

## 8. Impacts Not Triggering Further Environmental Review

California Public Resources Code Section 21003 (f) states: "...it is the policy of the state that...[a]ll persons and public agencies involved in the environmental review process be responsible for carrying out the process in the most efficient, expeditious manner in order to conserve the available financial, governmental, physical, and social resources with the objective that those resources may be better applied toward the mitigation of actual significant effects on the environment."

This policy is reflected in CEQA Guidelines, section 15162(a), which states that once an EIR has been prepared for a project, a lead agency shall not prepare a further EIR unless substantial changes are proposed to the project and those changes lead to new significant impacts or a substantial increase in impacts; or, substantial changes in circumstances occur such that the project would have new significant impacts or a substantial increase in impacts; or, new information of substantial importance shows that the project will have one or more significant effects not discussed in the previous EIR.

The City used a Modified Initial Study to document whether any of the circumstances under Public Resources Code, section 21166 and State CEQA Guidelines, section 15162 were triggered by the project.

As described in the Notice of Preparation (NOP) prepared for the SBRA Project, two impact categories were found to have at least one potentially significant impact resulting from new information of the type that triggers additional environmental review pursuant to Public Resources Code, section 21166 and State CEQA Guidelines, section 15162; therefore, these two categories (air quality and greenhouse gas emissions) have been evaluated in this DSEIR.



### 8.1 ASSESSMENT IN THE MODIFIED INITIAL STUDY

The Modified Initial Study prepared for the SBRA Project in January 2012 determined that the impacts listed below were fully evaluated and addressed in the OSA PEIR. As a result, these impacts do not trigger circumstances under Public Resources Code, section 21166 and State CEQA Guidelines, section 15162 and no further environmental review is required for these areas. Please refer to Appendix A for an explanation of the basis of these conclusions. Impact categories and questions below are summarized directly from the CEQA Environmental Checklist, as contained in the Modified Initial Study.

<b>Table 8-1</b>	
<b>Impacts Found Not to Be Significant</b>	
<i>Environmental Issues</i>	<i>Initial Study Determination</i>
<b>I. AESTHETICS. Would the project:</b>	
a) Substantially damage scenic resources, including scenic vistas from public parks and views from designated scenic highways or arterial roadways?	No New Impact
b) Create a new source of substantial night lighting that would result in "sky glow" (i.e. illumination of the night sky in urban areas) or "spill light" (i.e. light that falls outside of the area intended to be lighted) onto adjacent sensitive land uses?	No New Impact
c) Create a new source of substantial glare which would adversely affect daytime visibility and/or views in the area?	No New Impact

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d) Substantially degrade the existing visual character or quality of the site and its surroundings where: <ul style="list-style-type: none"> <li>• The project exceeds the allowed height or bulk regulations, or exceeds the prevailing height and bulk of existing structures.</li> <li>• The project is proposed to have an architectural style or to use building materials that will be in vivid contrast to an adjacent development where that development had been constructed adhering to a common architectural style or theme;</li> <li>• The project is located on a visually prominent site and, due to its height, bulk, architecture or signage, will be in vivid contrast to the surrounding development or environment degrading the visual unity of the area.</li> <li>• A project would include unscreened outdoor uses or materials.</li> <li>• A project would result in the introduction of an architectural feature or building mass that conflicts with the character of the surrounding development.</li> </ul>	No New Impact

**II. AGRICULTURE AND FOREST RESOURCES.** In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.  
**Would the project:**

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	No Impact
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	No Impact
c) 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))?	No Impact
d) Result in the loss of forest land or conversion of forest land to non-forest use?	No Impact
e) 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?	No Impact

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

a) Conflict with or obstruct implementation of the applicable air quality plan?	No New Impact
e) Create objectionable odors affecting a substantial number of people?	No New Impact

**IV. BIOLOGICAL RESOURCES.** **Would the project:**

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	No New Impact
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b) 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 Game or U.S. Fish and Wildlife Service?	No New Impact
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	No New Impact
d) 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?	No New Impact
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	No Impact
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	No New Impact
<b>V. CULTURAL RESOURCES. Would the project:</b>	
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	No Impact
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	No New Impact
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	No New Impact
d) Disturb any human remains, including those interred outside of formal cemeteries?	No Impact
<b>VI. GEOLOGY AND SOILS. Would the project:</b>	
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	No New Impact
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	
ii) Strong seismic ground shaking?	
iii) Seismic-related ground failure, including liquefaction?	
iv) Landslides?	
b) Result in substantial soil erosion or the loss of topsoil?	No New Impact
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	No New Impact
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	No New Impact
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	No Impact



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<b>VIII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:</b>	
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	No New Impact
b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	No New Impact
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	No Impact
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	No New Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	No Impact
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	No Impact
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	No Impact
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	No New Impact
<b>IX. HYDROLOGY AND WATER QUALITY. Would the project:</b>	
a) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	No New Impact
b) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems.	No New Impact
c) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	No New Impact
d) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	No New Impact
e) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	No Impact
f) Cause inundation by seiche, tsunami, or mudflow?	No Impact
g) Deposit sediment and debris materials within existing channels obstructing flows?	No New Impact
h) Exceed the capacity of a channel and cause overflow during design storm conditions?	No New Impact
i) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	No New Impact
j) Adversely change the rate, direction, or flow of groundwater?	No New Impact

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k) Have an impact on groundwater that is inconsistent with a groundwater management plan prepared by the water agencies with the responsibility for groundwater management?	No New Impact
l) Violate any water quality standards or waste discharge requirements?	No New Impact
m) Cause a significant alteration of receiving water quality during or following construction?	No New Impact
n) Substantially degrade groundwater quality?	No New Impact
o) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in a substantial erosion or siltation on- or off-site?	No New Impact
p) Create or contribute runoff water which would generate provide substantial additional sources of polluted runoff?	No New Impact
q) Substantially degrade water quality by discharge which affects the beneficial uses (i.e. swimming, fishing, etc.) of the receiving or downstream waters?	No New Impact
r) Increase in any pollutant for which the receiving water body is already impaired as listed on the Clean Water Act Section 303(d) list?	No New Impact
<b>X. LAND USE AND PLANNING. Would the project:</b>	
a) Physically divide an established community?	No Impact
b) Substantially conflict with existing on-site or adjacent land use due to project-related significant unavoidable indirect effects (e.g., noise, aesthetics, etc) that preclude use of the land as it was intended by the General Plan?	No Impact
c) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	No Impact
d) Conflict with the Central and Coastal Natural Communities Conservation Program/Habitat Conservation Plan (NCCP/HCP) of which the City of Lake Forest is a participant?	No New Impact
<b>XI. MINERAL RESOURCES. Would the project:</b>	
a) Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?	No Impact
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	No Impact
<b>XII. NOISE. Would the project result in:</b>	
a) Generate traffic that would cause a noise level increase of 3dB or more on a roadway segment adjacent to a noise sensitive land use, which include, but are not limited to residential (single-family, multi-family, mobile home), hotels, motels, nursing homes, hospitals, parks, playgrounds, and recreation areas, and schools?	No New Impact
b) Exposure of persons to or generation of stationary noise levels in excess of standards established by the City of Lake Forest as specified by the exterior noise standards set fourth in the Noise Control Chapter of the Lake Forest Municipal Code?	No New Impact
c) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	No New Impact



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d) A substantial permanent increase in "future with project" ambient noise levels for sensitive land uses (identified in the City of Lake Forest General Plan Table 3-1 in Section 3.3, Interior and Exterior Noise Standards) in the project vicinity above levels existing without the project?	No New Impact
e) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	No New Impact
f) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	No Impact
g) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	No Impact
<b>XIII. POPULATION AND HOUSING. Would the project:</b>	
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	No Impact
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	No Impact
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	No Impact
<b>XIV. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:</b>	
a) Fire protection?	No New Impact
b) Police protection?	No Impact
c) Schools?	No Impact
d) Parks?	No Impact
e) Other public facilities?	No Impact
<b>XV. RECREATION.</b>	
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	No New Impact
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	No Impact
<b>XVI. TRANSPORTATION/TRAFFIC. Would the project:</b>	
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	No New Impact
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	No New Impact
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	No Impact

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d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	No Impact
e) Result in inadequate emergency access?	No Impact
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	No New Impact
g) Cause the ICU (intersection capacity utilization) values at intersections, with the proposed project, to exceed the City of Lake Forest performance criteria as specified in Table C-3 of the General Plan Circulation Element?	No New Impact
h) Include design features or uses that may cause traffic hazards such as sharp curves, tight turning radii from streets, limited roadway visibility, short merging lanes, uneven road grades, or any other conditions determined by the City traffic engineer to be a hazard?	No Impact
i) Provide less parking than required, applying the standards found in the City of Lake Forest Municipal Code?	No New Impact
<b>XVII. UTILITIES AND SERVICE SYSTEMS. Would the project:</b>	
a) Exceed waste water treatment requirements of the applicable Regional Water Quality Control Board?	No New Impact
b) Require or result in the construction of new water or waste water treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	No New Impact
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	No New Impact
d) Have sufficient water supplies available to serve the project from existing entitlements and resources or are new or expanded entitlements needed?	No Impact
e) Result in a determination by the waste water treatment provider, which 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?	No Impact
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	No Impact
g) Comply with federal, state, and local statutes and regulations related to solid waste?	No Impact
<b>XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.</b>	
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	No New Impact



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