

**Town of Loomis  
2040 General Plan  
CEQA Findings of Fact  
and  
Statement of Overriding  
Considerations**

Prepared for:  
Town of Loomis

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# Table of Contents

Section	Page
1 Introduction .....	1
2 Project Description .....	3
3 Procedural Findings .....	5
4 Record of Proceedings .....	7
5 Findings Required Under CEQA.....	9
5.1 Summary of Findings .....	9
5.2 Findings Regarding EIR Errata and EIR Recirculation .....	10
5.3 Findings Regarding Less Than Significant Impacts (No Mitigation Required).....	11
5.4 Findings Regarding Significant Environmental Impacts Mitigated to a Level of Less than Significant.....	15
5.5 Findings Regarding Environmental Impacts Not Fully Mitigated to a Level of Less than Significant.....	20
5.6 Findings Regarding Cumulative Impacts .....	30
5.7 Mitigation Monitoring .....	31
6 Project Alternatives .....	33
6.1 Alternatives Considered But Ultimately Rejected .....	33
6.2 Alternatives Considered in the EIR .....	33
6.3 Findings.....	34
7 Statement of Overriding Considerations.....	35
8 References.....	37

## Tables

Table 5-1. Findings for Mitigated Impacts .....	16
Table 5-2. Findings for Significant and Unavoidable Impacts.....	21

## Acronyms and Abbreviations

2040 General Plan	Town of Loomis General Plan 2020-2040
AB	Assembly Bill
BMP	Best Management Practice
CARB	California Air Resources Board
CEQA	California Environmental Quality Act
dBA	A-weighted decibels
DEIR	Draft EIR
EIR	Environmental Impact Report
Farmland	Prime Farmland, Unique Farmland, or Farmland of Statewide Importance
FEIR	Final Environmental Impact Report
FEMA	Federal Emergency Management Agency
GHG	greenhouse gas
HCP	Habitat Conservation Plan
PCAPCD	Placer County Air Pollution Control District
TAC	Toxic air contaminant
MMRP	Mitigation Monitoring and Reporting Program
NOP	Notice of Preparation
proposed project or project	Town of Loomis General Plan 2020-2040
Town	Town of Loomis
VMT	Vehicle miles traveled

# 1 Introduction

The purpose of these findings is to satisfy the requirements of Sections 15091, 15092, and 15093 of the California Environmental Quality Act (CEQA) Guidelines, associated with approval of the Town of Loomis General Plan 2020-2040 (2040 General Plan), which is the proposed project or project.

The Town of Loomis (Town), which is the CEQA lead agency for the proposed project, is proposing to update the General Plan, which was last comprehensively updated in 2001, to guide development and conservation in the Town through 2040. The overall purpose of the proposed 2040 General Plan is to create a policy framework for the Town's long-term physical form, development, and conservation, while preserving and enhancing the quality of life for Loomis residents.

The CEQA Statute (California Public Resources Code Sections 21000, et seq.) and Guidelines (California Code of Regulations Title 14, Chapter 3, Sections 15000, et seq.) state that, if it has been determined that a project may or will have significant impacts on the environment, an environmental impact report (EIR) must be prepared. Prior to approval of the project, the EIR must be certified pursuant to CEQA Guidelines Section 15090. When an EIR has been certified which identifies one or more significant environmental impacts, the approving agency must make one or more of the following findings, accompanied by a brief explanation of the rationale, pursuant to CEQA Guidelines Section 15091, for each identified significant impact:

1. Changes or alterations have been required in, or incorporated into, such project which avoid or substantially lessen the significant environmental effect as identified in the final environmental impact report.
2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency, or can and should be adopted by such other agency.
3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the environmental impact report.

CEQA Guidelines Section 15092 states that, after consideration of an EIR, and in conjunction with making the Section 15091 findings identified above, the lead agency may decide whether or how to approve or carry out the project. A project that would result in a significant environmental impact cannot be approved if feasible mitigation measures or feasible alternatives can avoid or substantially lessen the impact.

However, in the absence of feasible mitigation, an agency may approve a project with significant and unavoidable impacts, if there are specific economic, legal, social, technological, or other considerations that outweigh the unavoidable adverse environmental effects. CEQA Guidelines Section 15093 requires the lead agency to document and substantiate any such determination in a "statement of overriding considerations" as a part of the record.

The requirements of CEQA Guidelines Sections 15091, 15092, and 15093, as summarized above, are all addressed herein. This document summarizes the findings of fact and statement of overriding considerations authorized by those provisions of the CEQA Guidelines for the proposed project.

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## 2 Project Description

The project is the proposed update the Town of Loomis General Plan. The current General Plan was last comprehensively updated in 2001. The proposed 2040 General Plan is intended to guide development and conservation in the Town through 2040. The overall purpose of the proposed 2040 General Plan is to create a policy framework for the Town's long-term physical form, development, and conservation, while preserving and enhancing the quality of life for Loomis residents. For a detailed Project Description, refer to Chapter 3, "Project Description," of the Draft EIR (DEIR). The Project Description includes the proposed project objectives in Section 3.4.2 (Mission Statement and Project Objectives), as well as a detailed description of anticipated land use change and public infrastructure investment, along with the substantive changes to the 2001 General Plan proposed in the 2040 General Plan.

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### 3 Procedural Findings

Pursuant to Sections 15082(a), 15103, and 15375 of the CEQA Guidelines, the Town circulated a Notice of Preparation (NOP) for the proposed project to the public; State Clearinghouse; responsible, trustee, and other relevant local, State, and federal agencies; and posted the NOP with the Placer County Clerk. The scoping period began on Monday May 16, 2022 and extended through June 15, 2022. To provide an additional opportunity for input, the Town held a public scoping meeting on June 8, 2022, and shared information about the proposed project, how to access proposed project documents, and how to participate in the public review process. In preparing the DEIR, the Town of Loomis considered comments submitted in response to the NOP and offered at the public scoping meeting. Appendix A of the DEIR includes comments received on the NOP.

The DEIR was circulated for a 45-day public review period beginning on September 21, 2023 and concluding on November 6, 2023, during and after which agencies and organizations submitted public comments and input. Town staff held a public joint workshop of the Town Council and Planning Commission to discuss the DEIR and to take additional public comment. The joint workshop was held on October 17, 2023, and noticed in the newspaper with the Notice of Availability for the DEIR and postcards that were mailed to each residential and mailing address in the Town of Loomis, as well as to local service and utility providers, County reviewing agencies, and local tribes. After the close of the public review period, the Town prepared a Final EIR (FEIR) including copies of comments submitted on the DEIR, responses to the comments, and minor changes to the text of the DEIR.

The FEIR was released on February 16, 2024. The FEIR consists of the September 2023 DEIR and Comments and Responses to Comments on the DEIR

As required by CEQA Guidelines Section 15088(b), public agencies that commented on the DEIR are provided at least 10 days to review the proposed responses prior to the date for consideration of the FEIR for certification. The Town sent responses to comments from responsible agencies to those commenting agencies on February 16, 2024. A meeting to consider certifying the FEIR will be held by the Town Council on April 9, 2024.

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## 4 Record of Proceedings

In accordance with Public Resources Code Section 21167.6, subdivision (e), the record of proceedings for the Town's decision on the project includes the following documents, which are incorporated by reference and made part of the record supporting these findings:

- ▶ The NOP, comments received on the NOP and all other public notices issued by the Town in relation to the EIR (e.g., Notice of Availability);
- ▶ The DEIR and all appendices to the DEIR and technical materials cited in the DEIR;
- ▶ The FEIR and all appendices to the FEIR;
- ▶ All presentation materials related to the project;
- ▶ All comments submitted by agencies or members of the public during the comment period on the DEIR;
- ▶ All studies conducted for the project and contained or referenced in the DEIR or the FEIR;
- ▶ All public reports and documents related to the project prepared for the Town and other agencies;
- ▶ All documentary and oral evidence received and reviewed at public hearings and all transcripts and minutes of those hearings related to the project, the DEIR, and the FEIR; and
- ▶ Any additional items not included above if otherwise required by law.

The documents constituting the record of proceedings are available upon request for review by responsible agencies and interested members of the public during normal business hours at the Town of Loomis 3665 Taylor Road, Loomis, CA 95650. The custodian of these documents is Christy Consolini, Planning Director.

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## 5 Findings Required Under CEQA

Public Resources Code Section 21002 provides that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]” The same statute states that the procedures required by CEQA “are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects.” Section 21002 of the Public Resources Code goes on to state that “in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof.”

The mandate and principles in Public Resources Code Section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which EIRs are required. For each significant environmental effect identified in an EIR for a proposed project, the approving agency must issue a written finding reaching one or more of three permissible conclusions.

The first such finding is that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effect as identified in the final EIR (CEQA Guidelines, Section 15091[a][1]).<sup>1</sup>

The second permissible finding is that such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding, and that such changes have been adopted by such other agency or can and should be adopted by such other agency (CEQA Guidelines Section 15091[a][2]).

The third potential conclusion is that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR (CEQA Guidelines Section 15091[a][3]).<sup>2</sup>

With respect to a project for which significant impacts are not avoided or substantially lessened, a lead agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons in support of the finding that the project benefits outweigh its unavoidable adverse environmental effects. In the process of considering the proposed project EIR for certification, the Town has recognized that impact avoidance is not possible in all instances. To the extent that significant adverse environmental impacts will not be reduced to a less-than-significant level with the adopted mitigation, the Town has found that specific economic, social, and other considerations support approval of the proposed project. Those findings are reflected herein in Section 5, “Findings Required under CEQA,” and in Section 7, “Statement of Overriding Considerations,” below.

### 5.1 Summary of Findings

The DEIR identified a number of less-than-significant impacts associated with the proposed project that do not require mitigation. The DEIR also identified significant and potentially significant environmental effects (or impacts) that may be caused in whole or in part by the proposed project. Most of these significant effects

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<sup>1</sup> For purposes of these findings, the term “avoid” refers to the effectiveness of one or more mitigation measures to reduce an otherwise significant effect to a less-than-significant level. In contrast, the term “substantially lessen” refers to the effectiveness of such measure or measures to substantially reduce the severity of a significant effect, but not to reduce that effect to a less-than-significant level.

<sup>2</sup> “Feasible” means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, legal, and technological factors (CEQA Guidelines Section 15364). The concept of “feasibility” also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. Moreover, ‘feasibility’ under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, legal, and technological factors” (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417).

can be fully avoided or substantially lessened through the adoption of feasible mitigation measures. A few effects cannot be, and thus are determined to be significant and unavoidable. For reasons set forth in Section 7, “Statement of Overriding Considerations,” however, the Town has determined that overriding economic, social, and other considerations outweigh the significant, unavoidable environmental effects of the proposed project.

The findings of the Town with respect to the project’s significant effects and mitigation measures are set forth in the DEIR, FEIR, and these Findings of Fact. The Summary of Findings does not attempt to regurgitate the full analysis of each environmental impact contained in the DEIR and FEIR. Please refer to the DEIR and the FEIR for more detail. The DEIR and the FEIR are herein incorporated by reference and the conclusions of the EIR are summarized in this document.

The Summary of Findings provides a summary description of each potentially significant and significant impact, describes the applicable mitigation measures identified in the FEIR and adopted by the Town, and states the findings of the Town regarding the significance of each impact after imposition of the adopted mitigation measures. A full explanation of these environmental findings and conclusions can be found in the DEIR and FEIR and the associated record (described herein).

The Town hereby ratifies, adopts, and incorporates the analysis and explanation in the record into these findings, and ratifies, adopts, and incorporates in these findings the determinations and conclusions of the DEIR and FEIR relating to environmental impacts and mitigation measures, except to the extent any such determinations and conclusions are specifically and expressly modified by these findings. In adopting these Findings, the Town finds that the EIR was presented to the decision-making body, that the Town reviewed and considered the information in the EIR prior to approving the proposed project, and that the EIR reflects the independent judgment and analysis of the Town.

## 5.2 Findings Regarding EIR Errata and EIR Recirculation

CEQA Guidelines Section 15088.5 requires a lead agency to recirculate an EIR when “significant new information” is added to the EIR after the lead agency gives public notice of the availability of the DEIR but before certification. “Information” may include project changes, changes to the environmental setting, or additional data or other information. The Guidelines do not consider new information to be significant unless the lead agency changes the EIR in a way that deprives the public of a meaningful opportunity to comment on a substantial adverse environmental effect or a feasible way to mitigate the impact that the agency or project proponent has declined to implement.

Section 15088.5 states “significant new information” requiring recirculation may include:

1. A new significant environmental impact that had not previously been disclosed in the DEIR would result from the project or from a new mitigation measure;
2. A substantial increase in the severity of an environmental impact that had already been identified unless mitigation measures would be adopted to reduce the impact to a level of insignificance;
3. A feasible project alternative or mitigation measure would considerably lessen the significant environmental impacts of the project, but the proponents will not adopt it; or
4. The DEIR was so inadequate and conclusory that meaningful public review and comment were precluded.

### 5.2.1 Revision to the EIR and Errata to FEIR

In response to comments from the public and other public agencies on the DEIR, the Town has incorporated minor changes into the FEIR. Minor changes are incorporated in the following chapters: Chapter 1, “Executive Summary,” Chapter 2, “Introduction,” Chapter 4, “Environmental Setting, Impacts, and Mitigation Measures,” Chapter 6, “Other CEQA Requirements,” and Chapter 7, “References.”



Changes to Chapter 1, “Executive Summary,” include revisions in Table 1-1: Summary of Environmental Impacts and Mitigation Measures under the “Significance after Mitigation” column for Impacts 4.5-2 and 4.5-3. A typographical error was made in the “Significance after Mitigation” column, although the conclusion was correct in Section 4.5 of the DEIR.

Changes to Chapter 2, “Introduction,” include revisions to Section 2.3 to add previously footnoted text to the body text which describes the documents contained in each Volume of the General Plan.

Changes to Chapter 4, “Environmental Setting, Impacts, and Mitigation Measures,” include a revision to Section 4.0.1 “Scope of Analysis” to add a numbered subheading for Section 4.17, “Tribal Cultural Resources.” Changes to Chapter 4 also include revisions to the wording of Mitigation Measure 4.3-2 as described in Section 4.3, “Air Quality” to clarify that the provided operational mitigation measures reflect current Placer County Air Pollution Control District (PCAPCD) recommended mitigation measures, minor updates to page 4.3-20 under the heading “Summary of Impact after Mitigation,” and revisions to Mitigation Measure 4.3-4 to include the PCAPCD odor screening distances for proposed land use projects. Minor revisions in Section 4.4, “Biological Resources,” are added to correct the numbering of the proposed new Implementation Measure BIO-1.2.1.17. Changes to Section 4.8, “Greenhouse Gas Emissions,” include a minor grammatical revision to reflect the consolidation of previous Mitigation Measure 4.3-2a and 4.3-2b to a single Mitigation Measure 4.3-2, revisions to Mitigation Measure 4.8-2 to include language on electric infrastructure requirements, and two minor word changes under the heading “Summary of Impact after Mitigation” on pages 4.8-24 and 4.8-25. Changes to Chapter 6, “Other CEQA Requirements,” include a revision in Section 6.2.3, “Analysis of Cumulative Impacts,” to include reference to Tribal Cultural Resources. Additionally, Table 6-2: Summary of Significant and Unavoidable Impacts is revised to add Impacts 4.5-2 and 4.5-3 – these impact conclusions were correctly identified in Section 4.5 of the DEIR and the revision to Table 6-2 is to correct a typographical error. Chapter 7 “References” is revised to include references from Chapter 4.17, “Tribal Cultural Resources.”

These changes do not change the analysis or conclusions presented in the DEIR. No significant new information has been added to the EIR since public notice was given of the availability of the DEIR. Therefore, recirculation of the EIR pursuant to CEQA Guidelines Section 15088.5 is not required.

## 5.3 Findings Regarding Less Than Significant Impacts (No Mitigation Required)

The Town agrees with the characterization in the FEIR of all project-specific impacts identified as “less than significant” and finds that those impacts have been described accurately and are either less than significant or have no impact, as described in the FEIR. Section 15091 of the CEQA Guidelines does not require specific findings to address environmental effects that an EIR identifies as having “no impact” or a “less than significant” impact. However, these findings account for all resource areas in their entirety. The impacts where the proposed project would result in either no impact or a less than significant impact, and which require no mitigation, are identified in the bulleted list below. Please refer to the DEIR and the FEIR for more detail.

### 5.3.1 Aesthetics

- ▶ Substantial adverse effect on scenic vistas
- ▶ Damage to scenic resources within a state scenic highway
- ▶ Substantially degrade the existing visual character or quality of public views of the site and its surroundings
- ▶ Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area

### 5.3.2 Agriculture and Forestry Resources

- ▶ 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
- ▶ Conflict with existing zoning for agricultural use or a Williamson Act contract
- ▶ Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220[g]), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104[g])
- ▶ Result in the loss of forest land or conversion of forest land to non-forest use
- ▶ Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use

### 5.3.3 Air Quality

- ▶ Expose sensitive receptors to substantial pollutant concentrations (carbon monoxide concentrations)

### 5.3.4 Biological Resources

- ▶ Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means
- ▶ Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance
- ▶ Conflict with the provisions of an adopted Habitat Conservation Plan (HCP), natural community conservation plan, or other approved local, regional, or State HCP

### 5.3.5 Energy

- ▶ Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources or conflict with or obstruct a state or local plan for renewable energy or energy efficiency

### 5.3.6 Geology and Paleontological Resources

- ▶ Expose people or structures to hazards from surface fault rupture
- ▶ Expose people or structures to hazards from liquefaction
- ▶ Expose people or structures to hazards from landslides
- ▶ Expose people or structures to hazards from unstable soils
- ▶ Destroy a unique geologic feature
- ▶ Loss of regionally or locally important mineral resources
- ▶ Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking
- ▶ Result in substantial soil erosion or the loss of topsoil

- ▶ Be located on expansive soil, creating substantial direct or indirect risks to life or property
- ▶ 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

### **5.3.7 Hazards and Hazardous Materials**

- ▶ Airport safety and noise hazards
- ▶ Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials
- ▶ Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school
- ▶ 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, create a significant hazard to the public or the environment
- ▶ 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, result in a safety hazard or excessive noise for people residing or working in the project area
- ▶ Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan

### **5.3.8 Hydrology and Water Quality**

- ▶ Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality
- ▶ Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin
- ▶ Substantially alter drainage patterns or add impervious surfaces in a manner that would result in substantial erosion or siltation on- or off-site
- ▶ Substantially alter drainage patterns or add impervious surfaces in a manner that would exceed the capacity of existing or planned stormwater drainage systems, provide substantial additional sources of polluted runoff, substantially increase surface runoff resulting in on-site or off-site flooding, or impede or redirect flood flows
- ▶ In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation
- ▶ Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan

### **5.3.9 Land Use and Planning, Population, and Housing**

- ▶ Physically divide an established community
- ▶ Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect
- ▶ Induce substantial unplanned 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)

- ▶ Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere

### **5.3.10 Noise and Vibration**

- ▶ Excessive noise from an airport
- ▶ Result in the exposure of sensitive receptors to long-term transportation noise
- ▶ Increases in vibration levels

### **5.3.11 Public Services and Recreation**

- ▶ Adverse physical effects from construction of parks and recreational facilities
- ▶ Increased demand for fire protection services and facilities
- ▶ Increased demand for police protection facilities
- ▶ Increased demand for school services and facilities

### **5.3.12 Transportation and Circulation**

- ▶ Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities
- ▶ Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)
- ▶ Result in inadequate emergency access

### **5.3.13 Utilities and Service Systems**

- ▶ Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects
- ▶ Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years
- ▶ Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand, in addition to the provider's existing commitments
- ▶ Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals, and comply with solid waste statutes and regulations

### **5.3.14 Wildfire**

- ▶ Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment
- ▶ Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes
- ▶ Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire

## **5.4 Findings Regarding Significant Environmental Impacts Mitigated to a Level of Less than Significant**

The Town hereby finds that feasible mitigation measures have been identified in the DEIR and FEIR and this Findings of Fact document that will avoid or substantially lessen the following potentially significant environmental impacts to a less-than-significant level. The potentially significant impacts and the mitigation measures that will reduce them to a less-than-significant level are summarized in Table 5-1 below. Please refer to the DEIR and the FEIR for more detail.

Table 5-1. Findings for Mitigated Impacts

Section Number and Name	Impact Number and Title	Pre-mitigation Impact Conclusion	Identified Mitigation Number	Finding	DEIR Pages for Reference
4.3 Air Quality	4.3-4 Result in Other Emissions, Such as Those Leading to Odors, Adversely Affecting a Substantial Number of People	Potentially Significant	Mitigation Measure 4.3-4	<p>Finding: Changes or alterations have been required or incorporated into the project which would avoid or substantially lessen the potentially significant environmental effect associated with adverse effects to nearby sensitive receptors.</p> <p>Mitigation Measure 4.3-4 would add a new Implementation Measure AQGHG-1.2.1.5 to the General Plan focused on reducing the intensity of offensive odors from surrounding odor sources. Implementation Measure AQGHG-1.2.1.5 would reduce odor-producing emissions or reduce the potential that sensitive receptors would be exposed to such emissions, depending on the technology implemented for specific projects. With implementation of mitigation, this impact is considered <b>less than significant with mitigation.</b></p>	4.3-33 to 4.3-38
4.4 Biological Resources	4.4-1. 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 Wildlife or U.S. Fish and Wildlife Service	Potentially significant	Mitigation Measure 4.4-1	<p>Finding: Changes or alterations have been required or incorporated into the project which would avoid or substantially lessen the potentially significant environmental effect associated with adverse effects on special-status species.</p> <p>Mitigation Measure 4.4-1 would revise Implementation Measure BIO-1.1.1.1 to specify requirements for the preparation of Biotic Resources Evaluations. Mitigation Measure 4.4-1 would also revise Implementation Measure BIO-1.1.1.3 to require projects resulting in take of state or federally listed species to obtain take authorization from the USFWS and/or the CDFW and to develop and implement a mitigation and monitoring plan to compensate for effects to or loss of special-status species and sensitive habitats.</p> <p>Mitigation Measure 4.4-1 would thereby reduce potentially significant impacts through appropriate information gathering about potentially affected special-status species and effective mitigation in the context of proposed private and public projects.</p> <p>Therefore, with implementation of mitigation measures, this impact would be <b>less than significant with mitigation.</b></p>	4.4-3 to 4.4-10

Section Number and Name	Impact Number and Title	Pre-mitigation Impact Conclusion	Identified Mitigation Number	Finding	DEIR Pages for Reference
4.4 Biological Resources	4.4-2 Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service	Potentially significant	Mitigation Measure 4.4-2	<p>Finding: Changes or alterations have been required or incorporated into the project which would avoid or substantially lessen the potentially significant environmental effect associated with adverse effects on riparian habitat or other sensitive natural communities.</p> <p>Mitigation Measure 4.4-2 would add a new Implementation Measure BIO-1.2.1.17, which would require proposed projects that would result in removal or alteration of a riparian community or other designated sensitive habitat to notify CDFW, obtain a Lake and Streambed Alteration Agreement as necessary, and comply with all conditions of the Lake and Streambed Alteration Agreement. Mitigation Measure 4.4-2 would also revise Implementation Measure BIO-1.4.1.3 to add requirements for direct supervision by ISA-certified arborist for trimming and removal of protected trees.</p> <p>Therefore, Mitigation Measure 4.4-2 would reduce potentially significant impacts by requiring appropriate information gathering about oak woodland and riparian habitats and effective mitigation in the context of proposed private and public projects.</p> <p>Therefore, with implementation of mitigation measures, this impact would be <b>less than significant with mitigation</b>.</p>	4.4-10 to 4.4-17
4.4 Biological Resources	4.4-4 Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites	Potentially significant	Mitigation Measure 4.4-4a Mitigation Measure 4.4-4b	<p>Finding: Changes or alterations have been required or incorporated into the project which would avoid or substantially lessen the potentially significant environmental effect associated with adverse effects on native resident or migratory fish or wildlife.</p> <p>Mitigation Measure 4.4-4a would implement Mitigation Measure 4.4.-1, which proposes to revise Implementation Measures BIO-1.1.1.1 and BIO-1.1.1.3 for special-status plants, wildlife, and habitat. Local wildlife movement within the Town limits is generally facilitated by the presence of riparian corridors associated with stream systems. The information gathered in the Biotic Resources Evaluation as proposed in the revisions to Implementation Measure BIO-1.1.1.1 would inventory and identify native resident and migratory fish or wildlife species that may be impacted by a project, and revisions to Implementation Measure BIO-1.1.1.3</p>	4.4-20 to 4.4-23

Section Number and Name	Impact Number and Title	Pre-mitigation Impact Conclusion	Identified Mitigation Number	Finding	DEIR Pages for Reference
				<p>would require project proponents to identify feasible opportunities to avoid and preserve on-site special-status species and sensitive habitats through design and planning. Mitigation Measure 4.4-4b would implement Mitigation Measure 4.4-2, which proposes to add a new Implementation Measure BIO-1.2.1.17 and to revise Implementation Measure BIO-1.4.1.3 for sensitive communities including riparian and oak woodland. The proposed new Implementation Measure BIO-1.2.1.17 would require proposed projects that would result in removal or alteration of a riparian community or other designated sensitive habitat to notify CDFW, obtain a Lake and Streambed Alteration Agreement as necessary, and comply with all conditions of the Lake and Streambed Alteration Agreement. Proposed revisions to Implementation Measure BIO-1.4.1.3 would add requirements for direct supervision by ISA-certified arborist for trimming and removal of protected trees.</p> <p>Mitigation Measures 4.4-4a and 4.4-4b would reduce impacts to existing resident and migratory wildlife corridors within the Town limits by identifying and evaluating potentially affected species and habitats and feasible opportunities to avoid or preserve such affected species and habitats. Additionally, General Plan protections for aquatic resources, which require stream setbacks for stream and riparian corridors, would also protect resident and migratory movement corridors. These setbacks are expected to maintain existing riparian areas and other natural areas as functional movement corridors.</p> <p>Therefore, with implementation of mitigation measures, this impact would be <b>less than significant with mitigation</b>.</p>	
4.7 Geology, Soils, Mineral Resources, and Paleontological Resources	4.7-5 Directly or indirectly destroy a unique paleontological resource or site	Potentially significant	Mitigation Measure 4.7-5	<p>Finding: Changes or alterations have been required or incorporated into the project which would avoid or substantially lessen the potentially significant environmental effect associated with adverse effects on unique paleontological resources or sites.</p> <p>Mitigation Measure 4.7-5 would add a new Policy H-1.1.4 and associated Implementation Measure H-1.1.4.1. Policy H-1.1.4 would encourage the preservation of unique paleontological resources, while Implementation Measure H-1.1.4.1 would</p>	4.7-14 to 4.7-16



Section Number and Name	Impact Number and Title	Pre-mitigation Impact Conclusion	Identified Mitigation Number	Finding	DEIR Pages for Reference
				<p>require projects with potential impacts related to unique paleontological resources to provide a site-specific analysis of the project's potential to damage or destroy unique paleontological resources and measures designed to protect unique paleontological resources, as needed and appropriate. Such measures could include, but are not limited to, construction worker personnel training, periodic monitoring during construction activities, stopping work within 50 feet of any fossil that is discovered, evaluation of the fossil by a qualified paleontologist, and proper recordation and curation of the specimen.</p> <p>Mitigation Measure 4.7-5 would provide guidance to construction personnel for projects that could affect unique paleontological resources, and in the event fossil specimens were encountered during construction activities, a paleontologist would be retained to evaluate the fossil and recommend appropriate actions, which may include, but are not limited to, full or part-time construction monitoring, along with appropriate measures for documenting, recording, and curating the specimens.</p> <p>Therefore, with implementation of mitigation measures, this impact would be <b>less than significant with mitigation</b>.</p>	

## **5.5 Findings Regarding Environmental Impacts Not Fully Mitigated to a Level of Less than Significant**

The following significant and potentially significant environmental impacts of the proposed project are unavoidable and cannot be mitigated in a manner that would reduce the environmental impact that a less-than-significant level.

The Town finds that the project's environmental, economic, social, and other benefits outweigh and override the significant adverse impact related to change in the environment. The Town hereby elects to approve the project due to overriding considerations as set forth in Section 7 of this document, "Statement of Overriding Considerations."

Table 5-2. Findings for Significant and Unavoidable Impacts

Section Number and Name	Impact Number and Title	Pre-mitigation Impact Conclusion	Identified Mitigation Number	Finding	DEIR Pages for Reference
4.3 Air Quality	4.3-1 Generation of Temporary Construction-Related Emissions of Criteria Air Pollutants and Precursors that Would Result in a Cumulatively Considerable Net Increase of Any Criteria Pollutant for which the Region is in Nonattainment, and Conflict with or Obstruct an Air Quality Plan	Significant	Mitigation Measure 4.3-1a Mitigation Measure 4.3-1b	<p>Finding: Based on the analysis contained within the DEIR and FEIR, other considerations in the record, and the impact evaluation criteria, the Town finds that the impact associated with generation of temporary construction-related emissions that would result in a cumulatively considerable increase for which the region is nonattainment or conflict with or obstruct an air quality plan is <b>significant</b>.</p> <p>Mitigation Measure 4.3-1a would revise Implementation Measure AQGHGE-1.1.2.1 to require all projects to implement Best Management Practices (BMPs) for reducing air pollutant emissions associated with the construction and operation of development projects as a standard condition of approval for projects within the Town of Loomis. Mitigation Measure 4.3-1b would add a new Implementation Measure AQGHGE-1.1.2.4 which would require additional emission control strategies for new development projects that are expected to exceed the PCAPCD thresholds of significance after implementation of BMPs.</p> <p>While BMPs and additional emission control strategies required for development projects may reduce the potential for the generation of temporary construction-related emissions that would result in a cumulatively considerable increase for which the region is nonattainment or conflict with or obstruct an air quality plan, the level of effectiveness of the mitigation measures cannot be identified because the exact buildout schedule of public and private projects anticipated under the 2040 General Plan cannot be determined.</p> <p>There is no additional feasible mitigation. The impact is considered <b>significant and unavoidable</b>. As described in Section 7 of this document, specific social, economic, and environmental benefits of the project outweigh the identified potential unavoidable significant impacts.</p>	4.3-6 to 4.3-12
4.3 Air Quality	4.3-2 Generation of Long-Term Operational Emissions of Criteria Air Pollutants and Precursors that Would Result in a Cumulatively Considerable Net Increase of Any Criteria Pollutant for which the Project Region is in Nonattainment, and Conflict	Significant	Mitigation Measure 4.3-2	<p>Finding: Based on the analysis contained within the DEIR and FEIR, other considerations in the record, and the impact evaluation criteria, the Town finds that the impact associated with generation of long-term operational emissions that would result in a cumulatively considerable increase for which the region is nonattainment or conflict with or obstruct an air quality plan is <b>significant</b>.</p> <p>Mitigation Measure 4.3-2 would add a new Implementation Measure AQGHGE-1.1.2.5 which would require projects that could have a potentially significant operational effect, as demonstrated by exceedance of the PCAPCD-recommended thresholds of significance,</p>	4.3-12 to 4.3-21

Section Number and Name	Impact Number and Title	Pre-mitigation Impact Conclusion	Identified Mitigation Number	Finding	DEIR Pages for Reference
	with or Obstruct an Air Quality Plan			<p>to incorporate PCAPCD-recommended standard operation mitigation measures. These standard operation mitigation measures may include, but are not limited to, not permitting wood burning or pellet stoves/fireplaces; requiring all newly constructed residential buildings to comply with California Green Building Tier 2 standards; promoting walking, biking, carpooling, and use of public transit through project design features; and considering non-polluting materials for paving parking lots. Mitigation Measure 4.3-2 would require projects still in excess of PCAPCD-recommended thresholds of significance, following implementation of mitigation measures, to offset remaining project emissions in excess of thresholds by establishing off-site mitigation or participation in PCAPCD's Off-site Mitigation Program.</p> <p>While PCAPCD-recommended standard operation mitigation measures would establish mitigation to reduce operational emissions of criteria air pollutants from projects within the Planning Area, the specific public and private projects within the Planning Area cannot be defined at the time of this analysis and the effectiveness and feasibility of these measures cannot be quantified for individual future projects. Therefore, operational emissions of criteria air pollutants and precursors could still exceed significance thresholds. Contribution to the PCAPCD off-site mitigation program would further support the reduction of regional criteria air pollutant emissions; however, it may not be feasible for all future projects to contribute to the PCAPCD off-site mitigation program at a level that would reduce the projects' net emissions below the PCAPCD recommended thresholds.</p> <p>There is no additional feasible mitigation. The impact is considered <b>significant and unavoidable</b>. As described in Section 7 of this document, specific social, economic, and environmental benefits of the project outweigh the identified potential unavoidable significant impacts.</p>	
4.3 Air Quality	4.3-3 Expose Sensitive Receptors to Substantial Pollutant Concentrations (TACs) during Construction and Operation.	Significant	Mitigation Measure 4.3-3a Mitigation Measure 4.3-3b	<p>Finding: Based on the analysis contained within the DEIR and FEIR, other considerations in the record, and the impact evaluation criteria, the Town finds that the impact associated with exposing sensitive receptors to substantial pollutant concentrations is <b>significant</b>.</p> <p>Mitigation Measure 4.3-3a would revise Implementation Measure AQGHGE-1.2.1.2. The proposed revisions would require new development subject to CEQA to implement California Air Resources Board (CARB) guidance concerning land use compatibility and setback distances with regard to sources of toxic air contaminant (TAC) emissions and sensitive land uses; conduct site-specific health risk</p>	4.3-21 to 4.3-32

Section Number and Name	Impact Number and Title	Pre-mitigation Impact Conclusion	Identified Mitigation Number	Finding	DEIR Pages for Reference
				<p>analyses as determined necessary based on communication with PCAPCD; and incorporate mitigation strategies recommended by PCAPCD to reduce exposure to sensitive receptors. These mitigation strategies could include providing enhanced filtration systems, use of solid barriers and vegetation to reduce pollutant concentrations, use of Tier 4 certified heavy duty diesel construction equipment, and positioning of exhaust and intake for ventilation systems to minimize exposure. Mitigation Measure 4.3-3b would add a new Implementation Measure AQGHGE-1.2.1.4, which would require projects using diesel-fueled construction equipment within 300 feet of existing sensitive receptors to use an equipment mix, incorporate buffering, schedule construction activities, or use other strategies to reduce potential health risk consistent with guidance from the PCAPCD. The proposed new Implementation Measure AQGHGE-1.2.1.4 as part of Mitigation Measure 4.3-3b also includes the option to conduct a site-specific analysis and mitigation with clear performance outcomes tied to PCAPCD-recommended thresholds.</p> <p>Through implementation of Mitigation Measures 4.3-3a and 4.3-3b, General Plan policies would discourage development in locations that would conflict with CARB's buffer recommendations and exposure to substantial TAC concentrations would be reduced through mitigation strategies such as using Tier 4 equipment. However, the potential for sensitive receptors to be exposed to substantial pollutant concentrations remains significant, even with the proposed mitigation measures described above. There is no additional feasible mitigation. The impact related to sources of TACs from construction activities and operational sources is considered <b>significant and unavoidable</b>. As described in Section 7 of this document, specific social, economic, and environmental benefits of the project outweigh the identified potential unavoidable significant impacts.</p>	
4.5 Cultural Resources	4.5-1 Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section § 15064.5	Potentially significant	Mitigation Measure 4.5-1	<p>Finding: Based on the analysis contained within the DEIR and FEIR, other considerations in the record, and the impact evaluation criteria, the Town finds that the impact associated with an adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section § 15064.5 is <b>significant</b>.</p> <p>Mitigation Measure 4.5-1 would add new Implementation Measures H-1.1.1.1a, H-1.1.1.1b, and H-1.1.1.1c, which would provide for the identification of any potential historical resources that may be affected by a project and establishes appropriate review procedures and</p>	4.5-12 to 4.5-20

Section Number and Name	Impact Number and Title	Pre-mitigation Impact Conclusion	Identified Mitigation Number	Finding	DEIR Pages for Reference
				<p>consultation requirements for proposed project actions that could adversely affect built environment historical and archeological resources. Additionally, for projects where a historical resources assessment is required and determines that historical resources may be directly or indirectly adversely affected by project activities, appropriate minimization measures to alter the project design or mitigation measures to reduce impacts to less than significant will be recommended by a qualified architectural historian and/or historian, with avoidance being the preferred mitigation measure.</p> <p>While Mitigation Measure 4.5-1 will minimize the severity of significant impacts associated with projects consistent with the proposed General Plan through the addition of the proposed new Implementation Measures, the potential remains for residual effects on historical resources and the impact is considered <b>significant and unavoidable</b>. As described in Section 7 of this document, specific social, economic, and environmental benefits of the project outweigh the identified potential unavoidable significant impacts.</p>	
4.5 Cultural Resources	4.5-2 Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5	Potentially significant	Mitigation Measure 4.5-2	<p>Finding: Based on the analysis contained within the DEIR and FEIR, other considerations in the record, and the impact evaluation criteria, the Town finds that the impact associated with an adverse change in the significance of an archaeological resource pursuant to § 15064.5 is <b>significant</b>.</p> <p>Mitigation Measure 4.5-2 would add a new Implementation Measure H-1.1.1.2a, which would require consultation by appropriate qualified personnel if indigenous or historical subsurface cultural resources are discovered during ground-disturbing activities. For archeological sites determined to be a historical resource, the qualified archaeologist shall recommend further mitigative treatment, including, but not limited to, avoidance, preservation in place, or data recovery. If avoidance through project design is not feasible, the qualified archaeologist shall develop and oversee the execution of a treatment plan.</p> <p>While Mitigation Measure 4.5-2 will minimize the severity of significant impacts associated with projects consistent with the proposed General Plan through the addition of the proposed new Implementation Measure, the potential remains for residual effects on archeological resources and the impact is considered <b>significant and unavoidable</b>. As described in Section 7 of this document, specific social, economic, and environmental benefits of the project outweigh the identified potential unavoidable significant impacts.</p>	4.5-20 to 4.5-22

Section Number and Name	Impact Number and Title	Pre-mitigation Impact Conclusion	Identified Mitigation Number	Finding	DEIR Pages for Reference
4.5 Cultural Resources	4.5-3 Disturb any human remains, including those interred outside of dedicated cemeteries	Potentially significant	Mitigation Measure 4.5-3	<p>Finding: Based on the analysis contained within the DEIR and FEIR, other considerations in the record, and the impact evaluation criteria, the Town finds that the impact associated with the disturbance of human remains, including those interred outside of dedicated cemeteries, is <b>significant</b>.</p> <p>Mitigation Measure 4.5-3 would add a new Implementation Measure H-1.1.1.1d, which provides guidance for accidental discovery or recognition of any human remains in any location other than a dedicated cemetery during construction, including stopping excavation or disturbance of the project site, contacting the County Coroner, and appropriate action and notification following further evaluation.</p> <p>Mitigation Measure 4.5-3 would reduce impacts to interred human remains through the addition of the proposed Implementation Measure; however, because indigenous and historical archaeological sites that contain human remains can occur below ground with little or no surface manifestation, it may not be feasible to entirely avoid impacts to interred human remains. Therefore, this impact is considered <b>significant and unavoidable</b>. As described in Section 7 of this document, specific social, economic, and environmental benefits of the project outweigh the identified potential unavoidable significant impacts.</p>	4.5-23 to 4.5-25
4.8 Greenhouse Gas Emissions	4.8-1 Generation of Greenhouse Gas (GHG) Emissions that Significantly Impact the Environment or Conflict with an Applicable Plan, Policy, or Regulation Adopted for the Purpose of Reducing the Emissions of GHGs	Significant and cumulatively considerable	Mitigation Measure 4.3-1a Mitigation Measure 4.3-1b Mitigation Measure 4.3-2 Mitigation Measure 4.8-1 Mitigation Measure 4.8-2	<p>Finding: Based on the analysis contained within the DEIR and FEIR, other considerations in the record, and the impact evaluation criteria, the Town finds that the impact associated with the generation of GHG emissions that significantly impact the environment or conflict with an applicable plan, policy or regulation for the purpose of reducing GHG emissions is significant.</p> <p>Implementation of Mitigation Measures 4.3-1a, 4.3-1b, and 4.3-2, as discussed above, would require projects that could have a potentially significant effect to incorporate applicable construction and operational mitigation measures, which would also reduce GHG emissions. Operational measures include actions that reduce area, energy, and mobile source emissions associated with building operations and transportation activities within the Planning Area. Mitigation Measure 4.3-2 would substantially reduce vehicle miles traveled (VMT) by requiring projects to incorporate design features that promote walking, biking, carpooling, and using public transit, thereby reducing mobile source GHG emissions, which are the largest part of the Town's existing and future forecasted GHG emissions. Mitigation Measure 4.8-1 would add new Implementation Measure AQGHGE-1.1.4.4, requiring the Town</p>	4.8-10 to 4.8-25

Section Number and Name	Impact Number and Title	Pre-mitigation Impact Conclusion	Identified Mitigation Number	Finding	DEIR Pages for Reference
				<p>to utilize electric landscape equipment to the extent feasible to be used on parks and public/quasi-public lands maintained by the Town, and Implementation Measure 1.1.5.1, which would require the Town to monitor and implement related programs where appropriate related to current and forthcoming regulations and legislation intended to reduce GHG emissions from mobile, area, and indirect sources. Mitigation Measure 4.8-2 would revise Implementation Measure AQGHGE-1.1.2.3 to clarify requirements related to natural gas devices and infrastructure in new residential or commercial development for consistency with California’s carbon neutrality target timeframes.</p> <p>While implementation of these mitigation measures would result in a reduction of GHG emissions, a quantifiable effectiveness of these measures cannot be determined and GHG emissions could still exceed the significance threshold. This impact is considered <b>significant and unavoidable</b>. As described in Section 7 of this document, specific social, economic, and environmental benefits of the project outweigh the identified potential unavoidable significant impacts.</p>	
4.12 Noise and Vibration	4.12-1 Expose Sensitive Receptors to Substantial Temporary, Short-Term Construction Noise	Significant	Mitigation Measure 4.12-1	<p>Finding: Based on the analysis contained within the DEIR and FEIR, other considerations in the record, and the impact evaluation criteria, the Town finds that the impact associated with exposing sensitive receptors to substantial temporary, short-term construction noise is <b>significant</b>.</p> <p>Mitigation Measure 4.12-1 would add a new Policy Noise-1.1.16 and Implementation Measures Noise-1.1.16.1 and 1.1.16.2 which specify noise levels at which a potentially significant temporary construction noise impact could occur; outline time restrictions for construction-related noise exposure for noise-sensitive uses; and requires strategies to be considered to reduce construction-related noise exposure for noise-sensitive uses. These strategies, as specified in Implementation Measure 1.1.16.2, include, but are not limited to, properly maintaining and equipping construction equipment with noise control components, locating noisy construction equipment away from surrounding noise-sensitive uses, limiting times of year for construction near schools, and requiring additional noise reduction strategies if proposed construction activity is predicted to cause noise levels exceeding 12 A-weighted decibels (dBA) above average daytime noise levels.</p> <p>With Implementation of Mitigation Measure 4.12-1, in addition to enforcement of the Town Noise Ordinance, future development under the proposed 2040 General Plan would be designed to minimize</p>	4.12-6 to 4.12-12



Section Number and Name	Impact Number and Title	Pre-mitigation Impact Conclusion	Identified Mitigation Number	Finding	DEIR Pages for Reference
				potential construction-related noise impacts. The proposed new and revised Policy and Implementation Measures would further ensure that future projects with the potential to result in a substantial increase in noise levels would mitigate potential construction-related noise impacts to the extent feasible. However, whether and to what degree construction noise affects sensitive receptors depends on myriad factors and no feasible mitigation is available to ensure all construction noise would be below the Town's noise standards in all cases. The impact is <b>significant and unavoidable</b> . As described in Section 7 of this document, specific social, economic, and environmental benefits of the project outweigh the identified potential unavoidable significant impacts.	
4.12 Noise and Vibration	4.12-3 Result in the Exposure of Sensitive Receptors to Long-term Stationary Noise	Significant	None feasible	Finding: Based on the analysis contained within the DEIR and FEIR, other considerations in the record, and the impact evaluation criteria, the Town finds that the impact associated with exposing sensitive receptors to long-term stationary noise is <b>significant</b> . The existing General Plan and the proposed 2040 General Plan include policies and implementation measures applicable to long-term noise sources; however, the Town cannot demonstrate that adverse operational noise exposure impacts could be avoided in all cases. There is no additional feasible mitigation available. The impact is <b>significant and unavoidable</b> . As described in Section 7 of this document, specific social, economic, and environmental benefits of the project outweigh the identified potential unavoidable significant impacts.	4.12-25 to 4.12-34
4.13 Public Services and Recreation	4.13-4 Result in the Need for New or Expanded Parks to Meet Parkland Standards and Potential for Accelerated or Substantial Deterioration of Existing Parks and Recreation Facilities from Increased Use	Potentially significant	None feasible	Finding: Based on the analysis contained within the DEIR and FEIR, other considerations in the record, and the impact evaluation criteria, the Town finds that the impact associated with the need for new or expanded parks to meet parkland standards and the potential for accelerated or substantial deterioration of existing parks and recreation facilities from increased use is <b>significant</b> . The existing General Plan includes policies and implementation measures that would reduce the impact to parkland standards and the potential for accelerated or substantial deterioration of existing parks and recreation facilities from increased use. However, it is possible that the use of existing Town and surrounding parks and recreation facilities would increase, thereby resulting in some overuse and physical deterioration of these facilities. There is no additional feasible mitigation available. This impact is considered <b>significant and unavoidable</b> . As described in Section 7 of this document, specific social, economic, and	4.13-16 to 4.13-20

Section Number and Name	Impact Number and Title	Pre-mitigation Impact Conclusion	Identified Mitigation Number	Finding	DEIR Pages for Reference
				environmental benefits of the project outweigh the identified potential unavoidable significant impacts.	
4.14 Transportation and Circulation	4.14-2 Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)	Significant	Mitigation Measure 4.14-2	<p>Finding: Based on the analysis contained within the DEIR and FEIR, other considerations in the record, and the impact evaluation criteria, the Town finds that the impact associated with conflicting or being inconsistent with CEQA Guidelines § 15064.3, subdivision (b) is <b>significant</b>.</p> <p>Mitigation Measure 4.14-2 would add a new Implementation Measure CIR-3.2.2.2 which requires the Town to develop a VMT reduction program and provides project modifications and other measures that would reduce VMT effects in a manner consistent with state guidance on VMT reduction.</p> <p>With implementation of Mitigation Measure 4.14-2, VMT generated by land uses within the Town would be reduced; however, the Town at this time cannot demonstrate that VMT will be reduced to the degree that it meets state goals related to VMT reduction. There is no additional feasible mitigation. This impact is considered <b>significant and unavoidable</b>. As described in Section 7 of this document, specific social, economic, and environmental benefits of the project outweigh the identified potential unavoidable significant impacts.</p>	4.14-19 to 4.14-28
4.17 Tribal Cultural Resources	4.17-1 Would the project cause a substantial adverse change in the significance of a tribal cultural resource	Significant	Mitigation Measure 4.17-1	<p>Finding: Based on the analysis contained within the DEIR and FEIR, other considerations in the record, and the impact evaluation criteria, the Town finds that the impact associated a substantial adverse change in the significance of a tribal cultural resource is <b>significant</b>.</p> <p>Mitigation Measure 4.17-1 would add a new Policy H-1.1.5 and Implementation Measures H-1.1.5.1, H-1.1.5.2, and H-1.1.5.3 which establish appropriate review procedures and consultation requirements; address the need for qualified personnel to undertake appropriate information searches and surveys; and address the importance of contacting Tribal Representatives and Tribal Monitors.</p> <p>Implementation of Mitigation Measure 4.17-1 would minimize the severity of significant impacts associated with projects consistent with the proposed 2040 General Plan by helping to identify, record, and attempt to avoid impacts to Tribal Cultural Resources. However, the potential remains for residual effects and no other feasible mitigation measures are available. This impact is considered <b>significant and unavoidable</b>. As described in Section 7 of this document, specific</p>	Pages 4.17-4 through 4.17-13 (Final EIR)

Section Number and Name	Impact Number and Title	Pre-mitigation Impact Conclusion	Identified Mitigation Number	Finding	DEIR Pages for Reference
				social, economic, and environmental benefits of the project outweigh the identified potential unavoidable significant impacts.	

## 5.6 Findings Regarding Cumulative Impacts

The DEIR determined there is a significant cumulative impact on aesthetics; agricultural resources; air quality; biological resources; cultural resources; energy; geology, soils, mineral resources, and paleontological resources; greenhouse gas; hazards and hazardous materials; hydrology, flooding, and water quality; land use and planning, population, and housing; noise and vibration; public services and recreation; transportation and circulation; tribal cultural resources; utilities and service systems; and wildfire. For biological resources and geology, soils, mineral and paleontological resources, the DEIR determined that with the mitigation measures already discussed for those project impacts, the project's contribution would be less than cumulatively considerable with mitigation. For agricultural resources; energy; hazards and hazardous materials; hydrology, flooding and water quality; land use and planning, population, and housing; noise and vibration; public services and recreation; utilities and service systems; and wildfire, the Town finds that proposed 2040 General Plan goals, policies, and implementation measures in conjunction with existing local, regional, state, and federal regulations would reduce the significant cumulative impact on these resources.

For aesthetics, as determined in the DEIR, new development would change the existing visual conditions along the urban fringe in areas that are currently rural/agricultural in nature and would result in significant impacts related to degradation of visual character. Additionally, regional growth and development in the Planning Area in combination with additional lighting from development in the project region would result in significant impacts related to light and glare effects. While project impacts to degradation of visual character and light and glare effects are less than significant, as discussed in Section 5.3 above, these project impacts in combination with development in the project region would result in a significant cumulative impact. Because no other feasible mitigation measures are available, the proposed project would result in a cumulatively considerable contribution to these significant cumulative impacts. There is no feasible mitigation to reduce the project's contribution to these significant cumulative impacts. The impacts would be cumulatively considerable and unavoidable. As described in Section 7 of this document, specific social, economic, and environmental benefits of the project outweigh the identified potential unavoidable significant impacts.

For air quality, as determined in the DEIR, implementation of the proposed project could result in the generation of short-term construction-related emissions of criteria air pollutants and precursors for which the region is nonattainment at levels that may have a significant impact on the environment and conflict with or obstruct an air quality plan. While implementation of mitigation measures would reduce the generation of construction-related emissions, the effectiveness of these measures would depend on the number and extent of strategies feasible to incorporate in any given project. Additionally, the timing and level of construction activities and specific projects to be implemented is unknown; therefore, it is not possible to estimate the extent to which the reduction strategies would result in emission reductions. Therefore, implementation of the proposed 2040 General Plan could combine with cumulative emissions and hamper implementation of the applicable air quality plan and result in a cumulatively considerable net increase of criteria air pollutants for which the project region is designated a nonattainment area under an applicable federal or state ambient air quality standard. There is no additional feasible mitigation. The impact of the proposed 2040 General Plan is considered cumulatively considerable and unavoidable with the implementation of mitigation. As described in Section 7 of this document, specific social, economic, and environmental benefits of the project outweigh the identified potential unavoidable significant impacts.

For cultural resources and tribal cultural resources, as determined in the DEIR, implementation of the proposed project could result in significant impacts to historical resources, archaeological resources, tribal cultural resources, and human remains through either direct physical impacts or by indirect impacts. While implementation of Mitigation Measures 4.5-1, 4.5-2, 4.5-3, and 4.17-1 would reduce impacts associated with archaeological resources, human remains, and tribal cultural resources to less than cumulatively considerable with implementation of the proposed mitigation. Even with mitigation, the potential remains for development within the Planning Area to add incompatible architectural elements; diminish the historic integrity of a cultural resource's setting, feeling, or association; destroy the historic character of a property; or adversely affect tribal cultural resources, thereby contributing to the cumulative impact to these finite resources. Therefore, the proposed 2040 General Plan would combine with impacts occurring in the

broader region and result in a cumulatively considerable and unavoidable impact. As described in Section 7 of this document, specific social, economic, and environmental benefits of the project outweigh the identified potential unavoidable significant impacts.

For greenhouse gas emissions, as determined in the DEIR, implementation of the proposed project could result in the GHG emissions at a level that may have a significant impact on the environment and conflict with State GHG emission targets adopted for the purpose of reducing the emissions of GHGs. While implementation of existing General Plan policies and implementation measures, in addition to mitigation measures adding new implementation measures to the proposed 2040 General Plan, would reduce the generation of long-term operational GHG emissions, as well as align the project's long-term operations with the actions for new commercial development, a quantifiable effectiveness of these measures cannot be determined and GHG emissions could still exceed the significance threshold. Therefore, the proposed project would result in a substantial contribution to the significant impact of climate change. There is no additional feasible mitigation. This impact is cumulatively considerable and unavoidable with the implementation of mitigation. As described in Section 7 of this document, specific social, economic, and environmental benefits of the project outweigh the identified potential unavoidable significant impacts.

For public services and recreation, as determined in the DEIR, implementation of the proposed project could result in increased demand for new parks and increased use of existing parks and recreation facilities. While implementation of the proposed 2040 General Plan policies and implementation measures establish the mechanisms to provide additional park land and the maintenance of existing parks as new development occurs, the Town still may not meet the park standard of five acres of park and five acres of passive park/open space per 1,000 residents. It is possible that the use of existing Town and surrounding parks and recreation facilities would increase, thereby resulting in some overuse and physical deterioration of these facilities. There is no additional feasible mitigation. Therefore, the proposed 2040 General Plan would result in a cumulatively considerable contribution to this impact and the cumulatively considerable contribution is unavoidable. As described in Section 7 of this document, specific social, economic, and environmental benefits of the project outweigh the identified potential unavoidable significant impacts.

For transportation and circulation, as determined in the DEIR, implementation of the proposed project could result in an increase in VMT to levels that would result in a significant impact. Implementation of Mitigation Measure 4.14-2 would reduce VMT as described in Section 5.5 above. As described in Section 4.14, "Transportation and Circulation," residential VMT per capita and work VMT per employee generated by the Town of Loomis are projected to be below baseline conditions under the Cumulative Plus 2040 General Plan scenario; however, VMT remains above the significance thresholds. There is no additional feasible mitigation. This impact is cumulatively considerable and unavoidable with the implementation of mitigation.

Please refer to Section 4.8, "Greenhouse Gas," Section 4.14, "Transportation and Circulation," and Chapter 6 ["Other CEQA Considerations"] of the DEIR for a comprehensive discussion of cumulative impacts.

## 5.7 Mitigation Monitoring

The General Plan Annual Progress Report serves as the Mitigation Monitoring and Reporting Program (MMRP) (see Public Resources Code section 21081.6, subd. (a)(1); CEQA Guidelines section 15097(b)). The Town will use the General Plan Annual Progress Report to track compliance with project mitigation measures. The General Plan Annual Progress Report will remain available for public review during the compliance period.



## 6 Project Alternatives

Where a lead agency has determined that, even after the adoption of all feasible mitigation measures, a project as proposed will still cause one or more significant environmental effects that cannot be substantially lessened or avoided, the agency, prior to approving the project as mitigated, must first determine, with respect to such impacts, whether there remain any project alternatives that are both environmentally superior and feasible within the meaning of CEQA.

As noted under the heading “Findings Required under CEQA,” an alternative may be “infeasible” if it fails to achieve the lead agency’s underlying goals and objectives with respect to the project. Thus, “‘feasibility’ under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors” of a project (*City of Del Mar v. City of San Diego* [1982] 133 Cal.App.3d 401, 417). Whether to reject or approve any of the alternatives is a decision only for the decisionmakers. (*California Native Plant Society v. City of Santa Cruz* [2009] 177 Cal.App.4th 957, 980–981.) They may reject alternatives that are undesirable from a policy standpoint. (*Id.* at p. 1001.)

### 6.1 Alternatives Considered But Ultimately Rejected

The EIR must examine in detail only those alternatives that the lead agency determines could feasibly attain most of the basic project objectives, taking into account factors that include site suitability; economic viability; availability of infrastructure; general plan consistency; other plans or regulatory limitations; jurisdictional boundaries; control or access to alternative sites (CEQA Guidelines Section 15126.6[f]). Although the Town considered a variety of approaches to land use and transportation as a part of the General Plan Update process, there were no other alternatives specifically developed and withdrawn or dismissed for consideration in the context of this EIR.

### 6.2 Alternatives Considered in the EIR

The DEIR evaluated the No Project Alternative and two other alternatives to the proposed project: Alternative 1, Increase Buffer from Sensitive Land Uses; and Alternative 2, Promote Compact Growth.

The No Project Alternative (as described on page 5-6 of the DEIR) assumes that the proposed 2040 General Plan would not be implemented and instead the Town would build out as provided in the 2001 General Plan. The No Project Alternative would result in fewer new housing opportunities, a reduction in population growth, and few new employment opportunities within the Town than under the 2040 General Plan and the other alternatives.

Alternative 1 (Increase Buffer from Sensitive Land Uses) (as described on pages 5-6 to 5-7 of the DEIR), proposes no commercial development of the existing rural-scale residential development south of I-80 along Martin Lane and Betty Lane that is currently designated Tourist Destination Commercial. Under Alternative 1, the areas along Martin and Betty Lane would be designated as RR – Rural Residential and development of the existing Tourist Destination Commercial areas on either side of Horseshoe Bar Road would have an increased buffer from Secret Ravine and its tributaries would have increased buffer and more limited development potential. Under Alternative 1, there would be a reduction in the amount of development in areas near streams and creeks that have sensitive biological resources and could be relatively more sensitive for undiscovered archaeological resources, and in particular a reduction in the amount of development near Secret Ravine. Alternative 1 would also reduce the amount of development on properties that have oak woodlands. Instead of these areas that may be more sensitive for biological and cultural resources, Alternative 1 includes additional rural-scale development in locations that do not have sensitive resources around the edges of the Planning Area. Alternative 1 would minimize the geographic proximity of sensitive receptors and potentially substantial air pollutant emissions and noise sources, such as high-volume roadways.

Alternative 2 (Promote Compact Growth) (as described on page 5-7 of the DEIR) would involve a greater amount of infill development and a greater amount of reinvestment in already developed areas of the Town. Alternative 2 would focus development and new housing opportunities to promote walking and biking and in proximity to transit services. Alternative 2 would result in a higher percentage of new housing in multi-family and other more land-efficient formats. Under Alternative 2, areas along Horseshoe Bar Road, Martin Lane, and Betty Lane southeast of I-80 would not be developed because I-80 acts as a barrier to pedestrian and bicycle travel between the mostly rural areas southeast of I-80 and the homes and civic and commercial destinations northeast of I-80. Alternative 2 involves adding multi-family dwellings on properties currently developed with single-family residences, for a net reduction of 250 single-family units and the addition of approximately 1,420 new multi-family residential units in relatively transportation-efficient locations. The main intention of Alternative 2 is for new residential and commercial development to occur in relatively central, easily accessible areas of Town.

## 6.3 Findings

As discussed on page 5-38 of the DEIR, from the alternatives evaluated in this EIR, Alternative 2 (Promote Compact Growth) is the environmentally superior alternative, reducing adverse impacts to agriculture; air quality; biological resources; archaeological or tribal cultural resources (cultural and tribal resources); energy; expansive soils, soil suitability for on-site wastewater treatment systems, and unique paleontological resources (geology, soils, and paleontological resources); greenhouse gases; hazards in proximity to schools and interference with emergency access and evacuation plans (hazards and hazardous materials); groundwater and stormwater impacts (hydrology, flooding, and water quality); and transit, roadway, bicycle, and pedestrian facility and VMT impacts (transportation and circulation). These reductions are generally attributed to the focus on development generally occurring compactly and in areas already developed. As compared to the proposed project, Alternative 2 would result in greater impacts to historical resources (cultural resources); generation of a temporary and permanent increase in ambient noise levels and exposure to increases in vibration levels (noise and vibration); and impacts to schools and parkland (public services and recreation). All other environmental resource topic areas were determined to have a similar level of impact, as compared to the proposed project.

Generally, the No Project Alternative would result in lower impacts as compared to the proposed project – in eight topic areas evaluated in Chapter 5 of the DEIR, though the No Project Alternative would result in increased impacts to cultural resources and tribal cultural resources, greenhouse gas emissions, vibration levels, and transportation and circulation.

Alternative 1 was determined to generally result in similar impacts as compared to the proposed project, in addition to some increases and some reduction of impacts, as compared to the proposed project. Specifically, Alternative 1 would reduce impacts to biological resources; cultural and tribal cultural resources; operational energy demand (energy); expansive soils (geology, soils, and paleontological resources); greenhouse gas emissions; hydrology, flooding and water quality; and noise and vibration. Alternative 1 would increase impacts to aesthetics; energy; geology, soils, and paleontological resources; public services and recreation; and utilities. All other environmental resource topic areas were determined to have a similar level of impact, as compared to the proposed project.

While Alternative 2 is the environmentally superior alternative and would meet most of the project objectives, this alternative would not meet the objective related to maintaining a balance between large lots and rural residential areas to the same extent as would the proposed project. Based on impacts identified in the EIR and throughout this findings document, the Town finds that the proposed project is the most desirable, feasible, and appropriate and rejects the other alternatives studied in the EIR, including Alternative 2, as infeasible.



# 7 Statement of Overriding Considerations

Pursuant to Section 21081 of the California Public Resources Code and Section 15093 of the CEQA Guidelines, the Town adopts and makes the following statement of overriding considerations regarding the remaining significant unavoidable impacts of the project, as discussed above, and the anticipated economic, social, and other benefits of the project.

The Town finds and determines that (1) the majority of the significant impacts of the project will be reduced to acceptable levels by implementation of the mitigation measures recommended in these findings; (2) the Town's approval of the project, as proposed, will result in certain significant adverse environmental effects that cannot be avoided or reduced to a less-than-significant level even with the incorporation of all feasible mitigation measures into the project; and (3) there are no other feasible mitigation measures or feasible project alternatives that will further mitigate, avoid, or reduce to a less-than-significant level the remaining significant environmental effects.

In light of the environmental, social, economic, and other considerations identified in the findings for the project, and the considerations set forth below related to this project, the Town chooses to approve the project because the economic, social, equitable, environmental, and other benefits resulting from the project substantially outweigh the project's significant and unavoidable adverse environmental effects.

The following statements identify the reasons why, in the Town's judgment, the benefits of the project outweigh the significant and unavoidable effects. The substantial evidence supporting the enumerated benefits of the project can be found in the preceding findings, which are herein incorporated by reference; in the project itself; and in the record of proceedings, as defined in Section 4 of this document. Each of the overriding considerations set forth below constitutes a separate and independent ground for finding that the benefits of the project outweigh its significant adverse environmental effects and is an overriding consideration warranting approval.

The Town finds that adoption and implementation of the proposed project would provide economic, social, legal, and other considerable benefits. The following statement identifies the reasons why this is the case:

- ▶ The proposed 2040 General Plan promotes development and conservation through goals and policies that balance the need for adequate infrastructure, housing, and economic vitality with the need for resource management, agricultural preservation, environmental protection, and preservation of quality of life for the Town of Loomis residents.
- ▶ The proposed 2040 General Plan maintains the Town's small-town atmosphere while also accommodating development that would help to achieve the Town's goals through policies that nurture a dynamic and accessible Downtown; center higher density land uses around Downtown and keep the periphery rural; maintain connectivity through local roads while preserving rural roadway character; and protect the Town's open spaces and natural features.
- ▶ The proposed 2040 General Plan ensures the long-term productivity and viability of the Town's economic base, as well as preserves and protects low intensity agricultural uses and natural open spaces at the periphery of the Town.
- ▶ The proposed 2040 General Plan permits growth in existing and new areas of the Town while retaining and enhancing the Town's small-town characteristics to unencumber and enrich residents' lives.
- ▶ The General Plan provides the basis for the Town's regulation of the overall amount, character, and location of development, as well as preservation and natural resource conservation, economic

development, transportation, safety, public facilities and services, and housing. As the Town’s “constitution,” the 2040 General Plan fulfills state legal requirements for long-range comprehensive planning and provides a framework for the Town to exercise its land use entitlement authority, as provided under state law. The General Plan is both comprehensive and internally consistent – it addresses a broad range of topics with policies that are mutually supportive.

- ▶ The 2040 General Plan is designed to guide development and resource conservation in a way that expands the Town’s economic base and provides greater fiscal stability for the Town. While general plans are not precise tools for targeting and attracting businesses, the policy framework herein is critical in establishing the overall context for economic development and economic opportunity in the Town during the coming decades.

The Town has considered these benefits and considerations and has considered the potentially significant and significant unavoidable environmental effects of the 2040 General Plan. The Town has determined that the economic, legal, social, technological, and other benefits of the 2040 General Plan outweigh the identified impacts. The Town has determined that the 2040 General Plan benefits set forth above override the significant and unavoidable environmental costs associated with implementation of the 2040 General Plan.

The Town adopts mitigating policies and implementation measures outlined in the CEQA Findings of Fact, the 2040 General Plan, and the 2040 General Plan EIR as mitigation measures and as described in CEQA Guidelines Section 15097, these General Plan policies and implementation measures serve as the mitigation and monitoring plan for the 2040 General Plan EIR. The Town intends to use the annual report on the General Plan to the Office of Planning and Research as the reporting program for the 2040 General Plan EIR.

The Town finds that any residual or remaining effects on the environment resulting from the 2040 General Plan, identified as significant and unavoidable in the CEQA Findings of Fact, are acceptable, due to each of the benefits, individually and collectively, set forth in this Statement of Overriding Considerations. The Town makes this statement of overriding considerations in accordance with CEQA Guidelines Section 15093 in support of approval of the 2040 General Plan.

# 8 References

This Findings of Fact and Statement of Overriding Considerations document includes all references used in Chapter 10, "References," of the DEIR and Chapter 10, "References," of the FEIR.

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