

5. STATUTORILY REQUIRED SECTIONS

5.1 INTRODUCTION

The Statutorily Required Sections chapter of the Draft EIR includes discussions regarding those topics that are required to be included in an EIR, pursuant to CEQA Guidelines, Section 15126.2. The chapter includes a discussion of the proposed project's potential to result in growth-inducing impacts; the cumulative setting analyzed in this EIR; significant irreversible environmental changes; and significant and unavoidable impacts caused by the proposed project.

5.2 GROWTH-INDUCING IMPACTS

State CEQA Guidelines Section 15126.2(e) requires an EIR to evaluate the potential growth-inducing impacts of a proposed project. Specifically, an EIR must discuss the ways in which a proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Growth can be induced in a number of ways, including the elimination of obstacles to growth, or by encouraging and/or facilitating other activities that could induce growth. Examples of projects likely to have growth-inducing impacts include extensions or expansions of infrastructure systems beyond what is needed to serve project-specific demand, and development of new residential subdivisions or office complexes in areas that are currently only sparsely developed or are undeveloped.

The CEQA Guidelines are clear that while an analysis of growth-inducing effects is required, it should not be assumed that impacts due to induced growth are necessarily significant or adverse. This analysis examines the following potential growth-inducing impacts related to implementation of the proposed project and assesses whether these effects are significant and adverse (see CEQA Guidelines Section 15126.2[e]):

1. Foster population and economic growth and construction of housing.
2. Eliminate obstacles to population growth.
3. Affect service levels, facility capacity, or infrastructure demand.
4. Encourage or facilitate other activities that could significantly affect the environment.

Foster Population and Economic Growth and Construction of Housing

As discussed throughout this EIR and the accompanying Initial Study, development of the project site with 59 multi-family residential units would increase the available housing within the Petaluma area and would consequently be expected to increase population in the area. Using the average of 2.65 persons per household estimate for the City population included in the City's Housing Element, the project could generate a maximum of 156 new residents (2.65 persons per household x 59 dwelling units = 156.3 new residents). Pursuant to the City's General Plan, the Medium Density Residential designation provides for a variety of dwelling types, including single-family and multifamily housing, and allows for a density ranging from 8.1 to 18.0 dwelling units per acre (du/ac). Under the existing land use designation for the site, the 5.2-acre site could be developed with a theoretical maximum of 94 dwelling units, resulting in a population of approximately 254 new residents. Thus, the proposed project would result in 98 fewer residents



than currently anticipated for the site based on maximum residential density of the existing General Plan land use designation.

The new residential population would likely patronize local businesses and services in the area, fostering economic growth. However, population growth resulting from the proposed project would be within the City of Petaluma and Association of Bay Area Governments (ABAG) growth estimates for the project area. In addition, the project site is identified for residential development within the City's Housing Element; as such, the population growth associated with the proposed project has been anticipated by the City and would contribute towards meeting the Regional Housing Needs Allocation (RHNA).

While construction of the proposed project would result in increased construction employment opportunities, which could potentially result in increased permanent population and demand for housing in the vicinity of the project site, employment patterns of construction workers is such that construction workers would not likely, to any significant degree, relocate their households as a result of the construction-related employment opportunities associated with the proposed project. Although the proposed project would provide short-term employment opportunities, which would likely be filled from the local employee base, with the possible exception of a few household and landscape maintenance jobs, permanent jobs would not be created by the proposed project. Therefore, the project would not result in long-term employment growth in the area.

Appendix G of CEQA Guidelines has been recently amended to clarify that unplanned population growth would be considered a potentially significant impact. However, growth that is planned, and the environmental effects of which have been analyzed in connection with a land use plan or a regional plan, should not by itself be considered an impact. The proposed project would result in population growth of the City of Petaluma; however, because development of the multi-family residences would be consistent with the current General Plan land use designation for the site and has been anticipated in the City's Housing Element, such growth would be within the buildout projections for the City. A discussion of physical impacts associated with growth are addressed throughout the EIR. Thus, while the project would foster population and economic growth, such growth would be similar to what has been anticipated for the project region, and a less-than-significant impact related to population and economic growth would occur.

Eliminate Obstacles to Population Growth

The elimination of either physical or regulatory obstacles to growth is considered to be a growth-inducing effect. A physical obstacle to growth typically involves the lack of public service infrastructure. The extension of public service infrastructure, including roadways, water mains, and sewer lines, into areas that are not currently provided with these services, would be expected to support new development. Similarly, the elimination or change to a regulatory obstacle, including existing growth and development policies, could result in new growth.

As discussed in Section XIX, Utilities and Public Services, of the Initial Study, the proposed project would include utility improvements to water, storm drainage, and sewer infrastructure, which would be adequately sized to meet demands from the proposed development. In addition, the project would be provided water service by the City of Petaluma through new connections to the existing water main in Casa Grande Road. Consistent with Petaluma Municipal Code (PMC) Section 15.08.120 and the City of Petaluma Water System Design Guidelines, which require main extensions to be at a minimum diameter of eight inches, a new eight-inch water line would be extended into the project site within the right-of-way (ROW) of the new internal private street. The



proposed dwelling units would connect to the new eight-inch water line through new water laterals. The City's existing water main infrastructure is anticipated to be sufficiently sized to accommodate the increased demand from the proposed project, and the project would not require the construction of new or expanded water conveyance infrastructure beyond the improvements noted above necessary to serve the proposed project. Water conveyance infrastructure needed for the proposed project would be financed by the project applicant. Consequently, the construction of on-site water infrastructure would not be anticipated to result in elimination of obstacles to population growth.

The project would be provided sanitary sewer conveyance service by the City of Petaluma through new connections to the existing sewer main in Casa Grande Road. Consistent with the City of Petaluma Sewer System Design and Construction Guidelines, a new eight-inch sewer line would be extended into the project site within the ROW of the new internal private street. The proposed dwelling units would connect to the new eight-inch sewer line through new sanitary sewer laterals. As discussed in the Initial Study, based on the available capacity remaining at the City's treatment facility, the City's wastewater infrastructure and treatment facility are anticipated to be sufficient to accommodate the increased demand that would be generated by the project. As such, the proposed project would not result in the expansion of the City's wastewater treatment infrastructure. Therefore, the proposed infrastructure improvements would not allow for or encourage growth where such growth was not previously planned.

The proposed project would include the development of an off-site public multi-use pathway with a bridge connection over Adobe Creek (Creek) that would connect to the proposed multi-use pathway along the west side of the Creek, as well as the existing path along Spyglass Road, on the east side of the Creek. The proposed multi-use pathway and bridge would improve pedestrian and bicyclist connectivity to the project site, serving residents of the proposed project and existing residents in the vicinity of the project site. Such improvements would not be anticipated to eliminate obstacles to population growth.

Although implementation of the aforementioned improvements may be considered to eliminate obstacles to growth on-site, such improvements are essential to support the proposed project, and the improvements would not eliminate obstacles to growth in a manner that would encourage previously unplanned growth.

Based on the above information, the proposed project would not eliminate a physical or regulatory obstacle that would, as a result, create a growth-inducing effect.

Affect Service Levels, Facility Capacity, or Infrastructure Demand

Increases in population that would occur as a result of a proposed project may tax existing community service facilities, requiring construction of new facilities that could cause significant environmental impacts. As discussed in Section XV, Public Services, of the Initial Study prepared for the proposed project, increased demands for public services, including fire and police protection services, attributable to the proposed project would not necessitate the construction of new or expanded facilities that could cause significant environmental impacts. The project would be required to comply with General Plan policies and pay development fees that support emergency police and fire services. The proposed project would also be required to pay applicable fees to the City's school districts. In addition, as discussed in Section XIX, Utilities and Service Systems, of the Initial Study prepared for the proposed project, it is anticipated that wastewater generated by the proposed project could be accommodated by existing wastewater



treatment facilities and infrastructure at the Ellis Creek Water Recycling Facility, and adequate transmission capacity exists for the project's sanitary sewer flows. Existing water supply infrastructure also exists to accommodate the domestic and fire flow demands associated with the proposed project.

The Redwood Landfill and Recycling Center, which would serve the proposed project, has adequate capacity to manage the solid waste generated as result of the project. Furthermore, as discussed in Chapter 4.3, Hydrology and Water Quality, of this EIR, a Stormwater Control Plan has been prepared for the proposed project demonstrating that runoff from new impervious surfaces created by the proposed project would be captured by the proposed storm drain system before treated peak flows are discharged to the Creek and would not create or contribute runoff water that would exceed the capacity of the City's stormwater drainage systems. In addition, as discussed above, population growth associated with the proposed project would be below what was anticipated for buildout of the site in the General Plan EIR. Therefore, the proposed project would not increase population such that service levels, facility capacity, or infrastructure demand would require construction of new facilities that could cause significant environmental impacts.

Encourage or Facilitate other Activities That Could Significantly Affect the Environment

This EIR provides a comprehensive assessment of the potential for environmental impacts associated with implementation of the proposed project. Please refer to Chapters 4.1 through 4.4 of this EIR and the Initial Study (see Appendix A of this EIR), which comprehensively address the potential for impacts from development on the project site. As discussed throughout this EIR, the Initial Study, and in further detail below, while the majority of environmental impacts associated with the proposed project would be less than significant or could be reduced to a less-than-significant level with implementation of mitigation, the proposed project would result in significant and unavoidable impacts related to greenhouse gas (GHG) emissions and transportation (i.e., vehicle miles traveled).

5.3 CUMULATIVE IMPACTS

CEQA Guidelines, Section 15130 requires that an EIR discuss the cumulative and long-term effects of the proposed project that would adversely affect the environment. "Cumulative impacts" are defined as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts" (CEQA Guidelines, Section 15355). "[I]ndividual effects may be changes resulting from a single project or a number of separate projects" (CEQA Guidelines, Section 15355, subd. [a]). "The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time" (CEQA Guidelines, Section 15355, subd. [b]).

The need for cumulative impact assessment reflects the fact that, although a project may cause an "individually limited" or "individually minor" incremental impact that, by itself, is not significant, the increment may be "cumulatively considerable," and, thus, significant, when viewed together with environmental changes anticipated from past, present, and probable future projects (CEQA Guidelines Section 15064, subd. [h(1)], Section 15065, subd. [c], and Section 15355, subd. [b]). Accordingly, particular impacts may be less than significant on a project-specific basis but significant on a cumulative basis if their small incremental contribution, viewed against the larger backdrop, is cumulatively considerable. However, it should be noted that CEQA Guidelines



Section 15064, subdivision (h)(5) states, “[...]the mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project’s incremental effects are cumulatively considerable.” Therefore, even where cumulative impacts are significant, any level of incremental contribution is not necessarily deemed cumulatively considerable.

Section 15130(b) of CEQA Guidelines indicates that the level of detail of the cumulative analysis need not be as great as for the project impact analyses, but that analysis should reflect the severity of the impacts and their likelihood of occurrence, and that the analysis should be focused, practical, and reasonable. To be adequate, a discussion of cumulative effects must include the following elements:

- (1) Either (a) a list of past, present and probable future projects, including, if necessary, those outside the agency’s control, or (b) a summary of projections contained in an adopted general plan or related planning document, or in a prior certified EIR, which described or evaluated regional or area-wide conditions contributing to the cumulative impact, provide that such documents are reference and made available for public inspection at a specified location;
- (2) A summary of the individual projects’ environmental effects, with specific reference to additional information and stating where such information is available; and
- (3) A reasonable analysis of all of the relevant projects’ cumulative impacts, with an examination of reasonable, feasible options for mitigating or avoiding the project’s contribution to such effects (Section 15130[b]).

For some projects, the only feasible mitigation measures will involve the adoption of ordinances or regulations, rather than the imposition of conditions on a project-by-project basis (Section 15130[c]). Section 15130(a)(3) states that an EIR may determine that a project’s contribution to a significant cumulative impact will be rendered less than cumulatively considerable, and thus not significant, if a project is required to implement or fund the project’s fair share of a mitigation measure or measures designed to alleviate the cumulative impact.

A discussion of cumulative impacts is provided within each of the technical chapters of this EIR pursuant to CEQA Guidelines Section 15130.

Cumulative Setting

The lead agency should define the relevant geographic area of inquiry for each impact category (id., Section 15130, subd. [b][3]), and should then identify the universe of “past, present, and probable future projects producing related or cumulative impacts” relevant to the various categories, either through the preparation of a “list” of such projects or through the use of “a summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated regional or area wide conditions contributing to the cumulative impact” (id., subd. [b][1]).

The cumulative analysis in the Biological Resources and Transportation chapters of this EIR is based upon a summary of projections contained in the City of Petaluma General Plan. Limited situations exist where geographic setting differs between project chapter analysis within a particular region. Examples include hydrology, for which the cumulative geographic setting is generally limited to the Petaluma River watershed, which encompasses the southern portion of Sonoma County and northern portion of Marin County. Global climate change is, by nature, a



cumulative impact. GHG emissions contribute, on a cumulative basis, to the significant adverse environmental impacts of global climate change (e.g., sea level rise, impacts to water supply and water quality, public health impacts, impacts to ecosystems, impacts to agriculture, and other environmental impacts). A single project could not generate enough GHG emissions to contribute noticeably to a change in the global average temperature. However, the combination of GHG emissions from a project in combination with other past, present, and future projects could contribute substantially to the world-wide phenomenon of global climate change and the associated environmental impacts. Although the geographical context for global climate change is the Earth, for analysis purposes under CEQA, and due to the regulatory context pertaining to GHG emissions and global climate change applicable to the proposed project, the geographical context for global climate change in this EIR is limited to the State of California.

A cumulative analysis for each environmental topic analyzed in this EIR is provided in the relevant technical chapter, wherein it is also noted that the General Plan EIR anticipated development of the project site above the density of the proposed project.

5.4 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

As established in CEQA Guidelines Section 15126.2(d), this EIR is required to include consideration of significant irreversible environmental changes that would be caused by the proposed project, should the project be implemented. An impact would be determined to be a significant and irreversible change in the environment if:

- Buildout of the project area could involve a large commitment of nonrenewable resources;
- The primary and secondary impacts of development could generally commit future generations to similar uses (e.g., a highway provides access to a previously remote area);
- Development of the proposed project could involve uses in which irreversible damage could result from any potential environmental accidents associated with the project; or
- The phasing and eventual development of the project could result in an unjustified consumption of resources (e.g., the wasteful use of energy).

The proposed project would likely result in, or contribute to, the following significant irreversible environmental changes:

- Conversion of predominantly vacant land to a fully built-out residential community, thus precluding alternative land uses in the future;
- Irreversible consumption of goods and services, such as fire, police, and school services, associated with the future population; and
- Irreversible consumption of energy and natural resources, such as water and electricity, associated with the future residents.

5.5 SIGNIFICANT AND UNAVOIDABLE IMPACTS

According to CEQA Guidelines, an EIR must include a description of those impacts identified as significant and unavoidable should the proposed action be implemented (CEQA Guidelines Section 15126.2[c]). Such impacts would be considered unavoidable when the determination is made that either mitigation is not feasible or only partial mitigation is feasible such that the impact is not reduced to a level that is less than significant. This section identifies significant impacts that could not be eliminated or reduced to a less-than-significant level by mitigations imposed by the City. The final determination of the significance of impacts and the feasibility of mitigation



measures would be made by the City as part of the City's certification action. The significant and unavoidable impacts of the proposed project are summarized below.

Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment, or conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. (Impact 4.2-1)

The applicable Bay Area Air Quality Management District (BAAQMD) thresholds of significance for GHG emissions are qualitative. The proposed project would be consistent with the majority of the BAAQMD's Buildings and Transportation criteria. However, because the proposed project would result in a significant and unavoidable impact related to vehicle miles traveled (VMT), the proposed project would be inconsistent with BAAQMD's Transportation criterion a. Even with the implementation of Mitigation Measure 4.2-1, the project would not comply with BAAQMD's Transportation criterion a. Consequently, the project's incremental contribution to the cumulatively significant effects of GHG emissions and global climate change would remain cumulatively considerable and significant and unavoidable.

Result in VMT which exceeds an applicable threshold of significance, except as provided in CEQA Guidelines Section 15064.3, subdivision (b). (Impact 4.4-3)

Implementation of the proposed project would generate VMT greater than the applicable threshold. Pursuant to the City of Petaluma's Vehicle Miles Traveled Implementation Guidelines, a residential project would result in a significant impact and require mitigation if project total home-based VMT per resident exceeds 16.8 percent below the citywide average. The current citywide home-based VMT per capita is 17.8 for the City of Petaluma, which translates to a significance threshold of 14.8 VMT per capita. Additional feasible strategies beyond the proposed density and multi-use bridge connection for reducing project-generated VMT to a less-than-significant level do not exist. Therefore, a significant and unavoidable impact would occur.

