

CITY OF MERCED
Site Plan Review Committee

MINUTES

Planning Conference Room
2nd Floor Civic Center
Thursday, July 27, 2017

Acting Chairperson ESPINOSA called the meeting to order at 1:33 p.m.

ROLL CALL

Committee Members Present: Planning Manager Espinosa (for Director of Development Services), Acting City Engineer Son, and Plan Examiner Frazier (for Assistant Chief Building Official Stephenson)

Committee Members Absent: None

Staff Present: Planner/Recording Secretary Mendoza-Gonzalez

1. **MINUTES**

M/S ESPINOSA - SON, and carried by unanimous voice vote, to approve the Minutes of June 29, 2017, as submitted.

3. **COMMUNICATIONS**

None.

4. **ITEMS**

- 4.1 Site Plan Application #411, submitted by Pacific Gas & Electric, on behalf of Lyons Land & Cattle, Inc., property owner, to relocate a PG&E Service Center within a portion of the northeast corner of Kibby Road and Childs Avenue, within a Heavy Industrial (I-H) Zone.

Planner MENDOZA-GONZALEZ reviewed the application for this item. For further information, refer to Draft Site Plan Review Committee Resolution #411.

Subsequent to the draft resolution being sent out, the applicant contacted staff regarding some of the conditions and findings shown on the draft resolution. After discussions, the City's Environmental Project Manager determined that Condition #31 may be removed with the inclusion of Finding G and a new Condition #31. In a separate discussion, the applicant noted that the proposed fence needs to be 10 feet tall instead of 8 feet tall for security purposes. This request is shown below through Finding H.

M/S SON - FRAZIER, and carried by the following vote, to adopt a Mitigated Negative Declaration regarding Environmental Review #17-06, and approve Site Plan Application #411, subject to the Findings and thirty two (32) Conditions set forth in the Draft Resolution #411 with modifications to Conditions #5 and #28, the elimination of Condition #31, and the additions of Finding G, Finding H, Condition #31, and Condition #33 as follows:

(Note: ~~Strikethrough~~ deleted language, underline added language.)

Findings

- "G) The applicant has indicated that the hazardous materials storage area will be bermed and impermeable. Oil filled equipment will be placed in secondary containments within the storage area. Hazardous waste drums will be placed on pallets to enable regular inspections for leaks and drips, and a spill kit would be stored within or adjacent to the storage area for emergency use. A Hazardous Materials Business Plan and a Spill Prevention Control & Countermeasures Plan (SPCC) will be prepared for this site.
- H) Even though the site plan at Exhibit C shows a 6- to 8-foot-tall fence, the applicant is requesting approval for 10-foot-tall fence with this application."

Conditions

- “5) The developer/applicant shall indemnify, protect, defend (with counsel selected by the City), and hold harmless the City, and any agency or instrumentality thereof, and any officers, officials, employees, or agents thereof, from any and all claims, actions, suits, proceedings, or judgments against the City, or any agency or instrumentality thereof, and any officers, officials, employees, or agents thereof to attack, set aside, void, or annul, an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board, or legislative body, including actions approved by the voters of the City, concerning the project and the approvals granted herein. The City’s selection of counsel is subject to the developer/applicant’s reasonable approval, which shall not be unreasonably withheld. Furthermore, developer/applicant shall indemnify, protect, defend, and hold harmless the City, or any agency or instrumentality thereof, against any and all claims, actions, suits, proceedings, or judgments against any governmental entity in which developer/applicant’s project is subject to that other governmental entity’s approval and a condition of such approval is that the City indemnify and defend (with counsel selected by the City) such governmental entity. City shall promptly notify the developer/applicant of any claim, action, or proceeding. City shall further cooperate fully in the defense of the action. Should the City fail to either promptly notify or cooperate fully, the developer/applicant shall not thereafter be responsible to indemnify, defend, protect, or hold harmless the City, any agency or instrumentality thereof, or any of its officers, officials, employees, or agents.
- 28) The applicant shall pay for their fair-share contribution towards signalization of the intersection at Kibby Road and Highway 140 and adding a right-hand turn lane from Kibby Road to Highway 140. These improvements shall be made at the time it is determined by the City of Merced ~~and Caltrans~~ that the Level of Service for this intersection has dropped below the acceptable Level of Service (LOS D) for roadways and intersections, unless otherwise required by Caltrans.
- 31) ~~The site plan currently shows a large “gravel surface area” next to the recycle/waste/hazmat storage areas (for treated lumber,~~

~~transformers containing PCB's, etc.). This area shall not be constructed out of gravel, rather it shall be made out of an impervious surface.~~

- 31) Gravel surfaces may be used in areas that are not intended for vehicle traffic (e.g. parking areas, driving aisles, etc.), subject to the approval of the Director of Development Services.
- 33) The applicant's request to install 10-foot-tall fence (as referenced in Finding H) is being approved with this permit."

AYES: Committee Members Frazier, Son, and Acting Chairperson
Espinosa

NOES: None

ABSENT: None

5. **INFORMATION ITEMS**

5.1 Calendar of Meetings/Events

There was no discussion regarding the calendar of meetings/events.

6. **ADJOURNMENT**

There being no further business, Acting Chairperson Espinosa adjourned the meeting at 2:56 p.m.

Respectfully submitted,



Francisco Mendoza-Gonzalez, Acting Secretary
Merced City Site Plan Review Committee

Site Plan Review Committee Minutes

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July 27, 2017

APPROVED:



Scott McBride, Chairperson/
Director of Development Services,
Merced City Site Plan Review Committee

CITY OF MERCED
SITE PLAN REVIEW COMMITTEE
RESOLUTION #411

<u>Pacific Gas & Electric (PG&E)</u> APPLICANT	<u>Relocate a PG&E Service Center.</u> PROJECT
<u>245 Market St., MC N15G</u> ADDRESS	<u>A portion of the northeast corner of Kibby Road and Childs Avenue.</u> PROJECT SITE
<u>San Francisco, CA 94105</u> CITY/STATE/ZIP	<u>061-033-023</u> APN
<u>(415) 271-7100</u> PHONE	<u>Light Industrial (I-L)</u> ZONING

In accordance with Chapter 20.68 of the Merced City Zoning Ordinance, the Site Plan Review Committee reviewed and administratively approved Site Plan Application #411 on July 27, 2017, submitted by Pacific Gas & Electric, on behalf of Lyons Land & Cattle, Inc., property owner, to relocate a PG&E Service Center to a portion of the northeast corner of Kibby Road and Childs Avenue, within a Heavy Industrial (I-H) Zone. Said property being more particularly described as the remainder of Parcel 1 as shown on the map entitled "Parcel Map For TRI-Valley Growers," recorded in Book 70, Page 25 of Merced County Records; also known as Assessor's Parcel Number (APN) 061-033-023.

WHEREAS, Planning staff conducted an environmental review (Initial Study #17-06) of the Project in accordance with the requirements of the California Environmental Quality Act (CEQA) as part of Site Plan Review #411. A Mitigated Negative Declaration (i.e., no significant environmental effects) has been found as shown on Exhibit G. A mitigation monitoring program is being adopted as part of the Mitigated Negative Declaration.

WHEREAS, the Merced City Site Plan Review Committee makes the following Findings:

- A) The proposal complies with the General Plan designation of Industrial (IND) and the Zoning classification of Heavy Industrial (I-H).
- B) An active Tentative Parcel Map (Lot Split #17-02) approved the subdivision of the existing 58.2 acre lot into two separate parcels (refer to Resolution #943 at Attachment F). The parcel map has not yet been recorded with the County (see Condition #29).
- C) The PG&E Service Center will be developed in two phases. Phase I includes a 10,000-square-foot operations building, 12,000-square-foot warehouse/garage, a fueling station, an employee parking lot (64 spaces), a company vehicle parking lot (100 spaces), and a future 12,000-square-foot customer service office. Phase II includes a spoils recycling yard. Phase I is expected to be

developed sometime between September 2017 and May 2018. The construction period for Phase II is currently unknown.

- D) The site plan includes 164 parking spaces located throughout the western portion of the subject site. The parking requirement for a warehouse is 1 parking space per 2,000 square feet of floor area or 1 per 2 employees working during the largest shift, whichever is greater. The subject site has adequate parking, as PG&E is required to have 88 parking spaces for the 175 employees working during the largest shift.
- E) AECOM conducted a traffic study for this Project. The results show eventual cumulative impacts at the intersection of Kibby Road and Highway 140 that drop the Level of Service (LOS) below LOS F. Because this highway is owned by the State, staff used the Intergovernmental Review Process to solicit comments from Caltrans. With direction from Caltrans, staff is including Condition #28 requiring the applicant to pay their fair-share contribution towards installing both a traffic signal at this intersection and adding a right hand turn lane from Kibby Road to Highway 140 . Doing so would improve the LOS from LOS F to LOS B. This requirement is also included as mitigation measure TRA-1.
- F) Parking lot trees are not required, but are encouraged to be installed per the City's Parking Lot Landscape Standards. Trees should be a minimum of 15 gallons, and be of a type that provides a 30-foot minimum canopy at maturity (trees should be selected from the City's approved tree list). Trees should be installed at a ratio of at least one tree for every six parking spaces. Street trees shall be planted as required by City Standards.
- G) The applicant has indicated that the hazardous materials storage area will be bermed and impermeable. Oil filled equipment will be placed in secondary containments within the storage area. Hazardous waste drums will be placed on pallets to enable regular inspections for leaks and drips, and a spill kit would be stored within or adjacent to the storage area for emergency use. A Hazardous Materials Business Plan and a Spill Prevention Control & Countermeasures Plan (SPCC) will be prepared for this site.
- H) Even though the site plan at Exhibit C shows a 6- to 8-foot-tall fence, the applicant is requesting approval for 10-foot-tall fence with this application.

NOW, THEREFORE, BE IT RESOLVED that the Merced City Site Plan Review Committee does approve Site Plan Application #411 subject to the following conditions:

- 1) The subject site shall be constructed as shown on Exhibit B (Project site plan), Exhibit C (Phase I site plan), Exhibit D (landscape plan), and Exhibit E (elevations), except as modified by the conditions of approval within this resolution.
- 2) All conditions contained in Site Plan Review #79-1 – Amended (“Standard Conditions for Site Plan Review Application”) shall apply.

- 3) The Project shall comply with relevant conditions set forth in Resolution #943 from Lot Split #17-02.
- 4) All other applicable codes, ordinances, policies, etc., adopted by the City of Merced shall apply, including, but not limited to, the California Building Code and Fire Codes.
- 5) The developer/applicant shall indemnify, protect, defend (with counsel selected by the City), and hold harmless the City, and any agency or instrumentality thereof, and any officers, officials, employees, or agents thereof, from any and all claims, actions, suits, proceedings, or judgments against the City, or any agency or instrumentality thereof, and any officers, officials, employees, or agents thereof to attack, set aside, void, or annul, an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board, or legislative body, including actions approved by the voters of the City, concerning the project and the approvals granted herein. The City's selection of counsel is subject to the developer/applicant's reasonable approval, which shall not be unreasonably withheld. Furthermore, developer/applicant shall indemnify, protect, defend, and hold harmless the City, or any agency or instrumentality thereof, against any and all claims, actions, suits, proceedings, or judgments against any governmental entity in which developer/applicant's project is subject to that other governmental entity's approval and a condition of such approval is that the City indemnify and defend (with counsel selected by the City) such governmental entity. City shall promptly notify the developer/applicant of any claim, action, or proceeding. City shall further cooperate fully in the defense of the action. Should the City fail to either promptly notify or cooperate fully, the developer/applicant shall not thereafter be responsible to indemnify, defend, protect, or hold harmless the City, any agency or instrumentality thereof, or any of its officers, officials, employees, or agents.
- 6) The developer/applicant shall construct and operate the project in strict compliance with the approvals granted herein, City standards, laws, and ordinances, and in compliance with all State and Federal laws, regulations, and standards. In the event of a conflict between City laws and standards and a State or Federal law, regulation, or standard, the stricter or higher standard shall control.
- 7) Notwithstanding all other conditions, all construction and improvements shall be in strict accordance with Zoning, Building, and all other codes, ordinances, standards, and policies of the City of Merced.
- 8) All plans and supporting documents submitted for Building Permits shall meet or exceed the building codes in effect at the time of building permit application submittal.
- 9) Appropriate turning radii shall be provided within the parking areas to allow for Fire Department and refuse truck access.
- 10) All required Fire Permits shall be obtained from the City of Merced Fire Department during the building permit stage.


- 11) If the parking area or warehouse is to be gated, there must be a minimum 22-foot-wide clearance for emergency vehicles to pass through when the gate is opened. Any locking devices used on the gates shall be approved by the Fire Department prior to installation.
- 12) Bicycle racks shall be provided at a minimum ratio equal to 5% of the vehicular parking spaces.
- 13) The developer shall use proper dust control procedures during site development in accordance with San Joaquin Valley Air Pollution Control District rules.
- 14) As required by Merced Municipal Code Section 17.04.050 and 17.04.060, full public improvements shall be installed/repared if the permit value of the project exceeds \$85,000.00. Public improvements may include, but not be limited to, repairing/replacing the sidewalk, curb, gutter, and street corner ramp(s), so that they comply with ADA standards and other relevant City of Merced/State/Federal standards and regulations.
- 15) All mechanical equipment shall be screened from public view.
- 16) Any outdoor storage shall be screened from the public view with either a chain-link fence with privacy slats or a non-transparent fence.
- 17) The premises shall remain clean and free of debris and graffiti at all times.
- 18) The applicant shall contact the City's Water Quality Control Division and comply with all requirements for this type of business and obtain all pertinent permits prior to the final inspection. Said requirements may include, but may not be limited to, utilizing secondary containers and providing spill kits for leaks or spills.
- 19) A backflow prevention device shall be provided for all water services (i.e., domestic, irrigation, and fire) per Merced Municipal Code.
- 20) The developer shall work with the City's Engineering Department to determine the requirements for storm drainage on the site. The developer shall provide all necessary documentation for the City's Engineering Department to evaluate the storm drain system. All storm drain systems shall be installed to meet City Standards and State regulations.
- 21) The project shall comply with all the Post Construction Standards required to comply with State requirements for the City's Phase II MS-4 Permit (Municipal Separate Storm Sewer System).
- 22) All landscaping shall be kept healthy and maintained, and any damaged or missing landscaping shall be replaced immediately.
- 23) The applicant shall work with the City's Refuse Department to determine the best location for the refuse enclosure and to determine if a recycling container would be required.
- 24) The applicant shall submit an Industrial User Survey to the City's Water Quality Control Division during the building permit stage.

- 25) All portions of the property not occupied by paving or building shall be maintained to acceptable standards for health, fire safety, and aesthetic reasons. Grasses and weeds shall be kept to a maximum of six inches (however, the use of xeriscape is acceptable), or as otherwise required by the Fire Department and Merced County Health Department.
- 26) Parking lot and building lighting shall be shielded or oriented in a way that does not allow “spillover” onto adjacent lots in compliance with the California Energy Code requirements. Any lighting on the building shall be oriented to shine downward and not spillover onto adjacent properties.
- 27) The Project shall have a separate Irrigation and Domestic water service line going from the water main to the property line.
- 28) The applicant shall pay for their fair-share contribution towards signalization of the intersection at Kibby Road and Highway 140 and adding a right-hand turn lane from Kibby Road to Highway 140. These improvements shall be made at the time it is determined by the City of Merced that the Level of Service for this intersection has dropped below the acceptable Level of Service (LOS D) for roadways and intersections, unless otherwise required by Caltrans.
- 29) The parcel map for Lot Split #17-02 shall be recorded with the Merced County Recorder prior to the issuance of building permits.
- 30) Irrigation for all on-site landscaping shall be provided by a drip system or micro-spray system in accordance with the State’s Emergency Regulation for Statewide Urban Water Conservation or any other State or City mandated water regulations.
- 31) Gravel surfaces may be used in areas that are not intended for vehicle traffic (e.g. parking areas, driving aisles, etc.), subject to the approval of the Director of Development Services.
- 32) Community Facilities District (CFD) formation is required for annual operating costs for police and fire services as well as storm drainage, public landscaping, street trees, street lights, parks and open space. CFD procedures shall be initiated before final map approval. Developer/Owner shall submit a request agreeing to such a procedure, waiving right to protest and post deposit as determined by the City Engineer to be sufficient to cover procedure costs and maintenance costs expected prior to first assessments being received.
- 33) The applicant’s request to install 10-foot-tall fence (as referenced in Finding H) is being approved with this permit.

If there are any questions concerning these conditions and recommendations, please contact Francisco Mendoza-Gonzalez at (209) 385-6858.

7-27-17

DATE



Francisco Mendoza-Gonzalez

Planner

TITLE

Exhibits

- A) Location Map
- B) Project Site Plan
- C) Phase I Site Plan
- D) Landscape Plan
- E) Elevations
- F) Lot Split Resolution #943 (from LS #17-02)
- G) Mitigated Negative Declaration and Mitigation Monitoring Program

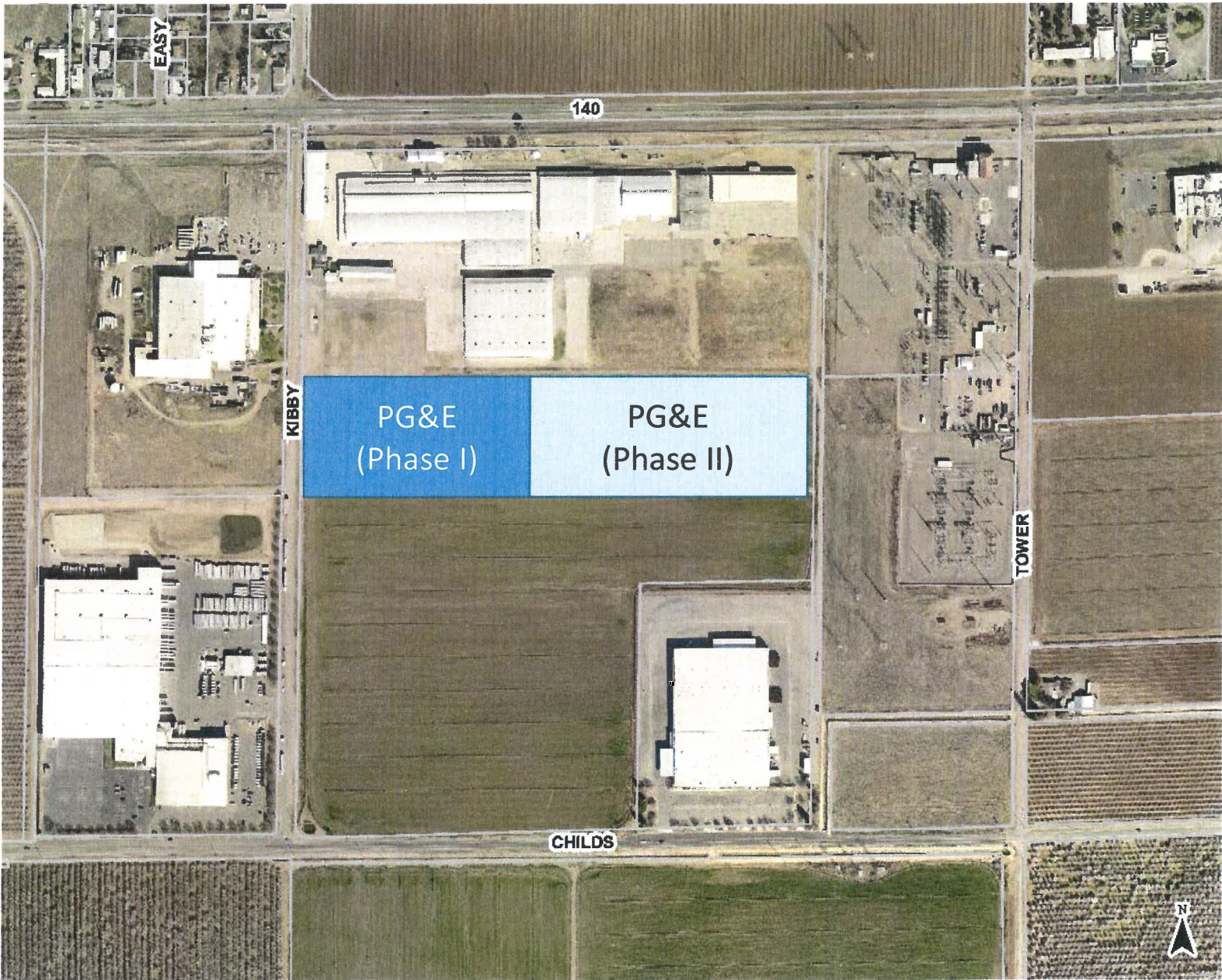


EXHIBIT A



LIONAKIS

1313 Broadway, Suite 1400
San Francisco, CA 94103
P 415.774.1111
F 415.774.1112
www.lionakis.com



QUALITY CONSTRUCTION SINCE 1959
17000 14th Avenue, Suite 100
San Francisco, CA 94133
P 415.774.1111
F 415.774.1112
www.roebbel.com

CONSTRUCTION

FOR REVIEW
ON 10/10/10
CONSTRUCTION

PG&E MERCED NEW SERVICE
CENTER

KIBBY ROAD &
E CHILDS AVE

CLIENT
GREENESS CORPORATE REAL ESTATE
STRATEGY & SERVICES
1000 KIBBY ROAD, SUITE 100
SAN FRANCISCO, CA 94133
CONTACT: PHILIP LAGUNA
TEL: 415.616.1892

ISSUED	DATE	DESCRIPTION
1	10/10/10	10/10/10

MANAGEMENT	PROJECT NO.
CLIENT	PROJECT NO.
CONTRACT	PROJECT NO.
AGENCY	PROJECT NO.

TITLE
SITE PLAN

SHEET
AS101

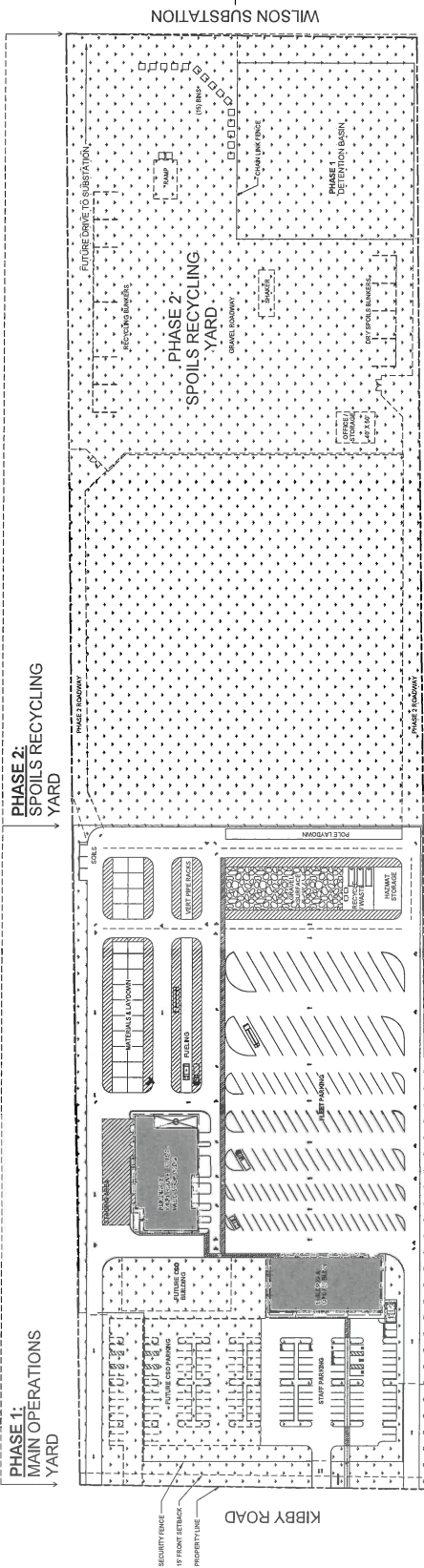
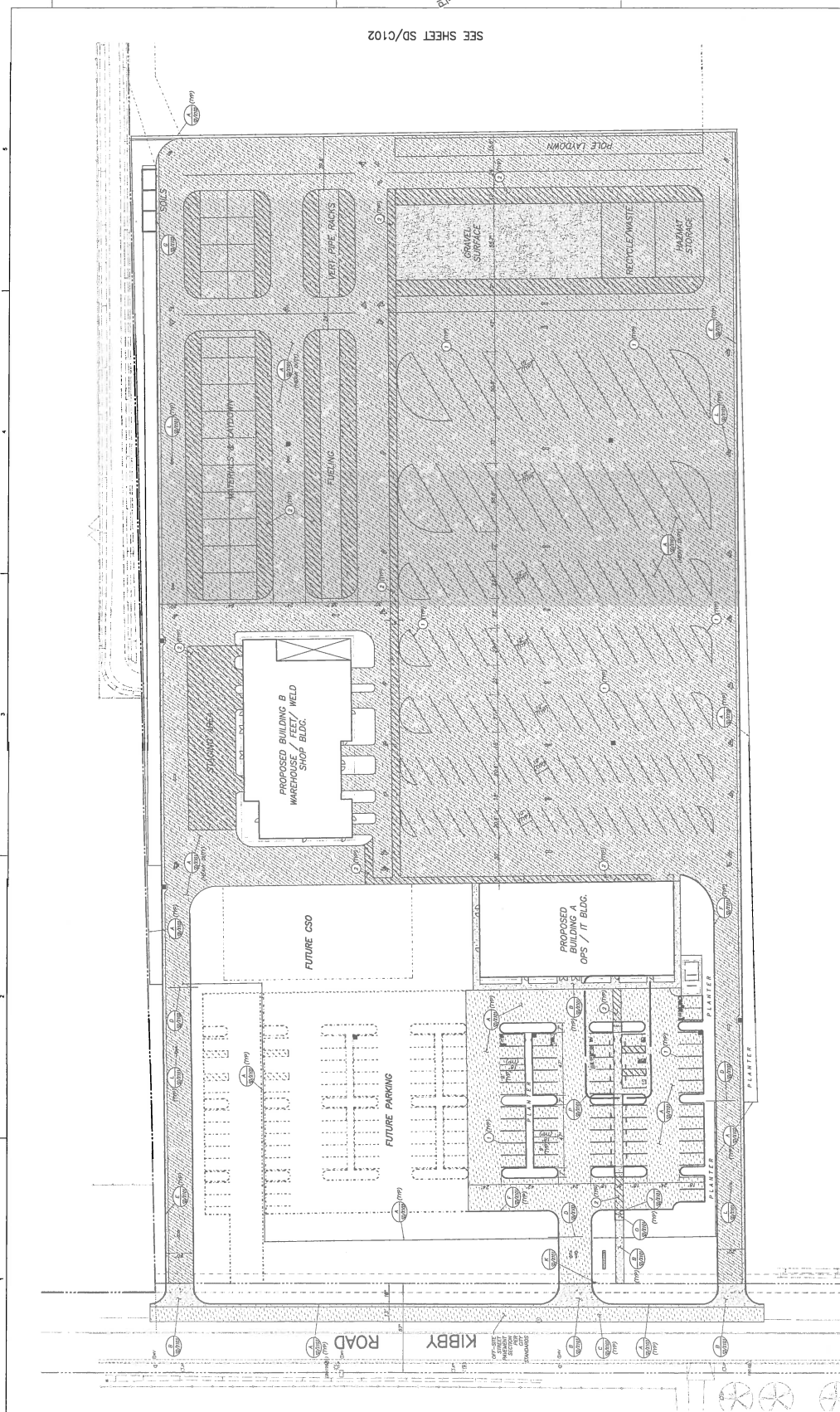









EXHIBIT B



SEE SHEET SD/C102

[illegible]

LEGEND:

FL	FLANGER SEE FLANGING PLAIN
	UNITS OF STANDARD DUTY CONCRETE IMPROVEMENTS PER ACRE $\frac{9.50}{0.20}$
	UNITS OF STANDARD DUTY CONCRETE IMPROVEMENTS PER ACRE $\frac{9.50}{0.20}$
	UNITS OF HEAVY DUTY ASPHALTIC CONCRETE PER ACRE $\frac{4.00}{0.20}$
	UNITS OF 6" THICK GRAVEL SECTION
	DETACHABLE MANGROVE FOR ACRE $\frac{0.20}{0.20}$
	PAINT 4" WHITE WOOD SHIPING
	PAINT 4" WHITE WOOD ENROLL LINES AT 3'



**Know what's below.
Call before you dig.**

CITY PLANNING SUBMITTAL

EXHIBIT C





LIONAKIS

1000 Broadway Street
San Francisco, CA 94103
P 415.398.1200 F 415.398.1819
lionakis.com



QUALITY CONSTRUCTION SINCE 1989
1000 Broadway Street
San Francisco, CA 94103
P 415.398.1200 F 415.398.1819
roebbelen.com

CONSULTANT

SEAL

FOR REVIEW
ONLY NOT FOR
CONSTRUCTION

PROJECT
POSE MERCED NEW SERVICE
CENTER

KIRBY ROAD &
E CHILDS AVE

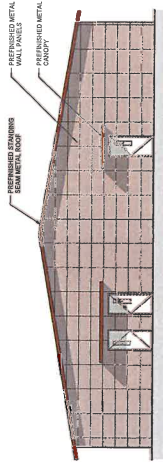
CLIENT
GREYS CORPORATE REAL ESTATE
STRATEGY & SERVICES
PACIFIC GAS & ELECTRIC
CONSTRUCTION MANAGEMENT
TEL: 415.816.1692

ISSUED	DATE	DESCRIPTION

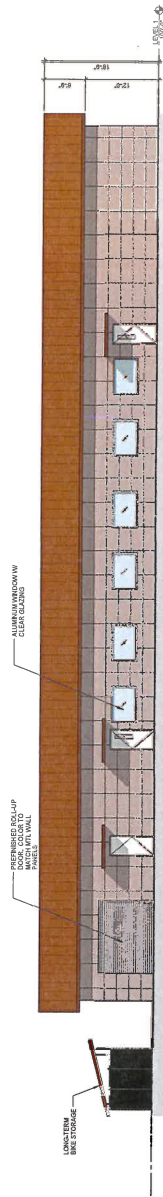
MANAGEMENT	PROJECT NO.	81972
CLIENT PROJECT NO.		
DATE OF SHEET		10/24/2017
AGENCY		

TITLE
EXTERIOR
ELEVATIONS -
BUILDING A

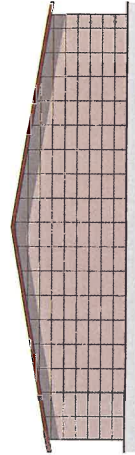
SHEET
A.A-211



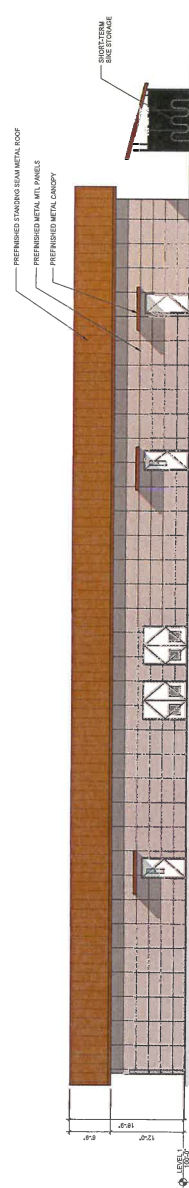
1 NORTH EXTERIOR ELEVATION
SCALE 1/8" = 1'-0"



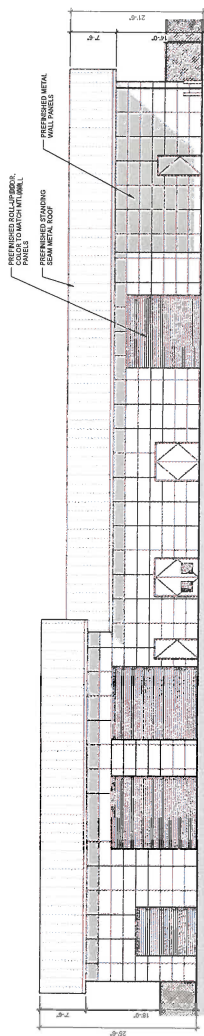
2 EAST EXTERIOR ELEVATION
SCALE 1/8" = 1'-0"



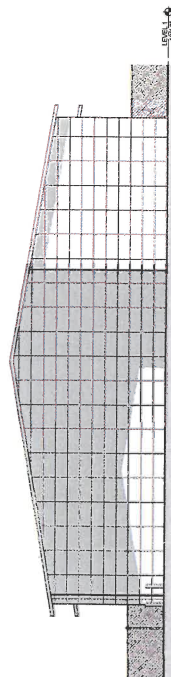
3 SOUTH EXTERIOR ELEVATION
SCALE 1/8" = 1'-0"



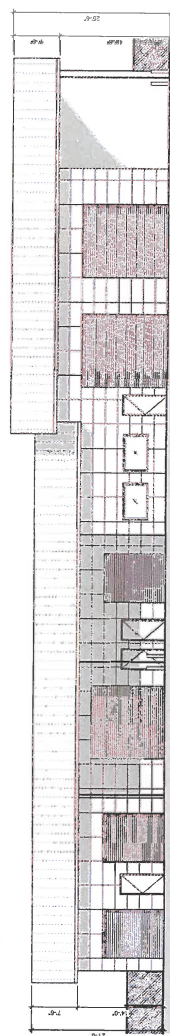
4 STREET VIEW - WEST EXTERIOR ELEVATION
SCALE 1/8" = 1'-0"



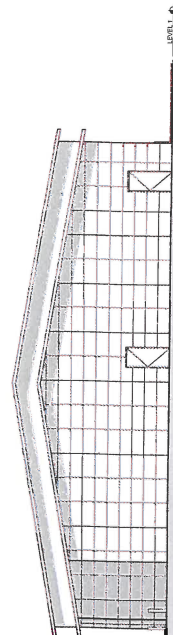
1 NORTH EXTERIOR ELEVATION



EAST EXTERIOR ELEVATION



3 SOUTH EXTERIOR ELEVATION



WEST EXTERIOR ELEVATION

CITY OF MERCED
Minor Subdivision Committee
Lot Split Application #17-02

RESOLUTION # 943

WHEREAS, the Merced City Minor Subdivision Committee met on May 1, 2017, to consider Lot Split Application #17-02, which would provide for the subdivision of one 58.2-acre parcel into two individual parcels, generally described as being located at the northeast corner of Kibby Road and Childs Avenue, Merced, California, APN: 061-033-023 (Exhibit A); and,

WHEREAS, upon due public notice, a public hearing was conducted on above said date; and,

WHEREAS, said re-subdivision would create the parcels shown on Exhibit B.

WHEREAS, said Lot Split #17-02 has been reviewed by the Merced Minor Subdivision Committee and found to comply with the provisions of the Subdivision Ordinance and Lot Split Procedures, and finds the following:

1. The proposed minor subdivision complies with the currently adopted City of Merced General Plan designation of Industrial (IND) and the Zoning designation of Heavy Industrial (I-H).
2. The City of Merced has conducted an environmental review of the proposed minor subdivision in accordance with the California Environmental Quality Act (CEQA) and has concluded this is a categorically exempt Class 15 project.

NOW, THEREFORE, BE IT RESOLVED that the Minor Subdivision Committee does approve Lot Split Application #17-02, submitted by Pacific Gas & Electric, on behalf of Lyons Land & Cattle, Incorporated, property owner, subject to the following conditions:

1. Survey monuments shall be set at all angle points and lot corners.
2. All construction and improvements, due as part of the building permit stage, shall be in accordance with zoning, building, and all other codes, ordinances, standards, and policies of the City of Merced.
3. Either prior to the sale of any parcel described herein, or within two years of the date of this resolution, whichever is sooner, an official parcel map shall be filed with the Merced County Recorder in accordance with Section 66410 et. seq. of the State of California Government Code (Subdivision Map Act). Any lawful extensions, if granted, would apply.
4. All property taxes due for this property shall be paid and proof of payment provided to the City of Merced prior to recordation of the Parcel Map.
5. The owner shall provide the City of Merced a "Parcel Map Guarantee Report" from a Title Company at least two weeks prior to recording the Parcel Map.

LOT SPLIT RESOLUTION #939

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May 1, 2017

6. The owner shall pay all recording fees with a separate check made payable to the "Merced County Recorder's Office."
7. The property owner shall consult with the Merced Irrigation District (MID) to determine if a "Subdivision Drainage Agreement" is required. If required, the property owner shall enter into said agreement and pay all fees as required by MID.
8. Each parcel shall have only one domestic, one fire, and one landscape water service.

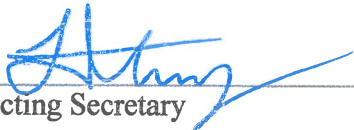
Upon motion by Acting Committee Member Cardoso, seconded by Acting Committee Member Mendoza-Gonzalez, and unanimously approved.

Adopted this 1st day of May, 2017.



Kim Espinosa,
Planning Manager/Chairman,
Minor Subdivision Committee of the City of
Merced, California

ATTEST:



Acting Secretary

Exhibits

- A) Location Map
- B) Tentative Parcel Map

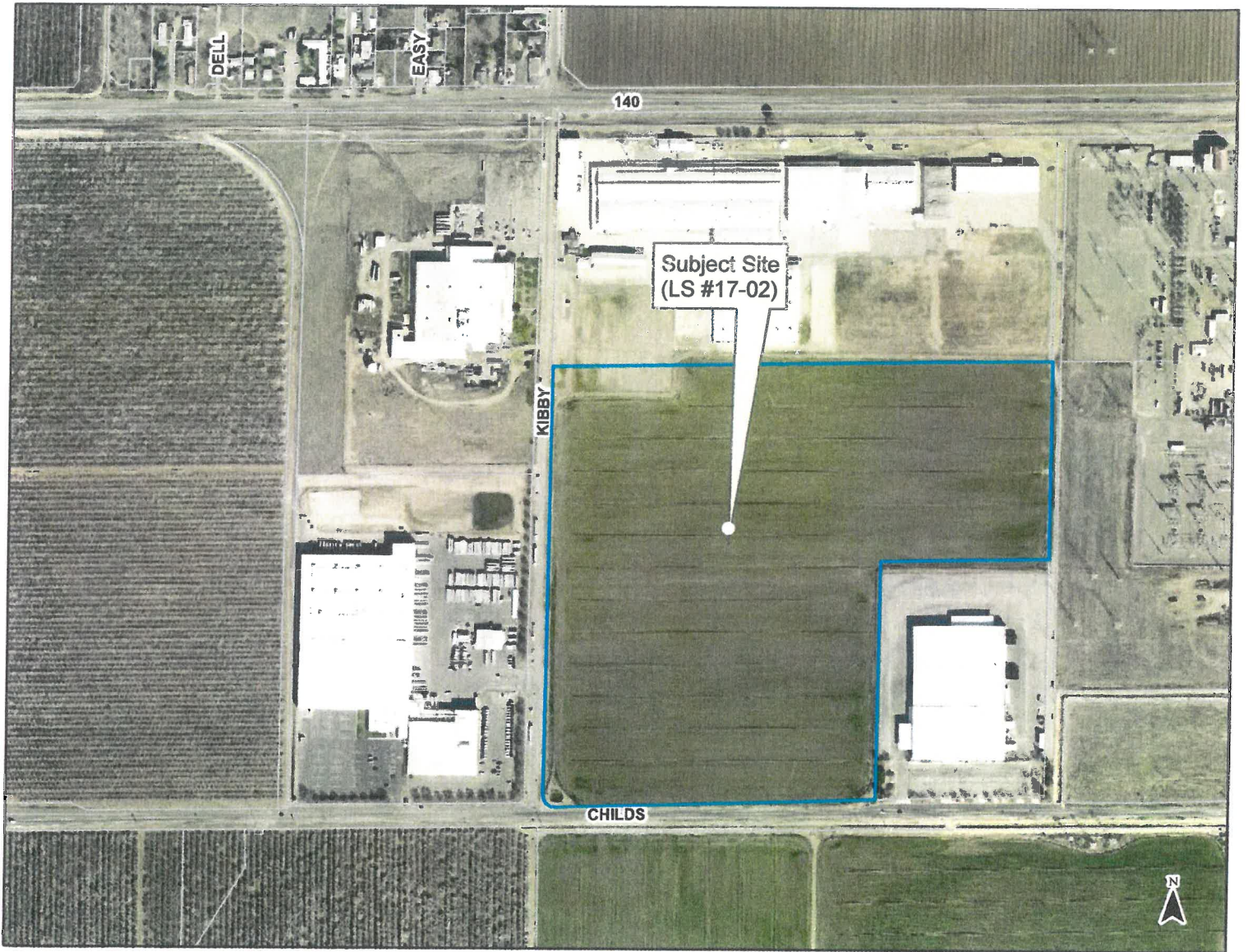
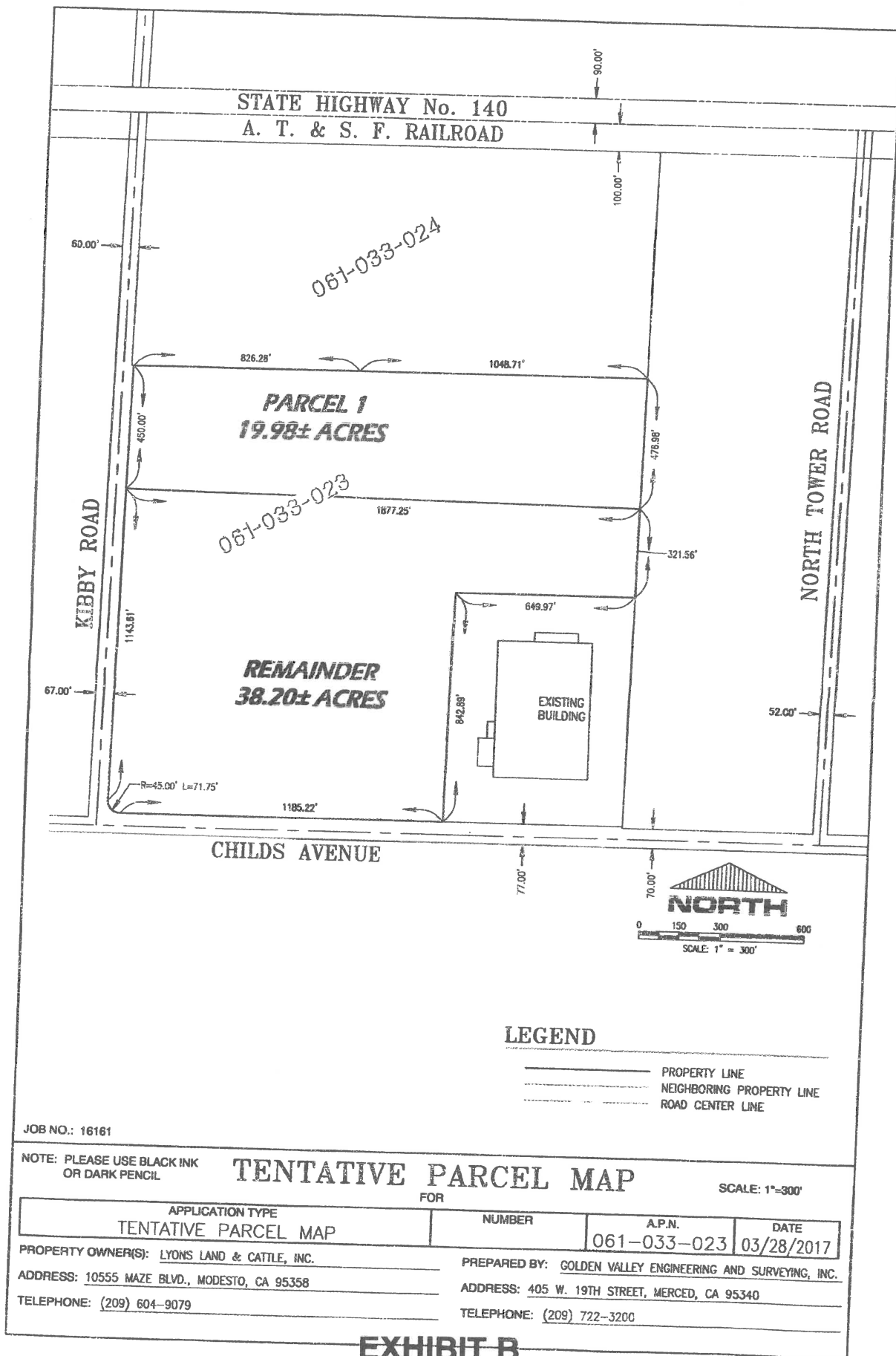


EXHIBIT A



CITY OF MERCED
PLANNING & PERMITTING DIVISION

TYPE OF PROPOSAL: Site Plan Review #411

INITIAL STUDY: #17-06

DATE RECEIVED: June 13, 2017 (date application determined to be complete)

LOCATION: A portion of the parcel at the northeast corner of Childs Avenue and Kibby Road

ASSESSOR'S PARCEL NUMBERS: 061-033-023

(SEE ATTACHED MAP AT ATTACHMENTS A)

Please forward any written comments by July 27, 2017 to:

Francisco Mendoza-Gonzalez, Planner
City of Merced Planning & Permitting Division
678 West 18th Street
Merced, CA 95340
209-385-6929
mendozaf@cityofmerced.org

Applicant Contact Information:

Pacific Gas & Electric
Attn: Tom Crowley
245 Market St., MC N15G
San Francisco, CA 94105
(415) 271-7100
Thomas.crowley@pge.com

Lyons Land & Cattle, Inc.
Attn: William Lyons
10555 Maze Blvd.,
Modesto, CA 95358

PROJECT DESCRIPTION

The Project site consists of 20 acres within a vacant 58.2-acre parcel (APN: 061-033-023) located at the northeast corner of Kibby Road and Childs Avenue (Attachment A). The subject site is currently going through the lot split review process to separate the project site from the remaining portion of the parcel (Lot Split #17-02). The subject site has a zoning designation of Heavy Industrial (I-H) and a General Plan designation of Industrial (IND). The subject site is generally surrounded by industrial and agricultural uses.

The Project includes the construction of a PG&E Service Center in two phases. Phase I includes the construction of a 10,000-square-foot operations building, a 12,000-square-foot warehouse/garage, a fueling station, an employee parking lot (64 spaces), a company vehicle parking lot (100 spaces), and a future 12,000-square-foot customer service office. Phase II includes a spoils recycling yard.

Project Location

The subject site is located within the southeast quadrant of Merced. The subject site is surrounded by industrial uses to the north, east, and west (across Kibby Road). Agricultural uses are located south of the subject site, across Childs Avenue. The closest single-family homes are located approximately 1,200 feet north of the subject site, at the northwest corner of Highway 140 and Kibby Road (within County jurisdiction). The table below identifies the surrounding uses:

Table 1 Surrounding Uses (Refer to Attachment A)			
Surrounding Land	Existing Use of Land	Zoning Designation	City General Plan Land Use Designation
North	Merced University Industrial Park	Heavy Industrial (I-H)	Industrial (IND)
South	Vacant Land	Heavy Industrial (I-H)	Industrial (IND)
East	Pacific Gas & Electric	Heavy Industrial (I-H)	Industrial (IND)
West	Wellmade Products	Heavy Industrial (I-H)	Industrial (IND)

1. INITIAL FINDINGS

- A. The proposal is a project as defined by CEQA Guidelines Section 15378.
- B. The Project is not a ministerial or emergency project as defined under CEQA Guidelines (Sections 15369 and 15369).
- C. The Project is therefore discretionary and subject to CEQA (Section 15357).
- D. The Project is not Categorically Exempt.
- E. The Project is not Statutorily Exempt.
- F. Therefore, an Environmental Checklist has been required and filed.

2. CHECKLIST FINDINGS

- A. An on-site inspection was made by this reviewer on July 7, 2017.
 - B. The checklist was prepared on July 10, 2017.
 - C. The *Merced Vision 2030 General Plan* and its associated Environmental Impact Report [EIR (SCH# 2008071069)] were certified in January 2012. The document comprehensively examined the potential environmental impacts that may occur as a result of build-out of the 28,576-acre Merced (SUDP/SOI). For those significant environmental impacts (Loss of Agricultural Soils and Air Quality) for which no mitigation measures were available, the City adopted a Statement of Overriding Considerations (City Council Resolution #2011-63). This document herein incorporates by reference the *Merced Vision 2030 General Plan*, the *General Plan Program EIR* (SCH# 2008071069), and Resolution #2011-63.
-

As a subsequent development project within the SUDP/SOI, many potential environmental effects of the Project have been previously considered at the program level and addressed within the General Plan and associated EIR. (Copies of the General Plan and its EIR are available for review at the City of Merced Planning and Permitting Division, 678 West 18th Street, Merced, CA 95340.) As a second tier environmental document, Initial Study #17-06 plans to incorporate goals and policies to implement actions of the *Merced Vision 2030 General Plan*, along with mitigation measures from the General Plan EIR, as mitigation for potential impacts of the Project.

Project-level environmental impacts and mitigation measures (if applicable) have been identified through site-specific review by City staff. This study also utilizes existing technical information contained in prior documents and incorporates this information into this study.

3. ENVIRONMENTAL IMPACTS:

Will the proposed project result in significant impacts in any of the listed categories? Significant impacts are those that are substantial, or potentially substantial, changes that may adversely affect the physical conditions within the area affected by the Project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant. (Section 15372, State CEQA Guidelines. Appendix G of the Guidelines contains examples of possible significant effects.)

A narrative description of all “potentially significant,” “negative declaration: potentially significant unless mitigation incorporated,” and “less than significant impact” answers are provided within this Initial Study.

A. Aesthetics

SETTING AND DESCRIPTION

The project site is located in southeast Merced, approximately three miles east of Downtown and two miles east of Highway 99. The project site consists of vacant land totaling 20 acres. The terrain is generally flat. The site is surrounded by industrial uses to the north, east, and west. Agricultural uses are located south of the subject site, across Childs Avenue. The nearest residential neighborhoods are located 1,000 feet to the north and 2,500 feet to the west. The surrounding metal buildings have an industrial design that range in size between 60,000 square feet and 175,000 square feet. These buildings and structures range in height, between 20 and 40 feet.

The PG&E Service Center includes a 10,000-square-foot operation building, a 12,000-square-foot warehouse/garage, a future 12,000-square-foot customer service office, and a spoils recycling yard. All of these buildings will have a similar design and simple rectangular form. The exterior will be constructed out of prefinished metal wall panels. The building heights will range between 19 feet and 25 ½ feet.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
A. <u>Aesthetics.</u> Will the Project:				
1) Have a substantial adverse effect on a scenic vista?				✓
2) Substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				✓
3) Substantially degrade the existing visual character or quality of the site and its surroundings?			✓	
4) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			✓	

1) No Impact

No designated scenic vistas exist on the project site or in the project area. Therefore, no impacts in this regard would occur with this development.

2) No Impact

There are no officially designated State Scenic Highways or Routes in the project vicinity. Therefore, the Project would have no impact on scenic resources, such as rock outcroppings, trees, or historic buildings within a scenic highway.

3) Less-Than-Significant Impact

The proposed Project would transform the site from an undeveloped site to a fully developed site. The proposed 26-foot tall structures would change the visual character, but not necessarily degrade the visual character of the site or surrounding area. The proposed buildings would have similar design (and scale) as the surrounding industrial buildings. The building would be set back approximately 250 feet from Kibby Road with landscaping and trees between the road and structures to improve the quality of the street view. Based on these factors, this impact is considered to be less than significant.

4) Less Than Significant

Construction of the proposed project and off-site improvements include new lighting on the buildings and throughout the parking lots. This new lighting could be a source of light or glare that would affect the views in the area. However, the City of Merced has adopted the California Green Building Standards Code as Section 17.07 of the Merced Municipal Code. As administered by the City, the Green Building Standards Code prohibits the spillage of light from one lot to another. This would prevent new glare effects on the existing buildings surrounding the project site.

B. Agriculture Resources

SETTING AND DESCRIPTION

Merced County is among the largest agriculture producing Counties in California (ranked fifth), with a gross income of more than \$4.4 billion in 2014. The County's leading agriculture commodities include milk, almonds, cattle and calves, chickens, sweet potatoes, and tomatoes.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
B. <u>Agriculture Resources.</u> Will the Project:				
1) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and monitoring Program of the California Resources Agency, to non-agriculture?			✓	
2) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				✓
3) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?			✓	
4) Cause development of non-agricultural uses within 1,000 feet of agriculturally zoned property (Right-to-Farm)?			✓	

1) Less-Than-Significant Impact

The project site is located within the City Limits of Merced. The California Department of Conservation prepares Important Farmland Maps through its Farmlands Mapping and Monitoring Program (FMMP). The system of classifying areas is based on soil type and use. According to the 2014 Merced County Important Farmlands Map, the project site is classified as "Unique Farmland". The conversion of this land from farmland to a developed urban parcel was analyzed as part of the Environmental Review for the *Merced Vision 2030 General Plan*. This impact was acknowledged as a significant and unavoidable impact, and a Statement of Overriding Considerations (City Council Resolution #2011-63) has been adopted. Therefore, CEQA requires no further review. This impact is considered less than significant.

2) No Impact

There are no Williamson Act contract lands in this area and the land is not currently zoned for agricultural uses. Therefore, there is no impact.

3) Less-Than-Significant Impact

Refer to Item #1 above.

4) Less-Than-Significant Impact

The nearest land being used for farming is approximately 1,200 feet to the south (across Childs Avenue within County jurisdiction). The proposed development would not cause the use of this land to change.

C. Air Quality

SETTING AND DESCRIPTION

The project site is in the San Joaquin Valley Air Basin (SJVAB), which includes the southern half of the Central Valley and is approximately 250 miles long and an average of 35 miles wide. The Coast Ranges, which have an average height of 3,000 feet, serve as the western border of the SJVAB. The San Emigdio Mountains, part of the Coast Ranges, and the Tehachapi Mountains, part of the Sierra Nevada, are both south of the SJVAB. The Sierra Nevada extends in a northwesterly direction and forms the air basin's eastern boundary. The SJVAB is mostly flat with a downward gradient to the northwest.

The climate of the SJVAB is heavily influenced by the presence of these mountain ranges. The mountain ranges to the west and south induce winter storms from the Pacific Ocean to release precipitation on the western slopes, producing a partial rain shadow over the valley. A rain shadow is defined as the region on the leeward side of a mountain where noticeably less precipitation occurs because clouds and precipitation on the windward side remove moisture from the air. In addition, the mountain ranges block the free circulation of air to the east and entrap stable air in the Central Valley for extended periods during the cooler months.

Winters in the SJVAB are mild and fairly humid, and summers are hot, dry, and typically cloudless. During the summer, a high-pressure cell is centered over the northeastern Pacific, resulting in stable meteorological conditions and steady northwesterly winds.

Existing Ambient Air Quality

The California Air Resources Board (ARB) and the U.S. Environmental Protection Agency (EPA) focus on ozone, carbon monoxide (CO), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), particulate matter (PM), and lead as indicators of ambient air quality. Because these are the most prevalent air pollutants known to be deleterious to human health and extensive health-effects criteria documents are available, they are commonly referred to as criteria air pollutants.

EPA has established primary and secondary national ambient air quality standards (NAAQS) for ozone, CO, NO₂, SO₂, respirable particulate matter 10 micrometers or less in diameter (PM₁₀), fine particulate matter 2.5 micrometers or less in diameter (PM_{2.5}), and lead. The primary and secondary standards are intended to protect public health and public welfare, respectively. In addition to the NAAQS, ARB has established California ambient air quality standards (CAAQS) for sulfates, hydrogen sulfide, vinyl chloride, and visibility-reducing particulate matter. In most cases, the CAAQS are more stringent than the NAAQS.

Concentrations of criteria air pollutants are measured at several monitoring stations in the SJVAB. Since 1991 there have been two monitoring stations in Merced: S. Coffee Avenue and 2334 M Street. Table C-1 summarizes air quality data from these monitoring stations for the most recent years available. The 8-hour state and federal ozone, 1-hour state ozone, state and federal PM_{2.5},

and state PM₁₀ standards were all exceeded on multiple days between 2010 and 2015, while the federal PM₁₀ standard has never been exceeded (see Table C-1).

Table C-1
Ambient Air Quality in Merced:
Number of Days Exceeding State and Federal Standards

Year	Merced—S. Coffee Avenue				Merced—2334 M Street		
	Ozone			Federal PM _{2.5} ²	PM ₁₀		Federal PM _{2.5} ²
	8-Hour State	8-Hour Federal ¹	1-Hour State		State ²	Federal ²	
2015	34	29	2	15	5	0	5
2014	44	40	3	16	9	0	5
2013	31	29	5	16	13	0	11
2012	25	24	2	8	9	0	4
2011	41	38	2	21	8	0	2
2010	31	28	7	10	3	0	3
Notes: PM _{2.5} = fine particulate matter 2.5 micrometers or less in diameter; PM ₁₀ = respirable particulate matter 10 micrometers or less in diameter ¹ National 2015 standard (0.070 part per million). ² Measured number of days over the 24-hour standard. Source: ARB 2017a							

Both ARB and EPA use monitoring data to designate areas according to their attainment status for criteria air pollutants. The purpose of the designations is to identify areas with air quality problems and thereby initiate planning efforts for improvement. The three basic designation categories are *nonattainment*, *attainment*, and *unclassified*. Unclassified is used in an area that cannot be classified on the basis of available information as meeting or not meeting the standards. In addition, the California designations include a subcategory of the nonattainment designation, called *nonattainment-transitional*. The nonattainment-transitional designation is given to nonattainment areas that are progressing and nearing attainment. Table C-2 presents the attainment designations for Merced for each criteria pollutant.

Table C-2
Merced County Attainment Designations (Federal and State)

Pollutant	Designation/Classification	
	Federal Standards	State Standards
Ozone—1-Hour	No Federal Standard ¹	Nonattainment/Severe
Ozone—8-Hour	Nonattainment/Extreme	Nonattainment
PM ₁₀	Attainment	Nonattainment
PM _{2.5}	Nonattainment	Nonattainment
CO	Unclassified/Attainment	Unclassified/Attainment
NO ₂	Unclassified/Attainment	Attainment
SO ₂	Unclassified/Attainment	Attainment
Lead (Particulate)	No Designation/Classification	Attainment
Hydrogen Sulfide	No Federal Standard	Unclassified
Sulfates	No Federal Standard	Attainment
Visibility-Reducing Particles	No Federal Standard	Unclassified
Vinyl Chloride	No Federal Standard	Attainment
Notes: CO = carbon monoxide; NO ₂ = nitrogen dioxide; PM _{2.5} = fine particulate matter 2.5 micrometers or less in diameter; PM ₁₀ = respirable particulate matter 10 micrometers or less in diameter; SO ₂ = sulfur dioxide ¹ The federal 1-hour ozone national ambient air quality standard was revoked on June 15, 2005. Source: SJVAPCD 2017a		

The San Joaquin Valley Air Pollution Control District (SJVAPCD) attains and maintains air quality conditions in Merced County through a comprehensive program of planning regulation, enforcement, technical innovation, and promotion of the understanding of air quality issues. The clean-air strategy of SJVAPCD includes preparing plans for the attainment of ambient air quality standards, adopting and enforcing rules and regulations governing air pollution sources (SJVAPCD 2017b), and issuing permits for stationary sources of air pollution. SJVAPCD also inspects stationary sources and responds to citizen complaints, monitors ambient air quality and meteorological conditions, and implements programs and regulations required by the federal Clean Air Act and the California Clean Air Act.

The *Guide for Assessing and Mitigating Air Quality Impacts* is an advisory document that provides uniform procedures for lead agencies, consultants, and project applicants to use when addressing air quality in environmental documents (SJVAPCD 2015). The guide contains:

- criteria and thresholds for determining whether a project may have a significant adverse impact on air quality;
- specific procedures and modeling protocols for quantifying and analyzing air quality impacts;
- methods available to mitigate impacts; and
- information for use in air quality assessments and environmental impact reports that will be updated more frequently such as air quality data, regulatory setting, climate, and topography.

Air Quality Plans

- SJVAPCD prepares and submits air quality attainment plans (AQAPs) in compliance with California Clean Air Act requirements. The California Clean Air Act also requires a triennial assessment of the extent of air quality improvements and emission reductions achieved through the use of control measures. The assessment requires that the attainment plans be reviewed and, if necessary, revised to correct for deficiencies in progress and incorporate new data or projections. As a nonattainment area, the region also must submit rate-of-progress milestone evaluations in accordance with the Clean Air Act Amendments. These milestone reports include compliance demonstrations showing that the requirements have been met for the nonattainment area.
- The AQAPs and reports present comprehensive strategies to reduce emissions of reactive organic gases (ROG), oxides of nitrogen (NO_x), and PM₁₀ from stationary, area, mobile, and indirect sources. These strategies include adopting rules and regulations; implementing a new and modified indirect-source review (ISR) program; adopting local air quality plans; and implementing stationary-, mobile-, and indirect-source control measures. Table C-3 summarizes SJVAPCD's most current AQAPs.

Table C-3
Summary of SJVAPCD Air Quality Attainment Plans

Pollutant	Plan Title	Date	Status
Ozone	<i>SJVAB 8-Hour O₃ Plan (2015 EPA Standard)</i>	Pending	Public workshops in progress
	<i>SJVAB 8-Hour O₃ Plan (2008 EPA standard)</i>	June 2016	Adopted by SJVAPCD June 2016
	<i>San Joaquin Valley's 2013 Plan to Attain the Revoked Federal 1-Hour O₃ Standard</i>	November 2013	Submitted to EPA in December 2013 ¹
	<i>Draft Staff Report, 8-Hour O₃ Reasonably Available Control Technology—State Implementation Plan Analysis</i>	April 2006	Adopted by SJVAPCD in August 2006
	<i>2007 San Joaquin Valley 8-Hour O₃ Plan</i>	March 2012	Approved by ARB in June 2007 Approved by EPA in March 2012
Carbon Monoxide	<i>2004 Revision to the California State Implementation Plan for CO Updated Maintenance Plan For Ten Federal Planning Areas</i>	July 2004	Adopted by ARB July 2004
Respirable and Fine Particulate Matter	<i>2007 PM₁₀ Maintenance Plan and Request for Redesignation</i>	September 2007	Approved by EPA in November 2008
	<i>2012 PM_{2.5} Plan to Attain the Federal 24-Hour PM_{2.5} Standard</i>	January 2013	Submitted to EPA in November 2014 ²
	<i>2015 Plan for the 1997 PM_{2.5} Standard</i>	April 2015	Approved by SJVAPCD in April 2015 and submitted to EPA
	<i>2016 Moderate Area Plan for the 2012 PM_{2.5} Standard</i>	September 2016	Adopted by SJVAPCD in September 2016
	<i>2017 PM_{2.5} Plan for 1997, 2006, and 2012 PM_{2.5} Standards</i>	Pending	Public workshops in progress

Notes: ARB = California Air Resources Board; CO = carbon monoxide; EPA = U.S. Environmental Protection Agency; O₃ = ozone; PM_{2.5} = fine particulate matter 2.5 micrometers or less in diameter; PM₁₀ = respirable particulate matter 10 micrometers or less in diameter; SJVAB = San Joaquin Valley Air Basin; SJVAPCD = San Joaquin Valley Air Pollution Control District

Table C-3
Summary of SJVAPCD Air Quality Attainment Plans

Pollutant	Plan Title	Date	Status
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¹ Effective June 15, 2005, EPA revoked in full the national 1-hour ozone ambient air quality standard, including associated designations and classifications. The *2013 Plan for the Revoked 1-Hour O₃ Standard* was approved by SJVAPCD's Governing Board on September 19, 2013. The plan demonstrates that the air basin will attain the revoked 1-hour ozone standard by 2017.

² SJVAPCD submitted a Supplemental Document for the 2012 PM_{2.5} Plan demonstrating that attainment of the 2006 PM_{2.5} standard by 2015 would not be practical. The document requested a reclassification of SJVAB to serious nonattainment.

Sources: SJVAPCD 2013, 2017c, 2017d; ARB 2011, 2017b

Indirect-Source Review

The ISR Rule (Rule 9510) and the Administrative ISR Fee Rule (Rule 3180) (SJVAPCD 2017b) are the result of state requirements outlined in California Health and Safety Code Section 40604 and the State Implementation Plan (SIP). SJVAPCD's AQAPs include the SIP's commitments to reach the ambient air-pollution standards on schedule. The plans identify growth and reductions in multiple source categories. They also quantify the reduction from current SJVAPCD rules and proposed rules, as well as state and federal regulations, and then model future emissions to determine whether SJVAPCD may reach attainment for applicable pollutants.

Rule 9510 applies to new developments that exceed a certain threshold size. An application must be submitted for any project that exceeds the Rule 9510 thresholds listed below unless the project would have mitigated emissions of less than 2 tons per year (tpy) each of NO_x and PM₁₀.

- 50 residential units
- 2,000 square feet of commercial space
- 9,000 square feet of educational space
- 10,000 square feet of government space
- 20,000 square feet of medical or recreational space
- 25,000 square feet of light industrial space
- 39,000 square feet of general office space
- 100,000 square feet of heavy industrial space
- 9,000 square feet of any land use not identified above

The project is subject to Rule 9510 because it would involve developing more than 25,000 square feet of light industrial space between the warehouse/fleet/shops building, hazardous materials storage, material laydown area, and regional spoils recycling yard. Additionally, construction and operational NO_x emissions would exceed 2 tpy.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
C. <u>Air Quality.</u> Would the Project:				
1) Conflict with or obstruct implementation of the applicable air quality plan?			✓	
2) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			✓	
3) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for O ₃ precursors)?			✓	
4) Expose sensitive receptors to substantial pollutant concentrations?			✓	
5) Create objectionable odors affecting a substantial number of people?			✓	

Impacts are evaluated below on the basis of both State CEQA Guidelines (Appendix G) criteria and SJVAPCD significance criteria.

SJVAPCD's thresholds for determining environmental significance separate a project's short-term emissions from long-term emissions. The short-term emissions are related mainly to the construction phase of a project. For this project, the long-term emissions are related primarily to worker trips, equipment operation at the regional spoils recycling yard, along with emissions generated from building water, energy, and waste that would occur indefinitely as a result of project operations.

1) Less-than-Significant Impact

Air quality plans describe air pollution control strategies to be implemented by a city, county, or region. SJVAPCD is responsible for developing and implementing AQAPs for each criteria air pollutant for which the region does not meet the applicable standard. AQAP documents are transmitted to ARB and EPA for incorporation into the SIP, a general plan to attain and maintain the NAAQS for complying with the federal Clean Air Act.

Table C-3 lists recent SJVAPCD AQAPs. The plans account for projections of population growth and vehicle miles traveled (VMT) provided by the San Joaquin Council of Governments in the SJVAB and identify strategies for bringing regional emissions into compliance with federal and state air quality standards. Because population growth and projected VMT are the basis of the AQAPs' strategies, a project would conflict with a plan if it would result in more growth or VMT than projected in the applicable plan. The primary

way of determining whether a project would result in more growth or VMT than in the AQAPs is to determine consistency with the applicable general plan.

The *Merced Vision 2030 General Plan* (City of Merced 2012) is the applicable general plan. However, the population projections used in the previous general plan, the *Merced Vision 2015 General Plan* (City of Merced 1997), included projects through 2035 and were higher than those used in the 2030 general plan (see Table C-4). The project site is in the Manufacturing/Industrial land use designation in the *Merced Vision 2030 General Plan*. Because the project would involve relocating an existing land use within the plan area, it can be assumed that it was included in the *Merced Vision 2030 General Plan*. It is reasonable to assume that the growth was accounted for in the AQAP's calculations and that this project would not create a significant impact. Therefore, implementation of the project would not exceed the assumptions used to develop the air quality plans and would neither obstruct nor conflict with implementation strategies. The impact would be less than significant.

Table C-4
Population Projections in the Current and Previous Merced General Plans

Year	Population within City 2015 SUDP Area	Percent of Merced County
<i>Merced Vision 2015 General Plan (1997): 1990–2035 Projections</i>		
1990	60,900	34.1
1995	83,830	35.2
2000	89,940	35.5
2010	116,800	38.3
2015	133,250	39.2
2020	149,700	39.7
2035	202,070	42.3
<i>Merced Vision 2030 General Plan (2012): 2000–2030 Projections</i>		
2000	63,893	30.4
2005	74,010	30.7
2010	85,798	31.1
2015	99,463	31.6
2020	115,305	32.1
2030	154,961	33.7

Notes: City = City of Merced; SUDP = Specific Urban Development Plan

Sources: City of Merced 1997, 2012

2) Less-than-Significant Impact

SJVAPCD published the *Guide for Assessing and Mitigating Air Quality Impacts*, which is intended as an advisory document for other agencies, consultants, and project proponents to use when preparing CEQA documents (SJVAPCD 2015). Table C-5 lists the SJVAPCD-adopted thresholds of significance for emissions of criteria air pollutants and/or their precursors (ROGs and NO_x are precursors to ozone; hereafter, ozone precursors are included in reference to ozone).

Table C-5
SJVAPCD-Adopted Thresholds of Significance
for Criteria Pollutants and Precursors

Pollutant/Precursor	Emissions (tpy)	
	Construction	Operations
Carbon Monoxide (CO)	100	100
Oxides of Nitrogen (NO _x)	10	10
Reactive Organic Gases (ROG)	10	10
Oxides of Sulfur (SO _x)	27	27
Respirable Particulate Matter (PM ₁₀)	15	15
Fine Particulate Matter (PM _{2.5})	15	15

Note: tpy = tons per year

Source: SJVAPCD 2015

Construction Emissions

Project construction would temporarily generate ROG, NO_x, PM₁₀, and PM_{2.5} emissions during soil excavation and on-site material transport. ROG and NO_x emissions are associated primarily with exhaust from mobile equipment. Fugitive dust emissions occur primarily during site preparation and grading, and vary based on parameters such as soil silt content, soil moisture, wind speed, acreage of disturbance area, and miles traveled by construction vehicles on and offsite.

The Project's construction period would extend for approximately 16 months. To conservatively estimate construction-related emissions generated by the Project, construction was assumed to have overlapping phases and begin during 2017. Should construction start later than 2017, the emissions presented in this analysis would be conservative because emission factors in later years account for technology improvements and efficiencies. Construction-related emissions associated with typical construction activities were modeled using the California Emissions Estimator Model (CalEEMod), Version 2016.3.1 (CAPCOA 2017). CalEEMod allows the user to enter project-specific construction information, such as types, number, and horsepower of construction equipment, and number and length of off-site motor vehicle trips. The analysis assumed an approximately 20-acre construction site and construction activities occurring 5 days per week.

Table C-6 presents the project's total estimated construction-related emissions of criteria air pollutants. Construction-related air quality impacts were determined by comparing these modeling results with applicable SJVAPCD significance thresholds. Additional modeling assumptions and details are provided in Appendix C-1.

Table C-6
Estimated Unmitigated Annual Construction-Related Emissions

Year/Description	Emissions (tpy)					
	ROG	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
2017 Emissions	0.26	2.49	1.77	0.00	0.23	0.13
2018 Emissions	0.26	2.35	1.80	0.00	0.29	0.16
SJVAPCD Regional Thresholds ¹	10	10	100	27	15	15
Exceed Threshold?	No	No	No	No	No	No

Notes: CO = carbon monoxide; NO_x = oxides of nitrogen; PM_{2.5} = fine particulate matter 2.5 micrometers or less in diameter; PM₁₀ = respirable particulate matter 10 micrometers or less in diameter; ROG = reactive organic gases; SJVAPCD = San Joaquin Valley Air Pollution Control District; SO_x = oxides of sulfur; tpy = tons per year

¹ SJVAPCD 2015

Construction-generated emissions of ROG, NO_x, CO, SO_x, PM₁₀, and PM_{2.5} would not exceed applicable mass emission thresholds established by SJVAPCD (see Table C-4). The contractor is also required to comply with SJVAPCD's Regulation VIII, Fugitive Dust PM₁₀ Prohibitions (SJVAPCD 2017b) and to implement all applicable control measures, as required by law. Regulation VIII includes the following required control measures, among others:

- During active operations, apply water or chemical/organic stabilizers/suppressants sufficient to limit visible dust emissions (VDE) to 20 percent opacity.
- When handling bulk materials, apply water or chemical/organic stabilizers/suppressants sufficient to limit VDE to 20 percent opacity.
- Load all haul trucks such that the freeboard is not less than 6 inches when material is transported across any paved public access road sufficient to limit VDE to 20 percent opacity.
- Cover haul trucks with a tarp or other suitable cover.
- Clean the interior of the cargo compartment or cover the cargo compartment before the empty truck leaves the site.
- Prevent carryout and trackout, or immediately remove carryout and trackout when it extends 50 feet or more from the nearest unpaved surface exit point of a site.

Operational Emissions

Operational emissions can be distinguished according to their source and include mobile-source emissions; energy-, water-, and waste-related emissions; and area-source emissions. Mobile-source emissions are associated with employee vehicle trips; area-source emissions are associated with periodic architectural coatings and landscape maintenance activities; and energy emissions are associated with natural gas usage by buildings and occasional

use of the emergency backup generator. On-site water usage and waste also contribute to operational emissions.

This analysis presents a conservative estimate of emissions because the Project would relocate the existing Merced Service Center to the project site. The net change in operational emissions was not calculated. Operational emissions associated with the emergency generator, worker trips, building energy, water, and waste were modeled in CalEEMod, and mobile-source emissions generated by the shaker machine, water truck, wheel loader, and hauling trucks were modeled using CalEEMod Version 2016.3.1 emission factors and ARB's EMFAC 2014 model (ARB 2015). Additional modeling assumptions and details are provided in Appendix C-1.

Table C-7 presents the Project's annual operational emissions and compares them with SJVAPCD thresholds of significance. The Project would result in daily operational emissions of approximately 2.08 tpy of CO, 2.34 tpy of NO_x, 0.92 tpy of ROG, less than 0.01 tpy of SO_x, 0.44 tpy of PM₁₀, and 0.14 tpy of PM_{2.5}. The Project's annual long-term operational emissions would not exceed SJVAPCD's thresholds of significance.

Table C-7
Estimated Unmitigated Annual Operational Emissions

Source/Description	Emissions (tpy)					
	ROG	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Annual Emissions	0.92	2.34	2.08	<0.01	0.44	0.14
SJVAPCD Regional Thresholds ¹	10	10	100	27	15	15
Exceed Threshold?	No	No	No	No	No	No

Notes: CO = carbon monoxide; NO_x = oxides of nitrogen; PM_{2.5} = fine particulate matter 2.5 micrometers or less in diameter; PM₁₀ = respirable particulate matter 10 micrometers or less in diameter; ROG = reactive organic gases; SJVAPCD = San Joaquin Valley Air Pollution Control District; SO_x = oxides of sulfur; tpy = tons per year

¹ SJVAPCD 2015

The Project is subject to Rule 9510, which requires the applicant to provide an approved air impact assessment (AIA) application to SJVAPCD, including:

- an estimate of construction-related and operational emissions before implementation of mitigation measures;
- a list of the mitigation measures to be applied to the project;
- an estimate of emissions for each applicable pollutant for the project, or each phase thereof, following the implementation of mitigation; and
- a calculation of the applicable off-site fee, if required.

The ISR Rule specifies the following general mitigation requirements in the assessment for construction and operation:

- Exhaust emissions for construction equipment greater than 50 horsepower used or associated with the development project shall be reduced by 20 percent of the total NO_x and by 45 percent of the total PM₁₀ emissions from the statewide average as estimated by ARB. This can be achieved by using add-on controls, cleaner fuels, or newer lower emitting equipment.
- The project's operational baseline NO_x emissions shall be reduced by 33.3 percent over a period of 10 years as quantified in the approved AIA.
- The project's operational baseline PM₁₀ emissions shall be reduced by 50 percent over a period of 10 years as quantified in the approved AIA.

These requirements could be met through any combination of on-site emission reduction measures or offset off-site fees. However, to be credited toward ISR requirements, any on-site emission reductions must be both quantifiable and verifiable.

The Project would be required to implement all applicable dust control measures during project construction to maintain compliance with Regulation VIII and Rule 9510. The Project's annual long-term operational emissions would not exceed SJVAPCD's thresholds of significance; however, the Project would be required to reduce operational emissions in compliance with Rule 9510. Therefore, based on the emissions estimates shown in Tables C-6 and C-7, with implementation of dust control measures as required by Regulation VIII and compliance with Rule 9510, the Project's construction-related and operational emissions would not violate an ambient air quality standard or contribute substantially to an existing violation. This impact would be less than significant.

3) Less-than-Significant Impact

A significant impact related to air quality would occur if implementing the project would result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable NAAQS or CAAQS.

The cumulative analysis of construction-related and operational emissions focuses on whether a specific project would result in a cumulatively considerable increase in emissions. By its very nature, air pollution is largely a cumulative impact. The nonattainment status of regional pollutants is a result of past and present development within the SJVAB, and this regional impact is cumulative rather than attributable to any one source. A project's emissions may be individually limited but cumulatively considerable when taken in combination with past, present, and future development projects. The thresholds of significance are relevant to whether a project's individual emissions would result in a cumulatively considerable incremental contribution to existing cumulative air quality conditions. If a project's emissions would be less than those threshold levels, the project would not be expected to result in a considerable incremental contribution to the significant cumulative impact.

As shown in Tables C-6 and C-7, the Project would not generate emissions of criteria air pollutants that would exceed any threshold for construction or operational activities.

Because the thresholds of significance for criteria pollutants would not be exceeded, the project's construction-related and operational emissions would not result in a cumulatively considerable net increase for any criteria pollutant for which SJVAPCD is in nonattainment under applicable NAAQS or CAAQS. Therefore, this impact would be less than significant.

4) Less-than-Significant Impact

Sensitive receptors are facilities that house or attract children, the elderly, and people with illnesses, or other people who are especially sensitive to the effects of air pollutants. Examples of sensitive receptors include hospitals, schools, convalescent facilities, and residential areas. The Project is on undeveloped land in an area partly developed with industrial and agricultural uses. The considerable buffer distance from the nearest sensitive receptor would provide a substantial distance for pollutant concentrations to dilute to nominal levels. ARB has published guidance showing a 70 percent decrease in PM emissions at 500 feet from freeways, which are continuous emission sources, and an 80 percent decrease at 1,000 feet from distribution centers (ARB 2005). The closest residence to the project site is over 1,000 feet to the northwest.

The greatest potential for project-related emissions of toxic air contaminants (TACs) is related to the diesel PM emissions that would be generated by heavy-duty construction equipment. Off-road construction equipment used for the project would generate diesel exhaust PM emissions. According to the Office of Environmental Health Hazard Assessment, health risk assessments that determine the health risks associated with exposure of residential receptors to TAC emissions should be based on a 30-year exposure period (OEHHA 2015). However, health risk assessments should be limited to the period/duration of emissions-generating activity. Project construction would last approximately 16 months, less than 5 percent of the required exposure period for health risk assessments. Additionally, because no sensitive receptors are in the project vicinity, the risk of exposure would be minimal.

Neither construction-related nor operational emissions for the project would exceed the thresholds of significance. Therefore, the project would not expose nearby sensitive receptors to substantial pollutant concentrations. This impact would be less than significant.

5) Less-than-Significant Impact

The occurrence and severity of odor impacts depend on numerous factors, including the nature, frequency, and intensity of the source; wind speed and direction; and the presence of sensitive receptors. Offensive odors rarely cause any physical harm, but they still can be very unpleasant, leading to considerable distress and often generating citizen complaints to local governments and regulatory agencies.

Project construction equipment would emit diesel exhaust that could result in short-term odorous emissions. However, because of the temporary nature of these emissions, the highly diffusive properties of diesel exhaust, and the location of the project site, construction-related odors would not affect a substantial number of people. Standard

construction techniques would be implemented, and the odors would be temporary and typical of most construction sites. Once constructed, the regional spoils recycling yard would include the use of a shaker machine, wheel loader, water truck, and two hauler trucks to transport materials to the project site; however, the ongoing operations would not be a source of odors.

Potential sources of odors during project construction would include exhaust from diesel construction equipment. Odors from off-road equipment and on-road vehicles would be temporary and typical of most construction sites. Therefore, potential odor emissions would be short term and would not be considered harmful or a nuisance to a substantial number of people. This impact would be less than significant.

D. Biological Resources

SETTING AND DESCRIPTION

The project site is located in southeast Merced. There are industrial businesses to the north, east, and west of the subject site. The property south of the subject site (across Childs Avenue), is designated for agricultural uses. The project site does not contain any trees, creeks, or other wetland areas.

The general project area is located in the Central California Valley eco-region (Omernik 1987). This eco-region is characterized by flat, intensively farmed plains with long, hot, dry summers and cool, wet winters (14-20 inches of precipitation per year). The Central California Valley eco-region includes the Sacramento Valley to the north, the San Joaquin Valley to the south, and it ranges between the Sierra Nevada Foothills to the east and the Coastal Range foothills to the west. Nearly half of the eco-region is actively farmed, and about three-fourths of that farmed land is irrigated.

The biological resources evaluation, prepared as part of the *Merced Vision 2030 General Plan Program Environmental Impact Report* (EIR), does not identify the project area as containing any seasonal or non-seasonal wetland or vernal pool areas. Given the adjacent, built-up, urban land uses and major roadways, no form of unique, rare or endangered species of plant and/or animal life could be sustained on the subject site.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
D. <u>Biological Resources.</u> Would the Project:				
1) Have a substantial adverse effect, either directly or through habitat modification, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				✓
2) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			✓	
3) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				✓
4) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				✓
5) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			✓	
6) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				✓

1) No Impact

The proposed project would not have any direct effects on animal life by changing the diversity of species, number of species, reducing the range of any rare or endangered species, introducing any new species, or leading to deterioration of existing fish or wildlife habitat. Although the *Merced Vision 2030 General Plan* identifies several species of plant and animal life that exist within the City's urban boundaries, the subject site does not contain any rare or endangered species of plant or animal life.

2) Less-than -Significant Impact

The proposed project would not have any direct effects on riparian habitat or any other sensitive natural community. The City General Plan identifies Bear, Black Rascal, Cottonwood, Miles, Fahrens, and Owens Creeks within the City's growth area. The subject site is approximately 2.5 miles from Black Rascal Creek. Black Rascal Creek is a Water of the U.S. under the jurisdiction of the U.S. Army Corps of Engineers (ACOE), the California Department of Fish and Wildlife (CDFW), and the Regional Water Quality Control Board. Any proposed "fill of that waterway would be subject to permits from ACOE, CDFW, and the Regional Water Quality Control Board. No such "fill" or disturbance of the waterway is proposed as part of this development. The City's General Plan requires the preservation of the creek in its natural state. No riparian habitat identified in CDFW or USFW plans are present on the project site. Therefore, the Project would have a less-than-significant impact on riparian habitat.

3) No Impact

The project site would not have any direct effect on wetlands as no wetlands have been identified in the project area.

4) No Impact

The Project would not have any adverse effects on any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridor, or impede the use of native wildlife nursery sites.

5) Less Than Significant Impact

The Project would not interfere with any local policies or ordinances protecting biological resources such as tree preservation policy or ordinance. The City requires the planting and maintenance of street trees along all streets and parking lot trees in parking lots but has no other tree preservation ordinances.

6) No Impact

The proposed project would not conflict with the provisions of a habitat conservation plan. There are no adopted Habitat Conservation Plans, Natural Conservation Community Plan, or other approved local, regional, or state Habitat Conservation Plan for the City of Merced or Merced County.

E. Cultural Resources

SETTING AND DESCRIPTION

The City of Merced area lies within the ethnographic territory of the Yokuts people. The Yokuts were members of the Penutian language family which held all of the Central Valley, San Francisco Bay Area, and the Pacific Coast from Marin County to near Point Sur.

Merced County was first explored by Gabriel Moraga in 1806, when he named the Merced River, "El Rio de Nuestra Senra de la Merced." Moraga's explorations were designed to locate appropriate sites for an inland chain of missions. Moraga explored the region again in 1808 and 1810.

Archaeology

Archaeological sites are defined as locations containing significant levels of resources that identify human activity. Very little archaeological survey work has been conducted within the City or its surrounding areas. Creeks, drainage, and sloughs exist in the northern expansion area of the City, and Bear Creek and Cottonwood Creek pass through the developed area. Archaeological sites in the Central Valley are commonly located adjacent to waterways and represent potential for significant archaeological resources.

Paleontological sites are those that show evidence of pre-human existence. They are small outcroppings visible on the earth's surface. While the surface outcroppings are important indications of paleontological resources, it is the geological formations that are the most important. There are no known sites within the project area known to contain paleontological resources of significance.

Historic Resources

In 1985, in response to community concerns over the loss of some of the City's historic resources, and the perceived threats to many remaining resources, a survey of historic buildings was undertaken in the City. The survey focused on pre-1941 districts, buildings, structures, and objects of historical, architectural, and cultural significance. The survey area included a roughly four square-mile area of the central portion of the City.

The National Register of Historic Places, the California Historical Landmarks List, and the California Inventory of Historic Resources identify several sites within the City of Merced. These sites are listed on the Merced Historical Site Survey and are maintained by the Merced Historical Society. There are no listed historical sites on the project site.

According to the environmental review conducted for the General Plan, there are no listed historical sites and no known locations within the project area that contain sites of paleontologic or archeological significance. The General Plan (Implementation Action SD-2.1.a) requires that the City utilize standard practices for preserving archeological materials that are unearthed during construction, as prescribed by the State Office of Historic Preservation.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
E. <u>Cultural Resources.</u> Would the Project:				
1) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?			✓	
2) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?			✓	
3) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			✓	
4) Disturb any human remains, including those interred outside of formal cemeteries?			✓	

1) Less-than-Significant Impact

The Project would not alter or destroy any known historic or archaeological site, building, structure, or object; nor would it alter or affect unique ethnic cultural values or restrict religious or sacred uses. According to the environmental review conducted for the General Plan, there are no listed historical sites and no known locations within the project area that contain sites of historical or archeological significance. The General Plan (Implementation Action SD-2.1.a) requires that the City utilize standard practices for preserving archeological materials that are unearthed during construction, as prescribed by the State Office of Historic Preservation.

2) Less-than-Significant Impact

The Project would not alter or destroy any known prehistoric or archaeological site, building, structure, or object; nor would it alter or affect unique ethnic cultural values or restrict religious or sacred uses. According to the environmental review conducted for the General Plan, there are no listed historical sites and no known locations within the project area that contain sites of historical or archeological significance. The General Plan (Implementation Action SD-2.1.a) requires that the City utilize standard practices for preserving archeological materials that are unearthed during construction, as prescribed by the State Office of Historic Preservation.

3) Less-than-Significant Impact

The Project would not alter or destroy any paleontological resource, site, or unique geological feature. According to the environmental review conducted for the General Plan, there are no listed historical sites and no known locations within the project area that contain sites of paleontological significance. The General Plan (Implementation Action SD-2.1.a) requires that the City utilize standard practices for preserving archeological materials that are unearthed during construction, as prescribed by the State Office of Historic Preservation.

4) Less-than-Significant Impact

The proposed project would not disturb any known human remains, including those interred outside of formal cemeteries; nor would it alter or affect unique ethnic cultural values or restrict religious or sacred uses. There are no known cemeteries in the project area. Excavation of the site would be needed to construct the proposed project, so it is possible that human remains would be discovered. However, Section 7050.5 of the California Health and Safety Code requires that if human remains are discovered during the construction phase of a development, all work must stop in the immediate vicinity of the find and the County Coroner must be notified. If the remains are determined to be Native American, the Coroner will notify the Native American Heritage Commission, which in turn will inform a most likely descendant. The descendant will then recommend to the landowner the appropriate method for the disposition of the remains and any associated grave goods. Additionally, the City's General Plan (Implementation Action SD-2.1.a) requires that the City utilize standard practices for preserving archeological materials that are unearthed during construction, as prescribed by the State Office of Historic Preservation. By following the requirements of the Health and Safety Code and

Compliance with the City's General Plan, this potential impact would be less than significant.

F. Geology and Soils

SETTING AND DESCRIPTION

The City of Merced is located approximately 150 miles southeast of San Francisco along the east side of the southern portion of the Great Valley Geomorphic Province, more commonly referred to as the San Joaquin Valley. The valley is a broad lowland bounded by the Sierra Nevada to the east and Coastal Ranges to the west. The San Joaquin Valley has been filled with a thick sequence of sedimentary deposits from Jurassic to recent age. A review of the geological map indicates that the area around Merced is primarily underlain by the Pleistocene Modesto and Riverbank Formations with Holocene alluvial deposits in the drainages. Miocene-Pliocene Mehrten and Pliocene Laguna Formation materials are present in outcrops on the east side of the SUDP/SOI. Modesto and Riverbank Formation deposits are characterized by sand and silt alluvium derived from weathering of rocks deposited east of the SUDP/SOI. The Laguna Formation is made up of consolidated gravel sand and silt alluvium and the Mehrten Formation is generally a well consolidated andesitic mudflow breccia conglomerate.

Faults and Seismicity

A fault, or a fracture in the crust of the earth along which rocks on one side have moved relative to those on the other side, are an indication of past seismic activity. It is assumed that those that have been active recently are the most likely to be active in the future, although even inactive faults may not be "dead." "Potentially Active" faults are those that have been active during the past two million years or during the Quaternary Period. "Active" faults are those that have been active within the past 11,000 years. Earthquakes originate where movement or slippage occurs along an active fault. These movements generate shock waves that result in ground shaking.

Based on review of geologic maps and reports for the area, there are no known "active" or "potentially active" faults, or Alquist-Priolo Earthquake Fault Zones (formerly referred to as a Special Studies Zone) in the SUDP/SOI. In order to determine the distance of known active faults within 50 miles of the Site, the computer program EZ-FRISK was used in the General Plan update.

Soils

Soil properties can influence the development of building sites, including site selection, structural design, construction, performance after construction, and maintenance. Soil properties that affect the load-supporting capacity of an area include depth to groundwater, ponding, flooding, subsidence, shrink-swell potential, and compressibility.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
F. <u>Geology and Soils.</u> Would the Project:				
1) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
a) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?			✓	
b) Strong seismic ground shaking?			✓	
c) Seismic-related ground failure, including liquefaction?			✓	
d) Landslides?			✓	
2) Result in substantial soil erosion or loss of topsoil?			✓	
3) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse?			✓	
4) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			✓	
5) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				✓

1) Less than Significant Impact

The project site is not located within a mapped fault hazard zone, and there is no record or evidence of faulting on the project site (City of Merced General Plan Figure 11.1). Because no faults underlie the project site, no people or structures would be exposed to substantial adverse effects related to earthquake rupture.

According to the City's *Merced Vision 2030 General Plan* EIR, the probability of soil liquefaction occurring within the City of Merced is considered to be a low to moderate hazard; however, a detailed geotechnical engineering investigation would be required for the project in compliance with the California Building Code (CBC).

There would be no exposure to any geological hazards in the project area.

Ground shaking of moderate severity may be expected to be experienced on the project site during a large seismic event. All building permits are reviewed to ensure compliance with the California Building Code (CBC). In addition, the City enforces the provisions of the Alquist Priolo Special Study Zones Act that limit development in areas identified as having special seismic hazards. All new structures shall be designed and built in accordance with the standards of the California Building Code.

APPLICABLE GENERAL PLAN GOALS AND POLICIES

The City's *Merced Vision 2030 General Plan* contains policies that address seismic safety.

<i>Goal Area S-2: Seismic Safety:</i>	
Goal: Reasonable Safety for City Residents from the Hazards of Earthquake and Other Geologic Activity	
Policies	
S-2.1	Restrict urban development in all areas with potential ground failure characteristics.

The Project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides.

Landslides generally occur on slopes of 15 percent or greater. The project site's topography is generally of slopes between 0 and 3 percent, which are considered insufficient to produce hazards other than minor sliding during seismic activity.

Therefore, no hazardous conditions related to seismic groundshaking would occur with the implementation of the Project. Additionally, the implementation of the project would not lead to offsite effects related to hazards related to seismic groundshaking, nor would any existing off-site hazards be exacerbated.

2) Less-Than-Significant Impact

Construction associated with the proposed project could result in temporary soil erosion and the loss of top soil due to construction activities, including clearing, grading, site preparation activities, and installation of the proposed buildings and other improvements. The City of Merced enforces a Storm Water Management Program in compliance with the Federal Clean Water Act. All construction activities are required to comply with the City's Erosion and Sediment Control Ordinance (MMC §15.50.120.B), including the implementation of Best Management Practices (BMPs) to limit the discharge of sediment.

3) Less Than Significant Impact

The City of Merced is located in the Valley area of Merced County and is therefore less likely to experience landslides than other areas in the County. The probability of soil liquefaction actually taking place anywhere in the City of Merced is considered to be a low hazard. Soil types in the area are not conducive to liquefaction because they are either too

coarse or too high in clay content. According to the *Merced Vision 2030 General Plan* EIR, no significant free face failures were observed within this area and the potential for lurch cracking and lateral spreading is, therefore, very low within the this area.

4) Less-Than-Significant

Expansive soils are those possessing clay particles that react to moisture changes by shrinking (when they dry) or swelling (when they become wet). Expansive soils can also consist of silty to sandy clay. The extent of shrinking and swelling is influenced by the environment, extent of wet or dry cycles, and by the amount of clay in the soil. This physical change in the soils can react unfavorably with building foundations, concrete walkways, swimming pools, roadways, and masonry walls.

Implementation of General Plan Policies, adherence to the Alquist-Priolo Act, and enforcement of the California Building Code (CBC) Standards would reduce the effect of this hazard on new buildings and infrastructure associated with the Project. This would reduce potential impacts to a less-than-significant level.

5) No Impact

The project site would not have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater. However, the proposed project would be served by the City's sewer system. No new septic systems are allowed within the City Limits.

G. Hazards and Hazardous Materials

SETTING AND DESCRIPTION

Hazardous Materials

A substance may be considered hazardous due to a number of criteria, including toxicity, ignitability, corrosivity, or reactivity. The term "hazardous material" is defined in law as any material that, because of quantity, concentration, or physical, or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment.

Wildland and Urban Fire Hazards

Both urban and wildland fire hazard potential exists in the City of Merced and surrounding areas, creating the potential for injury, loss of life, and property damage. Urban fires primarily involve the uncontrolled burning of residential, commercial, or industrial structures due to human activities. Wildland fires affect grassland, brush or woodlands, and any structures on or near these fires. Such fires can result from either human made or natural causes.

Urban fires comprise the majority of fires in the City of Merced. The site is adjacent to undeveloped ag land which could be a source for a wildland fire. However, the City of Merced Fire Department has procedures in place to address the issue of wildland fires, so no additional mitigation would be necessary.

Airport Safety

The City of Merced is impacted by the presence of two airports—Merced Regional Airport, which is in the southwest corner of the City, and Castle Airport (the former Castle Air Force Base), located approximately eleven miles northwest of the subject site.

The continued operation of the Merced Regional Airport involves various hazards to both flight (physical obstructions in the airspace or land use characteristics which affect flight safety) and safety on the ground (damage due to an aircraft accident). Growth is restricted around the Regional Airport in the southwest corner of the City due to the noise and safety hazards associated with the flight path.

Castle Airport also impacts the City. Portions of the northwest part of the City's SUDP/SOI and the incorporated City are within Castle's safety zones. The primary impact is due to noise (Zones C and D), though small areas have density restrictions (Zone B2). The military discontinued operations at Castle in 1995. One important criterion for determining the various zones is the noise factor. Military aircraft are designed solely for performance, whereas civilian aircraft have extensive design features to control noise.

Potential hazards to flight include physical obstructions and other land use characteristics that can affect flight safety, which include: visual hazards such as distracting lights, glare, and sources of smoke; electronic interference with aircraft instruments or radio communications; and uses which may attract flocks of birds. In order to safeguard an airport's long-term usability, preventing encroachment of objects into the surrounding airspace is imperative.

According to the Merced County Airport Land Use Compatibility Plan, the project site is not located in any restricted safety zones for either airport, and no aircraft overflight, air safety, or noise concerns are identified.

Railroad

Hazardous materials are regularly shipped on the BNSF and SP/UP Railroad lines that pass through the City. While unlikely, an incident involving the derailment of a train could result in the spillage of cargo from the train in transporting. The spillage of hazardous materials could have devastating results. The City has little to no control over the types of materials shipped via the rail lines. There is also a safety concern for pedestrians along the tracks and vehicles utilizing at-grade crossings. The design and operation of at-grade crossings allows the City some control over rail-related hazards. Ensuring proper gate operation at the crossings is the most effective strategy to avoid collision and possible derailments. The Atishon Topeka and Santa Fe Railroad is approximately 1,000 feet from the site and Union Pacific Railroad is over 2 miles away.

Public Protection and Disaster Planning

Hospitals, ambulance companies, and fire districts provide medical emergency services. Considerable thought and planning have gone into efforts to improve responses to day-to-day emergencies and planning for a general disaster response capability.

The City's Emergency Plan and the County Hazardous Waste Management Plan both deal with detailed emergency response procedures under various conditions for hazardous material spills. The City also works with the State Department of Health Services to establish cleanup plans and to monitor the cleanup of known hazardous waste sites within the City.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
G. <u>Hazards and Hazardous Materials.</u> Would the Project:				
1) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			✓	
2) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			✓	
3) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				✓
4) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			✓	
5) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?			✓	
6) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?			✓	
7) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			✓	
8) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			✓	

1) **Less-Than-Significant Impact**

Construction activities associated with the proposed project would involve the use, storage, transport, and disposal of oil, gasoline, diesel fuel, paints, solvents, and other hazardous materials. The Project would be required to adhere to all applicable federal and state health

and safety standards. Construction activity must also be in compliance with the California Occupational Safety and Health Administration regulations (Occupational Safety and Health Act of 1970). Compliance with these requirements would reduce the risk of hazards to the public to a less-than-significant level.

2) Less-Than-Significant Impact

Construction on the project site would be reviewed for the use of hazardous materials at the building permit stage. Implementation of Fire Department and Building Code regulations for hazardous materials, as well as implementation of federal and state requirements, would reduce any risk caused by a future use on the site from hazardous materials to a less than-significant-level.

APPLICABLE GENERAL PLAN GOALS AND POLICIES

The City of Merced *Vision 2030 General Plan* contains policies that address hazardous materials.

<i>Goal Area S-7: Hazardous Materials</i>	
Goal: Hazardous Materials Safety for City Residents	
Policies	
S-2.1	Prevent injuries and environmental contamination due to the uncontrolled release of hazardous materials.
Implementing Actions:	
7.1.a	Support Merced County in carrying out and enforcing the Merced County Hazardous Waste Management Plan.
7.1.b	Continue to update and enforce local ordinances regulating the permitted use and storage of hazardous gases, liquids, and solids.
7.1.d	Provide continuing training for hazardous materials enforcement and response personnel.

3) No Impact

The nearest school is Pioneer Elementary School, located at the southwest corner of E. Gerard Avenue and S. Coffee Street. The site is not within ¼ mile of this school. There are no other existing or proposed schools within ¼ mile of the site. Given the distance the existing school is from the site and the fact that no other schools are proposed within ¼ mile of the site, there is no impact.

4) Less-Than-Significant Impact

No project actions or operations would result in the release of hazardous materials that could affect the public or the environment, and no significant hazard to the public or the environment would result with project implementation. This potential impact is less than significant.

5) Less-Than-Significant Impact

The project site is not located within two miles of any public airport and is not within any safety or overflight zone for either the Merced Regional Airport or the Castle Airport, and no public or private airfields are within two miles of the project area.

6) Less-Than-Significant Impact

The closest private airstrip to the site is approximately 9 miles away. There would be no hazard to people living or working on the project site.

7) Less-Than-Significant Impact

The proposed project will not adversely affect any adopted emergency response plan or emergency evacuation plan. No additional impacts would result from the development of the project area over and above those already evaluated by the EIR prepared for the *Merced Vision 2030 General Plan*.

APPLICABLE GENERAL PLAN GOALS AND POLICIES:

The *Merced Vision 2030 General Plan* contains policies that address disaster preparedness.

<i>Goal Area S-1: Disaster Preparedness</i>	
Goal: General Disaster Preparedness	
Policies	
S-1.1	Develop and maintain emergency preparedness procedures for the City.
Implementing Actions:	
1.1.a	Keep up-to-date through annual review the City's existing Emergency Plan and coordinate with the countywide Emergency Plan.
1.1.b	Prepare route capacity studies and determine evacuation procedures and routes for different types of disasters, including means for notifying residents of a need to evacuate because of a severe hazard as soon as possible.
7.1.d	Provide continuing training for hazardous materials enforcement and response personnel.

8) Less-Than-Significant Impact

According to the EIR prepared for the *Merced Vision 2030 General Plan*, the risk for wildland fire within the City of Merced is minimal. According to the Cal Fire website, the Merced County Fire Hazard Severity Zone Map shows the project site is designated as a "Local Responsibility Area" (LRA) with a Hazard Classification of "LRA Unzoned."

The City of Merced Fire Department is the responsible agency for responding to fires at the subject site. The project site is located within Fire District #4, and is served by Station #54 located on 99 E. 16th St.(approximately 3.5 miles from the project site).

The site is near agricultural land that could be susceptible to wildland fires. However, the City of Merced Fire Department has procedures in place to address the issue of wildland

fires, so no additional mitigation would be necessary. This potential impact is less than significant.

H. Hydrology and Water Quality

SETTING AND DESCRIPTION

Water Supplies and Facilities

The City's water supply system consists of four elevated storage tanks with a combined storage capacity of approximately 1.4 million gallons, 22 wells and 14 pumping stations equipped with variable speed pumps that attempt to maintain 45 to 50 psi (pounds per square inch) nominal water pressure. The City is required to meet State Health pressure requirements, which call for a minimum of 20 psi at every service connection under the annual peak hour condition and maintenance of the annual average day demand plus fire flow, whichever is stricter. The project site would be serviced by an existing water main in Kibby Road.

Storm Drainage/Flooding

In accordance with the adopted *City of Merced Standard Designs of Common Engineering Structures*, percolation/detention basins are designed to temporarily collect runoff so that it can be metered at acceptable rates into canals and streams that have limited capacity. The project would be required to adhere to the Post Construction Standards for compliance with the City's Phase II MS4 permit issued by the state of California.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
H. <u>Hydrology and Water Quality.</u> Would the Project:				
1) Violate any water quality standards or waste discharge requirements?			✓	
2) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			✓	
3) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or offsite?			✓	

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
4) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite?			✓	
5) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?			✓	
6) Otherwise substantially degrade water quality?			✓	
7) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				✓
8) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?			✓	
9) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?			✓	
10) Inundation by seiche, tsunami, or mudflow?			✓	

1) Less-Than-Significant Impact

The Project is not expected to violate any water quality standards or waste discharge requirements during construction or operation. In addition to compliance with standard construction provisions, the Project shall be required to comply with the Draft Merced Storm Water Master Plan and the Storm Water Management Plan, and obtain all required permits for water discharge. During project operations, the City has developed requirements to minimize the impact to storm water quality caused by development and redevelopment. The increase in impervious areas caused by development can cause an increase in the type and quantity of pollutants in storm water runoff. Prior planning and design to minimize pollutants in runoff from these areas is an important component to storm water quality management. These standards are set forth in the City's Post-Construction Standards Plan and provide guidance for post-construction design measures to ensure that stormwater quality is maintained. Compliance with these requirements and permits would reduce the impact to a less than significant level.

APPLICABLE GENERAL PLAN GOALS AND POLICIES:

The *Merced Vision 2030 General Plan* contains policies that address Water Quality and Storm Drainage.

<i>Goal Area P-5: Storm Drainage and Flood Control</i>	
Goal: An Adequate Storm Drainage Collection and Disposal System in Merced	
Policies	
P-5.1	Provide effective storm drainage facilities for future development.
P-5.2	Integrate drainage facilities with bike paths, sidewalks, recreation facilities, agricultural activities, groundwater recharge, and landscaping.

Implementing Actions:	
5.1.a	Continue to implement the City's Storm Water Master Plan and the Storm Water Management Plan and its control measures.
5.1.c	Continue to require all development to comply with the Storm Water Master Plan and any subsequent updates.

2) Less-Than-Significant Impact

The City of Merced is primarily dependent on groundwater sources that draw from the San Joaquin aquifer. The City has storage capacity of approximately 1.4 million gallons in four elevated storage tanks; 22 active well sites with one under construction, and 14 pumping stations, which provide service to meet peak hour urban level conditions and the average daily demand plus fire flows.

According to the City of Merced Draft Water Master Plan, the estimated average peak water demand in 2012 was 23.1 mgd.

The proposed project is estimated to use approximately 30,000 gallons of water per day. This would represent 0.13% of the estimated average daily water consumption in 2012. Although development of the site would restrict onsite recharge where new impervious surface areas are created, all alterations to groundwater flow would be captured and routed to the storm water percolation ponds or pervious surfaces with no substantial net loss in recharge potential anticipated. This reduces this impact to a less-than-significant level.

3) Less-Than-Significant Impact

The proposed project would result in modifications to the existing drainage pattern on the site. If required by the City's Engineering Department, the project will be designed to capture all surface water runoff onsite and then drain into the City's existing storm drainage system.

The project site is currently vacant and consists of pervious surfaces. The proposed project would create impervious surfaces over a large portion of the project site, thereby preventing precipitation from infiltrating and causing it to pond or runoff. However, stormwater flows would be contained onsite and piped or conveyed to the City's stormwater system, there would be no potential for increased erosion or sedimentation.

Developed storm drainage facilities in the area are adequate to handle this minor increase in flows. The Project would not result in a substantial alteration of drainage in the area, and no offsite uses would be affected by the proposed changes. All potential impacts are less than significant.

4) Less-Than-Significant Impact

The proposed project would alter the existing drainage pattern of the site, but not in a manner that would result in flooding. The site is currently vacant and any construction on the site would alter the drainage pattern and reduce the absorption capability of the site. There are no streams or rivers that would be affected. All storm runoff would be captured onsite and conveyed through pipes to the City's stormwater system. Any changes to the site would drain into the City's existing storm drain system which would prevent any onsite or offsite flooding. This potential impact is less than significant.

5) Less-Than-Significant Impact

Construction on the site will drain into the City's existing storm drain system. The developer would be required to provide documentation showing the capacity exists within the existing lines and basin to serve this project.

6) Less-Than-Significant Impact

The proposed project would not substantially degrade water quality. The proposed project would be served by the City's water system and all water runoff will be contained onsite then directed out to the City's storm drain system. The construction of the project would not affect the water quality and would not degrade water quality in the area. This potential impact is less than significant.

7) Less-Than-Significant Impact

The project does not include the construction of any housing on this site. Therefore, there are no impacts.

8) Less-Than-Significant Impact

The Flood Insurance Rate Map shows the project within a Zone "AO," limited flood hazard area. As required with all new construction, the project would be required to comply with all requirements of the California Building Code (CBC) to ensure construction of the buildings meets the minimum requirements set forth by the CBC and the requirements of Flood Zone "AO." Therefore, there are no impacts.

9) Less-Than-Significant Impact

The proposed project would not expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam. According to Figure 11.3 of the *Merced Vision 2030 General Plan*, the project site is outside the inundation area of the Yosemite Lake Dam and the Bear Reservoir Dam. In the case of dam failure, the General Plan Safety Element addresses local hazard response procedures. This potential impact is less than significant.

10) Less-Than-Significant Impact

The proposed project is located approximately 80 miles from the Pacific Ocean, distant from any large lakes, and not within the inundation zones for Lake Yosemite or Bear Reservoir at an elevation ranging from approximately 173 feet above MSL. According to the City's General Plan Safety Element, the City of Merced is not subject to inundation by tsunami, seiche, or mudflow. This potential impact is less than significant.

I. Land Use and Planning

SETTING AND DESCRIPTION

The project site is located within the City Limits of Merced and within its Specific Urban Development Plan and Sphere of Influence (SUDP/SOI).

SURROUNDING USES

Refer to Page 2 of this Initial Study and the map at Attachment A for the surrounding land uses.

Current Use

The project site is 20 acres of vacant land located on the east side of Kibby Road, between Highway 140 and Childs Avenue.

The proposal is consistent with the City's zoning designation of Heavy Industrial (I-H) and the General Plan designation of Industrial (IND). The project consist of a Service Center and a spoils recycling yard. The Service Center includes a 10,000-square-foot operations building, a future 12,000-square-foot customer service office, a 12,000-square-foot warehouse/garage, a fueling station, and associated parking. The project site plan is found at Attachment B.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. <u>Land Use and Planning.</u> Would the Project:				
1) Physically divide an established community?			✓	
2) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			✓	
3) Conflict with any applicable habitat conservation plan or natural community conservation plan?				✓

1) Less-Than-Significant Impact

The project site is within the boundaries of the Merced City Limits. It would not physically divide the community as it is already part of the City. This potential impact is less than significant.

2) Less-Than-Significant Impact

The proposal is consisted with the zoning designation of Heavy Industrial (I-H) and the General Plan designation of Industrial (IND). All environmental effects caused by this

project are being evaluated in this document and appropriate mitigation measures will be applied to address any negative effects on the environment. Therefore, this impact is less than significant.

3) No Impact

No Habitat Conservation Plans or Natural Community Conservation Plans have been adopted by the City of Merced. Therefore, there would be no impact.

J. Mineral Resources

SETTING AND DESCRIPTION

The City of Merced does not contain any mineral resources that require managed production according to the State Mining and Geology Board. Based on observed site conditions and review of geological maps for the area, economic deposits of precious or base metals are not expected to underlie the City of Merced or the project site. According to the California Geological Survey, Aggregate Availability in California - Map Sheet 52, Updated 2006, minor aggregate production occurs west and north of the City of Merced, but economic deposits of aggregate minerals are not mined within the immediate vicinity of the SUDP/SOI. Commercial deposits of oil and gas are not known to occur within the SUDP/SOI or immediate vicinity.

According to the Merced County General Plan Background Report (June 21, 2007), very few traditional hard rock mines exist in the County. The County's mineral resources are almost all sand and gravel mining operations. Approximately 38 square miles of Merced County, in 10 aggregate resource areas (ARA), have been classified by the California Division of Mines and Geology for aggregate. The 10 identified resource areas contain an estimated 1.18 billion tons of concrete resources with approximately 574 million tons in Western Merced County and approximately 605 million tons in Eastern Merced County. Based on available production data and population projections, the Division of Mines and Geology estimated that 144 million tons of aggregate would be needed to satisfy the projected demand for construction aggregate in the County through the year 2049. The available supply of aggregate in Merced County substantially exceeds the current and projected demand.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
J. <u>Mineral Resources.</u> Would the Project:				
1) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				✓
2) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				✓

K. Noise

SETTING AND DESCRIPTION

Potential noise impacts of the proposed project can be categorized as those resulting from construction and those from operational activities. Construction noise would have a short-term effect; operational noise would continue throughout the lifetime of the project. Construction associated with the development of the project would increase noise levels temporarily during construction. Operational noise associated with the development would occur intermittently with the continued operation of the proposed project.

Some land uses are considered more sensitive to noise levels than other uses. Sensitive land uses can include residences, schools, nursing homes, hospitals, and some public facilities, such as libraries. The noise level experienced at the receptor depends on the distance between the source and the receptor, the presence or absence of noise barriers and other shielding devices, and the amount of noise attenuation (lessening) provided by the intervening terrain. For line sources such as motor or vehicular traffic, noise decreases by about 3.0 to 4.5A –weighted decibels (dBA) for every doubling of the distance from the roadway.

Noise from Other Existing Sources

Vehicular noise from Kibby Road would be the primary existing noise source at the project site. The nearest railroad corridor is 1,000 feet from the project site. The site is surrounded by various industrial businesses that generate operational noise on a daily basis. There are no sensitive uses located within 1,000 feet of the project site.

According to the *Merced Vision 2030 General Plan*, noise exposure not exceeding 80 dB is considered to be a “normally acceptable” noise level for industrial uses.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
K. <u>Noise.</u> Would the Project result in:				
1) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			✓	
2) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			✓	
3) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			✓	
4) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			✓	

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
5) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			✓	
6) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?			✓	

1) Less Than Significant with Mitigation

Construction Noise

Construction of the Project would temporarily increase noise levels in the area during the construction period. Therefore, the noise from construction may be steady for a few months and then cease all together. Construction activities, including site preparation and grading, building construction, and sidewalk and street improvements would be considered an intermittent noise impact throughout the construction period. These activities could result in various effects on sensitive receptors, depending on the presence of intervening barriers or other insulating materials. However, because the site is surrounded by other industrial uses which are not considered sensitive receptors, this impact is less than significant.

Operational Noise

Operational noise would be the main noise source expected from the proposed project. Traffic coming to and from the project site would generate the most noise. However, the site is surrounded by industrial uses, which are generally expected to be significantly louder than low impact zones (like residential zones). Implementation of the Project would not lead to continued offsite effects related to noise generated by the Project. Given the noise lack of low impact zones near the subject site, this potential impact is less than significant.

2) Less-Than-Significant Impact

Implementation of the proposed project would not result in the generation of any groundborne vibration or noise. This is a less-than-significant impact.

3) Less-Than-Significant Impact

As noted above, operational noise would be expected from the proposed project. Any development on the site could be considered an increase in the ambient noise given the fact that the site is currently vacant. However, as explained previously, the site is within a Heavy Industrial (I-H) Zone and surrounded by industrial businesses. The potential impacts of this project in the vicinity are less than significant.

4) Less-Than-Significant Impact

The project construction will cause temporary and periodic increases in the ambient noise levels. However, because the construction noise will only be temporary and the increase in noise generated from the site would be minimal, the impacts are less than significant.

5) Less-Than-Significant Impact

The Project is not located within the noise contours of any public airport. The project site is located approximately 6 miles from active areas of the Merced Regional Airport and approximately 11 miles from the Castle Airport. However, the airstrip has a flight pattern that goes northwest/southeast, which does not fly over the project site. Given its location, the private airstrip should not pose a hazard to the project development. Therefore, no population working or living at the site would be exposed to excessive levels of aircraft noise. This potential impact is less than significant.

6) Less-Than-Significant Impact

See section #5 above.

L. Population and Housing**SETTING AND DESCRIPTION**

The Project does not induce the construction of housing units. The proposed office, warehouse, and service center will create approximately 34,000 square feet of building footprint.

Expected Population and Employment Growth

According to the State Department of Finance population estimates for 2016, the City of Merced's population was estimated to be 83,962. Population projections estimate that the Merced SUDP area will have a population of 159,900 by the Year 2030.

According to the *Merced Vision 2030 General Plan*, the City of Merced is expected to experience significant employment growth by the Year 2030.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
L. <u>Population and Housing.</u> Would the Project:				
1) Induce substantial population growth in an area either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			✓	
2) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				✓

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
3) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				✓

1) Less-Than-Significant Impact

Temporary construction-related jobs would result due to the renovation and construction associated with the Project, but it is unlikely that construction workers would need to relocate to Merced in order to work temporarily on the project site.

The implementation of the Project would increase the population of the project site due to job opportunities related to the Project. This Project is essentially a request to relocate an existing service center with an existing labor force. Based on these factors, this potential impact would be less than significant.

2) No Impact

The subject site is within a Heavy Industrial Zone, which does not permit the construction of housing units and does not contain any existing residential structures. No housing would be displaced as a result of this project. There is no impact.

3) No Impact

The project site is vacant. No housing would be displaced as a result of this project. There is no impact.

M. Public Services

SETTING AND DESCRIPTION

Fire Protection

The City of Merced Fire Department provides fire protection, rescue, and emergency medical services from five fire stations throughout the urban area. Fire Station #54 is located at 99 E. 16th Street, approximately 3.5 miles from the site. This Station would serve the proposed project.

Police Protection

The City of Merced Police Department provides police protection for the entire City. The Police Department employs a mixture of sworn officers, non-sworn officer positions (clerical, etc.), and unpaid volunteers (VIP). The service standard used for planning future police facilities is approximately 1.37 sworn officers per 1,000 population, per the Public Facilities Financing Plan.

Schools

The public school system in Merced is served by three districts: 1) Merced City School District (elementary and middle schools); 2) Merced Union High School District (MUHSD); and, 3) Weaver Union School District (serving a small area in the southeastern part of the City with

elementary schools). The districts include various elementary schools, middle (junior high) schools, and high schools.

As the City grows, new schools will need to be built to serve our growing population. According to the Development Fee Justification Study for the MUHSD, Merced City Schools students are generated by new development at the following rate:

Table 6 Student Generation Rates		
Commercial/Industrial Category	Elementary (K-8) (Students per 1,000 sq.ft.)	High School (9-12) (Students per 1,000 sq.ft.)
Retail	0.13	0.038
Restaurants	0.00	0.157
Offices	0.28	0.048
Services	0.06	0.022
Wholesale/Warehouse	0.19	0.016
Industrial	0.30	0.147
Multi-Family	0.559 (per unit)	0.109 (per unit)

Based on the table above, the proposed 12,000-square-foot office and 22,000-square-foot warehouses, the Service Center would generate 8 K-8 students and 1 high school student.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
M. <u>Public Services.</u> Would the Project:				
1) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:				
a) Fire Protection?			✓	
b) Police Protection?			✓	
c) Schools?			✓	
d) Parks?			✓	
e) Other Public Facilities?			✓	

1) Less Than Significant

a) Fire Protection

The project site is located within Fire District #54 and would be served by Fire Station #54, located at 99 E. 16th Street (approximately 3.5 miles from the project site). The response

from this station would meet the desired response time of 4 to 6 minutes, citywide, 90 percent of the time, within the financial constraints of the City. The proposed change in land use designation would not affect fire protection services, and no new or modified fire facilities would be needed. Any changes to the building or site would be required to meet all requirements of the California Fire Code and the Merced Municipal Code. Compliance with these requirements would reduce any future impacts to a less than significant level.

At the time a building permit is issued, the developer would be required to pay Public Facility Impact Fees (PFIF). A portion of this fee goes to cover the cities costs for fire protection such as fire stations, etc. In addition, the developer may be required to annex into the City's Community Facilities District for Services. This would result in an assessment paid with property taxes in which a portion of the tax would go to pay for fire protection services. Compliance with all Fire, Building, and Municipal Code requirements as well as payment of the Public Facility Impact Fees, and potential annexation into the City's CFD for services would reduce any potential impacts to a less than significant level.

b) Police Protection

The site would be served by the City Police Department. The development of the vacant project site could result in more calls to the site. Implementation of the proposed project would not require any new or modified police facilities.

The same requirements for paying Public Facility Impact Fees and potentially annexation into the City's Community Facilities District for Services would apply with a portion of the fees and taxes collected going toward the costs for police protection. Therefore, this potential impact is reduced to a less-than-significant level.

c) Schools

Based on the table and discussion provided in the "Settings and Description" section above, the proposed development would likely generate additional students to the school system. As appropriate, the developer would be required to pay all fees due under the Leroy F. Greene School Facilities Act of 1988. Once these fees are paid, the satisfaction of the developer of his statutory fee under California Government Code §65995 is deemed "full and complete mitigation" of school impacts. This potential impact is less than significant.

d) Parks

Joe Herb Park is located approximately 2 miles west of the site. This is not a housing development, so the Project is not expected to significantly increase the use of neighborhood or regional parks.

Payment of the fees required under the Public Facilities Financing Program (PFIF) as described above would be required at time of building permit issuance to help fund future parks and maintenance of existing parks as well as the payment of fees in lieu of land dedication for future parks would be required at the building permit stage. The proposed amenities onsite and the payment of fees would reduce this potential impact to less than significant.

e) Other Public Facilities

The development of the Project could impact the maintenance of public facilities and could generate impacts to other governmental services. Payment of the fees required under the

Public Facilities Financing Program (PFIF) as described above would mitigate these impacts to a less than significant level.

N. Recreation

SETTING AND DESCRIPTION

The City of Merced has a well-developed network of parks and recreation facilities. Four City parks and recreation facilities are located within a one-mile radius of the project site.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
N. <u>Recreation.</u> Would the Project:				
1) Increase the use of neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			✓	
2) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				✓

1) Less the Significant Impact

Development of the Project may increase the use of neighborhood or regional parks. However, payment of the required development fees at the building permit stage along with the amenities on site would reduce the potential impacts to a **less than significant** level.

2) No Impact

The Project is not responsible for the construction or expansion of any recreational facilities.

O. Transportation/Traffic

SETTING AND DESCRIPTION

Roadway System

- F. The project site is in southeast Merced, approximately 3 miles from downtown and 2 miles east of State Route (SR) 99. The project site is bounded by SR 140 (Yosemite Parkway) to the north, East Childs Avenue to the south, and Kibby Road to the west. The study area is shown in Figure P-1.
-

- G. SR 140 (Yosemite Parkway) is a mixed urban or rural highway, oriented east to west, that connects Merced with Yosemite National Park. SR 140 functions as a major arterial between SR 99 and Santa Fe Avenue within the developed area of Merced. East of Santa Fe Avenue near the project site, SR 140 transitions to a two-lane undivided rural highway with turn pockets at major intersections, paralleling the BNSF Railway's Stockton Subdivision east to Planada before turning northeast toward Yosemite.
- H. East Childs Avenue is an arterial roadway oriented east to west through southern Merced. East Childs Avenue begins at SR 59 (Los Banos Highway)/Martin Luther King Jr. Way within the developed area of Merced and continues east to Cunningham Road (beyond Merced's eastern boundary) and South Fresno Road. At SR 59/Martin Luther King Jr. Way, West Childs Avenue meets East Childs Avenue at an offset intersection and continues west to West Avenue at the edge of Merced Regional Airport. The project site is north of East Childs Avenue, which generally functions as a two-lane minor arterial roadway in the project area.
- I. Kibby Road is a two-lane roadway oriented north to south through undeveloped or partly developed areas in eastern Merced. Kibby Road functions as a local collector roadway, connecting East Childs Avenue in the south with East Yosemite Avenue in the north.

Transit Service

- J. The Transit Joint Powers Authority for Merced County has jurisdiction over public transit in Merced County and operates The Bus, the county's regional public transit system. The closest bus service to the project site is provided on Route P (Planada Commuter), a limited daytime service between Merced and Planada with approximately five to six round-trips on weekdays (headways of approximately 2 hours) and three round-trips on weekends (headways of approximately 2.5 hours or more). Route P has stops at Kibby Road/SR 140. Alternatively, more frequent service is available farther from the project site on Route M5 (Merced South-East), which travels along a loop via eastbound East Childs Avenue, southbound Campus Parkway, and westbound East Gerard Avenue. Route M5 generally operates daytime service only, approximately every 30 minutes on weekdays and every hour on weekends.

Pedestrian and Bicycle Facilities

- K. Pedestrian and bicycle activity is relatively light in the project vicinity because most of the surrounding area is undeveloped or developed with agricultural or light industrial uses. In general, no sidewalks or bikeway facilities are provided along the roadway segments adjacent to the project site, and pedestrians and bicyclists mostly need to use the roadway shoulders (which may only be partially paved and improved) or the outer edges of travel lanes. The west side of Kibby Road and north side of East Childs Avenue adjacent to the McLane Pacific Distribution Center at 3876 East Childs Avenue have been partially improved with curbs, but do not include paved sidewalks, and the path of travel may be obstructed by landscaping or other features.

Railroads

SR 140 parallels the BNSF Railway's Stockton Subdivision near the project site. A grade crossing is in the project vicinity along Kibby Road, immediately south of the SR 140 intersection.

Vehicle Miles Traveled

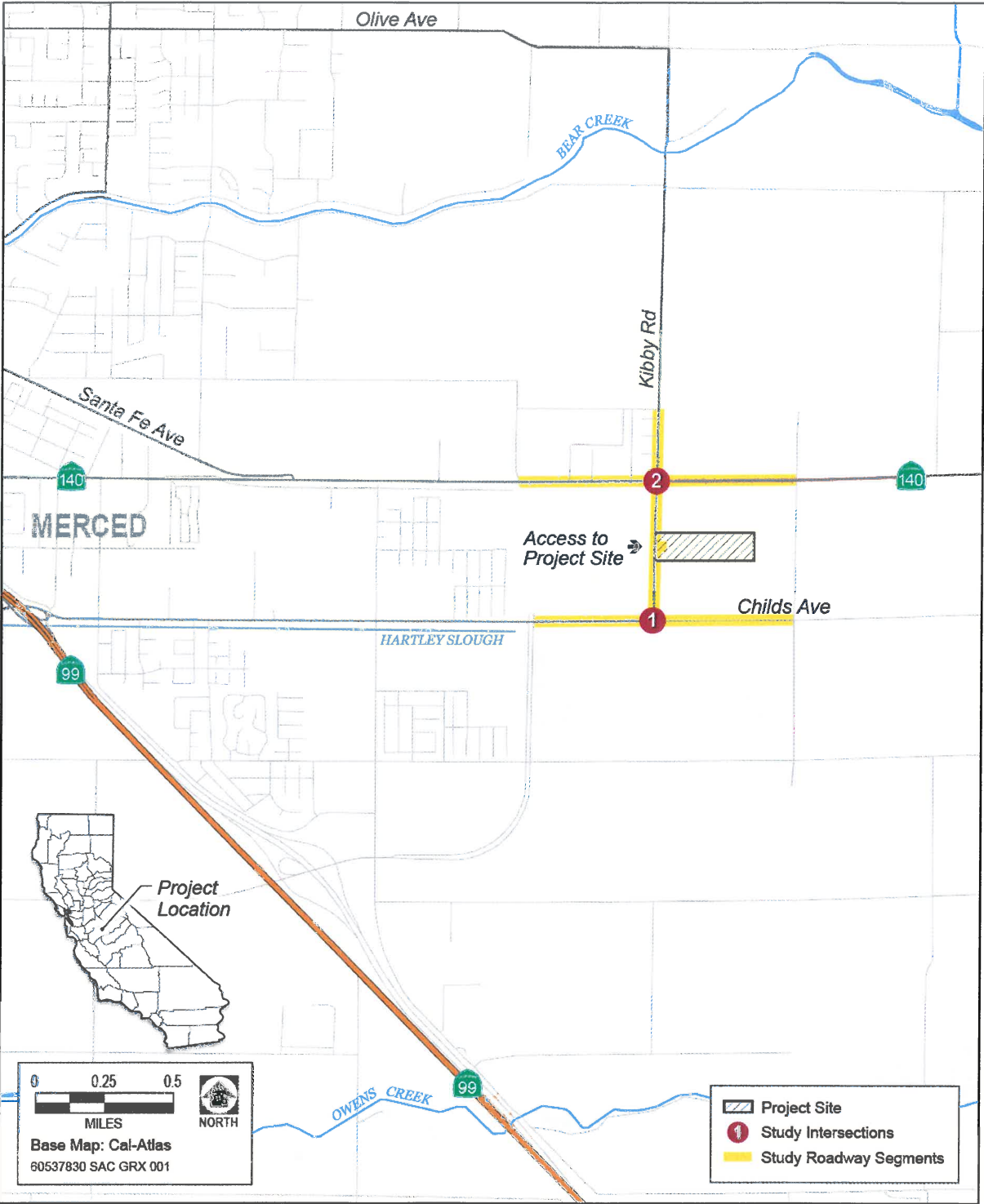
Senate Bill (SB) 743 directs the Governor's Office of Planning and Research (OPR) to develop new guidelines for assessing transportation-related impacts that "promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses" (Public Resources Code Section 21099[b][1]). These new guidelines will replace automobile delay, as described through level of service (LOS), with more appropriate criteria and metrics based on travel demand, such as "vehicle miles traveled, vehicle miles traveled per capita, automobile trip generation rates, or automobile trips generated" (Public Resources Code Section 21099[b][1]). The State CEQA Guidelines are expected to be amended to include guidance for measuring travel demand and to recommend that delays related to congestion no longer be considered a significant impact under CEQA (OPR 2016).

Some local jurisdictions in other parts of California have already begun implementing SB 743 at a local level; however, the City of Merced has not yet adopted any formal changes to its thresholds and guidelines, and OPR has yet to publish a final proposal for changes to the State CEQA Guidelines for adoption by the California Natural Resources Agency. Therefore, the analysis presented here continues to use the current State CEQA Guidelines thresholds and related local thresholds in determining the significance of potential project impacts.

Level of Service

Roadway operating conditions are described using the concept of LOS. LOS is a qualitative measure of vehicle delay and accounts for the effects of several factors: speed, travel time, traffic interruptions, freedom to maneuver, safety, and driving comfort/convenience. LOS ranges from LOS A to LOS F, from best to worst, covering the entire range of traffic operations that might occur. In general, LOS A represents free-flow conditions with no congestion, LOS E describes conditions approaching or at maximum capacity, and LOS F represents severe congestion and delay under stop-and-go conditions (Table P-1).

Table P-1 Level of Service Thresholds for Unsignalized Intersections		
Level of Service	Vehicle Delay (seconds/vehicle)	Description
A	$\text{Delay} \leq 10.0$	Free Flow/Insignificant Delays: No approach phase is fully utilized and no vehicle waits longer than one red indication.
B	$10.0 < \text{Delay} \leq 15.0$	Operation/Minimal Delays: An occasional approach phase is fully utilized. Many drivers design to feel somewhat restricted within platoons of vehicles.
C	$15.0 < \text{Delay} \leq 25.0$	Stable Operation/Acceptable Delays: Major approach phases fully utilized. Most drivers feel somewhat restricted.
D	$25.0 < \text{Delay} \leq 35.0$	Approaching Unstable/Tolerable Delays: Drivers may have to wait through more than one red signal indication. Queues may develop but dissipate rapidly, without excessive delays.
E	$35.0 < \text{Delay} \leq 50.0$	Unstable Operation/Significant Delays: Volumes at or near capacity. Vehicles may wait through several signal cycles. Long queues from upstream from intersection.
F	$\text{Delay} > 50.0$	Forced Flow/Excessive Delays: Represents jammed conditions. Intersection operates below capacity with low volumes. Queues may block upstream intersections.
Note: For a two-way stop-controlled intersection, the level of service is based on the delay at the worst approach. Source: Transportation Research Board 2000:Exhibits 16-2 and 17-2		



Project Location and Study Intersections

Existing traffic conditions were analyzed at the following two intersections during the weekday a.m. and p.m. peak hours, which represent the busiest 60-minute periods (i.e., four consecutive 15-minute periods) during the 2-hour weekday a.m. and p.m. periods (7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m., respectively):

- East Childs Avenue/Kibby Road
- SR 140/Kibby Road

Both study intersections are unsignalized intersections with stop control for the minor street approaches along Kibby Road.

The operation of the two selected intersections was evaluated for the following scenarios:

- *Existing Conditions*—Existing peak-hour volumes and intersection and roadway-segment lane geometry.
- *Existing with Project Conditions*—Existing peak-hour volumes and intersection and roadway-segment lane geometry, plus project-generated traffic.
- *Cumulative No Project Conditions*—Existing peak-hour volumes, plus traffic generated by all foreseeable development projects that would affect the transportation system in the study area, including approved projects that have not yet been built, pending development projects that have not yet been approved, and other land use growth envisioned to occur by 2030. Future-year traffic volumes were referenced from the Wal-Mart Regional Distribution Center Draft Environmental Impact Report (Wal-Mart DEIR), which accounted for traffic growth forecasted in the Merced County Association of Governments' travel demand forecasting model and additional travel demand generated by other nearby approved projects (City of Merced 2009). Adjustments were made as necessary to account for turning movements where existing peak-hour traffic levels have grown since the analysis conducted in the Wal-Mart DEIR.
- *Cumulative with Project Conditions*—Cumulative No Project Conditions plus project-generated traffic.

No.	Intersection Location	Control	A.M. Peak Hour		P.M. Peak Hour	
			Delay¹	LOS²	Delay	LOS
1	East Childs Avenue/Kibby Road	Unsignalized	9.8	A	9.8	A
2	SR 140/Kibby Road	Unsignalized	14.7	B	17.6	C

Notes: No. = number; LOS = level of service; SR = State Route
¹ Delay is in seconds per vehicle. For unsignalized intersections, the reported delay represents the worst intersection approach.

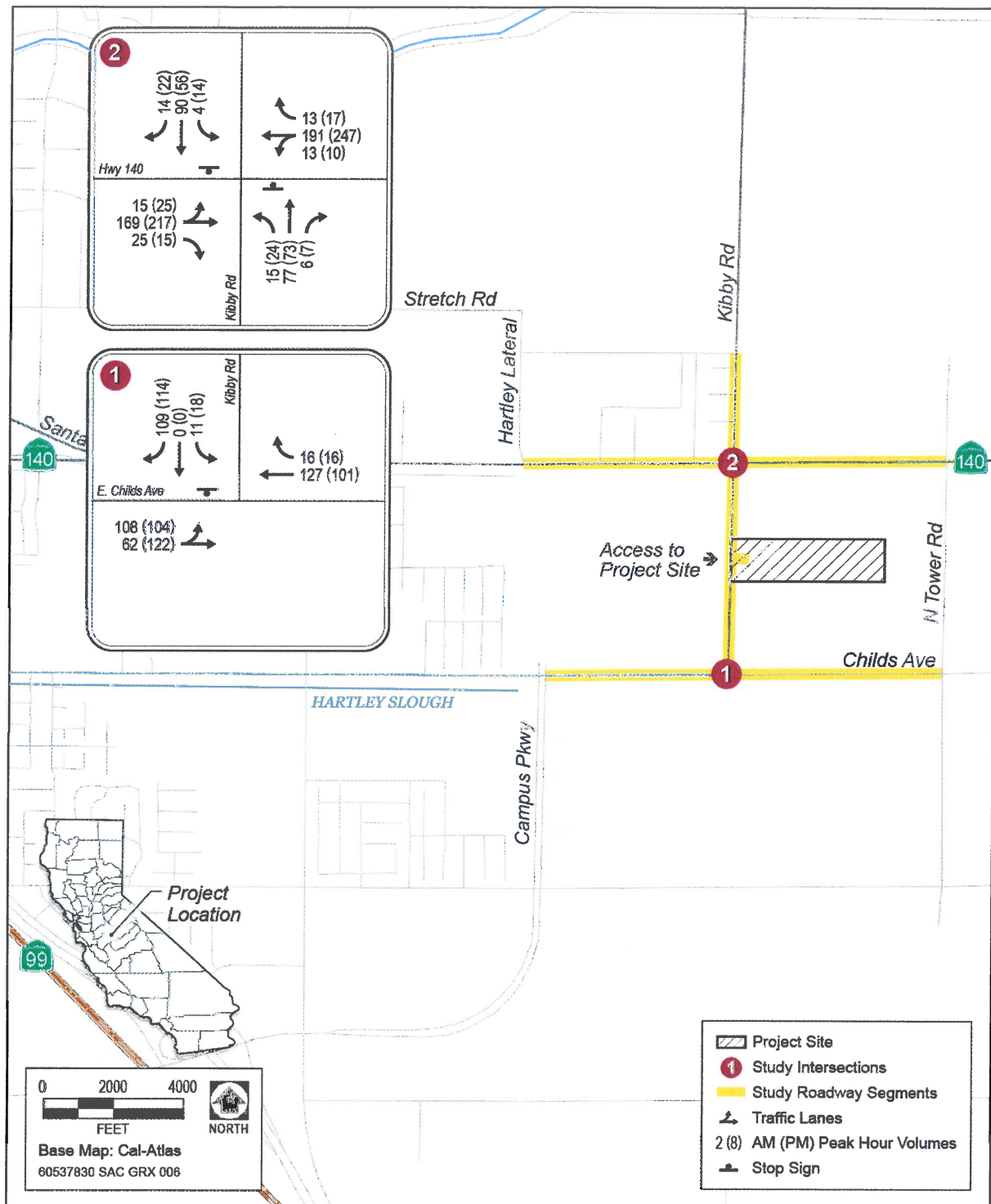


Figure P-2

Traffic Volumes—Existing No Project Conditions

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
P. <u>Transportation/Traffic.</u> Would the Project:				
1) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e. result in a substantial increase in either vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?		✓		
2) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?		✓		
3) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				✓
4) Substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?			✓	
5) Result in inadequate emergency access?			✓	
6) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?			✓	

1) Less-than-Significant Impact with Mitigation

See Section #2.

2) Less-than-Significant Impact with Mitigation

Level of Service

The City of Merced has established LOS D as the acceptable standard for intersections and roadways for new streets in new growth areas and for most existing city streets, except under special circumstances (City of Merced 2012). However, maintaining LOS D at existing intersections is not always feasible, appropriate, or necessary. People may expect and tolerate varying levels of congestion depending on location (e.g., central Merced) and time of

day. Heavier traffic can also be a reason to encourage greater pedestrian activity and heavier transit use in such areas. Other factors may also make better LOS infeasible. In central Merced, for example, widening existing streets could disrupt stable, older neighborhoods. Given these considerations, longer delays such as those under LOS E or LOS F may be acceptable at peak hours in these areas.

For the purposes of this analysis, significant impacts at unsignalized intersections would be assumed to occur when adding project traffic would cause either of the following to occur:

- An increase in traffic congestion resulting in intersection LOS E or worse. For unsignalized intersections, the need for a traffic signal is to be determined based on the *Manual of Uniform Traffic Control Devices* (MUTCD) Supplement to the California Traffic Manual traffic signal warrants.
- An increase in total intersection volumes of more than 5 percent at an intersection that is already operating at LOS E or LOS F under the background condition.

Project Travel Demand

Travel demand represents the estimated trips in each relevant travel mode (e.g., automobile, transit, biking, walking) that would be generated by the project, the origins and destinations of those trips, and the way in which they are assigned to the available transportation facilities.

Trip Generation

The project's trip generation was based on the number of employees anticipated on-site. As described in the Project Description, the project would include approximately 194 employees (Table P-3) at full operations.

Table P-3 Personnel Estimates		
Location	Line of Business	Personnel Estimate
Customer Service Office— 81 FTEs	Customer Care	22
	Electric Transmission & Distribution	45
	Gas Engineering, Construction, & Operations	8
	Enterprise Programs	1
	External Affairs & Public Policy	1
	Human Resources	1
	Information Technology	2
	Safety and Shared Services	1
Service Center— 110 FTEs	Customer Care	14
	Electric Transmission & Distribution	43
	Gas Engineering, Construction, & Operations	39
	Information Technology	5
	Safety and Shared Services	9
Regional Spoils Recycling Yard		3
Total		194
Note: FTE = Full-Time Equivalent		
Source: Data provided by PG&E Merced Service Center in 2017		

The following conservative assumptions were made to determine the project's trip generation:

- All employees would be present at the project site every weekday; therefore, the project would be expected to generate approximately 388 daily person-trips (one trip to and one trip from the site for each employee).
- All person-trips would take place by automobiles (no trips by transit, biking, walking, or other modes), and all employees would travel in single-occupancy vehicles (i.e., no carpooling).
- Approximately 75 percent of the trips (292 trips) would take place during the a.m. and p.m. peak hours. The remaining 25 percent of the trips (96 trips) would take place outside of the a.m. and p.m. peak hours.

Trip Distribution

The directions of approach and departure for trips that would be generated by the project were estimated based on the regional distribution of existing developed areas in Merced and the surrounding study area. Based on prevailing traffic patterns, roadway capacity, and consultation with the City of Merced and Pacific Gas and Electric Company, SR 140 and East Childs Avenue were identified as the two major traffic routes to the area, with Kibby Road serving as the local access road with direct access to the site. About 15 percent of the employees commuting during the peak hour were assumed to travel via East Childs Avenue: 5 percent to and from the east and 10 percent to and from the west at the East Childs

Daily Trips	Peak-Hour Trips (75%)	Direction (to and from)	Percentage of Total Traffic (%)		Traffic Volume (Trips)	
			A.M.	P.M.	A.M.	P.M.
388	292	East via East Childs Avenue	5	5	7	7
		West via East Childs Avenue	10	10	15	15
		North of SR 140 North via Kibby Road	5	5	7	7
		East via SR 140	10	10	15	15
		West via SR 140	70	70	102	102

Note: SR = State Route

Both study intersections would operate at an acceptable LOS (LOS D or better) under Existing with Project Conditions (Table P-5). Therefore, the project would not have a significant impact under Existing with Project Conditions. For reference, Table P-5 includes the results for Existing No Project Conditions. Figure P-3 presents the Existing with Project Conditions traffic volumes for each study intersection.

No	Intersection Location	Control	Existing No Project Conditions				Existing with Project Conditions			
			A.M. Peak Hour		P.M. Peak Hour		A.M. Peak Hour		P.M. Peak Hour	
			Delay ¹	LOS	Delay	LOS	Delay	LOS	Delay	LOS
1	East Childs Avenue/Kibby Road	Unsignalized	9.8	A	9.8	A	9.9	A	9.9	A
2	SR 140/Kibby Road	Unsignalized	14.7	B	17.6	C	14.7	B	20.4	C

Notes:
LOS = level of service; No. = number; SR = State Route
¹ Delay is in seconds per vehicle. For unsignalized intersections, the reported delay represents the worst intersection approach.

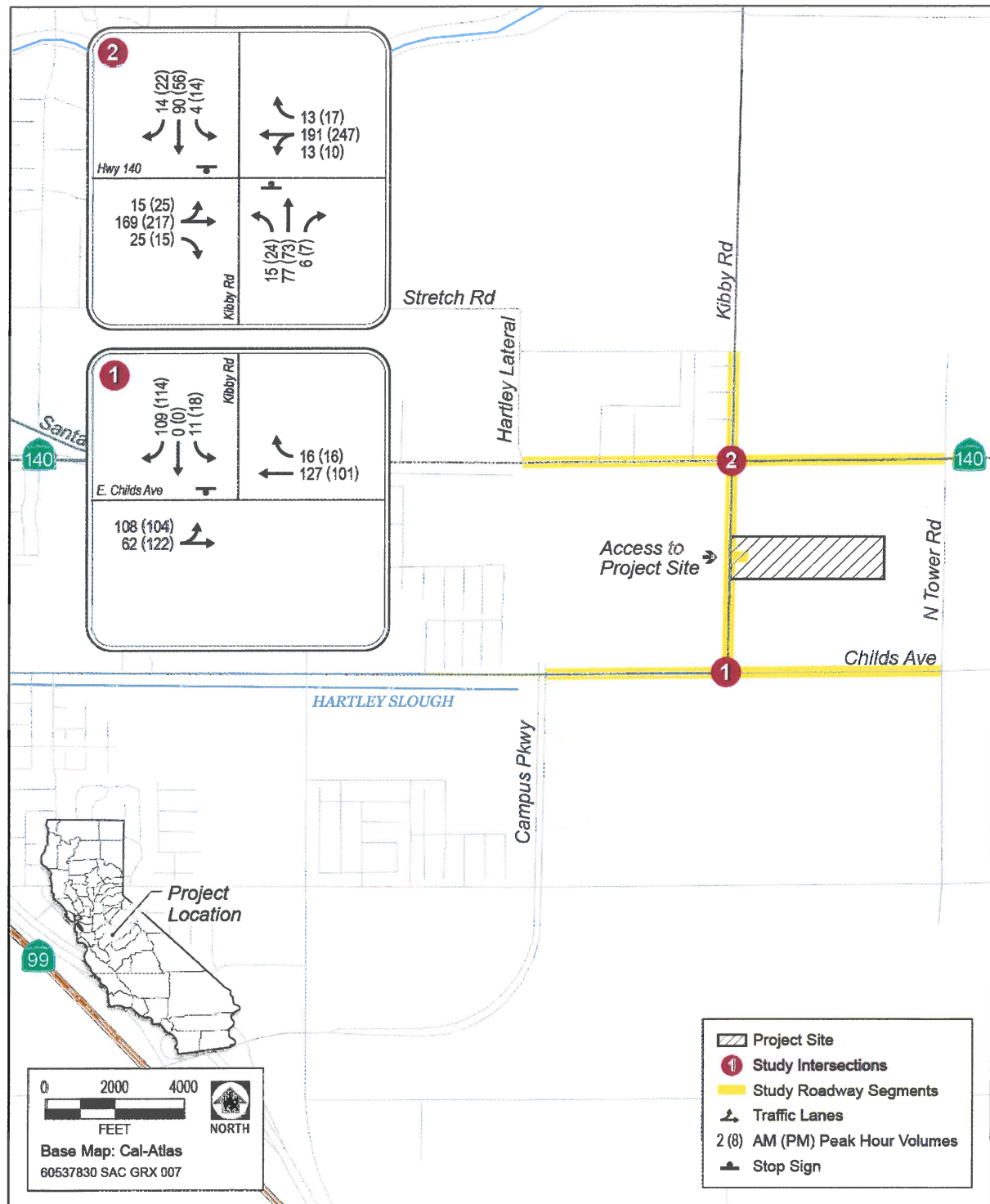


Figure P-3

Traffic Volumes—Existing with Project Conditions

Intersection operations under Cumulative No Project Conditions and Cumulative with Project Conditions were also evaluated. As shown in Table P-6, the results of the analysis indicate that the East Childs Avenue/Kibby Road intersection would operate at acceptable LOS (D or better) under both Cumulative No Project Conditions and Cumulative with Project Conditions. The SR 140/Kibby Road intersection, however, is expected to operate at a below-standard LOS F under both scenarios. Figure P-4 and Figure P-5 present the traffic volumes for Cumulative No Project Conditions and Cumulative with Project Conditions, respectively, for each study intersection.

No.	Intersection Location	Control	Cumulative No Project Conditions				Cumulative with Project Conditions			
			A.M. Peak Hour		P.M. Peak Hour		A.M. Peak Hour		P.M. Peak Hour	
			Delay¹	LOS	Delay	LOS	Delay	LOS	Delay	LOS
1	East Childs Avenue/Kibby Road	Unsignalized	10.9	B	12.4	B	11.0	B	12.6	B
2	SR 140/Kibby Road	Unsignalized	≥ 50.0	F	≥ 50.0	F	≥ 50.0	F	≥ 50.0	F

Notes:
LOS = level of service; No. = number
¹ Delay is in seconds per vehicle. For unsignalized intersections, the reported delay represents the worst intersection approach.

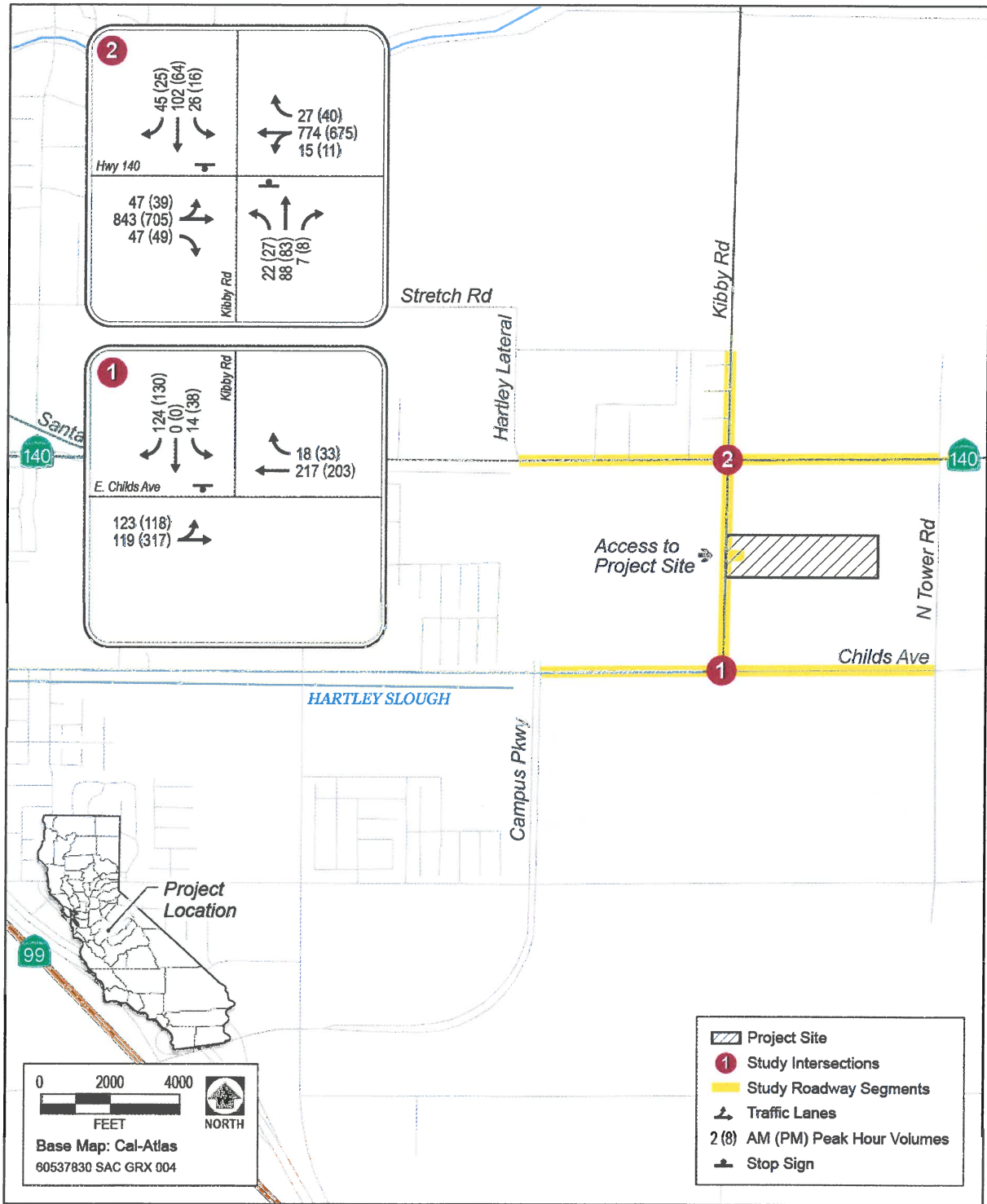


Figure P-4 Traffic Volumes—Cumulative No Project Conditions

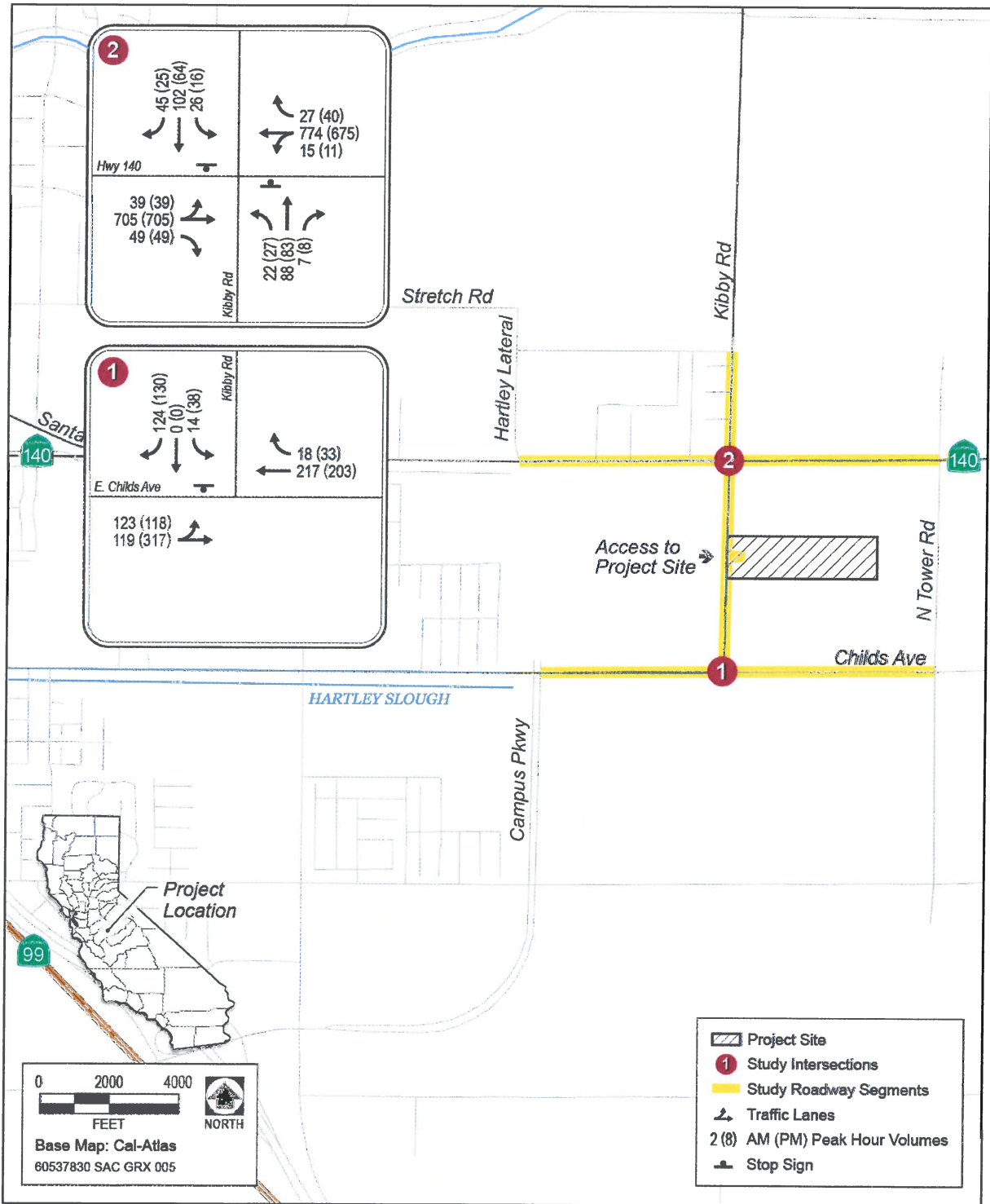


Figure P-5 Traffic Volumes—Cumulative with Project Conditions

To determine whether the project's impacts at the SR 140/Kibby Road intersection under Cumulative with Project Conditions would be significant, the MUTCD peak-hour traffic signal warrant was evaluated for the intersection and the increase in intersection traffic volumes attributable to the project was calculated in accordance with the significance thresholds described previously.

The MUTCD peak-hour signal warrant analysis indicates that a signal would be warranted at the intersection based on peak-hour traffic volumes under both Cumulative No Project Conditions and Cumulative with Project Conditions. Because the intersection would operate at LOS E or LOS F and satisfy the warrant under Cumulative with Project Conditions, the project would contribute to a significant cumulative impact at this intersection. The East Childs Avenue/Kibby Road intersection was also evaluated for informational purposes but did not satisfy the peak-hour traffic signal warrant. The warrant analysis worksheets are included in Appendix P-1.

Under Cumulative with Project Conditions, the project would also increase traffic volumes at the SR 140/Kibby Road intersection by approximately 6 percent during the a.m. peak hour and 7 percent during the p.m. peak hour (relative to Cumulative No Project Conditions), which would exceed the 5 percent increase established in the significance thresholds described previously. Therefore, the project would also result in a potentially significant cumulative impact at this intersection based on the expected increase in total traffic volumes attributable to the project.

Implementation of Mitigation Measure TRA-1, "Contribute Fair Share toward Traffic Signal Construction at SR 140/Kibby Road Intersection," would improve intersection operations to LOS B for both the a.m. and p.m. peak hours under both Cumulative No Project Conditions and Cumulative with Project Conditions (Table P-7), and thus, would reduce this impact to a less-than-significant level.

Mitigation Measure TRA-1: Contribute Fair Share toward Traffic Signal Construction at SR 140/Kibby Road Intersection

The project proponent shall contribute a fair share, based on project traffic added, toward construction of a traffic signal at the SR 140/Kibby Road intersection.

Table P-7 SR 140/Kibby Road Intersection—Level of Service Analysis under Unmitigated and Mitigated Cumulative Conditions								
No.	Intersection Location	Scenario	Mitigation	Control	Cumulative Project Conditions			
					A.M. Peak Hour		P.M. Peak Hour	
					Delay ¹	LOS	Delay	LOS
2	SR 140/Kibby Road	No Project	Unmitigated	Unsignalized	≥ 50.0	F	≥ 50.0	F
			Mitigated	Signalized	11.9	B	9.4	A
		With Project	Unmitigated	Unsignalized	≥ 50.0	F	≥ 50.0	F
			Mitigated	Signalized	13.3	B	10.3	B

Notes:

LOS = level of service; No. = number

¹ Delay is in seconds per vehicle. For unsignalized intersections, the reported delay represents the worst intersection approach.

However, the warrant analysis described above should not serve as the sole basis for deciding whether and when to install a signal at this location. To reach such a decision, the full set of signal warrants should be investigated by an experienced engineer based on field-measured (rather than forecasted) traffic data and a thorough study of traffic and roadway conditions. Furthermore, the decision to install a signal should not be based solely on the warrants, because installing signals can lead to certain types of collisions. The appropriate agency (the City of Merced for city intersections) should undertake regular monitoring of actual traffic conditions and accident data, and conduct a timely reevaluation of the full set of warrants to prioritize and program intersections for signalization. The project's fair-share contribution toward signalization of the intersection should be assessed if and when the City of Merced has determined that a traffic signal should be installed at this location.

3) No Impact

The project would be constructed in an existing industrial and agricultural area on undeveloped land. The project would not result in a change in air traffic patterns, including air traffic associated with any airports. The closest airport is Merced Regional Airport, located approximately 6 miles to the west. Therefore, no impact would occur.

4) Less-than-Significant Impact

The project would not change existing design features of roads and highways in the project vicinity. The project is on undeveloped land in an area that is partly developed with industrial and agricultural uses.

As described under Setting and Description, a grade crossing on the BNSF Railway's Stockton Subdivision at Kibby Road is immediately south of the SR 140/Kibby Road intersection. The crossing is a typical design, indicated by crossbucks and protected with standard (double-gate) crossing arms, flashing red lights, and bells.

During field surveys to conduct traffic counts at the Kibby Road/SR 140 intersection, one to two trains were observed passing through this crossing during each of the a.m. and p.m. peak periods. There is currently space for approximately two standard-sized automobiles to queue ahead of the grade crossing on the northbound Kibby Road approach to SR 140, with the right-turn pocket onto eastbound SR 140 capable of accommodating an additional vehicle. Observations of queuing activity did not identify queues of more than two vehicles on this approach at any one time, and any queues that developed generally dissipated quickly.

Although the project would increase the amount of vehicle traffic passing through this grade crossing, it would not generate any large-vehicle traffic (such as tractor-trailer trucks) that could potentially extend into the crossing when approaching the SR 140/Kibby Road

intersection along northbound Kibby Road. Any project-generated traffic would be required to yield and obey grade crossing devices and signage, as at any other grade crossing. Given these considerations, the project would not substantially increase safety hazards at this crossing. This impact related to safety hazards would be less than significant.

5) Less-than-Significant Impact

The project site is located on undeveloped land in an area that is partly developed with industrial and agricultural uses. The entrance to the project site is on Kibby Road with direct access to the north (Kibby Road/SR 140 intersection) and to the south (Kibby Road and East Childs Avenue). Standard conditions of approval require development and implementation of a traffic control plan to reduce the potential effects of project construction activities on transportation and to maintain routes for passage of emergency response vehicles on roadways affected by construction activities. Furthermore, the project would not result in changes in emergency access to the site or surrounding uses, as the project would have no impact on the Kibby Road/East Childs Avenue intersection, and would have a less-than-significant impact on the Kibby Road/SR 140 intersection with implementation of Mitigation Measure TRA-1. Therefore, project construction and operation would not pose a significant obstacle to emergency response vehicles. This impact on emergency access would be less than significant.

6) Less-than-Significant Impact

The project is not expected to generate substantial new demand for public transit services, and existing transit service in the area would likely have sufficient capacity to handle any marginal increase in transit ridership associated with the project. The *Final Short Range Transit Plan 2012–2017* for The Bus did not identify any substantial changes to transit service planned in the project vicinity (TJPAMC 2012). The project would not include design features or create substantial amounts of vehicle traffic that could conflict with adopted policies, plans, or programs regarding public transit services or facilities, nor would it otherwise decrease the performance or safety of any existing or planned transit services or facilities.

Similarly, the project is not expected to generate substantial amounts of bicycle or pedestrian activity. Existing bikeway and pedestrian facilities in the project vicinity are limited; however, the project would construct sidewalks or other standard frontage improvements required by the City of Merced. Similar frontage improvements and other street improvements would be required as part of the development of other tracts in the area, gradually creating a continuous network of bicycle and pedestrian facilities to service the area. Furthermore, the project would not include design features or create substantial amounts of vehicle traffic that could conflict with adopted policies, plans, or programs regarding bicycle or pedestrian facilities, nor would it otherwise decrease the performance or safety of any existing or planned bicycle or pedestrian facilities. Therefore, this impact would be less than significant.

P. Utilities and Service Systems

SETTING AND DESCRIPTION

Water

The City's water system is composed of 22 groundwater production wells located throughout the City, approximately 350 miles of main lines, and 4 water tower tanks for storage. Well pump operators ensure reliability and adequate system pressure at all times to satisfy customer demand. Diesel powered generators help maintain uninterrupted operations during power outages. The City of Merced water system delivered more than 24 million gallons of drinking water per day in 2013 to approximately 20,733 residential, commercial, and industrial customer locations. The City is required to meet State Health pressure requirements, which call for a minimum of 20 psi at every service connection under the annual peak hour condition and maintenance of the annual average daily demand plus fire flow, whichever is stricter. The City of Merced Water Division is operated by the Public Works Department.

The City of Merced's wells have an average depth of 414 feet and range in depth from 161 feet to 800 feet. The depth of these wells would suggest that the City of Merced is primarily drawing water from a deep aquifer associated with the Mehrten geological formation. Increasing urban demand and associated population growth, along with an increased shift by agricultural users from surface water to groundwater and prolonged drought have resulted in declining groundwater levels due to overdraft. This condition was recognized by the City of Merced and the Merced Irrigation District (MID) in 1993, at which time the two entities began a two-year planning process to ensure a safe and reliable water supply for Eastern Merced County through the year 2030. Integrated Regional Water Planning continues today through various efforts.

Wastewater

Wastewater (sanitary sewer) collection and treatment in the Merced urban area is provided by the City of Merced. The wastewater collection system handles wastewater generated by residential, commercial, and industrial uses in the City.

The City Wastewater Treatment Plant (WWTP), located in the southwest part of the City about two miles south of the airport, has been periodically expanded and upgraded to meet the needs of the City's growing population and new industry. The City's wastewater treatment facility has a capacity of 11.5 million gallons per day (mgd); with an average flow in 2006, of 8.5 mgd. The City has recently completed an expansion project to increase capacity to 12 mgd and upgrade to tertiary treatment with the addition of filtration and ultraviolet disinfection. Future improvements would add another 8 mgd in capacity (in increments of 4 mgd), for a total of 20 mgd. This design capacity can support a population of approximately 174,000. The collection system will also need to be expanded as development occurs.

Treated effluent is disposed of in several ways depending on the time of year. Most of the treated effluent (75% average) is discharged to Hartley Slough throughout the year. The remaining treated effluent is delivered to a land application area and the on-site City-owned wetland area south of the treatment plant.

Storm Drainage

The Draft *City of Merced Storm Drainage Master Plan* addresses the collection and disposal of surface water runoff in the City's SUDP. The study addresses both the collection and disposal of

storm water. Systems of storm drain pipes and catch basins are laid out, sized, and costed in the plan to serve present and projected urban land uses.

It is the responsibility of the developer to ensure that utilities, including storm water and drainage facilities, are installed in compliance with City regulations and other applicable regulations. Necessary arrangements with the utility companies or other agencies will be made for such installation, according to the specifications of the governing agency and the City (Ord. 1342 § 2 (part), 1980: prior code § 25.21(f)). The disposal system is mainly composed of MID facilities, including water distribution canals and laterals, drains, and natural channels that traverse the area.

The City of Merced has been involved in developing a Storm Water Management Plan (SWMP) to fulfill requirements of storm water discharges from Small Municipal Separate Storm Sewer System (MS4) operators in accordance with Section 402(p) of the Federal Clean Water Act (CWA). The SWMP was developed to also comply with General Permit Number CAS000004, Water Quality Order No. 2003-0005-DWQ.

Solid Waste

The City of Merced is served by the Highway 59 Landfill and the Highway 59 Compost Facility, located at 6040 North Highway 59. The County of Merced is the contracting agency for landfill operations and maintenance, as the facilities are owned by the Merced County Association of Governments. The City of Merced provides services for all refuse pick-up within the City limits and franchise hauling companies collect in the unincorporated areas. In addition to these two landfill sites, there is one private disposal facility, the Flintkote County Disposal Site, at SR 59 and the Merced River. This site is restricted to concrete and earth material.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
P. <u>Utilities and Service Systems.</u> Would the Project:				
1) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			✓	
2) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			✓	
3) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			✓	

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
4) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			✓	
5) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			✓	
6) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			✓	
7) Comply with federal, state, and local statutes and regulations related to solid waste?			✓	

1) Less Than Significant Impact

The project site would be served by City sewer system. There is sufficient capacity for serving this project within the City of Merced. This potential impact is less than significant.

2) Less Than Significant Impact

The City's current water and wastewater system is capable of handling this project within the City of Merced. There is an existing sewer line along Kibby Road. No significant environmental impacts would result from connecting to the line. A water line currently exists in Kibby Road along the property frontage. No new construction for water facilities would be required. This potential impact is less than significant.

3) Less Than Significant Impact

The Project would be required to provide storm drainage facilities that would capture storm water onsite and be routed to the City's storm drain system. No new facilities or expansions of existing facilities are needed. This potential impact is less than significant.

4) Less Than Significant Impact

As explained above, no new water facilities are needed for this project. The existing water system is sufficient to serve the development. Potential impacts are less than significant.

5) Less Than Significant Impact

Refer to item 2 above.

6) Less Than Significant Impact

The City of Merced uses the Highway 59 Landfill. Sufficient capacity is available to serve the future project. According to the *Merced Vision 2030 General Plan* DEIR, the landfill has capacity to serve the City through 2030. Potential impacts are less than significant.

7) Less Than Significant Impact

All construction on the site would be required to comply with all local, state, and federal regulations regarding solid waste, including recycling. Potential impacts are less than significant.

Q. Mandatory Findings of Significance

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Q. <u>Mandatory Findings of Significance.</u> Would the Project:				
1) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			✓	
2) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probably future projects?)			✓	
3) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			✓	

1) Less-Than-Significant Impact

As previously discussed in this document, the Project does not have the potential to adversely affect biological resources or cultural resources, because such resources are lacking on the project site, and any potential impacts would be avoided with implementation of the mitigation measures and other applicable codes identified in this report. Also, the Project would not significantly change the existing urban setting of the project area. Thus, this impact would be less than significant.

2) Less-Than-Significant Impact

The Program Environmental Impact Report conducted for the *Merced Vision 2030 General Plan, the General Plan Program EIR* (SCH# 2008071069), has recognized that future development and build-out of the SUDP/SOI will result in cumulative and unavoidable impacts in the areas of Air Quality and Loss of Agricultural Soils. In conjunction with this conclusion, the City has adopted a Statement of Overriding Considerations for these impacts (Resolution #2011-63) which is herein incorporated by reference.

The certified General Plan EIR addressed and analyzed cumulative impacts resulting from changing agricultural use to urban uses. No new or unaddressed cumulative impacts will result from the project that have not previously been considered by the certified General Plan EIR or by the Statement of Overriding Considerations, or mitigated by this Expanded Initial Study. This Initial Study does not disclose any new and/or feasible mitigation measures which would lessen the unavoidable and significant cumulative impacts.

The analysis of impacts associated with the development would contribute to the cumulative air quality and agricultural impacts identified in the General Plan EIR. In the case of air quality, emissions from the proposed project would be less than significant. The nature and extent of these impacts, however, falls within the parameters of impacts previously analyzed in the General Plan EIR. No individual or cumulative impacts will be created by the Project that have not previously been considered at the program level by the General Plan EIR or mitigated by this Initial Study.

3) Less-Than-Significant Impact

Development anticipated by the *Merced Vision 2030 General Plan* will have significant adverse effects on human beings. These include the incremental degradation of air quality in the San Joaquin Basin, the loss of unique farmland, the incremental increase in traffic, and the increased demand on natural resources, public services, and facilities. However, consistent with the provisions of CEQA previously identified, the analysis of the proposed project is limited to those impacts which are peculiar to the project site or which were not previously identified as significant effects in the prior EIR. The previously-certified General Plan EIR and the Statement of Overriding Considerations addressed those cumulative impacts; hence, there is no requirement to address them again as part of this project.

This previous EIR concluded that these significant adverse impacts are accounted for in the mitigation measures incorporated into the General Plan EIR. In addition, a Statement of Overriding Considerations was adopted by City Council Resolution #2011-63 that indicates that the significant impacts associated with development are offset by the benefits that will be realized in providing necessary jobs for residents of the City. The analysis and mitigation of impacts have been detailed in the Environmental Impact Report prepared for the *Merced Vision 2030 General Plan*, which is incorporated into this document by reference.

While this issue was addressed and resolved with the General Plan EIR in an abundance of caution, in order to fulfill CEQA's mandate to fully disclose potential environmental consequences of projects, this analysis is considered herein. However, as a full disclosure

document, this issue is repeated in abbreviated form for purposes of disclosure, even though it was resolved as a part of the General Plan.

Potential impacts associated with the Project's development have been described in this Initial Study. All impacts were determined to be less than significant.

R. Greenhouse Gas Emissions

SETTING AND DESCRIPTION

SETTING AND DESCRIPTION

Certain gases in the earth's atmosphere, classified as greenhouse gases (GHGs), play a critical role in determining the earth's surface temperature. A portion of the solar radiation that enters the atmosphere is absorbed by the earth's surface, and a smaller portion of this radiation is reflected back toward space. Infrared radiation is absorbed by GHGs; as a result, infrared radiation released from the earth that otherwise would have escaped back into space is instead trapped, resulting in a warming of the atmosphere. This phenomenon, known as the greenhouse effect, is responsible for maintaining a habitable climate on Earth.

GHGs are present in the atmosphere naturally, are released by natural sources and anthropogenic sources, and are formed from secondary reactions taking place in the atmosphere. The following GHGs are widely accepted as the principal contributors to human-induced global climate change and are relevant to the project: carbon dioxide (CO₂), methane, and nitrous oxide.

Emissions of CO₂ are byproducts of fossil fuel combustion. Methane is the main component of natural gas and is associated with agricultural practices and landfills. Nitrous oxide is a colorless GHG that results from industrial processes, vehicle emissions, and agricultural practices.

Global warming potential (GWP) is a concept developed to compare the ability of each GHG to trap heat in the atmosphere relative to CO₂. The GWP of a GHG is based on several factors, including the relative effectiveness of a gas in absorbing infrared radiation and the length of time the gas remains in the atmosphere (i.e., its atmospheric lifetime). The reference gas for GWP is CO₂; therefore, CO₂ has a GWP of 1. The other main GHGs that have been attributed to human activity include methane, which has a GWP of 28, and nitrous oxide, which has a GWP of 265 (IPCC 2013). For example, 1 ton of methane has the same contribution to the greenhouse effect as approximately 28 tons of CO₂. GHGs with lower emissions rates than CO₂ may still contribute to climate change, because they are more effective than CO₂ at absorbing outgoing infrared radiation (i.e., they have high GWPs). The concept of CO₂-equivalents (CO₂e) is used to account for the different GWP potentials of GHGs to absorb infrared radiation.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
R. <u>Greenhouse Gas Emissions.</u> Would the Project:				
1) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			✓	
2) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			✓	

1) Less -than-Significant Impact

The San Joaquin Valley Air Pollution Control District (SJVAPCD) is responsible for protecting public health and welfare through the administration of federal and state air quality laws and policies. In December 2009, SJVAPCD adopted the *Final Staff Report Addressing Greenhouse Gas Emissions Impacts under the California Environmental Quality Act* (SJVAPCD 2009). SJVAPCD also developed guidance for land-use agencies to address GHG emission impacts for new development projects. Projects complying with an approved GHG emission reduction plan or GHG mitigation program would have a less-than-significant individual and cumulative impact related to GHG emissions. Projects implementing best performance standards and reducing project-specific GHG emissions by at least 29 percent compared to the business-as-usual condition would have a less-than-significant individual and cumulative impact on global climate change under this guidance. However, models used to estimate GHG emissions now include some of the statewide measures that previously would have been used to evaluate this 29 percent reduction performance standard, so this particular method of comparison is out of date.

To establish the context in which to consider the project's GHG emissions, this analysis used guidance from the adjacent Sacramento Metropolitan Air Quality Management District (SMAQMD) to determine significance. In 2014, SMAQMD adopted a significance threshold for GHG emissions consistent with the goals of Assembly Bill (AB) 32: 1,100 metric tons (MT) CO₂e per year for construction-related and operational emissions (SMAQMD 2014). This significance threshold was developed to assess the consistency of a project's emissions with the statewide framework for reducing GHG emissions.

The impacts associated with GHG emissions generated by the Project are related to the emissions from short-term construction and operations. Off-road equipment, materials transport, and worker commutes during construction of the project would generate GHG emissions. Total construction-related and operational GHG emissions were calculated using methods and assumptions described for criteria air pollutants, and compared to the

SMAQMD threshold of 1,100 MT CO₂e. Total construction-related emissions for the project would be 679 MT CO₂e—including 323 MT CO₂e in 2017 and 356 MT CO₂e in 2018. Emissions generated by the Project during operations are related to indirect GHG emissions associated with increased worker trips, equipment usage, energy from electricity use and limited direct GHG emissions as a result of regular testing and maintenance of the emergency generator. Operational-related GHG emissions generated by the Project are 935 MT CO₂e per year. Additional modeling assumptions and details are provided in Appendix C-1.

GHG emissions associated with construction of the project are short-term and will cease following completion of construction activity. Neither construction nor operational emissions exceed the 1,100 MT CO₂e threshold. Therefore, the project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment. This impact would be less than significant.

2) Less-than-Significant Impact

In 2006, California enacted AB 32, the California Global Warming Solutions Act of 2006 (California Health and Safety Code Section 38500 et seq.). AB 32 establishes regulatory, reporting, and market mechanisms to achieve reductions in GHG emissions and establishes a cap on statewide GHG emissions. It requires that statewide GHG emissions be reduced to 1990 levels by 2020.

In December 2008, the California Air Resources Board (ARB) adopted its *Climate Change Scoping Plan* (Scoping Plan), which contains the main strategies California will implement to achieve the GHG reductions required by AB 32 (ARB 2008). ARB approved the first update to the Scoping Plan in 2014 (ARB 2014). The 2014 Scoping Plan Update describes the status of the 2008 Scoping Plan measures and other federal, state, and local efforts to reduce GHG emissions in California, and potential actions to further reduce GHG emissions by 2020. None of the measures listed in the 2014 Scoping Plan Update relate directly to construction activity. The Scoping Plan includes some measures that would indirectly address GHG emissions from construction activity, including phasing in cleaner technology for diesel engine fleets (including construction equipment) and developing a Low Carbon Fuel Standard. However, successful implementation of these measures will depend primarily on the development of future laws and policies at the state level.

In 2017, the Proposed Scoping Plan Update was released. That document establishes a proposed framework of action for California to reduce statewide emissions by 40 percent by 2030 compared to 1990 levels (ARB 2017). The project would comply with any mandate or standards set forth by an adopted Scoping Plan Update effecting construction activities and operations.

In 2012, the City of Merced adopted the *Merced Climate Action Plan* to address the reduction of major sources of GHG emissions. The climate action plan established an emissions target of 1990 levels by 2020, commensurate with the State of California's target (City of Merced 2012). To meet this goal, the City adopted values, goals, and strategies to reduce emissions. Goals of the plan include:

- enhanced mobility of all transportation modes;
- sustainable community design;
- water conservation and technology;
- protection of air resources;
- waste reduction;
- increased use of renewable energy sources;
- building energy conservation; and
- public outreach and involvement.

The Project would be consistent with the goals of the *Merced Climate Action Plan*. The Project would relocate existing employees to a more energy-efficient building. The new building would be constructed to meet the current California Green Building Standards Code and would be consistent with the Building Energy Conservation Goal. Additionally, operation of the regional spoils recycling facility would reduce the disposal of waste and would support waste reduction goals.

As mentioned above, the Project would not exceed emissions thresholds adopted by SMAQMD and would be consistent with the applicable requirements of the *Merced Climate Action Plan*. Therefore, the Project would not conflict with any applicable plans, policies, or regulations adopted for the purpose of reducing GHG emissions. This impact would be less than significant.

4. ENVIRONMENTAL DETERMINATION

On the basis of this initial environmental evaluation:

I find that the project could have a significant effect on the environment, and that
a MITIGATED NEGATIVE DECLARATION HAS BEEN PREPARED for
 X public review.

July 27, 2017

Francisco Mendoza-Gonzalez, Planner

Kim Espinosa, Planning Manager
Environmental Coordinator
City of Merced

5. PREPARERS OF THE INITIAL STUDY

LEAD AGENCY

City of Merced
Planning & Permitting Division
678 West 18th Street
Merced, CA 95340
(209) 385-6929
Francisco Mendoza-Gonzalez, Planner

ATTACHMENTS:

- A) Location Map
- B) Site Plan

<p style="text-align: center;">ENVIRONMENTAL REVIEW #17-06 Mitigation Monitoring Program</p>
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MITIGATION MONITORING CONTENTS

This mitigation monitoring program includes a brief discussion of the legal basis and purpose of the mitigation monitoring program, a key to understanding the monitoring matrix, a discussion of noncompliance complaints, and the mitigation monitoring matrix itself.

LEGAL BASIS AND PURPOSE OF THE MITIGATION MONITORING PROGRAM

Public Resource Code (PRC) 21081.6 requires public agencies to adopt mitigation monitoring or reporting programs whenever certifying an environmental impact report or mitigated negative declaration. This requirement facilitates implementation of all mitigation measures adopted through the California Environmental Quality Act (CEQA) process.

The City of Merced has adopted its own “Mitigation Monitoring and Reporting Program” (MMC 19.28). The City’s program was developed in accordance with the advisory publication, *Tracking CEQA Mitigation Measures*, from the Governor’s Office of Planning and Research.

As required by MMC 19.28.050, the following findings are made:

- 1) The requirements of the adopted mitigation monitoring program for Site Plan Review #411 shall run with the real property. Successive owners, heirs, and assigns of this real property are bound to comply with all of the requirements of the adopted program.
- 2) Prior to any lease, sale, transfer, or conveyance of any portion of the subject real property, the applicant shall provide a copy of the adopted program to the prospective lessee, buyer, transferee, or one to whom the conveyance is made.

MITIGATION MONITORING PROCEDURES

In most cases, mitigation measures can be monitored through the City’s construction plan approval/plan check process. When the approved project plans and specifications, with mitigation measures, are submitted to the City Development Services Department, a copy of the monitoring checklist will be attached to the submittal. The Mitigation Monitoring Checklist will be filled out upon project approval with mitigation measures required. As project plans and specifications are checked, compliance with each mitigation measure can be reviewed.

In instances where mitigation requires on-going monitoring, the Mitigation Monitoring Checklist will be used until monitoring is no longer necessary. The Development Services Department will be required to file periodic reports on how the implementation of various mitigation measures is progressing or is being maintained. Department staff may be required to conduct periodic inspections to assure compliance. In some instances, outside agencies and/or consultants may be required to conduct necessary periodic inspections as part of the mitigation monitoring program. Fees may be imposed per MMC 19.28.070 for the cost of implementing the monitoring program.

GENERAL PLAN MITIGATION MEASURES

As a second tier environmental document, Initial Study #17-11 incorporates some mitigation measures adopted as part of the *Merced Vision 2030 General Plan Program Environmental Impact Report* (SCH# 2008071069), as mitigation for potential impacts of the Project.

NONCOMPLIANCE COMPLAINTS

Any person or agency may file a complaint asserting noncompliance with the mitigation measures associated with the project. The complaint shall be directed to the Director of Development Services in written form providing specific information on the asserted violation. The Director of Development Services shall cause an investigation and determine the validity of the complaint. If noncompliance with a mitigation measure has occurred, the Director of Development Services shall cause appropriate actions to remedy any violation. The complainant shall receive written confirmation indicating the results of the investigation or the final action corresponding to the particular noncompliance issue. Merced Municipal Code (MMC) Sections 19.28.080 and 19.28.090 outline the criminal penalties and civil and administrative remedies which may be incurred in the event of noncompliance. MMC 19.28.100 spells out the appeals procedures.

MONITORING MATRIX

The following pages provide a series of tables identifying the mitigation measures proposed specifically for Site Plan Review #411. The columns within the tables are defined as follows:

Mitigation Measure:	Describes the Mitigation Measure (referenced by number).
Timing:	Identifies at what point in time or phase of the project that the mitigation measure will be completed.
Agency/Department Consultation:	This column references any public agency or City department with which coordination is required to satisfy the identified mitigation measure.
Verification:	These columns will be initialed and dated by the individual designated to verify adherence to the project specific mitigation.

Site Plan Review #411 **Mitigation Monitoring Checklist**

Project Name: PG&E Service Center
Approval Date: 7/27/2017
Brief Project Description: New PG&E Service Center with 34,000 square feet of building footprint.

File Number: SP#411
Project Location: NEC of Kibby Road and Childs Avenue

The following environmental mitigation measures were incorporated into the Conditions of Approval for this project in order to mitigate identified environmental impacts to a level of insignificance. A completed and signed checklist for each mitigation measure indicates that this mitigation measure has been complied with and implemented, and fulfills the City of Merced's Mitigation Monitoring Requirements (MMC 19.28) with respect to Assembly Bill 3180 (Public Resources Code Section 21081.6).

O) Transportation/Traffic			
<i>Impact No.</i>	<i>Mitigation Measures</i>	<i>Timing</i>	<i>Agency or Department</i>
TRA-1 & TRA-2	B-1) The project proponent shall contribute a fair share, based on project traffic added, toward construction of a traffic signal at the SR 140/Kibby Road intersection. This amount shall be due at the time it is determined by the City of Merced and Caltrans that the Level of Service for this intersection has dropped below the acceptable Level of Service (LOS D) for roadways and intersections.	As determined by Caltrans and the City of Merced	Planning Department

Certificate of Completion:

By signing below, the environmental coordinator confirms that the required mitigation measures have been implemented as evidenced by the Schedule of Tasks and Sign-Off Checklist, and that all direct and indirect costs have been paid. This act constitutes the issuance of a *Certificate of Completion*.

Environmental Coordinator _____ Date _____