

Notice of Exemption

Appendix E

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

County Clerk

County of: County of Merced

2222 M Street

Merced, CA 95340

From: (Public Agency): City of Merced
678 West 18th Street
Merced, CA 95340

(Address)

Project Title: VTSM #25-0009 (Environmental Review #25-0034)

Project Applicant: Board of Education of Merced , Trustee, Property Owner

Project Location - Specific:

East of Old Lake Road, north of Cardella Road (future)

Project Location - City: Merced Project Location - County: Merced

Description of Nature, Purpose and Beneficiaries of Project:

Name of Public Agency Approving Project: City of Merced

Name of Person or Agency Carrying Out Project: Board of Education of Merced , Trustee, Property Owner

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

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☒ Categorical Exemption. State type and section number: 15162
- ☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt:

The project is consistent with the General Plan and Zoning designations for the site. There are no significant changes to the project that would create impacts that were not evaluated as part of the Focused Subsequent Environmental Impact Report previously approved for this site (SCH#20001021056)

Lead Agency

Contact Person: Matt Livingston Area Code/Telephone/Extension: 209-388-7350

If filed by applicant:

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

Signature:  Date: 01/05/2026 Title: Assistant Planner

■ Signed by Lead Agency Signed by Applicant

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

Date Received for filing at OPR: _____

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

Application: VTSM #25-0009 - Environmental Review #25-0034

Assessor Parcel Number or Location: Assessor's Parcel Number (APN): 060-020-054

Previous Initial Study/EIR Reference: This site was previously reviewed through Focused Subsequent Environmental Impact Report (EIR) for the Virginia Smith Trust Specific Plan (SCH #2001021056).

Original Project Date: The Environmental Impact Report was approved on January 16, 2024.

Section A - Previous Studies

1. Substantial changes are proposed in the project that will require major revisions of the previous project EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects?

Yes	No
☐	☒

Comment/Finding: The proposed project is consistent with the pervious environmental review. No substantive changes are proposed. The total number of units being constructed is less than originally proposed.

2. Substantial changes have occurred with respect to the circumstances under which the project is undertaken that will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects?

Yes	No
☐	☒

Comment/Finding: There have been no changes in the circumstances under which the project is undertaken that would require major revisions in the previous EIR. There are no new significant environmental effects or substantial increases in the severity of previously identified environmental effects, and the area under consideration remains the same area previously evaluated.

3. New information of substantial importance that was not known and could not have been know with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, has been revealed? (If "Yes" is checked, go to Section "B" below)

Yes	No
☐	☒

Comment/Finding: There is no new information of substantial importance that was not known and could not have been known with the reasonable diligence at the time the pervious EIR was adopted.

Section B - New Information

	Yes	No
A)The project will have one or more significant effects not discussed in the previous EIR or negative declaration.	☐	☒

	Yes	No
B)Significant effects previously examined will be substantially more severe than shown in the previous EIR.	☐	☒

	Yes	No
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.	☐	☒

	Yes	No
D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.	☐	☒

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

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

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

Date: January 1, 2026

Prepared By:



Matt Livingston,
Assistant Planner