

**CHAPTER SIX**  
**OTHER MANDATORY CEQA SECTIONS**

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### 6.1 Growth Inducement

Section 15126.2(d) of the *CEQA Guidelines* requires that EIRs provide a discussion of the growth inducing impacts of the proposed project. Growth inducing impacts could be caused by projects that foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Growth inducing impacts can also be caused by removing obstacles to population growth, such as an expansion of a wastewater treatment plant, or by otherwise encouraging or facilitating other activities, which could affect the environment, however, Where a project is shown to have a growth inducing effect, the impacts of such growth to public facilities and other environmental factors should be discussed.

#### 6.1.1 MAGNITUDE OF GROWTH INDUCING EFFECTS

The project has the potential to yield considerable associated growth by removing a major obstacle to continued development in Hughson. Indeed, expansion of wastewater treatment facilities is identified in the *CEQA Guidelines* as an example of a project that would induce growth. This project has the potential to induce growth by creating a facility capable of handling the wastewater from the increased population.

The 2005 Hughson Municipal Services Review, the 2005 Hughson General Plan and the Wastewater Treatment Plant Master Plan Report (Master Plan; Carollo Engineers, 2006) analyzed development. The General Plan predicts that the City's population will grow from 5,942 in 2005 to 15,074 in 2025.

The projected wastewater generated with the populations projected in the Master Plan and the General Plan would exceed the current hydraulic capacity of the wastewater treatment plant in 2009. The current capacity of the plant is 1.0 mgd. The City will have to impose a development moratorium if it does not increase the capacity of its WWTP.

#### 6.1.2 SPECIFIC IMPACTS RELATED TO GROWTH INDUCING EFFECTS

##### *Aesthetics*

The Final EIR for the Hughson General Plan indicated that development and implementation of the plan would substantially alter the visual character of the Hughson area from a rural agricultural base to one that is characterized by more urban uses. Growth accommodated by the project will have a **significant** impact on aesthetics.

##### *Land Use, Planning, And Agriculture*

The Final EIR for the Hughson General Plan indicated that development and implementation of the plan would result in the conversion of prime agricultural land to urban uses. Growth accommodated by the project will have a **significant and unavoidable** impact on agricultural land.

### ***Air Quality***

The Final EIR for the Hughson General Plan indicated that implementation and development as described in the plan would result in a significant and unavoidable impact on air quality. The project will remove barriers to construction with associated air pollution impacts from traffic, construction, operational and area source emissions. While mitigation measures may be available to limit the impact of any particular development, in the aggregate, growth accommodated by the project will have a **significant** impact on air quality.

### ***Water Quality***

The Final EIR for the Hughson General Plan indicated that implementation and development as described in the plan would result in a less than significant impact on water quality. The project will remove barriers to construction and development; however, policies and regulations are in place to prevent significant degradation of surface or groundwater from development. Such measures include requirements for adequate storm drainage, requirements to secure and comply with NPDES permits, etc. With these measures in place, growth accommodated by the proposed project will have a **less than significant** impact on water quality.

### ***Traffic And Circulation***

The Final EIR for the Hughson General Plan indicated that many of the City's and County's arterial roadways and intersections would operate at an unacceptable level at buildout; this would be a significant impact. The City's minimum standard is LOS D, while Stanislaus County strives to achieve LOS C or better on its roadways. The 2005 Hughson General Plan proposed a number of changes to the circulation system that would be initiated by the City, and new General Plan policies to address these concerns. In addition, Stanislaus County has begun to plan for improvements to intersections and roadways that currently operate at poor conditions, and to provide capacity for potential future regional growth. With these measures in place, growth accommodated by the proposed project will have a **less than significant** impact on traffic and circulation.

### ***Public Services And Utilities***

The Final EIR for the Hughson General Plan indicated that the additional development which will be made possible by the project will not require additional public services or utilities. Hughson's General Plan includes specific policies and implementation programs that require the provision of public services and utilities prior to approving any new developments. Consistent application of these policies and programs ensure that significant impacts from growth would not occur. The project will comply with existing regulations and policies and will have a **less than significant** impact on public services and utilities.

## ***6.2 Effects Found Not to be Significant***

As described in Chapter Three, Chapter Five and Chapter Six above, the following effects were found to be less than significant and do not require the adoption of mitigation measures:

- Geology and Soils

- Hydrology and Water Quality
- Mineral Resources
- Public Services
- Recreation
- Traffic and Circulation
- Utilities and Service Systems

### **6.3 Significant Environmental Effects that Cannot be Avoided**

“Significant effect on the environment” means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, mineral, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant.

Section 15126.2(b) of the *CEQA Guidelines* requires that the EIR describe any significant impacts, including those which can be mitigated but not reduced to a level of insignificance. Where there are impacts that cannot be alleviated without imposing an alternative design, their implications and the reasons why the project is being proposed, notwithstanding their effect, shall be described.

The following effects were found to be significant project impacts for which mitigation measures are either not available or would not reduce the impacts to a less than significant level:

- **Impact #3.3.2 – Williamson Act Contract**

There is an anticipated loss of agricultural land due to the proposed expansion of wastewater facilities. The 30 acres marked for development of WWTP facilities are all under Williamson Act Land Conservation Contract (see Figure 3.3.3). The Williamson Act contracts would not permit development of the site with public facilities as proposed. In order to implement the project, the Williamson Act contracts on the adjacent properties will be terminated, using one of the methods authorized by Government Code Section 51200 et seq. The proposed project will conflict with Williamson Act contract land. This is a **significant and unavoidable** impact.

- **Cumulative Impacts on Agricultural Land (Section No. 5.3)**

The project will directly convert approximately 30 acres of land under a Williamson Act contract to WWTP facilities. While this is a relatively modest conversion, and is not significant on its own, when considered in the context of other conversions of agricultural land necessary to implement the Hughson General Plan and the overall development trend within Stanislaus County, the effect is **cumulatively significant and unavoidable**.

▪ **Cumulative Impacts on Air Quality (Section No. 5.4)**

The potential emissions that would result from the proposed project would be occurring in an air basin that has severe air quality problems and that currently exceeds the state/federal ambient air quality standards. The state/federal ambient standards are health-based thresholds, so the project would cumulatively contribute to the known adverse health effects associated with exceedances of the ambient air quality standards, and cumulatively contribute to the health effects associated with mobile-source Toxic Air Contaminants. Construction activity in particular, while temporary at any one location, may be considerable when considered in the context of the overall development of the City of Hughson as contemplated by the General Plan. The project would increase the capacity of the WWTP and allow for the implementation of the General Plan resulting in a **cumulatively significant and unavoidable** impact on air quality.

▪ **Project Contribution to Global Warming**

With the adoption of AB 32, the California Global Warming Solutions Act of 2006, the State of California has determined that global climate warming poses a serious threat to the State's economy, public health and environment. As such, actions which may contribute to global warming must be addressed in the analysis of the potential environmental effects of a project. While scientific disagreement continues regarding issues of global warming, the language in AB 32 constitutes a strong argument in favor of the following conclusions, until or unless such conclusions are shown to be false by a preponderance of scientific evidence:

- 1) Global mean temperatures are rising and will have an adverse effect on global climate and local weather patterns.
- 2) The rise in global mean temperatures is at least partly the result of the emissions of "greenhouse gasses" from human activities.
- 3) Reductions in human emissions of greenhouse gasses could halt or reverse global warming and avert some or all of the anticipated adverse effects.

The adopted legislation defines the greenhouse gasses to be considered and regulated as follows: carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. Emissions of any of these gasses should be addressed in the analysis of proposed projects.

Unfortunately, the body of research and law necessary to connect individual land uses, development projects, operational activities, etc. with the broader issue of global warming remains weak. The State of California is currently working to define the greenhouse gas inventory which existed in 1990 to provide a statewide benchmark against which to measure progress. A final report is not expected before 2008. Once that inventory is determined, AB 32 measures future acceptable emissions against that standard over a period of several years.

The California Environmental Quality Act requires the consideration of potential impacts both from an individual project basis and on a cumulative basis. As an individual project, it is clear

that the proposed project will not have a significant effect on global warming. Greenhouse gas emissions occur in worldwide system, to which the proposed project will provide a vanishingly small contribution. The URBEMIS 2002 program was used to estimate operational emission for the project, reference Appendix C and Table 3.4-5 of this document. The project will produce gaseous emissions. However, the potential contribution of the proposed project to greenhouse gas emissions and global warming is considered speculative because there is no empirical evidence available at present to legitimately evaluate this issue in this EIR. The project's individual contribution to greenhouse gas emissions and global warming may be less than significant. However, the project's potential to produce greenhouse gas emissions (Appendix C) would provide an unquantifiable contribution to the cumulative impact of increasing greenhouse gas emissions and global warming and therefore is **cumulatively significant and unavoidable**. There are no mitigation measures.

The project is proposed, notwithstanding these significant impacts, in order to achieve the project objective. Alternative designs or locations which substantially achieve this objective would result in no quantifiable diminishment of impacts. All feasible mitigation measures have been required for this project.