

Initial Study & Negative Declaration

FOR THE

MEENA FARMS CHERRY- PACKING FACILITY PROJECT

*Administrative Application No. AA22-077 / Site Plan & Design
Review Application No. SPR22-007*

February 2023

Prepared By:
Cameron Christie, Planner I



Community and Economic Development Department
2222 'M' Street
Merced, CA 95340
(209) 385-7654 x 4587

Table of Contents

SECTION 1: INTRODUCTION	3
1.1 - Purpose	3
1.2 - Project Location.....	3
1.3 - Project Objectives.....	7
1.4 - Project Description	7
1.5 - General Plan Designation.....	13
1.6 - Zoning	15
SECTION 2: ENVIRONMENTAL CHECKLIST	18
2.1 - Purpose and Legal Basis for the Initial Study	18
2.2 - Checklist and Evaluation of Environmental Impacts	18
2.3 - Environmental Factors Potentially Affected	19
1. Aesthetics	20
2. Agriculture and Forestry Resources.....	22
3. Air Quality	24
4. Biological Resources	27
5. Cultural Resources	29
6. Energy	30
7. Geology and Soils.....	31
8. Greenhouse Gas Emissions	34
9. Hazards and Hazardous Materials.....	35
10. Hydrology and Water Quality	37
11. Land Use and Planning.....	40
12. Mineral Resources	41
13. Noise.....	42
14. Population and Housing.....	44
15. Public Services	45
16. Recreation	47
17. Transportation.....	48
18. Tribal cultural resources.....	50
19. Utilities and Service Systems.....	51
20. Wildfire.....	53
21. Mandatory Findings of Significance	54
SECTION 3: ENVIRONMENTAL DETERMINATION	56
SECTION 4: REFERENCES	57

SECTION 1: INTRODUCTION

1.1 - Purpose

Pursuant to Section 15063 of the California Environmental Quality Act (CEQA) Guidelines (Title 14, California Code Regulations, Sections 15000 et seq.), an Initial Study (IS) is a preliminary environmental analysis that is used by the Lead Agency as a basis for determining whether an Environmental Impact Report (EIR), a Mitigated Negative Declaration (MND), or a Negative Declaration (ND) is required for a project. The CEQA Guidelines require that an IS contains a project description, description of environmental setting, an identification of environmental effects by checklist or other similar form, an explanation of environmental effects, a discussion of mitigation for significant environmental effects, an evaluation of the project's consistency with existing applicable land use controls, and the names of persons who prepared the study.

The purpose of this IS is to identify the potential environmental impacts associated with the proposed Cherry-Packing Facility Project, also known as Administrative Application No. AA22-077 / Site Plan & Design Review Application No. SPR22-007, located in the Livingston area of Merced County, California and to describe measures that would avoid or mitigate significant impacts. This IS includes information to substantiate the conclusions made regarding the potential of the proposed project to result in significant environmental effects and provides the basis for input from public agencies, organizations, and interested members of the public. Pursuant to Section 15367 of the California Environmental Quality Act (CEQA) Guidelines, Merced County is the Lead Agency for the proposed project, and as such, has primary responsibility for project approval or denial.

1.2 - Project Location

A. Location and Surrounding Land Uses

The project site is on an approximately 13.68-acre parcel located on the south side of Gun Club Road, approximately 600 feet west of Azevedo Road in the Gustine area of Merced County (see *Figure 1*). The property is designated Agricultural land use in the 2030 Merced County General Plan and is zoned A-1 (General Agricultural). The property is identified as Assessor's Parcel Number 063-200-030, located within Township 8 South, Range 9 East, Mount Diablo Base and Meridian in unincorporated Merced County.

Table 1, seen on the following page, details the existing conditions of the project site and surrounding area. An aerial image of the project site and immediate surrounding area can be seen in *Figures 1 and 2*.

Table 1: Surrounding Land Uses

	General Plan	Zoning	Current Land Use
On-Site:	Agricultural	A-1	Tomato-processing facility
North:	Agricultural	A-1	Gun Club Road/ Agricultural Storage Building
South:	Agricultural	A-1	Row Crops
East:	Agricultural	A-1	Row Crops
West:	Agricultural	A-1	Row Crops

Figure 1: Vicinity Map

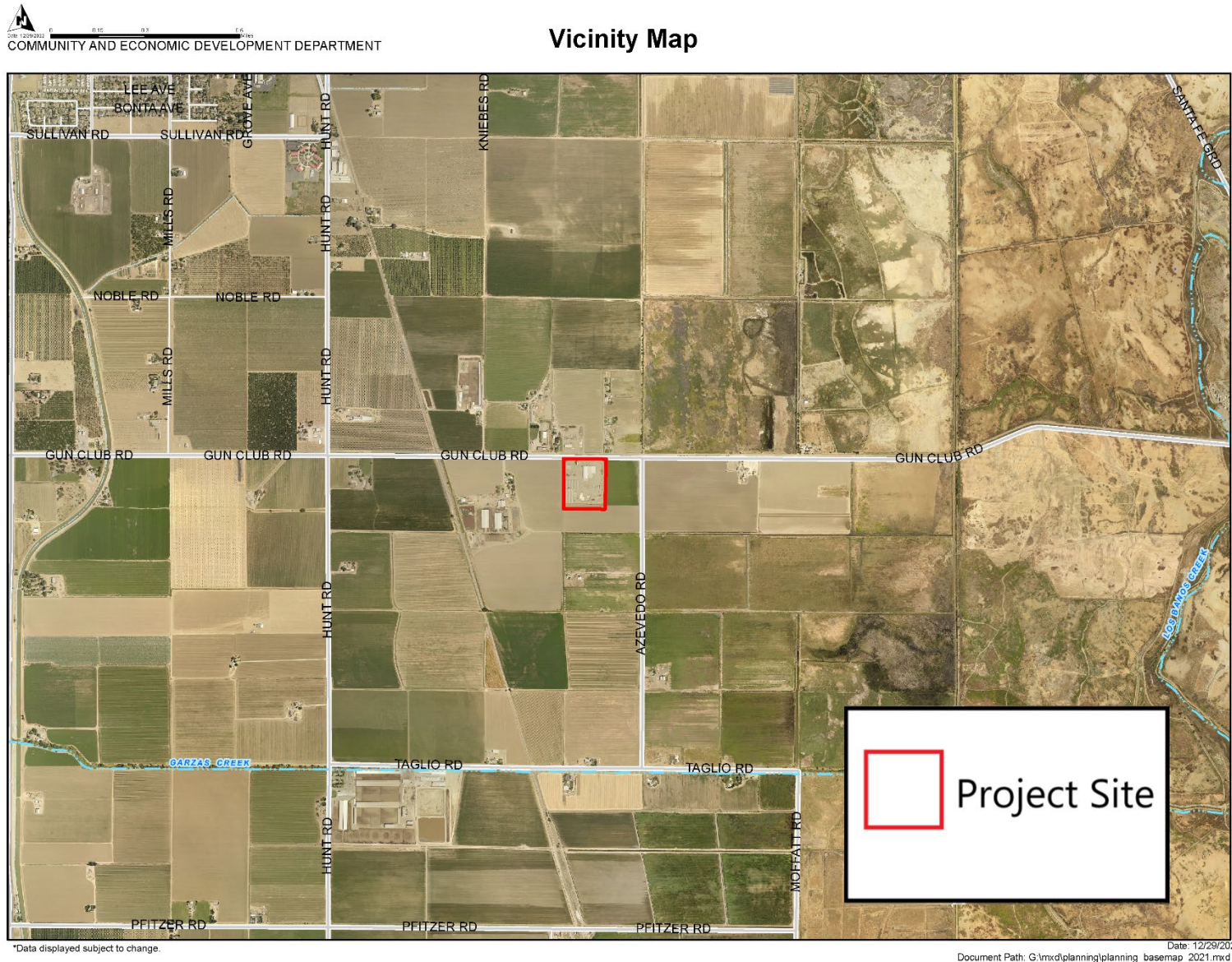


Figure 2: Aerial



1.3 - Project Objectives

Project objectives of the proposed Meena Farms Cherry-Packing Facility Project are as follows:

- Convert an existing 63,000-square foot tomato-packing facility.
- Build a new 73,000-square foot packing and processing building that incorporates storage, fumigation, and an office.
- The existing cold storage, packing/palletizing building, and truck docks would continue to be utilized as is.
- Provide a local facility for packaging and processing fresh cherries, which does not currently exist in Merced, Stanislaus, nor Madera County.

1.4 - Project Description

Administrative Application No. AA22-077 / Site Plan & Design Review Application No. SPR22-007 proposes to convert an existing 63,000-square foot tomato-packing facility and build a new 73,000-square foot packing and processing building that incorporates storage, fumigation, and an office. Two existing hot house facilities totaling approximately 12,950 square feet will be removed.

Located approximately 1.53 miles southeast of the city of Gustine, CA, the project site currently includes eight hot-house buildings, an office building, a modular office, and a packaging and cold-storage building. This IS will evaluate the environmental impacts of the proposed project to ensure they are properly addressed and analyzed in accordance with the California Environmental Quality Act (CEQA).

Site Plan (see Figure 3): The proposed site plan shows the location of the proposed packing building and attached covered area, the proposed fumigation facility, and the two hothouses that are proposed to be removed.

Circulation: Vehicular access is currently provided by three driveways fronting onto Gun Club Road.

Landscaping: There are no landscaping requirements in the Agricultural zone.

Lighting: Existing structures on site feature associated lighting. Any proposed lighting fixtures shall be in compliance with Section 18.41.060 of the Merced County Code, which requires exterior lighting be designed and maintained in a manner so that glare and reflections are contained within the boundaries of the parcel. Lighting fixtures shall be hooded, directed downward and away from adjoining properties and public rights-of-way. Any additional lighting that is required as a result of this project will be required to be in compliance with this section of the Merced County Code.

Utilities and Services: Fire Protection is provided by the Merced County Fire Department. Police services are provided by the Merced County Sheriff.

Permit History: Property Line Adjustment Application No. PLA02-006 and associated Certificate of Compliance No. CC02-024

Required Discretionary Actions: Based on past permit history and Zoning Code requirements, Staff has determined that a Site Plan & Design Review Application, a Planning Commission-level

Administrative Permit Application, and an Initial Study are required for the proposed development to properly address potential impacts to the site and surrounding area.

Figure 3.1: Site Plan

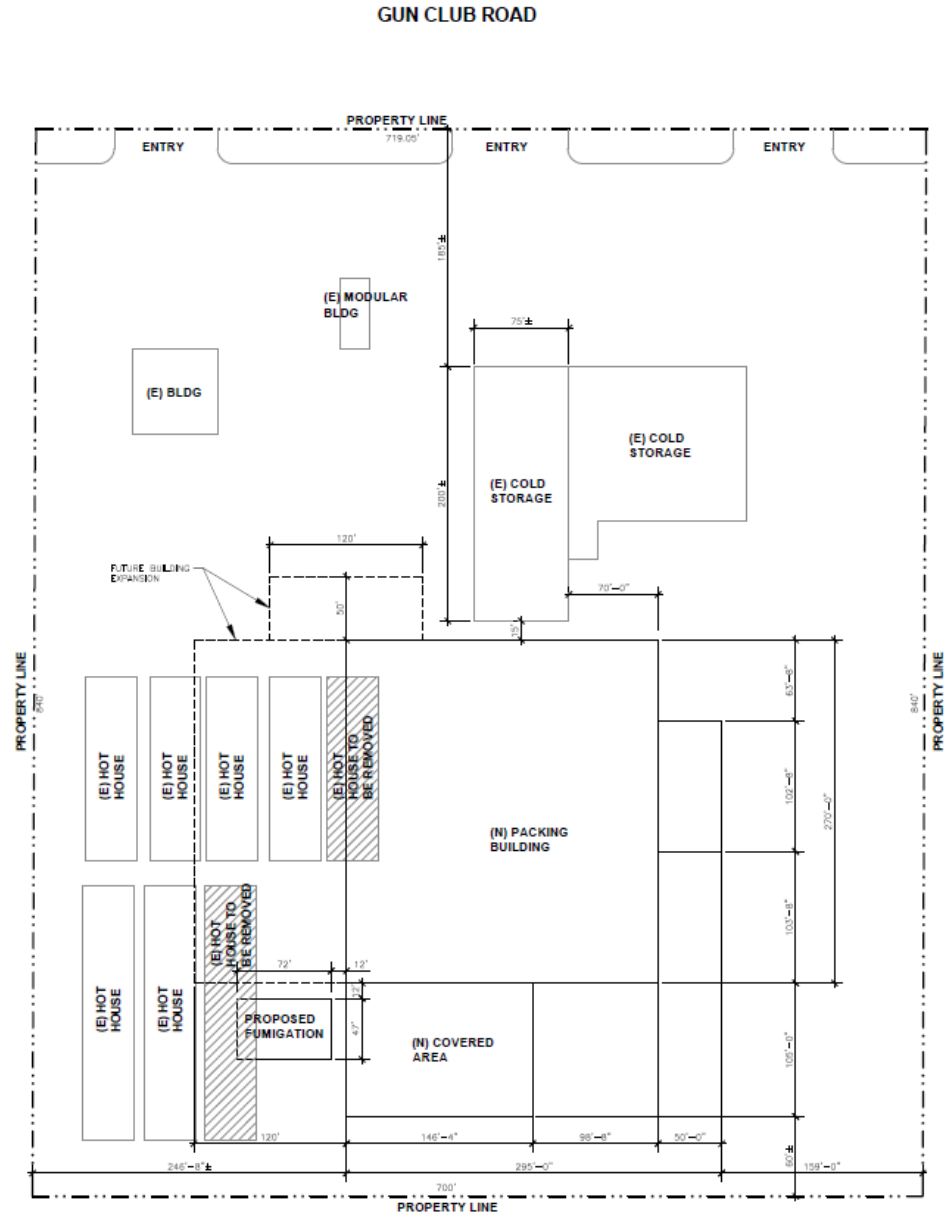
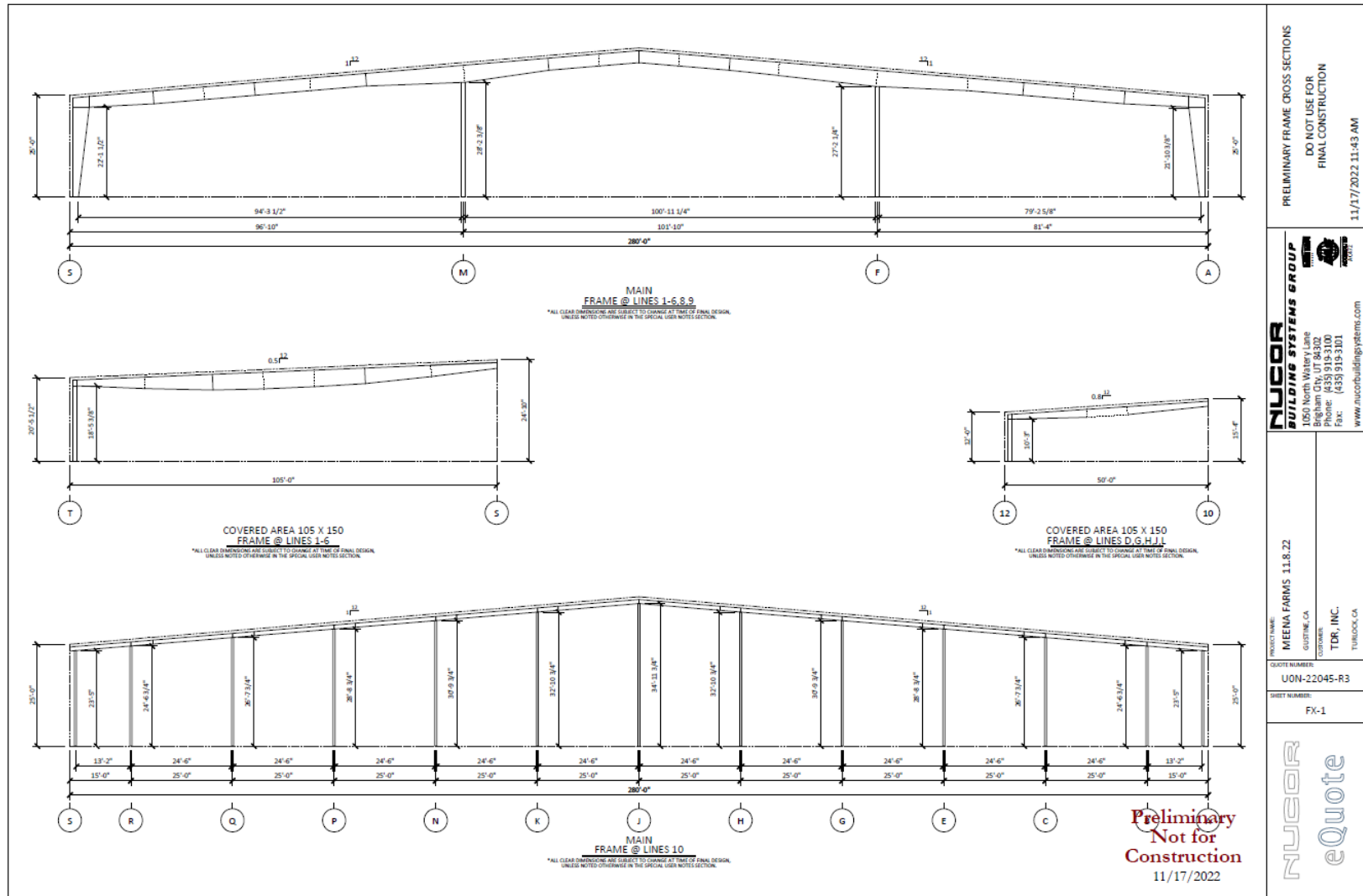


Figure 3.2: Building Elevations



Meena Farms Cherry-Packing Facility Project
 Administrative Application No. AA22-077 / Site Plan & Design Review Application No. SPR22-007
 Initial Study & Negative Declaration

Figure 3.2: Building Elevations (cont.)

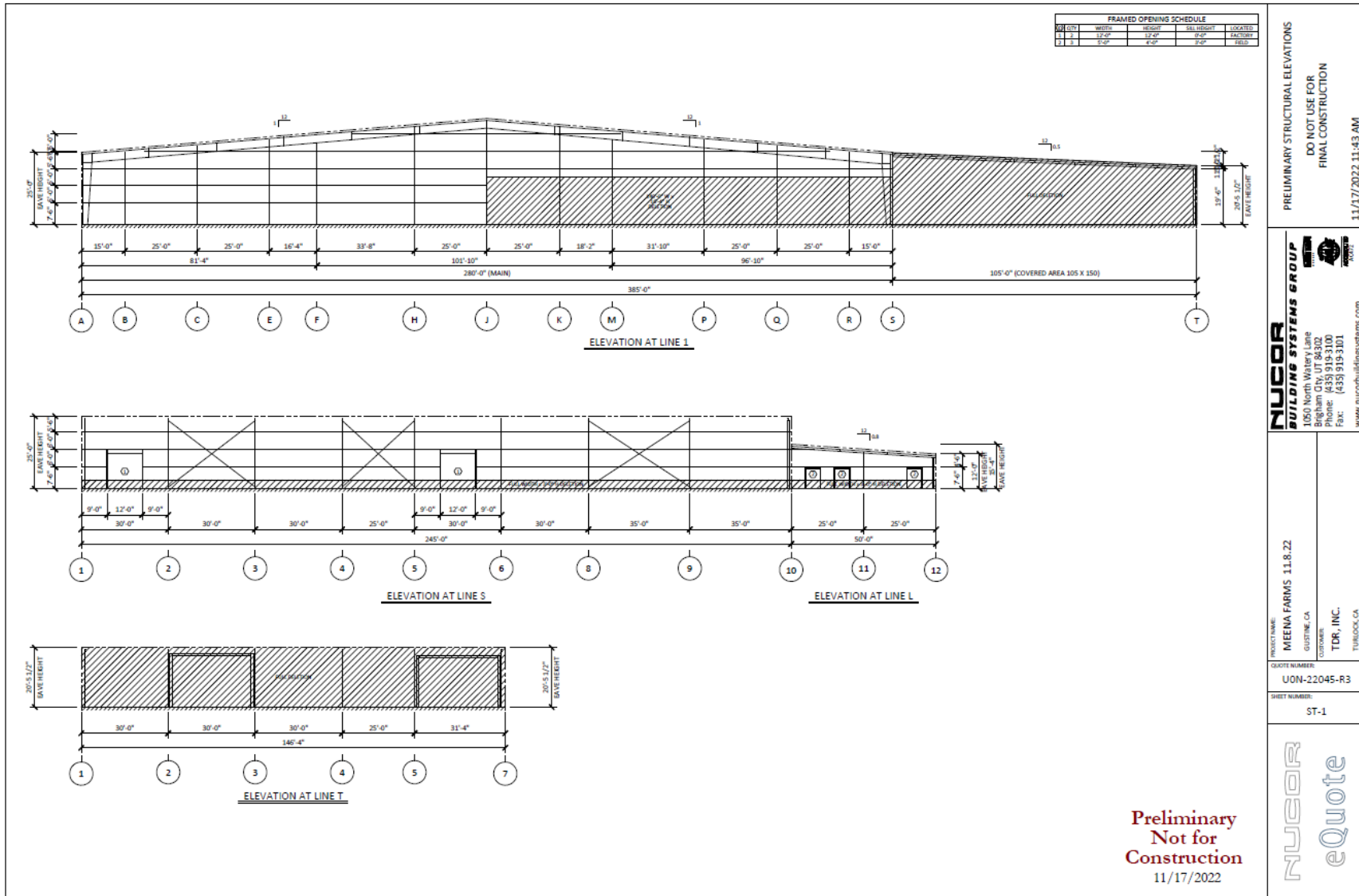
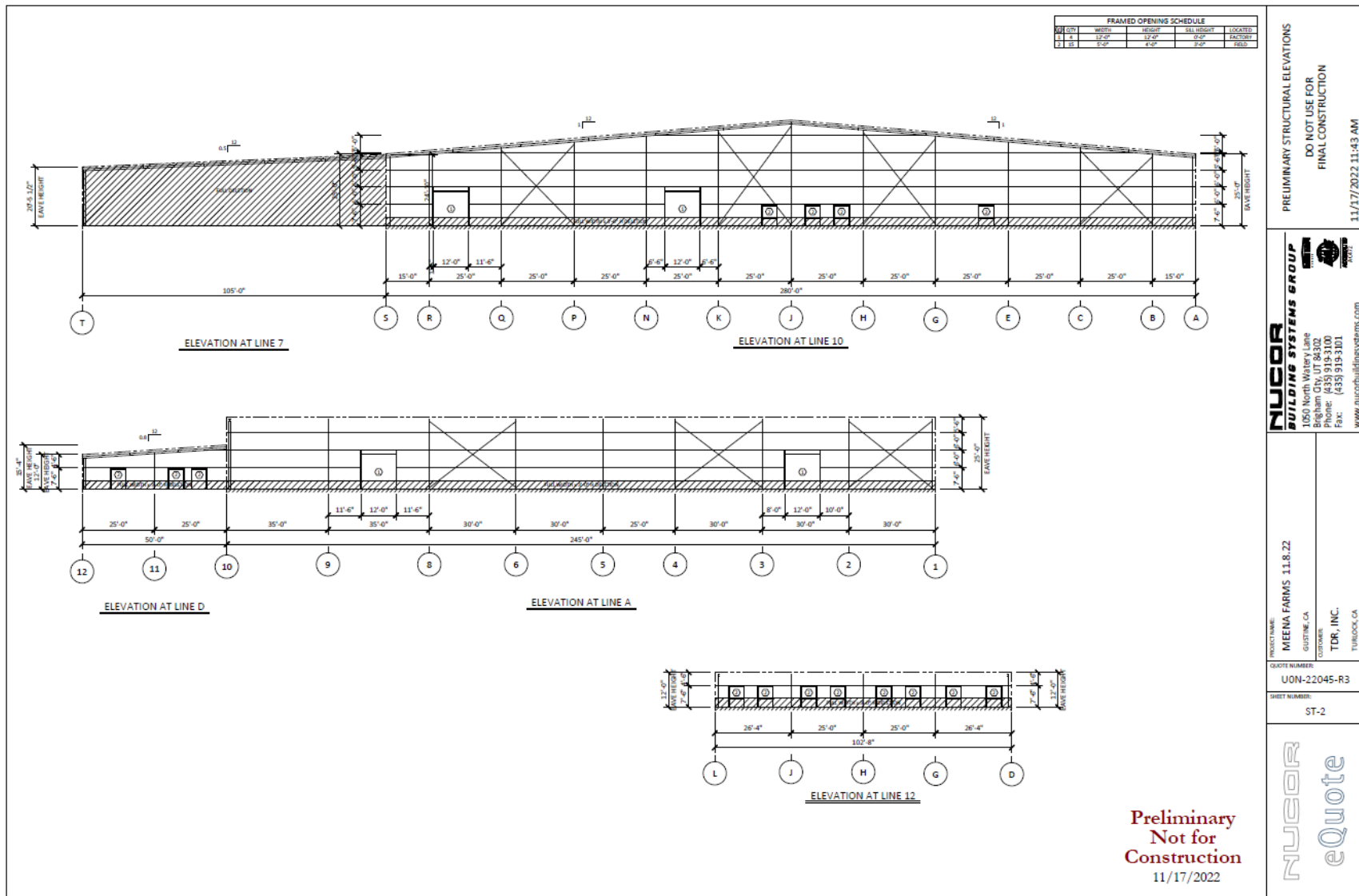


Figure 3.2: Building Elevations (cont.)

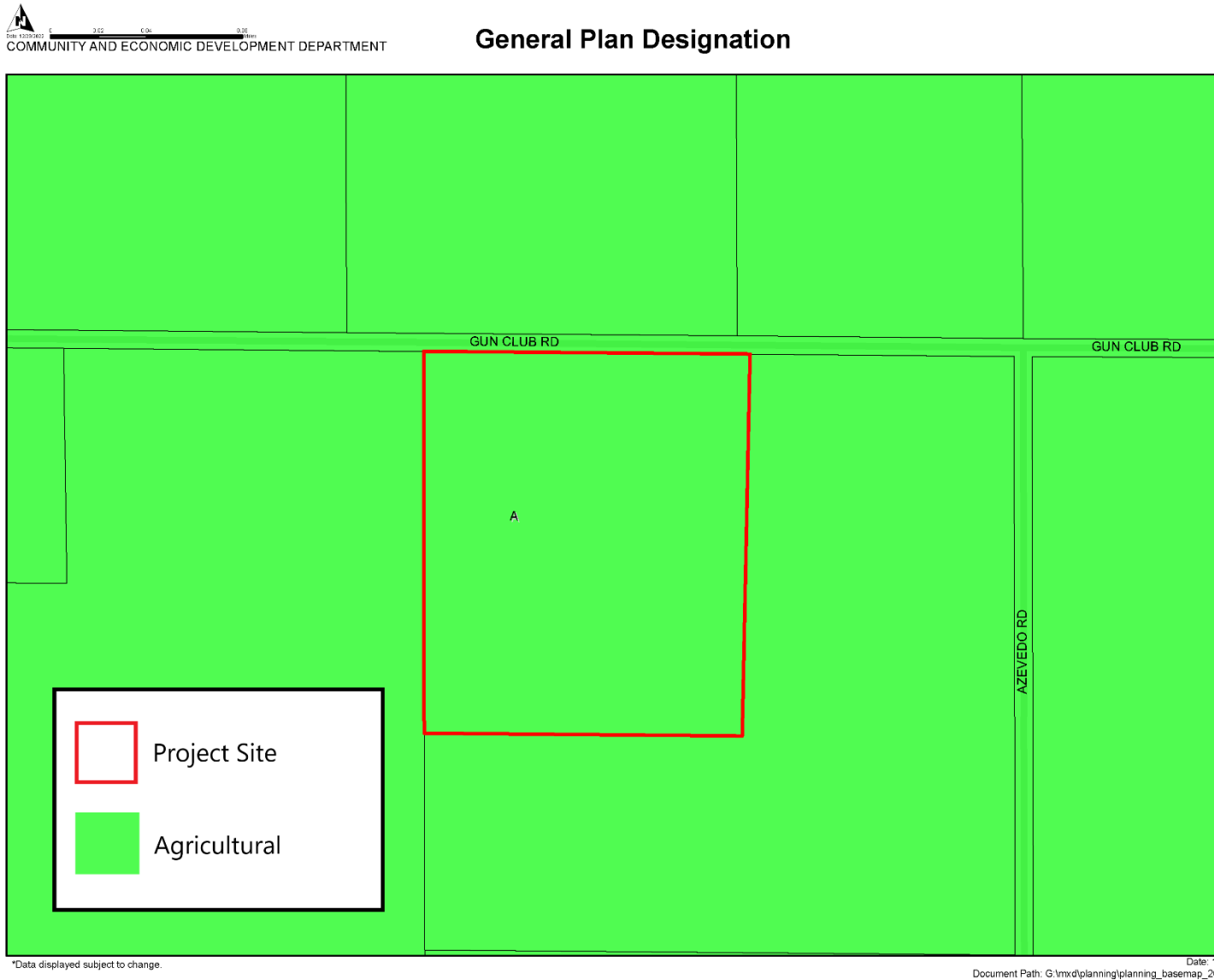


Meena Farms Cherry-Packing Facility Project
 Administrative Application No. AA22-077 / Site Plan & Design Review Application No. SPR22-007
 Initial Study & Negative Declaration

1.5 - General Plan Designation

The 2030 Merced County General Plan identifies the project site as Agricultural (see Figure 4). This land use designation is described as providing for cultivated agricultural practices, characterized as relatively flat, with good soil quality and adequate water availability.

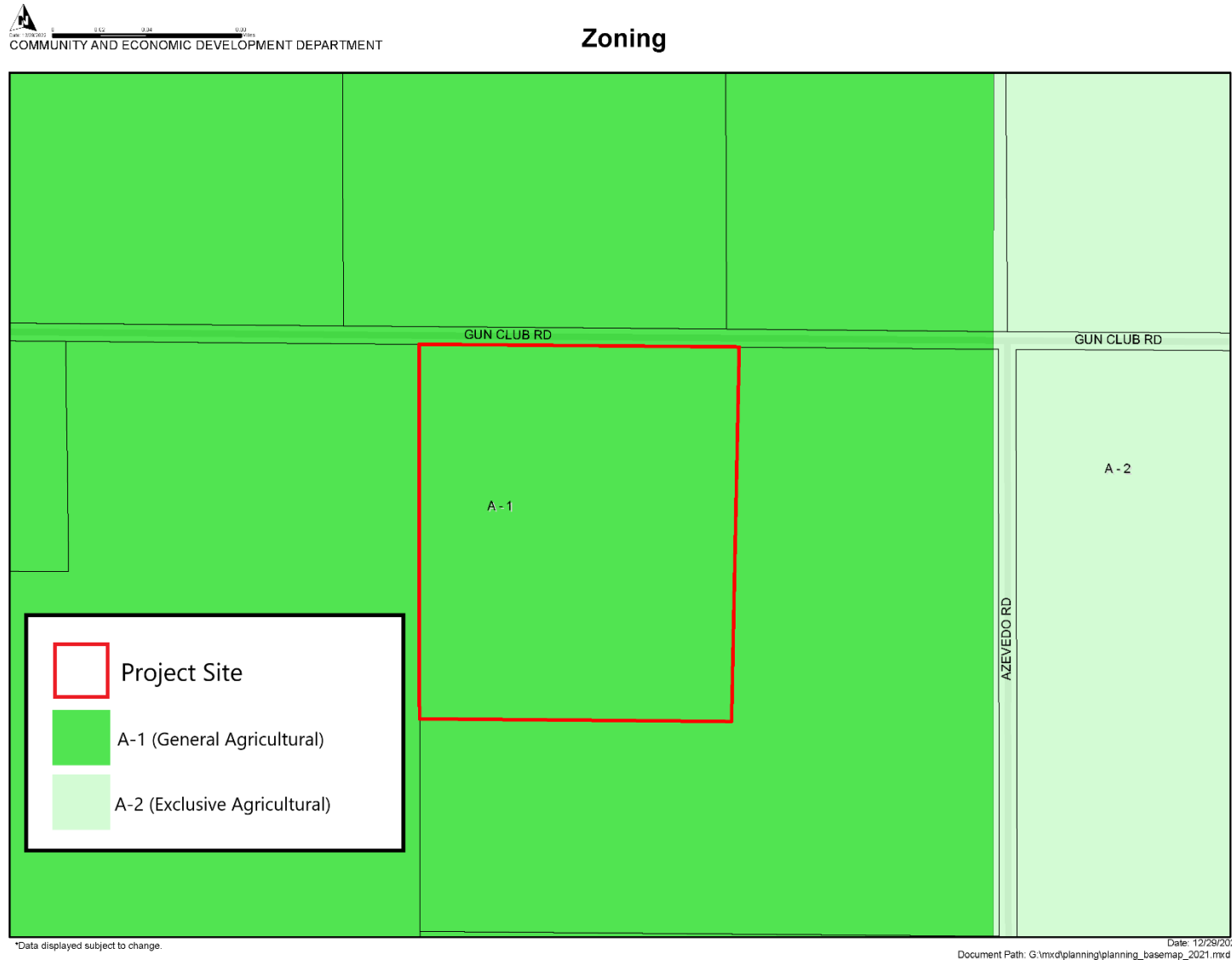
Figure 4: General Plan Designation



1.6 - Zoning

The project site is zoned A-1 (General Agricultural) (see *Figure 5*). Pursuant to Section 18.10.010 of the Merced County Code, the A-1 (General Agricultural) zoning designation is to provide areas for more intensive farming operations dependent on higher quality soils, water availability and relatively flat topography, and agricultural and/or industrial uses dependent on proximity to urban areas or location in sparsely populated low traffic areas. Parcels that are smaller than 40 acres down to a minimum of 20 acres can be considered where agricultural productivity of the property will not be reduced. The existing use for this property is a tomato-packing facility. The proposed additional facilities are a conversion of the existing use to a similar and allowed use.

Figure 5: Zoning



1.7 - Summary of County and Agency Approvals

The project would require the following discretionary approvals:

Merced County – Adoption of the Initial Study, Negative Declaration.

Merced County – Approval of the Administrative Application / Site Plan & Design Review.

SECTION 2: ENVIRONMENTAL CHECKLIST

2.1 - Purpose and Legal Basis for the Initial Study

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

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

This IS evaluates the potential for the proposed project to result in environmental impacts and evaluates the significance of those impacts. The information in this IS will be used by Merced County to determine if a Negative Declaration or an EIR is the appropriate level of CEQA documentation for the proposed project. This IS will also serve as a basis for soliciting comments and input from members of the public and public agencies.

2.2 - Checklist and Evaluation of Environmental Impacts

The Environmental Checklist in this Initial Study is consistent with the CEQA Environmental Checklist Form included as Appendix G of the CEQA Guidelines. A description of the environmental setting and an explanation for all checklist responses is included.

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

1. AESTHETICS

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reference(s)
Except as provided in Public Resources Code Section 21099, would the project:					
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2
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"/>	1, 2
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"/>	1, 2
d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3

The proposed project is located in Merced County, known for its panoramic views of the Coast Range to the west and the Sierra Nevada to the east, mixed with open orchard lands and field crop areas, and seasonal contrasts of flourishing hillsides and wetlands. According to the 2030 Merced County General Plan, scenic vistas include the Coastal and Sierra Nevada mountain ranges, the Los Banos, Merced, San Joaquin, and Bear Creek river corridors with State Route 152 (SR-152) and Interstate 5 (I-5) as designated scenic routes. The proposed cherry-packing facility is located approximately 5.74 miles east of the I-5 and is not within the scenic vista designated corridor. The proposed buildings will not be visible from the highway.

The project site is located in an agricultural setting. Land uses in the immediate vicinity of the project site (within 0.25 miles) include row crops, fallow land, and produce-processing facilities. Distant views of the Coastal mountain ranges can be seen from the site.

- a. **No Impact.** As discussed above, lands surrounding the project site have been substantially disturbed and modified for agricultural production. As a result, the terrain is very flat, and most of the native trees and vegetation have been removed. Because of the flat terrain, views in the project vicinity are generally unobstructed surrounding the project site. There are no unique visual features or scenic vistas in the project area. No roadways in the project vicinity are designated as scenic under existing visual protection programs. Therefore, no impacts in this regard would result from project implementation.
- b. **No Impact.** As mentioned above, there are no officially designated state scenic highways or routes in the project vicinity. Therefore, the proposed project would have no impact on scenic resources such as rock outcroppings, trees, or historic buildings within view from a scenic highway.

- c. Less Than Significant Impact.** The project site is currently farmed as a sweet potato field with storage and processing on-site. Views in the project area largely consist of agricultural operations, which include regional crops and agricultural processing facilities. Agricultural and industrial land uses in the surrounding area contain visual elements such as overhead transmission lines, agricultural outbuildings, and traffic signs. The proposed facilities would be visible from Gun Club Road, and would be consistent with nearby structures and uses related to agricultural operations. Implementation of the proposed project would not substantially degrade the existing visual character or quality of public views of the site or its surroundings. The proposed project's impact is less than significant in this regard.
- d. Less Than Significant Impact.** New sources of nighttime lighting would be created in the form of eighteen exterior lights, six on each of the three proposed storage buildings. However, exterior lighting is already in place on the existing storage building. Lighting located at surrounding residences and properties also contribute to the area's nighttime lighting. Furthermore, any lighting proposed with the project would be required to meet the requirements of Section 18.41.060 of the Merced County Code, which requires the use of directional lighting and minimization of glare and reflections. Since similar lighting from other land uses already exist in the project vicinity, the project's contribution to existing sources of light would be minimal and impacts to existing nighttime views would be less than significant.

2. AGRICULTURE AND FORESTRY RESOURCES

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reference(s)
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 3, 4
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"/>	2, 3
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"/>	2, 3
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"/>	2
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2, 4
<p>a. No Impact. Farming operations in the project area generally consist of small-to-medium-scale row crops, produce-processing facilities, and fallow land formerly under agricultural use. Based on a review of maps prepared by the California Department of Conservation pursuant to the Farmland Mapping and Monitoring Program (FMMP), the parcel on which the project is located is mapped as containing “Semi-Agricultural Commercial Land,” which is described as “includ[ing] farmsteads, agricultural storage and packing sheds, unpaved parking areas, composting facilities, equine facilities, firewood lots, and campgrounds.” No unique farmland is present on the project site.</p>					
<p>b. No Impact. The project site is not under a Williamson Act contract.</p>					
<p>c-d. No Impact. The project site has been disturbed by existing agricultural operations and is not considered forest land, timberland, and is not zoned Timberland Production. In addition, there are no forest lands adjacent to the project site. No impact to forest land or timberland would result from project implementation.</p>					
<p>e. Less Than Significant Impact. The proposed project would not involve changes in the existing environment that could result in the conversion of existing agricultural or forest land. The offsite</p>					

infrastructure needed to serve the project site would not require the expansion of any infrastructure or roadways that could lead to the indirect conversion of agricultural or forest lands. Therefore, the proposed project would not result in conversion of Farmland to non-agricultural uses or conversion of forest land to non-forest uses.

The proposed project involves proposes to convert an existing 63,000-square foot tomato-packing facility and build a new 73,000-square foot packing and processing building that incorporates storage, fumigation, and an office. Two existing hot house facilities totaling approximately 12,950 square feet will be removed. The proposed land use is consistent with both the 2030 General Plan and the Merced County Code. The 2030 General Plan indicates that agricultural processing that takes place on land designated Agricultural are consistent with the adjacent land uses and the rural agricultural areas within the project vicinity based on the Merced County General Plan land use designation and zoning classifications. As such, the project would not place pressure on adjacent agricultural lands to convert to nonagricultural use, nor would it conflict with nearby land uses. The impact of the proposed project would be less than significant in this regard.

3. AIR QUALITY

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reference(s)
Would the project:					
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	5
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	5, 6, 7
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	5, 7
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 checked="" type="checkbox"/>	<input type="checkbox"/>	3

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

Merced County is located in the San Joaquin Valley Air Basin (SJVAB). Under both the federal and state CAAs, the San Joaquin Valley Air Pollution Control District (SJVAPCD) regulates air quality in Merced County. The SJVAPCD has jurisdiction over all point and area sources of air emissions except for mobile sources (such as motor vehicles), consumer products, and pesticides. Furthermore, the SJVAPCD implements air quality management strategies and enforces its Rules and Regulations to improve the health and air quality for residents living in the SJVAB. The SJVAPCD and the California Air Resources Board (CARB) have joint responsibility for attaining and maintaining the NAAQs and SAAQs in the SJVAB.

ENVIRONMENTAL SETTING

Air Quality Assessment

The SJVAPCD’s *Guide for Assessing and Mitigating Air Quality Impacts* (GAMAQI) indicates that an impact resulting from construction activities would be considered significant if feasible construction control measures identified in the SJVAPCD’s CEQA Guidelines and applicable Rules and Regulations were not followed. Furthermore, the CEQA Guidelines Initial Study Land Use and Planning checklist states that conflicts with an applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect should be considered during a project’s environmental review. The GAMAQI has established thresholds for certain criteria pollutants to determine whether a project would have a significant air quality impact.

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

The proposed project would involve the conversion of an existing tomato-processing and cold storage facility for use with cherry-packing, a potato storage buildings and related infrastructure and construction totaling approximately 40,230 square feet in area. The proposed project does not fit into any of the land use categories identified in the SPAL, but is most similar to the industrial land use category for unrefrigerated warehouse—no rail. The unrefrigerated warehouse—no rail land use category identified in the SPAL has a 190,000 square foot project size threshold. The new structures proposed for the sweet potato storage facility total 73,000 square feet in area, which is well below the general light industry SPAL threshold. Furthermore, the cherry-packing operation proposes up to 25 truck trips per day, well below the 1,506 trips/day SPAL threshold for the industrial land use category. Therefore, because the proposed project falls below the SPAL threshold for the general light industry category, criteria pollutant emissions resulting from project construction and vehicle trips are considered less than significant.

According to the SPAL requirements, no quantification of ozone precursor emissions is needed for projects less than or equal to the size thresholds, by vehicle trips and by project type. If other emission factors such as toxic air contaminants, hazardous materials, asbestos, or odors are apparent, these emissions must be addressed. The project qualifies to complete the SPAL approach, and no quantification of ozone precursor emissions would be required. According to the SJVAPCD, project specific emissions of criteria pollutants are not expected to exceed SJVAPCD significance thresholds of 10 tons/year of NOX, 10 tons/year ROG, and 15 tons/year of PM10 (SJVAPCD 2012).

- a. **Less Than Significant Impact.** The proposed project is consistent with the Agricultural land use designation of the site set forth by the 2030 Merced County General Plan. Therefore, the proposed project would be consistent with the land use assumptions used by the SJVAPCD in drafting their air quality attainment plans.

While criteria pollutant emissions for the proposed project are not expected to exceed thresholds set by the SJVAPCD based on project size and operations, the proposed project may be subject to the following District Rules and Regulations, which is neither an exhaustive nor exclusive list: Regulation VIII (Fugitive Dust PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).

Prior to the issuance of a building permit from Merced County, the project applicant must contact the SJVAPCD's Small Business Assistance Office to identify applicable SJVAPCD Rules and Regulations, and to determine if an Authority to Construct is required. The project applicant will be required to comply with applicable SJVAPCD Rules and Regulations as noted.

Compliance with applicable SJVAPCD Rules and Regulations would ensure the proposed project would not conflict with or obstruct implementation of any SJVAB attainment plan or other

applicable air quality plan. Therefore, a less than significant impact on any applicable air quality plan would result from project implementation.

- b. Less Than Significant Impact.** Implementation of the proposed project would result in construction and operational emissions, including ROG, CO, SO₂, NO_x, and fugitive dust. Construction emissions would be due to site clearing, grading, excavation, building, and paving activities. Operation emissions would consist of heavy truck trips associated with transporting potatoes to be stored during the potato harvest, in the months of September through February/March. Based on SJVAPCD project screening criteria and the guidance outlined in the GAMAQI, the size of the project indicates that it would qualify as a SPAL project, and would not exceed the SJVAPCD's emission thresholds for criteria pollutants during construction or operation.

Although the proposed project would not exceed SJVAPCD significance thresholds, the applicant would still be required to comply with Regulation VIII and all applicable SJVAPCD Rules and Regulations. A summary of control measures for construction and other earthmoving activities that would generate fugitive dust are included in Regulation VIII. Compliance with Regulation VIII would ensure that the proposed construction-related emissions are reduced, and would not exceed SJVAPCD significance criteria.

Because project construction and operation emissions of criteria pollutants are not expected to exceed SJVAPCD significance thresholds, and the proposed project would comply with applicable SJVAPCD Rules and Regulations, the project would not emit air pollutants that would violate any air quality standard or contribute to an existing air quality violation, or result in a cumulatively considerable net increase in any criteria pollutant. A less than significant impact would result, and no mitigation would be necessary.

- c. Less Than Significant Impact.** The nearest existing residential structure that would be considered a sensitive receptor is approximately 0.25 miles south of the project site on a nearby parcel. Construction equipment generates diesel particulate matter (DPM), identified as a carcinogen by the CARB. The State of California has determined that DPM from diesel-fueled engines poses a chronic health risk with chronic inhalation exposure.

Because of the relatively small project size, short duration of construction activities with potential to generate toxic air emissions, and the relatively distant and scattered locations of nearby sensitive receptors, it is highly unlikely that construction or operation of the proposed project would pose a toxic risk to any nearby sensitive receptors. In addition, the proposed facilities would not utilize fumigants or other potential toxic air contaminants that could impact sensitive receptors.

- d. Less Than Significant Impact.** The only potential odors associated with the project would be from diesel exhaust and the application of paint during the construction period. These odors, if perceptible, are common in the environment, would dissipate rapidly as they mix with the surrounding air, and would be of very limited duration. Therefore, any potential odor impacts would be considered less than significant.

4. BIOLOGICAL RESOURCES

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reference(s)
Would the project:					
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2, 8, 9, 21
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 Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2, 8, 9
c) Have a substantial adverse effect on federally protected wetlands, (including, but not limited to, marsh, vernal pool, coastal wetlands, etc.), through direct removal, filling, hydrological interruption or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2, 10
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2, 8, 9
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2
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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2

a-d. Less Than Significant Impact. The project site is highly disturbed from current agricultural activities. The majority of the site is regularly disked, with crops and vegetation in the project area consisting of non-native plant species.

The special-status species, the giant garter snake (*Thamnophis gigas*) has been identified as a potentially extant species near the project area, per the California Department of Fish and Wildlife’s Threatened and Endangered Species Listing and the California Natural Diversity Database (CNDDB). *T. gigas* is a federally- and state-threatened semi-aquatic species of garter snake that is highly adapted to aquatic environments, primarily preying upon fish and amphibians. *T. gigas* is known to live in riparian and marsh habitats. The project site is not located in or near federally

protected wetlands according to data provided in the National Wetlands Inventory. Therefore, the project would have a less than significant impact on wetlands and does not constitute a viable habitat for *T. gigas*. Furthermore, because the project site is already highly disturbed and would not significantly impact surrounding areas, there would not be a significant impact on sensitive species or sensitive species habitat.

The proposed cherry-packing facility would not have a substantial adverse effect on special status species, riparian habitat or other sensitive natural community, or protected wetlands. Furthermore, the proposed project would not substantially interfere with the movement of any native resident or migratory fish, wildlife species, or established native resident or migratory wildlife corridors. As a result, project implementation would have a less than significant impact on biological resources.

e-f. **No Impact.** The site of the proposed project is already highly disturbed from agricultural operations, and project implementation would not conflict with any local policies or ordinances protecting biological resources, nor would it conflict with provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. The proposed project would have no impact in this regard.

5. CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reference(s)
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"/>	1, 2, 11
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"/>	1, 2, 11
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2

A cultural resources survey and assessment of Merced County was completed for the adopted 2030 Merced County General Plan meeting Section 15064.5 of the CEQA Guidelines. A detailed description of archival research and field survey methods can be found in the 2030 Merced County General Plan Background Report.

- a-b. Less Than Significant Impact.** The proposed project would involve the conversion of an existing tomato-processing and cold storage facility for use with cherry-packing, a potato storage buildings and related infrastructure and construction totaling approximately 40,230 square feet in area. No recorded significant historical or archaeological resources are located on the property, and given the previously disturbed nature of the site from current and past agricultural use, the project would have a less than significant impact on historical or archaeological resources. However, should historical or archaeological resources be found during project construction, the project would then be subject to the conditions detailed in Merced County Planning Commission Resolution No. 97-01 pertaining to the discovery of cultural resources.
- c. Less Than Significant Impact.** No known human remains have been previously discovered on-site. Therefore, no impact is expected. However, in the event that human remains or unrecorded resources could be exposed during construction activities, Section 7050.5 of the California Health and Safety Code will be implemented. Section 7050.5 requires that all construction and excavation be stopped until the county coroner can determine whether the remains are those of a Native American. If the remains are determined to be Native American, the coroner must contact the California Native American Heritage Commission.

6. ENERGY

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reference(s)
a) Result in 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"/>	12
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2

- a. Less Than Significant Impact.** The project proposal does not involve any development that would result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation. The proposed project would involve the conversion of an existing tomato-processing and cold storage facility for use with cherry-packing, a potato storage buildings and related infrastructure and construction totaling approximately 40,230 square feet in area. The proposed project will be required to comply with the California Green Building Standards Code, Title 24 of the California Energy Code, and SJVAPCD’s Rules and Regulations. In complying with the aforementioned regulations, the proposed project is expected to have a less than significant impact on energy resources during project construction and operation.
- b. No Impact.** The proposed project would not conflict with any state or local plans for renewable or energy efficiency. The proposed project would therefore have no impact in this regard.

7. GEOLOGY AND SOILS

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reference(s)
Would the project:					
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death, involving:					
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2, 12
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2
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"/>	2, 12
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2, 13
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"/>	3, 13
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"/>	2
a.i. No Impact. The nearest known faults to Merced County are: The San Andreas Fault approximately 15 miles west of the western border of the County, the Hayward, Greenville, and Calaveras Faults to the northwest, and the Bear Mountain Fault Zone about five miles east of and parallel to the eastern border of the County. Because there are no known faults that lie within Merced County that would affect the project site, no impacts related to the rupture of a known earthquake fault are expected.					

- a.ii. Less Than Significant Impact.** The aforementioned faults have been and will continue to be the principal sources of seismic activity affecting Merced County. There are no records of seismic activity originating from Merced County, but there has been documented shaking from earthquake centers outside the County. Only the 1906 earthquake caused major damage in the west side of the County in the Los Banos area, with minor structural damage occurring throughout the County on other occasions. Based on the very limited fault activity in Merced County and the limited external fault impacts that may impact the County, the impact of strong seismic ground shaking would be less than significant on the proposed project.
- a.iii. Less Than Significant Impact.** According to the 2030 Merced County General Plan, no specific liquefaction hazard areas have been identified in the County. This potential is recognized throughout the San Joaquin Valley where unconsolidated sediments and a high water table coincide. Soils in the north section of the County have a low potential for liquefaction because the groundwater table is low. Liquefaction is caused when soils subjected to ground shaking lose strength due to increased water pressure. In compliance with Section 1803 of the California Building Code, the applicant must submit a soils report prepared by a licensed soils engineer that addresses soil liquefaction. In submitting a soils report pursuant to Section 1803 of the California Building Code, the proposed project would have a less than significant impact as it relates seismic-related ground failure.
- a.iv. No Impact.** The project site is not expected to be subject to landslides. The project site and surrounding land are substantially flat with no substantial slopes nearby. Therefore, the proposed project would not result in impacts that would create landslides.
- b. Less Than Significant Impact.** The project site has been previously cleared and graded for farming and agricultural. While implementation of the proposed project could result in temporary soil erosion and the loss of top soil due to construction activities, the location where the proposed sweet potato storage facility would be constructed is generally level from previous grading, and minimal modification to the site's existing topography or ground surface relief would be required.
- c. Less Than Significant Impact.** Soils in the project area are typically categorized as having a large amount of clay. The project site contains almost entirely pedcat clay loam with the western edge being comprised of dosamigos clay loam (partially drained) per the USDA soil mapping tool (NRCS). The surrounding areas are largely the same or similarly clay-dominated loamy soil types. This soil presents few building limitations, with any limitations being minimized by project design. In compliance with the California Building Code, a soils report must be prepared by a licensed soils engineer for any new construction. All planned construction will take place on the pedcat clay loam.

According to the 2030 General Plan, the project site has not been identified as an area with subsidence. Subsidence is the settling or sinking of part of the earth's crust. Merced County is most affected by subsidence caused by hydro-compaction from groundwater withdrawal and earthquakes. Since the project site is not within a designated subsidence area, there is no anticipated threat from damage caused by subsidence.

In light of the above factors and by submitting a soils report pursuant to the California Building Code, potential impacts from landslides, lateral spreading, subsidence, or unstable soils would be less than significant, and no mitigation would be necessary.

- d.* **Less Than Significant Impact.** Expansive soils are soils that expand when water is added, and shrink when they dry out. Soil in the project area is characterized as pedcat clay loam, which have some building limitations due to moderate shrink-swell potential. California Building Code requires a soils report for most non-residential structures within Merced County. Compliance with California Building Code requirements would reduce risks on the project site from shrink-swell potential to levels considered acceptable for the State, and risks from expansive soils would be considered less than significant.
- e.* **Less Than Significant Impact.** Any existing and future septic systems are required to be reviewed by the Merced County Department of Public Health, Division of Environmental Health, which will determine the appropriate design standards in accordance with all applicable regulations. Soil in the project area is characterized as pedcat clay loam. Other agricultural operations in the project vicinity with the same soil characteristics have not been limited in construction of their septic systems. Therefore, the impacts of any future septic tanks are anticipated to be less than significant. However, no septic tanks are being proposed with this project.
- f.* **No Impact.** The project site has already been disturbed by agricultural operations and there are no known paleontological resources, sites, or unique geologic features on the site. No impact is anticipated.

8. GREENHOUSE GAS EMISSIONS

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reference(s)
Would the project:					
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	5, 14, 22
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 5, 22

- a. Less Than Significant Impact.** Greenhouse gas emissions would result from both construction and operation of the proposed project. Construction activities associated with the proposed project would result in short-term and temporary carbon dioxide emissions. Other greenhouse gas emissions may result during construction depending on type of construction equipment used.

Existing emissions at the project site include carbon dioxide, which result from trucks transporting tomatoes. Using the suggested 110 trips per day significance threshold provided by the OPR Technical Advisory on Evaluating Transportation Impacts in CEQA, the proposed average of 15 trips per day and the maximum of 25 trips per day for the project can be found to be less than significant.

According to the GAMAQI, the project size (73,000 square feet) is substantially below the SJVAPCD’s screening level (190,000 square feet of unrefrigerated warehouses—no rail land use) for projects expected to emit a substantial amount of criteria pollutants. Based on these numbers, the project is thereby excluded from a quantitative air quality analysis (SJVAPCD 2002). Similarly, the proposed project would make a relatively small contribution to GHG emissions. Therefore, GHG emissions were not quantified.

Because of the low levels of GHG emissions, the proposed project would not be expected to make a substantial contribution of GHG emissions, and a less than significant impact would result.

- b. Less Than Significant Impact.** Merced County has not adopted a Climate Action Plan or any greenhouse gas reduction measure other than enforcing the provisions of the California Green Building Code and Title 24 of the California Energy Code. Because transportation is the largest sector of greenhouse gas emissions in California, many reduction strategies and applicable transportation and land use plans focus on reducing travel and making transportation more efficient in order to reduce greenhouse gas emissions. The project proposes approximately 15 to 25 truck trips per day. In light of the aforementioned factors, the impact on any greenhouse gas plan, policy, or regulation, including those adopted by the CARB and the SJVAPCD, would be less than significant.

9. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reference(s)
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"/>	1, 3
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"/>	3
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 type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 15
e) For a project located within an airport land use plan area, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2
f) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2
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"/>	1

a-b. Less Than Significant Impact. Construction activities for the proposed project would involve the use, storage, transport, and disposal of oil, gasoline, diesel fuel, paints, solvents, and other hazardous materials. Construction activities must be in compliance with California Occupational Safety and Health Administration (OSHA) regulations. Compliance with OSHA regulations would reduce the risk of hazards related to the routine transport, use, or disposal of hazardous materials to a less than significant level during project construction.

Pursuant to Section 18.40.040 of the Merced County Code, storage of hazardous materials on-site requires filing a Hazardous Materials Business Plan with the Merced County Department of Public Health, Division of Environmental Health. Upon the Division of Environmental Health's review of the project, it was determined that the amount of hazardous substances on-site during project operation will be below Merced County's threshold quantities required for a Hazardous Materials

Business Plan. In complying with OSHA and Merced County regulations, the risk of hazards to the public or environment, including those related to accident conditions, would be less than significant.

- c.* **No Impact.** No schools are located within 0.25 miles of the project site. The closest school is Gustine Middle School, located approximately 1.22 miles northwest of the project site. Based on the nature of the project and the distance from schools, it is reasonable to conclude that the project would not result in hazardous emissions or handle hazardous or acutely hazardous materials or substances that would have the potential to affect the nearby schools. Impacts are anticipated to be less than significant.
- d.* **No Impact.** The California Department of Toxic Substances Control (DTSC) maintains a Hazardous Waste and Substances Sites List (Cortese List). The Cortese List tracks “Calsites,” which are mitigation or brownfield sites subject to Annual Work plans. The project site is not included in the DTSC Cortese List, and there are no listed sites in the project vicinity. In addition, a Hazardous Waste and Substance Statement on file with the Merced County Community and Economic Development Department indicates that the site is not included on a list of hazardous materials sites pursuant to Government Code Section 65962.5. Therefore, no impact would result from project implementation.
- e.* **No Impact.** The project site is located approximately 1.70 miles southwest of Gustine Municipal Airport, and is not within any adopted airport land use plan or within an airport compatibility zone. The proposed project would have no impact on an airport land use plan area, and the project would not result in a safety hazard or excessive noise for people residing or working in the project area.
- f.* **Less Than Significant Impact.** The proposed project does not include any modification of existing area roadways or intersections, and the project would not add significant amounts of traffic that would interfere with emergency response or evacuation. Therefore, the proposed project would result in a less than significant impact, and no mitigation would be necessary.
- g.* **Less Than Significant Impact.** The project site is bordered by agricultural uses. Irrigated agricultural land is less susceptible to wildland fires than grazing lands. Orchards, field crops and developed parcels are considered to have minimal fire risk due to the moisture content of plants. There are no wildlands, as defined in the 2030 Merced County General Plan, adjacent to the project site. According to the 2030 General Plan, the project site is located in a Local Response Area that is serviced by Merced County Fire Department and in which Fire Hazards are reduced because of fire prevention measures. The applicant will be required to comply with the Fire Department’s requirements for on-site water storage, which provide added fire prevention measures. Therefore, the project would not expose people or structures to significant risks associated with wildland fire, and a less than significant impact would result.

10. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reference(s)
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3, 16
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2, 3
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:					
i) result in substantial erosion or siltation on- or off-site	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2, 3
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2, 3
iii) contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2, 3
iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2
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"/>	2
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2

- a. Less Than Significant Impact.** The proposed project is not expected to violate any water quality standards or waste discharge requirements, or substantially degrade water quality. The majority of the project site has been previously graded and leveled, and no major grading or earth-moving activities would occur. However, because the proposed project would disturb more than one acre, the applicant would be required to obtain a General Construction Activity Storm Water Permit from the SWRCB for storm water discharges associated with construction activities, which would require the implementation of a SWPPP. The SWPPP must contain BMPs to reduce soil erosion and protect storm water runoff.

Because the project is proposing more than 5,000 square feet of new impervious surface, the applicant must also comply with the County's MS4 Storm Water Permit by implementing site design, source control, runoff reduction and storm water treatment. This is enforced by the Merced County Department of Public Works, Roads Division.

The proposed project was referred to the SWRCB for review; no comments were received. In complying with the aforementioned regulations and requirements, the proposed project would not violate any water quality standards or waste discharge requirements during construction or operation, and a less than significant impact on surface and ground water quality would result.

- b. Less Than Significant Impact.** Water usage for the proposed project will not increase. The facility will be used for the processing and storage of cherries. Processing will be take place off-site. The proposed storage buildings, and associated paved areas, including the proposed driveway, would increase impermeable surface area on-site by approximately 60,050 square feet (73,000 square feet of new impervious surface and the removal of 12,950 square feet of impervious surface). This amount of impermeable surface area would not substantially interfere with groundwater recharge. In addition, the project proponent indicates in their project proposal that storm water would be directed to existing drains. Because the project would not substantially deplete groundwater supplies through extraction, and because the project proposes a design that would allow storm water would percolate into the groundwater system, the impact of the proposed project on groundwater would be less than significant.
- c.i. Less Than Significant Impact.** The project proposes to create approximately 60,050 square feet of net new impervious surface. During project construction, erosion and siltation of on-site soils could result. Projects which disturb more than one acre (i.e. 43,560 square feet) of soil are required to obtain a General Construction Activity Stormwater Permit from the SWRCB, which would require implementation of a Storm Water Pollution Prevention Plan (SWPPP). Obtaining a General Construction Activity Stormwater Permit for the proposed project would reduce erosion and siltation to a less than significant level, and no mitigation would be necessary.
- c.ii. Less Than Significant Impact.** The project proposes to create approximately 60,050 square feet of net new impervious surface. Because the project is proposing more than 5,000 square feet of new impervious surface, the applicant must comply with the County's MS4 Storm Water Permit by implementing site design, source control, runoff reduction and storm water treatment, which is enforced through the Merced County Department of Public Works, Roads Division. In complying with the County's MS4 Storm Water Permit requirements, surface runoff would be managed and flooding on- or offsite would not result, culminating in a less than significant impact on flooding.
- c.iii. Less Than Significant Impact.** The project proposes to create approximately 60,050 square feet of net new impervious surface. In complying with the County's MS4 Storm Water Permit and the requirements of the SWRCB, the proposed project would not exceed the capacity of the planned stormwater drainage systems, nor would it provide additional sources of polluted runoff. A less than significant impact on runoff would result from project implementation.
- c.iv. No Impact.** The project area is not located in an identified flood area and would therefore not be expected to impede or redirect any flood flows. Therefore, no impact on flood flows would result from project implementation.

- d.* **No Impact.** The proposed project is not located in a flood hazard, tsunami, or seiche zone. Therefore, there would be no risk of pollutants being released due to project inundation, and no impact would result.

- e.* **Less Than Significant Impact.** Considering the relatively small project size and less than significant impact on water resources, the proposed cherry-packing facility would not conflict with or obstruct the implementation of any applicable water quality control plan or sustainable groundwater management plan. A less than significant impact would result.

11. LAND USE AND PLANNING

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reference(s)
Would the project:					
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3

a. No Impact. The proposed project would involve the conversion of an existing tomato-processing and cold storage facility for use with cherry-packing and related construction totaling approximately 73,000 square feet in area. The project vicinity consists of agricultural uses including row crops and industrial agricultural facilities. Because the project is located south of City of Gustine, the proposed project would not divide an established community, and no impact would result from project implementation.

b. No Impact. The proposed project does not conflict with any land use plan, policy, or regulation adopted to avoid or mitigate environmental effects. Merced County has an Agricultural Mitigation Chapter in the Merced County Code (Chapter 9.30), but this only applies to the conversion of agricultural land to non-agricultural uses. A cherry-packing facility is still considered an agricultural use in the 2030 Merced County General Plan. Therefore, the proposed conversion of land to a storage facility does not conflict with Chapter 9.30 of the Merced County Code or any other land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

12. MINERAL RESOURCES

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reference(s)
Would the project:					
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 17
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 17

a-b. No Impact. Sand and gravel are the most valuable mineral resources in Merced County. The project site is not located within any sand and gravel resource identified in the Natural Resources Element of the 2030 Merced County General Plan or the State Mineral Resources Map. Furthermore, no mineral extraction activities exist on the project site, and mineral extraction is not included in project designs. No impact on mineral resources would result.

13. NOISE

Would the project result in:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reference(s)
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3
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 private use airport, would the project 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"/>	2

Potential noise impacts of the project can be categorized as those resulting from construction activities and those resulting from operational activities. Development of the proposed project would increase noise levels temporarily during construction. Operational noise associated with the cherry-packing facility would result throughout the lifetime of the project.

Some land uses are considered more sensitive to noise than other uses. Generally, sensitive land uses can include residences, schools, nursing homes, hospitals, and some public facilities such as libraries. Sensitive land uses may also include areas that contain threatened or endangered biological species known to be sensitive to noise.

a-b. Less Than Significant Impact.

Construction Noise

Construction of the proposed cherry-packing storage facility would temporarily increase ambient noise levels in the project vicinity during the construction period. Construction is expected to begin upon project and building permit approval, and would last for approximately twelve months, from March 2023 until April 2024. Construction activities, including site clearing, excavation, grading, building construction, and paving, would be considered an intermittent noise impact throughout the construction period of the project. No construction activities would occur that would generate excessive groundborne vibration.

Still, construction activities could result in various effects on sensitive receptors, depending on the presence of intervening barriers or other insulating materials. Chapter 10.60 of the Merced County Code only allows construction activities to occur during weekdays between 7:00 a.m. and 6:00 p.m. Construction activities outside of these hours are prohibited. These hours are so defined because they include a period of time where noise sensitivity is at its lowest.

Because construction activity associated with the proposed project would occur between the hours of 7:00 am and 6:00 pm in compliance with Chapter 10.60 of the Merced County Code, impacts from construction noise would be less than significant, and no mitigation would be necessary.

Operational Noise

Upon completion of project construction, operation of the proposed cherry-packing facility would result in negligible permanent ambient noise impacts. Noise in the area from other agricultural operations is already present. In addition, noise produced by the operation would largely be confined to inside the buildings and would not be located near sensitive receptors. In light of these factors, the proposed project would have a less than significant impact on permanent ambient noise levels.

- c. **No Impact.** The project is not located within an airport land use plan area or in the vicinity of a public or private airstrip. The nearest airport, Gustine Municipal Airport, is located approximately 2.39 miles northeast of the project site. The project site is beyond the boundary of any Airport Plan. Therefore, implementation of the proposed project would neither impact an airstrip nor be affected by an airstrip. No further evaluation is required, and the project would have no impact in this respect.

14. POPULATION AND HOUSING

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reference(s)
Would the project:					
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"/>	2
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"/>	1
a.	<p>No Impact. The construction and operation of the proposed cherry-packing facility would not result in any increase in local residents, as the jobs that would be provided by the project would be filled with local residents. In addition, there are no off-site improvements associated with the project that would result in unplanned population growth. Therefore, implementation of the proposed project would not result in any project-level impacts related to substantial unplanned population growth during the short-term construction phase of the project or during long-term project operation.</p>				
b.	<p>Less Than Significant Impact. No dwelling units are located on the project site. Residences in the vicinity are characterized by single family residences on properties in active agricultural use. Implementation of the proposed project would not displace any existing people, and project-level impacts to existing population and housing would be less than significant.</p>				

15. PUBLIC SERVICES

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reference(s)
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of: which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:					
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2

- a. Less Than Significant Impact.** The Merced County Fire Department provides fire suppression and recovery, fire law and code enforcement services for the project area. The Gustine Fire Station, located at 686 3rd Avenue in the City of Gustine, is approximately 2.11 miles northwest of the project site, and serves the project area. All buildings at the project site would be constructed in compliance with local and state fire codes. On-site fire protection infrastructure will include a water storage tank and an associated pump. As such, an increase in demand for fire services is not expected to result, calls for service would cause only temporary effects, and the proposed project would not result in a notable increase in fire risk and service demand for the area. Project implementation would have a less than significant impact on fire protection.
- b. Less Than Significant Impact.** Law enforcement services for the project area are provided by the Merced County Sheriff’s Department. The nearest Sheriff’s Community Law Enforcement Office is the Jess “Pooch” Bowling Justice Center, located at 445 "I" Street, Los Banos, CA, approximately 13.57 miles southeast of the project site. Although the type of use proposed does not specifically create an environment generally associated with unlawful activities requiring law enforcement services, the project could have an effect on local sheriff protection services in the event that such services would be required. This effect would be minor and temporary in nature, and impacts concerning law enforcement are less than significant for the proposed project.
- c. No Impact.** The proposed project is located within the boundaries of the Gustine Unified School District; however, no housing units that have the potential to generate school-age children are proposed, nor will any jobs be created that would attract outside residents.
- d. No Impact.** No new homes are proposed for the project, and no new employees will be required. Therefore, completion of the project would not result in the physical altering of parks, nor would it cause the construction of new parks. No impact on parks would result from project implementation.

- e.* **No Impact.** Ran Health Service, located at 489 5th Street, in Gustine, is the closest medical facility and is approximately 1.95 miles northwest of the project site. The nearest hospital is the Memorial Hospital located 13.36 miles to the southeast of the project site in Los Banos. No jobs are expected to be created as a result of this project, so no increased usage of medical services will result.

16. RECREATION

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reference(s)
Would the project:					
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"/>	1
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"/>	1
a.	<p>No Impact. The proposed project would involve the conversion of an existing tomato-processing and cold storage facility for use with cherry-packing and related construction totaling approximately 73,000 square feet in area, which is not expected to generate a demand for parkland usage. The closest recreational facility is Digregori Field, located approximately 2.05 miles northwest of the project site in the City of Gustine. This facility is available to serve any recreational needs of the employees. No change in the usage of recreational facilities is likely to result from project implementation, as no jobs are expected to be created from this project. Therefore, no project-level impacts to neighborhood or regional parks would result from project implementation.</p>				
b.	<p>No Impact. The proposed project does not include a recreational component. In addition, because the project does not propose any residential development, parkland dedication or in-lieu fees in conformance with the Quimby Act are not required. Therefore, because the project does not propose recreational facilities or require construction or expansion of recreational facilities, no project-level impacts related to recreation facilities would result.</p>				

17. TRANSPORTATION

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reference(s)
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 18
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2
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"/>	3
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2, 3

a. Less Than Significant Impact. The proposed project would not conflict with a program plan, ordinance or policy addressing the circulation system. There are no current or anticipated transit, roadway, bicycle or pedestrian facilities on the property where the project is proposed (Regional Transportation Plan). In light of these factors, the proposed project would have a less than significant impact with respect to plans, ordinances or policies addressing the circulation system.

b. No Impact. The project site is accessed via Gun Club Road. The proposed project would increase the number of vehicle trips per week to up to 25 during the approximately 45-day harvest season of late April through mid-June. In the 2030 Merced County General Plan Background Report, Levels of Service are identified for many roads in Merced County. This section of Gun Club Road, is not classified in the 2030 Background Report. Because the project would generate a small number of new vehicle trips, there would be no reduction to the existing Levels of Service on nearby roads. Project implementation would have a less than significant impact on transportation circulation, and the project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b).

c. Less Than Significant Impact. The project does not increase the number of driveways fronting on Gun Club Road. The project proposes to use three existing driveways from Gun Club Road for access to the proposed cherry-packing facility. The project does not propose any incompatible uses or large equipment that would substantially increase hazards. The proposed project would not substantially increase hazards due to geometric design features or incompatible uses, and a less than significant impact would result.

d. Less Than Significant Impact. According to the 2030 Merced County General Plan, freeways and major county roads would be used as primary evacuation routes. There may be some temporary blockage on Gun Club Road as part of the construction process but Gun Club Road is not considered a major county road. Compliance with County emergency access standards would

ensure that there is adequate emergency access to the proposed cherry-packing facility, and the proposed project would have a less than significant impact on emergency access.

18. TRIBAL CULTURAL RESOURCES

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reference(s)
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:					
i) 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 type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2
ii) 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 type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 11
a.i. No Impact. The project site is not located in an area that is listed or eligible for listing in the California Register of Historical Resources, nor is the project site located in a local register of historical resources. As a result, the project would have no impact on identified historical resources.					
a.ii. No Impact. The project site has already been disturbed by past and present agricultural operations, and no tribal cultural resources have been found at the site. The 2030 Merced County General Plan, per Public Resources Code section 21074, does not identify any sacred place or object with cultural value to a California Native American tribe in the vicinity of the project site. Therefore, no impact is anticipated. However, should cultural resources be found during project construction, the project would be subject to the conditions detailed in Merced County Planning Commission Resolution No. 20-001 pertaining to the discovery of cultural resources.					

19. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reference(s)
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2, 3
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2
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"/>	2, 3
e) Comply with federal, state and local management and reduction statutes related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2

a. Less Than Significant Impact. The proposed project would involve the conversion of an existing tomato-processing and cold storage facility for use with cherry-packing and related construction totaling approximately 73,000 square feet in area. Project implementation would not result in the relocation or construction of new or expanded electric power, natural gas, or telecommunications facilities. The project proposes more than 5,000 square feet of new impervious surface, and as a result, the project applicant must comply with the County's MS4 Storm Water Permit for building a storm water drainage mechanism. The Merced County Department of Public Works, Roads Division enforces the requirements for Storm Water Permits and will review the site plan for the proposed project, which will ensure storm water drainage will have a less than significant environmental impact.

b. Less Than Significant Impact. There is already an existing irrigation well on the property to supply the existing agricultural uses. Since tomatoes are already washed, processed and packaged on-site as part of the existing use, which is comparable to the proposed use, the proposed project would not cause a significant increase in the amount of water needed for the proposed storage facility. A less than significant impact on water supplies would result.

- c.* **No Impact.** The project site is not currently served by a wastewater treatment provider, nor is it planned to be served by a wastewater treatment provider in the future. No impact on a wastewater treatment provider would result from project implementation.
- d.* **Less Than Significant Impact.** The amount of solid waste generated by the proposed project would not exceed any State or local standards, nor would it be in excess of the capacity of local infrastructure. In addition, the proposed project would not otherwise impair the attainment of solid waste reduction goals. The proposed project is a conversion and expansion of an existing packaging facility, changing from tomatoes to cherries. Processing will be continue to be done on-site without a significant increase in intensity. Operation of the proposed project would only produce minimal amounts of solid waste, which would be collected and taken off-site to be collected by Waste Management. In light of the aforementioned factors, the project would have a less than significant impact on local infrastructure related to solid waste.
- e.* **Less Than Significant Impact.** The proposed project would comply with federal, state and local management and reduction statutes related to solid waste. A less than significant impact on management and reduction statutes related to solid waste would result from project implementation.

20. WILDFIRE

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reference(s)
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:					
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	19
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	19
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"/>	19
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"/>	19

a-d. No Impact. The project site is not located in or near a state responsibility area or lands classified as very high fire hazard severity zones. Based on the project's location, the project would have no impact on an identified state responsibility area or very high fire hazard severity zone.

21. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reference(s)
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 rare or endangered plants or animals, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 20
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

a. Less Than Significant Impact. As discussed in Section 2.3.4 (Biological Resources) of this document, the proposed cherry-packing facility project would have a less than significant impact on special status species, habitat, or wildlife dispersal and migration. Furthermore, the proposed project would not affect the local, regional, or national populations or ranges of any plant or animal species and would not threaten any plant or animal communities. Therefore, the proposed project would not result in a Mandatory Findings of Significance related to impacts on Biological Resources.

As discussed in Section 2.3.5 (Cultural Resources) of this document, the proposed project would have a less than significant impact on historical, archaeological, or paleontological resources, and thus, would not eliminate any important examples of California history or prehistory. Therefore, the proposed project would not result in a Mandatory Finding of Significance related to impacts on Cultural Resources.

As explained and thoroughly analyzed throughout this Initial Study document, implementation of the proposed project would have a less than significant impact on the environment. As a result, the proposed project would not result in a Mandatory Findings of Significance related to the quality of the environment.

- b. Less Than Significant Impact.** Implementation of the proposed project would result in the conversion of an existing tomato-processing and cold storage facility for use as a cherry-packing facility and related construction totaling approximately 73,000 square feet in area. While the proposed project could contribute to cumulative impacts associated with increased development in Merced County and in the greater San Joaquin Valley, these cumulative impacts have previously been evaluated and considered in the 2030 Merced County General Plan and the 2030 Merced County General Plan Background Report. The 2030 Merced County General Plan EIR evaluated the impacts of implementing the 2030 General Plan, and in doing so, included potential cumulative impacts of development in Merced County. Pursuant to Section 15150 of the CEQA Guidelines, the 2030 Merced County General Plan EIR is hereby incorporated by reference into this Initial Study document.

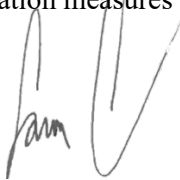
In addition, in complying with applicable local, state, and federal regulations, the proposed project would not have significant cumulatively considerable impacts. In light of these factors, the proposed project would not result in a Mandatory Finding of Significance related to cumulative impacts.

- c. Less Than Significant Impact.** As discussed in Sections 2.3.1 (Aesthetics), 2.3.3 (Air Quality), 2.3.7 (Geology and Soils), 2.3.8 (Greenhouse Gas Emissions), 2.3.9 (Hazards and Hazardous Materials), 2.3.10 (Hydrology and Water Quality), 2.3.11 (Land Use and Planning), 2.3.13 (Noise), 2.3.14 (Population and Housing), 2.3.15 (Public Services), 2.3.16 (Recreation), 2.3.17 (Transportation), 2.3.19 (Utilities and Service Systems), and 2.3.20 (Wildfire) of this document, compliance with local, state, and federal regulations would pre-empt the potential for significant adverse effects on humans. Therefore, the proposed project would not result in a Mandatory Finding of Significance related to environmental effects that could cause substantial adverse effects on humans.

SECTION 3: ENVIRONMENTAL 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: (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature:  _____ Date: 02/09/2023 _____

Printed Name: Cameron Christie
Title: Planner I

Community and Economic Development Department
Merced County

SECTION 4: REFERENCES

1. 2030 Merced County General Plan.
2. 2030 Merced County General Plan Background Report.
3. Merced County Code.
4. California Department of Conservation – Farmland Mapping and Monitoring Program (FMMP), 2016.
5. San Joaquin Valley Air Pollution Control District – Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI), March 19, 2015.
6. San Joaquin Valley Air Pollution Control District – Small Project Analysis Level (SPAL), June 2012.
7. Sharla Yang, San Joaquin Valley Air Pollution Control District Air Quality Specialist, Personal Communication, April 2019 through May 2019.
8. California Department of Fish and Wildlife – Threatened and Endangered Species Listing, August 2018.
9. California Department of Fish and Wildlife – California Natural Diversity Database (CNDDDB).
10. U.S. Fish & Wildlife Service – National Wetlands Inventory.
11. Merced County Planning Commission Resolution No. 97-01.
12. California Building Code.
13. Natural Resources Conservation Service (NRCS) – Web Soil Survey.
14. A&L Western Agricultural Laboratories – Organic Fertilizer Report, Provided by Applicant.
15. Department of Toxic Substances Control (DTSC) – Cortese List.
16. State Water Resources Control Board (SWRCB) – Storm Water Program.
17. California Department of Conservation – State Mineral Resources Map.
18. Merced County Association of Governments – 2018 Regional Transportation Plan.
19. CAL FIRE – State Responsibility Area Map.
20. 2030 Merced County General Plan EIR

21. California State University Stanislaus Department of Biological Science – Endangered Species Recovery Program - *Thamnophis gigas*
22. California Governor’s Office of Planning and Research –Technical Advisory on Evaluating Transportation Impacts in CEQA