review of the proposed Tentative Map there are no significant changes that would cause one or more impacts to agricultural resources. The certified EIR analyzed a maximum of 6,578 dwelling units within the plan area as identified in Figure 1. The property is currently planted in olives, pistachios, almonds and citrus. The proposed development is for 144 residential lots thereby creating less of an impact than what was analyzed within the certified EIR.

Have Substantial agricultural changes occurred in the circumstances under which the project is being undertaken?

No. There have been no substantial changes that have occurred with the project related to agriculture. Figure 2 identifies the types of soil within the Gateway Village Specific Plan boundary which has not changed from the certified EIR.

PROJECT SITE SOIL CHARACTERISTICS

Prime Rating	Type	Characteristics
No	AsA	Alamo Clay, 0-1 percent slopes
Yes	**GrA**	**Greenfield coarse sand loam; 0-3 percent slopes**
Yes	**GuA**	**Greenfield sandy loam, 0-3 percent slopes**
Yes	**RaA**	**Ramona sandy loam, 0-3 percent slopes**
Yes	**RaB**	**Ramona sandy loam, 3-8 percent slopes**
No	SaA	San Joaquin sandy loams, 0-3 percent slopes
No	SbA	San Joaquin sandy loams, 0-3 percent slopes
No	WrB	Whitney and Rocklin sandy loams, 3-8 percent slopes
No	WrC	Whitney and Rocklin sandy loams, 8-15 percent slopes
No	WoC	Whitney and Rocklin gravely sandy loams, 3-15 percent slopes

Figure 2 - Site Soil Characteristics

Has any new agricultural information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:

1. **The project will have one or more significant effects not discussed in the previous EIR or negative declaration;**
2. **Significant effects previously examined will be substantially more severe than shown in the previous EIR;**
3. **Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more**

significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

4. **Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative?**

No. The Certified EIR identified one potential impact on agriculture for the Gateway Village Specific Plan: the project's contribution of conversion of agricultural lands to non-agricultural uses. That impact was identified as significant and unavoidable. The certified EIR did provide mitigation measure 4.2.1 and 4.2.2 to attempt to lessen the impact of conversion however with that the impact is ultimately significant and unavoidable. Those mitigation measure adopted within the certified EIR remain applicable to this project, and will be required as conditions of approval. There are no additional significant effects that were not discussed in the certified EIR. There are no additional mitigation measures than those identified or project alternatives that would be considered feasible and would lessen the identified impacts within the EIR.

III. AIR QUALITY

Are Substantial changes proposed in the project from the previously certified EIR?

No. In review of the proposed Tentative Map there are no significant changes that would cause one or more impacts to air quality. The project site is currently being used for agriculture, and is under cultivation with pistachios, almonds, citrus, and olives. As a result, existing sources of air pollutant emissions include agricultural equipment, land preparation, fugitive wind-blown dust, crop harvesting, unpaved farm roads, and work areas. PM10 emissions from fugitive dust are released into the atmosphere during land preparation prior to planting and after harvesting activities. The agricultural activities at the site are estimated to generate approximately 44.77 tons per year of reactive organic gas (ROG) emission, 0.92 tons per year of NOX emissions, and 24.66 tons per year of PM10 emissions. The certified EIR analyzed a maximum of 1,128 dwelling units within Neighborhood A as identified in Figure 1. The proposed development is for 144 residential lots, thereby creating less of an impact than what was analyzed within the certified EIR.

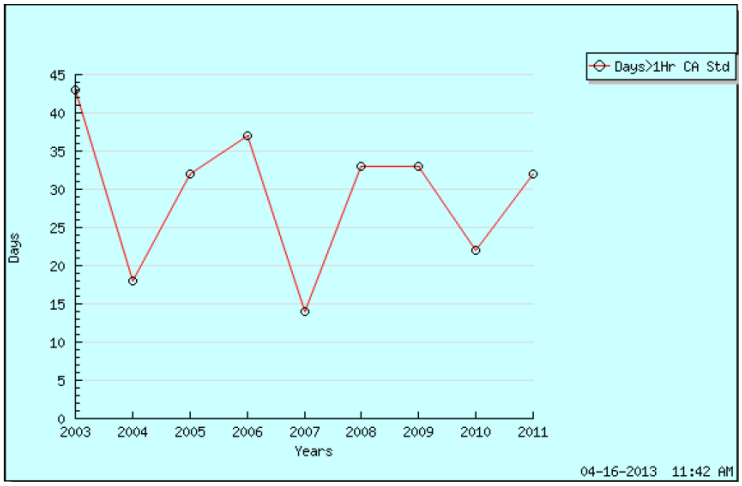


Figure 3 - PM 10 Data

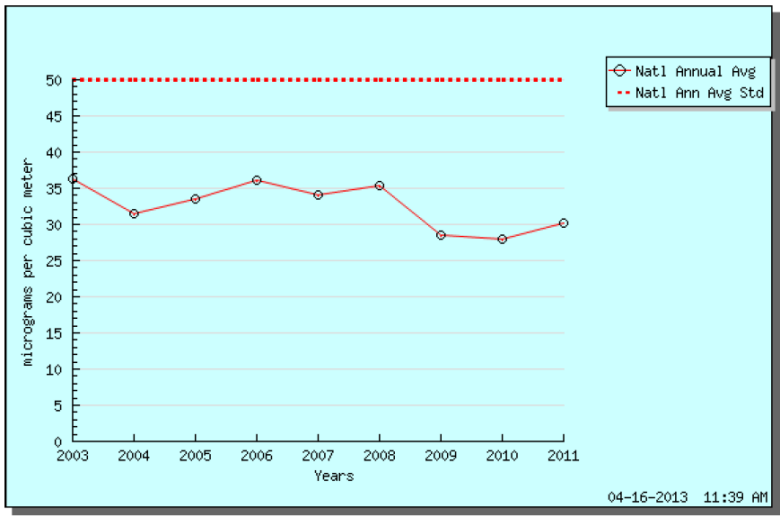
Have Substantial air quality changes occurred in the circumstances under which the project is being undertaken?

No. There have been no substantial changes that have occurred with the Gateway Village Specific Plan related to air quality. The graphs shown as Figure 3 and 4 are ambient monitoring data from 2003-2011, these are similar to what was analyzed within the certified EIR. The certified EIR provided the same data but only for the years 2003-2005. There has actually been an improvement in the air basins overall air quality.

Has any new air quality information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:

1. **The project will have one or more significant effects not discussed in the previous EIR or negative declaration;**
2. **Significant effects previously examined will be substantially more severe than shown in the previous EIR;**
3. **Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or**
4. **Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative?**

No. The Certified EIR identified six potential impacts related to air quality for the Gateway Village Specific Plan. All impacts were considered less than significant with mitigation measures. There are no additional significant effects that were not discussed in the certified EIR. There are no additional mitigation measures than those identified or project alternatives that would be considered feasible and would lessen the identified impacts within the certified EIR. Those mitigation measure adopted within the certified EIR remain applicable to this project, and will be required as conditions of approval. In addition, the project applicant applied for and received a voluntary emission reduction agreement with the San Joaquin Valley Air Pollution Control District, which to date has resulted in 258.9 tons of emissions reduction to the San Joaquin Valley Air Basin.



IV. BIOLOGICAL RESOURCES

Are Substantial changes proposed in the project from the previously certified EIR?

No. In review of the proposed Tentative Map there are no significant changes that would cause one or more impacts to biological resources. For the purpose of the determining potential biological impacts, the scope of the analysis in the certified EIR included transportation rights-of-way, well sites, and off-site areas for effluent storage, in addition to the habitable areas within the Gateway Village Specific Plan boundary. The specific plan area has been used primarily for agricultural purposes. The certified EIR analyzed a maximum of 6,578 dwelling units within the plan area, as identified in Figure 1. The proposed development is for 144 residential lots, thereby creating less of an impact than what was analyzed within the certified EIR.

Have Substantial biological changes occurred in the circumstances under which the project is being undertaken?

No. There have been no substantial changes that have occurred with the Gateway Village Specific Plan related to biological resources. The certified EIR had a biological report prepared and reviewed by Madera County prior to its adoption. There are no circumstances that have occurred that would result in biological resource impacts since the certification of the EIR.

Figure 4 - Ozone Data

Has any new biological resource information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:

1. **The project will have one or more significant effects not discussed in the previous EIR or negative declaration;**
2. **Significant effects previously examined will be substantially more severe than shown in the previous EIR;**
3. **Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or**
4. **Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative?**

No. The Certified EIR identified five potential impacts on biological resources for the implementation of the Gateway Village Specific Plan. One impact was identified as significant and unavoidable: the degree of human use in an already fragmented landscape. As a result, the certified EIR provided several mitigation measures as listed in attachment A to this report. There are no additional significant effects that were not discussed in the certified EIR. There are no additional mitigation measures than those identified or project alternatives that would be considered feasible and would lessen the identified impacts within the certified EIR. Those mitigation measure adopted within the certified EIR remain applicable to the Tentative Map, and will be required as conditions of approval. Therefore, no further analysis is required for biological resources.

V. CULTURAL RESOURCES

Are Substantial changes proposed in the project from the previously certified EIR?

No. In review of the proposed Tentative Map there are no significant changes that would cause one or more impacts to cultural resources.

Have Substantial cultural resource changes occurred in the circumstances under which the project is being undertaken?

No. There have been no substantial changes that have occurred with the Gateway Village Specific Plan related to cultural resources. The certified EIR had a cultural resource report prepared by Applied Earthworks and reviewed by Madera County prior to its adoption. There are no circumstances that have occurred which would result in cultural resource impacts since the certification of the EIR.

Has any new cultural resource information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:

1. **The project will have one or more significant effects not discussed in the previous EIR or negative declaration;**
2. **Significant effects previously examined will be substantially more severe than shown in the previous EIR;**
3. **Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or**
4. **Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative?**

No. The Certified EIR identified five potential impacts on cultural resources for the implementation of the Gateway Village Specific Plan. Three impacts required mitigation measures to mitigate to a less than significant impact. Two of the impacts identified did not require any mitigation measures to be a less than significant impact. There are no additional mitigation measures than those identified or project alternatives that would be considered feasible and would lessen the identified impacts within the EIR. Those mitigation measures adopted within the certified EIR remain applicable to the Tentative Map, and will be required as conditions of approval. Therefore, no further analysis is required for cultural resources.

VI. GEOLOGY AND SOILS

Are Substantial changes proposed in the project from the previously certified EIR?

No. In review of the proposed Tentative Map, there are no significant changes that would cause one or more impacts to geology and soils. The project site is located on alluvial deposits derived from the Sierra Nevada Range near the eastern boundary of the San Joaquin Valley. The alluvial deposits originate from crystalline rock sources of the Sierra Nevada. The alluvial terrace is cut by intermittent streams such as Root Creek, intermittent sloughs, and the San Joaquin River. The alluvial materials at the project site generally consist of silty sands to a depth of at least 20-feet

below ground surface. The upper five feet of silty sands are very loose and there are discontinuous layers of very dense silts, known as "hardpan," throughout the site.

Have Substantial geology and soils changes occurred in the circumstances under which the project is being undertaken?

No. There have been no substantial changes that have occurred with the project related to geology and soils. The certified EIR had a geotechnical report prepared and reviewed by Madera County prior to its adoption. There are no circumstances that have occurred which would result in geology and soil impacts since the certification of the EIR.

Has any new geology and soil information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:

1. **The project will have one or more significant effects not discussed in the previous EIR or negative declaration;**
2. **Significant effects previously examined will be substantially more severe than shown in the previous EIR;**
3. **Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or**
4. **Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative?**

No. The Certified EIR identified four potential impacts on geology and soils for the implementation of the Gateway Village Specific Plan. None of the impacts required mitigation measures to mitigate to a less than significant level. There is no significant effect on geology and soil that were not discussed and analyzed in the certified EIR. There are no additional mitigation measures other than those identified or project alternatives that would be considered feasible and would lessen the identified impacts within the certified EIR.

VII. GREENHOUSE GAS EMISSIONS/CLIMATE CHANGE

Are Substantial changes proposed in the project from the previously certified EIR?

No. In review of the proposed Tentative Map, there are no significant changes that would cause one or more impacts to greenhouse gas emissions or climate change. The certified EIR analyzed a maximum of 6,578 dwelling units within the plan area, as identified in Figure 1. The proposed Tentative Map is for 144 residential lots, thereby creating less of an impact than what was analyzed within the certified EIR.

Have Substantial greenhouse gas emission changes occurred in the circumstances under which the project is being undertaken?

No. There have been no substantial changes that have occurred with the project related to greenhouse gas emissions or climate change. The certified EIR contained a global climate change study prepared by WZI Incorporated. This study was undertaken following the adoption of Assembly Bill 32 which requires the State of California to reduce its greenhouse gas emissions

level to 1990 levels by 2020. The study included provisions for the project to greatly reduce its greenhouse gas emissions by building residential and nonresidential buildings to exceed California Title 24 standards by a minimum of 15 percent, smart land use design, green building design and waste reduction, and water efficiency design in building and landscaping, will result in a reduction of greenhouse gases attributed to the implementation of the Gateway Village Specific Plan. A comparison of that project's greenhouse gas inventory for the various project sources with and without project design features to reduce greenhouse gasses is shown in Figure 5.

Greenhouse Gas Inventory With and Without Design Features
[CO_2e metric tons/year]

	Greenhouse Gas Inventory CO_2e MT- without design features	15% in excess of Title 24 requirement	Smart Land Use- 10% Reduction[41]	Green Building/Waste Reduction – 0.1% Reduction[42]	Water Use Efficiency- 0.1% Reduction[43]	Project Design Reduction in Greenhouse Gas	Net Project Emissions
Residential	11,368.68	1,705.30	1,136.87	11.37	11.37	2,864.91	8505
Nonresidential	9,663.38	1,449.51	966.34	9.66	9.66	2,435.17	7228
Schools	912.27	136.84	91.23	0.91	0.91	229.89	683
Stationary Source	434.77	65.22	0.00	N/A*	N/A	65.22	370
Mobile Source	124,639.77	18,695.97	12,463.98	N/A	N/A	31,159.94	93480
Total	**147,018.87**	**22,052.83**	**14,658.41**	**21.94**	**21.94**	**36,755.13**	**110,266**

*Not applicable

Figure 5 - Greenhouse Gas Inventory With and Without Design Features

Has any new greenhouse gas emission information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:

1. **The project will have one or more significant effects not discussed in the previous EIR or negative declaration;**
2. **Significant effects previously examined will be substantially more severe than shown in the previous EIR;**
3. **Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or**
4. **Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative?**

No. The Certified EIR included a Global Climate Change Study for the Gateway Village Specific Plan. There are no significant effects on greenhouse gas emissions that were not discussed and analyzed in the certified EIR. There are no additional mitigation measures other than those identified or project alternatives that would be considered feasible and would lessen the identified impacts within the EIR.

VIII. HAZARDS AND HAZARDOUS MATERIALS

Are Substantial changes proposed in the project from the previously certified EIR?

No. In review of the proposed Tentative Map, there are no significant changes that would cause one or more impacts to hazards and hazardous materials. The Gateway Village Specific Plan area is located in a generally flat region with rolling terrain on the central and northern portions of the project site. The primary land use is agriculture, with products including oranges, olives and pistachios. Other land uses include the Brickyard Industrial Park, and roadways providing access to the project site. Any hazardous substances within the plan area would be from pesticide or chemical fertilizer use from farming activities. The potential to encounter hazardous substances within the plan area was evaluated in a Phase I Environmental Site Assessment (Twinning Laboratories, 1996a). The assessment confirmed that the majority of the plan area was being cultivated for agricultural crops. A historical search indicated that, prior to existing crops, the land was used for dry farming of grain and as a fig orchard.

Since the plan area has been under agricultural use for several years, a variety of agricultural chemicals may have been used. Use of these chemicals in a manner consistent with manufacturer guidelines does not usually result in elevated concentrations in soil. However, residual concentrations of these chemicals may exist in soils from past farming practices. According to the Phase I Environmental Site Assessment, no information was found indicating that agricultural chemicals were formulated, used in excess of label rates, or disposed of within the plan area.

However, persistent chemicals such as organ chlorine pesticides may have been used on-site. Onsite chemical storage consisted of above-ground poly tanks containing urea fertilizer near the 15 active well sites throughout the project site; the storage tanks are still present on the site. There is also a large above-ground storage tank (AST) storing irrigation water on the project site and small ASTs containing propane in the orange groves. The Phase I Environmental Site Assessment reported that soil near some of the existing irrigation wells was stained with turbine pump oil, which could lead to contamination of groundwater. However, there has been no report of contamination of the water extracted from the wells. In addition, no evidence was found indicating the use, storage, or disposal of other hazardous materials within the plan area.

No known hazardous waste facilities exist within one mile of the project site. Farm headquarters, which stores crop protection chemicals and performs equipment maintenance, is located adjacent to the site. An AST containing gasoline is located immediately north and adjacent to the plan area. Stained soil is evident in the area of the AST. No other facilities with known impacts to soil and/or groundwater were found within one-half mile of the plan area.

The safety hazards related to current site operations include those resulting from operation of heavy equipment used for agricultural operations. There are no additional hazards known to occur, such as those related to being locating within an airport land use plan or in the vicinity of a private airstrip. The certified EIR analyzed a maximum of 6,578 dwelling units within the plan area, as identified in Figure 1. The proposed development under the Tentative Map is for 144 residential lots, thereby creating less of an impact than what was analyzed within the certified EIR.

Have Substantial hazards and hazardous material changes occurred in the circumstances under which the project is being undertaken?

No. There have been no substantial changes that have occurred with the Gateway Village Specific Plan related to hazards and hazardous materials. There are no circumstances that have occurred which would result in hazards and hazardous material impacts since the certification of the EIR.

Has any new hazard and hazardous material information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:

1. **The project will have one or more significant effects not discussed in the previous EIR or negative declaration;**
2. **Significant effects previously examined will be substantially more severe than shown in the previous EIR;**
3. **Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or**
4. **Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative?**

No. The Certified EIR identified six potential impacts on hazards and hazardous material for the implementation of the Gateway Village Specific Plan. Three of the impacts required mitigation measures to mitigate the potential impacts of the project to a less than significant impact. There is no significant effect on hazards and hazardous materials that were not discussed and analyzed in the certified EIR. There are no additional mitigation measures other than those identified or project alternatives that would be considered feasible and would lessen the identified impacts within the certified EIR. Those mitigation measures adopted within the certified EIR remain applicable to the Tentative Map, and will be required as conditions of approval for the Tentative Map.

IX. HYDROLOGY AND WATER QUALITY

Are Substantial changes proposed in the project from the previously certified EIR?

No. In review of the proposed Tentative Map, there are no significant changes that would cause one or more impacts to hydrology and water quality. The Gateway Village Specific Plan area is located entirely within the Root Creek watershed, which historically was tributary to the San Joaquin River. Root Creek and its tributaries are the principal drainage system at the project site. Root Creek enters the northeast section of the property and flows in a southwest direction, exiting the plan area along the western boundary. Root Creek and its tributaries are intermittent creeks that have the appearance of typical constructed drainages in that for many years they have essentially been denuded of natural vegetation and are simply swales between rows of crops. Sections of Root Creek through the plan area are 5 to 15 feet wide and 1.5 to 2 feet deep. The tributaries are 1 to 10 feet wide and less than one foot deep. The northwestern section of the project site is intersected by a section of Madera Ranchos South Creek, which is tributary to Root Creek and has flow characteristics very similar to those of Root Creek. Flows in Root Creek are impounded prior to the historic confluence of Root Creek with the San Joaquin River in a storage area created by the BNSF Railroad embankment west of the project site. When stormwater elevations are high enough to overflow the storage area water flows north away from the San Joaquin River, across Avenue 12 west of Road 30 1/2 and spreads out as sheet flow on farmland.

Since the soils under the storage area are hardpan and clay, most of the water tends to pond in this area until it evaporates. The certified EIR analyzed a maximum of 6,578 dwelling units within the plan area, as identified in Figure 1. The proposed development under the Tentative Map is for 144 residential lots, thereby creating less of an impact than what was analyzed within the certified EIR.

Have Substantial hydrology and water quality changes occurred in the circumstances under which the project is being undertaken?

No. There have been no substantial changes that have occurred with respect to the implementation of the Gateway Village Specific Plan related to hydrology and water quality. The certified EIR had a water supply assessment completed by Provost and Pritchard, which was reviewed by Madera County prior to its adoption. There are no circumstances that have occurred which would result in hydrology and water quality impacts since the certification of the EIR.

Has any new hydrology and water quality information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:

1. **The project will have one or more significant effects not discussed in the previous EIR or negative declaration;**
2. **Significant effects previously examined will be substantially more severe than shown in the previous EIR;**
3. **Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or**
4. **Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative?**

GROUNDWATER RECHARGE PROGRAM

	Overdraft Change (AF/yr)	Cumulative Overdraft with Changes (AF/yr)
Current overdraft in RCWD		-3400
Change from existing demand to project demand	76	-3,324
In-Lieu program	2,302	-1022
Reuse of treated wastewater within project site	374	-648
Reuse of treated wastewater outside project site	1,089	441
Recharge from stormwater facilities	990	1,431
Recharge from dedicated recharge basin	1,000	2,431

SOURCE: Provost & Pritchard, 2006.

No. The Certified EIR identified six potential impacts on hydrology and water quality for the implementation of the Gateway Village Specific Plan. Two of the impacts required mitigation measures to mitigate the impacts of the plan to a less than significant level. There are no significant effects on hydrology and water quality that were not discussed and analyzed in the certified EIR. There are no additional mitigation measures other than those identified, or project alternatives that would be considered feasible and would lessen the identified impacts within the certified EIR. Those mitigation measure adopted within the certified EIR remain applicable to the Tentative Map, and will be required as conditions of approval.

The project applicant prepared and the County of Madera adopted a Water Supply Assessment in accordance with SB 221 and 610. That assessment required the project applicant to provide a complete water balance and an increase to recharge within the Root Creek Water District (RCWD) boundaries. Figure 6 identifies the current

Figure 6 - Groundwater Recharge Program

overdraft conditions within the plan area, and the changes with the incorporation of the Gateway Village Specific Plan and requirement of the Water Supply Assessment.

While the water plan is complex in detail, the concept is simple and straightforward. All aspects of the water plan will be implemented by Root Creek Water District ("RCWD") a California Water District that serves approximately 9,200 acres including the area encompassed by the Tentative Map. The system utilizes and relies on Millerton Lake, the Madera Canal, and the 6.2 lateral for storage and conveyance. These facilities are owned by the Bureau of Reclamation ("Bureau") and operated by the Friant Water Authority ("Friant") and the Madera Irrigation District ("MID"). These are the basic elements to the water plan for the Gateway Village Specific Plan:

- *The underlying 1999 agreement with Friant Water Users, MID, and Chowchilla WD to limit consumption of surface water per USBR Holding Contracts, and correct the overdraft of groundwater within RCWD within 5 years of receiving surface water deliveries;*
- *Contract with MID to utilize the Madera Canal and Lateral 6.2 water delivery facilities;*
- *Contracts with the Bureau, Friant and MID, for RCWD to obtain high flow waters of the San Joaquin River when available for use for in lieu and direct recharge facilities;*
- *A 50 year contract (state law requires a 20 year supply) to obtain up to 7,000 AF annually (more than 100% of projected future demand) of stored groundwater measured at the RCWD turnout any time it is needed from Westside Mutual Water Company in Kern County;*
- *Delivery of the imported surface water to agriculture in RCWD to allow for natural recharge of the groundwater table referred to as in lieu recharge; and,*
- *Capture and recharge either directly or in lieu of storm water and treated waste water.*

The water plan for the Gateway Village Specific Plan will provide sufficient groundwater, and/or treated surface water, to serve the plan area while ensuring that neighboring groundwater users are not harmed. The current annual overdraft occurring in all of RCWD, including the property encompassed by the Tentative Map is approximately 3,450 acre feet. The water plan will provide sufficient water to eliminate the overdraft caused by any groundwater pumping within RCWD measured over any five year any period. We expect that the plan will result in significantly more recharge but the minimum requirement is for RCWD to eliminate overdraft in all of the District.

The majority of the regional overdraft is caused by well pumping outside of RCWD. Bringing the water use within RCWD into balance with groundwater recharge is a good start but that alone will not solve the regional problem. The water plan will serve to reduce the rate of decline in water levels in Rolling Hills, the Ranchos and the rest of the region but RCWD alone will not eliminate that decline. In addition, the water plan will help ensure a more reliable, long-term supply for agriculture within RCWD.

Because the water plan relies upon intermittent high flow water, it has always included a backup water component that will be available to meet the project's needs if all other sources fail. This 100% backup supply is provided through the contract with Westside Mutual Water Company. Previously, RCWD purchased an option to obtain firm backup water from Butte County Water District. The Butte option provided for up to 15,000 acre feet per year because as much as 50% could be lost in transit through the Feather River, the Delta, the California aqueduct, and various canals. The California Department of Water Resources did not approve the transfer of Butte water

through the Delta so RCWD let the option expire. The Westside water is preferable because the water can be delivered from Lake Millerton every year without an annual permit and the 7,000 acre feet is measured as the water enters RCWD's system. Therefore RCWD is not subject to the risk of conveyance losses. The water supply assessment projects the following:

- *Gateway Village Specific Plan demand at build out will average 6,374 AF/yr;*
- *Approximately 30% will be reclaimed by treatment and reuse or recharge of effluent (1,912 AF/yr);*
- *Net demand after recapture of effluent is 4,462 AF/yr;*
- *RCWD will capture surplus San Joaquin water through contracts with MID, Friant, and USBR in an average amount of 7,335 AF/yr;*
- *The Westside agreement provides RCWD an "any year" supply of water up to 7,000 acre feet but the projection is that, on average, RCWD will take the 30% (2,100 AFY) annual minimum amount under that contract.*

Summary of Projected Supplies and Demand at Build-out:

Supply	Demand
1,912 AF of Reclaimed wastewater	6,374 AF/yr Total Demand
7,335 AF of Captured flood or surplus Friant water	
2,100 AF of Westside water	
Projected annual surplus of 4,973	

The potential total annual recharge of 11,347 acre feet would result in a surplus of water in RCWD after offsetting plan area's entire 6,347 AF/yr demand, and thus eliminating RCWD's overdraft of 3,450 AF/yr. The project demand and the Westside contract both phase in as development occurs so this projection only applies to full build out. The demand and the supplies will be less in the early years.

X. LAND USE AND PLANNING

Are Substantial changes proposed in the project from the previously certified EIR?

No. In review of the proposed Tentative Map, there are no significant changes that would cause one or more impacts to land use and planning. The certified EIR analyzed a maximum of 6,578 dwelling units within the plan area, as identified in Figure 1. The proposed development is for 144 residential lots, thereby creating less of an impact than what was analyzed within the certified EIR.

Have Substantial land use and planning changes occurred in the circumstances under which the project is being undertaken?

No. There have been no substantial changes that have occurred with the implementation of the Gateway Village Specific Plan related to land use and planning. There are no circumstances that have occurred which would result in land use and planning impacts since the certification of the EIR.

Has any new land use and planning information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:

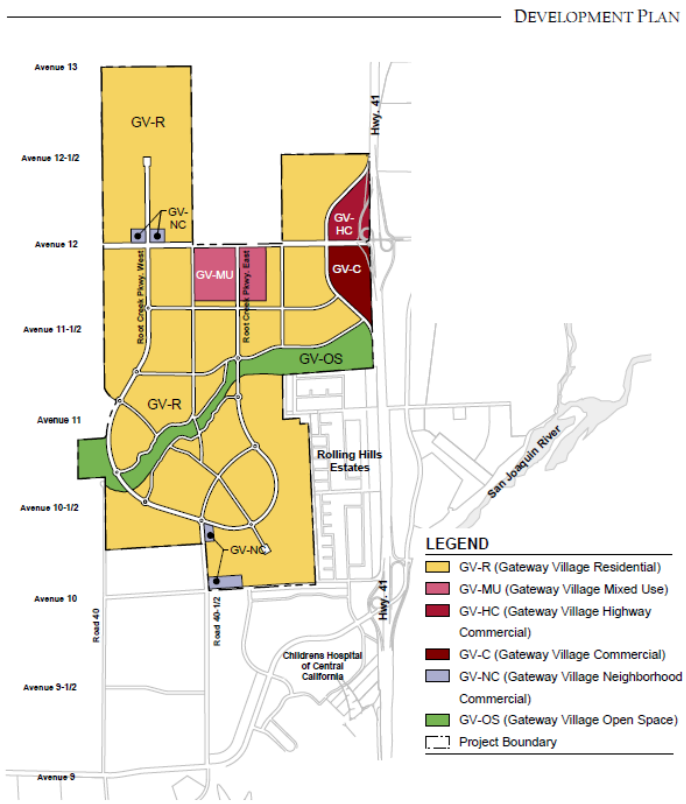


Figure 7 - Development Plan

1. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
2. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
3. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
4. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative?

No. The Certified EIR identified four potential impacts on land use and planning for the implementation of the Gateway Village Specific Plan. None of the potential impacts required mitigation measures to mitigate to a less than significant level. There is no significant effect on land use and planning that was not discussed and analyzed in the certified EIR. There are no additional mitigation measures other than those identified or project alternatives that would be considered feasible and would lessen the identified impacts within the EIR.

XI. MINERAL RESOURCES

Are Substantial changes proposed in the project from the previously certified EIR?

No. In review of the proposed Tentative Map, there are no significant changes that would cause one or more impacts to mineral resources. The certified EIR analyzed a maximum of 6,578 dwelling units within the plan area, as identified in Figure 1. The proposed Tentative Map is for 144 residential lots, thereby creating less of an impact than what was analyzed within the certified EIR.

Have Substantial hazards and hazardous material changes occurred in the circumstances under which the project is being undertaken?

No. There have been no substantial changes that have occurred with the implementation of the Gateway Village Specific Plan related to mineral resources. There are no circumstances that have occurred which would result in mineral resource impacts since the certification of the EIR.

Has any new mineral resource information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:

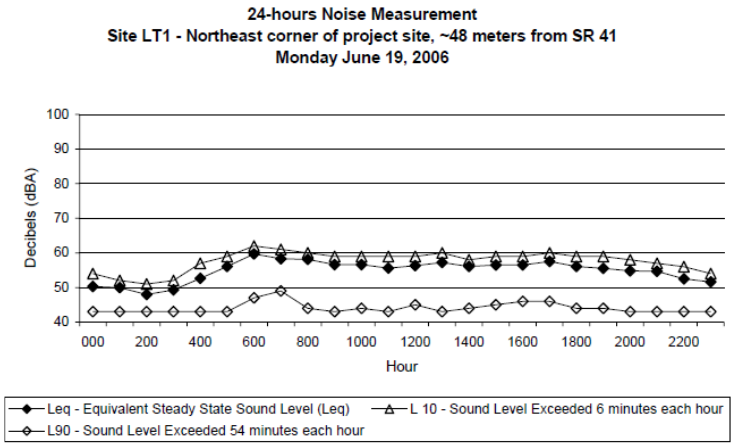
1. **The project will have one or more significant effects not discussed in the previous EIR or negative declaration;**
2. **Significant effects previously examined will be substantially more severe than shown in the previous EIR;**
3. **Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or**
4. **Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative?**

No. The certified EIR identified two potential impacts on mineral resources for the implementation of the Gateway Village Specific Plan. None of the impacts required mitigation measures to mitigate to a less than significant level. There is no significant effect on mineral resources that was not discussed and analyzed in the certified EIR. There are no additional mitigation measures than those identified or project alternatives that would be considered feasible and would lessen the identified impacts within the EIR.

XIII. NOISE

Are Substantial changes proposed in the project from the previously certified EIR?

No. In review of the proposed Tentative Map, there are no significant changes that would cause one or more impacts to noise. The certified EIR analyzed a maximum of 6,578 dwelling units within the plan area, as identified in Figure 1. The proposed Tentative Map contemplates 144 residential lots, thereby creating less of an impact than what was analyzed within the certified EIR.



Have Substantial noise changes occurred in the circumstances under which the project is being undertaken?

No. There have been no substantial changes that have occurred with the implementation of the Gateway Village Specific Plan related to noise. There are no circumstances that have occurred which would result in noise impacts since the certification of the EIR.

Has any new noise information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:

1. **The project will have one or more significant effects not discussed in the previous EIR or negative declaration;**
2. **Significant effects previously examined will be substantially more severe than shown in the previous EIR;**
3. **Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or**
4. **Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative?**

Figure 8 - Noise Measurement

No. The Certified EIR identified four potential impacts on noise resulting from the implementation of the Gateway Village Specific Plan. Two of the impacts required mitigation measures to mitigate to a less than significant level. There are two impacts that are considered significant and unavoidable after mitigation. These impacts are identified as Impacts 4.11.2, and 4.11.4, which deal with construction impact and cumulative impacts of the implementation of the Gateway Village Specific Plan. The certified EIR did provide mitigation measure 4.11.4, 4.11.5, 4.11.2a, and 4.11.2b, to attempt to lessen the impact of noise; however, with that the impact is ultimately significant and unavoidable. There are no additional significant effects that were not discussed in the certified EIR. There are no additional mitigation measures other than those identified in the certified EIR or project alternatives that would be considered feasible and would lessen the identified impacts within the EIR.

XIII. POPULATION, EMPLOYMENT, AND HOUSING

Are Substantial changes proposed in the project from the previously certified EIR?

No. In review of the proposed Tentative Map, there are no significant changes that would cause one or more impacts to population, employment, and housing. The certified EIR analyzed a maximum of 6,578 dwelling units within plan area as identified in Figure 1. The proposed Tentative Map contemplates 144 residential lots, thereby creating less of an impact than what was analyzed within the certified EIR.

Have Substantial population, employment, and housing changes occurred in the circumstances under which the project is being undertaken?

No. There have been no substantial changes that have occurred with respect to the implementation of the Gateway Village Specific Plan related to population, employment, and housing. There are no circumstances that have occurred which would result in population, employment, and housing impacts since the certification of the EIR.

Has any new population, employment, and housing information of substantial importance, which was not known and could not have been known with the exercise of reasonable

diligence at the time the previous EIR was certified as complete, shows any of the following:

1. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

2. Significant effects previously examined will be substantially more severe than shown in the previous EIR;

3. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

4. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative?

CURRENT AND FUTURE GVUSD ENROLLMENT AND CAPACITY

School Type (Grades)	Current Capacity	Future Capacity	2006/07 Enrollment	2006/07 Current Net Capacity	2011/12 Enrollment	2011/12 Future Net Capacity
Elementary (K-6)	795	1,900	1,016	(-221)	1,898	2
Middle School (7-8)	81	702	312	(-231)	526	176
High School (9-12)	837	999	658	179	1,022	1,022
District Wide (K-12)	1,713	3,601	1,986	(-273)	3,446	(-155)

SOURCE: *Development Fee Justification Study/School Facilities Needs Analysis*, September 2006, Paoli & Odell, Inc.; *District Master Plan*, 2005, as found on the GVUSD website http://www.gvusd.k12.ca.us/.

Figure 9 - Gateway Village Student Generation Rates

No. The Certified EIR identified five potential impacts on population, employment, and housing for the implementation of the Gateway Village Specific Plan. None of the impacts required mitigation measures to mitigate such impacts to a less than significant level. There is no significant effect on population, employment, and housing that were not discussed and analyzed in the certified EIR. The significant effects examined within the certified EIR are less significant due to the proposed tentative map having fewer residential lots that what was analyzed within the certified EIR. There are no additional mitigation measures other than those identified in the certified EIR or project alternatives that would be considered feasible and would lessen the identified impacts within the EIR. Those mitigation measures adopted within the certified EIR remain applicable to the Tentative Map, and will be required as conditions of approval.

XIV. PUBLIC SERVICES

Are Substantial changes proposed in the project from the previously certified EIR?

No. In review of the proposed Tentative Map, there are no significant changes that would cause one or more impacts to public services. The certified EIR analyzed a maximum of 6,578 dwelling units within plan area as identified in Figure 1. The proposed Tentative Map 144 residential lots, thereby creating less of an impact than what was analyzed within the certified EIR.

Have Substantial public service changes occurred in the circumstances under which the project is being undertaken?

No. There have been no substantial changes that have occurred with the implementation of the Gateway Village Specific Plan related to public services. There are no circumstances that have occurred which would result in public service impacts since the certification of the EIR.

Has any new public service information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:

1. **The project will have one or more significant effects not discussed in the previous EIR or negative declaration;**
2. **Significant effects previously examined will be substantially more severe than shown in the previous EIR;**
3. **Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or**
4. **Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative?**

No. The certified EIR identified five potential impacts on public services for the implementation of the Gateway Village Specific Plan. Two of the impacts required mitigation measures to mitigate to a less than significant level. There are no significant effect on public services that were not discussed and analyzed in the certified EIR. There are no additional mitigation measures than those identified in the certified EIR or project alternatives that would be considered feasible and would lessen the identified impacts within the EIR. Those mitigation measure adopted within the certified EIR remain applicable to the Tentative Map, and will be required as conditions of approval.

XV. RECREATION

Are Substantial changes proposed in the project from the previously certified EIR?

No. In review of the proposed Tentative Map, there are no significant changes that would cause one or more impacts to recreation. The certified EIR analyzed a maximum of 6,578 dwelling units within the plan area, as identified in Figure 1. The proposed Tentative Map is for 144 residential lots, thereby creating less of an impact than what was analyzed within the certified EIR.

Have Substantial recreation changes occurred in the circumstances under which the project is being undertaken?

No. There have been no substantial changes that have occurred with the implementation of the Gateway Village Specific Plan related to recreation. There are no circumstances that have occurred which would result in recreation impacts since the certification of the EIR.

Has any new recreation information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:

1. **The project will have one or more significant effects not discussed in the previous EIR or negative declaration;**
2. **Significant effects previously examined will be substantially more severe than shown in the previous EIR;**
3. **Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more**

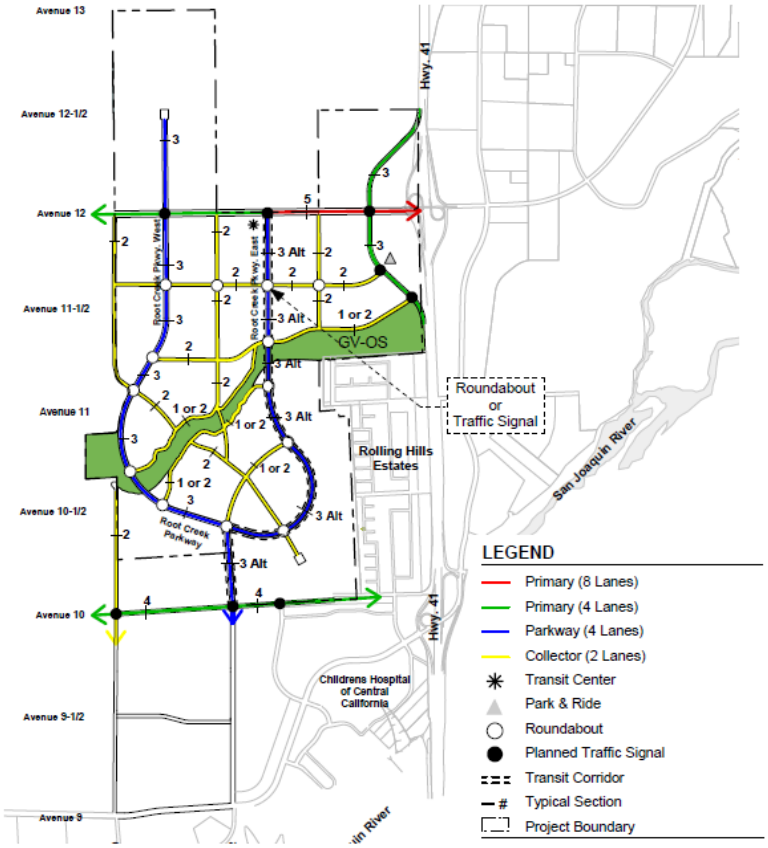


Figure 10 - Circulation Plan

significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

4. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative?

No. The certified EIR identified three potential impacts on recreation related to the implementation of the Gateway Village Specific Plan. None of the impacts required mitigation measures to mitigate to a less than significant level. There are no significant effect on recreation that were not discussed and analyzed in the certified EIR. There are no additional mitigation measures than those identified or project alternatives that would be considered feasible and would lessen the identified impacts within the EIR.

XVI. TRANSPORTATION AND CIRCULATION

Are Substantial changes proposed in the project from the previously certified EIR?

No. In review of the proposed Tentative Map, there are no significant changes that would cause one or more impacts to transportation and circulation. The certified EIR analyzed a maximum of 6,578 dwelling units within the plan area, as identified in Figure 1. The proposed Tentative Map is for 144 residential lots, thereby creating less of an impact than what was analyzed within the certified EIR.

Have Substantial transportation and circulation changes occurred in the circumstances under which the project is being undertaken?

No. There have been no substantial changes that have occurred with the Gateway Village Specific Plan related to transportation and circulation. There are no circumstances that have occurred which would result in transportation and circulation impacts since the certification of the EIR.

Has any new transportation and circulation information of substantial importance, which

was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:

1. **The project will have one or more significant effects not discussed in the previous EIR or negative declaration;**
2. **Significant effects previously examined will be substantially more severe than shown in the previous EIR;**
3. **Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or**
4. **Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative?**

No. The certified EIR identified six potential impacts on transportation and circulation for the implementation of the Gateway Village Specific Plan. There are two impacts that are considered significant and unavoidable after mitigation; they are Impacts 4.15.3, and 4.15.4, which deal with cumulative traffic impacts of the implementation of the Gateway Village Specific Plan. There are ten mitigation measures for those impacts; however, since a number of them require construction on State Route 41, the County adopted a Statement of Overriding Considerations. There are no additional significant effects that were not discussed in the certified EIR. There are no additional mitigation measures other than those identified in the certified EIR or project alternatives that would be considered feasible and would lessen the identified impacts within the EIR. Those mitigation measures adopted within the certified EIR remain applicable to this project, and will be required as conditions of approval.

XVII. UTILITIES AND SERVICE SYSTEMS

Are Substantial changes proposed in the project from the previously certified EIR?

No. In review of the proposed Tentative Map, there are no significant changes that would cause one or more impacts to utilities and service systems. The certified EIR analyzed a maximum of 6,578 dwelling units within the plan area, as identified in Figure 1. The proposed Tentative Map is for 144 residential lots, thereby creating less of an impact than what was analyzed within the certified EIR.

Have Substantial utilities and service system changes occurred in the circumstances under which the project is being undertaken?

No. There have been no substantial changes that have occurred with the Gateway Village Specific Plan related to utility and service systems. There are no circumstances that have occurred which would result in utilities and service system impacts since the certification of the EIR.

Has any new utilities and service system information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:

1. **The project will have one or more significant effects not discussed in the previous EIR or negative declaration;**

2. **Significant effects previously examined will be substantially more severe than shown in the previous EIR;**
3. **Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or**
4. **Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative?**

No. The certified EIR identified nine potential impacts on utilities and service systems for the Gateway Village Specific Plan. None of the impacts required mitigation measures to mitigate to a less than significant level. There are no significant effects on utilities and service systems that were not discussed and analyzed in the certified EIR. There are no additional mitigation measures other than those identified or project alternatives that would be considered feasible and would lessen the identified impacts within the EIR.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

Are Substantial changes proposed in the project from the previously certified EIR?

No. In review of the proposed Tentative Map, there are no significant changes that would cause one or more impacts to the mandatory findings of significance in the California Environmental Quality Act, as it relates to the cumulative impacts of the Gateway Village Specific Plan, substantial adverse effects on human beings, or the potential to degrade the quality of the environment. The certified EIR analyzed a maximum of 6,578 dwelling units within the plan area, as identified in Figure 1. The proposed Tentative Map is for 144 residential lots, thereby creating less of an impact than what was analyzed within the certified EIR.

Have Substantial changes occurred in the circumstances under which the project is being undertaken?

No. There have been no substantial changes that have occurred with the project related to the mandatory findings of significance. There are no circumstances that have occurred which would result in impacts since the certification of the EIR.

Has any new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:

1. **The project will have one or more significant effects not discussed in the previous EIR or negative declaration;**
2. **Significant effects previously examined will be substantially more severe than shown in the previous EIR;**
3. **Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or**
4. **Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more**

significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative?

No. The project proponent is bound to the certified EIR and the adopted mitigation measures, which shall be included as conditions of approval of the Tentative Map. There are no significant effects of the Tentative Map that were not discussed and analyzed in the certified EIR. There are no additional mitigation measures other than those identified or project alternatives that would be considered feasible and would lessen the identified impacts within the EIR.

DETERMINATION:

On the basis of this initial evaluation:

☒ The proposed Tentative Subdivision Map would NOT result in any additional significant effects or the need for new additional mitigation measures or alternatives that are not already discussed in the Gateway Village Program Environmental Impact Report. Therefore, the proposed Tentative Subdivision map will not cause any additional significant effects which were not analyzed in the Gateway Village Program Environmental Impact Report.

☒ All feasible and appropriate mitigation measures and alternatives set forth in the Gateway Village Program Environmental Impact Report have been applied, verbatim as adopted by the Board of Supervisors on September 11, 2007, to the project or otherwise made conditions of approval of the project.

☒ No substantial changes have occurred with respect to the circumstances under which the Gateway Village Program Environmental Impact Report was certified and there is no new available information which was not known and could not have been known at the time the Gateway Village Program Environmental Impact Report was certified.

Signature_____ Date _____