

## 4.16 MANDATORY FINDINGS OF SIGNIFICANCE

Under the *California Environmental Quality Act* (CEQA), an EIR must be prepared when certain specified impacts may result from construction or implementation of a project. An EIR has been prepared for the proposed Project, which fully addresses all of the Mandatory Findings of Significance, as described below.

### 4.16.1 Degradation of the Environment

Under Section 15065(a) of the CEQA Guidelines, a finding of significance is required if a project “has the potential to substantially degrade the quality of the environment.” In practice, this is the same standard as a significant effect on the environment, which is defined in Section 15382 of the CEQA Guidelines as “a substantial or potentially substantial adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.”

This EIR, in its entirety, addresses and discloses all potential environmental affects associated with construction and operation of the proposed project, including direct, indirect, and cumulative impacts in the following resource areas:

- Aesthetics
- Agriculture
- Air Quality
- Biological Resources
- Cultural Resources
- Geology, Soils, and Mineral Resources
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Population and Housing
- Public Services and Recreation
- Transportation/Traffic
- Utilities and Service Systems
- Energy and Climate Change

As summarized in Table 2-1 (Summary of Environmental Effects and Mitigation Measures), this EIR discloses all potential environmental impacts, the level of significance prior to mitigation, project requirements that are required by law or are incorporated as part of the project description, feasible mitigation measures, and the level of significance after the incorporation of mitigation measures.

## 4.16.2 Long-Term Impacts

As described in Section 15065(a)(2) of the CEQA Guidelines, a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals. Section 5.3 (Significant Irreversible Environmental Effects) of this document addresses the short-term and irretrievable commitment of natural resources to ensure that the consumption is justified on a long-term basis. In addition, Section 5.2 (Significant Environmental Effects That Cannot Be Avoided If the Proposed Project Is Implemented) and Table 2-1 identify all significant and unavoidable impacts that could occur, thereby creating a long-term impact on the environment. Lastly, Section 5.4 (Growth-Inducing Impacts) identifies any long-term environmental impacts caused by the proposed project with respect to economic or population growth.

## 4.16.3 Cumulative Impacts

A cumulative impact analysis is only provided for those thresholds that result in a less-than-significant or significant and unavoidable impact. A cumulative impact analysis is not provided for Effects Found Not to Be Significant, which result in no project-related impacts.

Under Section 15065 of the CEQA Guidelines, a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has potential environmental effects that are individually limited, but cumulatively considerable. As defined in Section 15065(a)(3) of the CEQA Guidelines, cumulatively considerable means “that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.” Cumulative impacts are addressed for each of the environmental topics listed above and are provided in Sections 4.1 through 4.15 of this EIR.

## 4.16.4 Impacts on Species

Under Section 15065(a)(1) of the CEQA Guidelines, a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has the potential to (1) substantially reduce the habitat of a fish or wildlife species; (2) cause a fish or wildlife population to drop below self-sustaining levels; or (3) substantially reduce the number or restrict the range of an endangered, rare, or threatened species. Section 4.4 (Biological Resources) of this EIR (which is supported by a list of special-status species potentially occurring at the project site and a biological report and wetlands delineation, all of which are provided in Appendix D1 (Biological Evaluation Tesoro Viejo Project Site Rio Mesa Planning Area) and Appendix D2 (Waters of the United States Report for the Tesoro Viejo Project Site Rio Mesa Planning Area) to this document) fully addresses impacts related to the reduction of the fish or wildlife habitat, the reduction of fish or wildlife populations, and the reduction or restriction of the range of special-status species.

### 4.16.5 Impacts on Historical Resources

Section 15065(a)(1) of the CEQA Guidelines states that a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has the potential to eliminate important examples of a major period of California history or prehistory. Section 15065(a)(1) amplifies *Public Resources Code* (PRC) Section 21001(c) requiring that major periods of California history are preserved for future generations. It also reflects the provisions of PRC Section 21084.1 requiring a finding of significance for substantial adverse changes to historical resources. Section 15064.5 of the CEQA Guidelines establishes standards for determining the significance of impacts to historical resources and archaeological sites that are an historical resource. Section 4.5 (Cultural Resources) of this EIR (which is supported by a Cultural Resources Technical Report) fully addresses impacts related to California history and prehistory, historic resources, archaeological resources, and paleontological resources.

### 4.16.6 Impacts on Human Beings

Consistent with Section 15065(a)(4) of the CEQA Guidelines, a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has the potential to cause substantial adverse effects on human beings, either directly or indirectly. Under this standard, a change to the physical environment that might otherwise be minor must be treated as significant if people would be significantly affected. This factor relates to adverse changes to the environment of human beings generally, and not to effects on particular individuals. While changes to the environment that could indirectly affect human beings would be represented by all of the designated CEQA issue areas, those that could directly affect human beings include air quality, geology and soils, hazards and hazardous materials, hydrology and water quality, noise, population and housing, public services, transportation/traffic, and utilities, which are addressed in Sections 4.2, 4.5, 4.6, 4.7, 4.9, 4.10, 4.11, 4.13, and 4.14 of this EIR, respectively.

### 4.16.7 References

Community Design + Architecture. 2007. *Proposed Tesoro Viejo Specific Plan*, November.

Kostka, Stephan L. and Michael H. Zischke. 2005. *Practice under the California Environmental Quality Act*.

Madera County. 1995a. *Final Rio Mesa Area Plan*. Prepared by The Keith Companies, March 21.

———. 1995b. *Madera County General Plan*, October.

