INITIAL STUDY
FOR THE

AUGUST MEADOWS EVENT VENUE PROJECT

CONDITIONAL USE PERMIT APPLICATION NO. CUP21-002

COUNTY OF MERCED
DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT
2222 'M' Street
Merced, CA 95340

Prepared with the Technical Assistance of:

environmental PLANNING PARTNERS, INC.
2934 Gold Pan Court, Ste 3
Rancho Cordova, CA 95670

October 2021

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INITIAL STUDY
AND ENVIRONMENTAL EVALUATION

Project Title:	August Meadows Event Venue Project Conditional Use Permit No. CUP21-002
Project Location:	18639 August Avenue Hilmar, CA 95324
Lead Agency Name and Address:	Merced County Community and Economic Development Department 2222 'M' Street Merced, CA 95340
Contact Person and Phone Number:	Pam Navares, Planner II Phone: (209) 385-7654
General Plan Designation:	Agricultural (Merced County General Plan)
Zoning Designation:	A-1 (General Agricultural; Merced County)

The project under evaluation in this Initial Study (IS) is the modification and expansion of an existing event facility and an increase in the permitted annual number of events. The existing facilities are located within an existing almond orchard located in rural Merced County east/northeast of the unincorporated community of Hilmar. This Initial Study focuses on whether the proposed project may cause significant effects on the environment. In particular, consistent with Section 21083.3 of the California Public Resources Code, this Initial Study is intended to assess any effects on the environment, which are peculiar to the proposed project or to the parcel on which the project would be located. This Initial Study is also intended to assess whether any environmental effects of the project are susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, by the imposition of conditions, or by other means [Section 15152(d)(2) of the Guidelines for the California Environmental Quality Act (CEQA)]. If such revisions, conditions or other means are identified, they will be imposed as mitigation measures.

This initial study relies on CEQA Guidelines Sections 15064 – 15064.7 in its determination of the significance of environmental effects. According to Section 15064(f), the finding as to whether a project may have one or more significant effects shall be based on substantial evidence in the record, and that controversy alone, without substantial evidence of a significant effect, does not trigger the need for an EIR.

1. DESCRIPTION OF PROJECT

The project under evaluation in this Initial Study/Mitigated Negative Declaration is the modification, expansion, and more frequent operation of an existing event venue, named August Meadows, within an existing almond orchard. The modified event venue would be available to rent for private events such as weddings, seasonal events, fundraisers, etc. In addition to providing facilities for such events, the venue would sell small quantities of almonds harvested from almond trees located on site, as well as flowers and other small floral décor from proposed flower meadows to be located on the property near August Avenue.

LOCATION

The project site is located at 18639 August Avenue in unincorporated Merced County, east/northeast of the community of Hilmar. The nearest cross streets are Golf Link Road and Griffith Avenue. The proposed project would be constructed adjacent to existing facilities within an existing almond orchard totaling 19.7 acres. The project's location is within the central California region (see Figures 1 and 2). The parcel is identified as Merced County Assessor' Parcel Number (APN) 045-160-170. The project site is located in Section 13, Township 6 South, Range 10 East, Mount Diablo Base and Meridian; 37°25′ 00.62″ N, 120°49′ 33.59″ W.

EXISTING CONDITIONS

The project site is developed as a working almond farm. Large ornamental trees are located at the north and south ends of the parcel as well as along an on-site driveway. Vegetation on the project site consists of agricultural and ornamental trees, or ruderal species. An area in the northeast corner of the project near August Avenue is planted in ornamental shrubs and trees. Portions of this area are fallow or otherwise disturbed ground.

A single-family residence on the site is occupied by the applicant. Other existing structures on site include a 650 square foot well pump house/barn near August Avenue, and a 1,965 square foot multi-purpose building and 200 square foot storage building/bar in the area where new facilities are proposed.

Domestic water is provided to the site by two wells located near the applicant's residence. There are also two non-operational wells on the site. The non-operating well nearest August Avenue will be renovated/repaired in accordance with County requirements, and the second will be abandoned in accordance with State and County rules and regulations. Irrigation for the almond orchard, and existing lawns surrounding the multi-purpose building and storage building/bar is from service water provided by the Turlock Irrigation District (TID).

The residence is served by an existing septic system near the house. An existing septic tank and leach field are also situated adjacent to the existing multi-purpose building near the southern end of the parcel that serves event attendees.

Entrance onto the project site is via a single 1,140-foot gravel driveway that is located at the north end of the parcel, at August Avenue. The applicant's residence and existing facilities are accessible by this driveway that traverses the property to the south. The driveway ends at an existing unpaved parking area of approximately one acre in size. An existing shared dirt road used for agricultural access by the applicant and the farmer to the east is located along the easterly property line between the applicant's parcel and the adjacent farm.

The applicants have hosted four events over the past year, including weddings and/or receptions as permitted by the Merced County Zoning Code, Section 18.60.290.

SURROUNDING LAND USES AND SETTING

The proposed use of the property falls within the allowable land uses and requirements of the General Plan and Zoning Code. The property is currently designated for agricultural uses (A) by the Merced County 2030 General Plan, and zoned as Agricultural (A-1). As set forth in the General Plan, the project site is not within the Urban Community boundary of the community of Hilmar.

The surrounding land uses of neighboring properties consist of agricultural crops. Crops on the north and east sides of the proposed project consist of corn, silage, and other feed crops for cattle consumption. South and west of the project site, crops consist of almond orchards and field crops. A Turlock Irrigation District (TID) electric substation is located approximately 0.3 miles (1,525 feet) west/northwest of the existing and planned event facilities.

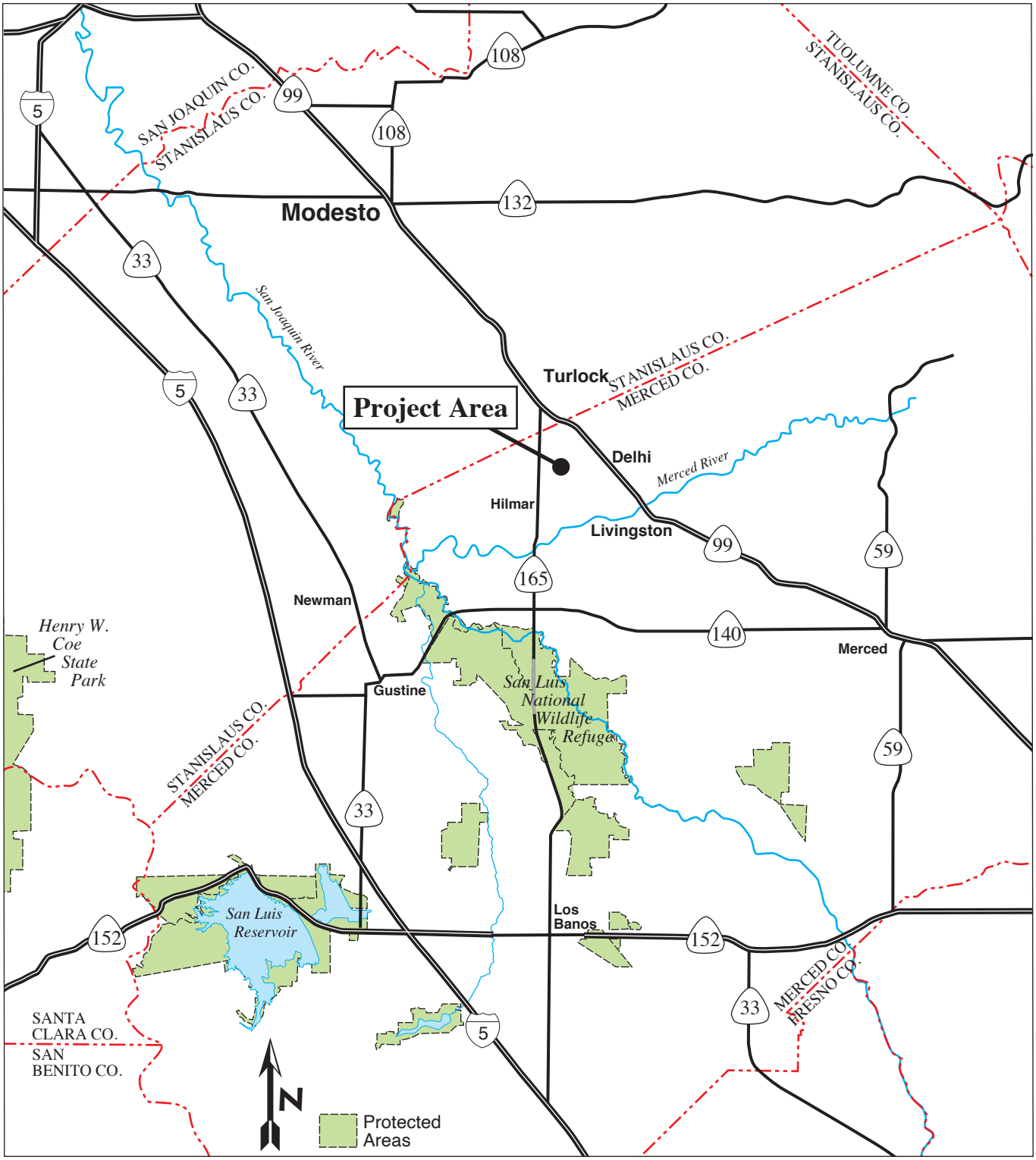
There are off-site single-family residences associated with neighboring agricultural operations surrounding the project site (see Table 1). The closest offsite residence to the event facilities is located approximately 1,525 feet west/northwest of the project site adjacent to a TID substation on August Avenue. The Hilmar Urban Community boundary is located 2,000 feet from the nearest event facilities; the nearest residences developed to urban densities within Hilmar are located 0.8 miles (4,380 feet) west of existing and proposed facilities.

Table 1 Surrounding Land Uses at the August Meadows Event Venue

Location	Land Use	General Plan	Zoning
ON SITE	Orchard / Event Facilities / Rural Residence	Agricultural	General Agricultural A-1
NORTH	Orchard and Field Agriculture / Lateral #7 / Poultry Ranch / Abandoned Rural Residence	Agricultural	General Agricultural A-1
EAST	Field Agriculture / Animal Confinement Facilities	Agricultural	General Agricultural A-1
SOUTH	Orchard and Field Agriculture / Abandoned and Occupied Rural Residences	Agricultural	General Agricultural A-1 / Light Manufacturing M-1
WEST	Field Agriculture / TID Substation/Rural Residence / Lateral #7 / Hilmar Urban Community Boundary	Agricultural	General Agricultural A-1

Source: Project Site Visit, August 3, 2021; Project Applicant, July and September 2021.

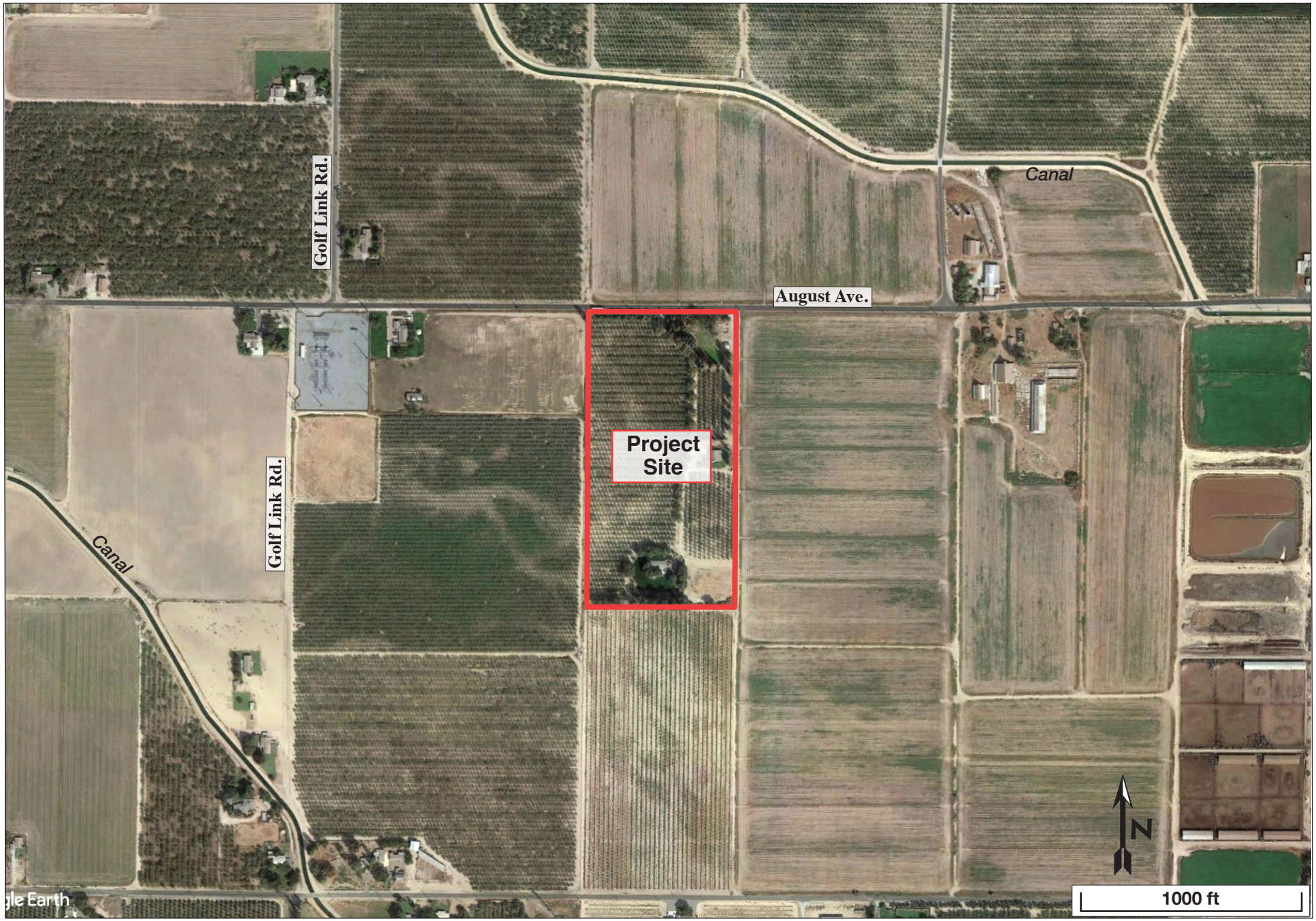
TID Lateral #7 runs east-west approximately 0.2 miles north of August Avenue before turning south and passing west of the site. State Route (SR) 165 (Lander Avenue runs north-south along the western side of the project area (see Figure 2). The community of Delhi, State Route 99, and the Southern Pacific Railroad lie approximately 2.75 miles to the northeast (see Figure 1),



August Meadows Event Venue Project

SOURCE: Planning Partners, 2021

Figure 1
Regional Location



August Meadows Event Venue Project

SOURCE: Planning Partners, 2021

Figure 2
Project Vicinity

PROPOSED PROJECT

PROJECT CHARACTERISTICS

The proposed project would be constructed on the southern end of an existing 19.7-acre parcel, APN 045-160-170. Figure 3 provides site plan detail of the area for proposed facilities; Figure 4 reflects the entirety of the project parcel owned by the applicant.

Currently, there are four existing buildings and structures on the property as shown in Figure 3. Structure A is small storage shed/barn at the north end of the project parcel that would be unaffected by the proposed project. Structure B is the existing dwelling onsite and also would be unaffected with implementation of the project. Building C is approximately 1,965 square feet (sq.ft.) and would be used as a small event/bridal lounge with approval of the project. This existing building would be remodeled to provide permanent bathrooms and a kitchen. Currently, there is only one single stall bathroom in this building. As proposed, implementation of the project would provide additional bathroom stalls and a larger septic system. Implementation of the project would result in a future update of the kitchen in this building to a commercial grade kitchen. Currently, there is only a "cold kitchen" in Building C. Structure D (approximately 200 sq.ft.) as shown on Figure 3 is an old grain bin that has been converted into an open-air bar/beverage structure. It would be unaffected by the proposed project and would continue to be used to distribute beverages during events.

The proposed project includes the construction of four new structures totaling 9,700 square feet. (See Figure 3, Structures E through H.) Building E (2,400 sq.ft.) would be constructed to the north of the proposed parking lot within the existing almond orchard. This building would be used for storage of event-related equipment and supplies between events. A new multipurpose building (F, 4,800 sq.ft.) would be constructed to the west of Building C. Building F would be used for indoor events. A gazebo (Structure G) would be constructed to the north of Building C. The gazebo would be used as a focal point for celebrations and events such as weddings. Building H (2,000 sq.ft.), a chapel, would be constructed to the northwest of proposed Building F and would provide an indoor space for similar uses to those accommodated by the gazebo.

Approximately 9 almond trees would be removed to accommodate Building E. Up to 100 additional almond trees could be removed with the construction of Structures G and H, placement of the new and replacement leach fields north of the existing venue, and construction of an emergency access road and pond to meet fire requirements.

Access to the site and venue would continue to be from August Avenue via an existing driveway. Although most event attendees arrive shortly before an event begins, past experience at the site indicates that the length of the existing 1,140 foot driveway is adequate to accommodate entering vehicles without creating a queue on August Avenue. In contrast, event attendees tend to leave the venue over an extended period of time, and any queuing would be confined to the project site. Traffic control would continue to be provided by onsite staff. In addition to the onsite driveway, emergency access could be provided via an unmaintained agricultural access road running along the east boundary of the project site.

LEGEND

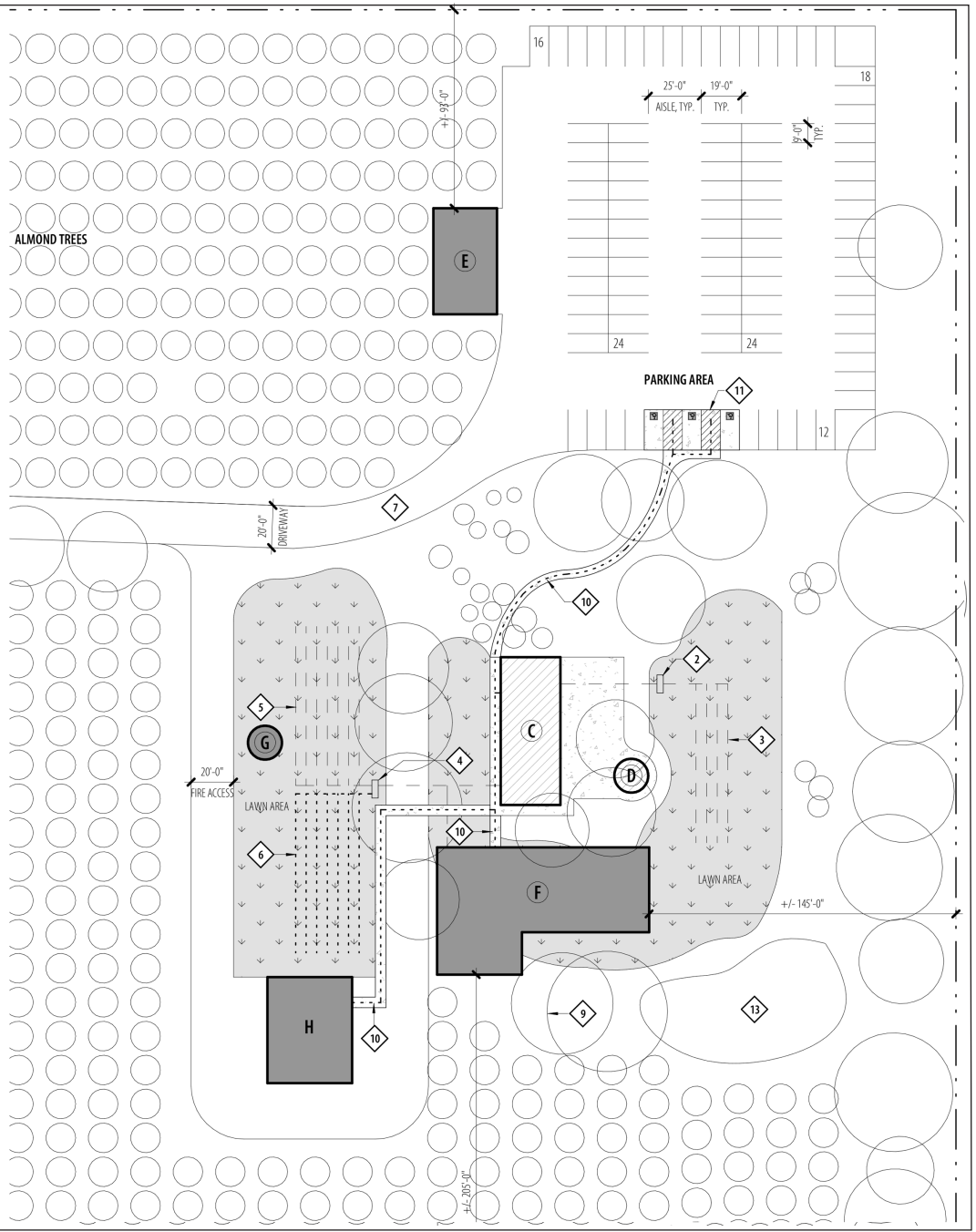
- PROPERTY LINE
- ACCESSIBLE PATH OF TRAVEL
- PROPOSED BUILDING
- EXISTING BUILDING
- NEW CONCRETE WALK / FLAT WORK
- NEW LANDSCADVPE

KEYNOTES

1. (E) WELL
2. (E) SEPTIC TANK
3. (E) LEACH FIELD
4. NEW SEPTIC TANK
5. NEW LEACH FIELD FOR 300 PEOPLE
6. 100% REPLACEMENT LEACH FIELD
7. ROADBASE DRIVEWAY
8. ENTRANCE SIGNAGE
9. (E) ORNAMENTAL TREE, TYP.
10. NEW 4'-0" MIN. CONCRETE WALK
11. NEW CONCRETE ADA PARKING STALLS
12. (E) WELL TO BE ABANDONED
13. NEW AUTOMATIC FILL POND FOR BLDG. FIRE SUPRESSION SYSTEM

STRUCTURE LEGEND

KEYNOTE	USE	SF	PHASE	HT/STORIES
A	**WELL PUMP HOUSE**	**650 SF**	**EXISTING**	**15FT, 1 STY**
B	**DWELLING**	**2,600 SF**	**EXISTING**	**30 FT, 2 STY**
C	**MULTIPURPOSE BUILDING**	**1,965 SF**	**EXISTING**	**15 FT, 1 STY**
D	**STORAGE**	**200 SF**	**EXISTING**	**15 FT, 1 STY**
E	**STORAGE**	**2,400 SF**	**PHASE 1**	**25 FT, 1 STY**
F	**MULTIPURPOSE BUILDING**	**4,800 SF**	**PHASE 1**	**35 FT, 1 STY**
G	**GAZEBO**	**500 SF**	**PHASE 2**	**15 FT, 1 STY**
H	**CHAPEL**	**2,000 SF**	**PHASE 2**	**35 FT, 1 STY**

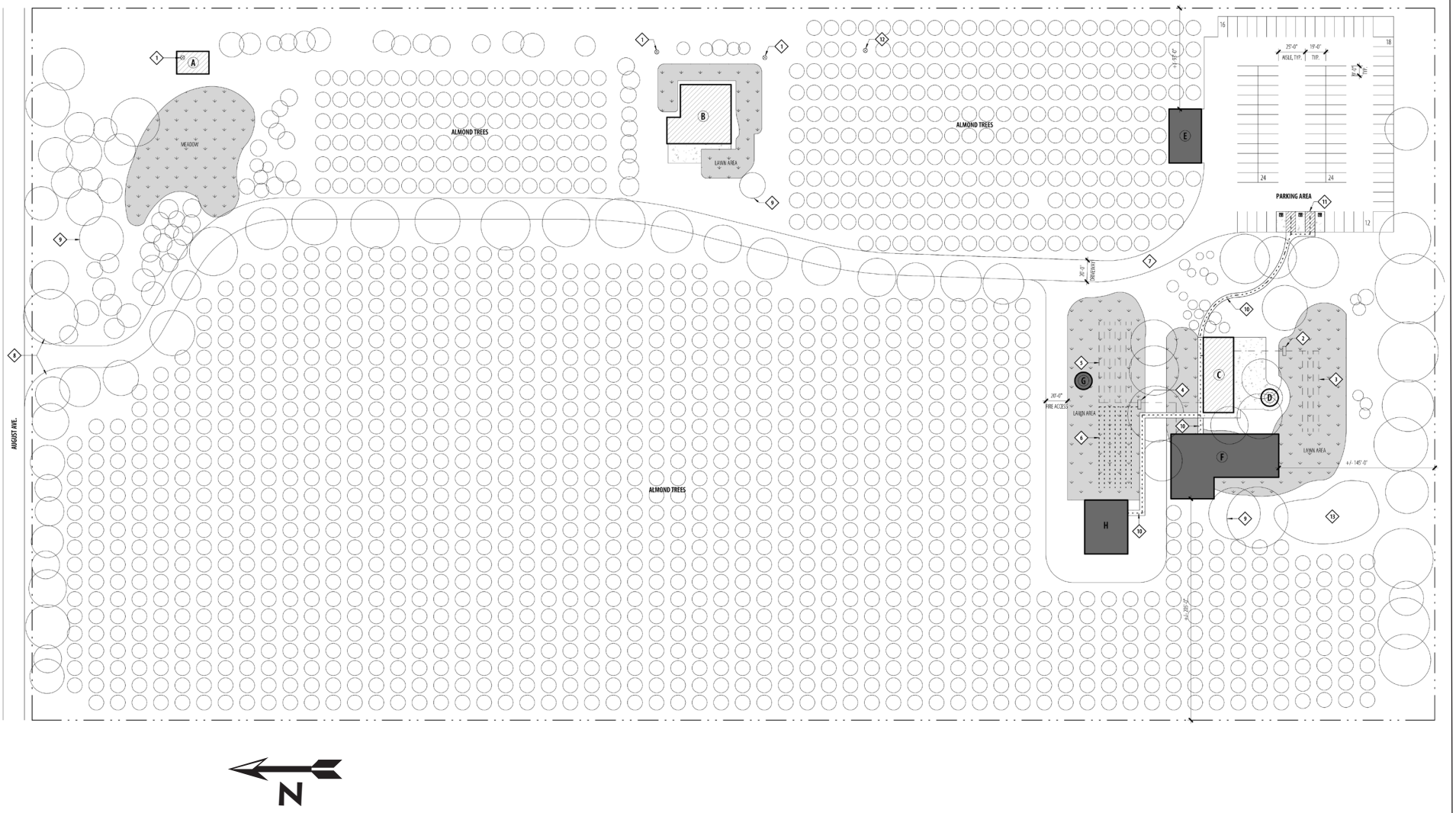


August Meadows Event Venue Project

SOURCE: NJA Architecture 2021; Planning Partners 2021

Figure 3

Site Plan – Area of Proposed Facilities



August Meadows Event Venue Project

SOURCE: NJA Architecture 2021; Planning Partners 2021

Figure 4
Site Plan

The existing gravel driveway would be upgraded, and a parking area with room for 94 vehicles and new loop driveway constructed to emergency access standards would be established. Three of the parking stalls will be poured concrete in compliance with American with Disabilities Act (ADA) requirements, The gravel driveway, dirt parking lot, and emergency access would be paved with road base. A new ADA-compliant concrete walkway would be added, connecting the parking area to the main venue area and buildings.

Emergency access would be provided by the upgraded main access driveway. Turnaround for emergency vehicles would be provided by a new loop driveway encircling the event center structures. An on-site fire suppression self-filling water supply pond would be provided to meet County requirements. New buildings will be constructed and operated to meet County requirements.

Domestic water for the proposed project would be provided by the two existing wells on the site that also serve the applicant's residence. A water pipeline that serves the event area is located within the existing agricultural roadway on the site's eastern boundary. No modification of this existing pipeline is proposed.

A new septic tank and leach field would be installed, along with a proposed 100% replacement leach field to the north of Building C and proposed Building F. The existing septic tank and leach field south of Buildings C and D would be formally abandoned to meet County requirements.

Stormwater runoff from proposed new structures would be directed to the surrounding orchards on the project site.

Solid waste would be removed by a private service.

The area of the proposed parking lot would be graded and leveled, and excess soils would be moved to the site of the proposed new leach field and its replacement to provide cover to the systems. Grading would be balanced on site; the project would not result in the need to import fill or export graded materials. Road base to pave the existing gravel driveway and the parking area would be imported.

New lighting primarily would consist of LED string lights with low wattage. Parking lot lighting would be provided during events for guests and employees to allow for safe walking to vehicles.

Noise will also be managed in accordance with County rules and regulations. All amplified event music would be maintained at or below the allowed decibel level in accordance with County requirements. All amplified music for events would be required to end by 10:00 p.m. with guests required to leave the property no later than 11:00 p.m.

PROPOSED OPERATIONS

With approval of the proposed project, the project site would continue to host events and gatherings such as those for weddings, receptions, seasonal events, birthday parties, fundraisers, baby showers, bridal showers. The proposed days and hours of operation for August Meadows would be primarily Fridays, Saturdays, and Sundays over the course of the year. There may be more rare events that occur on weekdays. Hours of operation would typically be 8:00 a.m, at the earliest and 11:00 p.m. at

the latest. Peak attendance would typically occur between 12:00 p.m. and 10:00 p.m depending on the type of event.

The requested number of annual events requested by the applicant is 48, with a maximum number of 300 guests per event. There would only be one event on the property at a time. On average, the applicant anticipates 200 guests per event.

August Meadows will have two employees to initiate operations, and anticipates no more than five employees for the long-term future. Many aspects of event operations would be contracted out for completion. These may include security, food and beverage vendors, bar tending, cleaning, and other types of maintenance for the event venue. No food preparation would be completed in the kitchen or on property until all relevant County departments approvals have been obtained. During the initial phase of project operations, outside food and beverage vendors would be utilized with food prepared offsite.

The applicant will provide a water truck before and during event use to water the driveway and parking area to mitigate dust generated by vehicles.

PROJECT CONSTRUCTION AND PHASING

The proposed event center expansion would be constructed in three phases, to be initiated immediately after project approval. Phase 1 would include the hosting of additional events beyond the four annual events presently permitted; events at the venue would continue to take place as they are currently held. Phase 1 would also include the renovation of Building C to include restrooms, paving of the on-site driveway, construction of the parking area including ADA-compliant parking, new concrete paths, the new on-site wastewater treatment facilities, and the abandonment of existing septic facilities. Phase 2 would consist of the construction of a storage building (Building E). The Chapel (Building H) and Gazebo (Building G) will also be completed during Phase 2 within 5 years of permit approval. Phase 3 would include the construction and operation of the multipurpose building (Building F) to be completed within 10 years of project approval. Additionally, Phase 3 would include the remodeling of Building C to include a commercial grade kitchen. All phases would be completed in accordance with County rules and regulations.

Construction equipment would include scrapers, water trucks, construction crew pickups, concrete trucks, material delivery trucks, and lifts.

2. REQUIRED APPROVALS

A listing and brief description of the regulatory permits and approvals required to implement the proposed project is provided below. This environmental document is intended to address the environmental impacts associated with all of the following decision actions and approvals.

MERCED COUNTY AND OTHER LOCAL AND REGIONAL AGENCIES

Merced County

The County has the following permitting authority related to the proposed August Meadows Event Venue project:

- Preparation and approval of an Initial Study/Mitigated Negative Declaration - Merced County will act as the lead agency as defined by CEQA, and will have authority to determine if the Initial Study is adequate under CEQA.
- Approval of the Conditional Use Permit - Merced County will consider the proposed event venue project as a "Conditional Use Permit." Conditional Use Permits are discretionary permits for uses of land that require special review to ensure that they are compatible with the neighborhood and surrounding land uses. They are considered more likely to affect surrounding land uses than uses permitted by right in a zoning district or those uses permitted under Administrative Permits.
- Building Permit - Merced County will require a building permit or permits for the proposed event venue project.
- OWTS Permit – Merced County Division of Environmental Health will require an Onsite Wastewater Treatment System permit prior to commencing construction, repair, or abandonment/destruction of any OWTS associated with the project.

State of California

State agencies have the following permitting authority related to the proposed August Meadows Event Venue project:

State Water Resources Control Board

- General Construction Activity – The State Water Resources Control Board (SWRCB) has adopted a General Construction Activity Storm Water Permit for storm water discharges associated with any construction activity, including clearing, grading, excavation, reconstruction, and dredge and fill activities, that results in the disturbance of at least one acre of total land area.

Federal Government

It is anticipated that no permitting from federal agencies would be required.

APPLICATION OF THE 2030 MERCED COUNTY GENERAL PLAN

2030 MERCED COUNTY GENERAL PLAN

The 2030 Merced County General Plan guides economic development, land use, agriculture, transportation and circulation, public facilities and services, natural resource, recreation and cultural resources, health and safety, air quality, water, and other matters of public interest and concern. The General Plan is intended to provide for orderly growth, and to convey the community's values and expectations for the future. An EIR for the 2030 General Plan was certified and the General Plan was adopted by Merced County in December 2013. A Draft Background Report of existing environmental conditions within the County was finalized in December 2013 with certification of

the General Plan EIR. The Background Report functions as the existing setting section for the General Plan EIR. The EIR, including the Background Report as updated, is used in this Initial Study, along with other resources, to establish the existing setting for the proposed project. The General Plan EIR will serve as the first tier of environmental analysis for the proposed project, including the evaluation of countywide and cumulative impacts. The 2030 General Plan EIR, including the Background Report, is hereby incorporated by reference pursuant to State CEQA Guidelines Section 15150 as though fully set forth herein. A copy of the General Plan, General Plan EIR, and Background Report can be obtained at the Department of Community and Economic Development, 2222 "M" Street, Merced, CA 95340. These documents are also available for download from the Merced County General Plan website at:

https://www.co.merced.ca.us/100/General-Plan

TIERING FROM THE 2030 MERCED COUNTY GENERAL PLAN EIR

"Tiering" refers to the relationship between a program-level EIR (where long-range programmatic cumulative impacts are the focus of the environmental analysis) and subsequent environmental analyses such as this subject document, which focus primarily on issues unique to a smaller project within the larger program or plan pursuant to Section 15168 of the State CEQA Guidelines. Through tiering, a subsequent environmental analysis can incorporate, by reference, discussion that summarizes general environmental data found in the program EIR that establishes cumulative impacts and mitigation measures, the planning context, and/or the regulatory background. These broad-based issues need not be reevaluated subsequently, having been previously identified and evaluated at the program stage.

Tiering focuses the environmental review on the project-specific significant effects that were not examined in the prior environmental review or are susceptible to substantial reduction or avoidance by specific revisions in the project, by the imposition of conditions, or by other means. Section 21093(b) of the Public Resources Code requires the tiering of environmental review whenever feasible, as determined by the Lead Agency.

In the case of the August Meadows Event Venue project, the environmental analysis for this Initial Study is tiered from the EIR for the 2030 Merced County General Plan. The Merced County Board of Supervisors certified the EIR and adopted the 2030 General Plan on December 10, 2013 (SCH #2011041067). The 2030 General Plan regulates the location, use, design, construction, and operation of developed land uses within the County; all existing and proposed land uses within the County are required to comply with the goals and policies of the 2030 General Plan, including the August Meadows Event Venue project. To reflect this, the requirements of the 2030 General Plan and conclusions of the environmental analysis contained in the 2030 General Plan EIR were incorporated into this Initial Study.

The 2030 General Plan EIR comprehensively evaluated the potential environmental effects of implementing the 2030 General Plan and from the approval of new or modified land uses. The 2030 General Plan EIR identified a number of mitigation measures that would reduce the magnitude of these potential effects. Those measures were subsequently adopted by the County in its approval of the 2030 General Plan, and a Mitigation Monitoring and Reporting Program was adopted. Because the August Meadows Event Venue project is consistent with, and implements, the 2030 General Plan, those previously adopted mitigation measures and conditions apply to the August Meadows Event Venue project, and would continue to apply after approval of the currently requested actions. Therefore, the

August Meadows Event Venue project is related to the 2030 General Plan EIR and, pursuant to Section 15152(a) of the CEQA Guidelines, tiering of environmental documents is appropriate.

The 2030 General Plan EIR can be reviewed at the location set forth above.

INCORPORATION OF THE 2030 MERCED COUNTY GENERAL PLAN EIR BY REFERENCE

Based on the reasoning set forth above, this environmental evaluation implements, and is consistent with, the environmental conclusions, mitigation measures, and study protocols adopted by Merced County in its certification of the 2030 General Plan EIR and its approval of the 2030 Merced County General Plan. Because of its importance relative to understanding the environmental analysis that has occurred to date with respect to the potential environmental impacts associated with the construction and operation of developed land uses in Merced County, the 2030 General Plan EIR is hereby incorporated by reference pursuant to CEQA Guidelines Section 15150 as though fully set forth herein.

SUMMARY OF THE IMPACTS ANALYSIS OF THE 2030 MERCED COUNTY GENERAL PLAN EIR

The 2030 Merced County General Plan EIR presents an assessment of the environmental impacts associated with the implementation of the General Plan and land uses developed consistent with the Plan in Merced County. The EIR evaluated the environmental impacts of the Plan on a comprehensive basis, including discussion of the full range of impacts that would occur because of future development. The EIR identified potential significant environmental impacts arising from implementation of the General Plan and land uses developed consistent with the Plan for the following issue areas:

Aesthetics: light and glare; and cumulative impacts to visual quality.

Agriculture and Forestry: conversion of Important Farmland to non-agriculture use; conflict with zoning for agricultural use or provisions of the Williamson Act; land use changes that would result in conversion of farmland to non-agricultural uses from urban development; land use changes that would result in conversion of farmland to non-agricultural uses due to the Minor Subdivision of Rural Parcels or due to inadequate parcel sizes; and cumulative impacts to agricultural resources.

Air Quality: operational emissions of PM_{10} and $PM_{2.5}$ associated with General Plan buildout; health risks associated with locating sensitive receptors near high volume roads; cumulative impacts to air quality.

Biological Resources: adverse effects to special status species and sensitive habitats due to conversion of farmlands and open space; adverse effect on wetlands, riparian habitat, and other sensitive natural communities; loss or modification of federally protected wetlands; interference with animal movement/migration patterns; cumulative impacts to biological resources.

Cultural Resources: adverse changes to the significance of a historical resource; adverse change in the significance of archaeological resources, paleontological resources, unique geological features, or

disturbances to human remains; degradation or loss of traditional cultural properties where Native American customs and traditions are practiced; cumulative impacts to cultural resources.

Geology: use of septic tanks or alternative wastewater disposal systems in unfit soils that may result in increased nutrients or other pollutants reaching and damaging groundwater resources.

Global Climate Change: increase in GHG emissions associated with 2030 General Plan buildout; increase in GHG emissions that would conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions; cumulative impacts to global climate change.

Hazards and Hazardous Materials: projects located on a site that is included on a list of hazardous materials sites resulting in a significant hazard to the public or to the environment; projects located within an airport land use plan or within the vicinity of a public or private airport resulting in a safety hazard for people working or residing in the area.

Hydrology and Water Quality: depletion of groundwater supplies or interference with groundwater recharge; modification of surface water drainage patterns resulting in detrimental flooding or substantial erosion or siltation; cumulative impacts to hydrology and water quality.

Land Use Compatibility: physical division of an established community.

Mineral Resources: loss of mineral resources; and cumulative loss of mineral resources.

Noise: permanent increase in ambient noise levels; traffic noise level increases at existing sensitive uses caused by development consistent with the 2030 General Plan; exposure of people to, or generation of excessive groundborne vibration or groundborne noise levels; cumulative impacts to noise.

Population and Housing: inducement of population growth, directly or indirectly.

Transportation and Circulation: conflict with an applicable plan, ordinance or policy establishing measures of effectiveness of county roads, State Highways, or streets within incorporated cities in Merced County; increase hazards due to a design feature or incompatible uses; inadequate emergency access; conflict with policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or decrease the performance or safety of those facilities; cumulative impacts to transportation and circulation.

Utilities and Service Systems: sufficient water supply resources available to accommodate continued development through buildout of the 2030 General Plan; cumulative impacts to utilities and service systems.

Other CEQA Topics: cumulative impacts to growth inducement and irreversible environmental changes.

3. ENVIRONMENTAL ANALYSIS

PURPOSE AND LEGAL BASIS FOR THE INITIAL STUDY

As a public disclosure document, this Initial Study provides local decision makers and the public with information regarding the environmental impacts associated with the proposed project. According to Section 15063 of the CEQA Guidelines, the purpose of an Initial Study is to:

1. Provide the Lead Agency with information to use as the basis for deciding whether to prepare an EIR or a Negative Declaration.
2. Enable an applicant or Lead Agency to modify a project, mitigating adverse impacts before an EIR is prepared, thereby enabling the project to qualify for a Negative Declaration.
3. Assist in the preparation of an EIR, if one is required by:
    a. Focusing the EIR on the effects determined to be significant,
    b. Identifying the effects determined not to be significant,
    c. Explaining the reasons for determining that potentially significant effects would not be significant, and
    d. Identifying whether a program EIR, tiering, or another appropriate process can be used for analysis of the project's environmental effects.
4. Facilitate environmental assessment early in the design of a project.
5. Provide documentation of the factual basis for the finding in a Negative Declaration that a project will not have a significant effect on the environment.
6. Eliminate unnecessary EIRs.
7. Determine whether a previously prepared EIR could be used with the project.

INITIAL ENVIRONMENTAL CHECKLIST

Following each major environmental category and topic in the Initial Study, there are four determinations by which to judge the project's impact. These categories and their meanings are shown below:

"No Impact" means that it is anticipated that the project will not affect the physical environment on or around the project area. It therefore does not warrant mitigation measures.

"Less-than-Significant Impact" means the project is anticipated to affect the physical environment on and around the project area, however to a less-than-significant degree, and therefore not warranting mitigation measures.

"Less than Significant with Mitigation Incorporated" applies to impacts where the incorporation of mitigation measures into a project has reduced an effect from "Potentially Significant" to "Less Than Significant." In such cases, and with such projects, mitigation measures will be provided including a brief explanation of how they reduce the effect to a less-than-significant level.

"Potentially Significant Impact" means there is substantial evidence that an effect is significant, and no mitigation is possible.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, including several impacts that are "Less than Significant with Mitigation Incorporated" as indicated by the checklist on the following pages.

	Aesthetics		Agriculture and Forestry Resources	X	Air Quality
	Biological Resources	X	Cultural Resources		Energy
X	Geology / Soils		Greenhouse Gas Emissions		Hazards & Hazardous Materials
X	Hydrology / Water Quality		Land Use / Planning		Mineral Resources
	Noise		Population and Housing		Public Services
	Recreation		Transportation		Tribal Cultural Resources
X	Utilities / Service Systems		Wildfire	X	Mandatory Findings of Significance

ENVIRONMENTAL SETTING AND EVALUATION OF POTENTIAL IMPACTS

Responses to the following questions and related discussion indicate whether or not the proposed project would have or would potentially have a significant adverse impact on the environment, either individually or cumulatively with other projects. All phases of project planning, implementation, and operation are considered. Mandatory Findings of Significance are located in Section XXI below.

I. AESTHETICS

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?				**X**
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				**X**
c) In non-urban areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			**X**	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			**X**	

ENVIRONMENTAL SETTING

The primary scenic resource within Merced County is the rural and agricultural landscape of non-urbanized areas of the county. The project site is currently in agricultural use (almond orchard and event venue) and surrounded by agricultural uses and associated residences. Due to the relatively flat topography, short- and mid-range views are limited to agricultural uses, including pasture, row crops, and orchards. (Merced County 2013a)

The site appearance is one of a developed almond orchard within a rural, agricultural setting. Viewers outside the project site are limited to motorists on perimeter roadways and residents of surrounding agricultural facilities and operations. Neither the project site nor the views to or from the site have been designated as an important scenic resource by Merced County or any other public agency. No state or locally designated scenic highway has been identified in the vicinity of the project area. (Caltrans 2021)

ENVIRONMENTAL EVALUATION

Question (a) Scenic vista: No Impact. Given the lack of distinctive topographical features in the project vicinity, the project site is not located in an area with scenic vistas. The agricultural-related facilities and associated residences in the vicinity are existing uses, and are considered common to the area. The proposed project would be an expansion of the existing agricultural use. No designated scenic vista is visible from the project site, nor is the site visible from any nearby scenic vista. Because the proposed event venue modification would not affect a scenic vista, no impact would result with implementation of the project, and no mitigation would be required.

Question (b) Scenic resources: No Impact. No state- or locally-designated scenic highway is visible from the project site, nor is the site visible from any nearby designated scenic highway. The nearest designated State Scenic Highway, Interstate 5, is approximately 18 miles to the west of the project site. Because the project site is not located within the viewshed of a designated scenic highway, there would be no damage to scenic resources within a scenic highway. No impact would result with implementation of the dairy modification project, and no mitigation would be required.

Question (c) Visual character: Less-than-significant Impact. Developed agricultural uses in the vicinity range from orchards and irrigated cropland to animal confinement facilities. The existing event venue is not visible from perimeter roads. Any visual effects of the event facilities are minimized by their placement at the south end of the parcel, with almonds trees blocking the short-range view from the roadway. The visual effects of the orchard and ornamental trees are reasonable and expected in the context of the County's Agricultural land use designation. From within the site, the modified event venue facilities would appear similar to existing uses on the project site and in the project area, and would continue to be considered common and appropriate to the region by most viewers. Since the proposed project is consistent with the existing and planned agricultural uses of the area, implementation of the project would not degrade the existing visual character of the site or surroundings. This would be a less-than-significant impact, and no mitigation would be required.

Question (d) New source of light or glare: Less-than-significant Impact. Existing night lighting includes parking area lighting that is shaded and directed inward. Structures in the event venue area feature outside low-intensity lighting. The proposed expansion would result in additional lighting for the parking area, and LED string lights in the vicinity of the event venue. Residences in the vicinty of the proposed project are considered sensitive receptors for nighttime light and glare, however, they would be shielded from new light sources by the existing almond orchard and perimeter trees on site. County standards require that all new lighting be directed away from or be properly shaded to eliminate light trespass or glare within a project or onto surrounding properties. Compliance with County requirements would reduce any light and glare effects to less-than-significant levels, and no mitigation would be required.

For a discussion and analysis of potential light and glare impacts to nearby biological resources, see Section IV, *Biological Resources*.

II. AGRICULTURE AND FORESTRY RESOURCES

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) 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-agricultural use?			**X**	
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?			**X**	
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined in Public Resources Code section 4526), or timberland zoned Timberland Production (as defined in Public Resources Code section 51104(g))?				**X**
d) Result in the loss of forest land or conversion of forest land to non-forest use?				**X**
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				**X**

ENVIRONMENTAL SETTING

The project area consists of an active almond orchard and event venue surrounded by similar agricultural uses and associated residences. The project site and surrounding area is designated Agricultural by the 2030 Merced County General Plan and is zoned A-1 (General Agricultural) (Merced County 2021a). The project parcel is not subject to a Williamson Act Contract (Merced County 2009). The parcel is not zoned as forest land or timberland production (CAL FIRE 2003).

According to the California Department of Conservation's (DOC) Important Farmlands Map[5] of Merced County, the project site includes land designated as Farmland of Statewide Importance, and Rural Residential Land. As defined by the DOC, the Farmland of Statewide Importance designation applies to land that has a good combination of physical and chemical characteristics for the production of crops. The Rural Residential Lands designation applies to residential areas of 1 to 5 structures per 10 acres (ranchettes). (DOC 2021).

The Natural Resources Conservation Service (NRCS) provides agricultural ratings for soils in the project area in the Merced County Soil Survey. The project site is designated by the NRCS as Farmland of Statewide Importance (NRCS 2021). For a discussion of project site soil properties, Section VII, *Geology and Soils*.

There are no forest lands, timberland, or timberland zoned Timberland Production in Merced County (Merced County 2021a).

[5] The Important Farmland Map uses a classification system that combines technical soil ratings from the Natural Resources Conservation Service digital soil data and current land use. The minimum land use mapping unit is 10 acres unless specified.

ENVIRONMENTAL EVALUATION

Question (a) Convert farmland to non-agricultural use: Less-than-significant Impact. The project site is located on land that is classified by the DOC as Farmland of Statewide Importance and Rural Residential Land. The project area is designated for agricultural use by the 2030 Merced County General Plan. The proposed modifications to the event venue and almond orchard would represent a continuation of existing agricultural uses. Construction of the proposed improvements to the event venue would not result in the conversion of agricultural land to a non-agricultural use. Because the project site would be maintained in agricultural use, and because construction of the proposed facilities would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use, a less-than-significant impact would result. No mitigation would be required.

Question (b) Conflict with zoning for agricultural use: Less-than-significant Impact. The 2030 Merced County General Plan and Zoning Ordinance designate the project area predominantly for agricultural uses. The project site is not under a Williamson Act Contract. The existing use, an almond orchard and event venue, is an agricultural use consistent with the General Plan and Zoning Ordinance. Adjacent properties include agricultural uses, primarily field crops and animal confinement facilities. No feature of the proposed event venue project would preclude or limit the agricultural use of adjoining parcels. Thus, the proposed project would permit the continuation of existing agricultural uses consistent with the County policies, and would not conflict with adjacent agricultural and/or non-agricultural uses. A less-than-significant impact would result, and no mitigation would be required.

Questions (c) through (e) Conflict with zoning for or loss of farmland, forest land, or timber land: No Impact. The project site is not zoned for forest land or timberland, and there are no forest or timber resources located on the project site. Thus, there would be no loss of forest land or conversion of forest land to non-forest use. The proposed facilities would not result in any change to the existing environment that could result in the conversion of farmland to non-agricultural use. Because the proposed project would not conflict with any existing forest land or timberland production zoning, and no changes associated with the project are proposed that would result in the conversion of existing farmland, forest land, or timber lands, no impact would occur. No mitigation would be required.

III. AIR QUALITY

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?		**X**		
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?		**X**		
c) Expose sensitive receptors to substantial pollutant concentrations?			**X**	
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?			**X**	

ENVIRONMENTAL SETTING

Air quality influences public health and welfare, the economy, and quality of life. Air pollutants have the potential to adversely impact public health, the production and quality of agricultural crops, visibility, native vegetation, and buildings and structures.

Ambient air quality is described in terms of compliance with state and national standards, and the levels of air pollutant concentrations considered safe to protect the public health and welfare. These standards are designed to protect people most sensitive to respiratory distress, such as asthmatics, the elderly, very young children, people already weakened by other disease or illness, and persons engaged in strenuous work or exercise. The U.S. EPA, the federal agency that administers the Federal Clean Air Act (CAA) of 1970, as amended in 1970, has established national ambient air quality standards (NAAQS) for seven air pollution constituents. As permitted by the CAA, California has adopted more stringent state ambient air quality standards (SAAQS), and expanded the number of air constituents regulated.

Merced County is located in the San Joaquin Valley Air Basin (SJVAB). Under both the federal and state CAAs, the SJVAPCD regulates air quality. As required by the California Clean Air Act (CCAA), the SJVAPCD has published various air quality planning documents, including Rules and Regulations, to comply with the federal and state AAQS. Air Quality Attainment Plans (AQAP), prepared by the SJVAPCD, are incorporated into the State Implementation Plan (SIP), which is subsequently submitted to the EPA.

The California Air Resources Board (CARB) is required to designate areas of the state as attainment, nonattainment, or unclassified for any state standard. An "attainment" designation for an area signifies that pollutant concentrations do not violate the standard for that pollutant in that area. A "nonattainment" designation indicates that a pollutant concentration violated the standard at least once.

The EPA designates areas for ozone (O_3), carbon monoxide (CO), and nitrogen dioxide (NO_2) as either "Does not meet the primary standards," "Cannot be classified," or "Better than national standards." For sulfur dioxide (SO_2), areas are designated as "Does not meet the primary standards," "Does not meet secondary standards," "Cannot be classified," or "Better than national standards." Of the criteria pollutants, the Air Basin is in nonattainment for ozone, $PM_{2.5}$, and state PM_{10}.

Criteria Air Pollutants

Ozone is not emitted directly into the environment, but is generated from complex chemical reactions between reactive organic gases (ROG), or non-methane hydrocarbons, and oxides of nitrogen (NO_X) that occur in the presence of sunlight. ROG and NO_X generators in Merced County include motor vehicles, recreational boats, other transportation sources, and industrial processes. Ozone exposure causes eye irritation and damage to lung tissue in humans. Ozone also harms vegetation, reduces crop yields, and accelerates deterioration of paints, finishes, rubber products, plastics, and fabrics. Research also shows that children exposed to unhealthful levels of ozone suffer decreased lung function growth and increased asthma.

PM_{10}, or inhalable particulate matter, is a complex mixture of primary or directly emitted particles, and secondary particles or aerosol droplets formed in the atmosphere by precursor chemicals. The main sources of fugitive dust are unpaved roads, paved roads, and construction. Additional sources of PM_{10} include fires, industrial processes, mobile sources, fuel combustion, agriculture, miscellaneous sources, and solvents. Health studies link particulate pollution to sudden death in infants as well as adults with heart and lung ailments, shortening lives by years. Exposure to airborne particles also aggravates respiratory illnesses like asthma, bronchitis, emphysema, and pneumonia.

$PM_{2.5}$ is atmospheric particulate matter having a particle size less than 2.5 microns (μm) in diameter. These particles are so small they can be detected only with an electron microscope. Sources of fine particles include all types of combustion, including motor vehicles, power plants, residential wood burning, forest fires, agricultural burning, and some industrial processes. These small particles can be inhaled into the lungs and have the potential to cause health-related impacts in sensitive persons.

SJVAPCD Rules and Regulations

All projects are subject to SJVAPCD rules in effect at the time of construction. A complete listing of current rules is available at www.valleyair.org. These rules and regulations may include compliance with the SJVAPCD's Regulation VIII (Fugitive PM10 Prohibitions), Rule 2010 (Permits Required), Rule 2201 (New and Modified Stationary Source Review), Rule 4002 (National Emissions Standards for Hazardous Air Pollutants), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations), and other applicable regulations.

Significance Thresholds

The SJVAPCD's *Guide for Assessing and Mitigating Air Quality Impacts* (GAMAQI) (SJVAPCD 2015) has established thresholds for certain criteria pollutants for determining whether a project would have a significant air quality impact. Construction and operational emissions are calculated separately. The SJVAPCD significance thresholds are presented in Table 2.

Table 2 SJVAPCD Significance Thresholds – Criteria Pollutants			
Pollutant/Precursor	**Threshold of Significance**		
	Construction Emissions (*tons/year*)	**Operational Emissions**	
		Permitted Equipment and Activities (*tons/year*)	Non-Permitted Equipment and Activities (*tons/year*)
Reactive Organic Gases (ROG)	10	10	10
Oxides of Nitrogen (NO_X)	10	10	10
PM_{10}	15	15	15
$PM_{2.5}$	15	15	15
Carbon Monoxide (CO)	100	100	100
Sulfur Oxide (SOx)	27	27	27

Notes: The significance of the impacts of the emissions from construction, operational non- permitted equipment and activities, and operational permitted equipment and activities are evaluated separately. The thresholds of significance are based on a calendar year basis. For construction emissions, the annual emissions are evaluated on a rolling 12-month period.

Source: San Joaquin Valley Air Pollution Control District "Guidance for Assessing and Mitigating Air Quality Impacts" 2015.

ENVIRONMENTAL ANALYSIS

Question (a) Conflict with air quality plan: Less-than-significant Impact with Mitigation. As stated above in the discussion of the regulatory environment, for nonattainment criteria pollutants, the SJVAPCD has attainment plans in place that identify strategies to bring regional emissions into compliance with federal and state air quality standards. As of September 2021, these plans include the *2018 Plan for the 1997, 2006, and 2012 PM2.5 Standards*, the *2007 PM10 Maintenance Plan*, the *2016 Plan for the 2008 8-Hour Ozone Standard*, and the *2013 Plan for the Revoked 1-Hour Ozone Standard*.

The policies and provisions of the SJVAPCD and the 2030 Merced County General Plan control air quality impacts from the proposed projects within Merced County. The proposed event venue project would not conflict with the Agricultural land use designation of the site set forth by the 2030 Merced County General Plan. Thus, the proposed project would be consistent with the land use assumptions used by the SJVAPCD in drafting the air quality attainment plans.

The proposed project would be subject to SJVAPCD Rules and Regulations. To ensure project compliance with applicable SJVAPCD Rules and Regulations, the following mitigation measure would be required:

Mitigation Measure AQ-1:

> Prior to the release of the first-issued building permit, the applicant shall provide to the County a receipt of a SJVAPCD approved Dust Control Plan or Construction Notification form in compliance with Regulation VIII – Fugitive Dust PM_{10} Prohibitions. Additional applicable SJVAPCD Rules and Regulations may include: Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations), and Rule 4002 (National Emission Standards for Hazardous Air Pollutants). The project applicant will be required to implement measures of applicable SJVAPCD Rules and Regulations as noted.

Implementation of Mitigation Measure AQ-1 would require compliance with applicable Rules and Regulations of the SJVAPCD as described above, and ensure the proposed project would not conflict with or obstruct implementation of any SJVAB attainment plan or the SIP. Therefore, a less-than-significant impact would result, and no additional mitigation would be required.

Question (b) Net increase of criteria pollutant: Less-than-significant Impact with Mitigation. Implementation of the proposed project would result in short-term (construction) and long-term (operations) air pollutant emissions, including ROG, CO, SO_2, NO_X, and fugitive dust.

The proposed project includes construction of four new structures totaling 9,700 square feet, in addition to improvements to an existing driveway and parking lot. The individual components of construction emissions include employee trips, exhaust emissions from construction equipment, and fugitive dust emissions. Once operational, the applicant anticipates an average of 200 guests per event with up to 48 annual events. Operation activities resulting in air emissions include vehicular trips generated by the event venue; area sources (architectural coating, consumer products, and landscaping); and energy use.

To streamline the process of assessing significance of criteria pollutant emissions from commonly encountered projects, the SJVAPCD has developed a screening tool, the Small Project Analysis Level (SPAL) (dated November 13, 2020). Using project type and size, the SJVAPCD has pre-quantified emissions and determined a size below which it is reasonable to conclude that a project would not exceed applicable thresholds of significance for criteria pollutants. According to the SPAL requirements, no quantification of criteria pollutant emissions is needed for projects less than or equal to the size thresholds, by vehicle trips and by project type. If other emission factors such as toxic air contaminants, hazardous materials, asbestos, or odors are apparent, these emissions must be addressed.

The proposed project would involve the construction of 9,700 square-foot of new structures. The proposed event venue does not fit into any of the land use categories identified in the SPAL, but is most similar to the Quality Restaurant land use category (SJVAPCD 2020, Table 6). This land use category has a 24,800 square feet project size threshold, and the proposed event venue project would not exceed the SPAL threshold for this project type (SJVAPCD 2020). In addition, the proposed project includes an estimated increase of approximately 26.3 daily trips[6], which is well below the SPAL threshold for vehicle trips for an industrial project (1,500 average daily trips).

Based on the project size and the estimated increase in trips, project specific construction and operation emissions of criteria pollutants are not expected to exceed SJVAPCD significance thresholds of 10 tons/year of NO_X, 10 tons/year ROG, and 15 tons/year of PM_{10}. This would be a less-than-significant impact, and no mitigation would be required.

Although the project would not exceed significance thresholds, the applicant would still be required to comply with Regulation VIII and all applicable SJVAPCD Rules and Regulations. SJVAPCD's Regulation VIII (Rule 8021) specifies control measures for PM_{10} emissions from construction related activities, including demolition. In addition, Rule 3135 establishes a Dust Control Plan Fee, which would also be required. A summary of control measures for construction and other earthmoving activities included in Regulation VIII are as follows:

[6] This estimate conservatively assumes 200 trips per 48 yearly events, for a total of 9,600 trips per year.

Pre-Activity:
- Pre-water site sufficient to limit VDE to 20% opacity, and
- Phase work to reduce the amount of disturbed surface area at any one time.

During Active Operations:
- Apply water or chemical/organic stabilizers/suppressants sufficient to limit VDE to 20% opacity; or
- Construct and maintain wind barriers sufficient to limit VDE to 20% opacity. If utilizing wind barriers, control measure above shall also be implemented.
- Apply water or chemical/organic stabilizers/suppressants to unpaved haul/access roads and unpaved vehicle/equipment traffic areas sufficient to limit VDE to 20% opacity and meet the conditions of a stabilized unpaved road surface.

Temporary Stabilization During Periods of Inactivity:
- Restrict vehicular access to the area; and
- Apply water or chemical/organic stabilizers/suppressants, sufficient to comply with the conditions of a stabilized surface. If an area having 0.5 acres or more of disturbed surface area remains unused for seven or more days, the area must comply with the conditions for a stabilized surface area as defined in section 3.53 of Rule 8011.

Speed Limitations and Posting of Speed Limit Signs on Uncontrolled Unpaved Access/Haul Roads on Construction Sites:
- Limit the speed of vehicles traveling on uncontrolled unpaved access/haul roads within construction sites to a maximum of 15 miles per hour.
- Post speed limit signs that meet State and federal Department of Transportation standards at each construction site's uncontrolled unpaved access/haul road entrance. At a minimum, speed limit signs shall also be posted at least every 500 feet and shall be readable in both directions of travel along uncontrolled unpaved access/haul roads.

Wind Generated Fugitive Dust Requirements:
- Cease outdoor construction, excavation, extraction, and other earthmoving activities that disturb the soil whenever VDE exceeds 20% opacity. Indoor activities such as electrical, plumbing, dry wall installation, painting, and any other activity that does not cause any disturbances to the soil are not subject to this requirement.
- Continue operation of water trucks/devices when outdoor construction excavation, extraction, and other earthmoving activities cease, unless unsafe to do so.

To ensure project compliance with applicable SJVAPCD Rules and Regulations regarding construction, the following mitigation measure would be required:

Mitigation Measure AQ-2:

> Implement Mitigation Measure AQ-1, which would require that the project comply with all applicable SJVAPCD regulations.

Compliance with Regulation VIII and all other applicable SJVAPCD Rules and Regulations as described above and required in Mitigation Measure AQ-2 would ensure that the proposed construction-related emissions are reduced, and would not exceed SJVAPCD significance criteria.

Summary

Because project construction and operation emissions of criteria pollutants are not expected to exceed SJVAPCD significance thresholds, and the proposed project would comply with applicable SJVAPCD Rules and Regulations as required in Mitigation Measure AQ-2, the project would not emit air pollutants that would result in a cumulatively considerable net increase in any criteria pollutant. A less-than-significant impact would result, and no additional mitigation would be required.

Questions (c) and (d) Expose sensitive receptors to substantial pollutant concentrations / Result in other emissions: Less-than-significant Impact. Sensitive receptors are defined as areas where young children, chronically ill individuals, the elderly, or people who are more sensitive than the general population reside. Existing potentially sensitive land uses within the project vicinity include single-family residences. The closest residence to the project site is located approximately 1,525 feet west/northwest of the project site.

During construction, residents within the project site could be exposed to temporary increases in pollutant emissions. Some hazardous pollutants could result from vehicles and equipment using diesel fuels. Construction vehicles would be required to limit idling time compliant with the ARB guidelines. Cancer risk associated with diesel exhaust exposure is typically associated with chronic exposure. Because the level of overall emissions would be low, and the duration of emissions would be temporary, cancer risk and odors from diesel exhaust during construction would be considered less than significant.

Because no significant increase in levels of air emissions would occur with implementation of the proposed project, and no adverse levels of increased toxic air emissions would occur, the proposed project would not expose sensitive receptors to substantial air pollutant concentrations. This would be a less-than-significant impact, and no mitigation would be necessary.

Heavy-duty construction equipment would emit odors in the area of construction. However, construction activities would be short-term and would cease to occur after construction is completed. During operation, except for temporary food odors, the event venue is not anticipated to result in the emission of odors. Potential odor effects would be less than significant, and no mitigation would be necessary.

Because no substantial levels of air pollutant emissions would occur during construction or operation activities, and no adverse levels of toxic air emissions would occur, the proposed project would not expose sensitive receptors to substantial air pollutant concentrations or create emissions leading to odors. This would be a less-than-significant impact, and no mitigation would be required.

Naturally Occurring Asbestos

Naturally occurring asbestos is not a potential concern in the project area. For more information, see Section IX, *Hazards and Hazardous Materials*.

IV. BIOLOGICAL RESOURCES

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, 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 Wildlife or the U.S. Fish and Wildlife Service?			**X**	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?				**X**
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				**X**
d) 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 site?			**X**	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				**X**
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				**X**

ENVIRONMENTAL SETTING

The proposed project area is located primarily in agricultural lands. Existing and proposed operations occur, and would continue to occur, within a relatively flat and graded area on bare and exposed soil within an existing almond orchard.

Research on the biological resources associated with the proposed project included: (1) a query of the California Department of Fish and Wildlife's (CDFW) California Natural Diversity Database (CNDDB) to identify occurrences of special-status species within the Turlock, California and surrounding eight 7.5-Minute Topographic Quadrangles (CNDDB 2021); (2) a query of federally listed Threatened and Endangered species from the U.S. Fish and Wildlife Service (USFWS 2021) and the California Native Plant Society's (CNPS) Electronic Inventory; and (3) a review of the USFWS National Wetland Inventory (NWI) map to identify the presence of wetlands within the project area (USFWS 2021a). The results of the database search and location analysis were used to determine if any sensitive resources had been previously reported within or in the immediate local vicinity of the project site.

Special-Status Plant and Wildlife Species

This special-status species evaluation considers those species identified as having relative scarcity and/or declining populations by the USFWS or CDFW. Special-status species include those formally listed as threatened or endangered, those proposed for formal listing, candidates for federal listing, and those classified as species of special concern by CDFW. Also included are those plant

species considered to be rare, threatened, or endangered in California by the CNPS, and those plant and animal taxa meeting the criteria for listing under Section 15380 of the State CEQA Guidelines.

The results of the CNDDB records search show that special status species including six crustacean species, two amphibian, four reptile, one mollusk, two fish, and four insect species have been documented in the nine-quadrangle area surrounding the project site. (For a complete listing of special-status species that may occur or could potentially be affected by activities in the project location, see Appendix B). Most of these species are associated with water features such as vernal pools, ponds, marshes, and streams. No vernal pool habitat or other appropriate water features are present on the site or in the area of proposed activities.

According to the records search, seven bird species and eight mammal species have been recorded in the vicinity of the project site. Some of these species require foraging habitat such as that found in project area cropland. The tri-colored blackbird would require habitat with available water features. American badger and San Joaquin kit fox require grassland/scrubland habitat. The area of the almond orchard and event venue facilities is devoid of habitat necessary to support special status animal species.

Occurrences of 25 special status plant species have been recorded in the region of the project, many associated with wet areas or vernal pools. The land on the subject property is developed with a working almond orchard and event venue facilities; it does not support historical flora and fauna. The project site does not support extensive wild plant diversity or cover, and there is no native vegetation.

Sensitive Natural Habitats and Wetlands

The project site is developed with an almond orchard and event venue facilities. Sensitive natural habitats are those that are considered rare within the region, support sensitive plant or wildlife species, or function as corridors for wildlife movement. Six sensitive natural habitats were identified on the CNDDB list for the nine-quadrangle area. No sensitive natural habitats are present on the project site or in adjacent areas that could be influenced by existing or proposed event activities. A review of the USFWS National Wetland Inventory Map identified no wetlands on the project site.

Local Habitat Conservation Plans

No Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan has been approved within Merced County.

ENVIRONMENTAL EVALUATION

Question (a) Adverse effect on special-status species: Less-than-significant Impact. No habitat for special status species exists within the project area. Modifications to the project site include the removal of approximately 100-109 almond trees, and the construction of approximately 9,700 square feet of new buildings. Because implementation of the proposed project involves minor modification of the project site, and the site offers no habitat for special status species, no adverse effects to habitat or sensitive species would occur. This would be a less-than-significant impact, and no mitigation would be required.

Questions (b) and (c) Adverse effect on riparian habitat / sensitive natural communities / wetlands: No Impact. No riparian habitat, sensitive natural communities, nor wetlands occur on the project site. Implementation of the proposed August Meadows event venue project would therefore not have a substantial adverse effect on riparian habitat, sensitive natural communities, or wetlands, since no such resources are located within the project area. There would be no impact, and no mitigation would be required.

Question (d) Interfere with species movement, wildlife corridors, or native wildlife nursery sites: Less-than-significant Impact. Wildlife areas provide wetland and riparian habitat for migratory waterfowl and shorebirds and potential wildlife movement corridors and nursery sites. The August Meadows project site is located approximately 7.25 miles to the north of the Grasslands Ecological Area and Grasslands Focus Area. The project site is located approximately 9 miles east of the West Hilmar Wildlife Area operated by the CDFW. It is approximately 16 miles north of the San Luis National Wildlife Refuge (USFWS). There are no creeks, valleys, or other wildlife movement corridors in the project area.

Existing night lighting includes parking area lighting that is shaded and directed inward. Structures in the event venue area feature low-intensity lighting. The proposed expansion would result in additional lighting for the parking area to allow for guests and employees to safely walk to and from vehicles, and LED string lights in the vicinity of the event venue. Existing County standards require that all lighting be directed away from or be properly shaded to eliminate light trespass or glare within a project or onto surrounding properties.

Minimizing and/or directing/shielding lighting away from sensitive areas would minimize disruption of night-active species and reduce impacts to less-than-significant levels. This would help reduce or minimize any accelerated night-time predation rates on adjacent agricultural fields and sensitive natural areas, and result in a less-than-significant impact.

Because the project is not located in an area that provides habitat for species movement, wildlife corridors, or native wildlife nursery sites, and because compliance with County standards would minimize disruption of night-active species, this would be a less-than-significant impact. No additional mitigation would be required.

Questions (e) and (f) Conflict with policies, ordinances, or plans protecting biological resources: No Impact. The project site is not located in an area covered by an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Merced County has not adopted a tree preservation ordinance, and the proposed project would be consistent with adopted General Plan policies that protect biological resources. Therefore, no conflict with any adopted policies, ordinances, or plans protecting biological resources would occur with project implementation. No significant impact would result, and no mitigation would be required.

V. CULTURAL RESOURCES	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?				**X**
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?		**X**		
c) Disturb any human remains, including those interred outside of formal cemeteries?		**X**		

Records of the known cultural resources found in Merced County are included in the files of the Office of Historic Preservation, California Historical Resources Information System (CHRIS). The Central California Information Center (CCIC), housed at California State University, Stanislaus, locally administers these records. A cultural resources records search was conducted at the CCIC for the project site and surrounding area to determine its historic and cultural sensitivity (CCIC 2021).

ENVIRONMENTAL SETTING

The CCIC Records Search report showed there are no formally recorded prehistoric or historic archaeological resources or historic buildings or structures within the proposed project area. There are no resources that are known to have value to local cultural groups. The project area lies within the boundary of one overview report on file with the CHRIS (CCIC 2021).

REGULATORY SETTING

State and federal legislation requires the protection of historical and cultural resources. In 1971, President's Executive Order No. 11593 required that all federal agencies initiate procedures to preserve and maintain cultural resources by nomination and inclusion on the National Register of Historic Places. In 1980, Governor's Executive Order No. B-64-80 required that state agencies inventory all "significant historic and cultural sites, structures, and objects under their jurisdiction which are over 50 years of age and which may qualify for listing on the National Register of Historic Places." Section 15064.5(b)(1) of the CEQA Guidelines specifies that projects that cause "…physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historic resource would be materially impaired" shall be found to have a significant impact on the environment.

ENVIRONMENTAL EVALUATION

Question (a) Historical resources: No Impact. No known historic resources on the project site or in its vicinity have been reported to the CHRIS. All proposed construction would take place within the area of existing event venue facilities. Because no known historic resources have been reported on the project site, and construction would take place within the area of existing facilities, there would be no adverse change in the significance of a known historical resource. There would be no impact, and no mitigation would be required.

Questions (b) and (c) Archaeological resources, human remains: Less-than-significant Impact with Mitigation. The CCIC records search reported that no known archaeological resources have been reported to the CCIC for the project area. Archaeological resources are suspected to be minimal because the project site is not directly adjacent to any creek or waterway, and the dominant land use has been for agricultural uses (including leveling, cultivation, grading, and construction of the existing almond orchard and event venue facilities). Thus, any archeological artifacts that might have been present may have been destroyed or moved off-site during the development of the site.

The entire project area has been modified and previously disturbed by development of the existing almond orchard and event venue facilities. However, significant cultural remains can exist below the plow zone in Merced County, and these resources may be unearthed during construction of new facilities or continued orchard operations at the project site. Through Resolution 20-001, Merced County has imposed conditions relating to undiscovered cultural resources pursuant to Section 5097.98 of the State Public Resources Code, and Section 7050.5 of the State Health and Safety Code. The following regulatory requirements will be included as conditions of approval for the proposed project:

Mitigation Measure CUL-1:

A. If buried cultural resources such as chipped or ground stone, midden deposits, historic debris, building foundations, human bone, or paleontological resources are inadvertently discovered during ground-disturbing activities, work shall stop in that area and within 100 feet of the find until a qualified archaeologist or paleontologist can assess the significance of the find and, if necessary, develop responsible treatment measures in consultation with Merced County and other appropriate agencies.

B. If remains of Native American origin are discovered during proposed project construction, it shall be necessary to comply with state laws concerning the disposition of Native American burials, which fall within the jurisdiction of the Native American Heritage Commission (NAHC). If any human remains are discovered or recognized in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:

- The County coroner has been informed and has determined that no investigation of the cause of death is required; and
- If the remains are of Native American origin:
  - √ The most likely descendants of the deceased Native Americans have made a recommendation to the landowner or person responsible for the excavation work for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in PRC 5097.98; or
  - √ The NAHC has been unable to identify a descendant, or the descendant failed to make a recommendation within 24 hours after being notified.

C. According to the California Health and Safety Code, six or more human burials at one location constitute a cemetery (Section 8100), and disturbance of Native American cemeteries is a felony (Section 7052). Section 7050.5 requires that construction or excavation be stopped in the vicinity of discovered human remains until the coroner can determine whether the remains are those of a Native American. If the remains are determined to be Native American, the coroner must contact the NAHC.

Because the records search conducted for the project site yielded no positive results, and because no resources have been discovered during previous disturbances of the project site, with implementation of the above regulatory requirements, the proposed project would result in a less-than-significant impact to historic resources, archaeological resources, and human remains. No additional mitigation would be required.

VI. ENERGY	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			**X**	
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			**X**	

ENVIRONMENTAL SETTING

State and Local Energy Plans

California's first Long Term Energy Efficiency Strategic Plan presents a single roadmap to achieve maximum energy savings across all major groups and sectors in California. This comprehensive Plan for 2009 to 2020 is the state's first integrated framework of goals and strategies for saving energy, covering government, utility, and private sector actions, and holds energy efficiency to its role as the highest priority resource in meeting California's energy needs.

The *California Green Building Standards Code* (CALGreen Code) (California Code of Regulations, Title 24, Part 11) is a part of the California Building Standards Code that comprehensively regulates the planning, design, operation, and construction of newly constructed buildings throughout the state. Both mandatory and voluntary measures are included in the CALGreen Code. Mandatory measures for non-residential structures include standards for light pollution reduction, energy efficiency, and water conservation, among others.

As discussed in Section VIII, *Greenhouse Gas Emissions*, below, Merced County does not yet have a Climate Action Plan (CAP) or energy plan.

ENVIRONMENTAL ANALYSIS

Question (a) Wasteful consumption of energy resources: Less-than-significant Impact. Development of the proposed event venue project would entail energy consumption that includes both direct and indirect expenditures of energy. Indirect energy would be consumed by the use of construction materials for the project (e.g., energy resource exploration, power generation, mining and refining of raw materials into construction materials used, including placement). Direct energy impacts would result from the total fuel consumed in vehicle propulsion (e.g., construction vehicles, heavy equipment, and other vehicles using the facility). No unusual materials, or those in short supply, are required in the construction of the project.

The proposed buildings would be required to be compliant with the Energy Code and Green Building Standards Code adopted by the County. These codes require increasingly strict energy efficiency standards for new development in the County. While implementation of the project would represent an increase in energy use during construction, over the life of the project, energy would not be consumed in a wasteful or inefficient manner. This would be a less-than-significant impact, and no mitigation would be required.

Question (b) Conflict with state or local energy efficiency plans: Less-than-significant Impact. The proposed project would not result in wasteful or inefficient consumption of energy. Further, the project would be consistent with existing energy efficiency regulations and policies in adopted energy plans directly applicable to the proposed project. Because the project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency, this would be a less-than-significant impact, and no mitigation would be required.

VII. GEOLOGY AND SOILS

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) 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? Refer to Division of Mines and Geology Special Publication 42?				**X**
ii) Strong seismic ground shaking?			**X**	
iii) Seismic-related ground failure, including liquefaction?			**X**	
iv) Landslides?				**X**
b) Result in substantial soil erosion or the loss of topsoil?			**X**	
c) 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 off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			**X**	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?			**X**	
e) 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?		**X**		
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			**X**	

ENVIRONMENTAL SETTING

Geology

The August Meadows project site is located within the Great Central Valley of California. The Central Valley is composed primarily of alluvial deposits from erosion of the Sierra Nevada located to the east and of the Coastal Ranges located to the west. The elevation of the project site is approximately 97-105 feet above mean sea level (MSL). The topography of the project site is generally flat, with varying agricultural field elevations.

Soils

The Natural Resources Conservation Service (NRCS) provides agricultural ratings for soils in the project area in the Merced County Soil Survey. Predominant soils in the proposed project area as classified by the NRCS consist of the Delhi sand, Hilmar Loamy sand, and Hilmar sand soil types. (NRCS 2021)

Soil properties can also 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, subsidence, shrink-swell potential, and compressibility. The properties that affect the ease and amount of excavation include flooding, depth to a water table, ponding, slope, depth to bedrock or a cemented pan, hardness of bedrock or a cemented pan, and the amount and size of rock fragments. Approximately 32 percent

of the project site consists of the Hilmar sand, 0 to 3 percent slopes soil type that presents a limitation for development. This soil type is very limited by a shallow depth to the saturated zone (NRCS 2021).

Faults and Seismicity

The project site is not located within a mapped fault zone or landslide and liquefaction zone. There is no record or evidence of faulting on the project site (DOC 2015). The site is located in Merced County Seismic Damage Zone II, indicating a moderate severity level with moderate probable damage in the event of severe seismic activity (Merced County 2013c).

Wastewater Treatment and Disposal

No community wastewater services are currently provided to the project site or to the adjacent area. The applicant for the August Meadows event venue project proposes that the wastewater treatment and disposal needs of expanded venue be provided by a new Onsite Wastewater Treatment System (OWTS), consisting of a septic tank and an elevated leach field (see Figure 3). The existing OWTS serving the existing event facilities would be abandoned consistent with State and County policies and requirements.

On-site soil properties have the potential to affect the absorption of effluent. A single soil type is present in the area of the project site where the existing event venue OWTS is located; the proposed new OWTS would be located within this soil type as well. Other soils on the site share the same constraints. The suitability of these soils to host an OWTS is shown in Table 3.

Table 3 Suitability of Soils on the Project Site for Septic Tank Absorption Fields

Soil Map Unit	Soil Unit Name	Rating	Rating Reasons	CA Revised Storie Index Rating
HoA	Hilmar Sand, 0 to 3 percent slopes	Very limited	Depth to saturated zone; Slow water movement	Grade 5 – Very Poor
Soils Elsewhere on the Project Site				
HgA	Hilmar Loamy Sand, 0 to 3 percent slopes	Very limited	Slow water movement	Grade 3 - Fair
DfA	Delhi Sand, 0 to 3 percent slopes	Very limited	Seepage, bottom layer; filtering capacity	Grade 3 - Fair

Source: NRCS 2021.

As defined by the NRCS, septic tank absorption fields are areas in which effluent from a septic tank is distributed into the soil through subsurface tiles or perforated pipe. Only that part of the soil between depths of 24 and 60 inches is evaluated by the NRCS. The ratings are based on the soil properties that affect absorption of the effluent, construction and maintenance of the system, and public health. These factors include saturated hydraulic conductivity (Ksat), depth to a water table, ponding, depth to bedrock or a cemented pan, and flooding affect absorption of the effluent. Stones and boulders, ice, and bedrock or a cemented pan interfere with installation. Subsidence interferes with installation and maintenance. (NRCS 2021)

Rating class terms indicate the extent to which the soils are limited by all of the soil features that affect the specified use. "Not limited" indicates that the soil has features that are very favorable for

the specified use. Good performance and very low maintenance can be expected. "Somewhat limited" indicates that the soil has features that are moderately favorable for the specified use. The limitations can be overcome or minimized by special planning, design, or installation. Fair performance and moderate maintenance can be expected. "Very limited" indicates that the soil has one or more features that are unfavorable for the specified use. The limitations generally cannot be overcome without major soil reclamation, special design, or expensive installation procedures. Poor performance and high maintenance can be expected. (NRCS 2021)

The project site is not within 2,000 feet of impaired waters or pathogen impaired waters (SWRCB 2021).

REGULATORY SETTING

Merced County regulates the effects of soils and geological constraints on urban development primarily through enforcement of the California Building Code (CBC), which requires the implementation of engineering solutions for constraints to urban development posed by slopes, soils, and geology.

Wastewater Treatment and Disposal

Installation and operation of on-site wastewater treatment systems (OWTS)[7] or similar individual wastewater disposal systems in unfit soils can lead to the degradation of groundwater quality, and ultimately impact all groundwater supplies. A comprehensive body of OWTS design and operational requirements have been adopted by the California SWRCB, a similar set of comprehensive requirements are enforced by the County, and the goals and policies set forth in the 2030 General Plan would avoid or reduce the effect of pollution of groundwater. However, because of existing contamination of groundwater from rural residential development in areas of sandy soils and high groundwater within the county and the potential for continued development in such areas, this impact would be potentially significant.

In June 2012, the SWRCB adopted a Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems, and the policy is now operational. The policy establishes a set of comprehensive regulations for all aspects of siting, construction, and operating OWTS, including individual residential septic systems.

Because California is well known for its extreme range of geological and climatic conditions, the establishment of a single set of criteria for OWTS by the SWRCB would either be too restrictive so as to protect water quality and public health in the most sensitive cases, or would have broad allowances that would not be protective enough of water quality and public health under some circumstances. To accommodate this extreme variance, local agencies may submit management programs ("Local Agency Management Programs") for approval by the SWRCB, and upon approval

[7] As defined by the SWRCB, "Onsite wastewater treatment system(s)" (OWTS) means individual disposal systems, community collection and disposal systems, and alternative collection and disposal systems that use subsurface disposal. The short form of the term may be singular or plural. Septic tanks and leach fields, typically used in rural areas of Merced County are a type of OWTS. OWTS do not include "graywater" systems pursuant to Health and Safety Code Section 17922.12. To provide consistency to the following discussion, the term OWTS will be used even though the state CEQA Guidelines Appendix G uses the term "septic tanks" in the significance criterion set forth in this Initial Study.

then manage the installation of new and replacement OWTS under that program. The Local Agency Management Program (LAMP) for Merced County was adopted on December 6, 2016.

The Merced County Division of Environmental Health (DEH) enforces design standards for the operation and maintenance of on-site sewage disposal systems to minimize potential pollution of groundwater and surface water features (Merced County 2013; 2016; 2016a). DEH requires that every occupied structure in the county that cannot be connected to a public wastewater treatment system must construct an OWTS under permit from DEH, consisting of an OWTS with effluent discharging into an approved subsurface disposal field. All systems must meet the minimum design standards of DEH, including location, system dimensions and capacity, soil capability, minimum depth to groundwater, and minimum separation distances between septic systems and wells, streams, and other water bodies. In order to obtain a permit, an applicant must provide DEH with a site plan indicating the dimensions and placement of the disposal field, the results of a percolation test to determine the capability of on-site soils to accept wastewater, and a soils report prepared by a certified professional.

Even with implementation of these existing standards and regulatory requirements, on-site soils may require non-standard methods of wastewater disposal to avoid groundwater contamination from the OWTS.

ENVIRONMENTAL EVALUATION

Question (a.i) Earthquake fault: No Impact. The project site is not located within a mapped earthquake fault, and there is no record or evidence of faulting on the project site (Merced County 2013b; DOC 2015). Because no fault traces underlie the project site, no hazardous conditions would result from implementation of the project. There would be no impact.

Question (a.ii) Ground shaking: Less-than-significant Impact. As noted above, the project site is located in Seismic Damage Zone II. Should an earthquake occur in the vicinity of the proposed project site, it could result in moderate damage. However, Merced County requires that all new construction comply with the seismic safety requirements of the CBC. Compliance with the CBC would reduce risks on the project site from seismic ground shaking to levels considered acceptable for the State and region. This would be a less-than-significant impact, and no mitigation is required beyond compliance with adopted building standards.

Question (a.iii) Ground failure, liquefaction: Less-than-significant Impact. The project site is not located within a mapped liquefaction zone (DOC 2015). The proposed project would employ standard construction practices and comply with CBC requirements for the State of California. Standard design, construction, and safety procedures would limit soil liquefaction hazards to levels deemed acceptable in the state and region. Adherence with adopted building standards would avoid substantial adverse effects due to the risk of loss, injury, or death involving liquefaction or other seismic-related ground failure. This would be a less-than-significant impact, and no mitigation is required.

Question (a.iv) Landslides: No Impact. The project site is generally flat and is not located near steep slopes with unstable soils that may be susceptible to landslides. Also, the greater project area is not noted for unstable geologic formations susceptible to landslides (DOC 2015). Therefore, the project would not be exposed to potential geologic hazards, including the risk of loss, injury, or death involving a landslide.

Question (b) Soil erosion: Less-than-significant Impact. Construction of the proposed event venue facilities would occur in the area of existing facilities that has previously been graded. While implementation of the proposed project could result in temporary soil erosion and the loss of top soil due to construction activities, the location where the proposed new facilities would be constructed is generally level from previous grading. Minimal modification to the site's existing topography or ground surface relief would be required. Also, the proposed project site soils are not limited by erosion potential (NRCS 2021), meaning little or no erosion is likely. This would be a less-than-significant impact, and no mitigation would be required. For a discussion of potential significant effects due to sedimentation during the construction period of the project, see Section X, *Hydrology and Water Quality*.

Question (c) Unstable geologic unit: Less-than-significant Impact. Construction of the expanded venue facilities could increase loads on the project site that could cause soil settlement. The project area is not noted for unstable geologic formations susceptible to landslide or ground failure, nor is the project area noted for subsidence[8] (Merced County 2013d; Merced County 2013e). The topography surrounding the almond orchard and event facilities is generally level. Any potential effects from unstable or expansive soils would be minimized through compliance with the Merced County and CBC building standards and additional corrective engineering measures that would be required to be documented during the building permit process, including the submittal of a soils report. For these reasons, the proposed event venue project would not result in soil instability and subsequent landslide, lateral spreading, liquefaction, or collapse. This would be a less-than-significant impact, and no mitigation would be necessary.

Question (d) Expansive soil: Less-than-significant Impact. Expansive soils are soils that shrink and swell in response to changes in moisture. These volume changes can result in damage over time to building foundations, roads, underground utilities, and other structures, if they are not designed and constructed appropriately to resist the changing soil conditions. The main limitation of the soil types found on the project site is the shallow depth to the saturated zone (NRCS 2021). The Merced County building code, however, requires a soils report for most non-residential structures within Merced County, and additional corrective engineering measures are required as part of the design for proposed facilities. Compliance with the CBC requirements and additional corrective engineering measures documented during the building permit process would reduce risks on the project site from geological hazards to levels considered acceptable for the State and region. This would be a less-than-significant impact, and no additional mitigation would be required beyond compliance with adopted standards and County requirements.

Question (e) Soils adequately support septic system: Less-than-significant Impact with Mitigation. As proposed, the expanded event venue would be served by a new OWTS. As set forth in Table 3, soils on the project site are not optimal for successful operation of an OWTS because the site contains soils that are identified by the NRCS as "very limited" for septic field operations. "Very limited" indicates that the soil has one or more features that are unfavorable for the specified use. The limitations generally cannot be overcome without major soil reclamation, special design, or expensive installation procedures. Poor performance and high maintenance can be expected. (NRCS 2021)

[8] Subsidence is the settling or sinking of land. In Merced County, this is generally resulting from groundwater extraction and drawing down of the groundwater table.

All on-site sewage disposal systems to be constructed would be required to conform to Merced County DEH minimum design standards for on-site sewage disposal systems.

Because on-site soils are very limited with respect to wastewater treatment and disposal, operation of the proposed septic systems could result in adverse effects to groundwater quality. This would be a significant impact, and the following mitigation measures would be necessary.

Mitigation Measure GEO-1: Comply with Merced County Code Chapter 9.54 Requirements

Comply with the requirements of the Merced County Onsite Wastewater Treatment Systems Ordinance, including obtaining a permit from DEH prior to construction and operations, and implementing those regulations related to the type of the system and its location on the project site. Prepare all technical studies necessary for a site evaluation to permit DEH to evaluate the proposed system to ensure that it meets all relevant design standards and criteria set forth in Chapter 9.54 of the Merced County Code.

Mitigation Measure GEO-2: Comply with DEH Requirements

Comply with the following conditions identified by the Merced County DEH:

A. At the time that the venue kitchen is modified to allow for cooking or heating, install a grease interceptor. Ensure that the design and capacity of the proposed OWTS is adequate to accommodate future added sewage flows from the kitchen caused by installation of the grease interceptor.
B. Wastewater from all existing and proposed habitable buildings, including the beverage service building (Building D), must flow to the septic system.
C. The presence of near-surface groundwater requires that the proposed OWTS be specially designed with an elevated leach field. Ensure that adequate space is available to site the leach field, as elevated fields require a significantly larger footprint than at-grade leach fields.
D. Ensure that the amount of replacement area for the proposed leach field is 300 percent of the design area of the elevated leach field.

Implementation of these measures would ensure that the proposed OWTS would operate to avoid adverse effects to water quality. Potential water quality impacts would be reduced below a level of significance, and no additional mitigation would be necessary.

Question (f) Paleontological resource / unique geologic feature: Less-than-significant Impact. According to available information, the project site is not located in an area known to have produced significant paleontological resources (CCIC 2021), nor are there any unique geologic features. Therefore, project construction would not result in the destruction or degradation of paleontological resources or unique geological features. This would be a less-than-significant impact, and no mitigation would be required.

VIII. GREENHOUSE GAS EMISSIONS	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			**X**	
b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases			**X**	

ENVIRONMENTAL SETTING

Global Warming is a public health and environmental concern around the world. As global concentrations of atmospheric greenhouse gases increase, global temperatures increase, weather extremes increase, and air pollution concentrations increase. Global warming and climate change have been observed to contribute to poor air quality, rising sea levels, melting glaciers, stronger storms, more intense and longer droughts, more frequent heat waves, increases in the number of wildfires and their intensity, and other threats to human health (IPCC 2013). The seven warmest years in the 1880–2020 record have all occurred since 2014, while the 10 warmest years have occurred since 2005; the year 2020 was the second warmest year in the 141-year record (NOAA 2021). Hotter days facilitate the formation of ozone, increases in smog emissions, and increases in public health impacts (e.g., premature deaths, hospital admissions, asthma attacks, and respiratory conditions) (EPA 2017a).

The Greenhouse Effect (Natural and Anthropogenic)

The Earth naturally absorbs and reflects incoming solar radiation and emits longer wavelength terrestrial (thermal) radiation back into space. On average, the absorbed solar radiation is balanced by the outgoing terrestrial radiation emitted to space. A portion of this terrestrial radiation, though, is itself absorbed by gases in the atmosphere. The energy from this absorbed terrestrial radiation warms the Earth's surface and atmosphere, creating what is known as the "natural greenhouse effect." Without the natural heat-trapping properties of these atmospheric gases, the average surface temperature of the Earth would be below the freezing point of water (IPCC 2007).

The greenhouse effect is primarily a function of the concentration of water vapor, carbon dioxide, methane, nitrous oxide, ozone, and other trace gases in the atmosphere that absorb the terrestrial radiation leaving the surface of the Earth (IPCC 2007). Changes in the atmospheric concentrations of these greenhouse gases can alter the balance of energy transfers between the atmosphere, space, land, and the oceans. Holding everything else constant, increases in greenhouse gas concentrations in the atmosphere will likely contribute to an increase in global average temperature and related climate changes (EPA 2017a).

Greenhouse Gases

Naturally occurring greenhouse gases include water vapor, carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), and ozone (O_3). Several classes of halogenated substances that contain fluorine, chlorine, or bromine are also greenhouse gases, but they are, for the most part, emitted solely by human activities. There are also several gases that, although they do not have a direct radiative forcing effect, do influence the formation and destruction of ozone, which does have such a terrestrial radiation absorbing effect. These gases, referred to here as ozone precursors, include

carbon monoxide (CO), oxides of nitrogen (NO_X), and non-methane volatile organic compounds (NMVOC). Aerosols (extremely small particles or liquid droplets emitted directly or produced as a result of atmospheric reactions) can also affect the absorptive characteristics of the atmosphere.

Carbon is stored in nature within the atmosphere, soil organic matter, ocean, marine sediments and sedimentary rocks, terrestrial plants, and fossil fuel deposits. Carbon is constantly changing form on the planet through a number of processes referred to as the carbon cycle, which includes but is not limited to degradation and burning, photosynthesis and respiration, decay, and dissolution. When the carbon cycle transfers more carbon to the atmosphere this can lead to global warming.

REGULATORY SETTING

The U. S. EPA is the federal agency responsible for implementing the CAA. The U.S. Supreme Court ruled on April 2, 2007 that CO_2 is an air pollutant as defined under the CAA, and that EPA has the authority to regulate emissions of GHGs. However, there are no federal regulations or policies regarding GHG emissions thresholds applicable to the proposed project at the time of this Initial Study.

The ARB is the agency responsible for coordination and oversight of state and local air pollution control programs in California, and for implementing the CCAA. Various statewide and local initiatives to reduce the state's contribution to GHG emissions have raised awareness that, even though the various contributors to and consequences of global climate change are not yet fully understood, global climate change is under way, and there is a real potential for severe adverse environmental, social, and economic effects in the long-term. Because every nation emits GHGs, and therefore makes an incremental cumulative contribution to global climate change, cooperation on a global scale will be required to reduce the rate of GHG emissions to a level that can help to slow or stop the human-caused increase in average global temperatures and associated changes in climatic conditions.

In September 2006, then-Governor Schwarzenegger signed AB 32, the California Climate Solutions Act of 2006. AB 32 established regulatory, reporting, and market mechanisms to achieve quantifiable reductions in GHG emissions and a cap on statewide GHG emissions. AB 32 requires that statewide GHG emissions be reduced to 1990 levels by 2020. In 2011, the ARB adopted the cap-and-trade regulation. The cap-and-trade program covers major sources of GHG emissions in the State such as refineries, power plants, industrial facilities, and transportation fuels. The cap-and-trade program includes an enforceable emissions cap that will decline over time. The State will distribute allowances, which are tradable permits, equal to the emissions allowed under the cap.

As the sequel to AB 32, Senate Bill (SB) 32 was approved by the Governor on September 8, 2016. SB 32 would require the state board to ensure that statewide greenhouse gas emissions are reduced to 40 percent below the 1990 level by 2030. The 2030 target acts as an interim goal on the way to achieving reductions of 80 percent below 1990 levels by 2050, a goal set by former Governor Schwarzenegger in 2005 with Executive Order S-3-05.

Merced County Greenhouse Gas Reduction Plans

Merced County does not yet have a Climate Action Plan (CAP) or energy plan. The County is in the process of preparing a Climate Action Plan, with a currently unknown anticipated completion date.

SIGNIFICANCE THRESHOLDS

On December 17, 2009, the SJVAPCD adopted the policy "*District Policy – Addressing GHG Emissions Impacts for Stationary Source Projects Under CEQA When Serving as the Lead Agency*". The guidance was developed to assist Lead Agencies, project applicants, permit applicants, and interested parties in assessing and reducing the impacts of project specific GHG emissions on global climate change. In accordance with this guidance, a project would be considered to have a less-than-significant cumulatively considerable impact on climate change if the project:

- Implements SJVAPCD adopted Best Performance Standards (BPS);
- Complies with an approved GHG plan or mitigation program; or
- Demonstrates a 29 percent reduction[9] in GHG emissions from business-as-usual (BAU).

The analysis for the proposed project does not use any of the above criteria for determining the significance of GHG emissions, for the following reasons: (1) There are no adopted BPS for a land use development project; (2) Merced County does not have an adopted GHG reduction plan or climate action plan; (3) The California Supreme Court[10] questioned the use of Scoping Plan targets for individual projects without adequate explanation. Therefore, this analysis does not use demonstration of a 29 percent reduction in GHG emissions from BAU emissions to determine that a project would have a less than cumulatively significant impact consistent with GHG emission reduction targets established in the ARB's AB 32 Scoping Plan.

The SJVAPCD guidance does not limit the lead agency from establishing its own methodology in determining the significance of project-related greenhouse gas emissions and global climate change impacts. Further, the State CEQA Guidelines specify that thresholds adopted by other agencies may be considered by lead agencies when determining project significance.

This analysis uses the commonly adopted numeric threshold for land use projects of 1,100 metric tons CO_2e per year for both construction and operation emissions. If emissions exceed 1,100 metric tons of CO_2e per year, then a significant impact would result. The project proponent would be required to either mitigate below the 1,100 threshold or implement all feasible mitigation for a project.

ENVIRONMENTAL ANALYSIS

Question (a) Generate greenhouse gas emissions: Less-than-significant Impact. Greenhouse gas emissions would be generated from the proposed project during construction and operation. Temporary GHG emissions would occur during construction activities, predominantly from heavy-duty construction equipment exhaust and worker commute trips. Operational GHG emissions would result from energy use associated with heating, cooling, and lighting the event venue facilities; emissions associated with landscaping and maintenance activities; and from mobile sources associated with future visitor and employee vehicle trips.

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9 The California Attorney General (AG) has expressed opposition to SJVAPCD strategy, claiming it leaves a number of unanswered questions, and the AG's office issued a letter dated November 4, 2009 stating that the proposed approach would "not withstand legal scrutiny and may result in significant lost opportunities for the Air District and local governments to require mitigation of GHG emissions." The AG stated that the threshold does not take into account the need for new development to be more GHG-efficient than existing development to achieve AB 32 goals, given that past and current sources of emissions, which are substantially less efficient than this average, will continue to exist and emit.

10 Center for Biological Diversity v. Department of Fish and Wildlife (2015) 62 Cal.4th 204.

GHG emissions associated with the proposed project were calculated using the CalEEMod Version 2020.4.0 (see Appendix A). CalEEMod provides default parameters based on land use inputs, or allows for the input of project-specific information, if available. Construction activities associated with the proposed project are estimated to result in a maximum annual emission of 59.8 metric tons of CO_2e per year. Operation of the proposed project is estimated to result in 216 metric tons of CO_2e annually. Both construction and operation emissions would be below the established threshold of significance of 1,100 metric tons of CO_2e per year (see Appendix A). Implementation of SJVAPCD rules and regulations applicable to construction activities included in Mitigation Measure AQ-2 would reduce GHGs associated with project construction. These numbers represent a conservative estimate of GHG emissions.

Because the construction and operation-related emissions associated with the proposed project would result in GHG emissions below numeric thresholds, the proposed project would not be expected to make a substantial contribution to the cumulatively significant impact of global climate change, and a less-than-significant impact would result.

Question (b) Conflict with GHG policies, plans, or regulations: Less-than-significant Impact. Merced County has not adopted a Climate Action Plan, nor any greenhouse gas reduction measures applicable to the proposed project. The proposed event venue project is the improvement of existing intermittent event operations, which would not conflict with an adopted plan to reduce GHG emissions. Therefore, the project would not conflict with implementation of an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. This impact would be less-than-significant.

IX. HAZARDS AND HAZARDOUS MATERIALS	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			**X**	
b) 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?			**X**	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				**X**
d) 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?				**X**
e) 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 or excessive noise for people residing or working in the project area?				**X**
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			**X**	
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?				**X**

ENVIRONMENTAL SETTING

Construction of the proposed project would include the use, storage, transport, and disposal of oil, diesel fuel, paints, solvents, and other hazardous materials. If spilled, these substances could pose a risk to the environment and to human health. The Merced County 2030 General Plan includes goals and policies on the proper handling of hazardous materials, and on emergency preparedness in the event of an accident, in the vicinity of the proposed project. (Merced County 2013)

There are no schools located within one-quarter mile of the project site. The nearest schools are located in Hilmar, approximately 1.75 miles from the project site (Google Earth 2021).

According to the records search of federal, state, and local environmental databases (pursuant to Government Code Section 65962.5), the project site does not contain any history of hazardous site contamination by hazardous substances (CA DTSC 2021).

The project site is located approximately eight miles southwest of the Turlock Municipal Airport; there are no private airstrips within two miles of the project site (tollfreeairline.com 2021).

According to the 2030 Merced County Emergency Operations Plan, freeways and major county roads would be used as primary evacuation routes in the event of a natural hazard, technological hazard, or domestic security threat. SR 165 is the nearest designated arterial roadway; August Avenue is designated as a major collector roadway.

According to California Fire and Resource Management Program Fire Hazard Severity Zone map, the proposed project area is within the Local Responsibility Area, with an Unzoned designation. The threat of wildfire hazard in that area is determined to be unlikely (CAL FIRE 2007). The Merced County Fire Hazard Severity Zone map indicates that the project site and surrounding area is located in the Non-Wildland / Non-Urban Severity Zone (Merced County 2013h).

The proposed project site is not in an area identified by the California Geological Survey as having soils that are likely to contain naturally occurring asbestos (USGS 2011). Therefore, no naturally occurring asbestos is expected in on-site soils that could be disturbed during construction; this issue will not be discussed further.

REGULATORY SETTING

Both federal and state laws include provisions for the safe handling of hazardous substances. The federal Occupational Safety and Health Administration (OSHA) administers requirements to ensure worker safety. Construction activity must also be in compliance with the California Occupational Safety and Health Administration regulations.

The Merced County Division of Environmental Health is the lead agency for the enforcement of State Hazardous Waste Control laws and regulations. The DEH maintains standards and guidelines relating to the proper handling and storage of hazardous materials. Facilities that handle and store considerable amounts of hazardous materials (55 gallons for liquids, 500 pounds for solids, or 200 cubic feet for compressed gas) are required to implement a Hazardous Materials Business Plan (HMBP). The DEH also maintains minimum design standards relating to the operation and maintenance of on-site septic systems.

ENVIRONMENTAL EVALUATION

Questions (a) and (b) Use and/or accident conditions related to hazardous materials: Less-than-significant Impact. Construction of the proposed project would include the use, storage, transport, and disposal of oil, diesel fuel, paints, solvents, and other hazardous materials. If spilled, these substances could pose a risk to the environment and to human health. Both federal and state laws include provisions for the safe handling of hazardous substances. According to federal health and safety standards, applicable federal OSHA requirements would be in place to ensure worker safety. Construction activity must also be in compliance with the California Occupational Safety and Health Administration regulations (Occupational Safety and Health Act of 1970).

Because the routine transport, use, and disposal of hazardous materials are subject to local, state, and federal regulations, this impact would be considered less than significant. The risk of hazards to the public or environmental conditions related to accident conditions would also be reduced to a less-than-significant level, and no mitigation would be required.

The following Department of Toxic Substances Control (DTSC) standard recommendations for analysis would not apply to the proposed event venue project: (1) since the project does not propose intrusive activities in a roadway, there would be no potential for disturbance of aerially deposited lead from tailpipe emissions; (2) the project site has not been used or suspected to having been used for mining activities, and no on-site mine waste is anticipated; (3) no buildings or structures containing lead-based paints or products would be demolished with implementation of the project; (4) since cut and fill would be balanced on site, there would be no importation of soil to backfill

excavated areas, and therefore there would be no risk from contaminated soils; and (5) while the project site has been used for agricultural activities, the DTSC guidance for proper investigation of organochlorinated pesticides applies to proposed new and expanded school sites or other projects where new land use could result in increased human exposure, especially residential use. Therefore, these issues would not apply to the August Meadows event venue project, and no further analysis would be necessary.

Question (c) Hazardous emissions or materials near a school: No Impact. There are no schools located within one-quarter mile of the project site; the nearest schools are located in the community of Hilmar, approximately 1.75 miles to the southwest. Therefore, the proposed event venue project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. There would be no impact.

Question (d) Included on list of hazardous materials sites: No Impact. According to queries of the GeoTracker and Envirostor Data Management Systems, the event venue project site would not be located on a site identified on a list of hazardous materials sites compiled pursuant to California Government Code Section 65962.5. Therefore, implementation of the project would not create a significant hazard to the public or the environment. No impact would result, and no mitigation would be required.

Question (e) Safety hazard or excessive noise near airports: No Impact. There are no existing public or private airports within two miles of the proposed project site, nor is the project site located within an area regulated by an airport land use plan (Merced ALUC 2012). Therefore, the project would not result in a safety hazard or excessive noise for people residing or working in the project area due to aircraft over-flight. There would be no impact, and no mitigation would be required.

For an analysis of the potential noise effects related to construction and operation of the proposed project, see Section XIII, *Noise*.

Question (f) Impair or interfere with an adopted emergency response/evacuation plan: Less-than-significant Impact. The project site is located on the south side of August Avenue in unincorporated Merced County. SR 165 to the west and SR 99 to the east provide regional access to the site. Freeways and major county roads would be used as primary evacuation routes in the event of a natural hazard, technological hazard, or domestic security threat. SR 165 is the nearest designated arterial roadway; August Avenue is designated as a major collector roadway. The proposed project does not include any modification of existing area roadways or intersections, and the project would not add significant amounts of traffic that would interfere with emergency response or evacuation. Therefore, the proposed project would result in a less-than-significant impact, and no mitigation would be required.

Question (g) Exposure to risk involving wildland fires: No Impact. The Fire Hazard Severity Zone map for Merced County indicates that the project site and surrounding area is located in the Non-Wildland / Non-Urban Severity Zone. CAL FIRE has designated the project site as a Local Responsibility Area, with an Unzoned designation. The threat of wildfire hazard in that area is determined to be unlikely. Therefore, no hazard would occur related to risk of loss, injury, or death due to wildland fire with implementation of the proposed project. There would be no impact, and no mitigation would be required.

X. HYDROLOGY AND WATER QUALITY	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?		**X**		
b) Substantially decrease groundwater supplies or interfere with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			**X**	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: (i) result in substantial erosion or siltation on- or off-site;			**X**	
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;			**X**	
(iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or		**X**		
(iv) impede or redirect flood flows?			**X**	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			**X**	
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			**X**	

ENVIRONMENTAL SETTING

The project site is located in an active agricultural district in the San Joaquin Valley within the larger Central Valley of California. The topography of the site is nearly flat with surface elevations ranging from 97-105 feet above mean sea level. There are Turlock Irrigation District (TID) facilities within the vicinity of the project site, including the Lateral Number 7 Canal, which wraps around the north and west faces of the project site no nearer than 0.33 miles from existing and proposed active areas of the site. TID Improvement District 281A maintains an irrigation pipeline along the west property boundary that then connects to a private pipeline along the southern boundary of the site. The nearest natural surface water feature is the Merced River, located 2.2 miles south of the project at its nearest point.

Currently, potable water is provided to developed areas of the site via two wells located near the existing residence. These wells serve both the residence and existing event facilities. Two other wells are located within the project area. The more northerly of these two wells will be renovated and brought back on line to provide irrigation water for a planned flower meadow. The remaining well, located south of the residence within an almond orchard, is not currently operational and would be decommissioned to meet State and County standards. Irrigation water for the almond orchard is provided by TID. On-site irrigation of the orchard is via a drip system. Almond orchards in Merced County typically require the application of 2.5 to 3.1 acre feet of irrigation water per year depending upon the age of the trees. (Merced Irrigation District 2021)

There are two existing on-site waste management systems, consisting of septic tanks and leach fields. One serves the single-family residence, the other serves the existing event center.

Stormwater runoff from existing impervious surfaces and roofed areas is routed to the almond orchards that surround developed facilities. No developed or community stormwater facilities are located on the project site or in its vicinity.

The project site is located within Flood Zone X as delineated by the Federal Emergency Management Agency (FEMA). As defined by FEMA, the Flood Zone X designation identifies areas that are not subject to 1 percent (100 year) floods or 0.2 percent (500 year) floods. (FEMA 2021)

Regional groundwater in Merced County is composed of four subbasins of the San Joaquin Hydrologic Region: the Turlock, the Merced, the Chowchilla, and the Delta-Mendota. The project site lies within the Turlock subbasin. Groundwater flow in the Turlock Subbasin is generally to the west, towards the San Joaquin River. In general, groundwater depths are shallowest near the San Joaquin River, and increase away from the river as surface elevations increase. California Department of Water Resources groundwater level records show limited data from nearby wells. Historically, first encountered groundwater levels in the project vicinity have ranged from 7 to 15 feet below the ground surface. (DWR 2021)

TID manages groundwater and surface water conjunctively in its operations. Groundwater is pumped into TID canals to supplement surface water supplies through use of rented and drainage wells. More groundwater is used during dry periods when less surface water is available. From 1991 to 2014, an average of 85 percent of TID deliveries was surface water, with the remaining 15 percent coming from groundwater. (West Turlock GSA 2021)

REGULATORY SETTING

Merced County

Stormwater Ordinance

The purpose and intent of Chapter 9.53 of the Merced County Code is to enhance the water quality of watercourses and water bodies in a manner pursuant to and consistent with the Federal Clean Water Act (33 U.S.C. Section 1251 et seq.) by reducing pollutants in storm water discharges to the maximum extent practicable. In addition, Chapter 9.53 has been written to enact requirements stipulated in the "National Pollutant Discharge Elimination System (NPDES) General Permit for Waste Discharge Requirements (WDR) for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (MS4)" adopted by the State Water Resources Control Board.

As applicable to the proposed project, Chapter 9. 53 creates regulations that govern management of construction that may cause or contribute pollution or illicit discharges to storm drainage systems under the jurisdiction of the county of Merced for projects that disturb more than a one acre, and project operations.

Merced County Well Ordinance

The Merced County Code Chapter 9.28, *Wells* contains Water Well Standards (Chapter 9.28.060) that would minimize the potential for contaminated water to enter the well. The standards include

standards for design and construction, requirements for out of service wells, and well abandonment and destruction.

Merced County Groundwater Ordinance

With the adoption of the Sustainable Groundwater Management Act of 2014 (SGMA), Merced County has adopted a groundwater ordinance No. 1930, which prohibits the unsustainable extraction of groundwater or conveyance of groundwater outside of a subbasin. This ordinance is a transition document until documents required by the SGMA are published and implemented. Two prohibitions were set in place as part of the ordinance. The first prohibits the construction of new wells within unincorporated areas of the county showing excess extraction patterns from 1995 through 2013. The second prohibits the export of groundwater from Merced County to areas outside of the groundwater basin where it originated. Multiple exemptions are in place to allow water districts and water agencies to continue to operate.

ENVIRONMENTAL EVALUATION

Question (a) Violation of Water Quality Standards: Less-than-significant Impact with Mitigation.

Surface water quality could be adversely affected from construction and operation of the August Meadows event venue project. With implementation of the mitigation measures identified below, the proposed project would not be expected to violate any water quality standards or waste discharge requirements, or substantially degrade water quality during construction or operation.

Degradation of surface water quality due to storm water runoff during project construction and operation. Approximately two acres of the project site would be disturbed during project construction. Storm water runoff during the construction period could result in the siltation and sedimentation of waterways draining the site, or in the transport of pollutants used during construction. Because the proposed project would disturb more than one acre, the applicant would be required to obtain a General Construction Activity Storm Water Permit from the State Water Resources Control Board (SWRCB) for stormwater discharges associated with construction activities, which would require the implementation of a Stormwater Pollution and Prevention Plan (SWPPP). The SWPPP must contain BMPs to reduce soil erosion and protect stormwater runoff. To ensure implementation of stormwater requirements and to avoid siltation and other water quality effects, the following mitigation measures would be required.

Mitigation Measure HYD-1: Comply with Merced County Code Chapter 9.53.

The project applicant shall comply with the requirements of the County's Stormwater Regulation ordinance (MCC Chapter 9.53), including:

a. Prepare and implement a Sediment Control Plan prior to the initiation of any ground disturbing activities. However, if a SWPPP is required to be developed for the construction activity project pursuant to the State Water Board's Construction General Permit, the SWPPP may substitute for the required SCP. (See Mitigation Measure HYD-1.) In this case, submit a copy of the SWPPP to the county for review and approval.
b. Submit evidence that all applicable permits (i.e., State Water Board's Construction General Permit, State Water Board 401 Water Quality Certification, U.S. Army Corps

404 permit, and the California Department of Fish and Wildlife 1600 Agreement) directly associated with the soil disturbing activities have been obtained.

c. Design and construct the project to implement the source control measures and low-impact development (LID) design standards described in MCC Chapter 9.53.030.5 – 9.53.030.7, in order to effectively reduce runoff and pollutants associated with runoff.

With implementation of Mitigation Measure HYD-1, the proposed project would not be expected to violate any water quality standards or waste discharge requirements during construction or operation. Compliance with applicable requirements would minimize project impacts to water quality. A less-than-significant impact would result, and no additional mitigation would be required.

For more information regarding the adequacy of soils on the project site to accommodate wastewater treatment and disposal, see Section VII, *Geology and Soils*, above.

Question (b) Decrease groundwater supplies or interfere with recharge: Less-than-significant Impact.

Depletion of groundwater resources. The August Meadows event venue would continue to rely on existing domestic wells. No new domestic wells are proposed as part of the event venue project. Additionally, implementation of the project would result in the elimination of approximately 0.6 acres of an existing almond orchard. This would reduce the overall water demand from the orchard by 1.5 to 1.9 acre feet per year.

The Turlock Subbasin has been designated as a High-Priority basin by the California Department of Water Resources (DWR). The Sustainable Groundwater Management Act (SGMA) of 2014 (as amended) allows customized groundwater sustainability plans (GSP) to be designed by groundwater sustainability agencies (GSA) to manage groundwater resources while being sensitive to local economic and environmental needs. The goal of SGMA is to have sustainably managed groundwater within 20 years of the initial GSP submittal and maintain sustainability for a 50-year planning and implementation horizon.

In compliance with SGMA, a Groundwater Sustainability Plan (GSP) for the Turlock Subbasin (5-22.03) is being prepared jointly by the West Turlock Subbasin Groundwater Sustainability Agency (WTSGSA) and the East Turlock Subbasin Groundwater Sustainability Agency (ETSGSA). Collectively, these two GSAs have been deemed exclusive GSAs and cover the entire Subbasin. In compliance with SGMA deadlines, the Turlock Subbasin GSP will be completed, adopted, and submitted to DWR by January 31, 2022. Both GSAs will adopt the GSP and share in GSP implementation. Draft copies of portions of the GSP prepared by the two GSAs are being circulated for public and agency review at the time of preparation of this Initial Study.

Coupled with the decrease in irrigated acreage on the project site, the proposed event venue project would result in a net decrease in overall water use; further, the majority of the water on the farm would continue to be used for irrigation, which could result in groundwater recharge via irrigation percolation. In addition, operation of the almond orchard on the project site would be subject to the requirements of the GSP for the region, if and when adopted, which would further minimize impacts to groundwater supplies. Therefore, impacts to groundwater supplies from the proposed expansion of event facilities and use would be considered less than significant, and no mitigation would be necessary.

Question (c) Substantially alter drainage patterns: Less-than-significant Impact with Mitigation.

Questions (c)(i) and (c)(ii) Modification of surface water drainage patterns and an increase in runoff. Implementation of the proposed event facility would not modify surface water drainage patterns, and would not cause localized off-site migration of runoff, erosion, and/or flooding since implementation of the event facility would require minimal grading over previously disturbed areas of the site. A less-than-significant impact would result, and no mitigation would be required.

Questions (c)(iii) Exceed stormwater drainage capacity. Stormwater generated at the project site would continue to be routed to adjacent orchards. Because stormwater generated by the project would be collected and maintained within the project proponent's larger property, no additional drainage would reach regional waterways as a result of the project.

The runoff from increased impervious surfaces may be substantial during intense storm events. However, the annual rainfall for the project area is relatively low, and under normal circumstances, little runoff would be expected. This would be a significant impact; the following mitigation would be required.

Mitigation Measure HYD-2:

Implement Mitigation Measure HYD-1: Comply with Merced County Code Chapter 9.53.

Implementation of this mitigation measure would ensure compliance with the County's Stormwater requirements that would reduce surface drainage impacts associated with runoff new impervious areas to a less-than-significant level. No additional mitigation would be necessary.

Question (c)(iv) Impede or redirect flood flows. As noted above, the project site is located within flood zone X as delineated by the Federal Emergency Management Agency (FEMA). As defined by FEMA, the flood zone X designation identifies areas that are not subject to 1 percent (100 year) floods or 0.2 percent (500 year) floods. Implementation of the project at this location would not impede or redirect flood flows since it would not be located within a floodway. Therefore, implementation of the proposed project would not impede or redirect flood flows, and a less-than-significant impact would result. No mitigation would be required.

Question (d) Flood hazard, tsunami, or seiche zones: Less-than-significant Impact. The project site is not located within the FEMA designated 100-year or 500-year floodplains. Because the project site is located at an average elevation of 101 fee above mean sea level and distant from the sea or any large reservoir, the project would not be located in an area subject to inundation hazards from seiche or tsunami. A less-than-significant impact would result, and no mitigation would be required.

Question (e) Conflict with water quality or sustainable groundwater management plans: Less-than-significant Impact. The project site is located within the West Turlock Subbasin. The current Basin Plan for the Sacramento River and San Joaquin River Basins was issued in May 2018. As noted above under Question (a), the proposed project would be required to implement a SWPPP during construction, and proposed project operations would not result in hazardous wastewater discharges. Therefore, the proposed project would not include any waste discharges that could conflict with the Basin Plan.

As described under Question (b), above, the West Turlock Subbasin Groundwater Sustainability Agency and the East Turlock Subbasin Groundwater Sustainability Agency are working together to complete and adopt the Turlock Subbasin GSP. Subsequent to adoption by both agencies the GSP will be submitted to DWR by January 31, 2022. Both GSAs will share in GSP implementation to meet SGMA requirements and achieve the sustainability goals outlined in the Act. Implementation of the August Meadows event venue would result in a net decrease in groundwater use, and the farming operations associated with the August Meadows event venue would be expected to follow the guidelines within the GSP, as applicable, to manage groundwater depletion.

Therefore, the project would not conflict with or obstruct the water quality control plan or a sustainable groundwater management plan, and the potential impacts would be less than significant. No mitigation would be required.

XI. LAND USE AND PLANNING	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Physically divide an established community?				**X**
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			**X**	

ENVIRONMENTAL SETTING

The land surrounding the project site and in the general vicinity is primarily developed for agricultural uses. Scattered rural residences are located in the general area of the project; most are associated with agricultural operations. The project site is designated Agricultural by the 2030 Merced County General Plan, and zoned A-1 (General Agricultural) by the Merced County Zoning Code. (Merced County 2021a) Recreational Events/Weddings are a permitted use in the A-1 zone upon obtaining and Conditional Use Permit (CUP) (Merced County 2021c).

ENVIRONMENTAL EVALUATION

Question (a) Physically divide established community: No Impact. Other than scattered rural residences, there is no established community in the immediate area of the project site. The nearest established communities within the project area are Hilmar, located approximately 1.5 miles southwest of the project site, and Delhi, located approximately 2.5 miles to the northeast. Because the project would not divide a community, no adverse effects would result, and no mitigation would be required.

Question (b) Conflict with land use plans or policies: Less-than-significant Impact. The project site and the area surrounding the site are designated Agricultural on the 2030 Merced County General Plan Land Use Diagram, and are located in the A-1 (General Agricultural) zoning district of Merced County. Recreational Events/Weddings are a permitted use in the A-1 zone upon obtaining and Conditional Use Permit (CUP) Within Merced County, Conditional Use Permits are discretionary permits that require special review and control to ensure that a use of land is compatible with the neighborhood and surrounding residences.

The proponents of the proposed August Meadows event venue project have made application to the County of Merced for a Conditional Use Permit (CUP21-002) to construct additional event facilities on the project site, and to continue operation as an event venue. With approval of the proposed project, the almond farm would continue operations, and the project site would continue to host events and gatherings such as those for weddings, receptions, seasonal events, etc. No feature of the proposed project would conflict with the existing agricultural land use and zoning designations, nor would it cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. This would be a less-than-significant impact; no mitigation would be required.

XII. MINERAL RESOURCES	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) 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?				**X**
b) 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?				**X**

ENVIRONMENTAL SETTING

The majority of the land area of Merced county lies within the Central Valley physiographic province, which is dominated by significant amounts of overburden soils that are alluvial in nature. Less than 30 percent of Merced county lies in higher topographic areas, away from the alluvium and closer to bedrock conditions. Very few traditional hard rock mines exist in the county. The county's mineral resources in the project vicinity are primarily sand and gravel mining operations. (Merced County 2013i)

No Mineral Resource Zones or mineral resource production areas are located in or adjacent to the project area. The eastern portion of Merced County includes the following aggregate resource areas: Merced River, Bear Creek, and Mariposa Creek. According to the 2030 Merced County General Plan Background Report (Figure 8-10), the project site is not located in an area of sand and gravel resources (Merced County 2013i). The California Geological Survey indicates that the proposed project is not within an Aggregate Production Area (CGS 2018).

ENVIRONMENTAL EVALUATION

Questions (a) and (b) Loss of mineral resources of value and/or delineated on land use plans: No Impact. No important mineral deposits, Mineral Resource Zones, or existing or previous mines are located on the project site or in the surrounding area. Because there are no mineral resources or resource protection zones in the vicinity of the project site, there would be no loss of availability of known mineral resources. No adverse effect would result, and no mitigation would be required.

XIII. NOISE	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			**X**	
b) Generation of excessive ground-borne vibration or ground-borne noise levels?			**X**	
c) For a project located within the vicinity of a private airstrip or 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?			**X**	

ENVIRONMENTAL SETTING

Characteristics of Noise

Noise consists of any sound that may produce physiological or psychological damage and/or interfere with communication, work, rest, recreation, or sleep. Several noise measurement scales exist that are used to describe noise in a particular location. A decibel (dB) is a unit of measurement that indicates the relative intensity of a sound. The 0 point on the dB scale is based on the lowest sound level that the healthy, unimpaired human ear can detect. Changes of 3 dB or less are only perceptible in laboratory environments. Sound levels in dB are calculated on a logarithmic basis. An increase of 10 dB represents a 10-fold increase in acoustic energy, while 20 dB is 100 times more intense, and 30 dB is 1,000 times more intense. Each 10 dB increase in sound level is perceived as approximately a doubling of loudness; and similarly, each 10 dB decrease in sound level is perceived as half as loud. Sound intensity is normally measured through the A-weighted sound level (dBA). This scale gives greater weight to the frequencies of sound to which the human ear is most sensitive. The A-weighted sound level is the basis for 24-hour sound measurements that better represent how humans are more sensitive to sound at night.

As noise spreads from a source, it loses energy so that the farther away the noise receiver is from the noise source, the lower the perceived noise level would be. Geometric spreading causes the sound level to attenuate or be reduced, resulting in a 6 dB reduction in the noise level for each doubling of distance from a single point source of noise to the noise-sensitive receptor of concern.

Many ways are available to rate noise for various time periods, but an appropriate rating of ambient noise affecting humans also accounts for the annoying effects of sound. Equivalent continuous sound level (L_{eq}) is the total sound energy of time varying noise over a sample period. However, the predominant rating scales for human communities in the State of California are the L_{eq}, the community noise equivalent level (CNEL), and the day-night average level (L_{dn}) based on A-weighted decibels (dBA). CNEL is the time varying noise over a 24-hour period, with a 5 dBA weighting factor applied to the hourly L_{eq} for noises occurring from 7:00 p.m. to 10:00 p.m. (defined as relaxation hours) and 10 dBA weighting factor applied to noise occurring from 10:00 p.m. to 7:00 a.m. (defined as sleeping hours). L_{dn} is similar to the CNEL scale, but without the adjustment for events occurring during the evening relaxation hours. CNEL and L_{dn} are within one dBA of each

other and are normally interchangeable. The noise adjustments are added to the noise events occurring during the more sensitive hours. See Figure 5 for decibel level descriptions.

Existing Noise Environment

Noise sensitive land uses are locations where people reside or where the presence of unwanted sound could adversely affect the use of the land. Residences, schools, hospitals, guest lodging, libraries, churches, nursing homes, auditoriums, concert halls, amphitheaters, playgrounds and parks are considered noise-sensitive uses. The noise level experienced at a sensitive 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.

The project site is located in an agricultural area with surrounding rural residential uses and agricultural operations, including almond orchards and field crops. The primary existing noise sources in the project vicinity are agricultural operations and traffic on nearby August Avenue. The predominant noise sources at the proposed project site are characterized as low-level agricultural uses, consisting of noise from infrequent cultivation and harvesting.

dBA	Example
0	healthy normal hearing threshold
10	a watch ticking
20	rustling leaves
30	a whisper
40	light rain
50	quiet office
60	normal conversation
70	shower
75	toilet flushing
80	alarm clock
85	passing diesel truck
90	average personal stereo
95	inside subway car
105	motorcycle (riding)
110	sporting event
115	live rock music
120	thunderclap
130	peak stadium crowd noise
140	jet engine at takeoff
145	firecracker
150	fighter jet launch
160	shotgun
165	.357 magnum revolver

Figure 5. Decibel Levels

Source: Owlcation 2021.

The project site is surrounded by agricultural fields; large ornamental trees are located at the north and south ends of the parcel, as well as along the on-site driveway. The closest sensitive receptors to the project site are single-family residences associated with neighboring agricultural operations surrounding the project site (see Table 1). The closest off-site residence to the event facilities is located approximately 1,525 feet west/northwest of the project site adjacent to a TID substation on August Avenue. The Hilmar Urban Community boundary is located 2,000 feet from the nearest event facilities; the nearest residences developed to urban densities within Hilmar are located 0.8 miles (4,380 feet) west of existing and proposed facilities.

The proposed project site is located approximately eight miles southwest of the Turlock Municipal Airport. The project site is not situated within any compatibility zone, as indicated in the Merced County Airport Land Use Compatibility Plan (Merced County ALUC 2012).

REGULATORY SETTING

The 2030 Merced County General Plan Noise Element provides a basis for local policies to control and abate environmental noise, and to protect the citizens of Merced County from excessive noise exposure (Merced County 2013). The County also enforces its Noise Ordinance (Chapter 10.60, *Noise Control*) in the County Code. This ordinance contains noise level standards for residential and

non-residential land uses. Specifically, the County Code sets 65 dBA Ldn[11] and 75 dB Lmax[12] standards for residential property, with standards applicable to nonresidential properties 5 dB higher (Chapter 10.60.030 (A)).

According to County Code (Chapter 10.60.040(B)(5)), construction activities that include the operation of any tools or equipment used during construction, drilling, earth moving activities, excavating, or demolition are prohibited from 6:00 p.m. to 7:00 a.m. the following day on weekdays. They are also prohibited at any hour during weekend days or legal holidays, except for emergency work.

County Code (Chapter 10.60.040(B)(2)) additionally prohibits the use or operation of any loudspeaker, public address system, or similar device between 10:00 p.m. and 8:00 a.m. the following day, such that the sound therefrom creates a noise disturbance across a residential real property line.

ENVIRONMENTAL EVALUATION

Potential noise impacts 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 the construction of the proposed event venue facilities. Operational noise associated with the proposed event venue would occur 24 hours per day, 365 days per year.

Question (a) Generate a noise increase in excess of local plan standards: Less-than-significant Impact.

Construction Noise

Construction of the August Meadows event venue project may result in a temporary increase in ambient noise levels. The project would be constructed in three phases over a period of up to ten years. Construction activities would be considered an intermittent noise impact throughout the construction period of the project. These activities could result in various effects on sensitive receptors, depending on the presence of intervening barriers or other insulating materials. All construction would take place in the vicinity of the existing facilities at the southern end of the almond orchard.

Based on typical construction equipment noise emission levels (FHWA 2017), noise levels produced during construction could potentially exceed those determined to be acceptable for parcels not zoned for residential land use by the 2030 General Plan (80 dBA Lmax at the property line) (Merced County Code Chapter 10.60.030 (A)(3)). However, Merced County Code Section 10.60.030 (B)(5)) acknowledges there may be temporary, elevated noise levels during construction. No feature of the project would cause noticeable levels of ground borne vibration or noise. Because construction activities would be temporary and would not likely result in noise levels that exceed General Plan standards for agricultural areas, construction noise would be considered to be a less-than-significant impact, and no mitigation would be required.

[11] Ldn = Day/night average sound level during 24-hour day weighted by a factor of three.

[12] Lmax: The highest root-mean-square (RMS) sound level measured over a given period of time.

Operational Noise – Increased Traffic Noise

Situated in a rural area removed from significant noise sources, the noise environment within and adjacent to the project site is subject traffic noise from trucks and vehicles on adjacent public and private roadways, and operational noise from agricultural uses within the project area and on adjacent farms. Existing operational noise is associated with on-site orchard maintenance and associated agricultural operations. With project implementation, there would be no increase in existing ambient noise levels associated with the almond farming operation.

Increased traffic noise: The peak periods of project-related traffic noise would occur when event attendees are arriving and leaving the site. The attendees would arrive via private vehicle, and would park within the designated parking area on site. As proposed, implementation of the project would provide parking for approximately 94 vehicles.

No increases in traffic noise from new large machinery or other noise-producing activities would occur, and no activities different from those currently occurring are proposed. However, some periodic increases associated with noise generated by additional vehicle and truck trips would occur prior to and after events.

No current (2021) traffic counts are available for August Avenue in the immediate project vicinity. However, traffic counts for the segment of August Avenue between Griffith Avenue and Merced Avenue were collected in July 2021. Average daily traffic volumes identified in this study were 1,133 vehicles. Additionally, traffic counts and future estimates of traffic volumes were conducted during the preparation of the 2030 Merced County General Plan. In 2002, average daily traffic volumes for that portion of August Avenue between State Route 165 and Merced Avenue were 1,573 vehicles (Merced County 2013). Projected average daily traffic for this segment of August Avenue in 2030 was projected to be 6,950 vehicles (Merced County 2012).

Generally, a doubling of traffic is necessary to result in a perceptible change in noise levels. During events, daily trips associated with the proposed project are estimated to be 80 to 90 for guests plus 15 for staff, vendors, and other providers. Thus, the addition of 95 to 105 trips to existing and forecast traffic volumes would not result in a doubling of the measured and forecast traffic in the project vicinity. No perceptible changes in traffic noise would result. This would be a less-than-significant impact, and no mitigation would be required.

Operational Noise – Increased Event Venue Operations

More frequent operation of the event venue is anticipated to generate noise from the congregation of people, and from amplified speech/music. Estimated maximum attendance for up to 48 events each year would be approximately 300 people, including a music source at peak use. On average, the applicant anticipates 200 guests at an event. The proposed days and hours of operation for August Meadows would be primarily Fridays, Saturdays, and Sundays over the course of the year. There may be more rare events that occur on weekdays. Hours of operation would typically begin at 8:00 a.m. at the earliest. All amplified music for events would be required to end by 10:00 p.m., with guests required to leave the project site no later than 11:00 p.m.

The Merced County Noise Ordinance (Chapter 10.60, *Noise Control*) contains noise level standards for non-residential land uses. Specifically, the County Code sets 70 dBA Ldn[13] and 80 dB Lmax[14] standards (Chapter 10.60.030 (A)). Additionally, Chapter 10.60.040 (B)(1) prohibits "Operating, playing, or permitting the operation or playing of any stereo, radio, television, phonograph, or similar device that reproduces or amplifies sound in such a manner as to create a noise disturbance for any person other than the operator of the device."

As of the date of this Initial Study/Notice of Preparation (October 2021), no complaints have been received by Merced County related to the events that have previously taken place at the event venue. Because noise related to the event venue would be managed in accordance with County rules and regulations, and all amplified event music would be maintained at or below the allowed decibel level in accordance with County requirements, this would be a less-than-significant impact. No mitigation would be required.

Question (b) Ground-borne vibration or noise: Less-than-significant Impact. Construction activities associated with implementation of the proposed August Meadows event venue project are not expected to result in excessive groundborne vibration or groundborne noise levels. Additionally, any increases in groundborne vibration during construction activity would be temporary and would cease to occur after project construction is completed. No permanent noise sources that would generate excessive groundborne vibration or groundborne noise levels would be located or operated within the project area. Therefore, impacts would be less than significant, and no mitigation would be required.

Question (c) Excessive noise levels near airports: Less-than-significant Impact. The Turlock Municipal Airport is located approximately eight miles northeast of the proposed project site. Data provided by the airport proprietor indicates that annual operations are almost exclusively comprised of single-engine aircraft using the airport as a base for crop dusting. The project site is not situated within any compatibility zone, as indicated in the Merced County Airport Land Use Compatibility Plan (Merced County ALUC 2012).

Because the proposed project is not located within two miles of a public airport or public use airport, the project would not expose people residing or working in the project area to excessive noise levels. A less-than-significant impact would result, and no mitigation would be required.

[13] Ldn = Day/night average sound level during 24-hour day weighted by a factor of three.

[14] Lmax: The loudest, or from a technical standpoint, the highest root-mean-square (RMS) sound level measured over a given period of time.

XIV. POPULATION AND HOUSING	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Induce substantial unplanned 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)?				**X**
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				**X**

ENVIRONMENTAL EVALUATION

Question (a) Induce unplanned population growth: No Impact. The August Meadows project site is located in a region developed with agricultural uses, including other orchards, field crops, and animal confinement operations. It would not result in a new or different type of use for the area, nor would the project create or improve any infrastructure serving the site or region. The proposed project is consistent with Merced County land use plans, and no modification of land use and development policies would be necessary to accommodate the proposed event venue project.

The event venue is currently operated by the applicants. With implementation of the proposed project, the number of employees would increase to approximately five workers. In August 2021, the labor force in Merced County totaled 119,700 persons, with an official unemployment rate of 09.4 percent (or 11,200 unemployed persons) (EDD 2021). The increased labor needs of the project could be accommodated by this existing workforce within Merced County and would not require the importation of workers. Similarly, any additional housing demands caused by project employees could be accommodated by existing and planned housing resources within Merced County.

The additional employees resulting from the proposed project would not result in a meaningful increase in the County's population; implementation of the project would not result in the exceedance of population projections or result in any significant growth inducing effects. The proposed event venue project would not be expected to result in substantial new growth in the project vicinity. Therefore, the proposed project would not result in substantial direct or indirect growth inducement, and no adverse impacts would occur. No mitigation would be required.

Question (b) Displace substantial numbers of people or housing: No Impact. There is one residence located at the August Meadows event facility. The proposed project would not impact the existing residence, and no new housing is proposed. There would be no impact to available housing units in Merced County. In July 2019, the last year for which data is available, there were 86,388 housing units available (US Census Bureau 2020). Implementation of the project would not displace substantial numbers of people or existing housing units. There would be no impact, and no mitigation would be required.

XV. PUBLIC SERVICES	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project 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 of any of the public services:				
a) Fire protection?			**X**	
b) Police protection?			**X**	
c) Schools?			**X**	
d) Parks?			**X**	
e) Other facilities?			**X**	

ENVIRONMENTAL SETTING

Public services provided in the project area include fire, police, hospital, school, library, and park services.

The Merced County Fire Department serves the unincorporated areas of Merced County. The Merced County Fire Station 95 is located at the corner of Falke Street and Lander Avenue/SR 165 in Hilmar, approximately 1.75 miles southwest of the project site. The Merced County Sheriff's Department provides police protection in the unincorporated areas of Merced County; the C. F. Bullworth Station is located in Delhi, approximately 2.25 miles northeast of the project site. The Emanuel Medical Center in Turlock is the nearest hospital that provides medical services. There are public schools located in Hilmar that are served by the Hilmar Unified School District. Merced County Library services are available in both Hilmar and Delhi. The nearest parks are located approximately 2.5 miles to the northeast in Delhi, including Taylor Park and Harmony Ranch Park. Park services are discussed in more detail in *Section XVI, Recreation.* Utility services are discussed in more detail in *Section XIX, Utilities and Service Systems.*

ENVIRONMENTAL EVALUATION

Questions (a) through (e) New or physically altered governmental public service facilities: Less-than-significant Impact. Implementation of the proposed event venue project would include the modification of existing facilities and the construction of new facilities on the project site. The project site is in an area with rural levels/standards of fire protection. The Merced County Fire Department has imposed fire flow requirement CFC 507.1 for the August Meadows event venue project. The requirement mandates the proposed project shall provide an approved water supply for fire protection. Compliance with measures as set forth by the Fire Department would be required as conditions of approval, and would reduce fire risk and hazard to levels found acceptable by the Merced County Fire Department. Therefore, there would be no increase or change in the demand for fire service that would require the provision of new or physically altered fire facilities.

No feature of the project would result in the need for new or altered facilities for police protection, schools, parks, libraries, or health services. Because no new residences would be constructed, and needed employees would be drawn from the local labor pool, no substantial increase in population is expected to result from the proposed project. No feature of the proposed project would pose unusual police protection demands. Therefore, there would be no increase in the demand for public services such as police facilities, schools, parks, libraries, or health services that would require the construction of new facilities or physically altered facilities. This would be a less-than-significant impact, and no mitigation would be required.

XVI. RECREATION	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial deterioration of the facility would occur or be accelerated?				**X**
b) 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?				**X**

ENVIRONMENTAL SETTING

Merced County contains several federal, State, and county parks and recreation areas. In addition to parks in the county, there are many public open space areas as well.

- There are three National Wildlife Refuges located in Merced County: the Merced National Wildlife Refuge, the San Luis National Wildlife Refuge, and the San Joaquin River National Wildlife Refuge. The August Meadows event venue is approximately 16 miles north of the San Luis National Wildlife Refuge. (USFWS 2021b)
- The State of California Department of Parks and Recreation operates six parks in Merced County. The California Department of Fish and Wildlife operates seven wildlife areas. The West Hilmar Wildlife Area is located nine miles to the west. (CDFW 2011)
- The Merced County Parks and Recreation Department maintains a variety of parklands throughout the county. County maintained parklands are divided into four basic classes: regional parks, community parks, dual-use parks, and neighborhood parks. A total of 21 parks are owned and/or operated by Merced County. (Merced County 2021b)
- There are two parks in Delhi, Taylor Park and Harmony Ranch Park, located approximately 2.5 miles to the northeast of the project site.

ENVIRONMENTAL EVALUATION

Questions (a) and (b) Increase park use, construct or expand recreational facilities: No Impact. No existing public recreational facilities are located on the project site or in the vicinity, and implementation of the project would not directly affect the provision or demand for any recreation. There would be no increase in the use of existing neighborhood or regional parks or other recreational facilities that would cause or accelerate the physical deterioration of such facilities. The proposed project does not include recreational facilities, nor does it require the construction or expansion of such facilities. Thus, no significant adverse impacts to recreation would occur with implementation of the proposed August Meadows event venue project, and no mitigation would be required.

XVII. TRANSPORTATION	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?			**X**	
b) Would the project conflict with or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?			**X**	
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			**X**	
d) Result in inadequate emergency access?			**X**	

ENVIRONMENTAL SETTING

The proposed project is located to the east of the community of Hilmar in unincorporated Merced County. The project's entry driveway is located on the south side of August Avenue, 1.3 miles east of Lander Avenue (State Route 165), in an area dominated by agricultural uses. Griffith Avenue is located 0.7 miles east of the project driveway. State Route (SR) 165 to the west and SR 99 to the east provide regional access to the project site.

No current (2021) traffic counts are available for August Avenue in the immediate project vicinity. However, traffic counts for the segment of August Avenue between Griffith Avenue and Merced Avenue (to the east of the project site) were collected in July 2021. Average daily traffic volumes identified in this study were 1,133 vehicles. Additionally, traffic counts and future estimates of traffic volumes were conducted during the preparation of the 2030 Merced County General Plan. In 2002, average daily traffic volumes for that portion of August Avenue between State Route 165 and Merced Avenue were 1,573 vehicles (Merced County 2013). Projected average daily traffic for this segment of August Avenue in 2030 was projected to be 6,950 vehicles (Merced County 2012).

The proposed project includes the construction of four new structures totaling 9,700 square feet. (See Figure 3, Structures E through H.) Building E (2,400 sq.ft.) would be used for storage of event-related equipment and supplies between events. A new multipurpose building (F, 4,800 sq.ft.) be used for indoor events. A gazebo (Structure G, 500 sq.ft.) would be used as a focal point for celebrations and events such as weddings. Building H (2,000 sq.ft.), a chapel, would provide an indoor space for similar uses to those accommodated by the gazebo. An existing parking area with space for 94 vehicles would be improved for all weather access.

The proposed event center expansion would be constructed in three phases, to be initiated immediately after project approval. Phase 1 would include the hosting of additional events beyond the four annual events presently permitted; events at the venue would continue to take place as they are currently held. Phase 2 would consist of the construction of a storage building (Building E). The Chapel (Building H) and Gazebo (Building G) will also be completed during Phase 2 within 5 years of permit approval. Phase 3 would include the construction and operation of the multipurpose building (Building F) to be completed within 10 years of project approval.

Previous events at the project site have averaged 100 guests. For the project being assessed in this Initial Study, the requested maximum number of guests per event is 300. For most events, the applicant anticipates no more than 200 guests.

ENVIRONMENTAL EVALUATION

Question (a) Conflict with local circulation plans: Less-than-significant Impact. The proposed project includes the construction of approximately 9,700 square feet of new structures. Construction of the proposed project would be considered temporary over three phases, within an approximate ten-year period. Employee trips and construction deliveries would be considered temporary construction traffic. Following implementation of the proposed project, project operations would result in approximately 95-105 average daily trips for all classes of vehicles on days when events were occurring.

The proposed project use would be considered consistent with existing General Plan land use designation with issuance of Conditional Use Permit CUP21-002 (see Section XI, *Land Use and Planning* of this Initial Study). Because of the existing low levels of traffic in the vicinity, and because minimal new trips would be generated by the proposed project expansion, congestion on nearby roadways would not substantially increase. There would be no reduction of the existing Levels of Service on nearby roads, nor would the project conflict with any applicable congestion management plan. Because there are no transit, bicycle, or pedestrian facilities in the vicinity of the proposed project, improvements would not result in the modification of any transit, bicycle, or pedestrian travel route. This would be a less-than-significant impact, and no mitigation would be required.

Question (b) Conflict with CEQA Guidelines regarding analysis of transportation impacts: Less-than-significant Impact. Section 15064.3, subdivision (b) of the CEQA Guidelines describes criteria for analyzing transportation impacts. Daily trips during events by all classes of vehicle are estimated to be 80 to 90 for guests plus 15 for staff, vendors, and other providers, or 95 to 105 trips on an additional 44 days per year beyond that currently permitted. Based on the addition of 44 permitted events in excess of the four events currently permitted, on an annual basis this would equate to 11.6 to 12.8 additional daily trips

Although many local agencies have developed screening thresholds to indicate when detailed analysis is needed, Merced County has not. As set forth in the Governor's Office of Planning and Research Technical Advisory on Evaluating Transportation Impacts in CEQA (December 2018), "absent substantial evidence indicating that a project would generate a potentially significant level of VMT, or inconsistency with a Sustainable Communities Strategy or general plan, projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less-than-significant transportation impact". Because the project would be considered consistent with the Merced County General Plan, and the project would not generate a significant number of trips and associated vehicle miles traveled, a less-than-significant impact would occur, and no mitigation would be required.

Question (c) Increase hazards due to geometric design features: Less-than-significant Impact. Merced County will require that the applicant construct an agricultural driveway approach for access fronting August Avenue.

Access to the site and venue would continue to be from August Avenue via an existing 1,140 foot long driveway. Although most event attendees arrive shortly before an event begins, past experience at the site indicates that the length of the existing driveway is adequate to accommodate entering vehicles without creating a queue on August Avenue. In contrast, event attendees tend to leave the venue over an extended period of time, and any queuing would be confined to the project site. Traffic control would continue to be provided by onsite staff. In addition to the onsite driveway, emergency access could be provided via an unmaintained agricultural access road running along the east boundary of the project site.

Implementation of the proposed project would not result in any permanent changes to the design features or uses of project-area public roadways, or the construction of new roadways. There would be no increase to hazards related to a geometric design feature, or due to incompatible uses. A less-than-significant impact would result, and no mitigation would be required.

Question (d) Inadequate emergency access: Less-than-significant Impact. The Merced County Fire Department maintains standards for access roadways to provide for adequate emergency access. The Merced County Fire Department has imposed Fire Department access standards CFC 503.2.1 for the August Meadows event venue project. Construction effects on traffic and emergency access would be temporary and well managed. Project implementation would not interrupt emergency access to the project site. Compliance with County fire department access requirements and proper management of construction and event effects on traffic would result in a less-than-significant impact on transportation. No mitigation would be required.

XVIII. TRIBAL CULTURAL RESOURCES	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a) Listed or eligible for listing in the California Register of Historic Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or			**X**	
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.			**X**	

REGULATORY SETTING

Effective July 1, 2015, Assembly Bill 52 (AB 52) amended CEQA to require that: 1) a lead agency provide notice to any California Native American tribes that have requested notice of projects proposed by the lead agency; and 2) for any tribe that responded to the notice within 30 days of receipt with a request for consultation, the lead agency must consult with the tribe. Topics that may be addressed during consultation include Tribal Cultural Resources (TCR), the potential significance of project impacts, type of environmental document that should be prepared, and possible mitigation measures.

Section 21074(a) of the Public Resource Code (PRC) defines TCRs for the purpose of CEQA as sites, features, places, cultural landscapes (geographically defined in terms of the size and scope), sacred places, and objects with cultural value to a California Native American tribe that are either of the following:

a. included or determined to be eligible for inclusion in the California Register of Historical Resources; and/or
b. included in a local register of historical resources as defined in subdivision (k) of Section 5020.1; and/or
c. a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

"Substantial evidence" is defined in Section 21080 of the Public Resources Code as "fact, a reasonable assumption predicated upon fact, or expert opinion supported by fact."

The criteria for inclusion in the California Register of Historical Resources (CRHR) are as follows [CCR Title 14, Section 4852(b)]:

1. It is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States; and/or

2. It is associated with the lives of persons important to local, California, or national history; and/or
3. It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master or possesses high artistic values; and/or
4. It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

In addition, the resource must retain integrity, which is evaluated with regard to the retention of location, design, setting, materials, workmanship, feeling, and association [CCR Title 14, Section 4852(c)].

ENVIRONMENTAL SETTING

Records Search

The Native American Heritage Commission (NAHC) was contacted to request an examination of their Sacred Lands Files to determine whether the project is located on sacred land. A current list of Native American tribal representatives who may have concerns regarding the proposed project was also requested. The search was completed and no Sacred Lands files were identified for the vicinity of the proposed project site (NAHC 2021). The NAHC provided a list of tribes that are traditionally and culturally affiliated with the geographic area of the proposed project.

Native American Consultation

As of the date of this Initial Study (October 2021), no tribes have previously requested consultation with Merced County regarding tribal cultural resources (TCR) (Guerrero pers. comm. 2021).

ENVIRONMENTAL EVALUATION

AB 52 established that a substantial adverse change to a TCR has a significant effect on the environment. In assessing substantial adverse change, the County must determine whether or not substantial evidence of a TCR exists within the project area. If substantial evidence of a TCR exists, the County would then determine whether or not the project would adversely affect the qualities of the known tribal cultural resource.

Questions (a) and (b) Affect CRHR resources, or significant California Native American Tribal resources: Less-than-significant Impact. A sacred lands file search was conducted by the NAHC, and no sacred lands were identified for the vicinity of the project site. Additionally, a Central California Information Center (CCIC) Records Search for cultural resources found no prehistoric archaeological resources on the project site or in its vicinity that have been reported to the CCIC. No tribes have previously requested consultation with Merced County regarding tribal cultural resources.

Because no known tribal cultural resources were identified that are listed/eligible for listing on the CRHR, or are otherwise deemed significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, and because no tribes have registered with the County for consultation on proposed projects in the area, implementation of the proposed project would not cause a significant adverse change in significance of a TCR determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. A less-than-significant impact would result, and no mitigation would be required.

XIX. UTILITIES AND SERVICE SYSTEMS	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?		**X**		
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?			**X**	
c) 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?				**X**
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			**X**	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			**X**	

ENVIRONMENTAL SETTING

A single-family residence on the site is occupied by the applicant. Domestic water is provided to the site by two wells located near the applicant's residence. The residence is served by an existing septic system near the house. An existing septic tank and leach field are also situated adjacent to the existing multi-purpose building near the southern end of the parcel.

There are two non-operational wells on the site. The non-operating well nearest August Avenue will be renovated/repaired in accordance with County requirements, and the second will be abandoned as required by State and County rules and regulations. Irrigation for the almond orchard, and existing lawns surrounding the multi-purpose building and storage building/bar is from service water provided by the Turlock Irrigation District (TID).

Domestic water for the proposed project would be provided by the two existing wells on the site that also serve the applicant's residence. A water pipeline that serves the event area is located within the existing agricultural roadway on the site's eastern boundary. No modification of this existing pipeline is proposed.

Electricity to the site is provided by TID. Electric and telecommunications lines serving the site run along the easterly site boundary. No community natural gas services are provided to the project site.

A new septic tank and leach field would be installed, along with a 300 percent replacement leach field to the north of Building C and proposed Building F. The existing septic tank and leach field south of Buildings C and D would be formally abandoned to meet County requirements.

There are no existing stormwater management facilities on the project site or in the project's vicinity. Stormwater runoff from proposed new structures would be directed to the surrounding orchards on the project site.

Solid waste would be removed by a private service.

The proposed event venue project would rely on existing utilities, including electrical and telecommunication services.

ENVIRONMENTAL EVALUATION

Because the event venue expansion project would continue to rely on on-site, private systems (domestic water, septic, and stormwater), implementation of the proposed project would not require additional public facilities beyond those typically provided in the project area. Implementation of the proposed event venue project would not be expected to increase the demand for public facilities such as electricity and telecommunications beyond the levels provided and planned for by public utilities.

Question (a) Construct or relocate new service systems: Less-than-significant Impact with Mitigation.

Water Facilities

Domestic water is delivered to the site by several on-site water wells, and delivered via pipeline to the existing on-site residence and event venue facilities. No modification to existing water facilities would be required.

Wastewater Treatment Facilities

Existing sewer service is provided by on-site septic systems. No modification to the existing septic system at the residence would be required. However, the proposed event venue project would require the abandonment of an existing septic system and the construction of a new private wastewater treatment system to serve the proposed expansion of event facilities and increases in attendance. This would be a significant impact, and the following mitigation measures would be necessary.

Mitigation Measure UTIL-1:

> Implement Mitigation Measure GEO-1: Comply with Merced County Code Chapter 9.54 Requirements and GEO-2: Comply with DEH Requirements.

Implementation of these measures would reduce potential environmental effects associated with the relocation or construction of new and expanded wastewater treatment facilities below a level of significance. No additional mitigation would be necessary.

For more information regarding the adequacy of soils on the project site to accommodate wastewater treatment and disposal, see Section VII, *Geology and Soils*, above.

Stormwater Drainage Facilities

All stormwater generated at the project site from existing and proposed areas with impermeable surfaces is, and would continue to be, collected and routed to the surrounding orchards on the project site. Surface water quality could be adversely affected from construction and operation of the August Meadows event venue project. This would be a significant impact, and the following mitigation measures would be necessary.

Mitigation Measure UTIL-2:

Implement Mitigation Measure HYD-1: Comply with Merced County Code Chapter 9.53.

With implementation of the mitigation measure identified above, the proposed project would not be expected to violate any water quality standards or waste discharge requirements, or substantially degrade water quality during operation. This would be a less-than-significant impact, and no additional mitigation would be required.

For more information regarding storm drainage, see Section X, *Hydrology and Water Resources*, above.

Other Service Systems

The proposed project would not involve the construction or relocation of any new public electric power, natural gas, or telecommunications facilities. This would be a less-than-significant impact, and no mitigation would be required.

Question (b) Sufficient water supply: Less-than-significant Impact. Coupled with the decrease in irrigated acreage on the project site, the proposed event venue project would result in a net decrease in overall water use; further, the majority of the water on the farm would continue to be used for irrigation, which could result in groundwater recharge via irrigation percolation. Therefore, impacts to water supplies from the proposed expansion of event facilities and use would be considered less than significant, and no mitigation would be necessary.

For more information regarding existing water supplies and the project's effect on groundwater, see Section X, *Hydrology and Water Quality*.

Question (c) Adequate public wastewater treatment capacity: No Impact. No public wastewater collection or treatment facilities are located on the project site or in the project vicinity. There would be no impact, and no mitigation would be required.

Questions (d) and (e) Solid waste: Less-than-significant Impact. The proposed project consists of construction of expanded dairy facilities. The provision of solid waste collection service to serve the proposed project would be subject to the normal tariffs and requirements of the service provider, and would not result in the need for any major new systems or substantial alterations to these utility systems. It would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. There would be no change to existing conditions that would result in non-compliance with federal, state, and local management and reduction statutes and regulations related to solid waste. This would be a less-than-significant impact, and no mitigation would be required.

XX. WILDFIRE	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evaluation plan?				**X**
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?				**X**
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				**X**
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				**X**

According to California Fire and Resource Management Program Fire Hazard Severity Zone map, the proposed project area is within the Local Responsibility Area, with an Unzoned designation. The threat of wildfire hazard in that area is determined to be unlikely. (CAL FIRE 2007)

Questions (a) through (d): No Impact. The project site in not located in or near state responsibility areas or lands classified as very high fire hazard severity zones. It is located in an existing low-density agricultural area, and the threat of wildland fire has been determined to be unlikely (CAL FIRE 2007). Because the proposed project is not located in or near a State Responsibility Area nor on lands classified as very high fire hazard severity zones, no impact would occur and no mitigation would be required.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Does the project have the potential to substantially 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, substantially 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?		**X**		
b) Does the project 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 probable future projects)			**X**	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			**X**	

Question (a) Degrade quality of the environment: As discussed above, the project has the potential to adversely impact: air quality (construction dust, criteria pollutants), undiscovered cultural resources, geology and soils (septic system impacts), water quality (stormwater runoff, groundwater contamination), and utilities (septic system impacts). With the implementation of mitigation measures identified in this Initial Study (see below), all potential impacts would be reduced to a less-than-significant level. No significant or potentially significant impacts would remain.

Mitigation Measure AQ-1:

Prior to the release of the first-issued building permit, the applicant shall provide to the County a receipt of a SJVAPCD approved Dust Control Plan or Construction Notification form in compliance with Regulation VIII – Fugitive Dust PM_{10} Prohibitions. Additional applicable SJVAPCD Rules and Regulations may include: Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations), and Rule 4002 (National Emission Standards for Hazardous Air Pollutants). The project applicant will be required to implement measures of applicable SJVAPCD Rules and Regulations as noted.

Mitigation Measure AQ-2:

Implement Mitigation Measure AQ-1, which would require that the project comply with all applicable SJVAPCD regulations.

Mitigation Measure CUL-1:

A. If buried cultural resources such as chipped or ground stone, midden deposits, historic debris, building foundations, human bone, or paleontological resources are inadvertently discovered during ground-disturbing activities, work shall stop in that area and within 100 feet of the find until a qualified archaeologist or paleontologist can assess the significance of the find and, if necessary, develop responsible treatment measures in

consultation with Merced County and other appropriate agencies.

B. If remains of Native American origin are discovered during proposed project construction, it shall be necessary to comply with state laws concerning the disposition of Native American burials, which fall within the jurisdiction of the Native American Heritage Commission (NAHC). If any human remains are discovered or recognized in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:
   - The County coroner has been informed and has determined that no investigation of the cause of death is required; and
   - If the remains are of Native American origin:
     - √ The most likely descendants of the deceased Native Americans have made a recommendation to the landowner or person responsible for the excavation work for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in PRC 5097.98; or
     - √ The NAHC has been unable to identify a descendant, or the descendant failed to make a recommendation within 24 hours after being notified.

C. According to the California Health and Safety Code, six or more human burials at one location constitute a cemetery (Section 8100), and disturbance of Native American cemeteries is a felony (Section 7052). Section 7050.5 requires that construction or excavation be stopped in the vicinity of discovered human remains until the coroner can determine whether the remains are those of a Native American. If the remains are determined to be Native American, the coroner must contact the NAHC.

Mitigation Measure GEO-1: Comply with Merced County Code Chapter 9.54 Requirements

Comply with the requirements of the Merced County Onsite Wastewater Treatment Systems Ordinance, including obtaining a permit from DEH prior to construction and operations, and implementing those regulations related to the type of the system and its location on the project site. Prepare all technical studies necessary for a site evaluation to permit DEH to evaluate the proposed system to ensure that it meets all relevant design standards and criteria set forth in Chapter 9.54 of the Merced County Code.

Mitigation Measure GEO-2: Comply with DEH Requirements

Comply with the following conditions identified by the Merced County DEH:

A. At the time that the venue kitchen is modified to allow for cooking or heating, install a grease interceptor. Ensure that the design and capacity of the proposed OWTS is adequate to accommodate future added sewage flows from the kitchen caused by installation of the grease interceptor.

B. Wastewater from all existing and proposed habitable buildings, including the beverage service building (Building D), must flow to the septic system.

C. The presence of near-surface groundwater requires that the proposed OWTS be specially designed with an elevated leach field. Ensure that adequate space is available to site the leach field, as elevated fields require a significantly larger footprint than at-grade leach fields.

D. Ensure that the amount of replacement area for the proposed leach field is 300 percent of the design area of the elevated leach field.

Mitigation Measure HYD-1: Comply with Merced County Code Chapter 9.53.

The project applicant shall comply with the requirements of the County's Stormwater Regulation ordinance (MCC Chapter 9.53), including:

a. Prepare and implement a Sediment Control Plan prior to the initiation of any ground disturbing activities. However, if a SWPPP is required to be developed for the construction activity project pursuant to the State Water Board's Construction General Permit, the SWPPP may substitute for the required SCP. (See Mitigation Measure HYD-1.) In this case, submit a copy of the SWPPP to the county for review and approval.
b. Submit evidence that all applicable permits (i.e., State Water Board's Construction General Permit, State Water Board 401 Water Quality Certification, U.S. Army Corps 404 permit, and the California Department of Fish and Wildlife 1600 Agreement) directly associated with the soil disturbing activities have been obtained.
c. Design and construct the project to implement the source control measures and low-impact development (LID) design standards described in MCC Chapter 9.53.030.5 – 9.53.030.7, in order to effectively reduce runoff and pollutants associated with runoff.

Mitigation Measure HYD-2:

Implement Mitigation Measure HYD-1: Comply with Merced County Code Chapter 9.53.

Mitigation Measure UTIL-1:

Implement Mitigation Measure GEO-1: Comply with Merced County Code Chapter 9.54 Requirements and GEO-2: Comply with DEH Requirements.

Question (b) Cumulatively considerable impacts: Less-than-significant Impact. While the proposed project could contribute to cumulative impacts associated with increased development in the region, these impacts have previously been evaluated by the County and considered in development of the County's 2030 General Plan. The 2030 General Plan EIR comprehensively evaluated the potential environmental effects, including the potential countywide and cumulative impacts, of implementing the 2030 General Plan. As discussed in the preceding discussion of tiering, the General Plan EIR is hereby incorporated by reference into this Initial Study pursuant to State CEQA Guidelines Section 15150 as though fully set forth herein.

As discussed in this Initial Study, the August Meadows event venue project has the potential to result in impacts to air quality (construction dust, criteria pollutants), undiscovered cultural resources, geology and soils (septic system impacts), water quality (stormwater runoff, groundwater contamination), and utilities (septic system impacts). As set forth in the appropriate topical discussions of this Initial Study, effects to these issue areas are all subject to the proposed mitigation measures identified in this Initial Study, State, Federal, and County standards and regulations, and 2030 Merced County General Plan policies and programs designed to avoid, reduce, or mitigate such effects.

Implementation of the proposed project would result in the modification and expansion of an existing event facility and an increase in the permitted annual number of events. As viewed within the context of the overall growth and development in the County as outlined in the 2030 Merced County General Plan, the potential impacts of the proposed project are individually limited and not considered "cumulatively considerable." Additionally, after mitigation, the project has been determined not to have significant project level or cumulative level effects for any environmental issue. Therefore, construction and operation of the proposed project would not make a cumulatively considerable contribution to cumulative impacts, and would result in a less-than-significant impact when viewed in connection to the effects of past and probable future projects.

Question (c) Adversely affect human beings: Less-than-significant Impact. As demonstrated in the detailed evaluation contained in this Initial Study, because of existing site conditions, Merced County standards, Merced County 2030 General Plan programs and policies, and regulation of potential environmental impacts by other agencies, in addition to mitigation measures included in this Initial Study, the proposed August Meadows event venue project would not have the potential to cause substantial adverse effects on human beings. This would be a less-than-significant impact.

4. APPLICANT AGREEMENT TO MITIGATION MEASURES

By the signature below, the project applicant agrees to implement and incorporate the Mitigation Measures identified in this Initial Study as outlined above in Section XXI, *Mandatory Findings of Significance*, as part of the August Meadows Event Venue project.

Signed: _____

Printed Name: _____ **Date:** _____

5. PREPARERS OF THE INITIAL STUDY / MITIGATED NEGATIVE DECLARATION

Lead Agency

Merced County
Community and Economic Development Department
2222 M Street
Merced, CA 95340
(209) 385-7654

Pam Navares, Planner II

Environmental Consultant

Environmental Planning Partners, Inc.
2934 Gold Pan Court, Suite 3
Rancho Cordova, California 95670
(916) 852-8830

Robert D. Klousner – President, Principal in Charge
Raadha Jacobstein – Professional Planner
Mary Wilson – Planner, Project Manager
Dale Nutley – Graphic Artist

6. LITERATURE CITED

The following documents were referred to as information sources during preparation of this document. They are available for public review at the web addresses shown after the listing. All documents without an Internet address are available at the County of Merced, Community and Economic Development Department 2222 'M' Street, Merced, California 95340.

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DETERMINATION

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

X I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project applicant. A NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature **Date**

Pam Navares 10-13-21

Pam Navares, Planner II
Merced County
Community and Economic Development Department