

# Notice of Exemption

Appendix E

To: Office of Planning and Research  
P.O. Box 3044, Room 113  
Sacramento, CA 95812-3044

County Clerk

County of: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

From: (Public Agency): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Address)

Project Title: \_\_\_\_\_

Project Applicant: \_\_\_\_\_

Project Location - Specific:

Project Location - City: \_\_\_\_\_ Project Location - County: \_\_\_\_\_

Description of Nature, Purpose and Beneficiaries of Project:

Name of Public Agency Approving Project: \_\_\_\_\_

Name of Person or Agency Carrying Out Project: \_\_\_\_\_

Exempt Status: **(check one)**:

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: \_\_\_\_\_
- Statutory Exemptions. State code number: \_\_\_\_\_

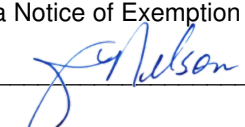
Reasons why project is exempt:

Lead Agency

Contact Person: \_\_\_\_\_ Area Code/Telephone/Extension: \_\_\_\_\_

**If filed by applicant:**

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature:  \_\_\_\_\_ Date: \_\_\_\_\_ Title: \_\_\_\_\_

Signed by Lead Agency      Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.  
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: \_\_\_\_\_

**The California Environmental Quality Act  
(CEQA) Section 15162 Findings:**

**Application:** Site Plan Review #504 for modifications to Tentative Subdivision Map #1280

**Environmental Review #22-39**

**Assessor Parcel Number or Location:** Assessor's Parcel Number (APN): 170-060-015; -018; -019, -021; -026; -027; -028

**Previous Initial Study/EIR Reference:** This site was previously reviewed through Environmental Impact Report (EIR) for the Bellevue Ranch Master Development Plan (SCH #9212055)

**Original Project Date:** The Environmental Impact Report was approved on May 15, 1995, by the Merced City Council.

**Section A - Previous Studies**

- |  |                          |                                     |
|--|--------------------------|-------------------------------------|
|  | <b>Yes</b>               | <b>No</b>                           |
| 1. Substantial changes are proposed in the project that will require major revisions of the previous project EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**Comment/Finding:** The proposed project is consistent with the previous environmental review. No substantive changes are proposed. The total number of units being constructed is less than originally proposed. The proposed modifications are due to compliance with mitigation measures adopted with the EIR for the Bellevue Ranch Master Development Plan which required a biological analysis to determine if there were any biological issues in the area.

- |  |                          |                                     |
|--|--------------------------|-------------------------------------|
|  | <b>Yes</b>               | <b>No</b>                           |
| 2. Substantial changes have occurred with respect to the circumstances under which the project is undertaken that will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**Comment/Finding:** There have been no changes in the circumstances under which the project is undertaken that would require major revisions in the previous EIR. There are no new significant environmental effects or substantial increases in the severity of previously identified environmental effects, and the area under consideration remains the same area previously evaluated. The proposed modifications are due to compliance with mitigation measures adopted with the EIR for the Bellevue Ranch Master Development Plan which required a biological analysis to determine if there were any biological issues in the area.

- |   |                          |                                     |
|---|--------------------------|-------------------------------------|
|   | <b>Yes</b>               | <b>No</b>                           |
| 3. New information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, has been revealed? (If "Yes" is checked, go to Section "B" below) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**Comment/Finding:** There is no new information of substantial importance that was not known and could not have been known with the reasonable diligence at the time the previous EIR was adopted. The proposed modifications are a result of compliance with mitigation measures outlined in the EIR.

**Section B - New Information**

- |   |  |     |    |  |   |
|---|--|-----|----|--|---|
| A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration.   | <table border="1" style="display: inline-table; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Yes</td> <td style="padding: 2px;">No</td> </tr> <tr> <td style="padding: 2px; text-align: center;"> </td> <td style="padding: 2px; text-align: center;">X</td> </tr> </table> | Yes | No |  | X |
| Yes   | No   |     |    |  |   |
|   | X  |     |    |  |   |
| B) Significant effects previously examined will be substantially more severe than shown in the previous EIR.  | <table border="1" style="display: inline-table; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Yes</td> <td style="padding: 2px;">No</td> </tr> <tr> <td style="padding: 2px; text-align: center;"> </td> <td style="padding: 2px; text-align: center;">X</td> </tr> </table> | Yes | No |  | X |
| Yes   | No   |     |    |  |   |
|   | X  |     |    |  |   |
| 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.           | <table border="1" style="display: inline-table; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Yes</td> <td style="padding: 2px;">No</td> </tr> <tr> <td style="padding: 2px; text-align: center;"> </td> <td style="padding: 2px; text-align: center;">X</td> </tr> </table> | Yes | No |  | X |
| Yes   | No   |     |    |  |   |
|   | X  |     |    |  |   |
| D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative. | <table border="1" style="display: inline-table; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Yes</td> <td style="padding: 2px;">No</td> </tr> <tr> <td style="padding: 2px; text-align: center;"> </td> <td style="padding: 2px; text-align: center;">X</td> </tr> </table> | Yes | No |  | X |
| Yes   | No   |     |    |  |   |
|   | X  |     |    |  |   |


**Comment/Finding:** All previously identified mitigation measures will be enforced with this project including payment of Public Facility Impact Fees. Therefore, the resulting impacts are no greater than those previously analyzed and the previously imposed mitigation measures remain sufficient to address all impacts from this project.

**On the basis of this evaluation, in accordance with the requirements of Section 15162 of the CEQA Guidelines:**

- |   |  |
|---|--|
|   | 1. It is found that subsequent negative declaration will need to be prepared.  |
|   | 2. It is found that an addendum Negative Declaration will need to be prepared. |
|   | 3. That a subsequent EIR will need to be prepared.                             |
| X | 4. No further documentation is required.                                       |

Date: September 30, 2022

Prepared By:

  
 \_\_\_\_\_  
 Julie Nelson,  
 Senior Planner