# Initial Study
# &
# Negative Declaration

FOR THE

# PARREIRA ALMOND PROCESSING COMPANY (RPAC) FACILITY EXPANSION

*Conditional Use Application No. CUP22-016*

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# Table of Contents

# 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 Parreira Almond Processing Facility Expansion Project, also as Conditional Use Permit No. CUP22-016, located in the Los Banos area of Merced County, California and to describe measures that would avoid or mitigate significant impacts. The 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 the primary responsibility for approval or denial of the project.

## 1.2 - Project Location

The project site is on an approximately 38.85-acre portion of an approximately 78.85-acre facility which spans three parcels, identified as Assessor's Parcel Numbers (APNs) 088-101-007, 088-101-008, and 088-101-009. The project is located on the east side of South Ortigalita Road, approximately 0.25 miles south of West Charleston Road in the Los Banos area, within the Northwest ¼ of Section 15, Township 11 South, Range 10 East, Mount Diablo Base and Meridian. The site is located approximately 4.5 miles south of the City of Los Banos in the County of Merced and is in an area dominated by commercial farming activities.

## 1.3 – Existing Conditions & Surrounding Land Uses

The project site and the surrounding area are designated as Agricultural in the Merced County General Plan and zoned A-1 (General Agricultural).

The project site is located within an existing almond storage and processing facility consisting of ten structures used for almond storage, processing, administration, maintenance, and a single-family residence. The remainder of the parcel is used to store raw almond product and farm equipment and an existing photo-voltaic system to help off-set energy used by the facility.

There is an existing private on-site septic system and well, and the site may be accessed by two existing driveways on Ortigalita Road.

The surrounding area is characterized as agricultural and almond orchards boundary the project site on all sides. The site is approximately 0.5 miles east and 0.7 miles north of the Delta-Mendota Canal.

*Table 1* 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 | Almond Processing Facility |
| **North:** | Agricultural | A-1 | Row Crops |
| **South:** | Agricultural | A-1 | Row Crops |
| **East:** | Agricultural | A-1 | Row Crops |
| **West:** | Agricultural | A-1 | Row Crops |

## 1.4 - Project Description

Conditional Use Permits No. CUP22-016 proposes to construct a new 101,235-square foot packing and processing building that incorporates space for storage, processing, and an office. The project also proposes to locate the new structure where an existing photo-voltaic system is situated and relocate and install a portion of the solar panels as roof-mounted solar to existing buildings within the facility.

Site Plan (see *Figure 3.1*): The proposed site plan shows the location of the proposed warehouse building and solar arrays that are proposed to be removed. .

Agricultural Operations: Current on-site operations include existing storage, fumigation, cleaning, packing, and distribution building and processes. Additionally, there are several structures for administrative operations, maintenance, and the photo-voltaic system for on-site energy generation. The balance of the property used primarily for outdoor storage of raw almond product. Approximately 55 persons are employed year-round, with hours of operation are between 7:00am and 5:00pm, Monday through Friday most of the year. Approximately 30 additional seasonal employees are brought in to work on a second shift, Monday through Friday, during harvest they may work until 11:00pm. The project would not increase the number of employees or add additional truck trips to operations.

Parking: There is currently an approximately 35,000 square foot paved area serving as a parking lot and vehicle maneuvering area on site adjacent to the existing almond storage/processing and office building.

Circulation: Vehicular access to the site is provided by two driveway accesses along Ortigalita Road, employees at the northwest corner of the site, and trucks at the southwest corner.

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 Merced County Zoning Code (MCZC) Section 18.41.060, 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: The almond processing facility is served by a private on-site septic system and well. Gilton Solid Waste Management Inc. provides trash services and Pacific Gas and Electric provides electricity for the facility, in addition to the existing photo-voltaic system on site. Fire Protection is provided by the Merced County Fire Department. Police services are provided by the Merced County Sheriff.

Permit History:

- CU1334 was approved on March 24, 1976 to establish a chemical and fertilizer and equipment storage at an existing shop.
- PD2948 was approved on March 25, 1981 to divide 80 acres into one 60-acre lot and one 20-acre lot.
- CU2573 was approved on April 8, 1981 to establish an almond huller and office facility.
- CUA3173 was approved to add a 24,500 square foot building for almond storage facility.
- MM97-006 was approved on April 17, 1997 to expand the existing almond processing facility.
- MM97-006 and 97-021 was approved to allow expansion of the existing almond processing facility.

- MM14-004 was approved on March 27, 2014 to construct a 37,440 storage building and 18,720 square foot covered storage area.
- CUP19-014 was approved October 23, 2019 to construct a new 78,000 square foot processing building and office space, a 10,750 square foot fumigation building, and a 78,050 square foot warehouse building with a 7,500 square foot attached canopy.
- MM21-005 was approved February 17, 2021 to construct a 2,576 square foot addition to an existing building and relocation of an existing pit.

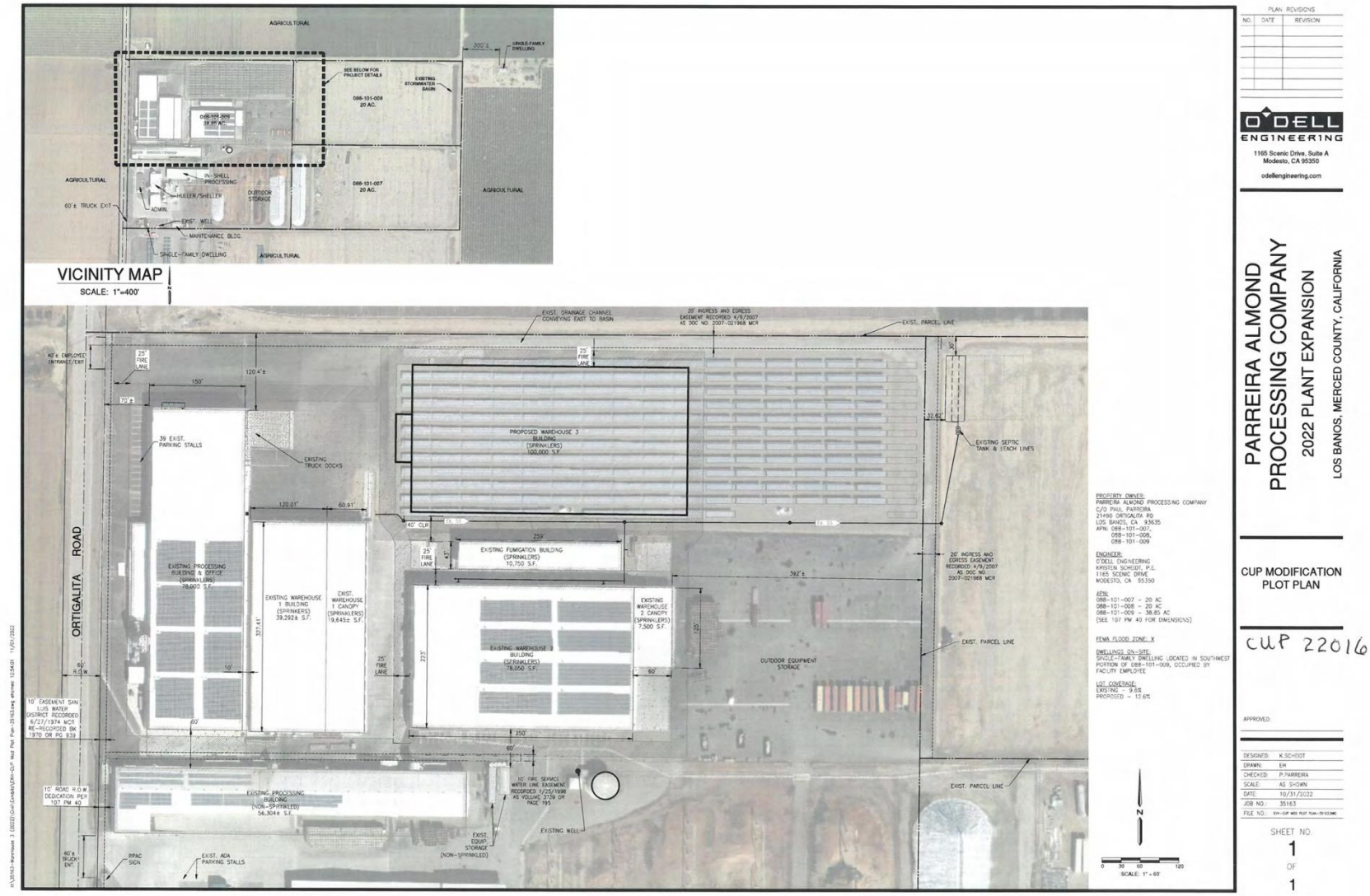
Required Discretionary Actions: Based on past permit history, Staff has determined that a new Conditional Use Permit to replace the historical permit is required for the proposed development to properly analyze potential impacts to the site and surrounding area..

***Figure 1: Vicinity Map***

## *Figure 2: Aerial*

**Aerial Photo: Conditional Use Permit No. CUP22-016**

## *Figure 3.1: Site Plan*



## 1.5 - General Plan Designation

The project site is designated Agricultural land use in the 2030 Merced County General Plan. This land use designation is described in the General Plan as relatively flat, with elevations less than 150 feet above sea level, very slow to moderate water runoff potential, very limited to moderate erosion potential, moderate to excellent water availability, and deeper and more fertile topsoil.

## 1.6 - Zoning

The project site is zoned A-1 (General Agricultural) (see *Figure 5*). Pursuant to Merced County Zoning Code Section 18.10.010, 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 an almond processing facility. The proposed additional facility is a conversion of the existing use to a similar and allowed use. The proposed use of the project site would be an agricultural product storage facility, a use allowed with an Administrative Permit or Conditional Use Permit pursuant to Merced County Zoning Code Section 18.20.020. Because this existing is facility is permitted under an existing Conditional Use Permit, the proposed expansion is being processed as a Major Modification.

*Figure 5: Zoning*

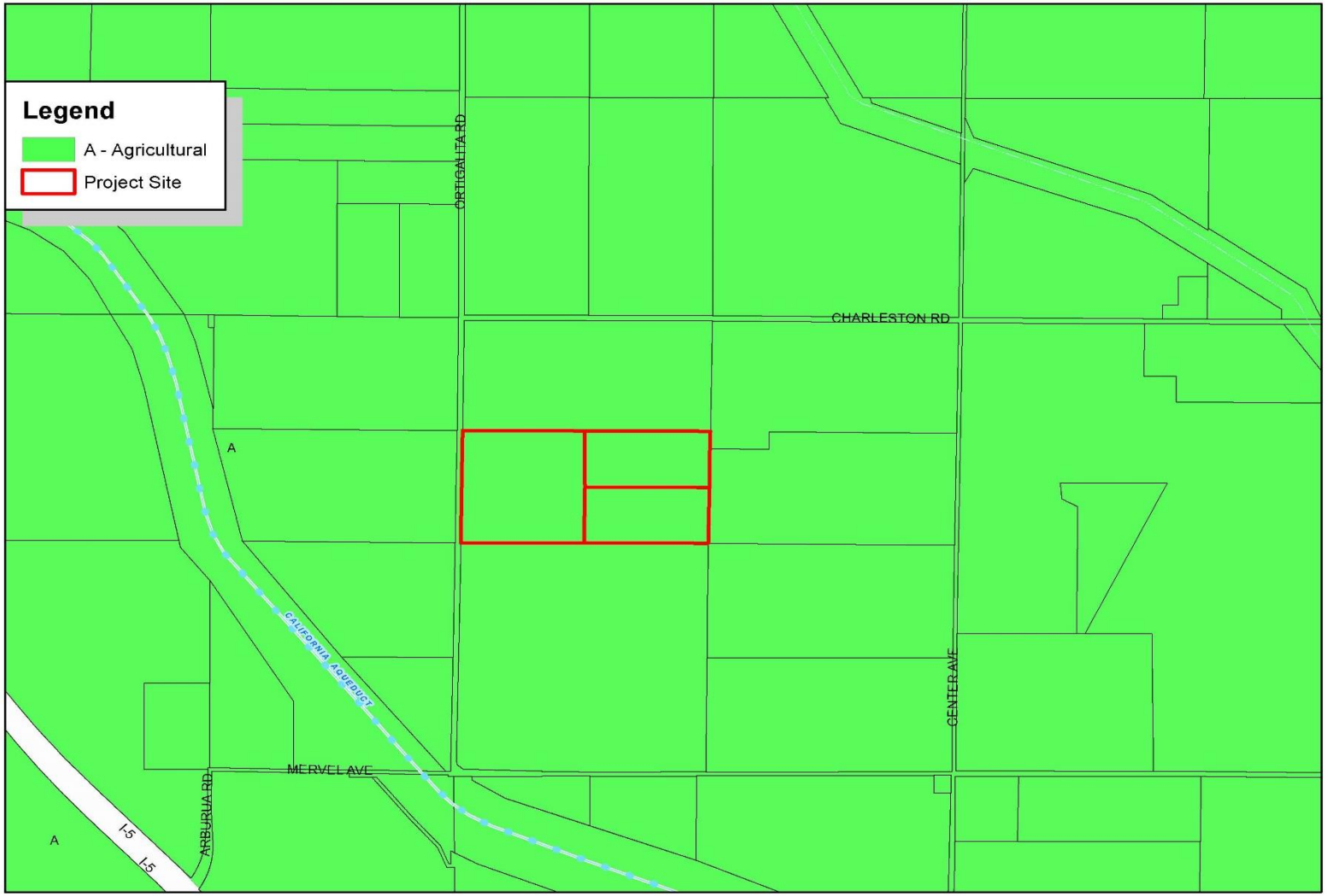


***Figure 6: Williamson Act Contracted Land***

## 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 Conditional Use Permit.

**Merced County** – Approval of Building Permit(s)

**San Joaquin Valley Air Pollution Control District** – Approval of the Authority to Construct Permit (NATC)

# 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 to be potentially significant that would not be significant; and,
    c. 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 previous EIR could be used with the project.

This IS evaluates the potential for the proposed project to result in environmental impacts, evaluates the significance of those impacts, and defines mitigation measures to avoid or reduce impacts to less than significant levels. The information in this IS will be used by the County to determine if a Negative Declaration or an EIR is the appropriate level of CEQA documentation. The 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.

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

# 1. AESTHETICS

| Except as provided in Public Resources Code Section 21099, would the project: | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact | Reference(s) |
|---|---|---|---|---|---|
| a) Have a substantial adverse effect on a scenic vista? | ☐ | ☐ | ☐ | ☒ | 1, 2 |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | ☐ | ☐ | ☐ | ☒ | 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? | ☐ | ☐ | ☒ | ☐ | 1, 2 |
| d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area? | ☐ | ☐ | ☒ | ☐ | 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 General Plan, scenic vistas include the Coastal and Sierra Nevada mountain ranges, the Los Banos, Merced, San Joaquin, and Bear Creek river. Portions of State Route 152 (SR-152) and Interstate 5 (I-5) are designated as scenic highways. The almond processing facility is located approximately 0.9 miles north of Interstate 5 and 5.5 miles south of SR-152. SR-165 is located approximately 2 miles east of the project site. The proposed buildings will not be visible from either highway.

The existing almond processing facility is located in an agricultural setting. Areas directly adjacent to the developed site include orchards and cultivated land. The surrounding areas are also primarily orchards and farmland with scattered rural residences. Views of the mountain ranges can be seen but do not dominate the visual landscape.

***a.*** **No Impact.** As discussed above, lands surrounding the project site have been highly 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. The project site is developed with existing buildings of a similar size and scale to buildings associated with the proposed project. Therefore, no impacts in this regard would occur.

***b.*** **No Impact.** As mentioned above, there are no officially designated State Scenic Highways or Routes in the project vicinity. Therefore, the project would have no impact on scenic resources such as rock outcroppings, trees, or historic buildings within view from a scenic highway.

***c.*** **Less Than Significant Impact.** The existing facility, has been in operation since 1973, with roots of the farming operation being established since 1921. The facility is visible from Ortigalita Road. Views of the project area are of other agricultural operations, which include almond orchards and other regional crops. Nearby agricultural and industrial land uses contain visual elements such as overhead transmission lines, agricultural outbuildings, and traffic signs. Expansion of the existing operation would include three buildings, which would be similar in visual appearance to those that are currently present on the project site; therefore, the expansion would not substantially degrade the existing visual character or quality of the site or its surroundings and this impact is considered less than significant.

***d.*** **Less Than Significant Impact.** New sources of nighttime lighting would be created in the form of additional exterior lights surrounding the building. However, exterior lighting is already in place on the existing buildings. Additional lighting would be required to meet Merced County's lighting code 18.41.060, which requires the use of directional lighting and minimization of glare and reflections. Since similar lighting already exists at the project site the project's contribution to existing sources would be minimal and impacts to existing nighttime views would be less than significant.

# 2. AGRICULTURE AND FORESTRY RESOURCES

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact | Reference(s) |
|---|---|---|---|---|---|
| Would the project: | | | | | |
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | ☐ | ☐ | ☐ | ☒ | 2, 3, 4 |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | ☐ | ☐ | ☐ | ☒ | 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))? | ☐ | ☐ | ☐ | ☒ | 2, 3 |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? | ☐ | ☐ | ☐ | ☒ | 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? | ☐ | ☐ | ☐ | ☒ | 2, 4 |

***a.*** **No Impact.** Farming operations in the project area generally consist of small to medium scale inter row cropping systems, grazing land, orchards and fallow or bare parcels formerly under agricultural use. Based on a review of maps prepared pursuant to the Farmland Mapping and Monitoring Program (FMMP) of the California Resources Agency, the project site is mapped as containing approximately 9.5 acres of "Urban and Built-up Land", and the balance of the project site as "Semi-agricultural and Rural Commercial Land". Soils classified as "Urban and Built-up Land" is defined as land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. This land is used for residential, industrial, commercial, construction, institutional, public administration, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes. Soils classified as "Semi-agricultural and Rural Commercial Land" is defined to consist of farmsteads, agricultural storage and packing sheds, unpaved parking areas, composting facilities, equine facilities, firewood lots, and campgrounds.

The proposed project involves expansion of an existing almond processing and facility within the footprint of the existing facility where soils are designated "Urban and Built-up Land." Furthermore, the proposed operation would lend further support to the agricultural industry in not only Merced County, but also the Central Valley region and is specifically identified by the Merced

County General Plan as being consistent with the surrounding rural agricultural uses. Because the expansion will not convert significant soil types to un-farmable land, no impacts will occur through implementation of the proposal.

***b.*** **No Impact.** No Williamson Act contract exists for the site. As shown in Figure 6, the closest parcel under Williamson Act contract is located immediately adjacent to the east, and across Ortigalita Road to the west. Since the proposed project is consistent with existing land use and zoning designations and supports agricultural operations, the project is not expected to encourage the non-renewal or cancellation of other contracted lands. Therefore, no impacts are expected to occur.

***c.*** **No Impact.** The facility and proposed expansion are considered agricultural support and processing uses which is consistent with the current land use designation and zoning classification under the Merced County General Plan and Zoning Code. It would not result in the development of non-agricultural uses that could result in the conversion of adjacent producing agricultural lands.

***d-e.*** **No Impact.** The project site is not considered forest land, timberland, and is not zoned Timberland Production. There are no forest lands adjacent to the project site. The proposed project would not result in the off-site development or conversion of existing agricultural or forest lands. The offsite 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 result in no impact to the existing environment that could result in loss of farmland to non-agricultural uses or conversion of forest land to non-forest uses.

This project involves the addition of an agricultural building to an existing almond processing facility which supports agricultural production and commerce, and does not include residential development. The proposed land use is consistent with both the General Plan land use and zoning designations. The Merced County General Plan indicates that agricultural packing and processing operations that take place at the facility 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 uses or create conflict between nearby land uses. Impacts in this regard would be no impact or less than significant.

# 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? | ☐ | ☒ | ☐ | ☐ | 5 |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | ☐ | ☐ | ☒ | ☐ | 2, 5 |
| c) 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? | ☐ | ☐ | ☒ | ☐ | 5, 6, 7 |
| d) Expose sensitive receptors to substantial pollutant concentrations? | ☐ | ☐ | ☒ | ☐ | 5, 7 |
| e) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? | ☐ | ☐ | ☒ | ☐ | 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.

The SJVAB is currently in "severe" nonattainment for the state 1-hour ozone standard; "extreme" nonattainment for the federal 8-hour ozone standard; nonattainment for the state 8-hour ozone standard; and nonattainment for federal and state PM2.5 standards. The SJVAB is in nonattainment for the state PM10 standards but is in attainment with the federal standard. Concentrations of all other pollutants meet state and federal standards.

**ENVIRONMENTAL SETTING**

***Air Quality Assessment***

The SJVAPCD's Guide for Assessing and Mitigating Air Quality Impacts (GAMAQI), 2002 Revision indicates that an impact resulting from construction activities would be considered significant if feasible construction control mitigation measures identified in the SJVAPCD's CEQA Guidelines and applicable Rules and Regulations were not implemented. Further, 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. GAMAQI has established thresholds for certain criteria pollutants for determining whether a project would have a significant air quality impact. SJVAPCD significance thresholds include 10 tons/year of NOx, 10 tons/year ROG, and 15 tons/year of PM10 (SJVAPCD 2012).

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 construction of one agricultural processing building, approximately 100,000 square feet, for processing almonds. The proposed project does not fit into any of the land use categories identified in the SPAL, but is similar to the industrial land use category for manufacturing. This land use category has a 400,000 square feet project size threshold, and the proposed project would not exceed the SPAL threshold for this project type (SJVAPCD 2012). Also, the estimated project Average Daily Trips (approximately 55 truck trips per day loading or unloading during the peak time of the year, in addition to forklift use to move boxes) would not exceed the SPAL threshold for vehicle trips for an industrial project, which is established at1,506 ADT. Therefore, 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).

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.*** **Potentially Significant Unless Mitigation Incorporated**. The proposed project would be consistent with the Agricultural General Plan land use designation of the site set forth by the 2030 Merced County General Plan. Thus, the proposed project would be consistent

with the land use assumptions used by the SJVAPCD in drafting the air quality attainment plans described above.

The proposed processing facility project criteria air emissions would not be expected to exceed thresholds set by SJVAPCD based on project size and proposed operations. The proposed project would be subject to SJVAPCD Rules and Regulations, which may include: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations) (SJVAPCD 2014).

***b, c.*** **Less Than Significant Impact.** Implementation of the proposed project would result in construction and operational emissions, including ROG, CO, SO2, NOx, 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 the almond harvest, in the months of September through December. 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 Small Project Analysis Level (SPAL) project, and would not exceed the SJVAPCD's emission thresholds for criteria pollutants during construction or operation. The proposed use would be considered "Unrefrigerated Warehouse – No Rail" using these guidelines. SPAL states that projects of this use that involve the construction of less than 190,000 square feet of structures do not exceed the minimum threshold for criteria pollutants.

Although the proposed project would not exceed SJVAPCD significance thresholds, the applicant would still be required to comply with Regulation VIII- Fugitive Dust PM10 Prohibitions, 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.

***d.*** **Less Than Significant Impact.** There is one single family residence located on the southwest corner of the existing facility and a single family residence 1,100 feet to the north that would be considered sensitive receptors.

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. The California Office of Environmental Health Hazard Assessment (OEHHA) recommends using a 70-year exposure duration for determining residential cancer risks. Because of the project size and short duration of construction activities with potential to generate toxic air emissions, it is highly unlikely that the construction would pose a toxic risk to nearby residents. In addition, the proposed facilities would use fumigation within a new efficient enclosed

fumigation building that would be built to current standards to avoid releasing potential fumigants into the air. The project would not significantly expose sensitive receptors to substantial pollutant concentrations.

***e.*** **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? | ☐ | ☐ | ☒ | ☐ | 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? | ☐ | ☐ | ☒ | ☐ | 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? | ☐ | ☐ | ☒ | ☐ | 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? | ☐ | ☐ | ☒ | ☐ | 2, 8, 9 |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | ☐ | ☐ | ☒ | ☐ | 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? | ☐ | ☐ | ☒ | ☐ | 2 |

***a-f.*** **Less Than Significant Impact.** The project site is highly disturbed from current agricultural activities and development of the existing agricultural processing and storage facility. The geographic location of the site consists of Stanislaus and Woo clay loam may be appropriate for habitat, however, no special or sensitive species have been identified on-site and the project site is not located near federally protected wetlands according to data provided in National Wetlands Inventory. Additionally, the proposed project would occur within the footprint of the disturbed and built area of existing facility. Therefore, the expansion would not have a substantial adverse effect on special status species, riparian habitat or other sensitive natural community, or protected wetlands. The expansion will not interfere substantially with the movement of any native resident or migratory fish, wildlife species, or established native resident or migratory wildlife corridors.

The modification will not conflict with any local policies or ordinances protecting biological resources; or provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan; or, other approved local, regional, or state habitat conservation plan.

# 5. CULTURAL RESOURCES

| | | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact | Reference(s) |
|---|---|---|---|---|---|---|
| Would the project: | | | | | | |
| a) | Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5? | ☐ | ☐ | ☒ | ☐ | 1, 2, 11 |
| b) | Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5? | ☐ | ☐ | ☒ | ☐ | 1, 2, 11 |
| c) | Directly or indirectly destroy a unique paleontological resource or site or unique geological feature? | ☐ | ☐ | ☒ | ☐ | 1 |
| d) | Disturb any human remains, including those interred outsides of formal cemeteries? | ☐ | ☐ | ☒ | ☐ | 1 |

A cultural resources survey and assessment of Merced County was completed for the adopted 2030 Merced County General Plan that met 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**. The facility is an existing permitted almond processing facility consisting of ten buildings, used for storage, packing, shipping, almond storage and administration. No recorded significant historical resources or archaeological sites are located on the property, and given the previously disturbed nature of the site from prior construction and agricultural use, a less than significant impact is expected. However, should historical or archaeological 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.

***c.*** **Less Than Significant Impact**. The proposed project would be built on a site that is already disturbed, with no known cultural resources located on-site.

***d.*** **Less Than Significant Impact**. No known human remains are present on-site or have been discovered from prior constriction. Therefore, no impact is expected. However, in the likelihood 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**

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact | Reference(s) |
|---|---|---|---|---|---|
| Would the project: | | | | | |
| a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? | ☐ | ☐ | ☐ | ☒ | 12 |
| b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? | ☐ | ☐ | ☐ | ☒ | 2 |

***a, b*** **No Impact** The main forms of available energy supply are electricity, provided by an on-site photovoltaic system which compliments electricity obtained through the Pacific Gas & Electric Company. Energy during construction and post project implementation would continue to be provided via the above listed resources. Because the facility already uses a renewable source for energy, the project would not conflict with any state or local plans for renewable energy or energy efficiency. Thus, a less-than significant impact would occur.

# 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? | ☐ | ☐ | ☐ | ☒ | 2 |
| ii) Strong seismic ground shaking? | ☐ | ☐ | ☒ | ☐ | 2 |
| iii) Seismic-related ground failure, including liquefaction? | ☐ | ☐ | ☒ | ☐ | 2, 12 |
| iv) Landslides? | ☐ | ☐ | ☐ | ☒ | 2 |
| b) Result in substantial soil erosion or the loss of topsoil? | ☐ | ☐ | ☒ | ☐ | 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? | ☐ | ☐ | ☒ | ☐ | 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? | ☐ | ☐ | ☒ | ☐ | 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? | ☐ | ☐ | ☒ | ☐ | 3, 13 |
| f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | ☐ | ☐ | ☐ | ☒ | 2 |

The project site is located in the San Joaquin Valley, which is a broad alluvial plain between the Sierra Nevada foothills and Coastal Range. Alluvial fan and floodplains make up the majority of soils in northern Merced County and are typically sandy. These soils are used primarily for alfalfa and specialized crops.

Geologic formations found within Merced County are composed of the Basement Complex, Ione Formation, Valley Springs Formation, Mehrten Formation, Tulare Formation, and recent alluvium. The basement complex is composed of crystalline igneous and metamorphic rocks and lie beneath the

sedimentary units. The formation can be composed of claystone, sandstones, conglomerates, and siltstones. Quaternary river and flood plain deposits, consisting of clays, silt, sands, and gravel overly the formations as soil deposits dominate the geology.

The nearest known faults to Merced County are: The San Andreas Fault approximately 17 miles to the west, 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.

***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, and portions have been paved. 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 almond processing 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 Section 1803 – Geotechnical Investigations 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 Community and Economic Development, 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? | ☐ | ☐ | ☒ | ☐ | 5, 14, 22 |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | ☐ | ☐ | ☒ | ☐ | 1, 5, 22 |

***a.*** **Less Than Significant Impact.** Greenhouse gas emissions would be generated from the proposed food processing facility project during construction and operation. GHGs directly associated with the proposed project would likely include nitrous oxide (N2O), ozone (O3), and carbon dioxide (CO2). Construction activities associated with the project would result in short-term and temporary CO2 emissions. Other GHG emissions may result depending on the type of construction equipment used. Existing operational emissions currently result in CO2 emissions, which occur from transportation sources (primarily heavy truck trips) and from building electricity.

According to the GAMAQI, the project size (100,000 square feet) is substantially below the SJVAPCD's screening level (400,000 square feet of industrial/manufacturing 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 2012). 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 focus on reducing travel and making transportation more efficient. Therefore, many of the transportation and land use strategies contained in regional air quality and transportation plans act to reduce GHG emissions as well. The proposed project would be consistent with all applicable provisions of the PM10 and Ozone Attainment Plans, the Regional Transportation Plan, and the San Joaquin Valley Preferred Blueprint Growth Scenario adopted in April 2009 by the San Joaquin Valley Regional Policy Council. Additionally, because the proposed agricultural processing use would be located near the crops it serves and other coordinated processing facilities, crop transportation efficiency would be maximized, thereby reducing truck travel. The proposed project would generate a less than significant level of GHG emissions, and would not conflict with the statewide and regional GHG reduction plans and policies adopted by the CARB and SJVAPCD.

# 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? | ☐ | ☐ | ☒ | ☐ | 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? | ☐ | ☐ | ☒ | ☐ | 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? | ☐ | ☐ | ☐ | ☒ | 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? | ☐ | ☐ | ☐ | ☒ | 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? | ☐ | ☐ | ☒ | ☐ | 2 |
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | ☐ | ☐ | ☒ | ☐ | 2 |
| f) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan? | ☐ | ☐ | ☒ | ☐ | 2 |
| g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? | ☐ | ☐ | ☒ | ☐ | 1 |

***a-b.*** **Less Than Significant Impact**. During routine operations, hazardous materials stored or handled on-site will consist of propane or diesel fuel sufficient to power forklifts. 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 activity must be in compliance with the California Occupational Safety and Health Administration (OSHA) regulations. Compliance with these requirements would reduce the risk of

hazards related to the routine transport, use, or disposal of hazardous materials to a less than significant level. 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 Environmental Health. The risk of hazards to the public or to environmental conditions related to accident conditions would also be reduced to a less than significant level.

***c***. **No Impact**. No schools are located within 0.25 miles of the project site. The closest schools are Creekside Junior High School, located approximately 4.9 miles north of the project site, and Los Banos High School located approximately 5.1 miles northeast of the project site. Based on the agricultural nature of the project, it is reasonable to conclude that the project would not emit hazardous emissions or handle hazardous or acutely hazardous materials or substances that would have the potential to affect the nearby schools. No impacts are anticipated.

***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. Backlog or confirmed release sites that are not currently being worked on by DTSC; or both. Before placing a site in the backlog, DTSC ensures that all necessary actions have been taken to protect the public and environment from any immediate hazard posed by the site. The project site is not included in the DTSC Cortese List, and the closest listed site is the Castle Air Force Base, which is located approximately 30.5 miles to the northeast. 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. No impacts would therefore occur.

***e-f.*** **No Impact.** The project site is located approximately five miles south of the Los Banos Municipal Airport, and approximately 30 miles southeast of the Gustine Airport, and is not within any adopted airport land use plan or within an airport compatibility zone. The proposed project would result in the development of agricultural storage and processing buildings approximately 35 feet in height, and the buildings would not be used for habitation. Therefore, the potential for aircraft-related accidents affecting this site or being affected by site development is very low, and the project will have a less than significant impact.

***g.*** **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.

***h.*** **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. 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? | ☐ | ☒ | ☐ | ☐ | 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? | ☐ | ☐ | ☒ | ☐ | 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 | ☐ | ☐ | ☒ | ☐ | 2, 3 |
| ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; | ☐ | ☐ | ☒ | ☐ | 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 | ☐ | ☐ | ☒ | ☐ | 2, 3 |
| iv) impede or redirect flood flows? | ☐ | ☐ | ☒ | ☐ | 2 |
| d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? | ☐ | ☐ | ☐ | ☒ | 2 |
| e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? | ☐ | ☐ | ☒ | ☐ | 2 |

***a.*** **Potentially Significant Unless Mitigation Incorporated.** 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 are expected to 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 California State Water Resources Control Board (SWRCB) for storm water discharges associated with construction activities, which would require the implementation of a Storm Water Pollution Prevention Plan (SWPPP).

The SWPPP must contain Best Management Practices (BMPs) to reduce soil erosion and protect storm water runoff. The applicant shall be required to submit permit registration documents for the Construction General Permit Order 2009-0009-DWQ to the SWRCB, and comply with all requirements of the permit. As such, the proposed project is not expected to violate any water quality standards or waste discharge requirements. Compliance with applicable requirements would minimize project impacts to water quality. A less than significant impact would result, and no additional mitigation would be necessary.

***b.*** **Less Than Significant Impact.** Based on water usage of similar facilities in the area, approximately 1,200 gallons of groundwater is used daily for operations at the RPAC facility. While the proposed project would create 100,000 additional square feet of storage and processing space, the amount of almond processing by the facility would not increase. Processing almonds does not require water.

The project is required to obtain the necessary public water system permit(s) from SWRCB for use of domestic water supplied to the agricultural facility from the existing on-site well. The facility is required to maintain compliance with a public water system permit as long as 25 or more persons work at the facility during 60 or more days of a calendar year.

Additional agricultural processing buildings and associated paved areas would increase impermeable surface area by approximately two acres. This amount of impermeable surface area would not cause a significant depletion in groundwater recharge. Furthermore, storm water collected from the impermeable surfaces would be directed to an existing storm water basin on the east side of the project site where water can percolate into the ground. Because the project would not substantially deplete groundwater supplies and storm water would still be allowed to reenter the groundwater system, impact would be less than significant and no mitigation would be required.

***c.i.-iv*** **Less Than Significant Impact**. Development of the proposed project would result in an increase in impervious surfaces on the project site, which would alter the existing drainage pattern of the site. However, as discussed above, the project is required to comply with SWRCB and RWQCB Standards and is proposed to include appropriate site design measures, source controls, and hydraulically-sized stormwater retention measures to limit the rate and amount of stormwater runoff leaving the site.

As discussed above, runoff from the impervious areas of the site would be collected and conveyed to the existing basin. A SWMP will need to be prepared for the project, and any retention facilities would be designed to exceed the minimum volume needed to treat and control runoff from all proposed impervious surfaces. It should be noted that typically, projects creating or replacing an acre or more of impervious area must provide flow control such that post-project runoff does not exceed estimated pre-project rates and durations. Nonetheless, the capacity of the site's existing stormwater drainage infrastructure would not be exceeded, and alterations to such infrastructure would not be needed.

In order to ensure that the proposed project's stormwater treatment facilities remain adequate, long-term maintenance would be required. Routine maintenance of the facilities is necessary to ensure that infiltration of water is unobstructed, erosion is prevented, and soils are held together. Proper operation and maintenance of the stormwater management facilities would be the sole responsibility of the property owner. The project applicant would need to provide information on how the stormwater will be contained on-site through an SWMP. With implementation of such a

plan, the existing retention facilities would continue to properly manage runoff long after completion of construction activities.

In conclusion, the proposed project would not 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 result in erosion, siltation, or flooding on- or off-site, create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems, or provide substantial additional sources of polluted runoff. Consequently, the proposed project would result in a less-than-significant impact.

***d.*** **No Impact.** Tsunamis are defined as sea waves created by undersea fault movement, whereas a seiche is a long-wavelength, large-scale wave action set up in a closed body of water such as a lake or reservoir. The project area is located over 50 miles from the Pacific Ocean and tsunamis typically affect coastlines and areas up to one-quarter mile inland. Due to the project's distance from the coast, the project site would not be exposed to flooding risks associated with tsunamis. Seiches do not pose a risk to the proposed project, as the project site is not located adjacent to a large closed body of water. Furthermore, the project site is located within flood zone "X" hazard zone. Based on the above, the proposed project would not pose a risk related to the release of pollutants due to project inundation due to flooding, tsunami, or seiche, and no impact would occur.

***e.*** **Less Than Significant Impact**. Implementation of the project would not conflict or obstruct implementation of a water quality control plan or sustainable groundwater management plan as the project does not consist of significant groundwater usage. Processing almonds does not require water, as product is primarily stored and packaged dried. Additionally, the facility, including the proposed expansion will rely on an existing well for domestic purposes. A new well may be drilled as part of the project, but the existing well will only be used as back-up should the new well go offline. Therefore, the project will have a less than significant impact.

## 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? | ☐ | ☐ | ☐ | ☒ | 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? | ☐ | ☐ | ☐ | ☒ | 1, 3 |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? | ☐ | ☐ | ☐ | ☒ | 1,3 |

***a.*** **No Impact**. The proposed project would involve the construction of one new agricultural building. The project vicinity consists of agricultural uses. Scattered rural residences associated with agricultural operations are located in the general area; there is no established community in the project area. Because there is no established community in the project area, the proposed project would not divide an established community. No adverse effects would result, and no mitigation would be required.

***b.*** **No Impact.** The proposed project involves a site that is designated Agricultural in the General Plan and zoned A-1 (General Agricultural) in the zoning code. While the proposed project requires a land use permit, the construction and operation of the new agricultural buildings would be a continuation of the existing agricultural support use, and would be consistent with the existing Zoning Code and the 2030 Merced County General Plan. Therefore, the proposed project would not conflict with any applicable land use plan, policy, or regulation. Impacts would be less than significant, and no mitigation would be required.

***c.*** **No Impact.** The project site is not located in an area covered by an adopted Habitat Conservation Plan or Natural Community Conservation Plan; therefore, no conflict with any local conservation program would occur. No significant impact would result, and no mitigation would be required.

# 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? | ☐ | ☐ | ☐ | ☒ | 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? | ☐ | ☐ | ☐ | ☒ | 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**

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact | Reference(s) |
|---|---|---|---|---|---|
| Would the project result in: | | | | | |
| a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | ☐ | ☐ | ☒ | ☐ | 3 |
| b) Generation of excessive groundborne vibration or groundborne noise levels? | ☐ | ☐ | ☒ | ☐ | 3 |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | ☐ | ☐ | ☒ | ☐ | 7 |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | ☐ | ☐ | ☒ | ☐ | 7 |
| e) For a project located within an airport land use plan area, would the project expose people residing or working in the project area to excessive noise levels? | ☐ | ☐ | ☐ | ☒ | 3 |
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area excessive noise levels. | ☐ | ☐ | ☐ | ☒ | 3 |

Potential noise impacts of the project can be categorized as those resulting from construction and those from operational activities. Construction noise would have a short-term effect; operational noise would continue throughout the lifetime of the project. Development of the proposed project would increase noise levels temporarily during construction. Operational noise associated with the development of the storage facilities would occur when the facility is operating, which would occur during the almond harvest and processing seasons.

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-d.*** **Less Than Significant Impact.**

*Construction Noise*

Construction of the proposed agricultural storage and processing facilities would temporarily increase noise levels in the project vicinity during the construction period. Construction is expected to begin immediately upon project approval, and would last intermittently for approximately four months. 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 ground-borne vibration, and activities such as site clearing, grading, and earth-moving activities would be minimal because the majority of the existing site has been previously graded and developed.

Still, the construction activities could result in various effects on sensitive receptors, depending on the presence of intervening barriers or other insulating materials. Merced County Zoning Code Chapter 10.60 only allows construction activities to occur during weekdays between 7:00 a.m. and 6:00 p.m. Construction activity outside this time period is prohibited. These hours are so defined because they include a period of time where noise sensitivity is at its lowest. Therefore, because the construction activity associated with the proposed project would occur during the day and would be consistent with the County's noise ordinance, impacts from construction noise would be less than significant, and no mitigation would be necessary.

***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 (Los Banos Municipal Airport) is located approximately five miles north of the project site. The project site is beyond the boundary of the Airport Plan and therefore implementation of the project would neither impact nor be affected by an airstrip. No further evaluation is required.

# 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)? | ☐ | ☐ | ☐ | ☒ | 2 |
| b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? | ☐ | ☐ | ☒ | ☐ | 1 |

***a.*** **No Impact**. Construction of the proposed agricultural storage and processing facility would not result in population growth. The additional buildings would allow the existing facility to increase its storage capacity and better its capabilities to serve as an almond processing facility to the existing agricultural market. In addition, there are no off-site improvements associated with the project that would result in population growth. Therefore, implementation of the project would not result in any project-level impacts related to substantial population growth during the short-term construction phase or long-term project operation.

***b.*** **Less Than Significant Impact.** One dwelling unit is located on the project site. There is one residence located on adjacent parcels. None of these will be altered as a result of project implementation. Residences in the vicinity are characterized by single family residences on properties in active agricultural use. Therefore, project-level impacts to existing housing would be less than significant and no mitigation would be required.

# 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? | ☐ | ☐ | ☒ | ☐ | 2 |
| b) Police protection? | ☐ | ☐ | ☒ | ☐ | 2 |
| c) Schools? | ☐ | ☐ | ☐ | ☒ | 2 |
| d) Parks? | ☐ | ☐ | ☒ | ☐ | 2 |
| e) Other public facilities? | ☐ | ☐ | ☒ | ☐ | 2 |

***a.*** **Less Than Significant Impact**. The Merced County Fire Department provides fire suppression and recovery and fire law and code enforcement services for the project area. Station 71, located at 525 H St. in Los Banos, (approximately six miles to the northeast), serves the project area. Response times to the project are range from eight to ten minutes. The proposed project would convert approximately four acres of agricultural land to light-industrial use. The metal agricultural buildings would be constructed in compliance with local and state fire codes and be used to store almond product. On-site fire protection infrastructure includes a water storage tank and associated diesel pump, as well as an on-site fire hydrant system. As such, an increase in demand for fire services is not expected to result, calls for service would cause only temporary effects, and impact would not result in a notable increase in fire risk and service demand for the area.

***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 located at 445 I St., Los Banos, California, approximately six miles northeast 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 upon local sheriff protection services in the event that such services would be required. This effect would be minor and temporary in nature due to on-site security and surveillance, therefore impacts concerning law enforcement are considered less than significant.

***c.*** **No Impact.** The proposed project is located within the boundaries of the Merced Unified School District; however, no housing units that have the potential to generate school-age children are proposed. Therefore, the project would not directly create an increased number of school age children for Merced Unified School District. Agricultural support service projects that do include the development of residential units are not required to provide education development fees to the

County. Likewise, the jobs that will be provided as a result of the project will be filled with local residents. Impacts in this regard would be less than significant.

***d.*** **Less Than Significant Impact.** The nearest branch of the Merced County Library System is located in Los Banos, approximately six miles northeast of the proposed project. No dwelling units are included in the proposed project; as a result, no substantial physical impacts associated with the provision of new library services would result. Therefore, impacts in this regard would be less than significant.

***e.*** **Less Than Significant Impact.** The Merced County Fire Department provides first responder level Emergency Medical Services, including rescue and extrication, as well as control and mitigation of hazardous materials emergency incidents for the project area. The fire stations are staffed 24 hours a day by a full-time Fire Captain or Fire Apparatus Engineer, and emergency response is augmented with over 189 Paid Call Firefighters (PCFs) volunteers. These PCFs are organized into engine companies by the station's response area with which they reside. The proposed project is located approximately six miles from the nearest Fire Station (Station 71), located at 525 H St. in Los Banos. Memorial Hospital Los Banos, located at 520 I St., Los Banos, California is the closest medical facility, at approximately 5.5 miles northeast from the project site. Likewise, the jobs that will be provided as a result of the project will be filled by local residents. The addition of 30 seasonal employees to the RPAC existing work force does not represent a substantial increase in respect to the currently available health services and this impact is therefore less than significant.

# 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? | ☐ | ☐ | ☐ | ☒ | 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? | ☐ | ☐ | ☐ | ☒ | 1 |

***a.*** **No Impact**. The proposed project would an additional agricultural processing building to an existing facility and is not expected to generate a demand for parkland usage. The closest recreational facility is Oliveira Park, located in the City of Los Banos, approximately 4.75 miles north of the project site. This facility is available to serve any recreational needs of the employees. However, no change in the usage of recreational facilities is likely to result from project implementation. Therefore, no project-level impacts to neighborhood or regional parks would result from project implementation.

***b.*** **No Impact**. The 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 will not be required. Therefore, because the project does not propose recreational facilities or require construction or expansion of recreational facilities, no project-level recreational facility-related impacts would occur.

## 17. **TRANSPORATION/TRAFFIC**

| Would the project: | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact | Reference(s) |
|---|---|---|---|---|---|
| a) Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system? | ☐ | ☐ | ☒ | ☐ | 1, 18 |
| b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? | ☐ | ☐ | ☒ | ☐ | 2 |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks. | ☐ | ☐ | ☐ | ☒ | 3 |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | ☐ | ☐ | ☒ | ☐ | 1 |
| e) Result in inadequate emergency access? | ☐ | ☐ | ☒ | ☐ | 1 |
| f) Conflict with adopted policies, plans or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? | ☐ | ☐ | ☐ | ☒ | 1 |

There are two paved driveway aprons along Ortigalita Road that provide access to the project site. Access to the existing storage buildings is provided via paved drive aisles internal to the project site. During the harvest season, truck trips will be made to and from the facility for loading or unloading, and forklifts will be used on-site to move storage bins.

***a, b.*** **Less Than Significant Impact**. At full buildout, trips would remain at an average of approximately 55 truck trips per day for loading or unloading during harvest. After preliminary review from the County Roads Division, it was determined that due to the existing low levels of traffic in the vicinity, and the limited seasonal nature of new trips, the impact to existing levels of service on Ortigalita Road would result in less than significant impacts and no additional mitigation would be necessary.

***c.*** **No Impact**. The proposed project consists of additional structure with a bulk and height consistent with other structures within the facility. The proposed project would not affect the air traffic patterns at any of the regional airports. The nearest airport (Los Banos Airport) is located approximately five miles north of the project site.

***d, e.*** **Less Than Significant Impact**. According to the Merced County General Plan, freeways and major county roads would be used as primary evacuation routes. No modifications to any existing roadway would be proposed either during project construction or operation. Construction of the

proposed agricultural building would allow for the access of emergency vehicles and would not increase roadway hazards. In addition, the Merced County Fire Department maintains standards for access roadways to provide for adequate emergency access. Project approval would be subject to site plan review by the Merced County Fire Department.

Vehicular access is provided by three driveways: one ingress and egress 40-foot driveway and two 60-foot driveways (one for ingress, the other for egress), all fronting Ortigalita Road. All driveways are existing. Therefore, project implementation would not interrupt emergency access to the agricultural facility, and compliance with county roadway and emergency access standards would ensure safety impacts from hazards due to design features are less than significant. No mitigation would be necessary.

***f.*** **Less Than Significant Impact**. According to the Merced County General Plan Update Revised Background Report (Figure 6-1), Eucalyptus Avenue and Sultana Drive are unclassified roadways, and neither include infrastructure for bicycles or pedestrians. While "The Bus" provides commuter service to the project area, there are no policies with respect to alternative modes of transportation that have been adopted as part of the 2030 Merced County General Plan that apply to the proposed facility. Therefore, the project would have no effect on alternative modes of transportation, and it would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities. No impact would result, and no mitigation would be necessary.

# 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 | ☐ | ☐ | ☐ | ☒ | 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. | ☐ | ☐ | ☐ | ☒ | 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**

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact | Reference(s) |
|---|---|---|---|---|---|
| Would the project: | | | | | |
| a) Require or result in the construction of new water treatment facilities or expansion of existing facilities, the construction of which would cause significant environmental effects? | ☐ | ☐ | ☒ | ☐ | 2, 3 |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | ☐ | ☐ | ☒ | ☐ | 3 |
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | ☐ | ☐ | ☒ | ☐ | 2 |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | ☐ | ☐ | ☒ | ☐ | 2, 3 |
| e) 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? | ☐ | ☐ | ☒ | ☐ | 2 |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | ☐ | ☐ | ☐ | ☒ | 2 |
| g) Comply with federal, state and local statutes and regulations related to solid waste? | ☐ | ☐ | ☒ | ☐ | 2 |

***a, b, e.*** **Less Than Significant Impact.** No water is used to wash down agricultural product. On-site water usage is primarily for domestic purposes, aside from occasional dust-control measures. While the proposed project would create 100,000 square feet of almond storage and processing space, the amount of almonds processed by the facility would not increase as a direct result of project implementation. The proposed food processing building would provide more storage of raw almond product, and improve internal circulation and efficiencies on site. As such, the proposed project would not cause an increase in the amount of water used for processing and would not require or result in the construction of new water treatment facilities. Almond processing does not require water, and would not increase the amount of water used at the site.

Employees currently use bathroom facilities at the existing storage facility. Therefore, the proposed project would not exceed wastewater treatment requirements, nor would it result in the need to construct new wastewater treatment facilities or expand existing facilities, resulting in a less than significant impact, with no mitigation required.

***c.*** **Less Than Significant Impact**. Construction of the proposed project would convert exposed dirt surfaces to an agricultural building totaling approximately 100,000 square feet, along with associated concrete drive aisles and loading areas. Therefore, expansion of the existing facility would result in an increase in impervious areas, and a concurrent increase in storm water runoff. Storm water drainage from the project site is routed to a drainage basin located on an adjacent parcel, which would continue with implementation of the project. Compliance with Merced County requirements to manage storm water during project operations would result in the provision of adequate storm water management facilities to maintain runoff volume and water quality. A less than significant impact would occur, and no mitigation would be necessary.

***d.*** **Less Than Significant Impact.** Existing water supply is provided via three existing private water wells. No new entitlements would be required. Based on applicant information and water usage of similar facilities in the area, approximately 1,200 gallons of groundwater is used daily for facility operations at RPAC facility. While the proposed project would create 100,000 more square feet of storage space, the amount of almonds processed would not increase. For these reasons, the expanded -processing facility would not represent a substantial new demand, and it would not require a new source of water. Impacts would be considered less than significant, and no mitigation would be necessary.

***f.*** **No Impact.** To meet the requirements of the California Integrated Waste Management Act (AB939), the County has adopted a Source Reduction and Recycling programs and Household Hazardous Waste program. The project will generate minor quantities of solid waste. The County of Merced operates two active Class III landfills within the County. The Highway 59 Disposal Site located on Highway 59, north of Merced, would serve the solid waste disposal needs for the proposed project. Highway 59 disposal site is permitted to receive up to 1,500 tons of waste per day although the current average is 769 tons per day. The California Integrated Waste Management Board (CIWMB) has estimated the closure date of Highway 59 site of January 1, 2030. Highway 59 Disposal Site has sufficient landfill capacity to accommodate growth projected in the General Plan. No impact to solid waste disposal systems or to regulatory compliance is expected.

***g.*** **Less Than Significant Impact**. Solid waste disposal must follow the requirements of the contracted waste hauler, which follows federal, state, and local statues and regulations related to collection of solid waste. The proposed project would comply with all State and local waste diversion requirements including the Merced County Solid Waste Management Plan and Merced County Code 18.44 regarding trash and recycling areas. The project will generate minor quantities of solid waste. For this reason, the impact is considered less than significant.

## 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? | ☐ | ☐ | ☒ | ☐ | 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? | ☐ | ☐ | ☒ | ☐ | 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? | ☐ | ☐ | ☒ | ☐ | 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? | ☐ | ☐ | ☒ | ☐ | 19 |

***a-d.*** **Less than significant Impact.** According to the CAL FIRE Fire and Resource Assessment Program, the proposed project site is not located within a Very High Fire Hazard Severity Zone. In addition, the site is not located in or near a State Responsibility Area. Thus, the proposed project would not be expected to be subject to or result in substantial adverse effects related to wildfires, and a less-than-significant impact would occur.

# 21. **MANDATORY FINDINGS OF SIGNIFICANCE**

| | | Yes | No |
|---|---|---|---|
| a) | Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of rare or endangered plants or animals, or eliminate important examples of the major periods of California history or prehistory? | ☐ | ☒ |
| 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. | ☐ | ☒ |
| c) | Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly? | ☐ | ☒ |

***a.*** As discussed in Section 2.3.4 (Biological Resources) of this document, the proposed expansion would not have substantial impacts 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 communities. Similarly, as discussed in Section 2.3.5 of this document, the proposed project would not have substantial impacts 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 biological or cultural resources.

***b.*** The proposed expansion would not cause impacts that are cumulatively considerable. The project is of limited size and scale and does not have the potential to considerably contribute to any significant cumulative air quality, biological resource, hydrology, water quality, noise, public services, traffic, or utility impacts. Therefore, the proposed project would not result in a Mandatory Finding of Significance related to cumulative impacts.

***c.*** As discussed in Sections 2.3.3, 2.3.7, 2.3.8, and 2.3.15 of this document, the proposed expansion would not expose persons to the hazards of toxic air emissions, chemical or explosive materials, flooding, or transportation hazards. Section 2.3.6 of this document explains that although future development would be exposed to typical northern California earthquake hazards, modern engineering practices would ensure that geologic and seismic conditions would not directly cause substantial adverse effects on humans. In addition, as discussed in Sections 2.3.1 Aesthetics, 2.3.9 Land Use and Planning, 2.3.11 Noise, 2.3.12 Population and Housing, 2.3.13 Public Services, 2.3.14 Recreation, 2.3.15 Transportation/Traffic, and 2.3.16 Utilities and Service Systems, the project would not indirectly cause substantial 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: _____

Printed Name: Valeria Renteria
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 (CNDDB).
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