



Public Review Draft Initial Study/Mitigated Negative Declaration

Livingston Rec-Plex Project

**General Plan Amendment No. GPA 2022-01, Rezone No. RZN 2022-01,
Street Closure No. SCA 2022-01, and Site Plan and Design Review No.
SPDR 2025-05**

prepared by
City of Livingston
Community Development Department
1416 C Street
Livingston, CA 95334



Prepared with the assistance of
J.B. Anderson Land Use Planning
139 S. Stockton Avenue
Ripon, California 95366

June 2026

This page intentionally left blank.

TABLE OF CONTENTS

	Page
MITIGATED NEGATIVE DECLARATION	3
INITIAL STUDY	6
1. Project Title	6
2. Lead Agency Name and Address	6
3. Contact Person and Phone Number	6
4. Project Location	6
5. Project Sponsor's Name and Address	7
6. Existing Setting	7
7. Existing General Plan Designation	10
8. Existing Zoning	10
9. Surrounding Land Uses and Setting	10
10. Description of the Project	11
11. Other Public Agencies Whose Approval is Required	14
12. California Native American Tribes Consultation	14
13. Environmental Factors Potentially Affected	24
14. Lead Agency Determination	25
INITIAL STUDY CHECKLIST	28
1. Aesthetics	28
2. Agriculture and Forestry Resources	31
3. Air Quality	33
4. Biological Resources	38
5. Cultural Resources	41
6. Energy	43
7. Geology and Soils	44
8. Greenhouse Gas Emissions	48
9. Hazards and Hazardous Materials	52
10. Hydrology and Water Quality	57
11. Land Use and Planning	61
12. Mineral Resources	63
13. Noise	64
14. Population and Housing	70
15. Public Services	71
16. Recreation	74
17. Transportation/Traffic	76
18. Tribal Cultural Resources	80
19. Utilities and Service Systems	83
20. Wildfire	86
21. Mandatory Findings of Significance	88
REFERENCES	90

TABLES

1. Project Site Details	6
2. Surrounding Land Uses and Setting	11
8-1. Land Use Compatibility for New Development Near Transportation Sources	64
8-2. Maximum Allowable Noise Exposure – Transportation Noise Sources	67
8-3. Maximum Allowable Noise Exposure – Stationary Noise Sources	67

FIGURES

1. Vicinity Map	15
2. Project Location	15
3. Existing and Proposed Land Use Designations	16
4. Existing and Proposed Zoning	17
5. Site and Phasing Plan	18
6. Proposed Street and Alley Closure	19
7. Phase One Elevations	20
8. Phase One Utility Plan	21
9. Phase One Planting Plan	22
10. Phase One Materials Plan	23

Appendix	91
-----------------	-----------

Appendix A

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Lead Agency:
City of Livingston
1416 C Street
Livingston, CA 95334

PROJECT NAME:

Livingston Rec-Plex (General Plan Amendment No. GPA 2022-01, Rezone No. RZN 2022-01, Street Closure No. SCA 2022-01, and Site Plan and Design Review Application No. SPDR 2025-05)

PROJECT PROPONENT AND LEAD AGENCY:

Project Proponent: City of Livingston
1416 C Street
Livingston, CA 95334

Lead Agency: City of Livingston
1416 C Street
Livingston, CA 95334

PROJECT OVERVIEW AND LOCATION:

The Proposed Project is located on five parcels totaling approximately 4.58-acres and is generally bounded C Street on the north, Sixth Street on the west, D Street on the south and the Union Pacific Railroad property on the east. Surrounding land uses consist of a tax preparation and auto services to the north, single family homes and vacant land to the south, vacant land and railroad tracks to the east, and the Livingston Farmer's Association Warehouse and auto services to the west.

The Merced County Assessor's Office has assigned the Proposed Project parcels as APN No.'s 024-153-003, 024-153-004, 024-153-011, 024-154-004, and 024-154-005.

PROJECT DESCRIPTION:

The Proposed Project involves multiple discretionary entitlements, including a General Plan Amendment, a Rezone, Street and Alley Closure, and Site Plan and Design Review. Collectively, these entitlements will authorize the phased development of a City-owned recreation complex, to be implemented as funding becomes available.

The Proposed Project includes partial demolition of the existing Livingston Farmers Association warehouse building to make possible the construction of a new approximately 9,000 square foot recreation building and associated site improvements.

The remainder of the existing warehouse will be retained for a future renovation project, preserving opportunities for phased development. In addition, open areas to the north and northeast of the new recreation building are planned for future park amenities, including basketball courts, recreational gathering spaces, and on-site parking.

Additionally, the Proposed Project includes a closure of a portion of Seventh Street between C and D Street, along with the closure of part of the alley public right-of-way to vehicular traffic between Sixth and Seventh Street. Frontage improvements including sidewalks will be replaced around the Project site and new landscaping installed around the building.

The proposed site plan can be found in this Initial Study as Figure 5.

ENVIRONMENTAL DETERMINATION:

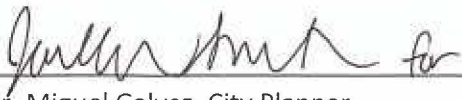
This Initial Study/Mitigated Negative Declaration (IS/MND) has been prepared per the requirements of the California Environmental Quality Act (CEQA) of 1970 (California Public Resources Code Section 21000, et seq.), and the CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.).

The Lead Agency has prepared the following Initial Study, which considers the potential environmental effects of the Proposed Project. The Initial Study shows that there is no substantial evidence, in light of the whole record before the Lead Agency, that the Proposed Project may have a potentially significant effect on the environment, provided that the following mitigation measures are included in the Proposed Project.

MITIGATION MEASURES:

Mitigation Measure CUL-1: In accordance with Section 15064.4(e) of the CEQA Guidelines, in the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps shall be taken:

- There shall be no further excavation or disturbance of the site, or any nearby area reasonably suspected to overlie adjacent human remains until:
 - The coroner of the County in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required;
 - If the coroner determines the remains to be Native American:
 - The coroner shall contact the Native American Heritage Commission within 24 hours.
 - The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American.
 - The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains, and any associated grave goods as provided in Public Resources Code Section 5097.98.


Mr. Miguel Galvez, City Planner

6/8/2026
Date

INITIAL STUDY

1. PROJECT TITLE

Livingston Rec-Plex (General Plan Amendment No. GPA 2022-01, Rezone No. RZN 2022-01, Street Closure No. SCA 2022-01, and Site Plan and Design Review Application No. SPDR 2025-05)

2. LEAD AGENCY NAME AND ADDRESS

City of Livingston
Community Development Department
1416 C Street
Livingston, CA 95334

3. CONTACT PERSON AND PHONE NUMBER

Mr. Miguel Galvez, Contract City Planner
(209) 394-8041 Ext. 112

4. PROJECT LOCATION

The Proposed Project is located in Central Livingston, near the downtown area and south of the 99 Freeway, as shown in Figures 1 and 2. The Project site includes five (5) parcels, as detailed in Table 1. Specifically, the Project site is bounded by existing commercial uses to the north, single family homes and vacant land to the south, vacant land and railroad tracks to the east, and the Livingston Farmer's Association Warehouse and auto services to the west.

Table 1 – Project Site Details

	Property Address	Assessor's Parcel Number (APN)	Lot Size	Present Land Use
1	No address	024-153-003	0.26 acres	Paved parking lot
2	641 Sixth Street	024-153-011	0.79 acres	Warehouse facility (formerly used by the Livingston Farmers Association)
3	1822 C Street	024-154-005	1.0 acres	Unsurfaced outside storage with a metal building and perimeter fencing.
4	1736 C Street	024-153-004	0.26 acres	Single-family home with detached accessory structure
5	1801 D Street	024-154-004	2.27 acres	Vacant land

5. PROJECT SPONSOR'S NAME AND ADDRESS

City of Livingston
1416 C Street
Livingston, CA 95334

6. EXISTING SETTING

The Project site consists of five (5) parcels, as detailed in Table 1 above. Parcel 2, 641 Sixth Street, currently contains a warehouse facility historically used by the Livingston Farmer's Association. Parcel 3, 1822 C Street, is currently an undeveloped lot that has historically been used for outdoor storage. Parcel 4, 1736 C Street, currently contains a single-family home with a detached accessory structure. Parcel 5, 1801 D Street, is currently a vacant parcel with some vegetation. Parcel 1 (APN: 024-153-003) is currently used as a parking lot for the adjacent business.



Seventh Street between C Street and D Street



View of 1822 C Street, looking east



View of the paved parking lot (APN: 024-153-003), looking north



View of existing warehouse building at 641 Sixth Street, looking west



View of existing warehouse building at 641 Sixth Street, looking north



Alleyway between Sixth Street and Seventh Street, looking west

7. EXISTING GENERAL PLAN LAND USE DESIGNATION

The Project site is designated for Industrial land uses per the City's General Plan, dated December 1999, as shown in Figure 3.

8. EXISTING ZONING

The Project site is located within the M-1 Limited Industrial zoning district, as shown in Figure 4.

9. SURROUNDING LAND USES AND SETTING

Table 2, below, provides the Project site's surrounding existing uses, General Plan land use designations, and zoning district designations.

Table 2: Surrounding Land Uses and Setting

	Existing Use	General Plan Land Use Designation	Zoning Classification
North	Tax Services, Auto Repair, Car Dealership	Downtown Commercial (DC)	Downtown Commercial (DTC)
South	Single Family Homes, Coffee Shop, Vacant Land	Downtown Commercial (DC) and High Density Residential (HD)	Downtown Commercial (DTC) and High Density Residential (HD)
East	Vacant Land	Limited Industrial (LI)	Limited Industrial (M-1)
West	Livingston Farmer's Association Warehouse and Car Dealership	Downtown Commercial (DC) and Limited Industrial (LI)	Downtown Commercial (DTC) and Limited Industrial (M-1)

10. DESCRIPTION OF THE PROJECT

The Proposed Project involves multiple discretionary entitlements, including a General Plan Amendment, a Rezone, Street Closure, and Site Plan and Design Review. Collectively, these entitlements will authorize the phased development of a City-owned recreation complex, to be implemented as funding becomes available, on approximately 4.58-acres located north of D Street, between Sixth and the railroad tracks and south of C Street east of Sixth Street. The Proposed Project includes five (5) parcels, as detailed in the Table 1 above.

The Proposed Project includes partial demolition of the existing Livingston Farmers Association warehouse building to make possible, the construction of a new approximately 9,000 square foot recreation building and associated site improvements.

The remainder of the existing warehouse will be retained for a future renovation project, preserving opportunities for phased development. In addition, open areas to the north and northeast of the new recreation building are planned for future park amenities, including basketball courts, recreational gathering spaces, and on-site parking.

Additionally, the Proposed Project includes a closure of a portion of Seventh Street between C and D Street, along with the closure of part of the alley public right-of-way to vehicular traffic between Sixth and Seventh Street. Frontage improvements including sidewalks will be replaced around the Project site and new landscaping installed around the building.

The Proposed Project will connect to the existing City utilities.

Programming and Operations:

The proposed hours of operation for the Phase one of the Rec-Plex Project is from 8:00 a.m. to 9:00 p.m. Office hours will be from 8:00 a.m. to 5:00 p.m. Community use of the gymnasium will be from 4:00 p.m. to 9:00 p.m. An estimated number of three employees will be present during office hours and three other employees will be present during recreation activities between the hours of 4:00 pm to 9:00 p.m. Use of the Gymnasium may include up to 100 participants daily. The use of recreation center would offer individual and group athletic and exercise activities. The center may offer sports classes, camps, and leagues (basketball and volleyball).

Project Phasing:

The Proposed Project is planned to be implemented in four (4) phases, as shown in Figure 5. Phase One will involve the partial demolition of the eastern portion of the existing warehouse building and the construction of a new approximately 9,000 square foot recreation building on Parcel 2 (APN 024-153-011). The building is designed to accommodate a variety of community-serving functions, including a 6,156 square foot gymnasium, 353 square foot studio classrooms, 198 square foot restrooms, a 138 square foot storage room, and a 293 square foot lobby area. Site improvements will include the reconstruction of sidewalks throughout the project area to enhance pedestrian circulation and the installation of new landscaping to improve aesthetics and create a welcoming environment.

Phase Two will consist of street and alley modifications to improve site connectivity and pedestrian safety. This phase includes the closure of 7th Street between C and D Streets and the closure of the alley between C and D Streets and 6th and 7th Streets, as illustrated in the Proposed Project site plan. These closures will allow for the integration of the five (5) parcels into a unified recreational campus and enhance safety, by limiting through-traffic in active recreational areas.

Phase Three will include the development of a new playground, community garden, and associated parking areas located between C Street and D Street, east of 7th Street up to the railroad corridor, providing accessible recreational amenities for the Livingston community. The playground will include a multi-use park space featuring a community garden, splash pad, and outdoor exercise equipment. This phase will also include the development of two basketball courts and an additional parking lot west of 7th Street, north of the alleyway. The existing structures on Parcel 4 will be demolished.

Phase Four will address the remaining western portion of the existing warehouse. This building will include a multi-purpose room, offices, teens and senior centers, and a kitchen. Landscaping improvements will be added along the frontage of the building. These improvements will be completed as funding becomes available.

Together, the four phases are intended to create a cohesive, city-owned recreational complex that provides a variety of civic, recreational, and community-serving amenities while improving pedestrian connectivity, site aesthetics, and neighborhood accessibility.

General Plan Amendment:

As described above and shown in Figure 3, the Project site is designated Limited Industrial (LI) in the City of Livingston General Plan. The LI designation is intended to accommodate a range of industrial and employment-generating uses, including fabrication, assembly, research and development, and low-intensity warehousing. Because the Proposed Project involves development of a community-serving public recreational facility, the existing land use designation is inconsistent with the intended use of the Project site. To ensure consistency with the City's long-term land use policies, the General Plan will be amended to change the land use designation from Limited Industrial (LI) to Public Facility (PF).

Rezone:

The Project site is currently zoned Limited Industrial (M-1), consistent with its existing development, which includes the Livingston Farmers Association warehouse, as well as surrounding uses such as an automobile dealership and other warehouse and light industrial facilities. The M-1 zoning district is intended to implement industrial land use policies and primarily accommodates industrial, manufacturing, and employment-generating uses, including fabrication, assembly, warehousing, and related commercial-support activities.

In contrast, the Public or Quasi-Public Facilities (PF) zoning district is intended to accommodate public and institutional uses, including parks, recreational facilities, community centers, schools, and other civic-serving developments. The PF zoning district establishes development standards appropriate for these uses, including site planning, building height, setbacks, parking, and landscaping requirements that are tailored to civic and public facilities rather than industrial operations.

A city-owned recreation complex is classified as a civic and institutional use and is therefore generally not permitted within industrial zoning districts. To ensure zoning consistency with the proposed use and the City's long-term land use objectives, the Proposed Project requires a rezone of the site from M-1, Limited Industrial, to P-F, Public or Quasi-Public Facilities, as shown in Figure 4. This rezone will provide the appropriate framework for the Proposed Project and ensure that all future improvements, operations, and site modifications comply with standards applicable to public and community-serving facilities.

Street Closure:

The Proposed Project includes a street closure pursuant to Section 21101(a)(1) of the California Vehicle Code, as shown in Figure 6. The Proposed Project will close a portion of Seventh Street between C and D Streets, along with the closure of part of the alley public right-of-way to vehicular traffic between Sixth and Seventh Streets. The street closure will include the closure of the eastern half of the alley right-of-way located between Sixth and Seventh Streets and C and D Streets and the 7th Street (between C and D Streets) to vehicular traffic, along with the installation of bollards along the southern right of way at the C along the northern right-of-way of D Street.

Vehicle access to the project site will be from both C and D streets. The main pedestrian entrance to Rec Plex will be from D Street. On street parking will be available on C and D streets. A new 36-space parking lot with access from C Street is proposed. Outdoor bicycle parking is proposed at both the new gym and at the new playground.

A new outdoor park and playground is proposed south of the proposed parking lot. It will include a shade structure, picnic tables, restrooms, a splash pad, playground equipment, exercise equipment, storage facilities, and a community garden. Outdoor basketball courts are also contemplated north of the new gym.

11. OTHER PUBLIC AGENCIES WHOSE APPROVAL IS REQUIRED

There are no other public agencies whose approval is required for the Proposed Project.

12. HAVE CALIFORNIA NATIVE AMERICAN TRIBES TRADITIONALLY AND CULTURALLY AFFILIATED WITH THE PROJECT AREA REQUESTED CONSULTATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 21080.3.1?

In accordance with SB 18 and AB 52, the City, acting as the Lead Agency, distributed consultation request letters to the following Native American Tribes: Amah Mutsun Tribal Band, Dumna Wo-Wah Tribal Government, Northern Valley Yokuts Tribe, Southern Sierra Miwuk Nation, Table Mountain Rancheria, Tule River Indian Tribe, and Wuksache Indian Tribe/Eshom Valley Band. The City did not receive any consultation requests in response to the letters.

Figure 1 – Vicinity Map



Figure 2 – Project Location



Figure 3 – Existing and Proposed Land Use Designations

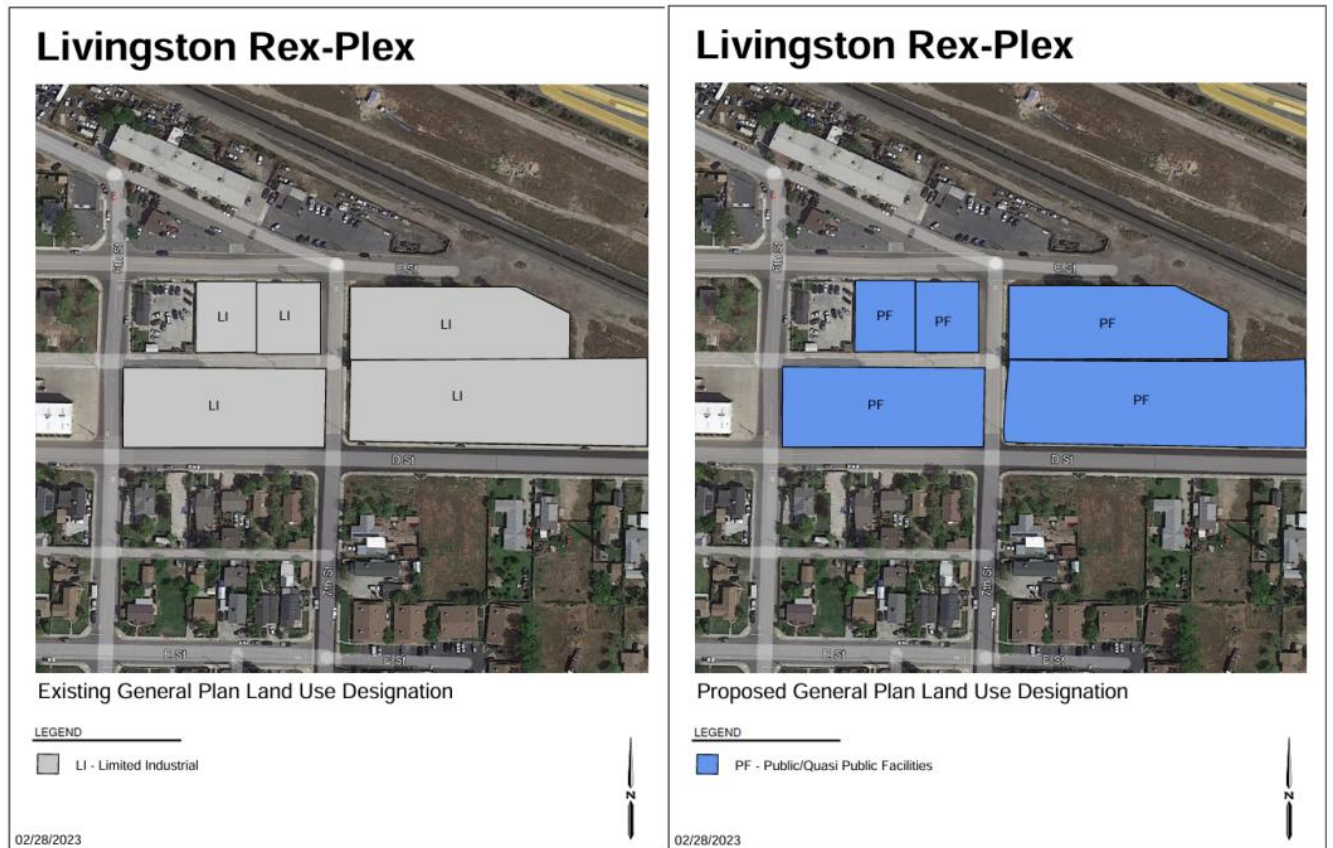
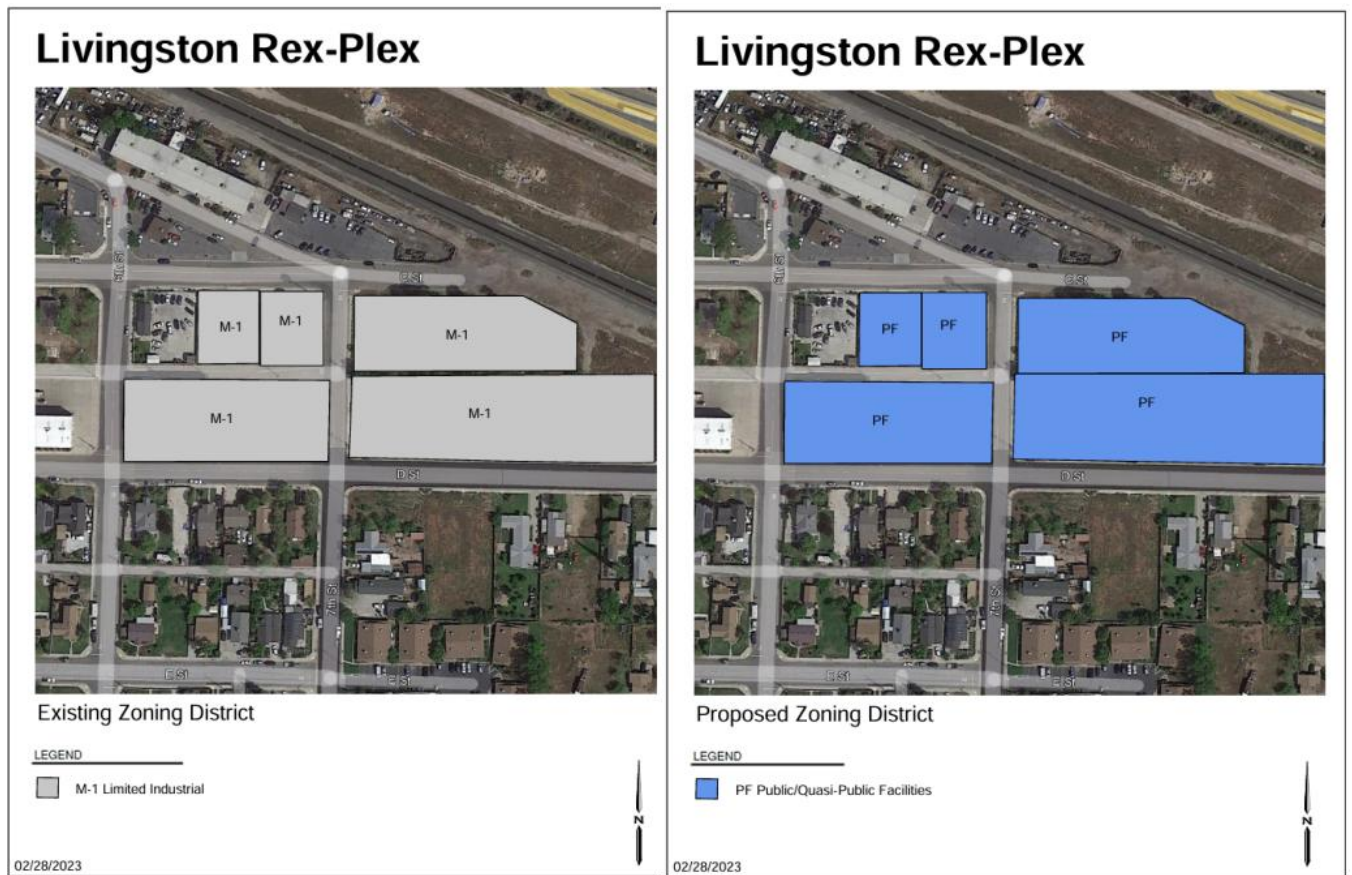


Figure 4 – Existing and Proposed Zoning



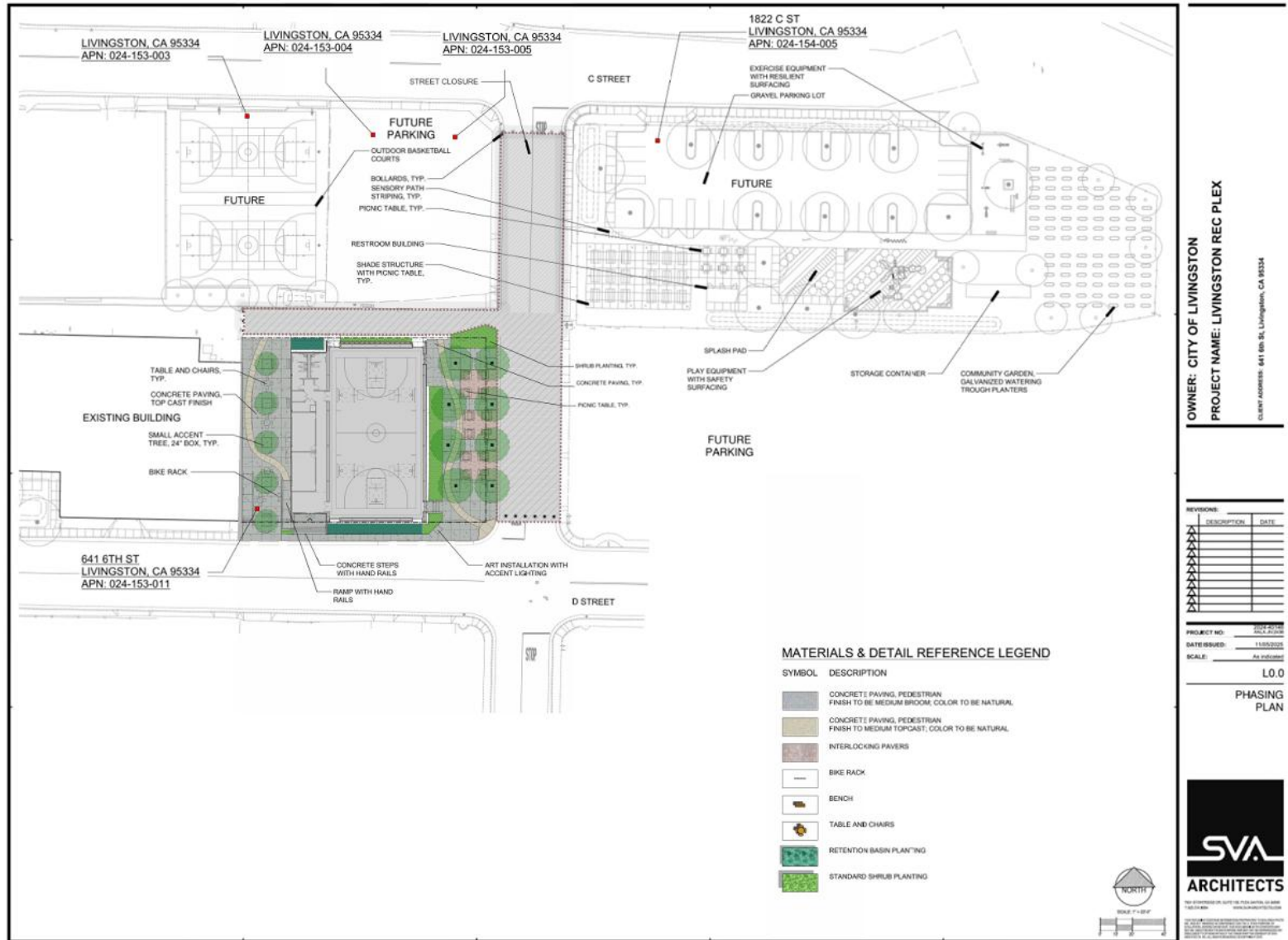
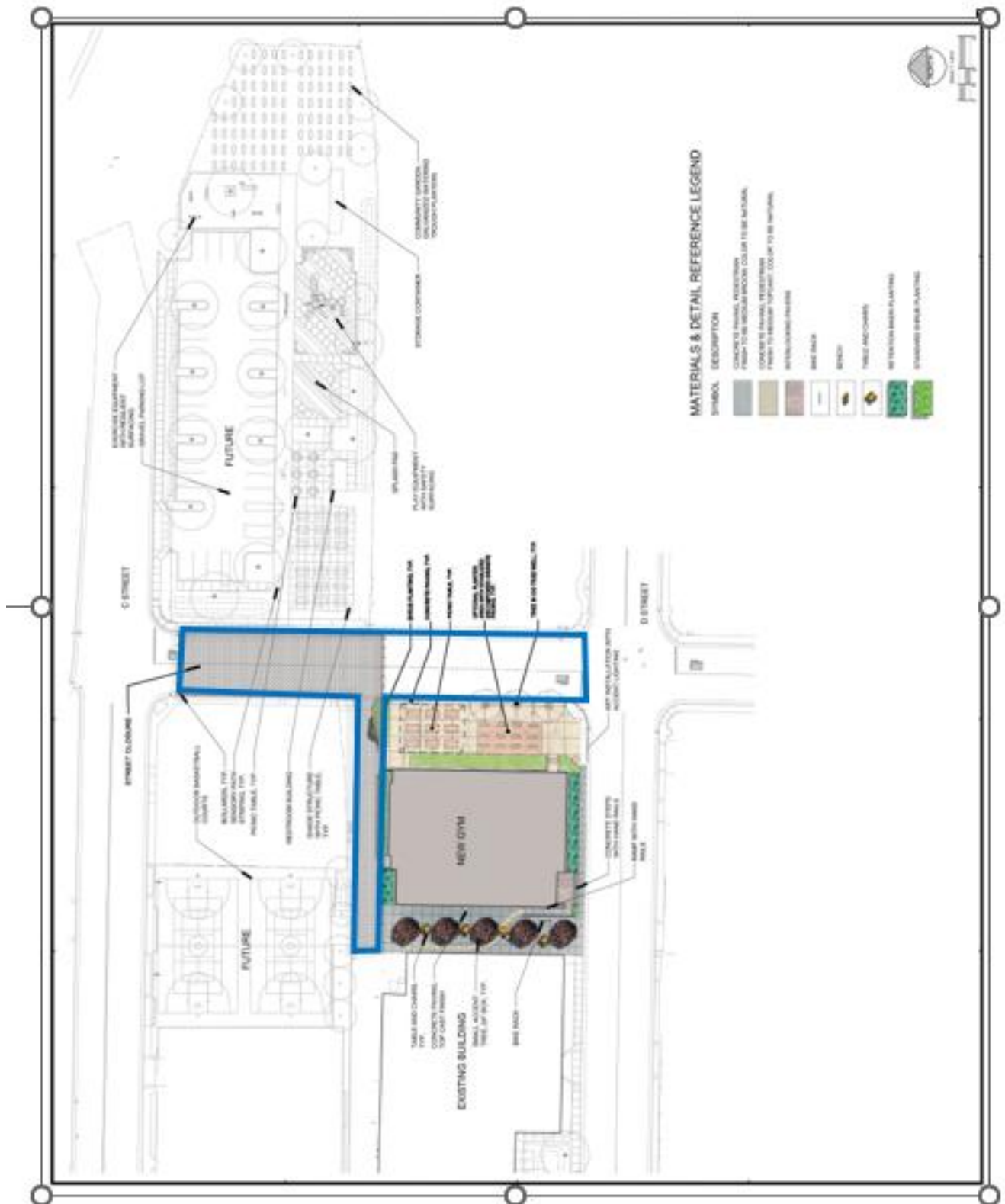


Figure 5 – Site and Phasing Plan

Figure 6 – Proposed Street and Alley Closure





OWNER: CITY OF LIVINGSTON
PROJECT NAME: LIVINGSTON REC PLEX

CLIENT ADDRESS: 641 6th St, Livingston, CA 95334

REVISIONS:	
DESCRIPTION	DATE

PROJECT NO.: 2020-0100
DATE ISSUED: 09/26/2020
SCALE: As indicated

A21.1
EXTERIOR ELEVATIONS



Figure 7 – Phase One Elevations

Figure 8 – Phase One Utility Plan

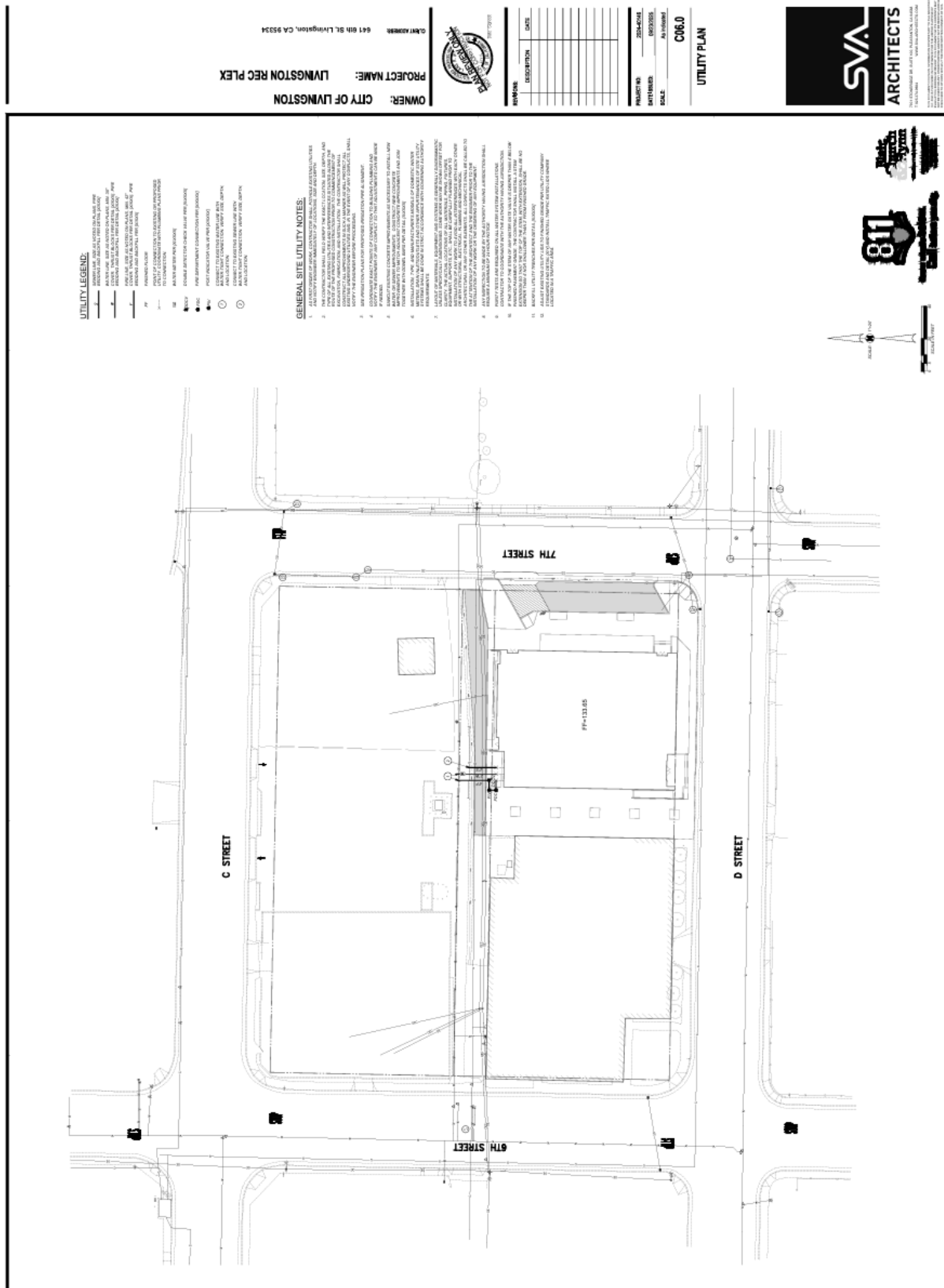
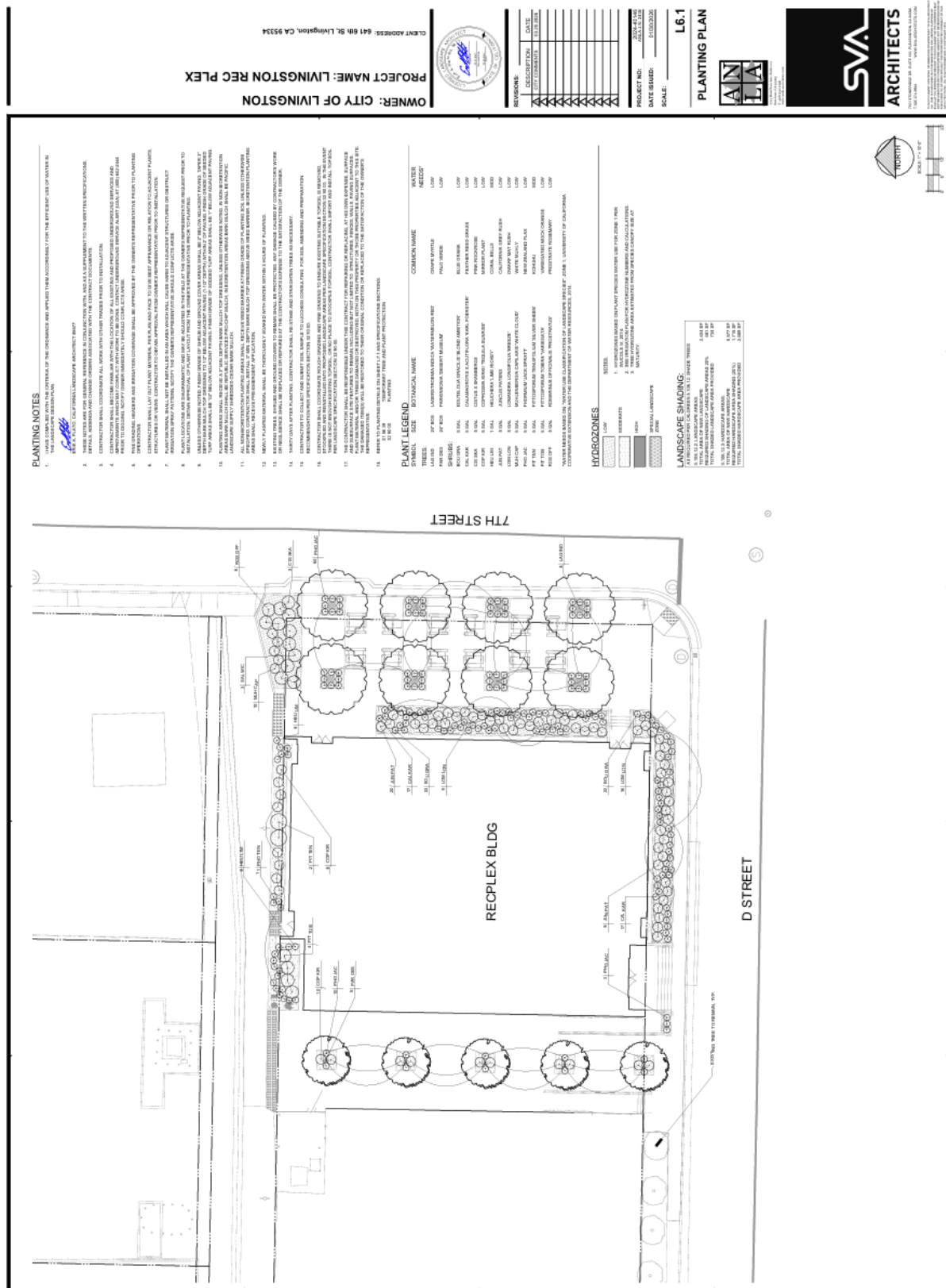


Figure 9 – Phase One Planting Plan



23 | Page



13. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project. The environmental factors checked below can be fully mitigated to less than significant with required mitigation measures and further analysis (e.g., Environmental Impact Report) is not required.

	Aesthetics		Agriculture and Forestry Resources		Air Quality
	Biological Resources	X	Cultural Resources		Energy
	Geology/Soils		Greenhouse Gas Emissions		Hazards and Hazardous Materials
	Hydrology and Water Quality		Land Use/Planning		Mineral Resources
	Noise		Population/Housing		Public Services
	Recreation		Transportation/Traffic	X	Tribal Cultural Resources
	Utilities/Service Systems		Wildfire		Mandatory Findings of Significance

14. LEAD AGENCY DETERMINATION:

On the basis of this initial evaluation:

	I find that the Proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	
X	I find that although the Proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the Project Proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.	
	I find that the Proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.	
	I find that the Proposed Project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.	
	I find that although the Proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the Proposed Project, nothing further is required.	
 Mr. Miguel Galvez, City Planner		6/8/2026 Date

SECTION 2.0 EVALUATION INSTRUCTIONS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

INITIAL STUDY CHECKLIST

This section of the Initial Study incorporates the most current Appendix "G" Environmental Checklist Form, contained in the CEQA Guidelines.

1. AESTHETICS -- EXCEPT AS PROVIDED IN PUBLIC RESOURCES CODE SECTION 21099, WOULD THE PROJECT:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?				X
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

IMPACT ANALYSIS

- Would the project have a substantial adverse effect on a scenic vista?
- Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings along a state scenic highway?

Scenic vistas are generally interpreted as long-range views, while scenic corridors are comprised of short, middle-, and long-range views. There are no officially designated scenic vistas in or near the Project Site. A scenic road is defined as a highway, road, driveway, or street that provides for the enjoyment of natural and human-made scenic resources, in addition to its transportation function. Scenic roads direct views to areas of exceptional beauty, natural resources, or landmarks, or historic or cultural interest. The Project site is not near any of the designated State Scenic Highways per the California Department of Transportation's Statewide Scenic Highway Map. Therefore, the Proposed Project would have **No Impact**.

- c. *Would the project, in non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?*

As the Proposed Project is a new development on a site proposed for rezoning as P-F, it would be subject to Site Plan and Design Review by the City, which is intended to promote harmony in appearance in neighborhoods and to reduce negative aesthetic impacts. The Proposed Project would also be required to comply with applicable landscaping standards, as specified in the City's Zoning Ordinance. Therefore, the Proposed Project will have a **Less Than Significant Impact**.

- d. *Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?*

The Proposed Project will introduce typical lighting sources associated with recreational complexes such as exterior building lighting. These lighting sources are regulated by City policies to avoid excessive glare. The Land Use Element of the 1999 General Plan contains the following policies related to lighting and glare:

- Policy 3.1(A)(10): Exterior area lighting for non-residential land uses, shall be shielded to prevent line of sight visibility of the light source from abutting property planned for single-family residential.
- Policy 3.1(A)(12): Project descriptions for Site or Plot Plans shall identify:
 - a. Building Materials: All potentially reflective exterior building materials, location of the materials in relation to the position of the sun, and to location of motorists and other persons within sight of the project.
 - c. Lighting: Each exterior light source according to type, location, wattage (measured at 110 volts or the equivalent), height, direction of lighting patterns, type of shielding, when in use, and whether the light is steady or pulsating. For a lighting system, an outline of directly illuminated areas, including points of overlap) between lighting patterns, all streets within the lighting system, and all adjacent property lines must also be submitted.
 - d. The following conditions will normally be considered significant and subject to additional review to determine level of significance and whether mitigation measures will be needed:
 1. Any light source in excess of 150 watts which directly illuminates adjacent properties.
 2. Additional indirect illumination of adjacent properties in excess of 0.5 foot candles.
 3. For pedestrian lighting systems, a point of overlap between light patterns is greater than seven feet.
 4. Intensity of lighting within the physical limits of an area required to be lighted that is greater than seven-foot candles.

The Proposed Project will be required to adhere to the policies listed above. The project would include new building lights, pathway lights, and parking lot lighting for security and safety. All exterior lighting installed as a part of any future development of the site will be required to be designed in such a way as to minimize glare and light spillage in order to preserve existing day-time/night-time views. In addition, the Proposed Project is surrounded by urban development with existing sources of light and glare. As such, the Proposed Project will have a **Less Than Significant Impact**.

MITIGATION MEASURES:

Mitigation is not required for this topic.

2. AGRICULTURE AND FORESTRY RESOURCES: WOULD THE PROJECT:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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, as updated) prepared by the California Department 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?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
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))?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
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?				X

IMPACT ANALYSIS

- Would the project convert Prime Farmland, Unique Farmland, 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?
- Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

- c. *Would the project 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 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?*
- d. *Would the project result in the loss of forest land or conversion of forest land to non-forest use?*
- e. *Would the project involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?*

The California Important Farmland Map designates the viability of lands for farmland use, based on the physical and chemical properties of the soils. The maps categorize farmland, in decreasing order of soil quality, as “Prime Farmland,” “Farmland of Statewide Importance,” “Unique Farmland,” and “Farmland of Local Importance.” The first three (3) categories are defined as “Farmland” by CEQA Guidelines Appendix G. The Williamson Act preserves agricultural land by means of a contract between the landowner and local government that keeps the contracted land in agricultural use in exchange for a lower property tax assessment.

The California Department of Conservation’s Important Farmland Map designates the Project site as urban and built-up land. The Project site does not contain Prime Farmland, Unique Farmland, or Farmland of Statewide Importance and it does not contain a Williamson Act Contract. Additionally, the Proposed Project site is not zoned for forest land or timberland, and the Proposed Project does not result in the loss of forest land or conversion of forest land to non-forest use. As noted previously in this Initial Study, the Proposed Project site is designated for Limited Industrial (LI) land uses per the City’s General Plan, dated December 1999.

The Project site currently consists of a paved parking lot, existing warehouse facility, and a vacant lot. Furthermore, the site is surrounded by urban development to its north, west, and south. The Proposed Project will not involve changes in the existing environment that would result in the conversion of farmland to a non-agricultural use. Therefore, the Proposed Project will have **No Impact**.

MITIGATION MEASURES:

Mitigation is not required for this topic.

3. AIR QUALITY -- WOULD THE PROJECT:

	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied on to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable Federal or State ambient air quality standard?			X	
c) Expose sensitive receptors to substantial pollutant concentrations?			X	
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?			X	

REGULATORY SETTING

The Proposed Project is located in northern Merced County which is a portion of the San Joaquin Valley Air Basin (SJVAB). Air quality management under the Federal and State Clean Air Acts is the responsibility of the San Joaquin Valley Air Pollution Control District (SJVAPCD).

The Federal and State governments have adopted ambient air quality standards (AAQS) for the primary air pollutants of concern, known as “criteria” air pollutants. Air quality is managed by the SJVAPCD to attain these standards. Primary standards are established to protect the public health; secondary standards are established to protect the public welfare. The attainment statuses of the SJVAB for Merced County with respect to the applicable AAQS are shown in the table below.

The SJVAB is considered non-attainment for ozone and particulate matter (PM10 and PM2.5), because the AAQS for the pollutants are sometimes exceeded. The SJVAB is Attainment/Unclassified for carbon monoxide, but select areas, not including the City of Livingston, are required to abide by adopted carbon monoxide maintenance plans.

The California Air Resources Board (CARB) through the Air Toxics Program is responsible for the identification and control of exposure to air toxics, and notification of people that are subject to significant air toxic exposure. A principal air toxic is diesel particulate matter, which is a component of diesel engine exhaust.

The SJVAPCD has adopted regulations establishing control over air pollutant emissions associated with land development and related activities. These regulations include:

- Regulation VIII (Fugitive Dust Rules)
- Rule 4101 (Visible Emissions)
- Rule 9510 (Indirect Source Review)

SAN JOAQUIN VALLEY FEDERAL AND STATE AAQS ATTAINMENT STATUS

Pollutant	Designation / Classification	
	Federal Standards ^a	State Standards ^b
Ozone, 1-hour	No Federal standard ^f	Nonattainment / Severe
Ozone, 8-hour	Nonattainment / Extreme ^e	Nonattainment
PM10	Attainment ^c	Nonattainment
PM2.5	Nonattainment ^d	Nonattainment
Carbon Monoxide	Attainment / Unclassified	Attainment / Unclassified
Nitrogen Dioxide	Attainment / Unclassified	Attainment
Sulfur Dioxide	Attainment / Unclassified	Attainment
Lead (particulate)	No designation/Classification	Attainment
Hydrogen Sulfide	No Federal standard	Unclassified
Sulfates	No Federal standard	Attainment
Visibility-Reducing Particles	No Federal standard	Unclassified
Vinyl Chloride	No Federal standard	Attainment

^aSee 40 CFR Part 81

^bSee CCR Title 17 Sections 60200-60210

^cOn September 25, 2008, EPA redesignated the San Joaquin Valley to Attainment for the PM10 National AAQS and approved the PM10 Maintenance Plan

^dThe Valley is designated nonattainment for the 1997 PM2.5 NAAQS. EPA designated the Valley as nonattainment for the 2006 PM2.5 on November 13, 2009 (effective December 14, 2009).

^eThough the Valley was initially classified as serious nonattainment for the 1997 8-hour ozone standard, EPA approved reclassification of the Valley to extreme nonattainment in the Federal Register on May 2010 (effective June 4, 2010).

^fEffective June 15, 2005, the EPA revoked the Federal 1-hour ozone standard, including associated designations and classifications. EPA has previously classified the SJV as extreme nonattainment for this standard. EPA approved the 2004 Extreme Ozone Attainment Demonstration Plan on March 8, 2010 (effective April 7, 2010). Many applicable requirements for extreme 1-hour ozone nonattainment areas continue to apply to the SJVAB.

The SJVAPCD has adopted a CEQA impact analysis guideline titled *Guide for Assessing and Mitigating Air Quality Impacts* (GAMAQI). The GAMAQI is utilized in the following air quality impact analysis where applicable. The GAMAQI establishes impact significance thresholds for the non-attainment pollutant PM10 and precursors to the non-attainment pollutant ozone: reactive organic gases (ROG) and oxides of nitrogen (NOx).

Pollutant/Precursor	Construction Emissions	Operational Emissions	
		Permitted Equipment and Activities	Non-Permitted Equipment and Activities
	<i>Emissions (tpy)</i>	<i>Emissions (tpy)</i>	<i>Emissions (tpy)</i>
CO	100	100	100
NO _x	10	10	10
ROG	10	10	10
SO _x	27	27	27
PM ₁₀	15	15	15
PM _{2.5}	15	15	15

Projects that do not generate emissions in excess of these thresholds are considered to have less than significant air quality impacts. Furthermore, within the GAMAQI, the SJVAPCD has established AAQA analysis screening levels for development projects, in Table 4 of the GAMAQI. These screening levels determine if an AAQA should be conducted for a development project. Development projects under the screening levels are considered small development projects and below the applicability threshold for the Rule 9510 (Indirect Source Review). Per Section 8.4.4 of the GAMAQI, projects below the Indirect Source Review (ISR) applicability thresholds are not expected to exceed the thresholds of significance for criteria pollutants emissions. Additionally, projects below the ISR applicability thresholds are not expected to violate any air quality standards or contribute substantially to an existing or projected air quality violation and will not exceed the thresholds of significance for ambient air quality. No emission calculation would be needed, and no ambient air quality analysis would be required by SJVAPCD.

The Proposed Project construction will be subject to SJVAPCD rules related to control of construction emission, including the various rules comprising Regulation VIII. The application of these rules to the Proposed Project will further limit the potential air quality effects of the Proposed Project. The Proposed Project will generate small amounts of new on-road traffic and associated ROG, NO_x and PM emissions during project operation.

The SJVAPCD regulations that are potentially applicable to the Proposed Project are summarized below.

Regulation VIII (Fugitive PM₁₀ Prohibitions)

Rule 8021 is designed to reduce PM₁₀ emissions (predominantly dust/dirt) generated by human activity, including construction and demolition activities, road construction, bulk materials storage, paved and unpaved roads, carryout and track out, landfill operations, etc.

Rule 2010 (Permits Required)

This rule requires operators of emission sources to obtain an Authority to Construct (ATC) and Permit to Operate (PTO) from the District.

Rule 2201 (New and Modified Stationary Source Review)

This rule requires that new and modified stationary sources of emissions mitigate their emissions using Best Available Control Technology (BACT).

Rule 4002 (National Emissions Standards for Hazardous Air Pollutants)

This rule requires a thorough inspection for asbestos to be conducted before any regulated facility is demolished or renovated. Any asbestos present must be handled in accordance with established work practice standards and disposal requirements.

Rule 4601 (Architectural Coating)

This rule sets limits on the volatile organic compounds, a component of ROG, allowed in various paints and other coatings.

IMPACT ANALYSIS

- a. Would the project conflict with or obstruct implementation of the applicable air quality plan?*
- b. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable Federal or State ambient air quality standard?*
- c. Would the project expose sensitive receptors to substantial pollutant concentrations?*

The City of Livingston is located within the San Joaquin Valley Air Basin. The air quality impacts for the Proposed Project have been analyzed within the 1999 General Plan EIR. The 1999 General Plan contains the following policies related to air quality:

- Natural Resources Policy 5.2(5): To assist the City in meeting the clean air quality requirements of the federal and state Clean Air Acts, the San Joaquin Valley Unified Air Pollution District will be consulted to provide community planning guidance to help reduce potential air quality impacts.
- Natural Resources Policy 5.2(8): New construction activities shall comply with the PM-10 control measures as set forth by the San Joaquin Valley United Air Pollution Control District's Guide for Assessing and Mitigating Air Quality Impacts.
- Natural Resources Policy 5.2(9): The Guide for Assessing and Mitigating Air Quality Impacts will be used to evaluate and mitigate the effects of new developments to the extent feasible.

As stated above, development projects below the ISR applicability thresholds are not expected to exceed the thresholds of significance for criteria pollutants emissions and are not expected to violate any air quality standards.

Per SJVAPCD's letter dated December 4, 2025 (Appendix A), the Proposed Project has been determined to be below the District Rule 9510 applicability threshold of 20,000 square feet of recreational space and does not require an AAQA. The Proposed Project is not expected to exceed the thresholds of significance for criteria pollutants emissions. Therefore, the Proposed Project will have a **Less Than Significant Impact**.

- d. Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?*

The Proposed Project will result in short-term air quality impacts resulting from construction activity. However, projects of this nature and scope do not generally result in other emissions such as odors that will adversely affect a substantial number of people. Therefore, the Proposed Project will have a **Less Than Significant Impact**.

MITIGATION MEASURES:

Mitigation is not required for this topic.

4. BIOLOGICAL RESOURCES -- WOULD THE PROJECT:

	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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?				X
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?				X
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?				X
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?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	
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?				X

IMPACT ANALYSIS

- a. *Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?*

- b. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?*
- c. Would the project 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?*
- d. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native residents or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*

Special-status species include plant and/or wildlife that are legally protected under the federal Endangered Species Act, the California Endangered Species Act, or other laws and regulations, or are considered rare enough by the scientific community and trustee agencies to warrant special consideration. A sensitive natural community is a biological community that is regionally rare, provides important habitat opportunities for wildlife, is structurally complex, or is in other ways of special concern to local, State, or Federal agencies. Wildlife corridors refer to contiguous tracts of habitat that connect larger areas of habitat and facilitate genetic exchange within a population or between subpopulations by allowing for movement within or between habitat patches.

Waters of the U.S. include navigable waterways, their tributaries, and adjacent wetlands. More specifically, Waters of the U.S. encompass territorial seas, tidal waters, and non-tidal waters, along with perennial and intermittent creeks and drainages; lakes, seeps, and springs; emergent marshes; riparian wetlands; and seasonal wetlands. Under Section 404 of the Clean Water Act, a permit issued by the U.S. Army Corps of Engineers must be secured prior to the discharge of dredged or fill materials into these waters. Waters of the State, subject to oversight by the State Water Resources Control Board (SWRCB) and by RWQCB with jurisdiction over the affected water, include isolated wetlands not covered by federal regulations.

The Project site is partially developed with a warehouse building and paved parking lot, a single-family dwelling containing outdoor landscaping, with the remainder of the site being vacant with some vegetation. The Project site is also located in an urbanized area surrounded by commercial and residential development. Based on a review of the City's 1999 General Plan and EIR, there are no prime wildlife habitat areas in the Project area, and the Project site has limited habitat value for wildlife species. There are no wetlands located on the Project site. There are no streams either on or adjacent to the project site, so no fish movements would be affected by the project. There are no trees on the project site that raptors and other protected migratory birds could use for nesting. The project area is not a year-round or seasonal habitat for migratory birds according to the 1999 General Plan. In addition, the Proposed Project will be required to comply with the General Plan Natural Resources Policy 5.2(10): Properties which have the potential to support listed plant and animal species will be required to have a biological investigation as a condition of development. Surveys for species shall follow both Federal and State protocols.

Based on the above analysis, the Proposed Project will have **No Impact**.

- e. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

Livingston Municipal Code Section 5-4-8 seeks to protect and preserve mature trees on private property. A permit shall be required for the removal of any mature tree measuring at least six inches in diameter, as measured four feet above grade at the base of the tree. As required by the code, any tree removal shall require the replacement of new plantings on the City's Street Tree Master Plan. The City requires a five to one (5:1) replacement ratio for removal of any protected tree. The City has no other ordinances applicable to biological resources. A portion of the project site, east of Seventh Street, has up to twenty invasive trees (Tree of Heaven, a species of *Ailanthus*) growing on the property. The diameter of these trees ranges from four to twenty-four inches at the four-foot height. In addition, there is mature Mulberry tree (annually pruned) and a palm tree on the residential lot. All the trees on the project site are devoid of bird nests. The Project site currently has trees that will be removed as part of the proposed development for the park area. However, the Proposed Project includes the installation of new trees in the park area and in front of the proposed gym building. Therefore, the Proposed Project will have **a Less than Significant Impact**.

- f. Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

There are no Habitat Conservation Plans, Natural Community Conservation Plans, or similar conservation plans that apply to the project site. Therefore, the Proposed Project would have **No Impact**.

MITIGATION MEASURES:

Mitigation is not required for this topic.

5. CULTURAL RESOURCES -- Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?			X	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?		X		
c) Disturb any human remains, including those interred outside of formal cemeteries?			X	

IMPACT ANALYSIS

- Would the project cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?*
- Would the project cause a substantial adverse change in the significance of an archaeological resource as defined in §15064.5?*
- Would the project disturb any human remains, including those interred outside of dedicated cemeteries?*

Based on the disturbed nature of the project site, the site has a very low potential for discovering and/or disturbing human remains. However, if human remains are found. In addition, based on a review of the City's General Plan, the Project site is not known to contain historical or archaeological resources. Therefore, the Proposed Project will have a **Less Than Significant Impact with Mitigation Incorporated. Refer to Mitigation Measure CUL-1, below.** It is not anticipated that the Proposed Project will disturb any human remains. However, future development and construction of the Project site, human remains may be identified, particularly during activities requiring ground disturbance (i.e., grading, trench digging, etc.). As such, the Proposed Project shall incorporate Mitigation Measure CUL-1, specified below, in accordance with Section 15064.5(e) of the CEQA Guidelines, to reduce any potentially significant impacts to a level of **Less Than Significant with Mitigation Incorporated.** Refer to Mitigation Measure CUL-1, below.

MITIGATION MEASURES:

The following mitigation measure shall be incorporated into the Proposed Project:

Mitigation Measure CUL-1:

In accordance with Section 15064.4(e) of the CEQA Guidelines, in the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps shall be taken:

- There shall be no further excavation or disturbance of the site, or any nearby area reasonably suspected to overlie adjacent human remains until:
 - The coroner of the County in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required;
 - If the coroner determines the remains to be Native American:
 - The coroner shall contact the Native American Heritage Commission within 24 hours.
 - The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American.
 - The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains, and any associated grave goods as provided in Public Resources Code Section 5097.98.

6. ENERGY -- Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			X	
b) Conflict with or obstruct a State or local plan for renewable energy or energy efficiency?			X	

IMPACT ANALYSIS

The following discussion is an analysis for criteria (a) and (b):

- a. *Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?*

The Proposed Project construction would involve fuel consumption and use of other non-renewable resources. Construction equipment used for such improvements typically runs on diesel fuel or gasoline. The same fuels typically are used for vehicles that transport equipment and workers to and from a construction site. However, construction-related fuel consumption would be finite, short-term, and consistent with construction activities of a similar character. This energy use would not be considered wasteful, inefficient, or unnecessary.

The project would be required to comply with applicable provisions of the adopted California Energy Code and CALGreen in effect at the time of project approval. The provisions of these codes are intended to increase energy efficiency of buildings, thereby reducing energy consumption. Compliance with these standards would reduce energy consumption associated with project operations. Overall, the Proposed Project construction and operations would not consume energy resources in a manner considered wasteful, inefficient, or unnecessary. Therefore, the Proposed Project will be **Less Than Significant**.

- b. *Would the project conflict with or obstruct a State or local plan for renewable energy or energy efficiency?*

The City does not have adopted plans for renewable energy or energy efficiency. However, the City has adopted the California Energy Code and CALGreen, both of which contain provisions that promote energy efficiency. The project would be required to comply with the applicable requirements of these two codes, which are designed to improve energy efficiency of buildings. Therefore, the Proposed Project would be **Less Than Significant**.

MITIGATION MEASURES:

Mitigation is not required for this topic.

7. GEOLOGY AND SOILS -- WOULD THE PROJECT:

	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
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.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?			X	
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?			X	
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?			X	
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?				X
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	

IMPACT ANALYSIS

- a. *Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:*

- 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. *Would the project result in substantial soil erosion or the loss of topsoil?*
- c. *Would the project be located on a geologic unit or soil that is unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?*

Faults are classified as active, potentially active, or inactive. A fault rupture occurs when the surface of the earth breaks as a result of an earthquake, although this does not happen with all earthquakes. These ruptures generally occur in a weak area of an existing fault. Ruptures can be sudden (i.e., earthquake) or slow (i.e., fault creep). According to the 1999 General Plan EIR, Livingston is considered to have a “low” maximum expectable earthquake intensity. According to the California Earthquake Hazards Zone Map, no active faults mapped and zoned under the Alquist-Priolo Zoning Act are located within the Project site. The City is located 59 miles to the east of the San Andreas Fault line and 42 miles to the west of the Mother Lode Fault line, according to the 1999 General Plan. The Proposed Project will be required to adhere to the California Building Code, which contains provisions to prevent seismic hazards.

The existing topography of the Project site is relatively flat, with little to no slope. The Proposed Project will require grading activities as part of the development and construction process, and these grading activities will be based upon a Grading Plan that will be reviewed and approved by the City prior to any grading activities. The Proposed Project will be required to comply with Chapter 6 of Title 4 of the City’s Municipal Code related to grading and erosion control. Compliance ensures that the Proposed Project will not result in substantial soil erosion or loss of topsoil.

Landslides include rockfalls, deep slope failure, and shallow slope failure. Factors such as geological conditions, drainage, slope, and vegetation directly affect the potential for landslides. One of the most common causes of landslides is construction activity that is associated with road building (i.e., cut and fill). As such, it is unlikely that the construction or operation of the Proposed Project will result in a landslide.

Lateral spreading is generally where blocks of intact, non-liquefied soil move down slope on a liquefied substrate of large areal extent. Land subsidence is the gradual settling or sinking of an area with little or no horizontal motion due to changes taking place underground. It is a natural process, although it can also occur (and is greatly accelerated) as a result of human activities. Common causes of land subsidence from human activity include pumping water, oil, and gas from underground reservoirs; dissolution of limestone aquifers (sinkholes); collapse of underground mines; drainage of organic soils; and initial wetting of dry soils. Collapsible soils undergo a rearrangement of their grains and a loss of cementation, resulting in substantial and rapid settlement under relatively low loads. Collapsible soils occur predominantly at the base of mountain ranges, where Holocene-age alluvial fan and wash sediments have been deposited during rapid run-off events.

Liquefaction typically requires a significant sudden decrease of shearing resistance in cohesionless soils and a sudden increase in water pressure, which is typically associated with an earthquake of high magnitude. The potential for liquefaction is highest when groundwater levels are high, and loose, fine, sandy soils occur at depths of less than 50 feet. The California Geological Survey (CGS) has designated certain areas in California as potential liquefaction hazard zones. The Project site is not designated as a liquefaction hazard zone by the CGS. Therefore, the Proposed Project would be **Less Than Significant**.

- d. Would the project be located on expansive soil, as defined in Table 1-B of the Uniform Building Code, creating substantial risks to life or property?*

According to the US Department of Agriculture's Web Soil Survey, Delhi sand is the only soil type on the Project site. Delhi sand is categorized as being somewhat excessively drained and a negligible runoff class. This is not considered an expansive soil. Therefore, the Proposed Project will have a **Less Than Significant Impact**.

- e. Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?*

The Proposed Project will connect to City services, including domestic wastewater. The Proposed Project will not utilize the use of septic tanks or alternative wastewater disposal systems. Therefore, the Proposed Project would have **No Impact**.

- f. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

Based on a review of the 1999 General Plan EIR, there are no known unique geologic features within the Project site. However, geologic formations within the Project site have the potential to contain unique paleontological resources. The Proposed Project is required to comply with the federal Paleontological Resources Preservation Act, which limits the collection of vertebrae fossils and other rare and scientifically significant fossils to qualified researchers who have obtained a permit from the applicable state and/or federal agency. Ground disturbance activities associated with the Proposed Project such as grading and excavating could uncover fossilized remains that have not been recorded. In these cases, implementation protocols of the Society of Vertebrate Paleontology standards will ensure the protection of unique paleontological resources during construction of the Proposed Project.

Based on the above analysis, the Proposed Project will have a **Less Than Significant Impact**.

MITIGATION MEASURES:

Mitigation is not required for this topic.

8. GREENHOUSE GAS EMISSIONS -- WOULD THE PROJECT:

	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

SETTING:

Human-generated emissions greenhouse gases (GHGs) are understood to be an important cause of global climate change, which is a subject of increasing scientific, public concern, and government action. Atmospheric concentrations of GHGs that trap heat in the earth's atmosphere and lead to a variety of effects, including increasing temperature, changes in patterns and intensity of weather and various secondary effects resulting from those changes, including potential effects on public health and safety.

California AB 32 identifies global climate change as a "serious threat to the economic well-being, public health, natural resources and the environment of California." As a result, global climate change is an issue that needs to be considered under CEQA.

GHGs include carbon dioxide (CO₂), the most abundant GHG, as well as methane, nitrous oxide, and other gases, each of which have GHG potential that is several times that of CO₂. GHG emissions result from combustion of carbon-based fuels; major GHG sources in California include transportation (40.7%), electric power generation (20.5%), industrial (20.5%), agriculture and forestry (8.3%) and others (8.3%).

The State of California is actively engaged in developing and implementing strategies for reducing GHG emissions. State programs for GHG reduction include a regional cap-and-trade program, new industrial and emission control technologies, alternative energy generation technologies, advanced energy conservation in lighting, heating, cooling and ventilation, reduced-carbon fuels, hybrid and electric vehicles, and other methods of improving vehicle mileage reduction programs. Using these and other strategies, the State's Global Climate Change Scoping Plan, adopted in December 2008, proposes to achieve a 29% reduction in projected business-as-usual emission levels for 2020.

The SJVAPCD adopted a Climate Change Action Plan in 2008 and issued guidance for development project compliance with the plan in 2009. The guidance adopted an approach that relies on the use of Best Performance Standards to reduce GHG emissions. Projects implementing Best Performance Standards would be determined to have a less than cumulatively significant impact. For projects not implementing Best Performance Standards, demonstration of a 29% reduction in GHG emissions from business-as-usual conditions is required to determine that a project would have a less than cumulatively significant impact.

REGULATORY SETTING

California Air Resources Board (CARB) is responsible for the coordination and oversight of State and local air pollution control programs in California. California has numerous regulations aimed at reducing the state's GHG emissions. These initiatives are summarized below:

Assembly Bill 1943

Assembly Bill (AB) 1943 (2002), California's Advanced Clean Cars program (referred to as "Pavley"), requires CARB to develop and adopt regulations to achieve "the maximum feasible and cost-effective reduction of GHG emissions from motor vehicles." On June 30, 2009, U.S. EPA granted the waiver of Clean Air Act preemption to California for its greenhouse gas emission standards for motor vehicles beginning with the 2009 model year. Pavley I took effect for model years starting in 2009 to 2016 and Pavley II, which is now referred to as "LEV (Low Emission Vehicle) III GHG" will cover 2017 to 2025. Fleet average emission standards would reach 22 percent reduction from 2009 levels by 2012 and 30 percent by 2016. The Advanced Clean Cars program coordinates the goals of the Low Emission Vehicles (LEV), Zero Emissions Vehicles (ZEV), and Clean Fuels Outlet programs and would provide major reductions in GHG emissions. By 2025, when rules will be fully implemented, new automobiles will emit 34 percent fewer GHGs and 75 percent fewer smog-forming emissions from their model year 2016 levels.

Executive Order S-3-05

In 2005, the governor issued Executive Order (EO) S-3-05, establishing statewide GHG emissions reduction targets. EO S-3-05 provides that by 2010, emissions shall be reduced to 2000 levels; by 2020, emissions shall be reduced to 1990 levels; and by 2050, emissions shall be reduced to 80 percent below 1990 levels (California Environmental Protection Agency [CalEPA]). In response to EO S-3-05, CalEPA created the Climate Action Team (CAT), which in March 2006 published the Climate Action Team Report (the "2006 CAT Report") (CalEPA 2006). The 2006 CAT Report identified a recommended list of strategies that the state could pursue to reduce GHG emissions. These are strategies that could be implemented by various state agencies to ensure that the emission reduction targets in EO S-3-05 are met and can be met with existing authority of the state agencies. The strategies include the reduction of passenger and light duty truck emissions, the reduction of idling times for diesel trucks, an overhaul of shipping technology/infrastructure, increased use of alternative fuels, increased recycling, and landfill methane capture, etc. In April 2015, the governor issued EO B-30-15, calling for a new target of 40 percent below 1990 levels by 2030.

Assembly Bill 32

California's major initiative for reducing GHG emissions is outlined in Assembly Bill 32 (AB 32), the "California Global Warming Solutions Act of 2006," signed into law in 2006. AB 32 codifies the statewide goal of reducing GHG emissions to 1990 levels by 2020 (essentially a 15 percent reduction below 2005 emission levels; the same requirement as under S-3-05) and requires CARB to prepare a Scoping Plan that outlines the main State strategies for reducing GHGs to meet the 2020 deadline. In addition, AB 32 requires CARB to adopt regulations to require reporting and verification of statewide GHG emissions. California is on track to meet or exceed the current target of reducing GHG emission to 1990 levels by 2020, as established by AB 32.

Senate Bill 97

Senate Bill (SB) 97, signed in August 2007, acknowledges that climate change is an environmental issue that requires analysis in California Environmental Quality Act (CEQA) documents. In March 2010, the California Resources Agency (Resources Agency) adopted amendments to the State CEQA Guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions. The adopted guidelines give lead agencies the discretion to set quantitative or qualitative thresholds for the assessment and mitigation of GHGs and climate change impacts.

CARB Resolution 07-54

CARB Resolution 07-54 establishes 25,000 MT of GHG emissions as the threshold for identifying the largest stationary emission sources in California for purposes of requiring the annual reporting of emissions. This threshold is just over 0.005 percent of California's total inventory of GHG emissions for 2004.

Senate Bill 375

Senate Bill (SB) 375, signed into law in September 2008, builds on AB 32 by requiring CARB to develop regional GHG reduction targets to be achieved from the automobile and light truck sectors for 2020 and 2035; these regional targets will help achieve the goals of AB 32 and the Scoping Plan through changed land use patterns and improved transportation systems. The Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG) adopted a Sustainable Community Strategies in July 2013 that meets greenhouse gas reduction targets. The *Plan Bay Area* is the SCS document for the Bay Area, which is an integrated long-range plan that discusses climate protection, housing, healthy and safe communities, open space and agricultural preservation, equitable access, economic vitality, and transportation system effectiveness within the San Francisco Bay Area. The document is updated every four years and most recently, the update, *Plan Bay Area 2040*, was adopted on July 26, 2017.

Executive Order S-13-08

Executive Order S-13-08 indicates that "climate change in California during the next century is expected to shift precipitation patterns, accelerate sea level rise and increase temperatures, thereby posing a serious threat to California's economy, to the health and welfare of its population and to its natural resources." Pursuant to the requirements in the order, the 2009 California Climate Adaptation Strategy (California Natural Resources Agency 2009) was adopted, which is the "...first statewide, multi-sector, region-specific, and information-based climate change adaption strategy in the United States." Objectives include analyzing risks of climate change in California, identifying, and exploring strategies to adapt to climate change, and specifying a direction for future research.

Senate Bill 2X

In April 2011, the governor signed SB2X requiring California to generate 33 percent of its electricity from renewable energy by 2020.

Senate Bill 32

On September 8, 2016, the governor signed Senate Bill 32 (SB 32) into law, which requires the State to further reduce GHGs to 40 percent below 1990 levels by 2030. SB 32 is an extension of AB 32. The other provisions of AB 32 remain unchanged. CARB adopted the 2017 Climate Change Scoping Plan Update on December 14, 2017, to achieve California's 2030 greenhouse gas target.

IMPACT ANALYSIS

The following discussion is an analysis for criteria (a) and (b):

- a. Would the project generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?*
- b. Would the project conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*

As discussed in Section 3.3 of this Initial Study, the Proposed Project is not expected to exceed the thresholds of significance for criteria pollutants. The Proposed Project includes the construction of a 9,000 square foot recreation building, which is below the ambient air quality analysis (AAQA) screening levels for recreation projects. The San Joaquin Valley Air Pollution Control District (SJVAPCD) has determined that recreational projects under 20,000 square feet are considered small development projects and below the applicability threshold for the Rule 9510 (Indirect Source Review). Per Section 8.4.4 of the Guidance for Assessing and Mitigating Air Quality Impacts, projects below the Indirect Source Review (ISR) applicability thresholds are not expected to exceed the thresholds of significance for criteria pollutants emissions.

Per SJVAPCD's letter dated December 4, 2025 (Appendix A), the Proposed Project has been determined to be below the District Rule 9510 applicability threshold of 20,000 square feet of recreational space and does not require an AAQA. The Proposed Project is not expected to exceed the thresholds of significance for criteria pollutants emissions. Therefore, the Proposed Project will have a **Less Than Significant Impact**.

MITIGATION MEASURES:

Mitigation is not required for this topic.

9. HAZARDS AND HAZARDOUS MATERIALS -- WOULD THE PROJECT:

	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
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?				X
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?				X
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?			X	

REGULATORY SETTING:

Federal

The Federal Toxic Substances Control Act and the Resource Conservation Recovery Act

These Acts, signed in 1976, established a program administered by the United State Environmental Protection Agency (EPA) for the regulation of the generation, transportation, treatment, storage, and disposal of hazardous waste. The Resources Conservation and Recovery Act (RCRA) was amended in 1984 by the Hazardous and Solid Waste Act (HSWA), which affirmed and extended the “cradle to grave” system of regulating hazardous wastes. Among other things, the use of certain techniques for the disposal of some hazardous waste was specifically prohibited by HSWA.

The Comprehensive Environmental Response, Compensation and Liability Act

This Act was enacted in 1980 and amended by the Superfund Amendments and Reauthorization Act (SARA) in 1986. This law provides broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment.

Among other things, the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) established requirements concerning closed and abandoned hazardous waste sites, provided for liability of persons responsible for releases of hazardous waste at these sites, and established a trust fund to provide for cleanup when no responsible party could be identified. CERCLA also enabled revision to the National Contingency Plan (NCP), which provided the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, or contaminants. The NCP also established the National Priorities List (NPL).

Hazardous Materials Transportation Act

The Secretary of the U.S. Department of Transportation (DOT) receives the authority to regulate the transportation of hazardous materials from the Hazardous Materials Transportation Act (HMTA). This act administers container designs, labeling, shipper and carrier responsibilities, training requirements, and incident reporting requirements. These regulations are contained in Title 49 – Transportation, Code of Federal Regulations, Parts 100 to 180 and includes all modes of transportation – air, highway, rail, and water (Federal Motor Carrier Safety Administration (FMSCA) 2014).

State

The Department of Toxic Substances Control (DTSC)

This Department of the California Environmental Protection Agency is the primary agency in California that regulates hazardous waste, cleans up contamination, and looks for ways to reduce the hazardous waste produced in California. DTSC regulates hazardous waste in California primarily under the authority of RCRA and the California Health and Safety Code.

DTSC also administers the California Hazardous Waste Control Law (HWCL) to regulate hazardous wastes. The HWCL lists 791 chemicals and approximately 300 common materials that may be hazardous; establishes criteria for identifying packaging, and labeling hazardous wastes; prescribes management controls; establishes permit requirements for treatment, storage, disposal, and transportation; and identifies some wastes that cannot be disposed of in landfills.

Government Code Section 65962.5 requires the DTSC, the State Department of Health Services, the SWRCB, and CalRecycle to compile and annually update lists of hazardous waste sites and land designated as hazardous waste sites throughout the State. The Secretary of Environmental Protection consolidates the information submitted by these agencies and distributes it to each City and County where the sites on the lists are located. Before the lead agency accepts an application for any development project as complete, the applicant must consult these lists to determine if the site at issue is included.

If any soil is excavated from a site containing hazardous materials, it would be considered a hazardous waste if it exceeded specific criteria in Title 22 of the California Code of Regulations. Remediation of hazardous wastes found at a site may be required if excavation of these materials is performed; it may also be required if certain other activities are proposed. Even if soil or groundwater at a contaminated site does not have the characteristics required to be defined as hazardous waste, remediation of the site may be required by regulatory agencies subject to jurisdictional authority. Cleanup requirements are determined on a case-by-case basis by the agency taking lead jurisdiction.

California Code of Regulations

Title 26 of the CCR is a medley of State regulations pertaining to hazardous materials and waste that are presented in other regulatory sections. Title 26 mandates specific management criteria related to hazardous materials identification, packaging, and disposal. In addition, Title 26 establishes requirements for hazardous materials transport, containment, treatment, and disposal. Finally, staff training standards are set forth in Title 26.

Fire Hazards

Fire Hazard Severity Zones

The state has charged CalFire with the identification of Fire Hazard Severity Zones (FHSZ) within State Responsibility Areas. In addition, CalFire must recommend Very High Fire Hazard Severity Zones (VHFHSZ) identified within any Local Responsibility Areas. The FHSZ maps are used by the State Fire Marshall as a basis for the adoption of applicable building code standards.

Regional

Regional Water Quality Control Board (RWQCB)

Central Valley RWQCB regulates discharges and releases to surface and groundwater in the project area. The RWQCB generally oversees cases involving groundwater contamination. Within the Central Valley RWQCB, the Merced County Division of Environmental Health handles most leaking underground storage tank (UST) cases, so the RWQCB may oversee cases involving other groundwater contaminants; i.e., Spills, Leaks, Incidents, and Clean-up (SLIC) cases. In the case of spills at a project site, the responsible party would notify Merced County and then a lead regulatory (County, RWQCB, or DTSC) would be determined.

City of Livingston Municipal Code

Section 8-5-3 states that “all persons, corporations or others engaged in industrial activities or activities in which hazardous or toxic materials are being utilized, handled or otherwise present, shall immediately report any accident, fire or incident that presents a danger to persons, property or the environment involving a hazardous material to the city’s Fire Department”.

Section 8-2-61 states that “it shall be unlawful for any person to commence, expand and engage in the business of owning, operating, managing or maintaining any commercial or industrial facility which has as a purpose engaging in any business which accumulates, collects, transports, stores or disposes of hazardous waste within the city unless such person has received a contract, license, franchise or permit from the City Council and complies with the provisions of this section and all other laws and regulations of the federal government, state government and city.”

IMPACT ANALYSIS

- a. *Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*
- b. *Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

The Project site is surrounded by existing urban uses to the north, south, and west. It is not anticipated that the Proposed Project will include the transport, use, or disposal of hazardous materials. Development of the Proposed Project will be required to comply with all federal, state, and local policies and regulations, including Chapter 5 of Title 8 of the City’s Municipal Code. Therefore, the Proposed Project will have a **Less Than Significant Impact**.

- c. *Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?*

The closest school is Campus Park Elementary School located approximately 0.26-mile south of the Project site. Therefore, the project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 miles of an existing or proposed school. Therefore, the Proposed Project will have a **Less Than Significant Impact**.

- d. *Would the project be located on a site 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?*

The California Department of Toxic Substances Control (DTSC) maintains a database containing information on properties in California where hazardous substances have been released, or where the potential for a release exists. This database is known as EnviroStor and is one of a number of lists that comprise the “Cortese List” (a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5). A search of the EnviroStor database did not identify any active hazardous material sites on or near the Project site. Therefore, the Proposed Project will have **No 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?

A significant impact would be one that results in a safety hazard for people residing or working in the vicinity of a public airport or public use airport. There are no public or public use airports in the in the Livingston area. Therefore, the Proposed Project will have **No Impact**.

f. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

As stated in the Project Description, the Proposed Project includes a street closure of Seventh Street between C Street and D Street and the alleyway between Sixth Street and Seventh Street. The street closure would be accomplished with the installation of removable bollards on Seventh Street at its interface with C and D Streets. The bollards will be placed within the street right-of-way and space so as to allow emergency response vehicles to access and travel through Seventh Street on an emergency basis. The closure of the street and alleyway will not impair or interfere with an adopted emergency response or evacuation plan. Therefore, the Proposed Project will have a **Less Than Significant Impact**.

g. Would the project 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?

A significant impact would be one that exposes people or structures to a significant risk of wildland fires. The Proposed Project is located within City of Livingston and is surrounded by urban development on the north, south, and west sides. As such, no wild land exists within or adjacent to the Proposed Project. Therefore, the Proposed Project will have a **Less Than Significant Impact**.

MITIGATION MEASURES:

Mitigation is not required for this topic.

10. HYDROLOGY AND WATER QUALITY -- Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?			X	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:			X	
i) Result in substantial on- or offsite erosion or siltation;			X	
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;			X	
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or			X	
iv) Impede or redirect flood flows?			X	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			X	
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?				X

IMPACT ANALYSIS

- Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

The Proposed Project will be required to comply with the City's Urban Stormwater Quality Management Ordinance (Chapter 12 of Title 9 of the City's Municipal Code). The Proposed Project will also require a National Pollutant Discharge Elimination System (NPDES) permit, issued by the Regional Water Quality Control Board (RWQCB), and compliance with Best Management Practices (BMPs) during construction and operation of the Proposed Project. The Proposed Project will require a Storm Water Pollution Prevention Plan (SWPPP) to reduce the discharge of pollutants to the maximum extent feasible. Final storm drainage plans will be required to comply with City standards and will be reviewed and approved by the City Engineer. Therefore, the Proposed Project will have a **Less Than Significant Impact**.

- b. Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?*

The City's primary source of groundwater comes from nine (9) domestic wells. According to the City's 2020 Urban Water Management Plan (UWMP), the City's groundwater wells have a total capacity (flowrate) of 10,900 gallons per minute (gpm). The UWMP details the City's current and projected water demands for these land use types. The Proposed Project would be considered an institutional use for the purposes of the UWMP. The UWMP states that the City tracks institutional and commercial uses as one, which had a water demand of 89 million gallons (mg) in 2020. The UWMP projects commercial/institutional water use to be 108 mg in 2030 and 132 mg in 2040. It is not anticipated that the Proposed Project will contribute significantly to the projected water use of the City's institutional uses. The UWMP states that the City's estimated available water supply will be sufficient to meet projected water demands through 2040. The Proposed Project will not substantially decrease the existing groundwater supplies in the City. Therefore, the Proposed Project will have a **Less than Significant Impact**.

- c. Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*
- i. Result in substantial on- or offsite erosion or siltation;*
 - ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;*
 - iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff;*
or
 - iv. Impede or redirect flood flows?*

There are no rivers or streams located on the Project site. The nearest river is the Merced River, which is located 1.55 miles southwest of the Project site. The Proposed Project will include the addition of impervious surfaces. However, it is not anticipated that this will substantially alter the existing drainage pattern of the Project site. A portion of the Project site has already been developed with impervious surfaces and does not have any known drainage or flooding issues. The Project site is not located within a 100-year floodplain, as indicated by the Federal Emergency Management Agency (FEMA). Therefore, the Proposed Project will have a **Less than Significant Impact**.

d. Would the project be located in flood hazard, tsunami, or seiche zones, or risk release of pollutants due to project inundation?

The Proposed Project is not located within a 100-year flood hazard area, a floodway or otherwise placed in an area that would interfere with flood flows. The project site is located 1.55 miles southeast of the Merced River and 1.4 miles from the 100-year flood boundary (located along the Merced River to the northwest).

No enclosed surface water bodies, which might be subject to potential seiches, are located in the project site vicinity. Based on its location, inland from coastal areas, the project site would not be subject to tsunami effects. The project site is not located in an area susceptible to mudflows. Therefore, the Proposed Project will have a **Less Than Significant Impact**.

e. Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

The Proposed Project will not conflict with or obstruct implementation of a water quality control or sustainability groundwater management plan. As stated above, the Proposed Project will be required to comply with the City's Urban Stormwater Quality Management Ordinance. The Project site also is located within the jurisdiction of the Merced Irrigation-Urban GSA and is therefore subject to the Merced Groundwater Subbasin Groundwater Sustainability Plan (GSP) adopted in 2025.

The Merced Groundwater Subbasin is currently designated as critically overdrafted by the Department of Water Resources and the GSP contains approaches to conserve and protect groundwater resources. The City's General Plan includes policies and actions to conserve groundwater that are consistent with the GSP, including:

- Policy 5.2 (1): Protect areas of natural groundwater recharge in order to maintain the groundwater supply, including the installation of detention ponds in new growth areas.
- Policy 5.2 (2): Expand programs that enhance groundwater recharge in order to maintain the groundwater supply, including the installation of detention ponds in new growth areas.
- Policy 5.2 (4): Water conservation methods shall be continued.
- Policy 9.1 (16): To encourage groundwater recharge, ponding basins shall be designed as detention basins.

- Policy 9.1 (22): The City of Livingston shall cooperate with local water agencies to identify and resolve long-term water supply issues.

The Proposed Project does not conflict with the policies listed above. Therefore, the Proposed Project would have **No Impact**.

MITIGATION MEASURES:

Mitigation is not required for this topic.

11. LAND USE AND PLANNING - Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Physically divide an established community?			X	
b) 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?			X	

IMPACT ANALYSIS

a. Would the project physically divide an established community?

As stated in the Project Description, the Proposed Project is located south of the 99 Highway in central Livingston. The Project site is surrounded by existing development on the north, west, and south sides. Therefore, the Proposed Project would not physically divide the established community and would have a **Less Than Significant Impact**.

b. Would the project 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?

The Proposed Project includes the development of a recreation complex with the approval of the associated General Plan Amendment, Rezone, Site Plan and Design Review, and Street Closure. Approval of the General Plan Amendment and Rezone would allow for the recreation complex on the Project Site.

The Proposed Project is consistent with the City's General Plan. Specifically, the General Plan Recreation Policies listed below:

- Policy 5.3 (A)(1): Distribute adequate park facilities throughout the City to provide organized and informal recreation opportunities and open space for City residents.
- Policy 5.3 (A)(12): Provide active recreation facilities in several locations in the City to accommodate community needs.
- Policy 5.3 (A)(23): Seek State, Federal, and local grants to improve City recreation services and facilities.

The Proposed Project is also consistent with the City's Parks and Recreation Master Plan (Master Plan). The Master Plan calls for a multi-purpose recreation building that includes space for basketball games, restrooms, storage space, and recreational classroom space. As stated in the Project Description, Phase One of the Proposed Project will include the construction of a new gymnasium with basketball courts, two (2) studio classrooms, a storage closet, and two (2) restrooms. The Master Plan also calls for this recreational building to be located south of Highway 99, central to the community, be accessible from a major street, and have ample parking space, which the Proposed Project is consistent with. The Proposed Project includes a splash pad in the park component and outdoor basketball courts, which are also consistent with the recommendations for other recreation facilities in the Master Plan.

Based on the analysis above, the Proposed Project will have a **Less Than Significant Impact**.

MITIGATION MEASURES:

Mitigation is not required for this topic.

12. MINERAL RESOURCES -- WOULD THE PROJECT RESULT IN:

	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
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?				X

IMPACT ANALYSIS

The following discussion is an analysis for criteria (a) and (b):

- Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?*
- Would the project 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?*

The mineral resource zone (MRZ) system, overseen by the California State Mining and Geology Board, characterizes both the location and known/presumed economic value of underlying mineral resources. The mineral resource classification system uses four main MRZs: MRZ-1, MRZ-2, MRZ-3, and MRZ-4. The MRZ-2 classification is described as “areas where geologic information indicates that the presence of significant concrete aggregate resources” per the California Geological Survey Mineral Resource Zone Map for Concrete Aggregate Resources in Merced County (2021). According to this map, the Project site is not located within the MRZ-2 classification zone. Additionally, based on a review of the City’s 1999 General Plan, the Project site is not located in an area known to contain mineral resources of value to the state, region, or City of Livingston. Therefore, the Proposed Project will have **No Impact**.

MITIGATION MEASURES:

Mitigation is not required for this topic.

13. NOISE -- WOULD THE PROJECT RESULT IN:

	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or other applicable standards of other agencies?			X	
b) Generation of excessive groundborne vibration or groundborne noise levels?			X	
c) For a project located within the vicinity of a private airstrip or 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?				X

REGULATORY SETTING:*Background*

Noise is defined as sound that is loud, unpleasant, unexpected, or undesired. Three components make up sound: source, path, and receiver. All three components must be present for sound to exist. Sound, traveling in the form of waves from a source, exerts a sound pressure level (referred to as sound level) which is measured in decibels (dB), with zero dB corresponding roughly to the threshold of human hearing, and 120 to 140 dB corresponding to the threshold of pain. The perception of sound and noise is determined by its effects on receptors. Examples of sensitive noise receptors are facilities or areas, including residential areas, hospitals, and schools, where excessive noise levels would be considered an annoyance. The “A-weighted” noise scale (measured in A-weighted decibels (dBA)) was developed because it corresponds closer to people’s subjective judgement of sound levels.

Community reaction to noise is assessed on a scale that averages varying noise exposures over time and quantifies the results in terms of a single value. The Community Noise Equivalent Level (CNEL) is an average A-weighted scale measured over a 24-hour period and adjusted to account for increased sensitivity to noise levels during evening and nighttime hours. A CNEL noise measurement is obtained from adding 5 decibels to sound levels occurring during the evening from 7:00 pm to 10:00 pm and 10 decibels to sound occurring during the nighttime from 10:00 pm to 7:00 am. The major sources of noise in Manteca are roadway traffic, railroad noise, and industrial activities. The quiet areas of Manteca are those removed from major transportation-related noise sources and local industrial or other stationary noise sources.

Vibration is sound radiated through the ground. Typical sources of ground-borne vibration are construction equipment, steel-wheeled trains, and traffic on rough roads, which can create vibration waves that propagate through the soil to the foundations of nearby buildings. Ground-borne vibration is almost never annoying to people who are outdoors. Although the motion of the ground may be perceived without the effects associated with the shaking of a building, the motion does not provoke the same adverse human reaction. The rumbling sound caused by the vibration of room surfaces is called ground-borne noise, which is usually characterized with the A-weighted sound level. Ground-borne noise is perceived as louder than the same broadband noise because the human ear perceives sound dominated by low-frequency components as louder than broadband sounds that have the same A-weighted level. The background vibration is not usually significant unless the vibration exceeds 70 VdB. For most people, a vibration-velocity level of 75 VdB is the approximately dividing line between perceptible and distinctly perceptible levels.¹

Criteria for Acceptable Noise and Vibration Exposure

LIVINGSTON 1999 GENERAL PLAN

The Noise Element of the 1999 General Plan provides policies and implements actions to ensure that City residents are not subjected to noise beyond acceptable levels. Specific 1999 General Plan policies of relevance to the CEQA evaluation for the Proposed Project are included below:

- Noise Policy 8.1(1): Table 8-1 depicts the ranges of noise exposures from transportation noise sources which are considered to be acceptable, conditionally acceptable, or conditionally unacceptable for the development of different land uses. Table 8-1 shall be used to determine whether mitigation is needed for development of land uses near major transportation noise sources.
 - a. In areas where the noise environment is acceptable, new development may be permitted without requiring noise mitigation.
 - b. For areas where the noise environment is conditionally acceptable, new development shall be allowed only after noise mitigation has been incorporated into the design of the project to reduce noise exposure to the levels specified by the Noise Element.
 - c. For areas where the noise environment is conditionally unacceptable, new development in compliance with the policies of the Noise Element may not be feasible.

¹ U.S. Department of Transportation, Federal Transit Authority, Office of Planning and Environment, 2006. Transit Noise and Vibration Impact Assessment. May 2006.

Table 8-1
**LAND USE COMPATIBILITY FOR NEW DEVELOPMENT
 NEAR TRANSPORTATION AND NOISE SOURCES**

Land Use	Exterior Noise Exposure Ldn or CNEL, dB			Interpretation
	55	65	75	
Residential (except temporary dwellings)				ACCEPTABLE (Mitigation not Required) Specified land use is acceptable
Hotels & Motels				
Churches, Meeting Halls				
Schools, Preschool to Secondary, Colleges, and University, Specialized Education and Training, Libraries and Museums				
				CONDITIONALLY ACCEPTABLE (Mitigation Required) Use should be permitted only after casual study and inclusion of mitigation as needed to satisfy policies of Noise Element.
				CONDITIONALLY UNACCEPTABLE (Mitigation Required) Use may be infeasible. Use should be permitted only after careful study and inclusion of mitigation as needed to satisfy policies of Noise Element.

- Noise Policy 8.1(3): New development of noise-sensitive land uses shall not be permitted in areas exposed to existing or projected future levels of noise from transportation noise sources which exceed the noise levels specified in Table 8-2 for the given land uses.
- Noise Policy 8.1(4): Noise created by new transportation noise sources, including roadway improvement projects, shall be mitigated so as not to exceed the noise levels specified in Table 8-2.

TABLE 8-2 MAXIMUM ALLOWABLE NOISE EXPOSURE-TRANSPORTATION NOISE SOURCES		
Land Use	Outdoor Activity Areas	Interior Spaces
	L _{dn} /CNEL, dB	L _{dn} /CNEL, dB
Residential (except temporary dwellings)	65 ¹	45
Hotels and Motels	65 ¹	45
Hospitals, Nursing and Personal Care	65 ¹	45
Churches, Meeting Halls	--	45
Schools-Preschool to Secondary, College and University, Specialized Education and Training, Libraries and Museums	--	45
¹ Where the location of outdoor activity areas is unknown, the exterior noise level standard shall be applied to the boundary of planned or zoned noise-sensitive uses.		

- Noise Policy 8.1(5): New development of noise sensitive land uses shall not be permitted where the noise level due to existing stationary noise sources will exceed the noise level standards of Table 8-3.
- Noise Policy 8.1(6): New proposed stationary noise sources, or existing stationary noise sources which undergo modifications, shall not be permitted where the noise level exceeds the standards of Table 8-3.

TABLE 8-3 MAXIMUM ALLOWABLE NOISE EXPOSURE - STATIONARY NOISE SOURCES¹		
	Daytime (7 a.m. to 10 p.m.)	Nighttime (10 p.m. to 7 a.m.)
Hourly L _{eq} , dB	55	50
Maximum level, dB	75	70
¹ As determined in outdoor activity areas. Where the location of outdoor activity areas is unknown, the noise standard shall be applied to the boundary of planned or zoned noise-sensitive uses.		

- Circulation Policy 4.9(B)(1): The circulation systems shall be designated and developed to minimize excessive noise impacts on sensitive land uses.

IMPACT ANALYSIS

- Would the project result in the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

The City has established noise standards for residential and non-residential land uses in the City's 1999 General Plan and Municipal Code (LMC). The Proposed Project site while conducting normal operations is not expected to generate noise levels in excess standards established in the 1999 General Plan or the Municipal Code. The standards apply to noise-sensitive land uses within the existing noise environment and to noise created by future development.

Traffic Noise

The Proposed Project will create short-term construction noise that would result from transport of construction equipment and materials to the project site. The total daily vehicle trips resulting from construction worker commutes would be minimal when compared to existing traffic volumes on the affected streets.

Project Construction Noise

Construction activities on the project site may result in varying degrees of temporary ground vibration, depending on the specific construction equipment used and operations involved. The site preparation and grading phase, which includes excavation and grading, tends to generate the highest noise levels because earthmoving equipment is the noisiest construction equipment. Construction noise would cease to occur once project construction is completed. The Proposed Project will also be required to comply with the grading hours of operation specified in Section 4-6-27 of the City's Grading, Erosion and Sedimentation Control Ordinance, which states that grading activities are limited to the hours of 8:30 a.m. and 5:30 p.m. Monday through Saturday, and between the hours of 10:00 a.m. and 5:30 p.m. on holidays. Additionally, the Proposed Project will be required to adhere to LMC Section 4-6-28 regarding grading dust and noise control. This section states that equipment and materials on the site should be used in such a manner as to avoid excessive dust and noise. Compliance with these provisions of the Livingston Municipal Code would reduce construction noise impacts on nearby residences.

Project Operation Noise

The 1999 General Plan contains policies that regulate noise-sensitive land uses that will exceed the established noise level standards. Policy 8.1(11)(f) of the General Plan defines noise-sensitive land uses as residential developments, educational institutions, hospitals, churches, hotels/motels, and bed and breakfast facilities. As stated in the Project Description, the Proposed Project includes the development of a recreation facility with both indoor and outdoor recreation. Therefore, the Proposed Project is not considered a noise-sensitive land use.

Based on the analysis above, the Proposed Project will have a **Less Than Significant Impact**.

- b. Would the project result in generation of excessive groundborne vibration or groundborne noise levels?*

Some ground-borne vibration and noise would originate from earth movement and building activities during the project's construction phase. Ground-borne noise and vibration from construction activity would be mostly low to moderate. The operation of typical construction equipment would generate ground-borne vibrations that would not exceed guidelines that are considered unsafe for any type of buildings. Operation of the Proposed Project would not generate ground-borne vibration. Therefore, the Proposed Project will have a **Less Than Significant Impact**.

- c. For a project located within the vicinity of a private airstrip or 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?*

The Proposed Project is not located within the vicinity of a private airstrip, an airport land use plan, or within two (2) miles of a public airport. Therefore, the Proposed Project will have **No Impact**.

MITIGATION MEASURES:

Mitigation is not required for this topic.

14. POPULATION AND HOUSING -- Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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)?			X	
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?			X	

IMPACT ANALYSIS

- a. *Would the project induce substantial population in one area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

The Proposed Project includes the development of a recreational complex. The Proposed Project would primarily serve the existing Livingston community. The recreation center would employ up to three full-time staff members and up to five part-time staff members. However, this represents a minimal number of employees that would likely be hired from the regional workforce. Although the Proposed Project would generate a limited number of short-term construction jobs, these jobs would be accommodated within the regional workforce as well. The Proposed Project does not include any residential uses or improvements to off-site infrastructure such as new roadways or extension of utilities that could induce population growth. Therefore, the Proposed Project will have a **Less Than Significant Impact**.

- b. *Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

The Proposed Project will include the demolition of a single-family home with a detached accessory structure. This will remove one (1) residential unit from the existing housing stock. However, the demolition will not displace a substantial number of people or housing and will not necessitate the construction of replacement housing. Therefore, the Proposed Project will have a **Less Than Significant Impact**.

MITIGATION MEASURES:

Mitigation is not required for this topic.

15. PUBLIC SERVICES

	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the 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:				
a) Fire protection?			X	
b) Police protection?			X	
c) Schools?				X
d) Parks?			X	
e) Other public facilities?				X

IMPACT ANALYSIS

- a. *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the 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 fire protection?*

The Proposed Project will be served by the Livingston Fire Department. The Project site is approximately 0.2 miles east of the city's Police Department. The new gymnasium building constructed as part of the Proposed Project will be required to comply with the 2025 California Fire Code recently adopted by the City. In addition, the City's Municipal Code has adopted related to fire safety in its Fire Prevention Code, contain in Chapter 2 of Title 7. The project also would be subject to the City's adopted Building and Electrical Codes with their applicable provisions related to fire safety. The Proposed Project will be required to pay a Fire Service Mitigation Fee to the City for future construction of Fire Department facilities that may be required elsewhere in the City. Compliance with the applicable codes and City standards, along with payment of fees, would reduce project impacts on fire protection services. Therefore, the Proposed Project will have a **Less Than Significant Impact**.

- b. *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the 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 police protection?*

The Proposed Project will be served by the Livingston Police Department. The Project site is approximately 0.2 miles east of the city's Police Department. The Proposed Project is not expected to affect the City's population in a manner unplanned by the City and is not expected to affect the officer/population ratio such that new officers would need to be hired and facilities would need to be built or expanded to accommodate them. The Proposed Project will be required to pay a Police Service Mitigation Fee to the City for future construction of Police Department facilities that may be required elsewhere in the City. Compliance with the applicable codes and City standards, along with payment of fees, would reduce project impacts on police protection services. Therefore, the Proposed Project will have a **Less Than Significant Impact**.

- c. *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the 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 schools?*

The Proposed Project is not a residential development that would induce growth to the area that would impact schools. Therefore, the Project would not result in the need for new expanded school facilities and as a result, there would be **No Impact**.

- d. *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the 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 parks?*

The Proposed Project includes the development of a park and recreation facilities. As such, the Proposed Project would add to the existing park facilities in the City and will not create an additional demand for parks. The Proposed Project is not anticipated to have significant environmental impacts as analyzed. Therefore, the Proposed Project will have a **Less Than Significant Impact**.

- e. *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the 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 other public facilities?*

The Proposed Project will not result in an increase in population. Therefore, there would be no increased demand for other public services, such that would result in the need for new or expanded government facilities. Therefore, the Proposed Project will have **No Impact**.

MITIGATION MEASURES:

Mitigation is not required for this topic.

16. RECREATION

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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?			X	
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?			X	

IMPACT ANALYSIS

The following discussion is an analysis for criteria (a) and (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 accelerated?

The nearest publicly owned neighborhood park to the Project site is Livingston Memorial Park. Livingston Memorial Park is located southwest of the Project site on Main Street. The Proposed Project includes the development of a 2.27-acre park site with additional recreation facilities. The Proposed Project does not include the development of new homes and would not generate population growth, which typically result in the need for additional park and recreation facilities. The Proposed Project will be beneficial for the existing neighborhood recreational facilities by increasing park amenities in the area. Development of the park site will comply with all City policies and regulations related to park development, including the adopted Parks and Recreation Master Plan. Therefore, the Proposed Project will have a **Less Than Significant 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?

As stated in the Project Description, the Proposed Project includes the development of a City-owned recreational complex. The Proposed Project includes a new gymnasium, playground, basketball court, and a park space with a community garden, splash pad, and outdoor exercise equipment. The Proposed Project will not result in physical environmental impacts to other recreational facilities. The construction of the Project site will not have an adverse physical effect on the environment, as discussed throughout this environmental analysis. Therefore, the Proposed Project will have a **Less Than Significant Impact**.

MITIGATION MEASURES:

Mitigation is not required for this topic.

17. TRANSPORTATION/TRAFFIC -- WOULD THE PROJECT:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?			X	
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?			X	
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
d) Result in inadequate emergency access?			X	

ENVIRONMENTAL SETTING:*Existing Transportation Facilities*

The main transportation mode in the project vicinity is motor vehicles, which use existing roads in the area. The Project site is served by the existing roadway system, including C Street, D Street, 6th Street, and 7th Street, on which the site has direct frontage. The main regional road in the project vicinity is SR 99. California State Route 99 is a major north-south highway serving the Central Valley, connecting from Interstate 5 near Wheeler Ridge to its northern end at SR 36 near Red Bluff.

IMPACT ANALYSIS

- a. *Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?*

The 1999 General Plan Circulation Element contains policies that require local planning and development decisions to consider and mitigate impacts that potential future development could have on Livingston's transportation system. The following policies would serve to reduce impacts on transportation facilities within the City's General Plan EIR Study Area, which includes the Proposed Project:

- Policy 4.4(A)(2): The street network shall provide a quick and efficient route for emergency vehicles, including police, fire, and other vehicles, when responding to calls for service.
- Policy 4.4(C)(8): Developers shall mitigate traffic impacts associated with their projects.
- Policy 4.5(1): The City encourages the use of energy efficient and non-polluting modes of transportation.

- Policy 4.5(3): Promote the long-term shifting of peak hour commute trips from the single occupant automobile to ridesharing, buses, pedestrian, and bicycles.
- Policy 4.5(5): Large developments shall be encouraged to incorporate transit passenger facilities, bicycle racks or lockers, shower facilities, as well as on site services as ways to encourage alternative modes for commute trips.
- Policy 4.8(B)(2): Rights-of-way considered for abandonment will be evaluated for use as bikeways and pedestrian paths and obtained when feasible.
- Policy 4.8(B)(8): The City shall promote safe, convenient, and accessible pedestrian ways within the community.

The Proposed Project is consistent with the above policies of the 1999 General Plan, as discussed below.

Roadway Facilities

The Proposed Project is bounded by C Street to the north, Sixth Street to the west, and D Street to the south, with Seventh Street going through the Project site. The Proposed Project will close Seventh Street between C Street and D Street, as well as half the length of the alleyway between Sixth Street and Seventh Street. Adequate access to the Project site will remain on C Street and D Street. Therefore, the Proposed Project will not conflict with existing nor planned roadway facilities. The Proposed Project will have a **Less Than Significant Impact**.

Transit Facilities

The Proposed Project is not located along a transit route or near an existing or planned transit facility. The nearest transit stop is located approximately 0.2 miles west of the Project site on Main Street (C Street/Livingston City Hall stop). The Proposed Project is not anticipated to significantly increase the ridership on the existing transit facilities. Therefore, the Proposed Project will not conflict with existing nor planned transit facilities. The Proposed Project will have a **Less Than Significant Impact**.

Bicycle and Pedestrian Facilities

The Proposed Project may result in the increased demand for bicycle and pedestrian facilities. However, the Project site has existing infrastructure for pedestrian travel, as the Project site has been previously developed with sidewalk infrastructure. The Proposed Project will include the incorporation of bicycle racks and lockers outside of the proposed gymnasium building for bike users. Circulation Policy 4.8(B)(3) designates streets intended for bikeways as a part of the Bike Plan of the Circulation Element. Per the Bike Plan, none of the streets in the Project site are designated as intended for bikeways. Therefore, the Proposed Project will not conflict with existing nor planned bicycle or pedestrian facilities. The Proposed Project will have a **Less Than Significant Impact**.

b. *Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?*

Transportation impacts related to the Proposed Project were evaluated for compliance both with applicable regulatory documents and environmental significance as defined in the California Environmental Quality Act (CEQA). California Senate Bill (SB) 743 is intended to reduce greenhouse gas emissions and particulates, encourage infill development and a diversity of uses instead of sprawl, and promote multi-modal transportation networks.

For the City of Livingston, the Merced County Association of Governments (MCAG) 2022 VMT Guidelines were used to evaluate changes in VMT due to land use developments.

VMT Analysis

MCAG's VMT Thresholds and Implementation Guidelines include the following screening criteria for identifying projects that can be presumed to have a less than significant impact:

- Project Located in a Transit Priority Area/High Quality Transit Corridor (within 0.5 miles of a transit stop)
- Project is Local-serving Retail of less than 50,000 square feet
- Project is a redevelopment project
- Project has a High Level of Affordable Housing Units
- Project is a Low Trip Generator (Less than 1,000 average daily trips for projects consistent with the General Plan and 500 average daily trips for projects not consistent with the General Plan)
- Project is an Institutional/Government and Public Service Use
- Project is a public, school, day care, local park, college, or other local supporting land uses
- Project is located in a Low VMT Zone

The Proposed Project meets two of the screening criteria detailed in the MCAG's VMT standards to identify projects that can be presumed to have a less than significant impact. The Proposed Project will include the development of a small local park with supporting recreation facilities. The Project site is also located within a 0.5 of a transit stop, as noted above. Thus, the VMT impact for the Proposed Project will be less than significant. Therefore, the Proposed Project will have a **Less Than Significant Impact**.

c. *Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

The Proposed Project does not contain any geometric design features that would create hazards. Implementation of the Project would not require the expansion of the roadway network serving the Project site. The site would be accessible via C Street and D Street. The Project would be required to submit a building permit application for review and approval by the City to ensure site improvements would be consistent with adopted City standards. Compliance with such standards, specifications, and plans would ensure that any traffic hazards are minimized. Therefore, the Proposed Project will have a **Less Than Significant Impact**.

d. *Would the project result in inadequate emergency access?*

As stated in the Project Description, the Proposed Project includes a street closure of Seventh Street between C Street and D Street and the alleyway between Sixth Street and Seventh Street. Access to the Project site will be maintained off of C Street and D Street and would not result in inadequate emergency access. Therefore, the Proposed Project will have a **Less Than Significant Impact**.

MITIGATION MEASURES:

Mitigation is not required for this topic.

18. TRIBAL CULTURAL RESOURCES -- WOULD THE PROJECT:

	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1 (k)?			X	
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?			X	

Effective July 1, 2015, Assembly Bill 52 (AB 52) amended CEQA to mandate consultation with California Native American tribes during the CEQA process to determine whether or not the Proposed Project may have a significant impact on a Tribal Cultural Resource. Section 21073 of the Public Resources Code defines California Native American tribes as “a Native American tribe located in California that is on the contact list maintained by the Native American Heritage Commission for the purposes of Chapter 905 of the Statutes of 2004.” This includes both federally and non-federally recognized tribes. Section 21074(a) of the Public Resource Code defines Tribal Cultural Resources for the purpose of CEQA as:

- 1) Sites, features, places, cultural landscapes (geographically defined in terms of the size and scope), sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
 - a. included or determined to be eligible for inclusion in the California Register of Historical Resources; and/or
 - b. included in a local register of historical resources as defined in subdivision (k) of Section 5020.1; and/or

- c. a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

Because criteria A and B also meet the definition of a Historical Resource under CEQA (see Section 5 of this document), a Tribal Cultural Resource may also require additional (and separate) consideration as a Historical Resource. Tribal Cultural Resources may or may not exhibit archaeological, cultural, or physical indicators.

Recognizing that California tribes are experts in their Tribal Cultural Resources and heritage, AB 52 requires that CEQA lead agencies carry out consultation with tribes at the commencement of the CEQA process to identify Tribal Cultural Resources. Furthermore, because a significant effect on a Tribal Cultural Resource is considered a significant impact on the environment under CEQA, consultation is required to develop appropriate avoidance, impact minimization, and mitigation measures. Consultation is concluded when either the lead agency and tribes agree to appropriate mitigation measures to mitigate or avoid a significant effect, if a significant effect exists, or when a party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached, whereby the lead agency uses its best judgement in requiring mitigation measures that avoid or minimize impact to the greatest extent feasible.

IMPACT ANALYSIS

- a. *Would the project cause a significant adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:*
 - 1. *Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?*
 - 2. *A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?*

Based on a review of City's General Plan EIR, the Project site is not listed on the California Register of Historical Places, or a local register of resources as defined in Public Resources Code Section 5020.1 (k).

In accordance with SB 18 and AB 52, the City, acting as the Lead Agency, distributed consultation request letters to the following Native American Tribes: Amah Mutsun Tribal Band, Dumna Wo-Wah Tribal Government, Northern Valley Yokuts Tribe, Southern Sierra Miwuk Nation, Table Mountain Rancheria, Tule River Indian Tribe, and Wuksache Indian Tribe/Eshom Valley Band. The City did not receive any consultation requests in response to the letters. Therefore, the Proposed Project will have a **Less Than Significant Impact**.

MITIGATION MEASURES:

Mitigation is not required for this topic.

19. UTILITIES AND SERVICE SYSTEMS -- WOULD THE PROJECT:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?			X	
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			X	
c) 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?			X	
d) 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?			X	
e) Comply with Federal, State, and local management and reduction statutes and regulations related to solid waste?			X	

IMPACT ANALYSIS

- a. *Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?*

As stated in the Project Description, the Proposed Project will connect to the existing utilities in the City. The Proposed Project can be accommodated by the existing utility facilities and does not require the relocation or construction of new or expanded facilities. Therefore, the Proposed Project will have a **Less than Significant Impact**.

- b. Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?*

The City provides portable water services to residents, as well as commercial, institutional, industrial, and public facilities. The City's 2020 Urban Water Management Plan (UWMP) details the City's current and projected water demands for these land use types. The Proposed Project would be considered an institutional use for the purposes of the UWMP. The UWMP states that the City tracks institutional and commercial uses as one, which had a water demand of 89 million gallons (mg) in 2020. The UWMP projects commercial/institutional water use to be 108 mg in 2030 and 132 mg in 2040. It is not anticipated that the Proposed Project will contribute significantly to the projected water use of the City's institutional uses. The UWMP states that the City's estimated available water supply will be sufficient to meet projected water demands through 2040. The City is expected to have adequate water supplies during normal years to meet its projected demands through 2045 and it is not anticipated that a single dry year period will reduce the availability of water supply to the City. Water supplies are sufficient to meet all demands through year 2045 even under drought conditions. The Proposed Project can be adequately served by the existing water supplies in the City. Therefore, the Proposed Project will have a **Less than Significant Impact**.

- c. Would the project 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?*

Wastewater services within the City are provided by the City of Livingston Public Works Department. The City's most recently prepared Wastewater Collection System Master Plan describes the City's wastewater capacity as 2.0 million gallons per day (mgd). Current flows through the City's wastewater system are approximately 0.9 mgd based on information provided in the City's Municipal Services Review (MSR), leaving the City with current wastewater capacity just over 1 mgd. It is not anticipated that the Proposed Project will generate a significant amount of wastewater that would exceed the current capacity of the Wastewater Treatment Plant. The Proposed Project can be adequately served by the existing wastewater treatment provider in the City. Therefore, the Proposed Project will have a **Less than Significant Impact**.

The following discussion is an analysis for criteria (d) and (e):

- d. Would the project 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?*
- e. Would the project comply with Federal, State, and local management and reduction statutes and regulations related to solid waste?*

Solid waste in the City is managed by Gilton Solid Waste Management. The Proposed Project is not anticipated to generate solid waste that is in excess of waste typically generated recreational projects and the capacity of local infrastructure. The Proposed Project will be required to comply with Federal, State, and Local regulations related to solid waste. Therefore, the Proposed Project will have a **Less than Significant Impact**.

MITIGATION MEASURES:

Mitigation is not required for this topic.

20. WILDFIRE -- Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
If located in or near State responsibility areas or lands classified as very high fire hazard severity zones, would the project:			X	
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?			X	
b) 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?			X	
c) Require the installation 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?			X	
d) 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?			X	

IMPACT ANALYSIS

The following discussion is an analysis for criteria (a), (b), (c), and (d):

- Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?*
- Would the project 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?*
- Would the project require the installation 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?*
- Would the project 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?*

Appendix G of the CEQA Guidelines states that a project would have significant impacts if it is located in or near State responsibility areas (SRAs) or lands classified as very high fire hazard severity zones (VHFHSZ) and impacts an adopted emergency response plan, exacerbate wildfire risks, require the installation/maintenance of associated infrastructure, or expose people or structures to significant risks. The identification of SRAs and VHFHSZ zones are the responsibility of California Department of Forestry and Fire Protection. Based on a review of Section 3.9 Public Safety of the General Plan EIR and CAL FIRE and the Board of Forestry and Fire Protection's State Responsibility Map, the Project site is not located in or near any State Responsibility Areas. Therefore, the Proposed Project will have a **Less Than Significant Impact**.

MITIGATION MEASURES:

Mitigation is not required for this topic.

21. MANDATORY FINDINGS OF SIGNIFICANCE --

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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?			X	
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		X		

IMPACT ANALYSIS

- a. Does the project have the potential to substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, 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?

Finding (a) is checked as "Less Than Significant Impact" on the basis of the Proposed Project's potential impacts on biological resources, as described in Section 3.0-IV of this Initial Study. The analysis contained in this Initial Study determined the impact to Biological Resources was **Less Than Significant**.

- b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in the connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

As described in this Initial Study, the potential environmental effects of the Proposed Project will either be less than significant or will have no impact at all. Where the Proposed Project involves potentially significant impacts, these impacts would have a **Less Than Significant Impact** with mitigation measures incorporated.

The potential environmental impacts identified in this Initial Study have been considered in conjunction with each other as to their potential to generate other potentially significant impacts. The various potential environmental impacts of the Proposed Project will not combine to generate any potentially significant cumulative impacts.

The City of Livingston 1999 General Plan and EIR comprehensively account for ongoing and foreseeable urban development within the City's "Planning Area" and the cumulative environmental impacts of planned development. Future urban development in the City of Livingston includes the provision of roads, utilities, schools, and recreational facilities needed to serve City residents and visitors as their demands for urban services increase over time.

The potential environmental impacts associated with the Proposed Project represent a portion of the environmental consequences of the planned growth and development permitted by the 1999 General Plan. The Proposed Project will not result in any substantial contribution to any of the significant cumulative impacts identified in the 1999 General Plan EIR.

c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

This Initial Study has considered the potential environmental impacts of the Proposed Project in the discrete issue areas outlined in the CEQA Environmental Checklist. During the environmental analysis, the potential for the Proposed Project to result in substantial impacts on human beings in these issue areas, as well as the potential for substantial impacts on human beings to occur outside of these issue areas, was considered, but they were identified to be **Less Than Significant with Mitigation Incorporation**.

REFERENCES

In accordance with Section 15063(a)(3) of the CEQA Guidelines, the following expert opinion, technical studies, and substantial evidence has been referenced and/or cited in the discussion included in the Initial Study Checklist:

City of Livingston General Plan, dated December 1999.

City of Livingston General Plan Environmental Impact Report (EIR), dated December 1999.

City of Livingston Parks and Recreation Master Plan, dated October 2006.

City of Livingston 2020 Urban Water Management Plan, dated February 2022.

City of Livingston Wastewater Collection System Master Plan, dated July 2007.

City of Livingston Municipal Services Review, dated February 2018.

City of Livingston Municipal Code.

California Department of Transportation Online Database of State Scenic Highways
(www.dot.ca.gov/hq/LandArch/scenic/cahisys.htm).

California Department of Conservation Farmland Mapping and Monitoring Program.

Guide for Assessing and Mitigating Air Quality Impacts, adopted March 19, 2015, by the San Joaquin Valley Air Pollution Control District.

List of Preparers

Jailah Smith, Contract Associate Planner

Miguel Galvez, Contract City Planner

Appendix A

San Joaquin Valley Air Pollution Control District Letter

December 4, 2025

Martha Abeloe
City of Livingston
Community Development
1416 C. Street
Livingston, CA 95334

Project: General Plan Amendment No. PGA 2022-01, Rezone Application No. RZN 2022-001, Street Closure Application No. 2022-01, Site and Design Review Application No. 2025-05 – Livingston Rec-Plex

District CEQA Reference No: 20251362

Dear Ms. Abeloe:

The San Joaquin Valley Air Pollution Control District (District) has reviewed the General Plan Amendment (GPA), Rezone Application (RZN), Street Closure Application (SCA), and Site and Design Review Application (SDR) from the City of Livingston (City). Per the GPA/RZN/SCA/SDR, the project consists of the development of a City Recreation Complex Facility (Livingston Rec-Plex) with the partial demolition of the existing warehouse building, the construction of a new 9,000 square foot recreation building to include gym space, studio classrooms, restrooms, and support spaces, improvements to the landscaping, new playground and parking lots, closure of connecting streets and alleyway, with the eventual demolition or remodel of the remaining existing warehouse building to accommodate additional recreational facilities (Project). The Project is located at 641 6th St, in Livingston, CA.

The District offers the following comments at this time regarding the Project:

1) Project Related Emissions

At the federal level under the National Ambient Air Quality Standards (NAAQS), the District is designated as extreme nonattainment for the 8-hour ozone standards and serious nonattainment for the particulate matter less than 2.5 microns in size (PM_{2.5}) standards. At the state level under California Ambient Air Quality Standards (CAAQS), the District is designated as nonattainment for the 8-hour ozone, PM₁₀, and PM_{2.5} standards.

Samir Sheikh
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: (661) 392-5500 FAX: (661) 392-5585

Based on information provided to the District, Project specific annual criteria pollutant emissions from construction and operation are not expected to exceed any of the significance thresholds as identified in the District's Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI):

<https://ww2.valleyair.org/media/g4nl3p0g/gamaqi.pdf>.

1a) Construction Emissions

The District recommends, to reduce impacts from construction-related diesel exhaust emissions, the Project should utilize the cleanest available off-road construction equipment.

2) Health Risk Screening/Assessment

The City should evaluate the risk associated with the Project for sensitive receptors (residences, businesses, hospitals, day-care facilities, health care facilities, etc.) in the area and mitigate any potentially significant risk to help limit exposure of sensitive receptors to emissions.

To determine potential health impacts on surrounding receptors (residences, businesses, hospitals, day-care facilities, health care facilities, etc.) a Prioritization and/or a Health Risk Assessment (HRA) should be performed for the Project. These health risk determinations should quantify and characterize potential Toxic Air Contaminants (TACs) identified by the Office of Environmental Health Hazard Assessment/California Air Resources Board (OEHHA/CARB) that pose a present or potential hazard to human health.

Health risk analyses should include all potential air emissions from the project, which include emissions from construction of the project, including multi-year construction, as well as ongoing operational activities of the project. Note, two common sources of TACs can be attributed to diesel exhaust emitted from heavy-duty off-road earth moving equipment during construction, and from ongoing operation of heavy-duty on-road trucks.

Prioritization (Screening Health Risk Assessment):

A "Prioritization" is the recommended method for a conservative screening-level health risk assessment. The Prioritization should be performed using the California Air Pollution Control Officers Association's (CAPCOA) methodology. Please contact the District for assistance with performing a Prioritization analysis.

The District recommends that a more refined analysis, in the form of an HRA, be performed for any project resulting in a Prioritization score of 10 or greater. This is because the prioritization results are a conservative health risk representation, while the detailed HRA provides a more accurate health risk evaluation.

Health Risk Assessment:

Prior to performing an HRA, it is strongly recommended that land use agencies/ project proponents develop and submit for District review a health risk modeling protocol that outlines the sources and methodologies that will be used to perform the HRA.

A development project would be considered to have a potentially significant health risk if the HRA demonstrates that the health impacts would exceed the District's established risk thresholds, which can be found here:

<https://ww2.valleyair.org/permitting/ceqa/>.

A project with a significant health risk would trigger all feasible mitigation measures. The District strongly recommends that development projects that result in a significant health risk not be approved by the land use agency.

The District is available to review HRA protocols and analyses. For HRA submittals please provide the following information electronically to the District for review:

- HRA (AERMOD) modeling files
- HARP2 files
- Summary of emissions source locations, emissions rates, and emission factor calculations and methodologies.

For assistance, please contact the District's Technical Services Department by:

- E-Mailing inquiries to: hramodeler@valleyair.org
- Calling (559) 230-5900

Recommended Measure: Development projects resulting in TAC emissions should be located an adequate distance from residential areas and other sensitive receptors to prevent the creation of a significant health risk in accordance to CARB's Air Quality and Land Use Handbook: A Community Health Perspective located at <https://ww2.arb.ca.gov/our-work/programs/resource-center/strategy-development/land-use-resources>.

3) Ambient Air Quality Analysis

An Ambient Air Quality Analysis (AAQA) uses air dispersion modeling to determine if emissions increases from a project will cause or contribute to a violation of State or National Ambient Air Quality Standards. The District recommends an AAQA be performed for the Project if emissions exceed 100 pounds per day of any pollutant.

An AAQA uses air dispersion modeling to determine if emission increase from a project will cause or contribute to a violation of State or National Ambient Air Quality Standards. An acceptable analysis would include emissions from both project-specific permitted and non-permitted equipment and activities. The District recommends consultation with District staff to determine the appropriate model and input data to use in the analysis.

Specific information for assessing significance, including screening tools and modeling guidance, is available online at the District's website:
<https://ww2.valleyair.org/permitting/ceqa/>.

4) Vegetative Barriers and Urban Greening

There are residential units located near the Project. The District suggests the City consider the feasibility of incorporating vegetative barriers and urban greening as a measure to further reduce air pollution exposure on sensitive receptors (e.g., residential units).

While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, vegetative barriers have been shown to be an additional measure to potentially reduce a population's exposure to air pollution through the interception of airborne particles and the uptake of gaseous pollutants. Examples of vegetative barriers include, but are not limited to the following: trees, bushes, shrubs, or a mix of these. Generally, a higher and thicker vegetative barrier with full coverage will result in greater reductions in downwind pollutant concentrations. In the same manner, urban greening is also a way to help improve air quality and public health in addition to enhancing the overall beautification of a community with drought tolerant, low-maintenance greenery.

5) Clean Lawn and Garden Equipment in the Community

Since the Project consists of commercial development, gas-powered commercial lawn and garden equipment have the potential to result in an increase of NO_x and PM_{2.5} emissions. Utilizing electric lawn care equipment can provide residents with immediate economic, environmental, and health benefits. The District recommends the Project proponent consider the District's Clean Green Yard Machines (CGYM) program which provides incentive funding for replacement of existing gas powered lawn and garden equipment. More information on the District CGYM program and funding can be found at: <https://ww2.valleyair.org/grants/zero-emission-landscaping-equipment-voucher-program/>.

6) On-Site Solar Deployment

It is the policy of the State of California that renewable energy resources and zero-carbon resources supply 100% of retail sales of electricity to California end-use customers by December 31, 2045. While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, the production of solar energy is contributing to improving air quality and public health. The District suggests that the City consider incorporating solar power systems as an emission reduction strategy for the Project.

7) Electric Infrastructure

To support and accelerate the installation of electric vehicle charging equipment and development of required infrastructure, the District offers incentives to public agencies, businesses, and property owners of multi-unit dwellings to install electric charging infrastructure (Level 2 and 3 chargers). The purpose of the District's Charge Up! Incentive program is to promote clean air alternative-fuel technologies and the use of low or zero-emission vehicles. The District recommends that the City and project proponents install electric vehicle chargers at project sites, and at strategic locations.

Please visit <https://ww2.valleyair.org/grants/charge-up> for more information.

8) District Rules and Regulations

The District issues permits for many types of air pollution sources, and regulates some activities that do not require permits. A project subject to District rules and regulations would reduce its impacts on air quality through compliance with the District's regulatory framework. In general, a regulation is a collection of individual rules, each of which deals with a specific topic. As an example, Regulation II (Permits) includes District Rule 2010 (Permits Required), Rule 2201 (New and Modified Stationary Source Review), Rule 2520 (Federally Mandated Operating Permits), and several other rules pertaining to District permitting requirements and processes.

The list of rules below is neither exhaustive nor exclusive. Current District rules can be found online at: <https://ww2.valleyair.org/rules-and-planning/current-district-rules-and-regulations>. To identify other District rules or regulations that apply to future projects, or to obtain information about District permit requirements, the project proponents are strongly encouraged to contact the District's Small Business Assistance (SBA) Office at (209) 557-6446.

8a) District Rules 2010 and 2201 - Air Quality Permitting for Stationary Sources

Stationary Source emissions include any building, structure, facility, or installation which emits or may emit any affected pollutant directly or as a fugitive emission. District Rule 2010 (Permits Required) requires operators of emission sources to obtain an Authority to Construct (ATC) and Permit to Operate (PTO) from the District. District Rule 2201 (New and Modified Stationary Source Review) requires that new and modified stationary sources of emissions mitigate their emissions using Best Available Control Technology (BACT).

This Project may be subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and may require District permits. Prior to construction, the Project proponent should submit to the District an application for an ATC. For further information or assistance, the project proponent may contact the District's SBA Office at (209) 557-6446.

8b) District Rule 9510 - Indirect Source Review (ISR)

The District has reviewed the information provided and has determined the project size is below the District Rule 9510, section 2.1 applicability threshold of 20,000 square feet of recreational space. Therefore, District Rule 9510 requirements and related fees do not apply to the project.

8c) District Rule 4002 (National Emissions Standards for Hazardous Air Pollutants)

The Project will be subject to District Rule 4002 since the Project will include demolition, removal, and/or renovation of existing structures. To protect the public from uncontrolled emissions of asbestos, this rule requires a thorough inspection for asbestos to be conducted before any regulated facility is demolished or renovated. Any asbestos present must be handled in accordance with established work practice standards and disposal requirements.

Information on how to comply with District Rule 4002 can be found online at: <https://ww2.valleyair.org/compliance/demolition-renovation/>.

8d) District Rule 4601 (Architectural Coatings)

The Project may be subject to District Rule 4601 since it may utilize architectural coatings. Architectural coatings are paints, varnishes, sealers, or stains that are applied to structures, portable buildings, pavements or curbs. The purpose of this rule is to limit VOC emissions from architectural coatings.

In addition, this rule specifies architectural coatings storage, cleanup and labeling requirements. Additional information on how to comply with District Rule 4601 requirements can be found online at:

<https://ww2.valleyair.org/media/tkgjeusd/rule-4601.pdf>

8e) District Regulation VIII (Fugitive PM10 Prohibitions)

The project proponent may be required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities as described in Regulation VIII, specifically Rule 8021 – *Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities*.

Should the project result in at least 1-acre in size, the project proponent shall provide written notification to the District at least 48 hours prior to the project proponents intent to commence any earthmoving activities pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). Also, should the project result in the disturbance of 5-acres or more, or will include moving, depositing, or relocating more than 2,500 cubic yards per day of bulk materials, the project proponent shall submit to the District a Dust Control Plan pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). For additional information regarding the written notification or Dust Control Plan requirements, please contact District Compliance staff at (559) 230-5950.

The application for both the Construction Notification and Dust Control Plan can be found online at: <https://ww2.valleyair.org/media/fm3jrbsq/dcp-form.docx>

Information about District Regulation VIII can be found online at:
<https://ww2.valleyair.org/dustcontrol>

8f) Other District Rules and Regulations

The Project may also be subject to the following District rules: Rule 4102 (Nuisance) and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).

9) District Comment Letter

The District recommends that a copy of the District's comments be provided to the Project proponent.

If you have any questions or require further information, please contact Ryan Grossman by e-mail at ryan.grossman@valleyair.org or by phone at (559) 230-6569.

Sincerely,

Mark Montelongo
Director of Policy and Government Affairs

A handwritten signature in blue ink, appearing to read 'Mark Montelongo', with a stylized flourish at the end.

For: Daniel Martinez
Program Manager