
6. STATUTORILY REQUIRED SECTIONS

6

STATUTORILY REQUIRED SECTIONS

INTRODUCTION

The Statutorily Required Sections chapter includes brief discussions regarding those topics which are required to be included in an EIR, pursuant to CEQA Guidelines Section 15126.2. The chapter includes a discussion of the proposed project's potential to induce economic or population growth, and the chapter includes lists of significant irreversible environmental changes, cumulative impacts, and significant and unavoidable impacts which would be caused by the proposed project.

GROWTH INDUCEMENT

An EIR must discuss the ways in which a proposed project could foster economic or population growth or the construction of additional housing in the vicinity of the project, and how that growth will, in turn, affect the surrounding environment (see CEQA Guidelines Section 15126.2(d)). Growth can be induced in a number of ways, including through the elimination of obstacles to growth, or through the stimulation of economic activity within the region. The discussion of the removal of obstacles to growth relates directly to the removal of infrastructure limitations or regulatory constraints that could result in growth unforeseen at the time of project approval.

A number of issues must be considered when assessing the growth-inducing effects of development plans such as the proposed project. These include the following:

Elimination of Obstacles to Growth: The extent to which infrastructure capacity provided to accommodate the proposed project would allow additional development in surrounding areas; and

Economic Effects: The extent to which development of the proposed project could cause increased activity in the local or regional economy.

Growth-inducing impacts associated with the Downtown Specific Plan would be considered to be any effects of the project allowing for additional growth or increases in population beyond that proposed by the project or anticipated in the General Plan.

As discussed in this Draft EIR, the project site is currently designated as Downtown, Schools, Public Facility, and General Commercial in the City of Brentwood General Plan. The proposed General Plan land use designation is Downtown, and the proposed Specific Plan designations are Downtown Core, Civic Core, Downtown General, Downtown Boulevard, Western Gateway Neighborhood, and Residential Neighborhood. Buildout under the Specific Plan would result in fewer commercial, office, and public facilities and more residential uses on developed and vacant urban land, especially at the

western entrance to the Downtown area. The buildout of residential uses would directly contribute to the population of Brentwood, resulting in growth within the City beyond that anticipated by the General Plan. Although the proposed project includes plans to substitute commercial and office-zoned areas with residential uses in the Western Gateway Neighborhood, commercial and office uses are generally considered higher intensity uses with regard to transportation and circulation, air quality, noise, and infrastructure impacts. Therefore, the substitution of residential uses for commercial and office uses would result in fewer substantial impacts associated with growth-inducement.

Development under the Specific Plan would also result in the buildout of a movie theater, an eBART station, additional retail stores and office space, and general infill within the Downtown Brentwood area. These uses, while they would generate additional vehicle trips and the subsequent noise and air impacts resulting from vehicle trips, would generate increased economic activity within the Downtown area. As the Transportation and Circulation chapter indicates, the increased vehicle trips would not be significant, and thus the additional noise and air quality impacts generated by the vehicle trips would also not result in substantial effects. Additionally, infrastructure already exists adjacent to the project site, which would allow projects within the Downtown Specific Plan area to connect to existing systems.

Finally, although the Downtown Specific Plan would facilitate growth in the project area, the Downtown area and the areas surrounding it are already developed under residential and other uses. Some areas within the Downtown contain underutilized parcels that encourage increased vehicle trips outside the Downtown area. Buildout of the Specific Plan would increase economic activity, facilitate pedestrian and bicycle access and circulation, and continue to develop the Downtown area as a walkable community with transit access outside the City of Brentwood. Therefore, implementation of the proposed project would not result in significant and unavoidable growth-inducing impacts.

SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL EFFECTS

The CEQA Guidelines, Section 15126.2(c), require that this EIR consider significant irreversible environmental changes which would be caused by the proposed project should it be implemented. An impact would be determined to be a significant and irreversible change in the environment if:

- Development of any of the project would involve a large commitment of nonrenewable resources;
- The primary and secondary impacts of development would generally commit future generations to similar uses (e.g., a highway provides access to a previously remote area);
- Development of the proposed project would involve uses in which irreversible damage could result from any potential environmental accidents associated with the project; or

- The phasing and eventual development of the project would result in an unjustified consumption of resources (e.g., the wasteful use of energy).

The proposed project would likely result in or contribute to the following irreversible environmental changes:

- Irreversible consumption of goods and services associated with the future consumers;
- Irreversible consumption of energy and natural resources associated with the future employees and consumers; and
- Possible demand for and use of goods, services, and resources for this project to the exclusion of projects in other locations.

CUMULATIVE IMPACTS

An EIR must discuss the “cumulative impacts” of a project when its incremental effect will be cumulatively considerable. This means that the incremental effects of the individual project would be considerable when viewed in connection with the effects of other current projects, and the effects of probable future projects (Section 15065(c)).

CEQA Guidelines Section 15355 defines cumulative impacts as “two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.” This Section further states that “Individual effects may be changes resulting from a single project or a number of separate projects.” Additionally, “The cumulative impact from several projects is [defined as] the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.”

Section 15130(a)(3) states also that an EIR may determine that a project’s contribution to a significant cumulative impact will be rendered less than cumulatively considerable, and thus not significant, if a project is required to implement or fund its fair share of a mitigation measure or measures designed to alleviate the cumulative impact.

Finally, Section 15130(b) indicates that the level of detail of the cumulative analysis need not be as great as for the project impact analyses, that it should reflect the severity of the impacts and their likelihood of occurrence, and that it should be focused, practical, and reasonable.

To be adequate, a discussion of cumulative effects must include either (a) a list of past, present and probable future projects, including, if necessary, those outside the agency’s control, or (b) a summary of projections contained in an adopted general plan or related planning document, or in a prior certified EIR, which described or evaluated regional or area-wide conditions contributing to the cumulative impact, provide that such documents

are reference and made available for public inspection at a specified location. For some projects, the only feasible mitigation measures will involve the adoption of ordinances or regulations, rather than the imposition of conditions on a project-by-project basis (Section 15130(c)).

As used above, the phrase “past, present and probable future projects” includes existing approved, planned, or budgeted projects; projects which are currently under construction; and projects requiring an agency approval for an application which has been received at the time of NOP release. (Section 15130(b)(1)(B)(2)).

The cumulative analysis for this EIR is based on the *City of Brentwood General Plan* (November 2001) and the *City of Brentwood General Plan Update Draft & Final EIR* (June 25, 2001). Additionally, currently approved projects or pending projects not anticipated in the General Plan were added to the cumulative analysis based on the City of Brentwood project list. Cumulative impacts are analyzed in each section of Chapter 4 and summarized below.

Cumulative Impacts

The following cumulative impacts are identified in Chapter 4 of this Draft EIR:

Land Use

4.1-4 Increases in the intensity of land uses in the region due to the proposed project and all other projects in the Brentwood area.

The proposed Downtown Specific Plan, along with all known projects in the City of Brentwood, would change the intensity of land uses in the City’s Planning Area by contributing to development. However, the project is consistent with the General Plan designations and vision related to the “economic vitality” (Goal 3) of the downtown, and the proposed uses consist entirely of infill development and reuse of developed sites. Given the land use controls and development standards presently in use within the City of Brentwood, cumulative land use impacts would be considered *less-than-significant*.

Aesthetics

4.2-4 Long-term impacts to the visual character of the region from the proposed project in combination with existing and future developments in the Brentwood area.

The properties within the project area are currently developed for a wide range of uses, including residential, commercial, park, school, and civic uses, while the properties predominantly surrounding the project area consist of residential uses. Because one of the purposes of the Downtown Specific Plan is to revitalize the Downtown area for residential uses and to provide a pedestrian-friendly area for

surrounding residential uses, the Downtown Specific Plan's broad-brush strategies would not conflict with existing adjacent uses, but would support those uses. Development in the project area would be guided by the development regulations provided in the Downtown Specific Plan as well as General Plan and Zoning standards; development in the Downtown area would thus not contribute to a change in the visual character of the area. Therefore, cumulative impacts associated with implementation of the Downtown Specific Plan would be considered *less-than-significant*.

Transportation and Circulation

4.3-10 Cumulative impacts to study intersections.

All of the study intersections would operate at acceptable levels of service during both peak hours of the Cumulative (Year 2025) scenarios. During the Cumulative (Year 2025) No Project scenario, operations improve at intersections on Brentwood Boulevard from the Existing scenario due to the opening of the SR 4 Bypass, which will become the primary route for through traffic. Because the intersection analysis revealed that the study intersections would operate at essentially the same level with or without the proposed project, the additional traffic generated by the proposed project would have a *less-than-significant* impact on all of the signalized and unsignalized study intersections in the cumulative scenario.

Air Quality

4.4-5 Cumulative impacts to regional air quality.

Although General Plan Amendments can result in significant cumulative impacts if the project generates more Vehicle Miles Traveled than that anticipated under the previous land use designation, the project the proposed project includes re-designations from Schools, Public Facility, and Park/Recreation to Downtown. Actual uses that would change include Public Facility uses (which are zoned for commercial and office uses) to residential uses. These changes would generate fewer trips and less Vehicle Miles Traveled than development under the current designation. Therefore, the project would have *less-than-significant* cumulative air quality impacts.

SIGNIFICANT AND UNAVOIDABLE ADVERSE IMPACTS

In all cases, impacts that have been identified would be less-than-significant after incorporation of appropriate mitigation measures. The Downtown Specific Plan EIR does not identify any significant and unavoidable impacts.