



WHERE EXPERIENCE AND PASSION MEET

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To: Alisha Winterswyk, Best Best & Krieger LLP

Project: Santa Rosa City Hall Land Exchange

Subject: CEQA Guidelines Section 15162 Consistency Analysis Memorandum

1. INTRODUCTION

The proposed Santa Rosa City Hall Land Exchange project (Project, Exchange Properties) consists of a real property exchange between the City of Santa Rosa (City) and Museum on the Square (MOTS). The City owns certain real property located at 90 Santa Rosa Avenue, 631 First Street, 655 First Street, and a portion of 100 Santa Rosa Avenue in downtown Santa Rosa (collectively, the City Properties). MOTS owns the existing office building located at 520 Third Street, also identified as 521 Second Street (MOTS Property).

Under the proposed transaction, the City would convey the City Properties to MOTS in exchange for the MOTS Property. The agreed value of the City Properties would be credited against the agreed value of the MOTS Property, and the City would pay the remaining balance in cash at closing, subject to the prorations, credits, holdbacks, offsets, and adjustments set forth in the transaction documents. The City would retain approximately 1.61 acres of the property at 100 Santa Rosa Avenue for open space, park, and recreational uses.

Following the exchange, the City would occupy the existing MOTS office building as the new City Hall, and MOTS would take title to the City Properties. The current Project does not include or approve demolition, grading, construction, exterior alteration, or a specific redevelopment program for the City Properties. Any future development of the City Properties would be required to proceed through subsequent City applications and review in accordance with the applicable planning framework.

All of the Exchange Properties are located within the Santa Rosa Downtown Station Area Specific Plan (DSASP) Plan Area. The City adopted the updated DSASP and certified a Subsequent Environmental Impact Report (DSASP SEIR; State Clearinghouse No. 2006072104) in 2020. The DSASP and prior environmental review applicable to the Exchange Properties are discussed in Section 2 of this memorandum.

2. PLANNING AND PRIOR ENVIRONMENTAL REVIEW BACKGROUND

The Exchange Properties are located in the DSASP Plan Area. The DSASP establishes the land use, development-intensity, mobility, urban-design, public-services, sustainability, and implementation framework for development within downtown Santa Rosa.

The City certified a program EIR for the original DSASP in 2007. In connection with the 2020 DSASP update, the City prepared an Initial Study in 2019 to determine which environmental effects remained adequately

addressed by the 2007 EIR and which effects required further analysis. The City subsequently certified the 2020 DSASP SEIR, which supplemented the 2007 EIR and evaluated the environmental effects associated with implementation of the updated DSASP.

Some environmental issue areas were analyzed further in the 2020 SEIR, while the 2019 Initial Study determined that other topics remained adequately addressed by the 2007 EIR. For purposes of this memorandum, the 2007 DSASP EIR, 2019 Initial Study, and 2020 DSASP SEIR are collectively referred to as the prior DSASP environmental review.

3. PROJECT DESCRIPTION DETAIL

The Exchange Properties are in the developed downtown core of Santa Rosa within the DSASP Plan Area. The City Properties consist of 90 Santa Rosa Avenue, 631 First Street, 655 First Street, and the portion of 100 Santa Rosa Avenue proposed for conveyance. The MOTS Property is an existing, occupied office building at 520 Third Street, also identified as 521 Second Street.

The Project consists of the negotiated exchange of the City Properties for the MOTS Property; the City's payment of the transaction balance and related closing adjustments; the City's retention of approximately 1.61 acres at 100 Santa Rosa Avenue; the City's intended use of the existing and currently occupied MOTS office building for City Hall. Following completion of the exchange, the City would relocate its administrative functions and related City Hall operations to the existing MOTS office building. The current Project does not include or authorize construction of park or recreational improvements on the retained property. Any future demolition, grading, construction, exterior alteration, or redevelopment of the City Properties would require separate City applications and environmental review to the extent required by CEQA when a defined development proposal is submitted.

All of the Exchange Properties are located within the DSASP's Core Mixed Use area. The Core Mixed Use framework accommodates a range of downtown uses, including governmental offices, other office uses, retail and service uses, residential development, and civic activities. The City's proposed use of the existing MOTS office building as the new City Hall is therefore consistent with the applicable DSASP land use framework.

4. CEQA GUIDELINES SECTION 15162 OVERVIEW

Pursuant to Section 15162 of the State CEQA Guidelines, when an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for the project unless the lead agency determines, on the basis of substantial evidence, that one or more of the following conditions are met:

- 1) Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- 2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

- 3) New information of substantial importance, which 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, shows any of the following:
- a) The project will have one or more significant effects not discussed in the previous EIR or negative declaration.
 - b) Significant effects previously examined will be substantially more severe than identified in the previous 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 proponent declines to adopt the Mitigation Measures or alternatives.
 - d) Mitigation Measures or alternatives that are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponent declines to adopt the Mitigation Measures or alternatives.

If the City finds that pursuant to Section 15162, no subsequent EIR or negative declaration would be required, the City can approve the activity as being within the scope of the project covered by the previous CEQA documentation for the DSASP, and no additional CEQA document is required.

5. CONSISTENCY REVIEW

The following identifies relevant DSASP goals, policies, and guidelines, summarizes the corresponding analysis in the DSASP SEIR, and demonstrates the proposed Project's consistency with the DSASP and its certified environmental review.

AESTHETICS

The Initial Study prepared for the 2020 DSASP SEIR determined that implementation of the 2020 DSASP would result in less-than-significant impacts related to aesthetics through compliance with existing City policies, development standards, design guidelines, and applicable mitigation measures from the 2007 DSASP EIR. The contemplated Exchange Agreement consists of the exchange of the City Properties and MOTS Property and the City's anticipated occupancy of the existing MOTS office building. Any pre-occupancy work included in the current approval would be limited to interior tenant improvements of the MOTS Property. The Exchange Agreement would not authorize or vest demolition, construction, or other physical development, and the City's retention of approximately 1.61 acres at 100 Santa Rosa Avenue would not approve construction of park or recreational improvements. Any such future improvements would require separate City approval and environmental review, as applicable. The following summarizes the findings of the 2020 DSASP SEIR Initial Study and evaluates whether the Project would result in new or more severe aesthetic impacts.

Relative to Initial Study Criterion 1a, the Initial Study for the 2020 DSASP SEIR determined that development under the DSASP would be required to comply with applicable City policies and design guidelines intended to protect scenic vistas. Accordingly, impacts to scenic vistas were determined to be less than significant. The Project consists of the exchange of the City Properties and MOTS Property and the City's anticipated occupancy of the existing MOTS office building. Any pre-occupancy work included in the current approval would be limited to interior tenant improvements of the MOTS Property and would not alter the exterior appearance of the building or introduce new exterior lighting or reflective materials. The Project does not include or authorize demolition, grading, construction, exterior building

alterations, or a specific redevelopment program. Therefore, the Project would not introduce structures or other physical improvements that could obstruct or otherwise affect a scenic vista. The Project would have no impact on scenic vistas.

Relative to Initial Study Criterion 1b, the Initial Study for the 2020 DSASP SEIR determined that implementation of the DSASP would not damage scenic resources within a designated state scenic highway because no designated state scenic highways are located within the DSASP Plan Area. The Project would not alter this conclusion. In addition, because the Project does not authorize construction, demolition, exterior alteration, or other physical changes to the Exchange Properties, it would not damage scenic resources within or visible from a state scenic highway. The Project would have no impact on scenic resources within a state scenic highway.

Relative to Initial Study Criterion 1c, the Exchange Properties are located within the urbanized downtown core. Accordingly, the relevant consideration is whether the Project would conflict with applicable zoning or other regulations governing scenic quality. The Project would not amend, waive, or conflict with the DSASP, applicable zoning standards, City design requirements, or other regulations governing scenic quality. Moreover, because the Exchange Agreement would not authorize exterior alterations or a specific redevelopment program, it would not result in a physical change requiring application of project-level scenic-quality standards. Therefore, the Project would have no impact related to a conflict with applicable zoning or other regulations governing scenic quality.

Relative to Initial Study Criterion 1d, the Initial Study for the 2020 DSASP SEIR determined that future development could introduce new sources of light and glare. Mitigation Measure AES-1 from the 2007 DSASP EIR requires the use of building materials designed to reduce lighting glare for construction of structures along designated Scenic Highways 12 and 101. The Project would not construct new structures, install new exterior lighting, or introduce new exterior building materials. Therefore, the Project would not involve an activity that triggers Mitigation Measure AES-1 and would not create a new source of substantial light or glare. The Project would have no impact related to light or glare. Mitigation Measure AES-1 would remain applicable to any future development of the Exchange Properties that meets the conditions specified in the measure.

CONCLUSION

Any future demolition, construction, exterior alteration, or redevelopment of the City Properties is not included in the current Project. Such activities would require subsequent City applications and separate environmental review, anticipated to include preparation of a SEIR. That future review would evaluate the specific development program and determine the applicability of DSASP policies, development standards, design guidelines, and mitigation measures based on the physical characteristics of the proposed development. Therefore, the Project would not result in new significant aesthetic effects or substantially more severe aesthetic effects than those identified in the 2020 DSASP SEIR.

CEQA Guidelines §15162 Finding

With regards to the topic area of aesthetics, the following findings can be made:

Based on the analysis above, none of the conditions identified in CEQA Guidelines §15162 requiring preparation of a subsequent or supplemental EIR have occurred.

1. The Project does not involve substantial changes that would result in new significant aesthetic impacts or a substantial increase in the severity of impacts previously identified in the DSASP SEIR.
2. There have been no substantial changes in the circumstances under which the Project is undertaken that would result in new significant aesthetic impacts or substantially more severe impacts than those previously analyzed.
3. No new information of substantial importance has become available indicating that the Project would result in significant aesthetic impacts not previously analyzed or substantially more severe impacts.

Because none of the conditions identified in CEQA Guidelines §15162 have occurred, preparation of a subsequent or supplemental EIR is not required, and the Project is consistent with the DSASP SEIR.

AGRICULTURAL AND FORESTRY RESOURCES

The Initial Study prepared for the 2020 DSASP SEIR determined that implementation of the 2020 DSASP would result in less-than-significant or no impacts related to agricultural and forestry resources. The following summarizes the findings of the 2020 DSASP SEIR Initial Study and evaluates whether the Project would result in new or more severe impacts to these resources.

Relative to Initial Study Criteria 2a and 2b, the Initial Study for the 2020 DSASP SEIR identified two parcels in the western portion of the DSASP Plan Area as Prime Farmland and one parcel as Farmland of Local Importance. The 2020 DSASP redesignated these parcels as Neighborhood Mixed Use. The Initial Study determined that impacts associated with the conversion of farmland would remain less than significant. It also determined that none of the affected parcels were subject to a Williamson Act contract.

The Exchange Properties are located within the urbanized downtown area and are classified as Urban and Built-Up Land under the California Department of Conservation's Farmland Mapping and Monitoring Program. The Exchange Properties are not subject to Williamson Act contracts. In addition, the Project consists of a transfer of property ownership and the City's occupancy of an existing office building. The Project does not authorize demolition, grading, construction, or the conversion of agricultural land to a nonagricultural use. Therefore, the Project would have no impact on Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or land subject to a Williamson Act contract.

Relative to Initial Study Criteria 2c and 2d, the Initial Study for the 2020 DSASP SEIR determined that the DSASP Plan Area is highly urbanized and does not contain land that meets the definitions of forest land or timberland. Accordingly, implementation of the DSASP was determined to have no impact related to the rezoning, loss, or conversion of forest land or timberland.

The Exchange Properties are not zoned as forest land, timberland, or Timberland Production Zone, and no forest land or timberland is present on the properties. Because the Project does not authorize physical development or changes in land use or zoning, it would not result in the rezoning, loss, or conversion of forest land or timberland. The Project would have no impact.

Relative to Initial Study Criterion 2e, the Initial Study for the 2020 DSASP SEIR determined that implementation of the DSASP would not directly or indirectly result in the conversion of farmland, forest land, or timberland. The DSASP Plan Area is surrounded by urban development and does not contain agricultural or forestry uses that could be indirectly converted as a result of implementation of the DSASP.

Similarly, the Project would not involve physical development, changes in land use, or expansion of urban development into agricultural or forested areas. The Exchange Properties are developed urban properties

classified as Urban and Built-Up Land and are not adjacent to farmland, forest land, or timberland that could be indirectly converted as a result of the Project. The conveyance of the City Properties and the City's occupancy of the existing MOTS office building would therefore not result in other changes to the existing environment that could cause the conversion of farmland, forest land, or timberland. The Project would have no impact.

Conclusion

As addressed above, the Project would not convert agricultural land, conflict with a Williamson Act contract, or result in the rezoning, loss, or conversion of forest land or timberland.

CEQA Guidelines §15162 Finding

With regards to the topic area of agricultural and forestry resources, the following findings can be made:

Based on the analysis above, none of the conditions identified in CEQA Guidelines §15162 requiring preparation of a subsequent or supplemental EIR have occurred.

1. The Project does not involve substantial changes that would result in new significant agricultural and forestry resources impacts or a substantial increase in the severity of impacts previously identified in the DSASP SEIR.
2. There have been no substantial changes in the circumstances under which the Project is undertaken that would result in new significant agricultural and forestry resources impacts or substantially more severe impacts than those previously analyzed.
3. No new information of substantial importance has become available indicating that the Project would result in significant agricultural and forestry resources impacts not previously analyzed or substantially more severe impacts.

Because none of the conditions identified in CEQA Guidelines §15162 have occurred, preparation of a subsequent or supplemental EIR is not required, and the Project is consistent with the DSASP SEIR.

AIR QUALITY

The 2020 DSASP SEIR evaluated whether DSASP buildout would conflict with an applicable air quality plan, generate criteria-pollutant emissions, expose sensitive receptors to substantial pollutant concentrations, or create objectionable odors. The SEIR determined that projected emissions of reactive organic gases, nitrogen oxides, carbon monoxide, PM10, and PM2.5 would remain below applicable Bay Area Air Quality Management District thresholds. The SEIR identified potentially significant exposure of new sensitive land uses to toxic air contaminants and PM2.5 in certain locations, but determined that Mitigation Measures AQ-1 through AQ-3 would reduce those impacts to less-than-significant levels. Other air-quality impacts, including cumulative impacts, were determined to be less than significant.

Relative to Initial Study Criteria 3a and 3b, the Project would not authorize construction, add building area or residential population, increase the development capacity of the Exchange Properties, or introduce a new stationary source of emissions. The City's occupancy of the existing MOTS building would continue an office use within the downtown governmental, employment, and land-use pattern evaluated in the SEIR. The Project therefore would not generate construction emissions or operational emissions beyond the type and intensity of downtown office activity evaluated in the SEIR and would not conflict

with an applicable air quality plan or result in a cumulatively considerable net increase in a criteria pollutant.

Relative to Initial Study Criterion 3c, a governmental administrative office is not a residential or other sensitive land use of the type addressed by Mitigation Measures AQ-1 through AQ-3. The Project would not place new residences, hospitals, nursing homes, day-care centers, or similar sensitive receptors near an identified toxic-air-contaminant source. Because the Project does not approve construction or a new sensitive land use, the triggering conditions for Mitigation Measures AQ-1 through AQ-3 are not present. Those measures would remain applicable to any future development proposal that meets their respective triggering criteria.

Relative to Initial Study Criterion 3d, the property exchange and governmental office occupancy would not introduce an industrial, manufacturing, waste-treatment, or other activity typically associated with substantial objectionable odors. The Project would remain subject to generally applicable City and air-district requirements. Therefore, the Project would have no impact related to objectionable odors.

Conclusion

The Project would not result in a new significant air-quality impact or a substantial increase in the severity of an impact previously evaluated in the DSASP SEIR. No new or modified mitigation measures are required, and no substantial project change, changed circumstance, or new information identified in CEQA Guidelines Section 15162 requires additional environmental review.

CEQA Guidelines §15162 Finding

With regards to the topic area of air quality, the following findings can be made:

Based on the analysis above, none of the conditions identified in CEQA Guidelines §15162 requiring preparation of a subsequent or supplemental EIR have occurred.

1. The Project does not involve substantial changes that would result in new significant air quality impacts or a substantial increase in the severity of impacts previously identified in the DSASP SEIR.
2. There have been no substantial changes in the circumstances under which the Project is undertaken that would result in new significant air quality impacts or substantially more severe impacts than those previously analyzed.
3. No new information of substantial importance has become available indicating that the Project would result in significant air quality impacts not previously analyzed or substantially more severe impacts.

Because none of the conditions identified in CEQA Guidelines §15162 have occurred, preparation of a subsequent or supplemental EIR is not required, and the Project is consistent with the DSASP SEIR.

BIOLOGICAL RESOURCES

The 2019 Initial Study prepared for the 2020 DSASP SEIR determined that implementation of the updated DSASP would result in less-than-significant or no impacts related to biological resources with continued compliance with existing City policies and applicable mitigation measures from the 2007 DSASP EIR. Biological resources therefore were not carried forward for additional analysis in the 2020 SEIR. The following summarizes the findings of the prior DSASP environmental review and evaluates whether the Project would result in new or more severe impacts to biological resources.

Relative to Initial Study Criteria 4a and 4b the Initial Study for the 2020 DSASP SEIR determined that future development involving tree removal, structure removal, building renovation, or ground disturbance could potentially affect special-status species, nesting birds, roosting bats, riparian habitat, or aquatic resources. Potentially affected species included Chinook salmon, steelhead, Allen's hummingbird, other nesting birds, and special-status bat species. The 2019 Initial Study determined that Mitigation Measures BIO-1, BIO-2, BIO-3, BIO-4a, and BIO-4b from the 2007 DSASP EIR would continue to apply to qualifying development under the updated DSASP. Mitigation Measure BIO-1 requires development to minimize disturbance to waterways and riparian vegetation and establishes requirements for work in or near Santa Rosa Creek. Mitigation Measure BIO-2 requires surveys, monitoring, and protective measures when construction could affect nesting birds or roosting bats. Mitigation Measures BIO-3 and BIO-4a incorporate BIO-1 by reference, and BIO-4b incorporates BIO-2 by reference. With implementation of these measures, the prior environmental review determined that impacts would be less than significant.

The Exchange Properties are located within the developed and urbanized downtown area. The Project consists of the exchange of the City Properties and MOTS Property and the City's anticipated occupancy of the existing MOTS office building. This analysis assumes that any pre-occupancy work would be limited to interior improvements and would not involve exterior or structural renovation, roof work, tree or vegetation removal, or ground disturbance. The Project does not authorize grading, demolition, tree removal, vegetation removal, exterior building alteration, construction within or adjacent to a waterway, or other physical disturbance that could affect special-status species or their habitat. The City's retention of approximately 1.61 acres at 100 Santa Rosa Avenue would not authorize construction, park improvements, vegetation removal, or other physical disturbance.

Because the Project would not involve work within or adjacent to a creek, riparian area, or aquatic habitat, the triggering conditions for Mitigation Measures BIO-1, BIO-3, and BIO-4a are not present. Similarly, because the Project would not authorize tree or vegetation removal, structure demolition, exterior renovation, or other work that could disturb nesting birds or roosting bats, the triggering conditions for Mitigation Measures BIO-2 and BIO-4b are not present. These measures therefore are not triggered by the current approval but would remain applicable to future physical development that meets their respective triggering criteria. The Project would have no impact on special-status species, riparian habitat, or other sensitive natural communities.

Relative to the Initial Study Criterion 4c, the Initial Study for the 2020 DSASP SEIR determined that the DSASP Plan Area does not contain federally protected wetlands, including marshes, vernal pools, or other waters subject to regulation under Section 404 of the Clean Water Act. The Exchange Properties are developed urban properties, and the Project would not involve ground disturbance, fill, drainage modifications, or construction within a wetland or other jurisdictional water. Therefore, the Project would have no impact on federally protected wetlands or other jurisdictional aquatic resources.

Relative to Initial Study Criterion 4d, the Project would not remove trees, demolish structures, construct barriers, or otherwise physically alter conditions that could interfere with wildlife movement or affect an established native resident or migratory wildlife corridor. The prior DSASP environmental review identified the potential for physical development involving work near waterways, vegetation removal, or demolition to affect migratory fish, nesting birds, and bat nursery sites. It determined that the applicable biological-resource mitigation measures would reduce those effects to less-than-significant levels. The

Project would also not disturb trees, buildings, or other features that may serve as nesting or nursery sites. Therefore, the Project would have no impact on wildlife movement corridors or native wildlife nursery sites.

Relative to the Initial Study Criterion 4e, the Initial Study for the 2020 DSASP SEIR determined that implementation of the DSASP would not conflict with applicable policies and regulations protecting biological resources. These include policies contained in the Santa Rosa General Plan Open Space and Conservation Element and applicable City regulations concerning waterways, creek restoration, water quality, and protected trees.

The Project would not authorize the removal of protected trees, disturbance of waterways, or other activities subject to local biological resource protection requirements. Because the Project is limited to a change in property ownership and occupancy of an existing office building, it would not conflict with any local policy or ordinance protecting biological resources. The Project would have no impact.

Relative to the Initial Study Criterion 4f, the Initial Study for the 2020 DSASP SEIR determined that the DSASP Plan Area is not located within an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. The Exchange Properties are similarly not located within the boundaries of an adopted conservation plan. Therefore, the Project would not conflict with an adopted Habitat Conservation plan, Natural Community Conservation Plan, or other approved conservation plan, and no impact would result.

Conclusion

As addressed above, the Project would not authorize physical activities that could disturb waterways, riparian vegetation, trees, buildings, nesting or roosting habitat, or other biological resources. Neither the contemplated Exchange Agreement nor retention of approximately 1.61 acres at 100 Santa Rosa Avenue would authorize construction, park improvements, or other physical disturbance. Accordingly, the triggering conditions for Mitigation Measures BIO-1, BIO-2, BIO-3, BIO-4a, and BIO-4b are not present, and those measures are not triggered by the current approval.

Any future demolition, construction, exterior renovation, tree or vegetation removal, ground disturbance, redevelopment, or park improvement would require subsequent City applications and CEQA review to the extent required at the time a defined proposal is submitted. The City would then determine the appropriate form of environmental review and the applicability of the prior biological-resource mitigation measures.

Therefore, the Project would not result in a new significant biological-resource impact or a substantial increase in the severity of an impact previously evaluated in the prior DSASP environmental review. No new or modified mitigation measures are required, and no conditions identified in CEQA Guidelines Section 15162 requiring additional environmental review exist.

CEQA Guidelines §15162 Finding

With regards to the topic area of biological resources, the following findings can be made:

Based on the analysis above, none of the conditions identified in CEQA Guidelines §15162 requiring preparation of a subsequent or supplemental EIR have occurred.

1. The Project does not involve substantial changes that would result in new significant biological resources impacts or a substantial increase in the severity of impacts previously identified in the DSASP SEIR.
2. There have been no substantial changes in the circumstances under which the Project is undertaken that would result in new significant biological resources impacts or substantially more severe impacts than those previously analyzed.
3. No new information of substantial importance has become available indicating that the Project would result in significant biological resources impacts not previously analyzed or substantially more severe impacts.

Because none of the conditions identified in CEQA Guidelines §15162 have occurred, preparation of a subsequent or supplemental EIR is not required, and the prior environmental analyses contained in the DSASP SEIR remain adequate to address biological resource impacts associated with the Project.

CULTURAL RESOURCES

The 2019 Initial Study required additional analysis of historic and archaeological resources. The 2020 SEIR found that demolition or material alteration of age-eligible or identified historical resources could be significant and adopted CUL-1a and CUL-1b to reduce those effects to less than significant. Archaeological-resource and human-remains effects were found less than significant with existing law and procedures.

Relative to Initial Study Criterion 5a, the catalyst-site survey identified 100 Santa Rosa Avenue as eligible for the National Register, California Register, and Santa Rosa local register and identified 631–637 First Street as eligible for the California Register and local register; 90 Santa Rosa Avenue was found ineligible. The current approval transfers title but does not authorize demolition, material exterior alteration, or redevelopment. Title transfer alone would not cause a substantial adverse change in a historical resource. CUL-1a and CUL-1b are therefore not triggered by the current Project.

Relative to Initial Study Criterion 5b, the Project would not authorize grading, excavation, trenching, below-grade demolition, or other soil disturbance and therefore would not damage an archaeological resource. Any future ground-disturbing proposal would remain subject to applicable discovery and treatment requirements.

Relative to Initial Study Criteria 5c and 5d, the Project would not grade, excavate, trench, demolish below grade, or otherwise disturb soil, and therefore would not damage an archaeological resource or disturb human remains. Any future ground-disturbing proposal would remain subject to applicable discovery, treatment, and human-remains requirements.

Conclusion

Because no physical change to a historic structure or ground disturbance is approved, the Project would not create a new or substantially more severe cultural-resource effect under Section 15162.

CEQA Guidelines §15162 Finding

With regards to the topic area of cultural resources, the following findings can be made:

Based on the analysis above, none of the conditions identified in CEQA Guidelines §15162 requiring preparation of a subsequent or supplemental EIR have occurred.

1. The Project does not involve substantial changes that would result in new significant cultural resources impacts or a substantial increase in the severity of impacts previously identified in the DSASP SEIR.
2. There have been no substantial changes in the circumstances under which the Project is undertaken that would result in new significant cultural resources impacts or substantially more severe impacts than those previously analyzed.
3. No new information of substantial importance has become available indicating that the Project would result in significant cultural resources impacts not previously analyzed or substantially more severe impacts.

Because none of the conditions identified in CEQA Guidelines §15162 have occurred, preparation of a subsequent or supplemental EIR is not required, and the Project is consistent with the DSASP SEIR.

ENERGY

The 2019 Initial Study identified energy consumption as requiring further analysis. Section 3.3 of the 2020 DSASP SEIR evaluated construction and operational energy consumption and consistency with applicable renewable-energy and energy-efficiency plans. Under Impact 3.3-1, the SEIR determined that DSASP buildout would not result in wasteful, inefficient, or unnecessary energy consumption. The SEIR estimated that implementation of the DSASP would decrease both total and per-capita energy consumption compared with existing conditions, largely because of applicable regulations and DSASP policies intended to reduce vehicle miles traveled and mobile-source energy use. Under Impact 3.3-2, the SEIR determined that DSASP implementation would not conflict with or obstruct a state or local renewable-energy or energy-efficiency plan. Both impacts were determined to be less than significant, and no mitigation measures were required.

Relative to SEIR Impact 3.3-1, the Project would not authorize demolition or construction, add building floor area, expand the development capacity of a City Property, or establish a new energy-intensive use. The City's occupancy of the existing MOTS office building would relocate existing governmental functions to an existing office building within the downtown employment area evaluated in the SEIR. Although operation of the building would consume electricity and natural gas, governmental administrative offices are not an unusually energy-intensive use, and the Project would not involve features or activities indicating wasteful, inefficient, or unnecessary energy consumption. The retention of approximately 1.61 acres at 100 Santa Rosa Avenue would not authorize construction, park improvements, or other activities that would consume construction or operational energy.

The Project also would not result in substantial new transportation-energy demand. City functions would remain within the compact, transit-served downtown core near the Downtown SMART station and high-frequency bus service. The Project would not approve an increase in City staffing or establish new development or population that would generate substantial additional travel. Any future physical building work not included in the current approval would be subject to applicable energy-efficiency requirements and subsequent CEQA review to the extent required.

Relative to SEIR Impact 3.3-2, the Project would not conflict with the California Building Energy Efficiency Standards, renewable-energy requirements, applicable vehicle-efficiency standards, the DSASP's energy and mobility policies, or another applicable renewable-energy or energy-efficiency plan. Reuse of an existing downtown office building and the continued location of governmental employment near transit

are consistent with the energy-conservation and transportation-efficiency principles evaluated in the SEIR.

Conclusion

The Project would not result in a new significant energy impact or a substantial increase in the severity of an energy impact previously evaluated in the DSASP SEIR. No new or modified mitigation measures are required, and no substantial project change, changed circumstance, or new information identified in CEQA Guidelines Section 15162 requires additional environmental review.

CEQA Guidelines §15162 Finding

With regards to the topic area of energy, the following findings can be made:

Based on the analysis above, none of the conditions identified in CEQA Guidelines §15162 requiring preparation of a subsequent or supplemental EIR have occurred.

1. The Project does not involve substantial changes that would result in new significant energy impacts or a substantial increase in the severity of impacts previously identified in the DSASP SEIR.
2. There have been no substantial changes in the circumstances under which the Project is undertaken that would result in new significant energy impacts or substantially more severe impacts than those previously analyzed.
3. No new information of substantial importance has become available indicating that the Project would result in significant energy impacts not previously analyzed or substantially more severe impacts.

Because none of the conditions identified in CEQA Guidelines §15162 have occurred, preparation of a subsequent or supplemental EIR is not required, and the Project is consistent with the DSASP SEIR.

GEOLOGY, SOILS, AND MINERAL RESOURCES

The Initial Study prepared for the 2020 DSASP SEIR determined that implementation of the 2020 DSASP would result in less-than-significant or no impacts related to geology, soils, and mineral resources through compliance with existing City policies, applicable building requirements, and mitigation measures from the 2007 DSASP EIR. The following summarizes the findings of the 2020 DSASP SEIR Initial Study and evaluates whether the project would result in new or more severe impacts.

Relative to Initial Study Criteria 6a, 6c, and 6d, the Initial Study for the 2020 DSASP SEIR determined that the DSASP would result in a less-than-significant impact related to fault rupture because no Alquist-Priolo Earthquake Fault Zones are located within the DSASP Plan Area. The Initial Study identified potentially significant impacts related to seismic ground shaking, liquefaction, landslides, and unstable or expansive soils prior to mitigation. Mitigation Measures GEO-1a, GEO-1b, GEO-2, GEO-3, and GEO-4 from the 2007 DSASP EIR were incorporated into the 2020 DSASP SEIR to require compliance with applicable building codes, site-specific geotechnical investigations, engineering review, and implementation of measures addressing seismic and soil-related hazards. With implementation of these measures, impacts were determined to be less than significant.

The Project consists of the exchange of the City Properties and MOTS Property and the City's anticipated occupancy of the existing MOTS office building. The Project does not authorize demolition, grading, excavation, construction, structural modification, or other physical development that could expose people

or structures to fault rupture, strong seismic ground shaking, liquefaction, landslides, expansive soils, or other geologic hazards. The transfer of ownership would not alter the existing geologic or soil conditions of the Exchange Properties.

Because the Project does not include construction of new structures or physical alteration of existing structures, Mitigation Measures GEO-1a, GEO-1b, GEO-2, GEO-3, and GEO-4 are not applicable to the current land exchange. Therefore, the Project would have no impact related to fault rupture, seismic ground shaking, seismic-related ground failure, landslides, or unstable or expansive soils.

Relative to Initial Study Criterion 6b, the Initial Study for the 2020 DSASP SEIR determined that implementation of the DSASP would result in a less-than-significant impact related to soil erosion or loss of topsoil through compliance with existing City policies, General Plan requirements, the City's municipal stormwater permit, and the State Water Resources Control Board's Construction General Permit.

The Project does not authorize grading, excavation, vegetation removal, soil disturbance, or construction activities that could result in erosion or the loss of topsoil. Accordingly, preparation of a Storm Water Pollution Prevention Plan or implementation of construction-related erosion controls would not be required for the current Project. The Project would have no impact related to soil erosion or loss of topsoil.

Relative to Initial Study Criterion 6e, the Initial Study for the 2020 DSASP SEIR determined that future development under the DSASP would not require the use of septic tanks or alternative wastewater disposal systems. The Project would not install or require a septic tank or alternative wastewater disposal system. The City's occupancy of the existing MOTS office building would continue to rely on existing municipal wastewater infrastructure. Therefore, no Project impact would result.

Relative to Initial Study Criterion 6f, the Initial Study for the 2020 DSASP SEIR determined that the developed and urbanized character of the DSASP Plan Area makes the discovery of paleontological resources unlikely. The Initial Study also identified applicable General Plan policies and federal and state requirements that protect paleontological and geologic resources if encountered during ground-disturbing activities.

The Project does not authorize excavation, grading, trenching, foundation work, or other ground-disturbing activities that could damage or destroy a paleontological resource or unique geologic feature. Therefore, the Project would have no impact on paleontological resources or unique geologic features.

Relative to Initial Study Criteria 6g and 6h, the Initial Study for the 2020 DSASP SEIR determined that implementation of the DSASP would not result in the loss of availability of a known mineral resource or a locally important mineral resource recovery site because no such resources or recovery sites are located within the DSASP Plan Area.

The Exchange Properties are located within the developed downtown area and are not designated for mineral resource extraction. The Project would not authorize physical development, changes in land use, or activities that could interfere with the extraction or availability of a known mineral resource. Therefore, the Project would have no impact on mineral resources or mineral resource recovery sites.

Conclusion

As addressed above, the Project would not result in impacts related to geology, soils, paleontological resources, or mineral resources that are peculiar to the Exchange Properties or that were not adequately

evaluated in the 2020 DSASP SEIR and its Initial Study. The Project would not authorize grading, excavation, demolition, construction, structural alteration, or other physical disturbance. Accordingly, the geology and soils mitigation measures identified in the prior environmental documents are not applicable to the current land exchange.

Any future demolition, excavation, construction, structural alteration, or redevelopment of the City Properties is not included in the current Project. Such activities would require subsequent City applications and separate environmental review, anticipated to include preparation of a SEIR. That future review would evaluate site-specific seismic, geotechnical, erosion, soil stability, and paleontological conditions and would determine the applicability of Mitigation Measures GEO-1a, GEO-1b, GEO-2, GEO-3, and GEO-4 based on the characteristics of the proposed development.

Therefore, the Project would not result in new significant impacts or substantially more severe impacts related to geology, soils, or mineral resources than those previously evaluated and disclosed in the 2020 DSASP SEIR.

CEQA Guidelines §15162 Finding

With regards to the topic area of geology, soils, and minerals the following findings can be made:

Based on the analysis above, none of the conditions identified in CEQA Guidelines §15162 requiring preparation of a subsequent or supplemental EIR have occurred.

1. The Project does not involve substantial changes that would result in new significant geology and soils impacts or a substantial increase in the severity of impacts previously identified in the DSASP SEIR.
2. There have been no substantial changes in the circumstances under which the Project is undertaken that would result in new significant geology, soils and minerals impacts or substantially more severe impacts than those previously analyzed.
3. No new information of substantial importance has become available indicating that the Project would result in significant geology and soils impacts not previously analyzed or substantially more severe impacts.

Because none of the conditions identified in CEQA Guidelines §15162 have occurred, preparation of a subsequent or supplemental EIR is not required, and the Project is consistent with the DSASP SEIR.

GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE

The 2019 Initial Study required additional analysis of greenhouse gas emissions and plan consistency. The 2020 SEIR concluded that DSASP buildout would have less-than-significant greenhouse-gas and climate-plan effects because the plan promotes compact infill, transit use, walking and bicycling, energy efficiency, and reduced per-capita vehicle travel.

Relative to Initial Study Criterion 13c, the Project would add no approved development capacity or building area. Reuse of an existing downtown office building and retention of City employment near the Downtown Transit Mall would not generate greenhouse-gas emissions beyond the governmental/office activity and downtown growth pattern analyzed in the SEIR.

Relative to Initial Study Criterion 13d, the Project supports the DSASP's compact-development and multimodal-access framework and would not conflict with the applicable State, regional, or local greenhouse-gas reduction plans identified in the SEIR.

Conclusion

The Project would not create a new or substantially more severe greenhouse-gas or climate-change effect under Section 15162.

CEQA Guidelines §15162 Finding

With regards to the topic area of greenhouse gases, the following findings can be made:

Based on the analysis above, none of the conditions identified in CEQA Guidelines §15162 requiring preparation of a subsequent or supplemental EIR have occurred.

1. The Project does not involve substantial changes that would result in new significant greenhouse gases impacts or a substantial increase in the severity of impacts previously identified in the DSASP SEIR.
2. There have been no substantial changes in the circumstances under which the Project is undertaken that would result in new significant greenhouse gases impacts or substantially more severe impacts than those previously analyzed.
3. No new information of substantial importance has become available indicating that the Project would result in significant greenhouse gases impacts not previously analyzed or substantially more severe impacts.

Because none of the conditions identified in CEQA Guidelines §15162 have occurred, preparation of a subsequent or supplemental EIR is not required, and the Project is consistent with the DSASP SEIR.

HAZARDS AND HAZARDOUS MATERIALS

The 2019 Initial Study found that hazards and hazardous-materials effects would remain consistent with the 2007 EIR with incorporated measures addressing hazardous-material handling, contaminated sites, and emergency access. The current Project authorizes no demolition, excavation, remediation, or construction.

Relative to Initial Study Criteria 7a and 7b, the exchange and ordinary office occupancy would not materially increase the routine transport, use, or disposal of hazardous materials and would not create a reasonably foreseeable upset or accident condition. HAZ-1a and HAZ-1b concern development-stage hazardous-material and stormwater practices and are not material to the present approval.

Relative to Initial Study Criterion 7c, the Project would not establish a hazardous-emitting use within one-quarter mile of a school.

Relative to Initial Study Criterion 7d, the 2007 EIR record identified a historic diesel release at 90 Santa Rosa Avenue and reported excavation and disposal of affected soil. The present Project would not disturb soil or approve redevelopment and therefore would not expose people or the environment through construction on a listed or contaminated site. HAZ-2a and HAZ-2b, site assessment, remediation, and agency-oversight requirements would be evaluated before future ground disturbance where applicable.

Relative to Initial Study Criterion 7e, the Project is not an airport or airport-related use and would not introduce a new safety hazard associated with a public or private airstrip.

Relative to Initial Study Criterion 7f, no road closure, access change, construction staging, or physical obstruction of an emergency route is approved. HAZ-3a and HAZ-3b are not material to the current transaction; emergency-access review would occur for future physical development.

Conclusion

The Project would not create a new or substantially more severe hazards or hazardous-materials effect under Section 15162. This conclusion does not substitute for property-condition due diligence or future site-specific review if soil disturbance is proposed.

CEQA Guidelines §15162 Finding

With regards to the topic area of hazards and hazardous materials, the following findings can be made:

Based on the analysis above, none of the conditions identified in CEQA Guidelines §15162 requiring preparation of a subsequent or supplemental EIR have occurred.

1. The Project does not involve substantial changes that would result in new significant hazards and hazardous materials impacts or a substantial increase in the severity of impacts previously identified in the DSASP SEIR.
2. There have been no substantial changes in the circumstances under which the Project is undertaken that would result in new significant hazards and hazardous materials impacts or substantially more severe impacts than those previously analyzed.
3. No new information of substantial importance has become available indicating that the Project would result in significant hazards and hazardous materials impacts not previously analyzed or substantially more severe impacts.

Because none of the conditions identified in CEQA Guidelines §15162 have occurred, preparation of a subsequent or supplemental EIR is not required, and the Project is consistent with the DSASP SEIR.

HYDROLOGY AND WATER QUALITY

The 2019 Initial Study evaluated potential impacts related to water quality, drainage patterns, runoff, flooding, inundation, and consistency with applicable water-quality plans. For those topics, the Initial Study determined that the conclusions of the 2007 DSASP EIR remained adequate and that Mitigation Measures HYDRO-1 through HYDRO-3 would continue to apply to qualifying development under the updated DSASP. The Initial Study identified the potential for increased groundwater demand associated with DSASP buildout as requiring additional analysis in the 2020 SEIR.

Under SEIR Impact 3.4-1, the 2020 DSASP SEIR determined that DSASP buildout would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge. The SEIR relied on the City's Water Supply Assessment, municipal water supplies, applicable groundwater-management requirements, stormwater regulations, and DSASP policies promoting water conservation, groundwater recharge, and low-impact development. The impact was determined to be less than significant, and no mitigation measures were required.

Relative to Initial Study Criterion 8a, the Project would not authorize grading, construction, soil disturbance, new impervious surfaces, construction stormwater discharges, or a new pollutant-generating

use. Mitigation Measure HYDRO-1 requires preparation and implementation of a project-specific Storm Water Pollution Prevention Plan, while HYDRO-2 addresses nonpoint-source pollution within the DSASP area. Because the current Project would not involve construction or introduce a new stormwater pollutant source, these measures do not impose a project-specific requirement on the current approval. They would remain applicable to future physical development that meets their respective triggering criteria.

Relative to Initial Study Criterion 8b and SEIR Impact 3.4-1, the Project would not install a well, authorize groundwater extraction, increase the development capacity of a City Property, or alter an area available for groundwater recharge. The City's occupancy of the existing MOTS building would relocate existing governmental functions to an existing office building served by the City's municipal water system. Retention of approximately 1.61 acres at 100 Santa Rosa Avenue would not authorize physical development or park improvements that could affect groundwater demand or recharge. Therefore, the Project would not substantially deplete groundwater supplies or interfere with groundwater recharge.

Relative to Initial Study Criterion 8c, the Project would not increase impervious surface area, alter an existing drainage pattern, modify a watercourse or storm drain, increase peak runoff, or impede or redirect flood flows. Mitigation Measure HYDRO-3 requires preparation of a Storm Drain Master Plan for qualifying development projects, including drainage-system design, hydraulic analysis, and comparison of pre- and post-development peak flows. Because the Project would not alter drainage conditions, HYDRO-3 is not triggered by the current approval but would remain applicable to future development that meets its triggering criteria.

Relative to Initial Study Criterion 8d, the Project would not introduce a new pollutant-generating use, place new hazardous materials in an area subject to inundation, or otherwise alter conditions affecting the potential release of pollutants during a flood or other inundation event. The exchange of property ownership and occupancy of an existing office building therefore would have no impact related to the release of pollutants caused by inundation.

Relative to Initial Study Criterion 8e, the Project would not authorize a new groundwater withdrawal, wastewater or stormwater discharge, increase in development capacity, or physical alteration affecting groundwater recharge or water quality. The Project therefore would not conflict with or obstruct implementation of an applicable water-quality control plan or sustainable groundwater-management plan.

Conclusion

The Project would not result in a new significant hydrology or water-quality impact or a substantial increase in the severity of an impact previously evaluated in the prior DSASP environmental review. Mitigation Measures HYDRO-1 through HYDRO-3 are not triggered by the current approval but would remain applicable to qualifying future development. No new or modified mitigation measures are required, and no substantial project change, changed circumstance, or new information identified in CEQA Guidelines Section 15162 requires additional environmental review.

CEQA Guidelines §15162 Finding

With regards to the topic area of hydrology and water quality, the following findings can be made:

Based on the analysis above, none of the conditions identified in CEQA Guidelines §15162 requiring preparation of a subsequent or supplemental EIR have occurred.

1. The Project does not involve substantial changes that would result in new significant hydrology and water quality impacts or a substantial increase in the severity of impacts previously identified in the DSASP SEIR.
2. There have been no substantial changes in the circumstances under which the Project is undertaken that would result in new significant hydrology and water quality impacts or substantially more severe impacts than those previously analyzed.
3. No new information of substantial importance has become available indicating that the Project would result in significant hydrology and water quality impacts not previously analyzed or substantially more severe impacts.

Because none of the conditions identified in CEQA Guidelines §15162 have occurred, preparation of a subsequent or supplemental EIR is not required, and the Project is consistent with the DSASP SEIR.

LAND USE, POPULATION, AND HOUSING

The Initial Study for the 2020 DSASP SEIR determined that implementation of the DSASP would result in less-than-significant impacts related to land use, population, and housing. The following summarizes the findings of the 2020 DSASP SEIR Initial Study and evaluates the Project.

Relative to Initial Study Criterion 9a, the Initial Study determined that the DSASP includes land use, circulation, and design concepts intended to connect surrounding neighborhoods with the downtown core and would not physically divide an established community. The Project consists of a land exchange and the City's occupancy of an existing downtown office building. It would not construct a physical barrier, alter the existing circulation network, or otherwise divide an established community. No Project impact would result.

Relative to Initial Study Criterion 9b, the Initial Study determined that the DSASP would be compatible with applicable land use plans and policies. The Exchange Properties are located within the DSASP Plan Area, and the proposed governmental, office, civic, park, and recreational uses are consistent with the applicable downtown planning framework. The Project would not change the existing land use designations, zoning, development standards, or allowable development capacity of the Exchange Properties. The Project impact would be less than significant.

Relative to Initial Study Criterion 9c, the Initial Study determined that the DSASP would accommodate planned population and housing growth within a designated Priority Development Area and would not induce substantial unplanned population growth. The Project does not include residential development, employment-generating construction, or extensions of infrastructure that could induce population growth. The City's occupancy of the existing MOTS office building would relocate existing City administrative functions within downtown Santa Rosa and would not generate substantial population growth. No Project impact would result.

Relative to Initial Study Criterion 9d, the Initial Study determined that implementation of the DSASP would not displace substantial numbers of existing people or housing. The Project would not demolish or remove existing housing and would not displace residents. No Project impact would result.

The transfer of the City Properties to MOTS would not approve demolition, construction, or a specific redevelopment program. Any future development of the City Properties would require separate City applications and environmental review.

Conclusion

As addressed above, the Project would not result in land use, population, or housing impacts that are peculiar to the Exchange Properties or that were not adequately evaluated in the 2020 DSASP SEIR. The Project would not physically divide a community, conflict with the applicable DSASP planning framework, induce substantial population growth, or displace existing people or housing. Therefore, the Project would not result in new significant impacts or substantially more severe impacts than those previously evaluated and disclosed in the 2020 DSASP SEIR.

CEQA Guidelines §15162 Finding

With regards to the topic area of land use, population and housing, the following findings can be made:

Based on the analysis above, none of the conditions identified in CEQA Guidelines §15162 requiring preparation of a subsequent or supplemental EIR have occurred.

1. The Project does not involve substantial changes that would result in new significant land use and planning impacts or a substantial increase in the severity of impacts previously identified in the DSASP SEIR.
2. There have been no substantial changes in the circumstances under which the Project is undertaken that would result in new significant land use and planning impacts or substantially more severe impacts than those previously analyzed.
3. No new information of substantial importance has become available indicating that the Project would result in significant land use, population, and housing impacts not previously analyzed or substantially more severe impacts.

Because none of the conditions identified in CEQA Guidelines §15162 have occurred, preparation of a subsequent or supplemental EIR is not required, and the Project is consistent with the DSASP SEIR.

NOISE

The 2019 Initial Study determined that potential temporary and permanent increases in ambient noise required additional analysis in the 2020 DSASP SEIR. The Initial Study separately determined that groundborne vibration impacts would remain less than significant with continued implementation of Mitigation Measures NOI-3a and NOI-3b from the 2007 DSASP EIR and that no impact related to airport noise would occur. (2019 Initial Study, pp. 59–61)

Subsequent Impact 3.5-1:

The 2020 DSASP SEIR determined that DSASP implementation would not generate a substantial temporary or permanent increase in ambient noise levels in excess of applicable standards. The SEIR evaluated construction noise, operational and stationary noise, traffic noise, interior noise exposure, and special-event noise. It determined that DSASP Policies PSS-4.7 and PSS-4.8, together with Mitigation Measure NOI-1 from the 2007 DSASP EIR, would reduce construction-related noise and vibration effects. The traffic-noise analysis determined that projected increases associated with DSASP buildout would not exceed 3 dBA at any analyzed roadway segment. Overall impacts were determined to be less than significant, and no new mitigation measures were required.

Relative to SEIR Impact 3.5-1, the Project consists of the property exchange, the City's occupancy of the existing MOTS office building, and retention of approximately 1.61 acres at 100 Santa Rosa Avenue. The

Project would not authorize demolition, grading, construction, exterior or structural alteration, park improvements, or redevelopment at a City Property. Therefore, the Project would not generate construction noise or vibration. The triggering conditions for DSASP Policies PSS-4.7 and PSS-4.8 and Mitigation Measures NOI-1, NOI-3a, and NOI-3b are not present. These requirements would remain applicable to future physical development that meets their respective triggering criteria.

The City's occupancy of the MOTS building would continue governmental and administrative office activity within an existing downtown office building. The Project would not authorize new industrial activity, outdoor event space, loading operations, mechanical equipment, or another substantial stationary noise source. Accordingly, ordinary City Hall operations would not substantially increase ambient noise levels.

The Project would relocate existing City functions within the downtown area and would not add building floor area or approve an increase in office capacity or City staffing. Employee and visitor trips would continue to use the existing downtown transportation network. Because the Project would not materially increase roadway traffic volumes beyond the downtown employment activity evaluated in the SEIR, it would not result in a substantial traffic-noise increase.

General Plan Policy NS-B-4 and DSASP Policy PSS-4.2 address exposure of new residential and other noise-sensitive development to elevated exterior and interior noise levels. The Project would not construct a new noise-sensitive use or expose new residents to existing transportation noise. These provisions therefore are not triggered by the current approval.

Relative to Initial Study Criterion 10b, the Project would not involve excavation, pile driving, heavy construction equipment, or another vibration-generating activity. It therefore would have no impact related to excessive groundborne vibration or groundborne noise.

Relative to Initial Study Criterion 10c, the Project would not construct a new noise-sensitive use or otherwise change exposure to aircraft noise. The property exchange and occupancy of an existing downtown office building would not alter the prior conclusion that no airport-noise impact would occur.

Any future demolition, construction, exterior alteration, redevelopment, or park improvement would require subsequent City applications and CEQA review to the extent required. The applicability of the DSASP policies and prior noise and vibration mitigation measures would be determined based on the characteristics of the defined proposal.

Conclusion

The Project would not result in a new significant noise or vibration impact or a substantial increase in the severity of an impact previously evaluated in the prior DSASP environmental review. No new or modified mitigation measures are required, and no substantial project change, changed circumstance, or new information identified in CEQA Guidelines Section 15162 requires additional environmental review. Project noise impacts would remain less than significant.

CEQA Guidelines §15162 Finding

With regards to the topic area of noise, the following findings can be made:

Based on the analysis above, none of the conditions identified in CEQA Guidelines §15162 requiring preparation of a subsequent or supplemental EIR have occurred.

1. The Project does not involve substantial changes that would result in new significant noise impacts or a substantial increase in the severity of impacts previously identified in the DSASP SEIR.
2. There have been no substantial changes in the circumstances under which the Project is undertaken that would result in new significant noise impacts or substantially more severe impacts than those previously analyzed.
3. No new information of substantial importance has become available indicating that the Project would result in significant noise impacts not previously analyzed or substantially more severe impacts.

Because none of the conditions identified in CEQA Guidelines §15162 have occurred, preparation of a subsequent or supplemental EIR is not required, and the Project is consistent with the DSASP SEIR.

PUBLIC SERVICES

The 2019 Initial Study and 2020 SEIR concluded that fire, police, school, library, and other public-service impacts would be less than significant. Park-service effects were reduced to less than significant through City requirements and PF-1.

Relative to Initial Study Criterion 11a, the Project would relocate City administrative functions between existing downtown buildings and would not add residential population or approve development that requires construction of a new or physically altered fire station, police station, school, library, or other public facility. Existing emergency and municipal services would continue to serve the downtown sites.

PF-1 is a Citywide planning measure concerning future park capacity and does not impose a project-specific action on this land exchange. Future development that creates new service demand would be evaluated under then-applicable standards.

Conclusion

The Project would not create a new or substantially more severe public-services effect under Section 15162.

CEQA Guidelines §15162 Finding

With regards to the topic area of public services, the following findings can be made:

Based on the analysis above, none of the conditions identified in CEQA Guidelines §15162 requiring preparation of a subsequent or supplemental EIR have occurred.

1. The Project does not involve substantial changes that would result in new significant public services impacts or a substantial increase in the severity of impacts previously identified in the DSASP SEIR.
2. There have been no substantial changes in the circumstances under which the Project is undertaken that would result in new significant public services impacts or substantially more severe impacts than those previously analyzed.

3. No new information of substantial importance has become available indicating that the Project would result in significant public services impacts not previously analyzed or substantially more severe impacts.

Because none of the conditions identified in CEQA Guidelines §15162 have occurred, preparation of a subsequent or supplemental EIR is not required, and the Project is consistent with the DSASP SEIR.

RECREATION

The 2020 SEIR concluded that increased park and recreation demand from DSASP buildout would be reduced to less than significant through parkland dedication or in-lieu fees, DSASP policies, and PF-1.

Relative to Initial Study Criteria 11b and 11c, the Project would not add residential population or otherwise generate new recreation demand, and it would not approve construction or expansion of a recreational facility. The City's retention of approximately 1.61 acres at 100 Santa Rosa Avenue for park, open-space, and recreational use is consistent with, and does not adversely affect, the DSASP public-realm framework.

No increased park and recreation demand would result. In addition, PF-1 and development-related park funding requirements are not triggered by the current Project. They would be evaluated for future development that generates park demand.

Conclusion

The Project would not create a new or substantially more severe recreation effect under Section 15162.

CEQA Guidelines §15162 Finding

With regards to the topic area of recreation, the following findings can be made:

Based on the analysis above, none of the conditions identified in CEQA Guidelines §15162 requiring preparation of a subsequent or supplemental EIR have occurred.

1. The Project does not involve substantial changes that would result in new significant recreation impacts or a substantial increase in the severity of impacts previously identified in the DSASP SEIR.
2. There have been no substantial changes in the circumstances under which the Project is undertaken that would result in new significant recreation impacts or substantially more severe impacts than those previously analyzed.
3. No new information of substantial importance has become available indicating that the Project would result in significant recreation impacts not previously analyzed or substantially more severe impacts.

Because none of the conditions identified in CEQA Guidelines §15162 have occurred, preparation of a subsequent or supplemental EIR is not required, and the Project is consistent with the DSASP SEIR.

TRANSPORTATION

The 2019 Initial Study identified consistency with applicable transportation plans and vehicle miles traveled as requiring additional analysis. The 2020 DSASP SEIR evaluated transportation impacts under Impacts 3.7-1 through 3.7-4 and concluded that DSASP implementation would result in less-than-

significant impacts related to transportation-plan consistency, vehicle miles traveled, transportation hazards, and emergency access. No transportation mitigation measures were required.

The Final SEIR determined that residential VMT per capita, employment VMT per employee, and total VMT per service population within the DSASP Plan Area would each be below the applicable significance threshold. Specifically, employment VMT per employee was estimated at 9.19, compared with a threshold of 10.72, and total VMT per service population was estimated at 9.94, compared with a threshold of 12.40.

Relative to Initial Study Criterion 12a and Subsequent EIR Impact 3.7-1, the Project would retain governmental employment within the downtown core and would not remove, modify, obstruct, or otherwise conflict with a planned transit, bicycle, pedestrian, or roadway facility. The property exchange, the City's occupancy of the existing MOTS office building, and the City's retention of approximately 1.61 acres at 100 Santa Rosa Avenue would not authorize physical changes to the transportation network. The Project would therefore remain consistent with the DSASP multimodal transportation framework and would not alter the less-than-significant conclusion reached in the SEIR.

Relative to Initial Study Criterion 12b, CEQA Guidelines Section 15064.3(b), and SEIR Impact 3.7-2, the Project would not add floor area, increase approved development capacity, authorize an increase in City staffing, or approve a new development program. Relocation of City functions to the existing MOTS office building could redistribute employee and visitor trips among downtown locations, but the current approval would not itself generate new population or employment. Those trips would remain associated with governmental and office activity within the transit-supportive DSASP downtown core.

Because the SEIR determined that employment VMT and total VMT within the DSASP Plan Area would be below the applicable significance thresholds, and because the Project would not authorize additional trip-generating development, the Project would not conflict with CEQA Guidelines Section 15064.3(b) or alter the less-than-significant conclusion reached under Impact 3.7-2.

Relative to Initial Study Criterion 12c and Subsequent EIR Impact 3.7-3, the Project would not construct or modify a roadway, establish a new driveway or access point, alter roadway geometry, or introduce an incompatible transportation use. Occupancy of an existing office building for governmental administrative purposes would not create a transportation hazard associated with a geometric design feature or incompatible use. The Project would therefore not alter the less-than-significant conclusion reached in the SEIR.

Relative to Initial Study Criterion 12d and Subsequent EIR Impact 3.7-4, the Project would not close or obstruct a street, modify an emergency route, or alter emergency access to the Exchange Properties. Any future circulation, parking, driveway, or site-access improvements are not included in the current Project and would be subject to subsequent City review and additional environmental review to the extent required by CEQA.

Conclusion

The Project would not result in a new significant transportation impact or a substantial increase in the severity of an impact previously evaluated in the 2020 DSASP SEIR. No condition identified in CEQA Guidelines Section 15162 requiring additional environmental review has occurred. Accordingly, the Project's transportation impacts would remain less than significant.

CEQA Guidelines §15162 Finding

With regards to the topic area of transportation, the following findings can be made:

Based on the analysis above, none of the conditions identified in CEQA Guidelines §15162 requiring preparation of a subsequent or supplemental EIR have occurred.

1. The Project does not involve substantial changes that would result in new significant transportation impacts or a substantial increase in the severity of impacts previously identified in the DSASP SEIR.
2. There have been no substantial changes in the circumstances under which the Project is undertaken that would result in new significant transportation impacts or substantially more severe impacts than those previously analyzed.
3. No new information of substantial importance has become available indicating that the Project would result in significant transportation impacts not previously analyzed or substantially more severe impacts.

Because none of the conditions identified in CEQA Guidelines §15162 have occurred, preparation of a subsequent or supplemental EIR is not required, and the Project is consistent with the DSASP SEIR.

TRIBAL CULTURAL RESOURCES

The 2019 Initial Study required tribal-cultural-resource analysis under the then-new CEQA checklist criterion. The 2020 SEIR reported that no tribal cultural resource was identified through records review or consultation and concluded that impacts would be less than significant, while recognizing that unrecorded resources could be encountered during future ground disturbance.

Relative to Initial Study Criterion 5e, the Project would not authorize grading, excavation, trenching, below-grade demolition, or other ground disturbance and therefore would not cause a substantial adverse change in a known or unrecorded tribal cultural resource. The title transfer itself does not disturb a resource.

Any future discretionary project with potential ground disturbance would be subject to AB 52 consultation when legally required and to applicable inadvertent-discovery procedures. Those requirements are not duplicated as mitigation for the current non-ground-disturbing approval.

Conclusion

The Project would not create a new or substantially more severe tribal-cultural-resource effect under Section 15162.

CEQA Guidelines §15162 Finding

With regards to the topic area of tribal cultural resources, the following findings can be made:

Based on the analysis above, none of the conditions identified in CEQA Guidelines §15162 requiring preparation of a subsequent or supplemental EIR have occurred.

1. The Project does not involve substantial changes that would result in new significant tribal cultural resources impacts or a substantial increase in the severity of impacts previously identified in the DSASP SEIR.

2. There have been no substantial changes in the circumstances under which the Project is undertaken that would result in new significant tribal cultural resources impacts or substantially more severe impacts than those previously analyzed.
3. No new information of substantial importance has become available indicating that the Project would result in significant tribal cultural resources impacts not previously analyzed or substantially more severe impacts.

Because none of the conditions identified in CEQA Guidelines §15162 have occurred, preparation of a subsequent or supplemental EIR is not required, and the Project is consistent with the DSASP SEIR.

UTILITIES AND SERVICE SYSTEMS

The 2019 Initial Study required additional analysis of water, wastewater, stormwater, and dry-utility facilities and water supply. The 2020 SEIR concluded that water, wastewater, storm drainage, solid waste, and other utility effects from DSASP buildout would be less than significant with existing plans, capacity, regulations, and standard City requirements.

Relative to Initial Study Criterion 14a, the Exchange Properties are developed urban sites served by existing utilities. The Project would not require relocation or construction of a new water, wastewater, stormwater, electric, gas, or telecommunications facility.

Relative to Initial Study Criterion 14b, no new housing, floor area, or water-intensive use is approved. Continued office/governmental use would not require a new or expanded water entitlement beyond the service conditions analyzed for downtown.

Relative to Initial Study Criterion 14c, the transaction would not add a new wastewater-generating development program or exceed wastewater-treatment capacity.

Relative to Initial Study Criteria 14d and 14e, the Project would not generate construction debris and would not materially increase solid-waste generation. Ordinary office waste would remain subject to applicable reduction, recycling, organics, and disposal requirements.

Conclusion

The Project would not create a new or substantially more severe utilities or service-systems effect under Section 15162.

CEQA Guidelines §15162 Finding

With regards to the topic area of utilities and service systems, the following findings can be made:

Based on the analysis above, none of the conditions identified in CEQA Guidelines §15162 requiring preparation of a subsequent or supplemental EIR have occurred.

1. The Project does not involve substantial changes that would result in new significant utilities and service systems impacts or a substantial increase in the severity of impacts previously identified in the DSASP SEIR.

2. There have been no substantial changes in the circumstances under which the Project is undertaken that would result in new significant utilities and service systems impacts or substantially more severe impacts than those previously analyzed.
3. No new information of substantial importance has become available indicating that the Project would result in significant utilities and service systems impacts not previously analyzed or substantially more severe impacts.

Because none of the conditions identified in CEQA Guidelines §15162 have occurred, preparation of a subsequent or supplemental EIR is not required, and the Project is consistent with the DSASP SEIR.

WILDFIRE

The 2019 Initial Study evaluated exposure to wildland fire under Criterion 7g and the wildfire criteria under Criteria 7h through 7k. The Initial Study determined that the DSASP Plan Area is urbanized, does not border wildlands, is not located near a State Responsibility Area, and was not located within a State-designated Very High Fire Hazard Severity Zone or the City's Wildland-Urban Interface (WUI) Fire Area. Although the Initial Study acknowledged that the frequency and severity of wildfires had increased since certification of the 2007 DSASP EIR, it concluded that the changed conditions would not result in a new or substantially more severe wildfire impact within the DSASP Plan Area. Criteria 7h through 7k were identified as not applicable because the Plan Area did not meet the applicable location threshold.

Since certification of the 2020 DSASP SEIR, CAL FIRE has issued updated Local Responsibility Area Fire Hazard Severity Zone maps, and the City has updated its Wildland-Urban Interface Fire Area boundary. The current maps continue to place the Exchange Properties outside mapped Moderate, High, or Very High Fire Hazard Severity Zones and outside the City's Wildland-Urban Interface Fire Area. Accordingly, the updated mapping does not identify a changed circumstance or new information showing that the Project would result in a new or substantially more severe wildfire impact.

Relative to Initial Study Criteria 7g through 7k, the Exchange Properties are located within the developed downtown core rather than in a wildland or wildland-urban-interface setting. The Project consists of the property exchange, the City's occupancy of an existing office building, and retention of approximately 1.61 acres at 100 Santa Rosa Avenue. The Project would not authorize new buildings, infrastructure, vegetation removal, alteration of slopes or drainage, or expansion of development into a fire-hazard area. It therefore would not expose occupants or structures to a new wildland-fire risk, exacerbate wildfire hazards through new infrastructure, or create a post-fire flooding or slope-instability hazard.

Relative to Initial Study general emergency-response Criterion 7f and wildfire Criterion 7h, the Project would not close or obstruct a street, alter an evacuation route, increase approved development capacity, or otherwise interfere with an adopted emergency-response or evacuation plan. Any future physical development, roadway modification, or site-access improvement is not included in the current Project and would be subject to subsequent City review, applicable Fire Code and emergency-access requirements, and additional environmental review to the extent required by CEQA.

Conclusion

The Project would not result in a new significant wildfire impact or a substantial increase in the severity of an impact previously evaluated in the prior DSASP environmental review. The updated fire-hazard and WUI mapping does not identify a condition requiring additional environmental review under CEQA Guidelines Section 15162.

CEQA Guidelines §15162 Finding

With regards to the topic area of wildfire, the following findings can be made:

Based on the analysis above, none of the conditions identified in CEQA Guidelines §15162 requiring preparation of a subsequent or supplemental EIR have occurred.

1. The Project does not involve substantial changes that would result in new significant wildfire impacts or a substantial increase in the severity of impacts previously identified in the DSASP SEIR.
2. There have been no substantial changes in the circumstances under which the Project is undertaken that would result in new significant wildfire impacts or substantially more severe impacts than those previously analyzed.
3. No new information of substantial importance has become available indicating that the Project would result in significant wildfire impacts not previously analyzed or substantially more severe impacts.

Because none of the conditions identified in CEQA Guidelines §15162 have occurred, preparation of a subsequent or supplemental EIR is not required, and the Project is consistent with the DSASP SEIR.

MANDATORY FINDINGS OF SIGNIFICANCE

The 2019 Initial Study required further analysis of the mandatory findings because several plan-level topics proceeded to the 2020 SEIR. The 2020 SEIR concluded that all potentially significant impacts of the updated DSASP would be reduced to less than significant and identified no significant and unavoidable impacts. These included potential effects on historical and archaeological resources; cumulative air-quality, greenhouse-gas, noise, and transportation effects; and environmental effects that could directly or indirectly affect human beings.

The 2020 DSASP SEIR evaluated those issues and identified mitigation measures where necessary. The City's adopted CEQA findings determined that implementation of the updated DSASP would not result in any significant and unavoidable environmental impacts and that all identified significant effects could be avoided or reduced to less-than-significant levels through feasible mitigation

Relative to Initial Study Criterion 15a, the Project would not substantially reduce fish or wildlife habitat, adversely affect a fish or wildlife population, threaten a plant or animal community, reduce the number or restrict the range of a rare or endangered species, or eliminate an important example of California history or prehistory. The Project consists of the property exchange, the City's occupancy of the existing MOTS office building, and retention of approximately 1.61 acres at 100 Santa Rosa Avenue. It would not authorize demolition, grading, construction, tree or vegetation removal, ground disturbance, or a defined redevelopment program.

As discussed in the biological-resources analysis, the absence of physical disturbance means that the Project would not affect habitat, special-status species, nesting birds, roosting bats, aquatic resources, or protected trees. As discussed in the cultural and tribal cultural resources analysis, the known or potential historical eligibility of buildings on the City Properties would not be affected by the transfer of ownership

because the Project would not authorize demolition or material alteration of those resources. The absence of ground disturbance also means that the Project would not disturb archaeological deposits, tribal cultural resources, or human remains. The Project therefore would not result in a mandatory finding of significance under Criterion 15a.

Relative to Initial Study Criterion 15b, the Project would not make a cumulatively considerable contribution to a significant cumulative environmental effect. The current approval would not authorize construction, add floor area, increase population or approved employment capacity, increase City staffing, or approve a defined redevelopment program for the City Properties. The City's occupancy of the existing MOTS office building would relocate governmental and administrative activities within the DSASP downtown core rather than establish a new type or intensity of development.

The prior DSASP environmental review evaluated the plan-wide and cumulative effects of downtown buildout, including effects related to air quality, greenhouse-gas emissions, energy, noise, transportation, hydrology, public services, and utilities. Because the current Project would not add development or growth beyond that evaluated in the prior DSASP environmental review, its incremental contribution to cumulative effects would not be cumulatively considerable. Any future redevelopment proposal would be subject to subsequent City review and additional environmental review to the extent required by CEQA. The Project therefore would not result in a mandatory finding of significance under Criterion 15b.

Relative to Initial Study Criterion 15c, the Project would not cause a substantial direct or indirect adverse effect on human beings. As demonstrated in the preceding environmental issue-area analyses, the Project would not authorize physical activities that could generate substantial emissions, noise, hazardous-materials exposure, water-quality discharges, transportation hazards, wildfire risks, or demands for public services and utilities beyond those previously evaluated. Governmental occupancy of an existing downtown office building could redistribute employee and visitor activity among downtown locations but would not introduce a new hazardous or incompatible use. The Project therefore would not result in a mandatory finding of significance under Criterion 15c.

Conclusion

Considering the Project as a whole, including the property exchange, the City's occupancy of the existing MOTS office building, and retention of approximately 1.61 acres at 100 Santa Rosa Avenue, the Project would not result in a new significant environmental effect or a substantial increase in the severity of an effect previously evaluated in the prior DSASP environmental review. No condition identified in CEQA Guidelines Section 15162 requiring additional environmental review has occurred, and none of the mandatory findings of significance would be met.

CEQA Guidelines §15162 Finding

With regards to the mandatory findings, the following findings can be made:

Based on the analysis above, none of the conditions identified in CEQA Guidelines §15162 requiring preparation of a subsequent or supplemental EIR have occurred.

1. The Project does not involve substantial changes that would result in significant environmental impacts not previously analyzed or a substantial increase in the severity of impacts previously identified in the DSASP SEIR.

2. There have been no substantial changes in the circumstances under which the Project is undertaken that would result in new significant impacts or substantially more severe impacts than those previously analyzed.
3. No new information of substantial importance has become available indicating that the Project would result in significant environmental impacts not previously analyzed or substantially more severe impacts.

Because none of the conditions identified in CEQA Guidelines §15162 have occurred, preparation of a subsequent or supplemental EIR is not required, and the Project is consistent with the DSASP SEIR.

CEQA Guidelines §15162 Finding

6. SECTION 15162 FINDINGS

Based on the entire administrative record, including the Project description, the prior DSASP environmental review, and the issue-by-issue analysis contained in this memorandum, the City, acting as lead agency, makes the following determinations and findings pursuant to CEQA Guidelines Section 15162:

Section 15162 (Subsequent EIRs and Negative Declarations) provides that when an MND has been adopted for a project or an EIR certified, no subsequent negative declaration or EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, that one or more of the following exists:

1. Substantial changes are proposed in the project which 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;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which 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; or
3. New information of substantial importance, which was not known and could not have been known with exercise of reasonable diligence at the time of the previous EIR or negative declaration was adopted as complete shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous negative declaration;
 - b. Significant effects previously examined will be substantially more severe than shown in the previous negative declaration;
 - 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 previous negative declaration would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measures or alternative.

As demonstrated throughout this consistency analysis above and for the reasons described below, none of the conditions described in Section 15162 calling for the preparation of a subsequent environmental impact report or negative declaration have occurred:

1. **Consistency with established development density.** The Project is consistent with the development density established by the applicable General Plan policies and Core Mixed Use zoning for the Exchange Properties. The Project would transfer ownership of existing developed properties, allow the City to occupy an existing office building for governmental administrative uses, and retain approximately 1.61 acres at 100 Santa Rosa Avenue for park, open-space, and recreational purposes. The Project would not add building area, approve additional development capacity, or exceed the development density permitted by the applicable DSASP, General Plan and zoning framework.
2. **Prior environmental review.** The City certified the 2020 DSASP SEIR, which supplements the 2007 DSASP EIR, in connection with adoption of the updated DSASP and associated General Plan and zoning amendments. The prior DSASP environmental review provides the basis for determining whether the Project involves substantial project changes, changed circumstances, or new information of substantial importance that would require major revisions to the prior environmental review pursuant to CEQA Guidelines Section 15162.
3. **Substantial new information.** No substantial new information that was not known when the prior EIR and SEIR were certified demonstrates that a previously identified significant effect would have a more severe adverse impact as a result of the Project than was discussed in the prior DSASP environmental review.
4. **Applicability of prior mitigation measures.** Based on the scope of the current Project and the issue-by-issue analysis above, the present approval does not include activities that would trigger the previously adopted DSASP mitigation measures. The applicability of those measures would be evaluated as part of the review of any future physical development proposal.
5. **No new project-specific mitigation.** Because the Project would not result in a significant environmental effect requiring additional analysis under Section 15162, no new project-specific mitigation measures are required for the current Project.
6. **Future development.** The present Project does not approve a specific future development proposal for the City Properties. Any future proposal involving demolition, construction, grading, exterior alteration, or redevelopment would require separate City applications and review for consistency with the DSASP, consistency with applicable General Plan and zoning requirements, and CEQA to the extent required when a defined development proposal is submitted.
7. **No substantial changes** have occurred with respect to the circumstances under which the Project is undertaken which will require major revisions in the previous certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The existing land uses on the Project site and within the surrounding area have not undergone any substantial changes since the DSASP SEIR, so there is no substantial increase in the severity of any previously identified environmental effects that would require revisions in the certified EIR. The GP and DSASP land use designations for the Exchange sites are not changed by the Project, and the certified EIR anticipated buildout of the Project site and DSASP area. Further, the Project is consistent with or results in lesser impacts than the cumulative impacts of the certified EIR. Therefore, the circumstances under which the

Project is undertaken have not changed substantially, and no revisions to the certified EIR are required.

8. **No new information of substantial importance**, which was not known and could not have been known with the exercise of reasonable diligence at the time the EIR was adopted has become available. The proposed Exchange Project does not include any new information, of substantial importance, that was not known or could not have been known at the time the EIR was certified, regarding significant effects from development of the Project. There has been no new information of substantial importance that was not known or could not have been known at the time the EIR was certified that demonstrates that new significant effects would occur, and there has been no new information of substantial importance that was not known or could not have been known at the time the EIR was certified to demonstrate that previously identified significant effects will be substantially more severe. The existing DSASP mitigation measures were found to be effective and feasible at the time of adoption of the EIR, and there have been no substantial changes to the Project or the Project circumstances that would substantially change the mitigation measures. Therefore, no new information that contradicts the analysis in the EIR has become available since the DSASP SEIR was certified by the City Council in 2020.

7. CONCLUSION

The Exchange Properties are subject to the applicable General Plan land-use policies, Core Mixed Use zoning, and Downtown Station Area planning framework. In 2020, the City certified the DSASP SEIR, which supplements the 2007 DSASP EIR, in connection with adoption of the updated DSASP and associated General Plan and zoning amendments.

As documented in the issue-by-issue analysis contained in this memorandum, pursuant to State CEQA Guidelines Section 15162, this document demonstrates the Proposed Project is consistent with the certified EIR and that no subsequent or supplemental EIR or MND shall be prepared for the Project under CEQA Guidelines Section 15162. It is the independent judgment of City of Santa Rosa that the proposed changes to the Project do not require the preparation of a subsequent or supplemental MND or EIR as described in State CEQA Guidelines Section 15162.