

**Final EIR Addendum**

# **315 Las Animas Multi-Family Residential Project (Park 315)**

**November 13, 2025**



**Prepared by  
EMC Planning Group**



FINAL EIR ADDENDUM

# **315 LAS ANIMAS MULTI-FAMILY RESIDENTIAL PROJECT (PARK 315)**

**PREPARED FOR**

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# 1.0 Project Background

## 1.1 Original EIR

The project site is part of a larger property proposed for industrial uses that was the subject of an annexation and pre-zoning approved by the City of Gilroy (“City”) in 2003. The *Final Environmental Impact Report Las Animas Annexation and Pre-Zoning SCH#2002022084* (“2003 EIR”), evaluating the annexation and pre-zoning, was prepared in 2002 and certified by the City of Gilroy in 2003. The 2003 project was on 53.38 acres (APNs 835-05-005, 006, -007, -008, and -009), of which the currently proposed project site (27.55 acres, APN 835-05-006) was a part. The annexation application did not include a development application. Therefore, the 2003 EIR evaluated the environmental impacts of constructing the maximum square footage allowed by general plan and zoning regulations, which was 697,570 square feet of industrial uses on 53.38 acres.

## 1.2 When is an Addendum Required?

CEQA Guidelines section 15164 gives direction to lead agencies regarding addendum to an EIR. It states:

- a. The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.
- b. An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.
- c. An addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration.
- d. The decision-making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project.
- e. A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency’s findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.

## 2.0 Analysis Summary

The initial study prepared for the proposed project (attached as Appendix A) evaluates the environmental impacts resulting from the proposed change in land use at the project site from what was assumed in the 2003 EIR. This change in land use is only for the 27.55 acres that are the subject of the current residential project (constructing 530 residential units on only 27.55 acres of the 53.38-acre industrial-zoned property) relative to the industrial uses evaluated in the 2003 EIR (359,496.12 square feet of industrial use on 27.55 acres of the 53.38-acre industrial-zoned property, which is the proportional share). Therefore, the baseline for which the currently proposed residential project was being evaluated against was 359,946 square feet of industrial use as evaluated in the certified 2003 EIR.

[Table 1, Baseline and Proposed Project Comparison](#), presents a comparison of the baseline with the proposed project.

**Table 1      Baseline and Proposed Project Comparison**

| Project             | Acreage                             | Land Use                                          |
|---------------------|-------------------------------------|---------------------------------------------------|
| Baseline (2003 EIR) | 27.55<br>(51.6% of Industrial Site) | Industrial<br>(approximately 359,946 square feet) |
| Proposed Project    | 27.55                               | Multi-family Residential (530 units)              |

SOURCE: EMC Planning Group 2003; Project Plans 2025

The purpose of the attached initial study was to determine if the proposed project would qualify for an addendum under CEQA Guidelines section 15164. The initial study provides the conclusion that all potentially significant effects of the currently proposed project have been analyzed adequately in the 2003 EIR pursuant to applicable standards; all potentially significant effects have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project; and none of the conditions that warrant subsequent or supplemental environmental review under 14 Cal. Code Regs. Sections 15162 and 15163, respectively, are present. Therefore, an addendum to the 2003 EIR was determined to be appropriate.

## 3.0 Mitigation Measures

The following conclusions regarding the applicability of the 2003 EIR mitigation measures are presented:

1. Mitigation Measure #1 from the 2003 EIR is no longer applicable because the project site is no longer in a Williamson Act contract. The no longer applicable mitigation measure reads as follows:

*Prior to any early cancellation of the Williamson Act by the property owner, one of the three options shall be implemented:*

- a. Purchase of an equal amount of prime agricultural land within the area of the Open Space Authority and the transfer of the ownership of this land to the Open Space Authority or other City-approved agency.*
  - b. Purchase development rights on agricultural land within the area of the Open Space Authority and the transfer of the ownership of this land to the Open Space Authority or other City-approved agency. The purchase value shall be equivalent in value to that required under (a) above.*
  - c. Payment, in lieu of purchase, of fee to the Open Space Authority or other City-approved agency, equal to the amount required to comply with either of the above elements. The amount of this fee shall be equivalent in value to that required under (a) above.*
2. Mitigation Measure #2 from the 2003 EIR is no longer applicable because the proposed residential project would generate emission volumes well below the air district's current thresholds of significance. The no longer applicable mitigation measure reads as follows:

*The following measures shall be incorporated into all future project plans on/ along the project site:*

- *provide wide sidewalks and onsite pedestrian facilities;*
  - *provide street lighting;*
  - *provide shade trees to shade sidewalks;*
  - *do not allow long uninterrupted walls along pedestrian walkways;*
  - *provide bike lanes/paths connecting to bike system; and*
  - *provide secure bicycle parking.*
3. Mitigation Measure #3 from the 2003 EIR is required to be implemented by the proposed project because it, along with a City standard condition of approval, includes uniformly applied existing regulatory measures that help ensure project construction emissions are below the air district thresholds. The mitigation measure reads as follows:

*The project proponent shall specify in project plans the implementation of the following dust control measures during grading and construction activities for the proposed project. The measures shall be implemented as necessary to adequately control dust, subject to the review and approval by the City of Gilroy Planning Department:*

*The following measures shall be implemented at all construction sites:*

- *Water all active construction areas at least twice daily;*
- *Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard;*
- *Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites;*
- *Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites; and*
- *Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.*

*The following measures shall be implemented at all construction sites greater than four acres in area:*

- *All “Basic” control measures listed above;*
- *Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more);*
- *Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.);*
- *Limit traffic speeds on unpaved roads to 15 mph;*
- *Install sandbags or other erosion control measures to prevent silt runoff to public roadways; and*
- *Replant vegetation in disturbed areas as quickly as possible.*

*The following measures shall be implemented at construction sites that are large in area, located near sensitive receptors or which for any other reason may warrant additional emissions reductions:*

- *Install wheel washers for all existing trucks, or wash off the tires or tracks of all trucks and equipment leaving the site;*
- *Install windbreaks, or plant trees/vegetative wind breaks at windward side(s) of construction areas;*
- *Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 miles per hour; and*
- *Limit the area subject to excavation, grading and other construction activity at any one time.*

4. Mitigation Measure #4 from the 2003 EIR is no longer applicable because residential development is not a source of significant odors. The no longer applicable mitigation measure reads as follows:

*The project proponent of any future development on the project site, which has the potential to release toxic air contaminants or produce odors, shall obtain permits from the BAAQMD. During the permitting process the BAAQMD will determine the level of significance from the release of toxic air contaminants or odor production on the project site. Based on the level of significance, the BAAQMD and the City of Gilroy will identify buffer zones and any other mitigation measures deemed necessary.*

5. Mitigation Measure #5 from the 2003 EIR is required to be implemented by the proposed project; however, this mitigation has been modified in the initial study to comply with current direction from the California Department of Fish and Wildlife regarding pre-construction nesting bird surveys. The recommended modifications are as follows:

*Nesting Birds and Raptors. To avoid impacts to nesting birds during the nesting season (January 15 through September 15), all construction activities should be conducted between September 16 and January 14, which is outside of the bird nesting season. If construction or project-related work is scheduled during the nesting season (February 15 to August 30 for small bird species such as passerines; January 15 to September 15 for owls; and February 15 to September 15 for other raptors), a qualified biologist shall conduct nesting bird surveys.*

- a. Two surveys for active bird nests shall occur within 14 days prior to start of construction, with the final survey conducted within 48 hours prior to construction. Appropriate minimum survey radii surrounding each work area are typically 250 feet for passerines, 500 feet for smaller raptors, and 1,000 feet for larger raptors. Surveys shall be conducted at the appropriate times of day to observe nesting activities. Locations off the site to which access is not available may be surveyed from within the site or from public areas. If no nesting birds are found, a letter report confirming absence shall be prepared and submitted to the City of Gilroy Community Development Department and no further mitigation is required.*
  - b. If the qualified biologist documents active nests within the project site or in nearby surrounding areas, an appropriate buffer between each nest and active construction shall be established. The buffer shall be clearly marked and maintained until the young have fledged and are foraging independently. Prior to construction, the qualified biologist shall conduct baseline monitoring of each nest to characterize "normal" bird behavior and establish a buffer distance, which allows the birds to exhibit normal behavior. The qualified biologist shall monitor the nesting birds daily during construction activities and increase the buffer if birds show signs of unusual or distressed behavior (e.g., defensive flights and vocalizations, standing up from a brooding position, and/or flying away from the nest). If buffer establishment is not possible, the qualified biologist or construction foreman shall have the authority to cease all construction work in the area until the young have fledged and the nest is no longer active. Once the absence of nesting birds has been confirmed, a letter report shall be prepared and submitted to the City of Gilroy Community Development Department.*
6. Mitigation Measure #6 from the 2003 EIR is required to be implemented by the proposed project; however, this mitigation has been modified in the initial study to comply with current direction from the California Department of Fish and Wildlife regarding pre-construction burrowing owl surveys. The recommended modifications are as follows:

*Burrowing Owl. To avoid loss of or harm to burrowing owl, the following measures shall be implemented:*

- a. Prior to ground disturbance, to avoid/minimize impacts to burrowing owls potentially occurring within or immediately adjacent to the project site, the applicant shall retain a biologist qualified in ornithology to conduct surveys for burrowing owl. The qualified biologist shall conduct a two-visit (i.e., morning and evening) presence/absence survey at areas of suitable habitat on and adjacent to the project site boundary no less than 14 days prior to the start of construction or ground disturbance activities. Surveys shall be conducted according to the methods for take avoidance described in the Burrowing Owl Survey Protocol and Mitigation Guidelines (CBOC 1993) and the Staff Report on Burrowing Owl Mitigation (CDFW 2012). If no burrowing owls are found, a letter report confirming absence shall be prepared and submitted to the City of Gilroy Planning Division and no further measures are required.*
- b. Because burrowing owls occupy habitat year-round, seasonal no-disturbance buffers, as outlined in the Burrowing Owl Survey Protocol and Mitigation Guidelines (CBOC 1993) and the Staff Report on Burrowing Owl Mitigation (CDFW 2012), shall be in place around occupied habitat prior to and during*

any ground disturbance activities. The following table includes buffer areas based on the time of year and level of disturbance (CDFW 2012), unless a qualified biologist approved by the California Department of Fish and Wildlife verifies through non-invasive measures that either: 1) birds have not begun egg laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

| <b>Location</b> | <b>Time of Year</b> | <b>Level of Disturbance Buffers<br/>(meters)</b> |            |             |
|-----------------|---------------------|--------------------------------------------------|------------|-------------|
|                 |                     | <b>Low</b>                                       | <b>Med</b> | <b>High</b> |
| Nesting Sites   | April 1 – Aug 15    | 200 m                                            | 500 m      | 500 m       |
| Nesting Sites   | Aug 16 – Oct 15     | 200 m                                            | 200 m      | 500 m       |
| Nesting Sites   | Oct 16 – Mar 31     | 50 m                                             | 100 m      | 500 m       |

- c. *If burrowing owl is found and avoidance is not possible, burrow exclusion may be conducted by qualified biologists only during the non-breeding season, before breeding behavior is exhibited and after the burrow is confirmed empty through non-invasive methods, such as surveillance. Occupied burrows shall be replaced with artificial burrows at a ratio of one collapsed burrow to one constructed artificial burrow (1:1). Evicted burrowing owls may attempt to colonize or re-colonize an area that would be impacted, thus ongoing surveillance during project activities shall be conducted at a rate sufficient to detect burrowing owls if they return.*
  - d. *If surveys locate occupied burrows, consultation with the California Department of Fish and Wildlife shall occur to interpret survey results and develop a project-specific avoidance and minimization approach. Once the absence of burrowing owl has been confirmed, a letter report shall be prepared and submitted to the City of Gilroy Planning Division.*
7. Mitigation Measure #7 from the 2003 EIR is not required to be implemented by the proposed project because it was in reference to trees associated with the existing residences that required removal with construction of the 2003 project. The currently proposed project is not located on the portion of the 2003 project site that contains the residences and trees. The mitigation measure, no longer required, reads as follows:

*Prior to issuance of permits, the proponent for any specific development project shall submit a Landscape Plan for review and approval by the City of Gilroy Planning Division, indicating the location, size and species of existing trees found within the project site boundaries. The plan shall indicate which trees are planned for removal. Based on review of the Landscape Plan, the City shall determine which trees, if any, are “significant.”*

*If significant trees are determined to be located on the project site, they shall be retained, to the greatest extent feasible. The dripline of significant trees to be retained shall be fenced prior to grading activities to prevent root damage. If retention of all significant trees on the project site is infeasible, a written report shall be prepared by a certified arborist including the number and location of each significant tree to be removed, the type and approximate size of each significant tree, the reason for removal, and specifications for replacing significant trees to be removed. The written report shall be prepared prior to the commencement of grading activities, subject to approval by the City of Gilroy Planning Division.*

*Prior to commencement of construction activities, the protected zone (one to 1.5 times the distance from the trunk to the dripline, depending on the tree species) of any trees or groups of trees to be retained shall be fenced to*

*prevent injury to the trees during construction. Soil compaction, parking of vehicles or heavy equipment, stockpiling of construction materials, and/or dumping of materials shall not be allowed within the protected zone. The fencing shall remain in place until all construction activities are complete. The trees or groups of trees to be fenced shall be indicated in a written report prepared subject to approval by the City of Gilroy Planning Division.*

8. Mitigation Measure #8 from the 2003 EIR addresses demolition of potential historic structures. The currently proposed project site does not include structures and, therefore, this mitigation measure does not apply.
9. Mitigation Measure #9 from the 2003 EIR is required to be implemented by the proposed project; however, modifications are recommended by the Amah Mutsun Tribal Band to comply with the Tribe's current standard mitigation and treatment protocols for projects of this nature. The modified mitigation measure reads as follows:

*Due to the possibility that significant buried cultural resources might be found during construction, the following language shall be included on any permits issued for the project site, including, but not limited to, building permits for future development, subject to the review and approval of the Gilroy Planning Division:*

*If archaeological resources or human remains are discovered during construction, work shall be halted at a minimum of 200 feet from the find and the area shall be staked off. The project developer shall notify a qualified professional archaeologist and the Amah Mutsun Tribal Band.*

*The Lead Archaeologist, in coordination with the Amah Mutsun Tribal Band, shall evaluate the discovered resource(s). While determinations typically occur in the field with minimal stoppages, a determination may require further guidance from tribal cultural experts or subject matter experts. If the discovered resource is determined to be potentially significant, the Lead Archaeologist in coordination with the Amah Mutsun Tribal Band may elect to provide and implement a plan for additional subsurface investigation to define and assess the extent of the resource within the project area and how it would be affected by the project. In these instances, the Lead Archaeologist or the Tribe may request a further stoppage of work in order to complete an assessment of the find.*

*If an encountered cultural resource is determined potentially significant, the Lead Archaeologist will notify the City and consult with the Amah Mutsun Tribal Band to develop a culturally appropriate treatment plan and any necessary additional mitigation measures. Treatment plans shall consider avoidance and preservation of the resource(s) in place as a preferred option. All potential means of avoiding or reducing ground disturbance within the site boundaries will be considered including modifications of building footprint, landscape modification, the placement of protective fill, the establishment of a preservation easement, or more substantial modifications where feasible that will permit avoidance or substantial preservation in place of the resource.*

*The archaeologist, in coordination with the Amah Mutsun Tribal Band (and Native American Heritage Commission designated MLD if applicable) shall prepare a report describing any resource(s) unearthed, the treatment of such resource(s), any mitigation measure recommendations, and the evaluation of the resource(s) with respect to the California Register of Historic Resources. If the resource(s) are found to be significant, a separate report detailing the results of the recovery and evaluation process shall be prepared.*

10. Mitigation Measure #10 from the 2003 EIR is required to be implemented by the proposed project; however, modifications are recommended by the Amah Mutsun Tribal Band to comply with the Tribe's current standard mitigation and treatment protocols for projects of this nature. The modified mitigation measure reads as follows:

*In the event of an accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the City shall ensure that this language is included in all permits in accordance with CEQA Guidelines section 15064.5(e):*

*If human remains are discovered during ground-disturbing activities or project construction, work shall be halted within at least 200 feet of the discovery location, and at a greater distance if determined necessary by the Archaeologist meeting the Secretary of the Interior's Professional Qualification Standards, and within any nearby area reasonably suspected to overlie human remains (Public Resources Code, Section 7050.5). The Santa Clara County Coroner shall be notified immediately to determine if the cause of death must be investigated. Notice will also be provided immediately to the Amah Mutsun Tribal Band.*

*If the Santa Clara County Coroner determines that the remains are of Native American origin, the Coroner shall ensure that notification is provided to the Native American Heritage Commission (NAHC) as required by California Public Resources Code Section 5097.98(a). A determination of the Most Likely Descendant (MLD) under California Public Resources Code Section 5097.98 will be made by the NAHC upon notification to NAHC of the discovery of said remains at the Project site. Work may not resume until the MLD has made a recommendation to the City of Gilroy regarding appropriate means of treatment and disposition, with appropriate dignity, of the human remains and any associated grave goods, as provided in Public Resources Code, Section 5097.98.*

*When and if Native American human remains are discovered at the project site, the Amah Mutsun Tribal Band shall be consulted as part of the repatriation process irrespective of whether the NAHC-designated MLD is an Amah Mutsun Tribal Band member. The Amah Mutsun Tribal Band shall be allowed to (1) inspect the site of the discovery and (2) make recommendations as to how the human remains and grave goods should be treated with appropriate dignity. The City shall discuss and confer with the Tribe all reasonable options with regard to its preferences and recommendations for treatment.*

*Amah Mutsun Tribal Band ancestral traditions call for the burial of associated cultural resources (grave goods and funerary objects) with the deceased, and the ceremonial burning of Native American human remains, funerary objects, grave goods and animals. Ashes and other remnants of these burning ceremonies, as well as grave goods and funerary objects, associated with or buried with the Native American remains, are to be treated in the same manner as human bones, human bone fragments and cremations of human remains.*

*Unless otherwise required by law, the site of any reburial of Native American human remains shall not be disclosed and will not be governed by public disclosure requirements of the California Public Records Act, Cal. Govt. Code § 6250 et seq. The Santa Clara County Coroner is expected to withhold public disclosure of information related to such reburial pursuant to the specific exemption set forth in California Government Code Section 6254(r).*

*The City of Gilroy and Santa Clara County Coroner shall return all Native American ceremonial items and items of cultural patrimony that may be found on the project site to the NAHC-designated MLD and/or the Amah Mutsun Tribal Band for possession during course of the project and, if necessary, appropriate treatment, unless the City of Gilroy is ordered to do otherwise by a court or agency of competent jurisdiction. In addition, all other potentially significant Native American-associated cultural resources that are recovered during the course of archaeological investigations on or adjacent to the project site when the Tribe and the Lead Archaeologist have determined the finds to be potentially significant cultural resources shall be returned to the Tribe.*

*Where appropriate (from the perspective of the Tribe), and agreed upon in advance by the City of Gilroy, the Tribe, and Lead Archaeologist, analyses of certain artifact types will be permitted, which may include, but which may not necessarily be limited to, shell, bone, ceramic, stone and/or other artifacts. The preferred location*

*for reburial of cultural material by the Tribe will be in close proximity to the site of discovery but protected from future disturbance. Reburial locations will be recorded and reported to the California Native American Heritage Commission and the NW Information Center by the Amah Mutsun Tribal Band and/or the Lead Archaeologist.*

11. Mitigation Measure #11 from the 2003 EIR addresses improvements at the Monterey Road/Las Animas Avenue intersection and the Monterey Road/Leavesley Road intersection and is no longer applicable as an EIR mitigation measure.
12. Mitigation Measure #12 from the 2003 EIR addresses improvements on northbound Monterey Road north of Las Animas Avenue, the intersection of Monterey Road and Las Animas Avenue, Las Animas Avenue and Murray Avenue. This mitigation measure is no longer applicable as an EIR mitigation measure.
13. Mitigation Measure #13 from the 2003 EIR addresses potential improvements to the railroad crossing at Las Animas Avenue and Monterey Road and is no longer applicable as an EIR mitigation measure.
14. Mitigation Measure #14 from the 2003 EIR is required to be implemented by the proposed project because the currently proposed residential project would generate similar construction-related water quality impacts as the project evaluated in the 2003 EIR. The applicable mitigation measure reads as follows:

*The project applicant for any proposed development, shall, for each phase of development, submit a Notice of Intent (NOI), detailed engineering designs, and a storm water pollution prevention program to the Central Coast RWQCB. The project applicant shall obtain a National Pollution Discharge Elimination System General Construction permit from the RWQCB prior to any grading or construction activities. This permit shall require implementation of an approved SWPPP that uses storm water "Best Management Practices" to control runoff, erosion and sedimentation from the site. The Storm Water Pollution Prevention Program is subject to review and approval by the Central Coast Regional Water Quality Control Board and the Gilroy Engineering Division.*

15. Mitigation Measure #15 from the 2003 EIR is required to be implemented by the proposed project to ensure post-construction water quality impacts are less than significant. The applicable mitigation measure reads as follows:

*Project plans for any development proposed for the project site, subject to the review and approval of the City of Gilroy Planning Division shall include a sedimentation basin adequate for filtering out heavy storm water contaminants such as silt, and grease traps suitable for filtering out other urban pollutants to the extent feasible. Additional measures as presented in "Start at the Source, Design Guidance Manual for Storm Water Quality Protection," prepared by the Bay Area Storm Water Management Agencies Association and "Parking Lot Best Management Practices Manual," prepared by the Santa Clara Valley Urban Runoff Pollution Prevention Program may not be required for specific projects. Physical water quality safeguards shall be installed prior to occupancy of the proposed development, and the best management practices plan must be implemented upon occupancy.*

16. Mitigation Measure #16 from the 2003 EIR has already been completed by the developers of the currently proposed project. This mitigation measure reads as follows:

*Prior to development of the project site, a Phase 1 Environmental Site Assessment shall be prepared in accordance with ASTM Standard(s) to identify whether past or existing uses of the project site may have adversely affected soil or groundwater, or would otherwise pose a health hazard during site development. If the Phase 1 Environmental Site Assessment finds that past uses may have contaminated the site, a Phase 2 Site*

*Assessment shall be prepared. If contamination is present at the project site, clean up and disposal of such contamination, if present, shall be in compliance with federal, state and local regulations governing the clean-up and disposal of hazardous waste.*

17. Mitigation Measure #17 from the 2003 EIR addresses vehicle trip reduction and is no longer applicable as an EIR mitigation measure. The mitigation reads as follows:

*To reduce the volume of commute vehicle trips, the City shall require the project proponent to prepare a vehicle trip reduction plan, that includes recommendations for the future employers on the project site. The plan shall be distributed to the employers and employees of the project site. The vehicle trip reduction plan shall include:*

- *Carpool/vanpool program to help match commuting employees together;*
- *Current information regarding the City's existing park and ride lots;*
- *Current transit information (i.e. VTA bus facilities, routes and times);*
- *Preferential parking incentives for employees who carpool/vanpool (i.e., locate preferential parking area near building entrances or sheltered areas);*
- *Provide onsite ATM/bank, cafeteria, and other services for employees; and*
- *Provide the employer and employees with information about compressed work week schedules (i.e. 4/40, 9/80).*

## 4.0 CEQA Findings

The following CEQA findings are presented:

- a. None of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred. These are:
  1. Substantial changes are not proposed in the project that require major revisions of the 2003 EIR due to the involvement of new significant effects or a substantial increase in the severity of previously identified significant effects. Only minor revisions to some of the mitigation measures are required. The analysis in the currently proposed project initial study included a determination that
    - i. 2003 EIR Mitigation Measures 1, 2, 4, 7, 8, 11, 12, 13, and 17 will not be required, and therefore, would not apply to the currently proposed project;
    - ii. 2003 EIR Mitigation Measures 3, 14, and 15 will be required, and therefore would apply to the currently proposed project;
    - iii. 2003 EIR Mitigation Measures 5, 6, 9, and 10 will be required with modifications to the language, and therefore, would apply to the proposed project; and
    - iv. 2003 EIR Mitigation Measure 16 has already been completed.
  2. Substantial changes have not occurred with respect to the circumstances under which the currently proposed project is undertaken that will require major revisions of the certified 2003 EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
  3. There is no new information that shows any of the following:
    - (A) The currently proposed project will have one or more significant effects not discussed in the 2003 EIR;
    - (B) Significant effects previously examined will be substantially more severe than shown in the 2003 EIR;
    - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
    - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the 2003 EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

- b. The City Council has determined that this addendum to the certified *Final Environmental Impact Report Las Animas Annexation and Pre-Zoning SCH#2002022084* is appropriate, and that preparation of a subsequent or supplemental EIR is not necessary based upon the substantial evidence provided in the addendum and the attached initial study.
- c. In accordance with CEQA Guidelines section 15164 (c), this addendum was not circulated for public review.