

Initial Study

# Delhi Community Plan Supplemental EIR

March 31, 2022



Prepared by  
EMC Planning Group



INITIAL STUDY

**DELHI COMMUNITY PLAN  
SUPPLEMENTAL EIR**

**PREPARED FOR**

**Merced County Community & Economic Development Department**

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## A. BACKGROUND

Project Title	Bradbury Master Plan
Lead Agency Contact Person and Phone Number	Diana Lowrance, Planner III Merced County Community & Economic Development Department (209) 385-7654. x4163
Date Prepared	March 31, 2022
Study Prepared by	EMC Planning Group Inc. 301 Lighthouse Avenue, Suite C Monterey, CA 93940
Project Location	Community of Delhi, Merced County. Project site bound by Bradbury Road on the north, Vincent Road on the east, Shanks Road on the south, and State Route 99 and the Union Pacific Railroad tracks on the west.
Project Sponsor Name and Address	RBK Development Belgravia Land and Development 18 Arbor Way, Turlock, California 95380
General Plan Designation	Various per the Delhi Community Plan
Zoning	A-1 General Agriculture

### Setting

The approximately 273-acre project site, known as the Bradbury Ranch, is within the northeastern portion of the *Delhi Community Plan* (“community plan”) boundary in unincorporated Merced County. The community plan is a component of the *2030 Merced County General Plan* (“Merced County general plan”). The project site is bound by Bradbury Road on the north, Vincent Road on the east, Shanks Road on the south, and State Route 99/Union Pacific Railroad on the west. The community plan requires that a master plan be prepared for the Bradbury Ranch site. Master plans serve as a planning implementation tools. The community plan identifies land use designations for the project site as Low Density Residential, Medium Density Residential, Business Park, and Neighborhood Commercial. An elementary school site, middle school site, two neighborhood parks, and a community park are also planned within the project site. The community plan also defines the need for a fire station site within the project site boundary. The existing zoning is A-1, General Agriculture.

Several residences are located within the project site boundary, which is otherwise undeveloped and primarily in agricultural use. Agricultural land is adjacent to the project site on the north, east, and south. Significant infrastructure features located adjacent to the site include State Route 99 and the Union Pacific Railroad, both on the west, and a Turlock Irrigation District canal that traverses the northwest site boundary. The site topography is generally level.

Figure 1, [Location Map](#), shows both the regional and vicinity location of the project site. Figure 2, [Existing Conditions](#), is an aerial photograph which shows existing site features and uses, as well as adjacent features and uses.

## Description of Project

The applicant is requesting approval of a general plan amendment to modify the land use designations in the community plan that apply to the Bradbury Master Plan (“Bradbury master plan”) area as illustrated in the community plan. [Figure 3, Delhi Community Plan Land Use Designations for the Bradbury Master Plan Area](#), shows the current land use designations. [Figure 4, Proposed Bradbury Master Plan Area Land Use](#), illustrates the proposed land uses. The primary proposed changes are to eliminate the Business Park use, reduce the size of the area designated Medium Density Residential, and increase the size of the area designated Low Density Residential. [Table 1, Community Plan/Master Plan Development Capacity Comparison](#), summarizes how the proposed land use changes would affect projected development capacity.

The applicant is not proposing amendments to community plan policies, guidelines, or development standards. Future individual projects proposed within the master plan boundary would, therefore, be developed consistent with existing community plan guidance. A zoning amendment is required to establish a planned development district for the site. A master plan approval is also required to implement the planned development zoning as codified in Chapter 18.20.020, Planned Development Zone Approval Process, of the Merced County Zoning Code.

After County approval of the requested entitlements, applications for future individual developments within the master plan boundary would be submitted and processed. No such applications have yet been submitted and there is no known timeframe for when such submittals might occur. Future individual projects would be subject to CEQA review, with that review potentially tiering from the *Delhi Community Plan Environmental Impact Report* (“community plan EIR”) and the supplemental EIR to be prepared for the proposed project as described below.

## Purpose of this Initial Study

The County has determined that a supplemental EIR (SEIR) is required to evaluate the environmental impacts of development as would be allowed per the proposed amended land uses, and to evaluate impacts associated with greenhouse gas emissions, vehicle miles traveled, tribal cultural resources, and wildfire; new environmental topics that are now addressed under CEQA for which evaluation was not required at the time the community plan EIR was prepared. The purpose and required contents of a SEIR are described in CEQA Guidelines section 15163. This initial study has been prepared pursuant to CEQA Guidelines section 15063(c)(3), which states that an initial study may be used to focus an EIR on the effects of a proposed project that are determined to be significant.



**Table 1 Community Plan/Proposed Master Plan Development Capacity Comparison**

Land Use	Community Plan Development Capacity <sup>1</sup>	Proposed Development Capacity <sup>2</sup>	Proposed Change
<b>Residential</b>			
<b>Low Density Residential<sup>3</sup></b> Acres <sup>4</sup> Dwelling Units	105 590	173.2 883	+68.2 Acres +293 Dwelling Units
<b>Medium Density Residential<sup>5</sup></b> Acres Dwelling Units	41 279	23 186	-18 Acres - 93 Dwelling Units
<b>Non-Residential</b>			
<b>Neighborhood Commercial</b> Acres Building Square Feet	10 136,680	10.1 136,680	+ 0.1 Acres No Change
<b>Business Park</b> Acres Building Square Feet	50 457,380	0 0	- 50 Acres - 457,380 Square Feet
<b>Public Facilities</b>			
<b>Schools</b> Acres School Types	30 Elementary School Middle School	23.8 Elementary School Middle School	- 6.2 Acres
<b>Parks/Detention/Paths</b> Acres Park Types	25 Two Neighborhood Parks One Community Park Class I Bike Path	37.4 Two Neighborhood Parks One Community Park Class I Bike Path	+ 12.4 Acres
<b>Fire Station</b> Acres	None	2.8	+2.8 Acres
<b>Totals</b>			
<b>Acres</b>	261	273.1	+ 12.1 Acres <sup>6</sup>
<b>Dwelling Units</b>	869	1,069	+ 200 Dwelling Units
<b>Building Square Feet</b>	594,060	136,680	- 457,380 Square Feet

SOURCE: Merced County 2005, GDR Engineering 2022

NOTES:

1. Community Plan development capacity numbers for Bradbury Ranch are from Table 3.2, Master and Special Plan Areas Land Use Summary
2. Proposed Bradbury Ranch Master Plan development capacity numbers are from Table 4-X in this SEIR
3. The Low Density Residential designation allows for densities from 3.5 to 8.0 units/acre. Low Density Residential density is assumed at 4.5 dwelling units/ acre in the community plan, and 5.1 dwelling units/ acre in the proposed master plan
4. All acreages represent gross acreage and exclude Highway 99, Union Pacific Railroad, arterials, major and minor collectors and canals
5. Medium Density Residential density assumed at 9.0 dwelling units/acre in the community plan, 8.1 dwelling units per acre in the proposed master plan
6. Community plan acreages are not as precise as identified for the proposed master plan. Acreage discrepancy does not affect the analysis in the SEIR

The methodology used in this initial study for determining whether the proposed project may have one or more significant impacts is based on review of the environmental checklist included in Chapter 5 of the community plan EIR and on review of the community plan EIR, which was

certified by the County in 2006. The community plan EIR environmental checklist was used to focus the scope of the community plan EIR. Where the community plan environmental checklist found that implementing the community plan, including planned development within the Bradbury master plan boundary, would have no or less-than-significant impacts, this same determination is generally made in this initial study for the proposed project. In some cases, the community plan EIR environmental checklist included mitigation measures to reduce impacts to less than significant. These too are addressed in this initial study as applicable to reducing significant impacts of the proposed project. Mitigation measures included in the community plan EIR are also addressed in this initial study for the same purpose.

Where impacts of the proposed project are found to be potentially significant after the application of community plan policies and programs that serve as mitigation (as described in the community plan environmental checklist and EIR), mitigation measures contained in the community plan EIR environmental checklist, mitigation measures included in the community plan EIR, and/or uniformly applied development standards, the impact is identified as significant and requires further detailed analysis in the SEIR. Analysis of impacts for environmental topics that were not addressed under CEQA at the time the community plan EIR was certified include greenhouse gas emissions, vehicle miles traveled, tribal cultural resources, and wildfire. Per the analysis in this initial study, greenhouse gas emissions and vehicle miles traveled impacts are identified as requiring further detailed analysis in the SEIR.

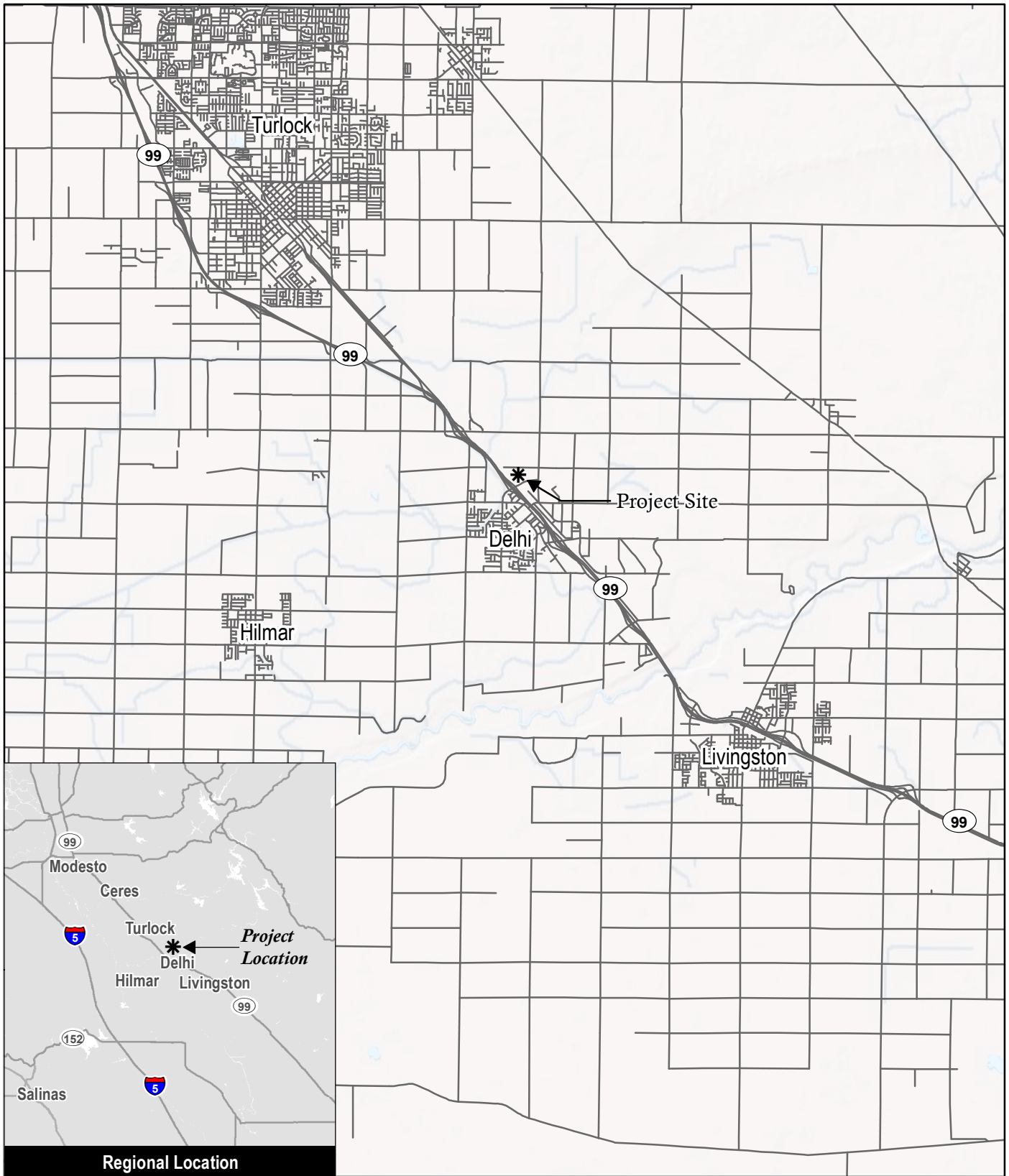
## **Other Public Agencies Whose Approval is Required**

Merced County is the only public agency whose approval is required for the proposed project.

## **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?**

Merced County has not received formal requests in writing for consultation pursuant to Public Resources Code section 21080.3.1. The County sent out twelve tribal consultation letters on February 25, 2022 in accordance with the requirements of Senate Bill 18. The subject tribes have up to 90 days to respond regarding their interest in being consulted.

*Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21080.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.*



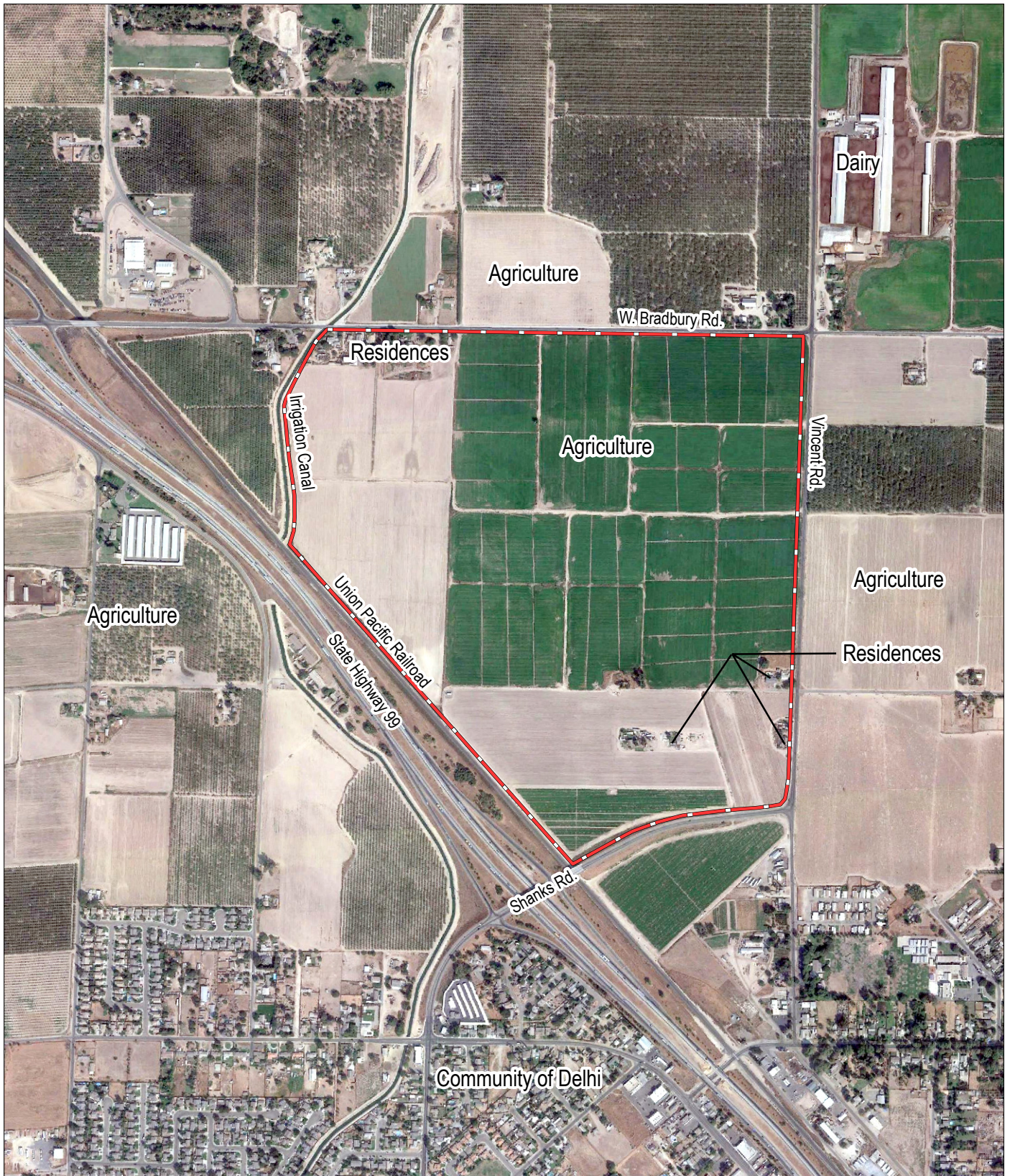
Source: ESRI 2014

Figure 1  
**Location Map**



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0 1050 feet



Project Site

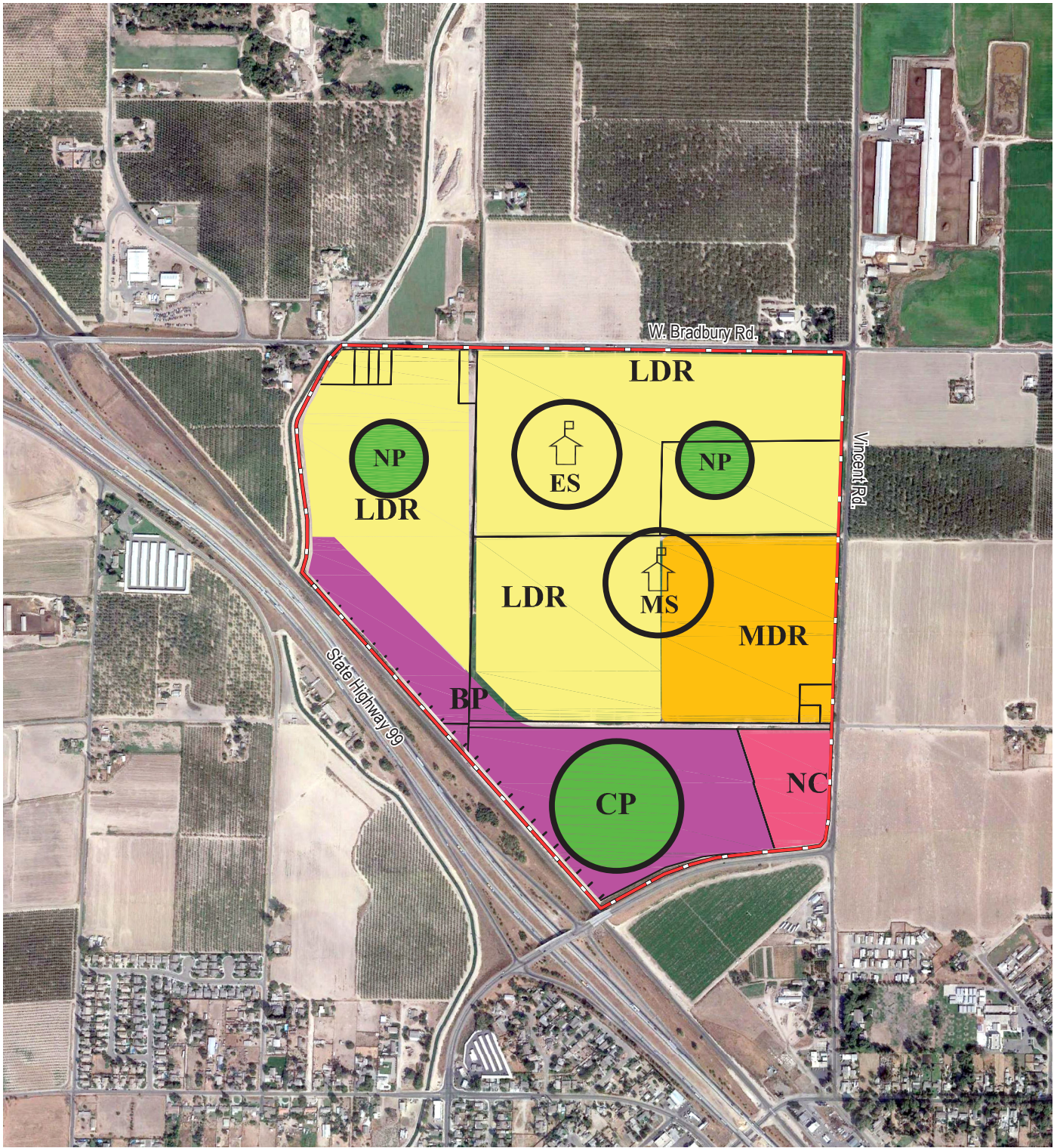
Source: Google Earth 2022



Figure 2  
Existing Conditions



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0 1050 feet

Source: RRM Design Group 2006, Google Earth 2022










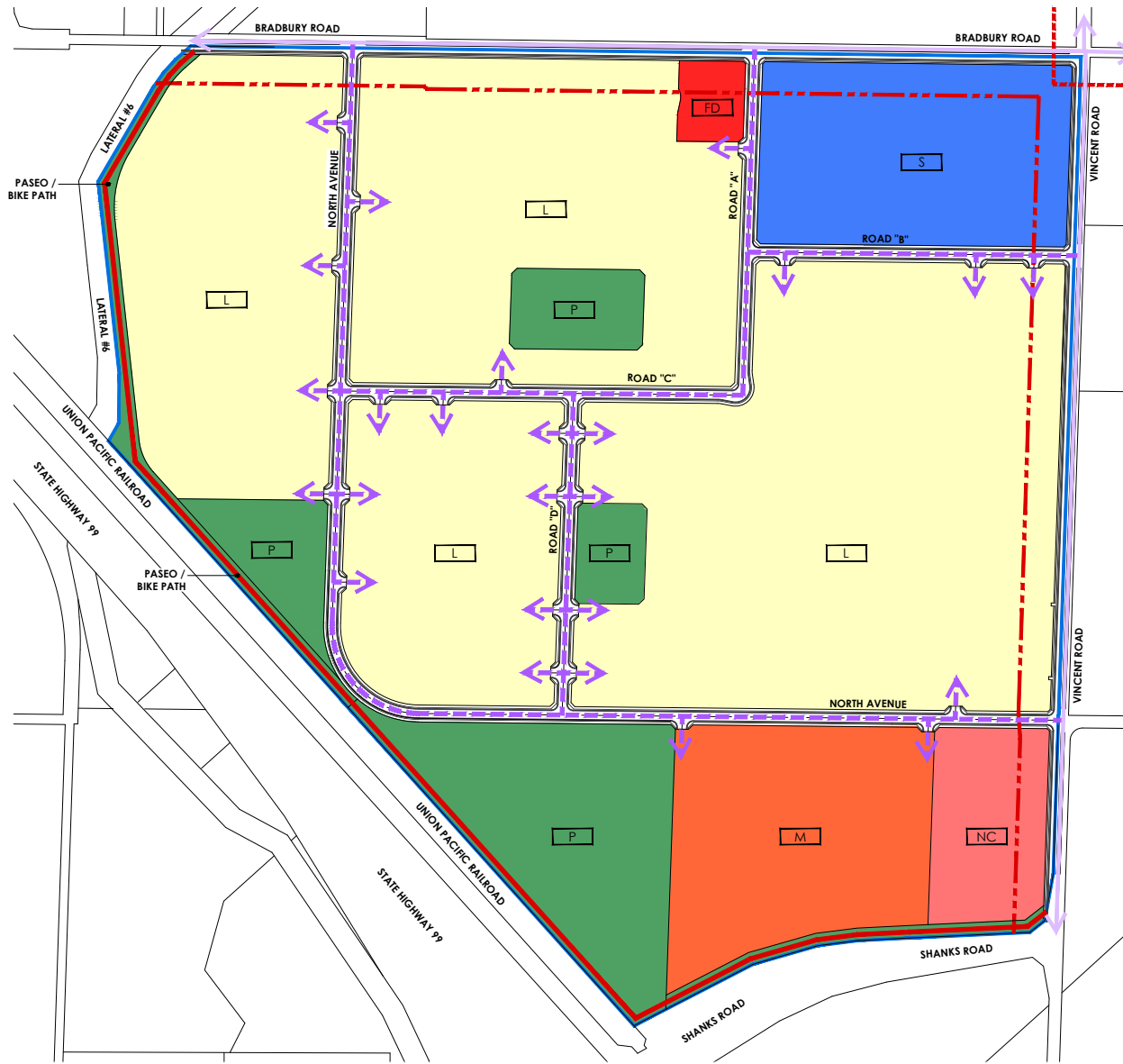
- |  |   |  |  |
|--|---|--|--|
|  Low Density Residential    |  Business Park |  Future Neighborhood Park |  Future Middle School     |
|  Medium Density Residential |  Project Site  |  Future Community Park    |  Future Elementary School |
|  Neighborhood Commercial    |   |  |  |

Figure 3  
 Delhi Community Plan Land Use Designations for the  
 Bradbury Master Plan Area



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- |  |   |
|--|---|
| <span style="background-color: red; border: 1px solid black; padding: 2px;">FD</span> Fire Department                      | <span style="border-bottom: 2px solid blue; width: 50px; display: inline-block;"></span> Bradbury Ranch Master Plan Area                  |
| <span style="background-color: yellow; border: 1px solid black; padding: 2px;">L</span> Low Density Residential (R-1-5000) | <span style="border-bottom: 2px dashed red; width: 50px; display: inline-block;"></span> 200' Buffer from Agriculturally Zoned Properties |
| <span style="background-color: orange; border: 1px solid black; padding: 2px;">M</span> Medium Density Residential (R-3)   | <span style="border-bottom: 2px dotted red; width: 50px; display: inline-block;"></span> 1000' Buffer from Existing Dairy Facility        |
| <span style="background-color: pink; border: 1px solid black; padding: 2px;">NC</span> Neighborhood Commercial             | <span style="border-bottom: 2px dashed purple; width: 50px; display: inline-block;"></span> Existing Roads                                |
| <span style="background-color: green; border: 1px solid black; padding: 2px;">P</span> Parks, Basin, & Bike Path / Paseo   | <span style="border-bottom: 2px solid purple; width: 50px; display: inline-block;"></span> New Minor Collectors                           |
| <span style="background-color: blue; border: 1px solid black; padding: 2px;">S</span> School                               | <span style="border-bottom: 2px solid red; width: 50px; display: inline-block;"></span> Class I Bike Pathways - Paseo                     |

Source: GDR Engineering 2022

Figure 4  
**Proposed Bradbury Master Plan Area Land Use**



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## B. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Aesthetics                         | <input checked="" type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Public Services                               |
| <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Hazards & Hazardous Materials       | <input type="checkbox"/> Recreation                                    |
| <input type="checkbox"/> Air Quality                        | <input type="checkbox"/> Hydrology/Water Quality             | <input checked="" type="checkbox"/> Transportation                     |
| <input checked="" type="checkbox"/> Biological Resources    | <input type="checkbox"/> Land Use/Planning                   | <input type="checkbox"/> Tribal Cultural Resources                     |
| <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Mineral Resources                   | <input type="checkbox"/> Utilities/Service Systems                     |
| <input type="checkbox"/> Energy                             | <input checked="" type="checkbox"/> Noise                    | <input type="checkbox"/> Wildfire                                      |
| <input type="checkbox"/> Geology/Soils                      | <input type="checkbox"/> Population/Housing                  | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

## C. 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.
- 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 proponent. A MITIGATED 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 (1) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (2) 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.

---

Name and Title

---

Date

## D. EVALUATION OF ENVIRONMENTAL IMPACTS

### Notes

1. All answers take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
2. Once it has been determined that a particular physical impact may occur, then the checklist answers indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
3. “Negative Declaration: Less-Than-Significant Impact with Mitigation Measures Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less-Than-Significant Impact.” The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to a less-than-significant level (mitigation measures from section XVII, “Earlier Analyses,” may be cross-referenced).
4. Earlier analyses are used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. [Section 15063(c)(3)(D)] In this case, a brief discussion would identify the following:
  - a. “Earlier Analysis Used” identifies and states where such document is available for review.
  - b. “Impact Adequately Addressed” identifies which effects from the checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and states whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c. “Mitigation Measures”—For effects that are “Less-Than-Significant Impact with Mitigation Measures Incorporated,” mitigation measures are described which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
5. Checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances, etc.) are incorporated. Each reference to a previously prepared or outside document, where appropriate, includes a reference to the page or pages where the statement is substantiated.
6. “Supporting Information Sources”—A source list is attached, and other sources used or individuals contacted are cited in the discussion.
7. The explanation of each issue identifies:
  - a. The significance criteria or threshold, if any, used to evaluate each question; and
  - b. The mitigation measure identified, if any to reduce the impact to less than significant.

# 1. AESTHETICS

Except as provided in Public Resources Code Section 21099 (Modernization of Transportation Analysis for Transit-Oriented Infill Projects), would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. In non-urbanized 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 publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Comments:

- a,b. The environmental checklist in Chapter 5 of the community plan EIR found that implementing the community plan, including development within the Bradbury master plan boundary, would have no impact. No further analysis in the SEIR is required.
- c,d. The environmental checklist in Chapter 5 of the community plan EIR concluded that implementing the community plan would have less-than-significant impacts from degrading visual character or quality or creating substantial sources of light or glare.

The proposed Bradbury master plan includes land use types that are consistent with those assumed to develop within the within the Bradbury master plan boundary, except that it would eliminate the business park land use designation. The business park land use allows lighting types (e.g., parking lot and building lighting) that commonly have general light and glare effects that differ from those associated with the proposed master plan land uses and which have potential to generate greater light and glare than the residential uses that would replace them. The proposed master plan would have less-than-significant visual and lighting impacts. No further analysis is required in the SEIR.

## 2. AGRICULTURE AND FOREST RESOURCES

In determining whether impacts on agricultural resources are significant environmental effects and in assessing impacts on agriculture and farmland, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
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 nonagricultural use?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use or conversion of forest land to non-forest use?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Comments:

- a,e. The community plan EIR concluded that implementing the community plan would have a direct significant impact from converting Farmland within the community plan boundary to non-agricultural use, and would have an indirect significant impact from potential to convert Farmland located adjacent to, but outside the community plan (and project site) boundary to non-agricultural use. These direct and indirect impacts were found to be significant unavoidable under community plan and cumulative conditions, even with implementation of community plan policies and implementation measures that would lessen the impacts.

The proposed master plan project would have the same direct unavoidable significant impact, as the project site is classified as Farmland. This impact will be identified in the SEIR. No further detailed analysis will be required in the SEIR.

The proposed master plan includes agricultural buffers within and along the northern and eastern boundaries of the site. The setbacks are proposed in part per implementation measure LU 4.2.a in the community plan EIR, which is designed to reduce land use incompatibilities between urban uses within the community plan boundary and adjacent agricultural uses. The setbacks are also designed to implement Merced County zoning code section 18.10.040 M, which requires new residential dwellings to be setback so as to provide a physical separation of 200 feet, as measured from dwelling units to any abutting parcels used for agricultural production. In combination with Bradbury Road on the north and Vincent Road on the east, these buffers would further separate future development within the project site from on-going, adjacent agricultural operations to the north and east. This would reduce the potential for land use conflicts between proposed urban and existing adjacent agricultural uses, and reduce indirect impacts from conversion of Farmland adjacent to the project site to less than significant. This potentially significant impact will be identified in the SEIR. No further detailed analysis will be required in the SEIR.

- b. The community plan EIR identified that no land within the community plan boundary was under Williamson Contract at that the time the EIR was certified in 2006. However, the community plan EIR concluded that implementing the community plan could have a significant impact from conflicting with a Williamson Act zoning by indirectly putting pressure on landowners with land under Williamson Act contract that is located adjacent to the community plan boundary to terminate their contracts. The community plan EIR did not make a separate impact significance determination for this. Rather, it concluded that this indirect effect would contribute to loss of Farmland; an impact found to be significant and unavoidable.

The project site is not under Williamson Act contract. The County has not been accepting new Williamson Act contract applications since 2009. One of two parcels that border the site on the north and one parcel bordering the site on the northeast were under Williamson Act contract as of 2010. As of March 2022, the County Assessor's office has confirmed that there has been no change in the status of Williamson Act contracts on properties adjacent to the project site since that time.

The proposed master plan includes agricultural buffers within the northern and eastern boundaries of the site. The purpose is, along with Bradbury Road on the north and Vincent Road on the east, to further buffer future uses within the site from on-going agricultural operations to the north and east that are outside the community plan and master plan boundaries. This would reduce potential for land use conflicts between urban development within the project site and adjacent land under Williamson Act contract. The setbacks implement implementation measure LU 4.2.a in the community plan EIR, which is defined as mitigating impacts from land use incompatibilities between urban uses within the community plan boundary and adjacent agricultural uses.



Because the project site is not under Williamson Act contract and the project includes agricultural setbacks to reduce conflicts with adjacent land that is under Williamson Act contract, the proposed project would have less-than-significant direct and indirect impacts from conflict with Williamson Act zoning. No further analysis is needed in the SEIR.

- c,d. The project site is currently zoned for agricultural use. Forest land, timberland, and timberland production zoning does not apply. Neither the project site nor adjacent lands contain forest land. No further analysis is needed in the SEIR.

### 3. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Expose sensitive receptors to substantial pollutant concentrations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Result in other emissions, such as those leading to odors adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### Comments:

- a-c. The community plan EIR examined air quality impacts associated with implementing the community plan as a whole. The proposed master plan is not consistent with the land use and development capacity assumptions for the master plan area as identified in Table 3-2 of the community. Consequently, the potential air quality impacts of the proposed master plan will be evaluated in the SEIR. As part of the analysis, a health risk assessment will be prepared to evaluate potential impacts of exposure of future project site residents to toxic air contaminants generated by traffic on State Route 99 and from other sources.
- d. The environmental checklist in Chapter 5 of the community plan EIR concluded that uses proposed in the community plan area unlikely to generate substantial odors, but that such uses could be exposed to odors from adjacent agricultural activities and dairy farms. Exposure to substantial odors from these activities was found to be a potentially significant impact that was evaluated in the community plan EIR.

In 2015, in *California Building Industry Association v. Bay Area Air Quality Management District* (2015) 62 Cal.4th 369, 377, the California Supreme Court held that “agencies subject to CEQA generally are not required to analyze the impact of existing environmental conditions on a project’s future users or residents”. The court stated that “ordinary CEQA analysis is concerned with a project’s impact on the environment, rather than with the environment’s impact on a project and its users or residents”. The court did not hold, however, that CEQA never requires consideration of the effects of existing environmental conditions on the future occupants or users of a proposed project. But the

circumstances in which such conditions may be considered are narrow: “when a proposed project risks exacerbating those environmental hazards or conditions that already exist, an agency must analyze the potential impact of such hazards on future residents or users. In those specific instances, it is the project’s impact on the environment, and not the environment’s impact on the project, that compels an evaluation of how future residents or users could be affected by exacerbated conditions”.

As a result of this court case, which was decided after the community plan EIR was certified, and because the community plan EIR environmental checklist found that proposed uses within the community plan would not be a source of odors, no further analysis of odor impacts is required in the SEIR.

## 4. BIOLOGICAL RESOURCES

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
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, regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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 sites?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Comments:

- a-f. The environmental checklist in Chapter 5 of the community plan EIR concluded that with one exception, implementing the community plan would have no impacts on biological resources. The exception was the potential for significant impacts on a range of candidate, sensitive, or special status species. Potential impacts on the subject species were evaluated in detail in the environmental checklist. Potentially significant impacts were mitigated to less than significant, based largely on mitigation measures included in

the community plan checklist itself. Consequently, biological resource impacts of implementing the community plan were not evaluated in detail in the body of the community plan EIR.

It is possible that biological resources conditions within the community plan boundary, including the Bradbury master plan boundary, have changed since the community plan EIR (and associated environmental checklist), were certified in 2006. Under existing conditions, it is possible that implementing the proposed master plan could result in significant biological resources impacts that were not identified in the community plan EIR environmental checklist. For this reason, the SEIR will include detailed evaluation of biological resource impacts, based in significant part on a biological resources reconnaissance that will be conducted as part of the evaluation.

## 5. CULTURAL RESOURCES

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historical resource pursuant to section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Comments:

- a. The environmental checklist in Chapter 5 of the community plan EIR concluded that historic resource impacts of implementing the community plan could be potentially significant. This determination was made based on the presence of 17 potentially historic properties within the community plan boundary, none of which are located within the project site. The community plan EIR concluded that potential impacts on historic resources would be significant and unavoidable, even with implementation of community plan policy 5.1 and associated implementation measures 5.1.a through 5.1.d. Implementation measure OS 5.1.c requires that master plan plans that could result in remodeling or demolishing buildings 45 years or older must first evaluate such structures for historical significance, with recommendations provided prior to approval.

Potential impacts on subsurface historical resources were not evaluated in detail in the Chapter 5 environmental checklist or in the cultural resources section of the EIR.

As part of the CEQA process for the proposed project, an archival search was conducted by the Central California Information Center at California State University, Stanislaus in January 2022 at the request of EMC Planning Group. There are records of three resources within a quarter mile radius of the site. Four reports pertain to the project site. One was a field survey for historic architectural resources; the properties that were surveyed did not meet the criteria of eligibility for inclusion in the National Register of Historical Places. A second was a field survey that concluded no cultural resources were located. The third report referenced a concrete canal and the Southern Pacific San Joaquin Valley Mainline, neither of which would be affected by the proposed project. The final report identified that two prehistoric isolates (isolated individual artifacts not believed to be part of a larger complex or site) were discovered within the site, but their origin is unknown.

The proposed project would not directly cause the several existing residential structures within the project site to be demolished. It is currently unknown if and when any one or more of the structures would be demolished. Future individual projects whose construction would require demolishing structures would be required to implement implementation measure OS 5.1.c as a condition of project approval. As described under item “b” below, such projects would also be conditioned to implement community plan programs to evaluate potential impacts of future individual projects on archaeological resources, with such evaluations also considering impacts on subsurface historical resources. Impacts of the proposed master plan project on historical resources would be less than significant.

- b. The environmental checklist in Chapter 5 of the community plan EIR concluded that implementing the community plan would have a less-than-significant impact on archaeological resources with implementation of policy OS 5.2 and associated implementation measures OS 5.2.a to OS 5.2.c. The policy and implementation measures were included in the community plan primarily to address archaeological sensitivity of properties within the community plan that are located near the Merced River; the Bradbury master plan site is not one of these properties. Refer to item “a” above for a summary of the Central California Information Center records regarding cultural resources – none are confirmed to exist within the project.

Implementation measure OS 5.2.b requires that master plan projects prepare an archaeological survey if they would require grading. The proposed project would not directly result in grading. Future individual projects within the master plan boundary that do require grading would be conditioned to implement this measure. Impacts of the proposed project on archaeological resources would be less than significant. No further analysis is required in the SEIR.

- c. The environmental checklist in Chapter 5 of the community plan EIR concluded that implementing the community plan would have a less-than-significant impact on human remains with implementation of policy OS 5.2 and implementation measure OS 5.2.c. The implementation measure requires that if human remains are uncovered during development, specific procedures are followed pursuant to state law to protect the remains and notify the Native American Heritage Commission of the remains are identified as of Native American origin. This implementation measure would be a condition of approval of future individual development projects within the project site. Therefore, no further analysis is required in the SEIR.

## 6. ENERGY

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Comments:

- a. The topic of energy effects was not explicitly part the environmental analysis conducted in the community plan EIR. The topic of energy was added to Appendix G of the CEQA Guidelines in 2018, years after the community plan was certified in 2006.

The analysis of energy impacts here is qualitative because there is no quantified threshold of energy demand for a project at which its demand could be considered wasteful, inefficient or unnecessary, either during construction or operations. Rather, the energy effects of the proposed project are examined in light of related development guidance provided in the community plan and in light of the robust suite of plans and regulations promulgated by the state that directly and indirectly result in reduced energy consumption.

A project could be considered to result in significant wasteful, inefficient, or unnecessary energy consumption if its energy demand is extraordinary relative to common land use types. The community plan designates the Bradbury master plan site with land use types that are common in urban development contexts. While the proposed master plan modifies the community plan land use designations, the residential and commercial uses included in the master plan are common and do not inherently represent use types whose energy demand would be considered wasteful or unnecessary.

### Energy Related County Land Use Plan Policy Guidance

The Merced County general plan contains numerous energy related policies and programs with which development in the community plan boundary, including the project site, must be consistent. The Land Use and Community Character Element includes policies calling for energy efficient design in new development, (e.g., passive/active solar and green building design, enhanced energy conservation standards, etc.) which would result in reduced building energy (electricity and natural gas). The Circulation Element includes policies and programs whose implementation would reduce vehicle miles traveled (VMT)



and correspondingly, demand for transportation fuel. The Natural Resources Element includes policies to promote renewable energy and energy conservation. The Air Quality Element includes policies for reducing air emissions that indirectly would result in reduced energy demand.

The community plan includes development guidance that would result in reduced energy demand, particularly transportation fuel demand, by requiring new development to integrate improvements to promote bicycle, pedestrian and transit mobility that would reduce VMT. The community plan includes features and policies that would encourage pedestrian and biking activities as an alternative to vehicle use. These include constructing Class I and Class II bicycle lanes on major collectors and minor collectors, respectively, and requiring transit stops and shelters in locations to be coordinated with the transit provider. The community plan EIR also includes mitigation measure 4.3-3. This mitigation references the need for individual projects within the community plan boundary to comply with the emission reduction measures listed in Appendix D-2 of the community plan EIR. The appendix includes a multitude of measures primarily designed to reduce air emissions from residential, office and retail development, but with co-benefit of reducing electricity and natural gas demand.

## Energy Related Regulatory Summary

A multitude of state regulations and legislative acts are aimed at reducing electricity/natural gas demand and improving energy efficiency in new construction, promoting alternative energy production and use efficiency, and enhancing vehicle fuel efficiency. Required compliance with many of the regulations is not within the direct control of local agencies or individual project developers, but their implementation can reduce energy demand from land use projects both directly and indirectly. Representative examples include:

- California Energy Action Plan, which includes strategies for expanding use of zero-emission vehicles, and encouraging urban design to reduce VMT and increase pedestrian and bicycle access;
- California Renewables Portfolio Standard to increase the percentage of utility-provided electricity derived from renewable sources;
- Statutes and regulations to improve vehicle fuel efficiency such as Advanced Clean Cars;
- Statues to reduce VMT and related transportation fuel demand such as SB 375, the Sustainable Communities Strategy;
- The Clean Energy and Pollution Reduction Act of 2015 (SB 350) requires doubling of the energy efficiency savings in electricity and natural gas for retail customers through energy efficiency and conservation by December 31, 2030;
- The California Energy Code, Building Energy Efficiency Standards (Title 24, Part 6) that create uniform building codes to reduce energy consumption and provide energy-efficiency standards for residential and nonresidential buildings;

- The California Green Building Standards (Title 24, Part 11), also known as CALGreen, is a reach code (i.e., optional standards that exceed the requirements of mandator codes) that provides green building standards for statewide residential and nonresidential construction that are equivalent to or more stringent than those of the California Energy Code for energy efficiency, water efficiency, waste diversion, and indoor air quality; and
- Senate Bill 743 is designed to reduce VMT and associated GHGs, with the co-benefit of reducing transportation fuel consumption.

Given the considerations summarized above, the proposed project would have a less-than-significant energy impact. No further analysis of energy resource impacts is required in the SEIR.

- b. At this time, there are no regulations at the state or local level that would mandate that the proposed project as a whole must include on-site renewable energy sources. However, the current 2019 California Building Standards Code would require that the planned residential uses be constructed to be net zero energy demand. This standard is commonly met, at least in part, by installing solar photovoltaic systems. Additional on-site renewable energy generation may be required in subsequent updates to the California Building Standards Code that would be applicable at the time building permits for individual developments within the master plan boundary are requested. By incorporating energy efficiency measures per the Building Energy Efficiency Standards, future development within the project would comply with existing state and local energy standards and would not conflict with or obstruct a state or local plan for energy efficiency. Therefore, no further analysis of conflicts with energy plans is required in the SEIR.

## 7. GEOLOGY AND SOILS

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
(1) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(2) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(3) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(4) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on expansive soil, creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Comments:

- a-f. The environmental checklist in Chapter 5 of the community plan EIR concluded that implementing the community plan would have less-than-significant geology and soils impacts. The impact determinations from that checklist have been mirrored in the checklist table above. The proposed master plan includes land uses that were assumed in

the community plan for the Bradbury master plan area. The proposed project does not include land use or development intensity changes that could give rise to geology and soils impacts that were not addressed in the community plan environmental checklist. Therefore, no further analysis of geology and soils impacts is required in the SEIR.

The need to analyze geology and soils impacts in the SEIR is generally made moot by the California Building Industry Association v. Bay Area Air Quality Management District case from 2015 that is summarized in Section 3, Air Quality, in this initial study. Pursuant to that judgement, an analysis of the impact of existing environmental conditions on a project's future users or residents is generally not required under CEQA. Geology and soils conditions are existing environmental conditions. The determinations of impact significance for geology and soils impacts shown in the checklist above are for informational purposes.

The impact question in item "F" above regarding paleontological resources impacts was relocated to the geology and soils section of CEQA Guidelines Appendix G in 2018. At the time the community plan environmental checklist was prepared, the question was located in the cultural resources section of Appendix D as item 5.d. The analysis in the community plan EIR environmental checklist concluded that implementing the community plan would have no impact on paleontological resources or unique geologic features. Therefore, no further analysis of paleontological resources impacts is required in the SEIR.

## 8. GREENHOUSE GAS EMISSIONS

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Comments:

- a,b. The topic of GHGs was not considered in the environmental checklist in Chapter 5 of the community plan EIR. The CEQA Guidelines were subsequently amended to include GHGs as an environmental topic, with Appendix G of the Guidelines amended to include the topic. Therefore, neither the community plan environmental checklist nor the community plan EIR evaluated GHG impacts of implementing the community plan.

Future development within the master plan boundary will generate GHGs during its construction and operation. The SEIR will include detailed analysis of the potential impacts of these emissions.

## 9. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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, create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 a public-use airport, result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Comments:

- a. The environmental checklist in Chapter 5 of the community plan EIR concluded that implementing the community plan would have a less-than-significant impact from hazards related to transport, use, and disposal of hazardous materials. The checklist noted that planned residential, commercial and office uses would involve the use of some hazardous, but at minimal amounts that would unlikely to be harmful. Conversely, the checklist noted that the industrial, industrial park, and general commercial uses identified in the community plan could involve relatively large amounts of hazardous materials, with associated hazardous materials risks minimized through required compliance with a range of uniformly applied state and federal regulations.

The proposed master plan amends the land uses within the master plan boundary in part by removing the business park use and replacing it largely with residential and other non-residential uses with lower hazardous materials risks. Therefore, the proposed project could be considered to reduce the less-than-significant impact identified in the community plan checklist. The proposed master plan impact would be less than significant. Therefore, no further analysis is required in the SEIR.

- b,d. Per the discussion in item “a” above, the land uses types planned as part of proposed master plan would not involve significant transport, use or disposal of hazardous materials such that significant risks from reasonably foreseeable hazardous materials releases to the environmental are unlikely.

Hazardous materials could be released to the environment if existing hazardous materials conditions (e.g., the site contains a known hazardous materials condition, known underground storage tanks, etc.) exist on the site and hazardous materials are inadvertently released due to accidents during grading or excavations. At the time the community plan environmental checklist was prepared, there were no properties within the community plan boundary listed by the California Department of Water Resources on the Cortese List (a list maintained at that time which identifies locations of known reported hazardous materials sites). The California Department of Toxic Substances Control now maintains the Envirostor database, which functions as the Cortese List. The database was accessed to determine if changes to the previous list of hazardous materials sites has occurred. Five sites are on the Envirostor list. Three of these were evaluations of hazardous materials conditions at a school for which no further action is required. Two are inactive, but are noted as requiring evaluation - the Arroyo Garage at 10059 Vincent Road and Bettencourt Agricultural Flying Service at 10831 North Palm, both in Delhi. Neither of these is within the project site boundary.

The community plan EIR environmental checklist includes a mitigation measure requiring a Phase I Environmental Site Assessment for properties within the community plan boundary that are shown on Figure 5-1 in the checklist. The Bradbury master plan site is not one of the properties; the mitigation measure does not apply.

Given the information above, the proposed master plan would have less-than-significant impacts associated with creating hazards to the public and the environmental from hazardous materials accidents or accidental releases. Therefore, no further analysis of is required in the SEIR.

- c. The environmental checklist in Chapter 5 of the community plan EIR concluded that implementing the community plan would have less-than-significant impacts because existing and proposed school sites are located in areas proposed for low density residential development and/or more than one-quarter mile from existing or planned industrial sites where use of hazardous materials is more likely. The analysis also noted that hazardous materials risks would be reduced due required compliance with uniformly applied development regulations.

As described above, the non-school land uses within the proposed project site would not be sources of significant hazardous materials risk that could adversely affect the planned school sites within the project site boundary. By eliminating the business park use identified in the community plan for the master plan area, the less-than-significant impact would be further reduced. Therefore, no further analysis is required in the SEIR.

- e. The environmental checklist in Chapter 5 of the community plan EIR concluded that the community plan area is not within an airport land use plan or within two miles of a public airport or private airport. However, an agricultural airstrip was located approximately one-half mile east of the plan area on North Palm Street. Development in the plan area was identified as being outside of the aircraft over flight safety zone, and would be buffered from the airstrip by agricultural land and urban reserve, so implementing the proposed community plan, including development within the proposed master plan boundary would have a less-than-significant impact regarding air safety hazards for people residing or working in the plan area. The airstrip has since ceased operation. No further analysis is required in the SEIR.
- f. The environmental checklist in Chapter 5 of the community plan EIR concluded that implementing the community plan would have no impact with regards to emergency access or implementing emergency response plans. The proposed master plan does not alter transportation facilities or routes identified in the community plan that would serve as access for emergency vehicles or as may serve the function of emergency evacuation routes. The proposed project would have not impact. Therefore, no further analysis is required in the SEIR.
- g. Per state law, CAL FIRE is required to map areas of significant fire hazards based on fuels, terrain, weather, and other relevant factors. These zones, referred to as Fire Hazard Severity Zones, define the range of various mitigation strategies that could be applied to reduce risk associated with wildland fires. Areas developed with urban uses for which local fire protection services are provided are generally included in Local Responsibility Areas. The community plan area is within a local Responsibility Area, as it is served by the Merced County Fire Department. CAL FIRE determined in November 2008 that Merced County has no Very High Fire Hazard Severity Zones within Local Responsibility Areas. No further analysis is required in the SEIR.



## 10. HYDROLOGY AND WATER QUALITY

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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:				
(1) Result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(2) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(3) Create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(4) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Comments:

- a,c. The environmental checklist in Chapter 5 of the community plan EIR concluded that implementing the community plan would have a potentially significant impact from violating water quality standards or discharge requirements due to new urban development being a source of polluted storm water runoff during construction and operations of new development. The environmental checklist described uniform development regulations to which all new development within the community plan must comply that would serve to reduce related impacts to less than significant. The water

quality control performance standards for construction activities are identified in Water Quality Control Board's General Construction Activity Stormwater Permit, which requires a permit under the National Pollutant Discharge Elimination System. The water quality performance standards for post-construction conditions are identified as based on the County's Stormwater Management Plan that had been submitted to the Regional Water Quality Control Board, but had not yet been approved at the time the community plan EIR had been prepared. Consequently, the environmental checklist included mitigation measure 5-8, which requires applicants to identify and commit to implementing water quality best management practices that are consistent with Regional Water Quality Control Board guidelines, or the County's Stormwater Management Plan once approved.

Subsequent to the community plan EIR being certified, water quality requirements as promulgated by the Regional Water Quality Control Board were revised/updated. The more current performance standards to reduce water quality impacts from new urban (non-industrial) development of the types included in the proposed master plan are described in detail in the Merced County Ordinance No. 1923, regarding regulating stormwater. The ordinance includes performance standards designed to meet National Pollutant Discharge Elimination System Phase II requirements for municipal separate storm sewer systems.

Ordinance No. 1923 includes standards for construction site storm water runoff controls (e.g., to minimize potential release of contaminants and minimize potential for soil erosion), and post-construction storm water management goals for new and redeveloped areas. The latter include best management practices for controlling and treating runoff from new impervious and other surfaces prior to discharge to a storm water system. These practices require, in part, that the volume and rate of runoff from a new development site under cannot exceed that which occurred from the subject development site under pre-development conditions. This requirement assures that runoff from new impervious surface would not increase the potential for flooding on- or off-site or exceed the capacity of storm drainage systems. New development must comply with the uniformly applied performance standards in the Storm Water Management Program. The general plan EIR concludes that adherence of future development with the Storm Water Management Program would ensure that pollutants are not released to nearby surface water bodies or groundwater during short-term construction or long-term operations of development.

Given the more recent Storm Water Management Program requirements, the need to apply mitigation measure 5-8 in the environmental checklist to new development within the community plan boundary is eliminated, and required compliance with the Storm Water Management Program would ensure that the water quality impacts of new development within the Bradbury master plan boundary would be less than significant. Therefore, no further analysis is required in the SEIR.

The environmental checklist in Chapter 5 of the community plan EIR concluded that implementing the community plan would have no impacts related to flood hazards (e.g., locating housing within a flood hazard zone or placing structures in a flood hazard zone that would result in redirecting flood flows). Therefore, no further analysis is required in the SEIR.

- b,e. The environmental checklist in Chapter 5 of the community plan EIR concluded that implementing the community plan would have a significant impact from potentially depleting groundwater supplies. The topic of development consistency with a groundwater sustainability plan was not considered in the environmental checklist in Chapter 5 of the community plan EIR. The CEQA Guidelines were subsequently amended to include this environmental topic, with Appendix G of the Guidelines amended to also include the topic. Therefore, neither the community plan EIR environmental checklist nor the community plan EIR evaluated this impact of implementing the community plan.

Changes in groundwater demand reported in the community plan EIR that would occur with the proposed project and project impacts on groundwater supply sustainability will be examined in detail in the SEIR.

- d. The environmental checklist in Chapter 5 of the community plan EIR concluded that implementing the community plan would have no impact from potential inundation during a flood, seiche or tsunami. Therefore, there would be no impact associated with releasing pollutants during such an inundation event. Therefore, no further analysis is required in the SEIR.

## 11. LAND USE AND PLANNING

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause any 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Comments:

- a. The environmental checklist in Chapter 5 of the community plan EIR concluded that implementing the community plan would have no impact from physically dividing a community. No further analysis is required in the SEIR.
- b. The environmental checklist in Chapter 5 of the community plan EIR concluded that implementing the community plan would have potentially significant impacts associated with potential conflicts with the Merced County general plan and/or Merced County Local Agency Formation Commission policies. Potential for conflicts was examined in detail in Chapter 4.1, Land Use and Agriculture, of the community plan EIR. With one exception, impacts from inconsistencies with Merced County general plan policies were less than significance or reduced to less than significant with mitigation measures described in that section. The one exception was conversion of Farmland to non-agricultural use. This impact was found to be significant and unavoidable. A finding of overriding consideration was made for this impact. The proposed project would result in the same impact.

Future development within the proposed project site will be required to comply with applicable mitigation measures included in the community plan EIR. The mitigation measures include a combination of compliance with policies and programs in the community plan, mitigation measures included in the Chapter 5 environmental checklist, and mitigation measures included in Chapter 4 of the community plan EIR. With this required compliance, the proposed project would have less-than-significant impacts from conflict with applicable policies and plans as evaluated in the community plan EIR.

Project consistency with other applicable plans, including air quality plans, biological resources conservation plans, GHG reduction plans, and groundwater sustainability plans will be evaluated in detail in the SEIR as part of the detailed analysis of these individual topics.

## 12. MINERAL RESOURCES

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Result in loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in the loss of availability of a locally important mineral resource recovery site delineated in a local general plan, specific plan, or other land-use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Comments:

- a,b. The environmental checklist in Chapter 5 of the community plan EIR concluded that implementing the community plan would have no impact regarding loss of availability of mineral resources. Therefore, no further analysis is required in the SEIR.

## 13. NOISE

Would the project result in:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
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 in applicable standards of other agencies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Generation of excessive ground-borne vibration or ground borne noise levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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, expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Comments:

- a. The environmental checklist in Chapter 5 of the community plan EIR included analysis regarding exposure of people to noise levels in excess of standards, exposure of people to excessive groundborne vibration and exposure of people to excessive airport operations generated noise. These environmental topics are no longer included in Appendix G of the CEQA Guidelines, as evidenced above. Their exclusion from Appendix G was largely based on California Building Industry Association v. Bay Area Air Quality Management District court case described in Section 3, Air Quality, in this initial study. However, this same case concluded that when a project has potential to exacerbate an existing environmental condition, the impact of that existing condition on the project should be evaluated.

Based on information in Table 4.4-8, Predicted Distances to Future Plus Project Noise Contours, in the environmental checklist in Chapter 5 of the community plan EIR, up to about 981 feet of the project site as measured from the centerline of State Route 99 could be exposed to exterior noise levels that exceed normally acceptable for sensitive land uses, including residential uses included in the proposed master plan. The proposed project will contribute traffic to the road network and result in increased noise levels on the network, including State Route 99. Community plan implementation measures N 1.1.a and N 1.1.b require that a noise study be conducted, including during the master plan process. Consequently, potential noise impacts from the proposed project and noise impacts on planned sensitive receptors within the project site will be evaluated in detail in the SEIR.

- b. The environmental checklist in Chapter 5 of the community plan EIR concluded that implementing the community plan would have a potentially significant impact related to groundborne noise levels. Impacts of groundborne vibration were not addressed. The proposed master plan places vibration sensitive residential land uses closer to the Union Pacific Railroad tracks than identified in the community plan. Vibration from the railroad could be considered a safety hazard if it could compromise the structural integrity of planned residential and other structures constructed near the rail line. Therefore, vibration and relative safety hazards will be investigated in detail in the SEIR.
- c. The environmental checklist in Chapter 5 of the community plan EIR concluded that implementing the community plan would have no impact from public use airport noise, but a potentially significant impact from noise generated by a private airstrip located just east of the community plan boundary. That airstrip is no longer in operation. Therefore, no airport related potential noise impacts would occur. No further analysis is required in the SEIR.

## 14. POPULATION AND HOUSING

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Comments:

- a. The environmental checklist in Chapter 5 of the community plan EIR concluded that implementing the community plan would have less-than-significant impacts from both population growth and non-residential development, with the environmental effects of such growth examined as part of the environmental impact analysis for other topics in the checklist and in the community plan EIR. The same is the case with the proposed project. This environmental checklist and the SEIR evaluate the impacts of changes in population growth and non-residential development that would occur with implementation of the proposed project. No growth inducement would occur outside of the community plan boundary with implementation of the proposed project – it would have no related impact.
- b. The environmental checklist in Chapter 5 of the community plan EIR concluded that implementing the community plan would have less-than-significant impacts from displacing substantial number of people because new housing provided by implementing the community plan would far exceed that lost as a result of such development. There are several residences located with the Bradbury master plan site. Over time, owners of these residences who sell their properties for development per the master plan would be displaced. The number of people that would be displaced is not substantial and housing constructing on the project site per the master plan would far exceed the number houses lost. No further analysis is required in the SEIR.



## 15. PUBLIC SERVICES

Would the project result in substantial adverse physical impacts associated with the provision of or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Comments:

- a. The environmental checklist in Chapter 5 of the community plan EIR concluded that implementing the community plan would have a less-than-significant impact on fire protection services provided that, per community plan implementation measure PS 4.1.b, a new fire station is constructed within the Bradbury master plan area or other appropriate location. As discussed in the Project Description section of this initial study, the applicant has reserved a fire station site for dedication to the Merced County Fire Department. The Merced County Fire Department would be responsible for constructing the new fire station at its own discretion.

A new fire station project would be subject to separate CEQA review with associated environmental impacts identified in separate CEQA documentation to be prepared for that project. These impacts would likely be similar to those associated with constructing other development within the master plan boundary and include, but may not be limited to: air emissions, cultural resource, GHG, water quality, hazardous materials, noise, and tribal cultural resource impacts. Potential operational impacts could include, but may not be limited to air emissions, GHG emissions, hazardous materials, water quality, and noise. Impacts of constructing and operating the fire station are generally addressed in other sections of this initial study, and would be considered in analysis of specific topics to be addressed in the SEIR. The proposed project would not generate demand for fire protection services that would require constructing new fire protection facilities in locations outside of the project site. Therefore, it would have no related impacts.

- b. The environmental checklist in Chapter 5 of the community plan EIR concluded that implementing the community plan would have a less-than-significant impact on police

protection services; no new police protection facilities are identified as being needed to implement the community plan. There is an existing Sheriff's Department substation in Delhi from which coverage for Delhi and other unincorporated areas in the vicinity is provided. No impacts from constructing such facilities would occur and no further analysis of this topic is required in the SEIR.

- c. The environmental checklist in Chapter 5 of the community plan EIR concluded that implementing the community plan would have a less-than-significant impact on schools provided new school sites and funding are provided as described in the community plan. The proposed project includes a combined elementary school and middle school site consistent with school site needs and locations in the community plan.

The Delhi Unified School District would be responsible for constructing the schools. The school project(s) would be subject to separate CEQA review with associated environmental impacts identified in separate CEQA documentation to be prepared for that project by the school district acting as lead agency. Impacts of constructing the schools would likely be similar to those associated with constructing other development within the master plan boundary and include, but may not be limited to air emission, cultural resource, GHG, water quality, hazardous materials, noise, and tribal cultural resource impacts. Potential operational impacts could include, but may not be limited to air emissions, GHG emissions, hazardous materials, water quality and supply availability, noise, and VMT. Impacts of constructing and operating the schools are generally addressed in other sections of this initial study, and would be considered in analysis of specific topics to be addressed in the SEIR. The proposed project would not generate demand for constructing new school facilities in locations outside of the project site. Therefore, it would have no related impacts.

- d. The environmental checklist in Chapter 5 of the community plan EIR concluded that implementing the community plan would have a less-than-significant impact on parks provided new parks are provided as described in the community plan. Consistent with the community plan, the proposed project includes two neighborhood and a regional park to meet and exceed the demand for recreation resources that would be generated by future residents residing within the site. Constructing and maintaining the parks would result in impacts that are within the scope of impacts for implementing future development within the master plan boundary in general. These include, but may not be limited to: construction phase air emission, cultural resource, GHG, water quality, hazardous materials, noise, and tribal cultural resource impacts. These potential impacts topics are addressed in other sections of this initial study as part of the analysis of impacts of implementing the proposed project as a whole. Several of these environmental topics will be evaluated in detail in the SEIR. The proposed project would not generate demand for park facilities that would require constructing new parks in locations outside of the project site. Therefore, it would have no related impacts.

- e. The environmental checklist in Chapter 5 of the community plan EIR concluded that implementing the community plan would have a less-than-significant impact on other public facilities such as libraries. The community plan does not specifically identify that other new public facilities are needed. The proposed project would have no impact related to constructing or operating other public facilities. No further analysis is required in the SEIR.

## 16. RECREATION

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Comments:

- a,b. The environmental checklist in Chapter 5 of the community plan EIR concluded that implementing the community plan would have potentially significant impacts related to physical deterioration of parks and constructing or expanding recreational facilities. However, the checklist concluded that these impacts are addressed in the respective environmental topic sections of the environmental checklist or the community plan EIR.

The proposed project includes two neighborhood and one regional park that are planned within the site to meet demand for recreation resources. Constructing and maintaining the parks would result in impacts that are within the scope of impacts for implementing future development within the master plan boundary in general. These include, but may not be limited to construction phase air emission, cultural resource, GHG, water quality, hazardous materials, noise, and tribal cultural resource impacts. These potential impacts topics are addressed in other sections of this initial study as part of the analysis of impacts of implementing the proposed project as a whole. Several of these environmental topics will be evaluated in detail in the SEIR. The proposed project would not generate demand for park facilities that would require constructing new parks in locations outside of the project site. Therefore, it would have no related impacts.

## 17. TRANSPORTATION

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Conflict or be inconsistent with CEQA guidelines section 15064.3, subdivision (b)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Comments:

- a. The community plan is the primary plan that addresses the circulation system which would be most affected by the proposed project. Future development within the Bradbury master plan site must implement roadway, bicycle, pedestrian, and transit improvements consistent with the plans, policies and standards contained in the community plan. The applicant has submitted roadway, bicycle and pedestrian circulation plans pursuant to direction provided in the community plan.

The Merced County general plan includes policy for the operational performance of the County's roadway system as measured by level of service. Policy CIR-1.5.c states that for roadways within urban communities, level of service "D" or better is the performance standard. A traffic impact analysis will be prepared for the proposed project. The analysis will determine whether this performance standard would be met with implementation of the proposed project. This topic will be evaluated in detail in the SEIR.

- b. The topic of vehicle miles traveled per section 15064.3, subdivision (b) of the CEQA Guidelines was not considered in the environmental checklist in Chapter 5 of the community plan EIR. The CEQA Guidelines were subsequently to include vehicle miles traveled as an environmental topic, with Appendix G of the Guidelines also amended to include the topic. Therefore, neither the community plan environmental checklist nor the community plan EIR evaluated vehicle miles traveled impacts of implementing the community plan. This topic will be evaluated in detail in the SEIR.

- c. The environmental checklist in Chapter 5 of the community plan EIR concluded that implementing the community plan would have less-than-significant impacts from increasing circulation hazards due to a design feature. The proposed project would be required to construct circulation network improvements to County standards, which are intended to minimize design hazards. No further analysis is required in the SEIR.
- d. The environmental checklist in Chapter 5 of the community plan EIR concluded that implementing the community plan would have no impact from interfering with emergency access, as implementing the community plan would not alter the surrounding street system. No further analysis is required in the SEIR.

## 18. TRIBAL CULTURAL RESOURCES

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. 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, or 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:				
(1) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources code section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(2) 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 Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Comments:

- a. The topic of tribal cultural resources was not considered in the environmental checklist in Chapter 5 of the community plan EIR. The CEQA Guidelines were subsequently amended to include tribal cultural resources as an environmental topic, with Appendix G of the Guidelines also amended to include the topic. Therefore, neither the community plan environmental checklist nor the community plan EIR evaluated tribal cultural resources impacts of implementing the community plan.

Refer to Section 5, Cultural Resources, regarding historical resources issues. At the time the community plan EIR was prepared, there were no listed historical resources within the community plan boundary.

The environmental checklist in Chapter 5 of the community plan EIR concluded that implementing the community plan would have a less-than-significant impact on subsurface archaeological resources and human remains with implementation of policy OS 5.2 and implementation measures OS 5.2.b and OS 5.2.c, respectively. The first requires that archaeological surveys be conducted for projects one acre or greater that require grading or excavation. The second requires that if human remains are uncovered during development, specific procedures are followed pursuant to state law to protect the remains and notify the Native American Heritage Commission if the remains are

identified as of Native American origin. The requirement to implement policy OS 5.2 and implementation measures OS 5.2.b and OS 5.2.c would be a condition of approval of future development within the project site.

An updated Central California Information Center at California State University, Stanislaus, archival search was conducted in January 2022 to determine if tribal cultural resources could be located within the project site; there were no known tribal cultural resources reported. However, one record from within the project site found two prehistoric isolates. It is unknown if the flakes are true isolates or if their presence indicates the potential for a buried tribal cultural resource deposit. The California Native American Heritage Commission Sacred Land File request came back negative – indicating no known tribal cultural resources exist within the project site. This fact combined with requiring implementation measures OS 5.2.b and 5.2.c as conditions of future individual development projects would ensure that tribal cultural resource impacts would be less than significant.



## 19. UTILITIES AND SERVICES SYSTEMS

Would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment, storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Comments:

- a,c. The proposed project would change development capacity within the project site relative to that assumed in the community plan. Changes in demand for water (and associated changes in wastewater generation that could result in the need to construct new facilities will be examined in the SEIR. Impacts of constructing storm water facilities would be similar to those for constructing other future improvements within the project site. These effects are evaluated in other sections of this initial study and for several environmental topics, will also be evaluated in detail in the SEIR.
- b. Refer to the discussion for item “b” in Section 9, Hydrology and Water Quality regarding anticipated change in water demand from the project. The change in demand for groundwater and its potential impacts on adequacy of water supply will be examined in detail in the SEIR as part of the discussion of hydrology and water quality impacts.

- d,e. The environmental checklist in Chapter 5 of the community plan EIR concluded that implementing the community plan would have a potentially significant impact related to solid waste management. Solid waste generated from uses within the project site would be delivered to the Highway 59 Landfill, which is operated by the Merced County Regional Waste Management Authority. The community plan EIR concluded that impacts related to adequacy of capacity at the Highway 59 Landfill would be less than significant given the significant available remaining permitted capacity at the landfill at the time. As referenced from CalRecycle's SWIS Facility report for the Highway 59 Landfill, the landfill has a projected service life to 2054. As reported in CalRecycle's Jurisdictional Review Report for the Merced County Solid Waste Regional Waste Management Authority, residential uses within the Authority boundary have a significantly lower rate of solid waste generation than employment generating uses such as business park. The proposed project would eliminate business park related sources of solid waste and replace that use largely with residential uses. Given the substantial disposal capacity remaining at the landfill and the assumed total reduction in solid waste generation that would occur with the proposed project, this impact is less than significant.

All new development at the project site would be required to implement solid waste programs that are implemented by the Merced County Regional Waste Management Authority to ensure the Authority is complying with uniformly applied local, state and federal regulations regarding solid waste management.

No further analysis is required in the SEIR.

## 20. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than-Significant Impact	No Impact
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Comments:

- a. The environmental checklist in Chapter 5 of the community plan EIR concluded that implementing the community plan would have no impact from impairing or interfering with an emergency response plan. Implementation of the proposed project would require that improvements be made to the local circulation network to accommodate new vehicle traffic and to accommodate emergency vehicles and facilitate ingress and egress from the project site during an emergency. Roadways would be improvement to standards identified in the community plan that are in part based on the need to accommodate emergency vehicles. No further analysis is required in the SEIR.
- b-d. Per state law, CAL FIRE is required to map areas of significant fire hazards based on fuels, terrain, weather, and other relevant factors. These zones, referred to as Fire Hazard Severity Zones, define the range of various mitigation strategies that could be applied to reduce risk associated with wildland fires. Areas developed with urban uses for which local fire protection services are provided are generally included in Local Responsibility Areas. The community plan area is within a local Responsibility Area, as it is served by the Merced County Fire Department. As reported in the Merced County General Plan Background Report, CAL FIRE determined in November 2008 that Merced County has no Very High Fire Hazard Severity Zones within Local Responsibility Areas. CAL FIRE's Fire Hazard Severity Zone Viewer was also accessed to determine if any changes to the

wildfire severity zone classification had been made since 2008. The community of Delhi continues to be identified as within a Local Responsibility Area, with no high fire hazard zones in the vicinity. The nearest high fire hazard zone is located about 25 miles to the west; a distance at which under worst-case wind conditions, exposure of future project residents to substantial concentrations of wildfire related pollutants is not likely to occur. No further analysis is required in the SEIR.

## 21. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures 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 an endangered, rare, or threatened species; or eliminate important examples of the major periods of California history or prehistory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Comments:

- a-c. Biological resource and cumulative impacts of the proposed project will be evaluated in detail in the SEIR. Potential noise impacts of the project could result in adverse impacts on human beings. This potential impact will also be evaluated in detail in the SEIR.

## E. SOURCES

### Environmental Setting

Merced County. 2005. *Draft Environmental Impact Report for the Delhi Community Plan*. Accessed January 10, 2022 at:  
[https://web2.co.merced.ca.us/pdfs/planning/cplan/completed/delhi/delhi\\_draft\\_eir.pdf](https://web2.co.merced.ca.us/pdfs/planning/cplan/completed/delhi/delhi_draft_eir.pdf)

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[https://web2.co.merced.ca.us/pdfs/planning/cplan/completed/delhi/delhi\\_final\\_community\\_plan.pdf](https://web2.co.merced.ca.us/pdfs/planning/cplan/completed/delhi/delhi_final_community_plan.pdf)

### Project Description

Merced County. 2005. *Draft Environmental Impact Report for the Delhi Community Plan*. Accessed January 10, 2022 at:  
[https://web2.co.merced.ca.us/pdfs/planning/cplan/completed/delhi/delhi\\_draft\\_eir.pdf](https://web2.co.merced.ca.us/pdfs/planning/cplan/completed/delhi/delhi_draft_eir.pdf)

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### Aesthetics

Merced County. 2005. *Draft Environmental Impact Report for the Delhi Community Plan*. Accessed January 10, 2022 at:  
[https://web2.co.merced.ca.us/pdfs/planning/cplan/completed/delhi/delhi\\_draft\\_eir.pdf](https://web2.co.merced.ca.us/pdfs/planning/cplan/completed/delhi/delhi_draft_eir.pdf)

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[https://web2.co.merced.ca.us/pdfs/planning/cplan/completed/delhi/delhi\\_final\\_community\\_plan.pdf](https://web2.co.merced.ca.us/pdfs/planning/cplan/completed/delhi/delhi_final_community_plan.pdf)

### Agriculture

Merced County. 2005. *Draft Environmental Impact Report for the Delhi Community Plan*. Accessed January 10, 2022 at:  
[https://web2.co.merced.ca.us/pdfs/planning/cplan/completed/delhi/delhi\\_draft\\_eir.pdf](https://web2.co.merced.ca.us/pdfs/planning/cplan/completed/delhi/delhi_draft_eir.pdf)

----. 2006. *Delhi Community Plan*. Accessed January 10, 2022 at:  
[https://web2.co.merced.ca.us/pdfs/planning/cplan/completed/delhi/delhi\\_final\\_community\\_plan.pdf](https://web2.co.merced.ca.us/pdfs/planning/cplan/completed/delhi/delhi_final_community_plan.pdf)

## Air Quality

Merced County. 2005. *Draft Environmental Impact Report for the Delhi Community Plan*. Accessed January 10, 2022 at:  
[https://web2.co.merced.ca.us/pdfs/planning/cplan/completed/delhi/delhi\\_draft\\_eir.pdf](https://web2.co.merced.ca.us/pdfs/planning/cplan/completed/delhi/delhi_draft_eir.pdf)

----. 2006. *Delhi Community Plan*. Accessed January 10, 2022 at:  
[https://web2.co.merced.ca.us/pdfs/planning/cplan/completed/delhi/delhi\\_final\\_community\\_plan.pdf](https://web2.co.merced.ca.us/pdfs/planning/cplan/completed/delhi/delhi_final_community_plan.pdf)

## Cultural Resources

Merced County. 2005. *Draft Environmental Impact Report for the Delhi Community Plan*. Accessed January 10, 2022 at:  
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All documents in **bold** are available for review at the **Merced County Community and Economic Development Department** during normal business hours.