Public Review Draft Initial Study/Mitigated Negative Declaration

Vesting Tentative Subdivision Map No. 216-22: Silver Creek Crossings

Prepared by
City of Atwater
Planning Department
750 Bellevue Road
Atwater, California 95301

Prepared with the assistance of
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139 S. Stockton Avenue
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May, 2024

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NEGATIVE DECLARATION

Lead Agency:
City of Atwater
750 Bellevue Road
Atwater, California 95301

PROJECT NAME:

Vesting Tentative Subdivision Map No. 216-22 – Silver Creek Crossings Subdivision

PROJECT PROPONENT AND LEAD AGENCY:

Project Proponent: Silver Creek Crossing, LLC.
3811 Crowell Road
Turlock, CA 95382

Lead Agency: City of Atwater
750 Bellevue Road
Atwater, CA 95301

PROJECT LOCATION:

The Proposed Project is located on one (1) parcel equaling approximately 15.13 acres and is bounded by Purely Storage, a commercial self-storage facility to the north, the Meadow View Estates single-family residential subdivision to the south, Santa Fe Avenue to the east, and North Buhach Road to the west.

The Merced County Assessor's Office has assigned the Proposed Project parcel as APN No. 005-070-052.

PROJECT DESCRIPTION:

The Proposed Project consists of a Vesting Tentative Subdivision Map to allow for the subdivision of approximately 15.13 acres into seventy-three (73) single-family residential lots, and an existing storm water detention basin located within the Meadow View Estates Unit One, to be expanded for the Proposed Project. Expansion of the existing detention basin will also accommodate Purely Self-Storage via two (2) 24" stubs at project boundary at proposed Lots 25, 26, and 35.

Physical development of the individual lots is not proposed at this time, but it can be assumed that future development within the Project site will conform to the City's Zoning Ordinance, including Section 17.16 and Section 17.44. Ultimately, the Proposed Project will consist of uses consistent with the City's Zoning Ordinance, and specifically, permitted uses within the Planned Development (P-D 29) Zone.

Typical lot size of new parcels created as part of the Proposed Project are approximately 5,000 square feet in size. Primary access to the Project site will be provided via Nebela Drive, Rondel Road, and Nina

Drive. The Proposed Project will be served domestic utilities by the City of Atwater. Connections to existing water and sewer lines located on Nina Drive and Rondel Road will be installed. All storm drainage to be conveyed to an on-site retention basin and all storm drain to be detained on site by way of expansion of existing detention basin.

The proposed VTSM can be found in this Initial Study as Figure 4.

ENVIRONMENTAL DETERMINATION:

The Lead Agency has prepared an Initial Study, the following, which considers the potential environmental effects of the Proposed Project. The Initial Study shows that there is no substantial evidence, in light of the whole record before the Lead Agency, that the Proposed Project may have a potentially significant effect on the environment, provided that the following mitigation measures are included in the Proposed Project.

MITIGATION MEASURES:

Mitigation Measure Air-1: Prior to the commencement of construction activities for each phase of construction, the Project Proponent shall prepare and submit a Dust Control Plan that meets all of the applicable requirements of APCD Rule 8021, Section 6.3.

Mitigation Measure Air-2: During all construction activities, the project proponent shall implement the following dust control practices identified in Tables 6-2 and 6-3 of the GAMAQI (San Joaquin Valley APCD, 2002):

1. All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, or vegetative ground cover.
2. All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant.
3. All land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities shall control fugitive dust emissions by application of water or by presoaking.
4. When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, or at least six inches of freeboard space from the top of the container shall be maintained.
5. All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at least once every 24 hours when operations are occurring. The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions. Use of blower devices is expressly forbidden.
6. Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant.

7. Limit traffic speeds on unpaved roads to 5 mph; and Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent.

Mitigation Measure Bio-1: Within fourteen (14) days of the start of the Proposed Project activities a pre-activity survey shall be conducted by a qualified biologist knowledgeable in the identification of these species.

Mitigation Measure Noise-1: Construction of only single-story homes along the eastern portion of the Project site abutting the Burlington Northern Railroad.

Mitigation Measure Noise-2: Construction of a seven (7) foot tall wall along the eastern portion of the Project site abutting the Burlington Northern Railroad.

Interim City Manager

5/31/2024
Date

INITIAL STUDY

1. PROJECT TITLE

Vesting Tentative Subdivision Map No. 216-22 – Silver Creek Crossings Subdivision

2. LEAD AGENCY NAME AND ADDRESS

City of Atwater
750 Bellevue Road
Atwater, CA 95301

3. CONTACT PERSON AND PHONE NUMBER

Mr. Mark Niskanen, Contract Planner
(209) 599-8377

4. PROJECT LOCATION

The Project site is located east of Buhach road and immediately north of and adjacent to Meadow View Estates Unit one (1) and includes Assessor Parcel Number 005-070-023. Figure one (1) provides an illustration of the Project site's location.

5. PROJECT SPONSOR'S NAME AND ADDRESS

Silver Creek Crossing, LLC.
3811 Crowell Road
Turlock, CA 95382

6. EXISTING SETTING

The Silver Creek Crossings Subdivision Project site is presently vacant and undeveloped with no structures existing on site. The Project site occupies a single parcel, with an approximate size of 15.13 acres. The Project site abuts an already developed subdivision, the Meadow View Estates, located just south of the Proposed Project site. The Project site is adjacent to Veteran's Memorial Park, Veteran's Park Atwater BMX which appears to have been abandoned some time ago, and a Self-Storage commercial facility.

7. EXISTING GENERAL PLAN DESIGNATION

The Project site is designated for Residential land uses per the City's General Plan, dated July 24, 2000.

8. EXISTING ZONING

The Proposed Project site is located within the Planned Development (P-D 29) zone.

9. SURROUNDING LAND USES AND SETTING

The Project is bounded by existing commercial development to the north, Meadow View Estates Unit one (1) to the south, Santa Fe Avenue to the east, and north Buhach Road to the west. Table 1, below, provides the Project site's surrounding uses, General Plan land use designations, and zoning districts.

Table 1 Surrounding Land Uses and Setting

	Existing Use	General Plan Land Use Designation	Zoning Classification
North	Purely Self-Storage	Business Park	PD-10
South	Single-Family Dwellings	Low-Density Residential	PD-29
East	Castle AFB Football Field	County	County
West	Veteran's Park Atwater BMX	Park	PD-22

10. DESCRIPTION OF THE PROJECT

The Proposed Project consists of the Vesting Tentative Subdivision Map to allow for the subdivision of approximately 15.13 acres into seventy-three (73) single-family residential lots, and expansion of an existing storm water detention basin located within the Meadow View Estates Unit one, to be expanded for the Proposed Project. Expansion of the existing detention basin will also accommodate Purely Self-Storage via two (2) 24" stubs at project boundary at Lots 25, 26, and 35.

Physical development of the individual lots is not proposed at this time, but it can be assumed that future development within the Project site will conform to the City's Zoning Ordinance, including Section 17.16 and Section 17.44. Ultimately, the Proposed Project will consist of uses consistent with the City's Zoning Ordinance, and specifically, permitted uses within the Planned-Development (P-D 29) Zone.

Typical lot size of new parcels created as part of the Proposed Project are approximately 5,000 square feet in size. Primary access to the Project site will be provided via Nebela Drive, Rondel Road, and Nina Drive

The Proposed Project will be served domestic utilities by the City of Atwater. Connections to existing water and sewer lines located on Nina Drive and Rondel Road will be installed. All storm drainage to be conveyed to an on-site retention basin and all storm drain to be detained on site by way of expansion of existing detention basin.

The proposed VTSM can be found in this Initial Study as Figure 4.

11. Other Public Agencies Whose Approval is Required

There are no other public agencies whose approval is required for the Proposed Project.

12. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code Section 21080.3.1?

In accordance with Public Resources Code Section 21080.3.1, notification letters were sent to tribal representatives of California Native American tribes that have requested to be notified of projects within the project area for the City of Atwater. Tribal representatives were advised of the Proposed Project and invited to request formal consultation with the City of Atwater regarding the Proposed Project within thirty (30) days of receiving the notification letters. On January 4, 2023, notification letters were sent to representatives of the following tribes –

(1) Southern Sierra Miwuk Nation
(2) Amah Mutsun Tribal Bank
(3) North Valley Yokuts Tribe

As of the preparation of this Initial Study/Mitigated Negative Declaration, more than thirty (30) days following the City's transmittal of notification letters, no tribal representatives requested consultation. No tribal cultural resources have been identified associated with the Proposed Project site.

Figure 1 – Project Location Map

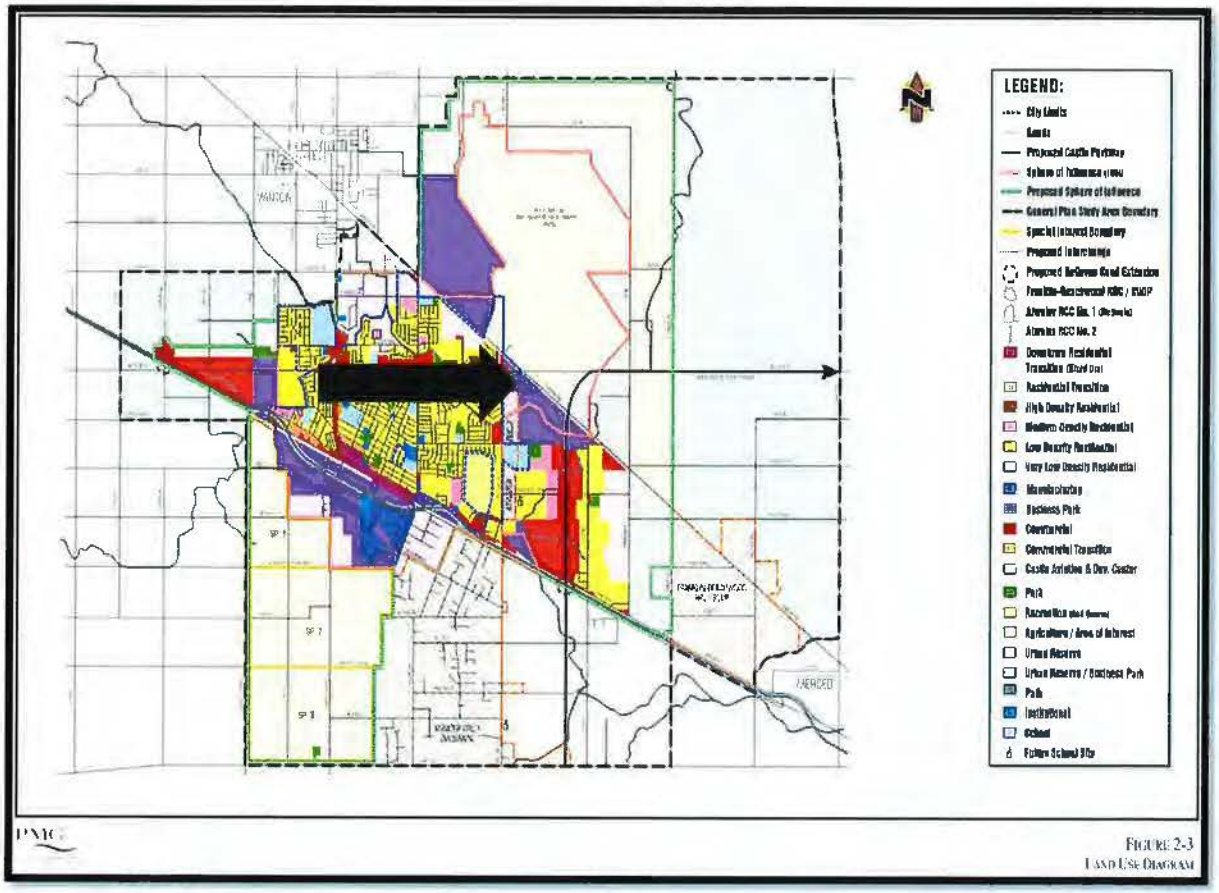


Figure 2 – Existing General Plan

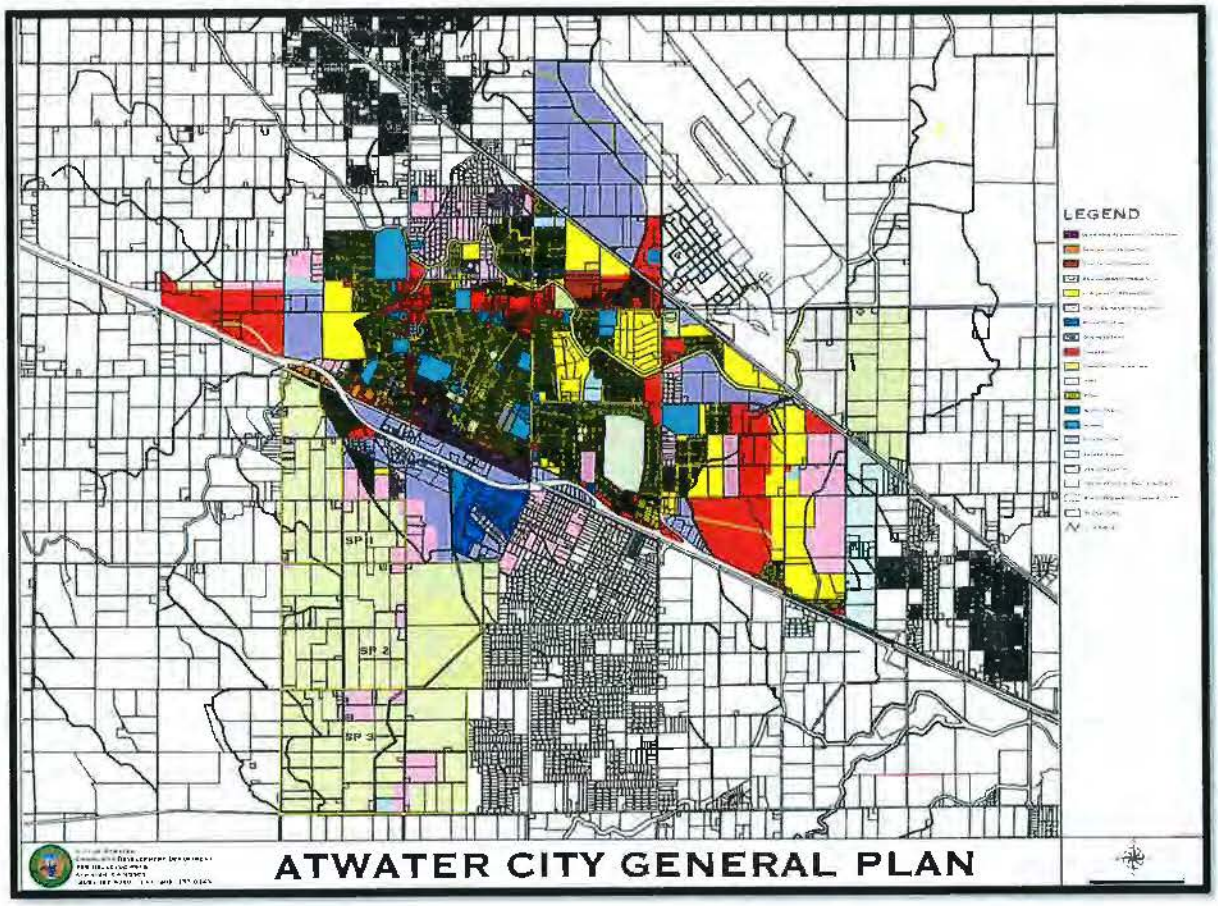
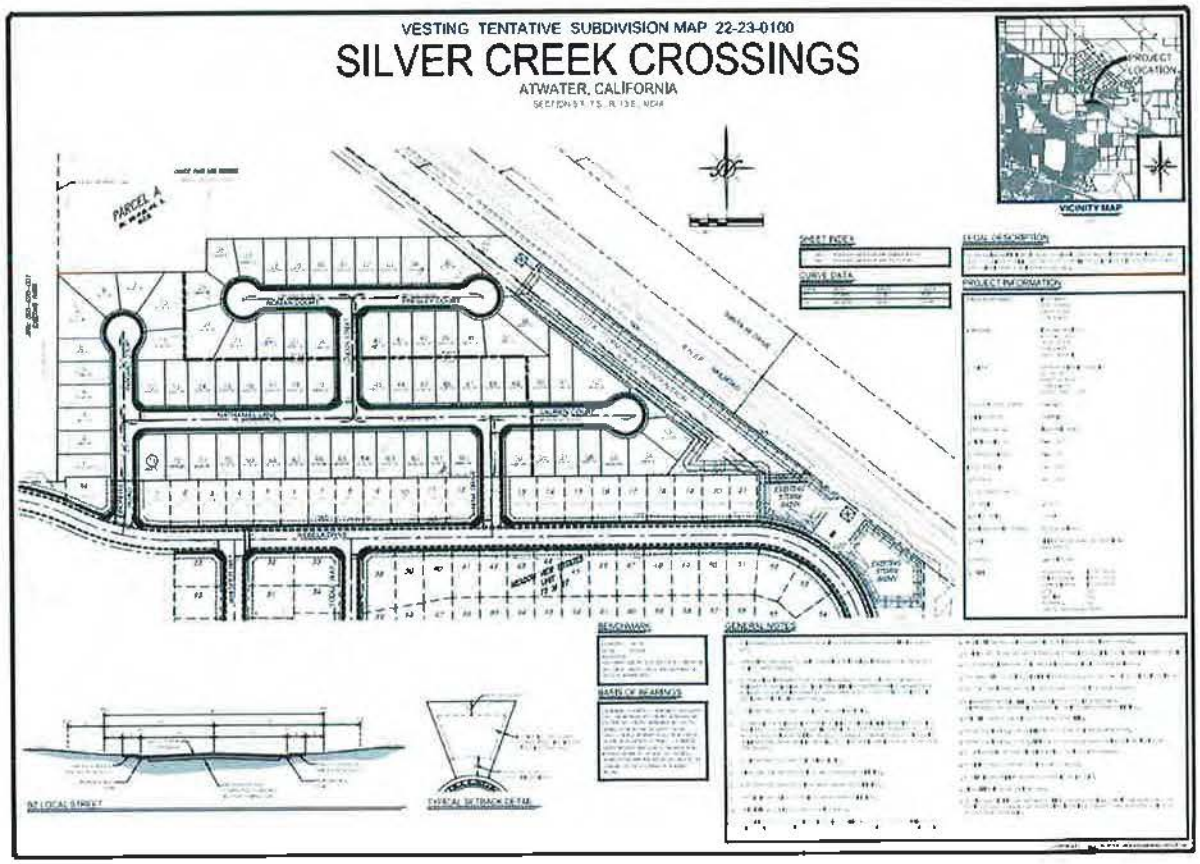


Figure 3 – Existing Zoning

Figure 4 – Vesting Tentative Subdivision Map



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

14. LEAD AGENCY DETERMINATION:

On the basis of this initial evaluation:

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

_____ _____, **City Planner**	_____ **Date**

SECTION 2.0 EVALUATION INSTRUCTIONS:

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

   a) Earlier Analysis Used. Identify and state where they are available for review.

   b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

   c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:

   a) The significance criteria or threshold, if any, used to evaluate each question; and

   b) The mitigation measure identified, if any, to reduce the impact to less than significance.

INITIAL STUDY CHECKLIST

This section of the Initial Study incorporates the most current Appendix "G" Environmental Checklist Form, contained in the CEQA Guidelines.

1. AESTHETICS -- WOULD THE PROJECT:

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Have a substantial adverse effect on a scenic vista?			X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?			X	
c) In non-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?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

IMPACT ANALYSIS

The following discussion is an analysis for criteria (a) and (b):

a. *Would the project have a substantial adverse effect on a scenic vista?*
b. *Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings along a state scenic highway?*

The City of Atwater does not have any designated scenic vistas; however, the city has identified the following as scenic corridors:

Atwater Boulevard; First Street; Bellevue Road; Shaffer Road; Winton Way; Broadway, from Winton Way to First Street; Buhach Road; Third Street; part of Grove Avenue; all entrances to the city.

The Proposed Project is bounded by Bellevue Road, Santa Fe Avenue, Nebela Drive and north Buhach Road. The project site is zoned Planned Development (P-D) 29 and is adjacent to a variety of different

land uses, but most importantly, the Proposed Project is consistent with and a continuation of existing single-family homes immediately south of the Project site. Therefore, the Proposed Project will have a **Less Than Significant Impact** on scenic vistas or scenic resources.

c. *Would the project, 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?*

Although vacant, the project site is located within an urbanized area. The Proposed Project consists of seventy-three (73) single-family residential lots and internal circulation. Implementation of the Proposed Project would continue the pattern of residential development in accordance with the City's General Plan and Zoning designation of the Project site. Therefore, the Proposed Project will have a **Less Than Significant Impact**.

d. *Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?*

Exterior street lighting and lights from adjacent commercial and residential areas already exist near the Project site. The new source of lighting generated by the Proposed Project would include lights from inside and outside homes, entrance lighting, accent lights and streetlights typical of single-family residential neighborhoods. The proposed lighting would be directed, oriented, and shielded to prevent light from shining onto adjacent properties. Little to no light exists on the project site under current conditions as the site is mostly vacant. Once developed, new light sources will be similar to those of the surrounding uses and would not adversely affect day or nighttime views in the area. Therefore, the Proposed Project will have a **Less Than Significant Impact**.

MITIGATION MEASURES:

Mitigation is not required for this topic.

2. AGRICULTURE AND FORESTRY RESOURCES -- WOULD THE PROJECT:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997, as updated) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the State's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the Project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			X	
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104 (g))?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X

IMPACT ANALYSIS

a. *Would the project convert Prime Farmland, Unique Farmland, 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?*

According to the California Department of Conservation – 2018 Farmland Mapping and Monitoring Program, the Project site is considered *Farmland of Local Importance*. The site itself is vacant without any productive agricultural resources and is not being utilized for active agricultural production. Thus, the Proposed Project will have a **Less Than Significant Impact**.

b. *Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?*

The Proposed Project site is zoned Planned Development (P-D 29). The project site has a General Plan designation of Low-Density Residential; it is not zoned for agriculture use and is not subject to a Williamson Act contract. Therefore, the Proposed Project would have **No Impact** under this threshold.

The following discussion is an analysis for criteria (c) and (d):

c. *Would the project 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 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?*

d. *Would the project result in the loss of forest land or conversion of forest land to non-forest use?*

The Public Resource Code Section 12220 (g) and Section 4526 defines Forest Land as land that can support 10% native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetic, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. The project site is not identified as forest land. Therefore, implementation of the Proposed Project would not conflict with any existing zoning for forest land, timberland, or timberland zoned Timberland Production. **No Impact** would occur under this threshold.

e. *Would the project involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?*

The project site is not designated for agricultural or forest use. There are no known changes to the existing environment that would result in the conversion of farmland to non-agricultural use or the conversion of forest land to non-forest use. The Proposed Project will have **No Impact.**

MITIGATION MEASURES:

Mitigation is not required for this topic.

3. AIR QUALITY -- WOULD THE PROJECT:

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

REGULATORY SETTING

The Proposed Project is located within the San Joaquin Valley Air Basin (SJVAB). The San Joaquin Valley Air Pollution Control District (SJVAPCD), which includes Merced County, has jurisdiction over most air quality matters in the Air Basin.

The Federal and State governments have adopted ambient air quality standards (AAQS) for the primary air pollutants of concern, known as "criteria" air pollutants. Air quality is managed by the SJVAPCD to attain these standards. Primary standards are established to protect the public health; secondary standards are established to protect the public welfare. The attainment statuses of the SJVAB for Merced County with respect to the applicable AAQS are shown in the table below.

The SJVAB is considered non-attainment for ozone and particulate matter (PM10 and PM2.5), because the AAQS for the pollutants are sometimes exceeded. The SJVAB is Attainment/Unclassified for carbon monoxide, but select areas are required to abide by adopted carbon monoxide maintenance plans.

The California Air Resources Board (CARB) through the Air Toxics Program is responsible for the identification and control of exposure to air toxics, and notification of people that are subject to significant air toxic exposure. A principal air toxic is diesel particulate matter, which is a component of diesel engine exhaust.

The SJVAPCD has adopted regulations establishing control over air pollutant emissions associated with land development and related activities. These regulations include:

Regulation VIII (Fugitive Dust Rules)
Rule 4101 (Visible Emissions)
Rule 9510 (Indirect Source Review)

SAN JOAQUIN VALLEY FEDERAL AND STATE AAQS ATTAINMENT STATUS

Pollutant	Designation / Classification	
	Federal Standards[a]	State Standards[b]
Ozone, 1-hour	No Federal standard[f]	Nonattainment / Severe
Ozone, 8-hour	Nonattainment / Extreme[e]	Nonattainment
PM10	Attainment[c]	Nonattainment
PM2.5	Nonattainment[d]	Nonattainment
Carbon Monoxide	Attainment / Unclassified	Attainment / Unclassified
Nitrogen Dioxide	Attainment / Unclassified	Attainment
Sulfur Dioxide	Attainment / Unclassified	Attainment
Lead (particulate)	No designation/Classification	Attainment
Hydrogen Sulfide	No Federal standard	Unclassified
Sulfates	No Federal standard	Attainment
Visibility-Reducing Particles	No Federal standard	Unclassified
Vinyl Chloride	No Federal standard	Attainment

[a]See 40 CFR Part 81
[b]See CCR Title 17 Sections 60200-60210
[c]On September 25, 2008, EPA redesignated the San Joaquin Valley to Attainment for the PM10 National AAQS and approved the PM10 Maintenance Plan
[d]The Valley is designated nonattainment for the 1997 PM2.5 NAAQS. EPA designated the Valley as nonattainment for the 2006 PM2.5 on November 13, 2009 (effective December 14, 2009).
[e]Though the Valley was initially classified as serious nonattainment for the 1997 8-hour ozone standard, FPA approved reclassification of the Valley to extreme nonattainment in the Federal Register on May 2010 (effective June 4, 2010).
[f]Effective June 15, 2005, the EPA revoked the Federal 1-hour ozone standard, including associated designations and classifications. EPA has previously classified the SJV as extreme nonattainment for this standard. EPA approved the 2004 Extreme Ozone Attainment Demonstration Plan on March 8, 2010 (effective April 7, 2010). Many applicable requirements for extreme 1-hour ozone nonattainment areas continue to apply to the SJVAB.

The SJVAPCD has adopted a CEQA impact analysis guideline titled *Guide for Assessing and Mitigating Air Quality Impacts* (GAMAQI). The GAMAQI is utilized in the following air quality impact analysis where applicable. The GAMAQI establishes impact significance thresholds for the non-attainment pollutant PM10 and precursors to the non-attainment pollutant ozone: reactive organic gases (ROG) and oxides of nitrogen (NOx).

Pollutant/Precursor	Construction Emissions	Operational Emissions	
		Permitted Equipment and Activities	Non-Permitted Equipment and Activities
	Emissions (tpy)	*Emissions (tpy)*	*Emissions (tpy)*
CO	100	100	100
NO_x	10	10	10
ROG	10	10	10
SO_x	27	27	27
PM_{10}	15	15	15
$PM_{2.5}$	15	15	15

Projects that do not generate emissions in excess of these thresholds are considered to have less than significant air quality impacts. Furthermore, within the GAMAQI, the SJVAPCD has established and outlined a three-tiered approach to determining significance related to a project's quantified ozone precursor emissions. Each tier or level requires a different degree of complexity of emissions calculation and modeling to determine air quality significance. The three tiers established to date (from least significant to most significant) are: *Small Project Analysis Level (SPAL), Cursory Analysis Level (CAL), and Full Analysis Level (FAL).* In each of the tiers, the SJVAPCD has pre-calculated the emissions on a large number and types of projects to identify the level at which they have no possibility of exceeding the emissions thresholds. Table 1 of the GAMAQI, dated November 13, 2020, includes the threshold for single-family residential projects as resulting in less than 155 dwelling units and less than 800 Average Daily One-Way Trips for all fleet types (except Heavy-Heavy Duty Trucks (HHDT)).

In accordance with Table 1 of the GAMAQI, the Proposed Project is considered to a be a SPAL, as it would not cross the SJVAPCD adopted threshold of 155 dwelling units and not exceed 800 daily trips, as indicated in the Traffic Technical Memorandum, dated October 18, 2023, prepared by GHD (688 daily trips). Because the Proposed Project qualifies as SPAL, GAMAQI notes it is reasonable to conclude that the Proposed Project would not exceed applicable thresholds of significance for criteria pollutants.

Lastly, the California Emissions Estimator Model (CALEEMOD) was used to estimate both construction and operational emissions from the Proposed Project. A detailed report of the complete CALEEMOD results is shown in Appendix A of this document. The table below shows the maximum project construction emissions in a calendar year, the annual operational emissions, and the SJVAPCD Significance Thresholds.

SJVAPCD Significance Thresholds and Proposed Project Emissions

	ROG	NO_x	CO	SO_x	PM_{10}	$PM_{2.5}$
SJVAPCD Significance Threshold	**10**	**10**	**100**	**27**	**15**	**15**
Construction Emissions	0.52	1.39	1.74	<0.005	0.17	0.10
Above Threshold?	*NO*	*NO*	*NO*	*NO*	*NO*	*NO*
Operational Emissions	1.23	0.87	4.89	0.01	0.84	0.30
Above Threshold?	*NO*	*NO*	*NO*	*NO*	*NO*	*NO*

IMPACT ANALYSIS

a. *Would the project conflict with or obstruct implementation of the applicable air quality plan?*

SJVAPCD has attainment plans for ozone and particulate matter, while the State has a CO attainment plan. As indicated in the table above, construction and operational emissions will not exceed the applicable SJVAPCD significance threshold for any criteria pollutant. The Proposed Project will be subject to SJVAPCD Rule 9510, which requires NO_x and PM_{10} reductions from construction exhaust and operational emissions for projects required to comply with the rule. With the application of Rule 9510, project NO_x and PM_{10} construction and operational emissions would be further reduced. Since the Proposed Project emissions are estimated to be well below the respective SJVAPCD significance thresholds, the Proposed Project will be consistent with the adopted reduction plans for ozone, particulate matter, and CO. Thus, the Proposed Project will have a **Less Than Significant Impact**.

b. *Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable Federal or State ambient air quality standard?*

The Proposed Project would not generate operational emissions above SJVAPCD established significance threshold. The application of SJVAPCD Rule 9510 would further reduce NO_x and PM_{10} operational emissions. The significance thresholds are applied to evaluate regional impacts of project-specific emissions of air pollutants. Regional impacts of a project can be characterized in terms of total annual emissions of criteria pollutants and their impact on SJVAPCD's ability to reach attainment of criteria pollutant standards. As such, the Proposed Project will not result in a considerable contribution to a significant cumulative air quality impact in the Air Basin. Consequently, the Proposed Project impacts related to cumulative emissions will have a **Less Than Significant Impact**.

c. *Would the project expose sensitive receptors to substantial pollutant concentrations?*

Sensitive Receptors, as defined in the Guide for Assessing and Mitigating Air Quality Impacts, include residences, schools, parks and playgrounds, day care centers, nursing homes, and hospitals (SJVAPCD March 2015). Potential sensitive receptors near the Proposed Project site include the single-family residences to the south, Meadow View Estates Unit 1 (one), as well as visitors of Veteran's Memorial Park. However, as noted, Project construction and operational emissions would be below SJVAPCD significance threshold for criteria pollutants. Further, implementation of applicable SJVAPCD rules and regulations, especially Regulation VIII and Rule 9510, would further reduce the emissions that could potentially reach the residential area.

According to the CALEEMOD analysis for the Proposed Project, construction activities would generate approximately 197 pounds of exhaust $PM_{2.5}$ for the estimated twelve-month construction period, or approximately 0.54 pounds per day. This amount is readily dissipated and likely would not be concentrated such that nearby sensitive receptors would be affected. Construction impacts would cease at the completion of the Proposed Project, and the length of time nearby properties experiencing exposure would be relatively short. Additionally, per the CALEEMOD analysis, Project operations would generate markedly less emissions. Consequently, neither Project construction nor Project operations would generate particulate matter emissions in quantities that would present a significant health risk to nearby properties. Further, assumptions utilized in the CALEEMOD analysis provided mitigation measures to curb the impact to surrounding receptors by limiting any heavy-duty diesel vehicle idling, and ensuring exposed surfaces are watered on a regular basis.

Therefore, implementation of the Proposed Project will not be anticipated to result in an increase in exposure of sensitive receptors to localized concentrations of criteria pollutants that would exceed the relevant standards or thresholds established by the SJVAPCD. Thus, implementation of the Proposed Project will have a **Less Than Significant Impact with Mitigation Incorporated**.

d. *Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?*

The Proposed Project consists of a Vesting Tentative Subdivision Map to allow for the subdivision of approximately 15.13 acres into seventy-three (73) single-family residential lots. As such, residential development typically does not generate substantial odors that would affect nearby land uses or a substantial number of people, nor would the Proposed Project generate substantial amounts of any other emissions such as TACs. The Proposed Project will have a **Less Than Significant Impact** related to odors or other emissions.

MITIGATION MEASURES:

Mitigation Measure Air-1: Prior to the commencement of construction activities for each phase of construction, the Project Proponent shall prepare and submit a Dust Control Plan that meets all of the applicable requirements of APCD Rule 8021, Section 6.3.

Mitigation Measure Air-2: During all construction activities, the project proponent shall implement the following dust control practices identified in Tables 6-2 and 6-3 of the GAMAQI (San Joaquin Valley APCD, 2002):

1. All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, or vegetative ground cover.
2. All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant.
3. All land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities shall control fugitive dust emissions by application of water or by presoaking.
4. When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, or at least six inches of freeboard space from the top of the container shall be maintained.
5. All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at least once every 24 hours when operations are occurring. The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions. Use of blower devices is expressly forbidden.
6. Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant.
7. Limit traffic speeds on unpaved roads to 5 mph; and
   Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent.

4. BIOLOGICAL RESOURCES -- WOULD THE PROJECT:

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

IMPACT ANALYSIS

a. *Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?*

Figure 4-7, found in the 2000 General Plan, does not identify any special-status Wildlife Species or Special-Status Plant Species within the Project site. Although it is unlikely that the project would not impact the habitat of species with special status, it cannot be completely ruled out. Therefore, the Proposed Project is considered to have a potentially significant impact and mitigation measures must be implemented. Thus, the Proposed Project will have a **Less Than Significant Impact with Mitigation Incorporated**.

b. *Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?*

Riparian habitats are defined as vegetative communities that are influenced by a river or stream, specifically the land area that encompasses the water channel and its current or potential floodplain. No riparian habitat occurs on the project site or within the immediate vicinity. There are no sensitive natural communities occurring on or near the project site; therefore, the Proposed Project will have a **Less Than Significant Impact**.

c. *Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

There are no federally protected wetlands including, but not limited to, marsh, vernal pools, coastal water, etc., surrounding the project site or in close or near proximity to the Proposed Project. Therefore, the Proposed Project will have a **Less Than Significant No Impact** on federally protected wetlands.

d. *Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native residents or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*

Wildlife movement corridors are routes that provide shelter and sufficient food supplies to support regular movement of wildlife species. A movement corridor is a continuous geographic extent of habitat that either spatially or functionally links ecosystems across fragmented, or otherwise inhospitable, landscapes. Faunal movement may include seasonal or migration movement, life cycle links, species dispersal, re-colonization of an area, and movement in response to external pressures. Movement corridors typically include riparian habitats, ridgelines, and ravines, as well as other contiguous expanses of natural habitats.

The Project site and surrounding area does not occur within a known migration route, significant wildlife corridor, or linkage area as identified in the Recovery Plan for Upland Species in the San Joaquin Valley or by the Essential Habitat Connectivity Project. Thus, the project will not restrict, eliminate, or significantly alter wildlife movement corridor, or impede the use of native wildlife nursery sites. Therefore, the Proposed Project will have a **Less Than Significant Impact**.

e. *Would the project conflict with any local policies or ordinances protecting bialagical resources, such as a tree preservation policy or ordinance?*

The Project site is located within the City of Atwater boundaries and must comply with provisions contained in the City of Atwater General Plan. The Proposed Project will not conflict with any local policies or ordinances protecting biological resources that the project would conflict with, and implementation of the Proposed Project will have a **Less Than Significant Impact** related to policies or ordinances protecting biological resources.

f. *Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

The Proposed Project will not conflict with any adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approval local, regional, or state Habitat Conservation Plan. The Proposed Project will have a **Less Than Significant Impact**.

MITIGATION MEASURES:

The following mitigation measure shall be incorporated into the Proposed Project:

Mitigation Measure Bio-1: Within fourteen (14) days of the start of the Proposed Project activities a pre-activity survey shall be conducted by a qualified biologist knowledgeable in the identification of these species.

5. CULTURAL RESOURCES -- Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?			X	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?			X	
c) Disturb any human remains, including those interred outside of formal cemeteries?			X	

IMPACT ANALYSIS

The following discussion is an analysis for criteria (a) and (b):

a. *Would the project cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?*

b. *Would the project cause a substantial adverse change in the significance of an archaeological resource as defined in §15064.5?*

Implementation Program CO-9.a of the city of Atwater's 2000 General Plan Goal CO-9 to protect and enhance historical and culturally significant resources applies the following standard condition to development projects to minimize any impact on historical resources: If a previously unknown archaeological site is uncovered during the course of development, all development activity in the vicinity of the project site shall cease until a qualified archaeologist completes an investigation. The archaeologist shall submit a report to the City that includes a determination of the significance of the site and recommendations on its disposition. Additional studies may include avoidance, testing, and evaluation or data recovery excavation. Application of the mitigation measures below would ensure that the Proposed Project would not cause a substantial adverse change in the significance of a historical resource. Therefore, the Proposed Project will have a **Less Than Significant Impact**.

c. *Would the project disturb any human remains, including those interred outside of dedicated cemeteries?*

Under CEQA, human remains are protected under the definition of archaeological materials as being "any evidence of human activity." Public Resources Code section 5097.98 has specific stop-work and notification procedures to follow in the event that human remains are inadvertently discovered during project implementation. Additionally, CO-9.a of the 2000 General Plan Environmental Impact Report, provides that development projects shall retain the services of a qualified archaeologist to determine

the presence and extent of any historic, archaeological, or paleontological resources. The recommendations of said studies shall be incorporated into development plans. Therefore, the Proposed Project will have **Less Than Significant Impact.**

MITIGATION MEASURES:

Mitigation is not required for this topic.

6. ENERGY -- Would the project:

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			X	
b) Conflict with or obstruct a State or local plan for renewable energy or energy efficiency?			X	

IMPACT ANALYSIS

The following discussion is an analysis for criteria (a) and (b):

a. *Would the project result in potentially significant environmentol impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation; and,*

b. *Would the project conflict with or obstruct a State or local plan for renewable energy or energy efficiency?*

While the Proposed Project consists of a Vesting Tentative Subdivision Map to allow for the subdivision of approximately 15.13 acres into seventy-three (73) residential lots, it can be assumed that future physical development and build out of the residential sites will occur. Thus, the current Proposed Project and future development would consume energy primarily in one of two ways: first, future construction activities would consume energy via various heavy equipment, machines, trucks, and worker traffic; and, secondly, future residential uses would cause long-term energy consumption from electricity and gas consumption, energy used for water conveyance, and motor vehicle operations to and from the project site, etc.

To combat potentially significant environmental impacts due to inefficient and wasteful use of energy resources, California has implemented numerous energy efficiency and conservation programs that result in substantial energy savings. The State has adopted comprehensive energy efficiency standards as part of its Building Standards Code, California Codes of Regulations, Title 24.

The Proposed Project would be required to comply with the building energy efficiency standards of California Code of Regulations Title 24, Part 6, also known as the California Energy Code. Compliance with these standards would reduce energy consumption associated with the Project operations, although reductions from compliance cannot be readily quantified at this time. Overall, project construction and operations would not consume energy resources in a manner considered wasteful, inefficient, or unnecessary; the project would also not conflict or obstruct any state or local plans for renewable energy efficiency. Thus, the Proposed Project would have a **Less Than Significant Impact** related to energy consumption.

MITIGATION MEASURES:

Mitigation is not required for this topic.

7. GEOLOGY AND SOILS -- WOULD THE PROJECT:

	Potentially Significant Impact	*Less Than Significant with Mitigation*	*Less Than Significant Impact*	*No Impact*
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?			X	
b) Result in substantial soil erosion or the loss of topsoil?			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	

IMPACT ANALYSIS

The following discussion is an analysis for criteria (*a.1, a.2, a.3*):

a.1. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake, 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?

a.2. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?

a.3. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?

The Proposed Project is not located within the current Alquist-Priolo Earthquake Fault Zone and there are no known active faults located in the immediate area. The nearest Alquist-Priolo Special Studies Zone is the Ortigalita Fault Zone located in the southwestern portion of Merced County, approximately thirty-eight miles from the city of Atwater. The last known activity from the Ortigalita Fault was approximately more than 10,000 years ago.

Although there are no specific liquefaction hazard areas identified in Merced County, the potential for liquefaction is recognized in the Atwater General Plan Environmental Impact Report (EIR). However, the site does not have high potential for liquefaction. Liquefaction typically requires a significant sudden decrease of shearing resistance in cohesionless oils and a sudden increase in water pressure, which is typically associated with an earthquake of high magnitude. The soils in the project site, Atwater loamy sand and Atwater sand, are considered to have low potential for liquefaction. Based on these conditions, the risk for ground failure during a strong earthquake ground shaking is low. Therefore, the Proposed Project will have a **Less Than Significant Impact**.

a.4. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?

The City of Atwater lies within the San Joaquin Valley. The Valley is characterized by predominantly flat terrain with few elevated features. Elevations within the City vary little, with the range of elevation going from 145-feet and 170-feet above sea level, but the official elevation of the city is 150-feet above sea level. Given the flat terrain of the area, the construction, operation, and use of the project site would not provoke a landslide to occur. The risk of damage or loss due to landslides is low; thus, the Proposed Project will have a **Less Than Significant Impact**.

b. Would the project result in substantial soil erosion or the loss of topsoil?

Project proponents will be required to submit a notice of Intent and Storm Water Pollution Prevention Plan (SWPPP) to the Regional Water Quality Board to obtain a National Pollutant Discharge Elimination System (NPDES) General Construction Permit prior to construction. The SWPPP will include Best Management Practices (BMPs) to control erosion and siltation on the site in order to prevent water quality degradation. Due to the relatively flat nature of the project site, the BMPs provided via the SWPPP, and the NPDES, the Proposed Project will result in a **Less Than Significant Impact**.

c. *Would the project be located on a geologic unit or soil that is unstable as a result of the project, and potentially result in an or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?*

Lateral spreading is a form of horizontal displacement of soil toward an open channel which can result from either the slump of low cohesion and unconsolidated material. More commonly, lateral spreading can result from liquefaction of either the soil layer or a subsurface layer underlying soil material on a slope, resulting in gravitationally driven movement.

The Project site and surrounding areas are in a relatively topographically flat area, and it is highly unlikely that would result in a landslide of any measure. Lateral spreading, subsidence, and collapse are not common in Merced County. Since the Proposed Project site is not located on a geological unit or soil that is unstable, or that would become unstable as a result of the project, there is little to no potential for result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse. Therefore, under this threshold, the Proposed Project will have a **Less Than Significant Impact**.

d. *Would the project be located on expansive soil, as defined in Table 1-B of the Uniform Building Code, creating substantial risks to life or property?*

The Project site is not located in an area known for unstable soils, since the city of Atwater's 2000 General Plan does not identify the project area as a high shrink-well potential (i.e., expansive soils). Further, volume change is influenced by the quantity of moisture, the kind and amount of clay in the soil, and the original porosity of the soil. Per the U.S. Department of Agriculture, Natural Resources Conservation Services Web Soil Survey*, soil identified on the project site is Atwater loamy sand; this type of soil has a low level of plasticity and expansion potential when subjected to fluctuations in moisture and a low potential for liquefaction or ground failure. As a result of the soil conditions found on the project site, risk to life or property as a consequence of expansive soils are not substantial and the impact of expansive soil on future Proposed Project site development will be a **Less Than Significant Impact**.

e. *Would the project 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?*

The Proposed Project will not be installing septic tanks or an alternative wastewater disposal system; rather, the Proposed Project will be served by sewer infrastructure. Therefore, the Proposed Project will have **No Impact**.

f. *Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

* https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx

Although it is unlikely that a paleontological resource or resources would be encountered during the buildout of the Proposed Project, some construction activities have the potential to disturb and thus directly or indirectly damage these resources. Therefore, the Proposed Project will have a **Less Than Significant Impact**.

MITIGATION MEASURES:

Mitigation is not required for this topic.

8. GREENHOUSE GAS EMISSIONS -- WOULD THE PROJECT:

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

REGULATORY SETTING:

California Air Resources Board (CARB) is responsible for the coordination and oversight of state and local air pollution control programs in California. California has numerous regulations aimed at reducing the State's GHG emissions. These initiatives are summarized below:

Assembly Bill 1943

Assembly Bill (AB) 1943 (2002), California's Advanced Clean Cars program (referred to as "Pavley"), requires CARB to develop and adopt regulations to achieve "the maximum feasible and cost-effective reduction of GHG emissions from motor vehicles." On June 30, 2009, U.S. EPA granted the waiver of Clean Air Act preemption to California for its greenhouse gas emission standards for motor vehicles beginning with the 2009 model year. Pavley I took effect for model years starting in 2009 to 2016 and Pavley II, which is now referred to as "LEV (Low Emission Vehicle) III GHG" will cover 2017 to 2025. Fleet average emission standards would reach 22 percent reduction from 2009 levels by 2012 and 30 percent by 2016. The Advanced Clean Cars program coordinates the goals of the Low Emission Vehicles (LEV), Zero Emissions Vehicles (ZEV), and Clean Fuels Outlet programs and would provide major reductions in GHG emissions. By 2025, when rules will be fully implemented, new automobiles will emit 34 percent fewer GHGs and 75 percent fewer smog-forming emissions from their model year 2016 levels.

Executive Order S-3-05

In 2005, the governor issued Executive Order (EO) S-3-05, establishing statewide GHG emissions reduction targets. EO S-3-05 provides that by 2010, emissions shall be reduced to 2000 levels; by 2020, emissions shall be reduced to 1990 levels; and by 2050, emissions shall be reduced to 80 percent below 1990 levels (California Environmental Protection Agency [CalEPA]). In response to EO S-3-05, CalEPA created the Climate Action Team (CAT), which in March 2006 published the Climate Action Team Report (the "2006 CAT Report") (CalEPA 2006). The 2006 CAT Report identified a recommended list of strategies that the state could pursue to reduce GHG emissions. These are strategies that could be implemented by various state agencies to ensure that the emission reduction targets in EO S-3-05 are met and can be met with existing authority of the state agencies. The strategies include the reduction of passenger and light duty

truck emissions, the reduction of idling times for diesel trucks, an overhaul of shipping technology/infrastructure, increased use of alternative fuels, increased recycling, and landfill methane capture, etc. In April 2015 the governor issued EO B-30-15, calling for a new target of 40 percent below 1990 levels by 2030.

Assembly Bill 32

California's major initiative for reducing GHG emissions is outlined in Assembly Bill 32 (AB 32), the "California Global Warming Solutions Act of 2006," signed into law in 2006. AB 32 codifies the statewide goal of reducing GHG emissions to 1990 levels by 2020 (essentially a 15 percent reduction below 2005 emission levels; the same requirement as under S-3-05), and requires CARB to prepare a Scoping Plan that outlines the main State strategies for reducing GHGs to meet the 2020 deadline. In addition, AB 32 requires CARB to adopt regulations to require reporting and verification of statewide GHG emissions. California is on track to meet or exceed the current target of reducing GHG emission to 1990 levels by 2020, as established by AB 32.

Senate Bill 97

Senate Bill (SB) 97, signed in August 2007, acknowledges that climate change is an environmental issue that requires analysis in California Environmental Quality Act (CEQA) documents. In March 2010, the California Resources Agency (Resources Agency) adopted amendments to the State CEQA Guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions. The adopted guidelines give lead agencies the discretion to set quantitative or qualitative thresholds for the assessment and mitigation of GHGs and climate change impacts.

CARB Resolution 07-54

CARB Resolution 07-54 establishes 25,000 MT of GHG emissions as the threshold for identifying the largest stationary emission sources in California for purposes of requiring the annual reporting of emissions. This threshold is just over 0.005 percent of California's total inventory of GHG emissions for 2004.

Senate Bill 375

Senate Bill (SB) 375, signed into law in September 2008, builds on AB 32 by requiring CARB to develop regional GHG reduction targets to be achieved from the automobile and light truck sectors for 2020 and 2035; these regional targets will help achieve the goals of AB 32 and the Scoping Plan through changed land use patterns and improved transportation systems. The Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG) adopted a Sustainable Community Strategies in July 2013 that meets greenhouse gas reduction targets. The *Plan Bay Area* is the SCS document for the Bay Area, which is an integrated long-range plan that discusses climate protection, housing, healthy and safe communities, open space and agricultural preservation, equitable access, economic vitality, and transportation system effectiveness within the San Francisco Bay Area. The document is updated every four years and most recently, the update, *Plan Bay Area 2040* was adopted on July 26, 2017.

Executive Order S-13-08

Executive Order S-13-08 indicates that "climate change in California during the next century is expected to shift precipitation patterns, accelerate sea level rise and increase temperatures, thereby posing a serious threat to California's economy, to the health and welfare of tis population and to its natural resources." Pursuant to the requirements in the order, the 2009 California Climate Adaptation Strategy (California Natural Resources Agency 2009) was adopted, which is the "...first statewide, multi-sector, region-specific, and information-based climate change adaption strategy in the United States." Objectives include analyzing risks of climate change in California, identifying and exploring strategies to adapt to climate change, and specifying a direction for future research.

Senate Bill 2X

In April 2011, the governor signed SB2X requiring California to generate 33 percent of its electricity from renewable energy by 2020.

Senate Bill 32

On September 8, 2016, the governor signed Senate Bill 32 (SB 32) into law, which requires the State to further reduce GHGs to 40 percent below 1990 levels by 2030. SB 32 is an extension of AB 32. The other provisions of AB 32 remain unchanged. CARB adopted the 2017 Climate Change Scoping Plan Update on December 14, 2017 for achieving California's 2030 greenhouse gas target.

IMPACT ANALYSIS

The following discussion is an analysis for criteria (a) and (b):

a. *Would the project generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?*
b. *Would the project conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse goses?*

The Proposed Project consists of a seventy-three (73) lot residential subdivision. A consequence of the project will be the generation of short-term and long-term Greenhouse Gas emissions. In the short-term, construction related activities will be the main driver of GHG emissions through site preparation, grading, heavy-duty construction vehicles, equipment hauling, and motor vehicles going to and from the project site. The level of emissions resulting from construction activities will vary day-to-day dependent on the level of intensity each day.

The Proposed Project is consistent with the City of Atwater's General Plan which ensures compliance with the Greenhouse Gas emission reduction strategies employed by the City of Atwater, which in turn, support City-wide efforts to meet statewide GHG emission reduction goals consistent with

Assembly Bill (AB) 32, the Global Warming Solutions Act. Therefore, the Proposed Project will have a **Less Than Significant Impact**.

MITIGATION MEASURES:

Mitigation is not required for this topic.

9. HAZARDS AND HAZARDOUS MATERIALS -- WOULD THE PROJECT:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X	
e) For a project located within an **airport** land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?			X	
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?			X	

IMPACT ANALYSIS

The following discussion is an analysis for criteria (a) and (b):

a. *Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

b. *Would the project 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?*

The Proposed Project consists of a seventy-three (73) lot residential subdivision. The residential development in and of itself will not pose a significant hazard to the public or environment through the routine transport, use or disposal of hazardous materials. Typical construction materials would be utilized during development. Construction may include the use of hazardous materials given that construction activities involve the use of heavy equipment, which uses marginal amounts of oils and fuels and other potentially flammable substances. The level of risk associated with the accidental release of hazardous substances is not considered significant due to the small volume and low concentration of hazardous materials used during construction. The project proponent would be required to implement standard construction controls and safety procedures that would avoid and minimize the potential for accidental release of such substances into the environment.

Should the release of hazardous materials occur, or if hazardous materials need to be used, transported, or disposed of, the Project Proponent must comply with all applicable Federal, State, and local policies and regulations related to hazardous materials. Therefore, the Proposed Project will have a **Less Than Significant Impact.**

c. *Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?*

No existing or proposed schools have been identified within one-quarter mile of the project site. The nearest school to the project site is Bellevue Elementary School, located at 1020 East Bellevue Road, which is approximately one (1) half mile from the project site. Therefore, under this threshold the project will have **No Impact**.

d. *Would the project be located on a site included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

The Project is not located on a site which is included on a list of hazardous materials sites compiled pursuant to California Government Code §65962.5. A review of the State hazardous material site databases* found one record near the project site: Castle Air Force Base – BLDG #3372; case opened 1/1/1990 and closed 1/9/1997.

An online search was also conducted on the Department of Toxic Substances Control (DTSC) website. It was discovered that there were no hazardous or toxic sites in the vicinity of the project. There are only two facilities on the Cortese List within Merced County; one site sits in the city of Dos Palos and the other is located in the city of Gustine. As a result, the Proposed Project would not create a hazard to the public or the environment; therefore, the Proposed Project will have a **Less Than Significant Impact**.

* https://geotracker.waterboards.ca.gov/profile_report.asp?global_id=T0609900380

e. *For a project located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?*

In order to determine if the Proposed Project is within an airport land use plan, the Merced County Airport Land Use Compatibility Plan (MCALUCP, 2012) was consulted. The Project site is within two (2) miles of the Merced County Castle Airport, but the Proposed Project sits just outside of Zone D and as such is not located within the boundaries of an airport land use plan. As a result, the Proposed Project will have a **Less Than Significant Impact.**

f. *Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

Per the City's 2000 General Plan, response procedures are outlined in the City of Atwater's Emergency Plan. The Emergency Plan outlines the responsibilities for the management of hazards and the management of incidents involving hazardous materials. Responsibility for day-to-day emergencies response falls to the Atwater Police and Atwater Fire Departments. In the event of larger, more extreme emergencies, other city departments may become involved, along with state, county, and private agencies as needed.

The public roadway system, owned and maintained by the city, is critical for providing emergency access and evacuation to and through the city. The Proposed Project would not prevent or inhibit the ability of local roadways to continue to accommodate emergency response and evacuation activities. Therefore, the Proposed Project will have a **Less Than Significant Impact** on emergency response and evacuation plans.

g. *Would the project expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?*

The Project site is currently vacant land with varied uses neighboring the property including single-family residential properties to the south and commercial uses to the north; while the project site is vacant, undeveloped land, the neighboring properties are developed.

Per the city of Atwater's 2000 General Plan, grass and brush lands are the most likely places for wildland fires to occur within Merced County; because the city of Atwater's relatively distant location to these areas, the risk of loss, injury, or death involving wildland fires is low.

Although the Proposed Project would not create a huge risk of wildland fire, the Project will add seventy-three (73) new single-family dwellings. The currently undeveloped site would be developed and would increase demand for fire protection services. The implementation of the mitigation

measures from the General Plan EIR would reduce the overall impact to a **Less Than Significant Impact**.

MITIGATION MEASURES:

Mitigation is not required for this topic.

10. HYDROLOGY AND WATER QUALITY -- Would the project:

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

IMPACT ANALYSIS

a. *Would the project violate ony water quality standards or waste discharge requirements ar otherwise substantially degrade surfoce ar groundwater quality?*

The Proposed Project would be required to meet all water quality standards and requirements. During construction related activities, specific erosion control and surface water protection methods for each construction activity would be implemented on the project site. The type and number of measures implemented would be based upon location specific characteristics (slope, soil type, weather conditions, etc.). Additionally, new development is required to adopt Best Management Practices (BMPs) to minimize grading and control runoff, which pollutes storm drains and can eventually lead to the pollution of groundwater sources. Thus, the Proposed Project will have a **Less Than Significant Impact**.

b. *Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?*

Table 4-3 – Demands for Potable and Non-Potable Water – Actual (DWR Table 4-1)

Submittal Table 4-1 Retail: Demands for Potable and Non-Potable[1] Water - Actual			
Use Type	2020 Actual		
Drop down list May select each use multiple times These are the only Use Types that will be recognized by the WUEdata online submittal tool	**Additional Description** (as needed)	**Level of Treatment When Delivered** Drop down list	**Volume[2]**
Add additional rows as needed			
Single Family		Drinking Water	4,068
Multi-Family		Drinking Water	844
Commercial		Drinking Water	2,174
Other		Drinking Water	1,474
		TOTAL	8,559
[1] *Recycled water demands are NOT reported in this table. Recycled water demands are reported in Table 6-4.* [2] *Units of measure (AF, CCF, MG) must remain consistent throughout the UWMP as reported in Table 2-3.*			
NOTES: Volumes for single family, multi-family, and commercial were estimated because these use types are only partially metered. Volumes were increased based on the ratio of total service connections and the number of metered service connections for each use type.			

Table 4-4 – Use for Potable and Non-Potable Water – Projected (DWR Table 4-2)

Submittal Table 4-2 Retail: Use for Potable and Non-Potable[1] Water - Projected						
Use Type	Additional Description (as needed)	Projected Water Use[2] *Report To the Extent that Records are Available*				
Drop down list May select each use multiple times These are the only Use Types that will be recognized by the WUEdata online submittal tool		2025	2030	2035	2040	2045 (opt)
Add additional rows as needed						
Single Family		4,582	4,907	5,254	5,626	
Multi-Family		951	1,018	1,090	1,167	
Commercial		2,449	2,622	2,808	3,007	
Other		1,660	1,777	1,903	2,038	
	TOTAL	9,642	10,324	11,056	11,838	0
[1] *Recycled water demands are NOT reported in this table. Recycled water demands are reported in Table 6-4.* [2] *Units of measure (AF, CCF, MG) must remain consistent throughout the UWMP as reported in Table 2-3.*						
NOTES:						

The City of Atwater extracts its water supply from groundwater aquifers via a series of wells scattered throughout the city. The City's existing system facilities include nine wells (eight are active and one is drilled but not equipped) with a total rated pumping capacity of approximately 15,000 Gallons Per Minute (GPM). Atwater is located in the San Joaquin River Hydrologic Region (groundwater basin) and extracts its groundwater from the Merced Subbasin, Basin Number 5-22.04. The Merced Subbasin is a high priority basin and is critically over drafted. Table 4-4 illustrates the projected demand for Single-Family Residential properties; demand for water is projected to increase for each interval.

The city of Atwater is a member of the Merced-Irrigation-Urban GSA (MIUGSA – one of three GSAs within the Merced Subbasin region) and is made up of agencies including Merced Irrigation District, City of Merced, City of Atwater, City of Livingston, Le Grand Community Services District, Planada Community Services District, and Winton Water and Sanitary District. With the adoption of the Merced Subbasin GSP, the participating GSAs adopted a goal of achieving sustainable groundwater management on a long-term average basis by increasing recharge and/or reducing groundwater pumping, while avoiding undesirable results. This goal will be achieved by allocating a portion of the estimated Merced Subbasin sustainable yield to each of the three participating GSAs and coordinating the implementation of programs and projects to increase both direct and in-lieu groundwater recharge which will in turn increase the groundwater available. Separately, the city of Atwater employs a number of Demand Management Measures (DMMs) that promote conservation and reduce the water supply demand.

Therefore, any direct impacts of the Proposed Project will be properly mitigated so as to have a **Less Than Significant Impact**.

c. *Would the project substantially alter the existing drainage pattern of the site or area, including through the alterotion of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*

i. *Result in substantial on- or offsite erosion or siltation;*
ii. *Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- ar offsite;*
iii. *Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or*
iv. *Impede or redirect flood flows?*

The Proposed Project will not alter the course of a stream or river, as it is not located near a stream or river. The Project site is located on a site that is currently vacant and unimproved. Compliance with construction and operation-phase storm water requirements would ensure that development of the Proposed Project would not result in substantial erosion or siltation on or off site. Therefore, the Proposed Project will have a **Less Than Significant Impact**.

d. *Would the project be located in flood hazard, tsunami, or seiche zones, or risk release of pollutants due to project inundation?*

The Proposed Project is not located adjacent to the ocean or other large body of water; the city of Atwater is not at risk from tsunami due to its inland location. The Project site, therefore, is not susceptible to flooding or seiches, and as a result, the Proposed Project would not result in a risk of pollutant release during a flood hazard, tsunami or seiche event. Therefore, the Proposed Project will have a **Less Than Significant Impact.**

e. *Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?*

The Project site is provided domestic water from the city of Atwater. The City of Atwater is located within the Merced Groundwater Basin, which is governed by three Groundwater Sustainability Agencies (GSAs): the Merced Irrigation-Urban GSA (MIUGSA), the Merced Subbasin GSA, and the Turner Island Water District GSA. The Merced Subbasin GSP was adopted by the MIUGSA in December 2019. The Proposed Project will be required to comply with the Groundwater Sustainability Plan. Therefore, the Proposed Project will have a **Less Than Significant Impact**.

MITIGATION MEASURES:

Mitigation is not required for this topic.

11. LAND USE AND PLANNING -- Would the project:

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Physically divide an established community?				X
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			X	

IMPACT ANALYSIS

a. *Would the project physically divide an established community?*

The Proposed Project would physically connect an established neighborhood, the Meadowview Unit Phase number one (1) subdivision, to the Proposed Silver Creek Crossing Subdivision. The Proposed Vesting Tentative Subdivision Map would have no impact because the Proposed Project would be a continuation of an adjoining neighborhood rather than a division of a community. **No Impact**.

b. *Would the project 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 on environmental effect?*

The Proposed Project is consistent with the City of Atwater's Zoning and Municipal Code along with its' General Plan land use designation. The Proposed Project is within a Planned Development (P-D 29) Zone and has a General Plan land use designation of Low-Density Residential (LDR). Further, any impact to the environment which results from the Proposed Project is subject to applicable mitigation, and is subject to local, state, and federal regulations. These measures ensure that if a conflict with any land use plan, policy, or regulation were to occur, the impact would be marginal. Therefore, the Proposed Project will have a **Less Than Significant Impact**.

MITIGATION MEASURES:

Mitigation is not required for this topic.

12. MINERAL RESOURCES -- WOULD THE PROJECT RESULT IN:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

IMPACT ANALYSIS

The following discussion is an analysis for criteria (a) and (b):

a. *Would the project 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?*
b. *Would the project 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?*

The Proposed Project site is absent of any mineral extraction activities nor are there any mineral extraction activities included in the Proposed Project. Public Resources Code Section 2762(a) requires that local governments establish mineral resource management policies within their General Plan if any mineral resources of statewide or regional significance are designated within their jurisdiction. According to the City of Atwater's 2000 General Plan, no such areas have been designated or established within the City of Atwater. As a result, the Proposed Project will have **No Impact**.

MITIGATION MEASURES:

Mitigation is not required for this topic.

13. NOISE -- WOULD THE PROJECT RESULT IN:

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or other applicable standards of other agencies?		X		
b) Generation of excessive ground borne vibration or ground borne noise levels?		X		
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X

IMPACT ANALYSIS

The following discussion is an analysis for criteria (a) and (b):

a. *Would the project result in the 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?*

b. *Would the project result in generation of excessive ground borne vibration or ground borne noise levels?*

The Proposed Project is situated between existing residential development, existing commercial development, and the Burlington Northern Railroad. The Proposed Project would increase ambient noise levels; however, they would be minimal in nature and would have a less than significant impact. The construction activities, which are temporary in nature, would involve heavy equipment for grading, excavation, paving, and building construction which would increase ambient noise levels, ground borne vibrations, and noise when in use. Noise levels would vary depending on the equipment used, how it is operated, and how well it is maintained. However, with the implementation of Chapter 8.44, Noise Control, of the City of Atwater's Municipal Code which allows construction activities between the hours of 7:00 AM and 7:00 PM, Monday through Friday, and the hours of 9:00 AM and 5:00 PM on Saturday and Sunday the level of impact resulting from the Proposed Project would be curtailed. Additionally, in conjunction with the constraints placed on the construction activities allowed the Project Proponent in working with City Staff, has agreed to only construct single-story homes along the eastern portion of the project site abutting the railroad and erecting a wall seven (7) feet in height in order to mitigate the noise originating and emanating out from the Burlington

Northern Railroad. Therefore, the Proposed Project will have a **Less Than Significant Impact with Mitigation Incorporated**.

c. *For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?*

The Project site is within two (2) miles of the Merced County Castle Airport, but the Proposed Project sits just outside of Zone D and as such is not located within the boundaries of an airport land use plan. Therefore, the Proposed Project will have a **Less Than Significant Impact**.

MITIGATION MEASURES:

The following mitigation measures shall be incorporated into the Proposed Project:

Mitigation Measure Noise-1: Construction of only single-story homes along the eastern portion of the Project site abutting the Burlington Northern Railroad.

Mitigation Measure Noise-2: Construction of a seven (7) foot tall wall along the eastern portion of the Project site abutting the Burlington Northern Railroad.

14. POPULATION AND HOUSING -- Would the project:

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X

IMPACT ANALYSIS

c. *Would the project induce substantial population growth in one area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

The Proposed Project would allow for the development of seventy-three (73) single-family dwellings. Per the United States Census Bureau, persons per household (2017 – 2021) in the city of Atwater equaled 3.03; based on this statistic, the Proposed Project would increase the City's population by approximately 191 persons. With the addition of 191 new residents, the Proposed Project would increase the City's population by a marginal amount. The Proposed Project is consistent with the Low-Density Residential land use designation established under the General Plan, and implementation of the Proposed Project would not directly contribute to a substantial unplanned increase in population within the City of Atwater. Therefore, the Proposed Project will have a **Less Than Significant Impact.**

b. *Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

The project site is presently a vacant, undeveloped piece of land with no structures currently existing on site, residential or otherwise. Thus, the Proposed Project would not displace existing individuals or housing as none currently exist. Therefore, the Proposed Project will have **No Impact.**

MITIGATION MEASURES:

Mitigation is not required for this topic.

15. PUBLIC SERVICES

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the 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 public services:				
a) Fire protection?			X	
b) Police protection?			X	
c) Schools?			X	
d) Parks?			X	
e) Other public facilities?			X	

IMPACT ANALYSIS

a. *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the 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 fire protection?*

The City of Atwater transitioned fire protection services by executing a service contract with the State of California, Cal Fire. The contract began in October 2008. There are two (2) fire stations within two (2) miles of the Proposed Project site: 1) Atwater station 42 sits approximately 1.2 miles from the project site; and 2) Cal-Fire Castle Crew sits approximately 1.8 miles away from the project site. The Proposed Project would not substantially impact the City's response time in addressing calls for assistance.

The City of Atwater's 2000 General Plan outlines goals, policies and implementation programs in order to facilitate planned, orderly and strategic growth while minimizing the impact on response times and quality of service delivered to the residents of Atwater. Policy LU-17.1 makes clear the city will not sacrifice response times for more development. Finally, Policy LU-17.2 requires all new development to contribute funding toward necessary fire facilities and fire equipment. Therefore, the Proposed Project will have a **Less Than Significant Impact**.

c. *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the 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 performonce objectives for police protection?*

Police protection services in Atwater are provided by the Atwater Police Department. The Police Department is located at 750 Bellevue Road approximately one and a half miles away from the Proposed Project site. Police staffing levels are generally based on the population and police officer ratio, and an increase in population is typically the result of an increase in housing. Since the Proposed Project includes residential uses, it can be assumed that the marginal increase in population that results from this Project would be expected to generate a slight increase in the demand for law enforcement services. In this instance, General Plan Policy LU-18.2 requires all new development to contribute funding toward necessary law enforcement facilities and equipment. However, as previously stated, the Proposed Project is not expected to generate substantial population growth in the area that would result in the need for additional police services. Therefore, the Proposed Project will have a **Less Than Significant Impact**.

c. *Would the project result in substantiol adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the 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 schools?*

The Proposed Project and the residential neighborhood that will result from the Proposed Project will not be served by the Atwater Elementary School District. The Proposed Project site will be served by the Merced City School District for grades elementary through eight (8) and the Merced Union High School District for grades nine (9) – twelve (12). The closest schools in proximity to the Proposed Project are:

Merced City School District

- Franklin Elementary School located at 2736 Franklin Road, Merced, 95340
- Stefani Elementary School located at 2768 Ranchero Lane, Merced, 95340

Merced Union High School District

- Buhach High School located at 1800 Buhach Road, Atwater, 95301
- Atwater High School located at 2201 Fruitland Avenue, Atwater, 95301

The Merced City School District has nineteen (19) schools, with an enrollment of 10,922 students for the 2023 school year with a student to teacher ratio of twenty-six (26) to one (1). Similarly, the Merced Union High School District has nine (9) schools serving a student body of 11,177 students for the 2023

school year with a student to teacher ratio of twenty-one (21) to one (1). In order to continue to support the collection of school fees consistent with the maximum allowable amount permitted under state law, the City of Atwater established the General Plan Policy LU-21.2 to ensure adequate funds are collected. The Proposed Project would ultimately result in the construction of seventy-three (73) new residences and an incremental increase in population which could impact demand for school services within the school districts listed above. In order to mitigate this impact, Government Code 65996 requires the payment of impact fees to the school districts at the time of construction to offset increased student enrollment. As provided in the Government Code, payment of these fees constitutes adequate mitigation of impacts to the provision of school facilities. Therefore, the Proposed Project will have a **Less Than Significant Impact**.

d. *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the 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 parks?*

Increase in the demand for recreational facilities is typically associated with increases in population. As discussed in section 14.A (*Population and Housing*), the Proposed Project will not generate substantial growth in the local population such that it will be in excess, inconsistent, and out of conformance with the City's General Plan. The incremental growth spurred by the Proposed Project is unlikely to warrant new park facilities. The design for the Silver Creek Crossings Vesting Tentative Subdivision Map is congruent with the City's General Plan Policy LU-23.2. Finally, approval of the Proposed Project and subsequent residential build out would require payment of development fees to off-set any increase in demand for park services. Thus, the Proposed Project will have a **Less Than Significant Impact**.

e. *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the 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* other public facilities?

The marginal population increase generated by the Proposed Project would result in an incremental increase in use of public facilities; this impact would be negligible. Therefore, the Proposed Project will have a **Less Than Significant Impact.**

MITIGATION MEASURES:

Mitigation is not required for this topic.

16. RECREATION

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			X	

IMPACT ANALYSIS

The following discussion is an analysis for criteria (a) and (b):

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?*
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?*

Development of the Proposed Project will generate marginal population growth and may increase demand for recreational facilities. Due to the Proposed Project's location being in close proximity it is reasonable to assume residents of Silver Creek Crossings Subdivision will increase the use of the neighboring 17.9-acre Veterans Park. However, whether this use would result in substantial physical deterioration of the park and facility occurring or being accelerated cannot be fully determined because the amount of park activity use from the Proposed Project's residents would be purely speculative in nature. Regardless of which park and/or recreation facility is impacted, payment of impact fees by Project Proponent would help off-set any increase in demand, use, or physical deterioration such that the Proposed Project will have a **Less Than Significant Impact**.

MITIGATION MEASURES:

Mitigation is not required for this topic.

17. TRANSPORTATION/TRAFFIC – WOULD THE PROJECT:

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

The following is based on the Technical Memorandum that was completed for the Proposed Project by GHD (October 2023).

IMPACT ANALYSIS

a. *Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?*

The Proposed Project is consistent with the City of Atwater's General Plan land use designation, is located within the City of Atwater and is zoned Planned Development, allowing for Low-Density Residential uses. Since the quality of traffic flow is often governed by the operation of intersections, consistent with the July 2000 City of Atwater General Plan Circulation Element and the most recent Merced County Association of Governments (MCAG) guidelines, various traffic scenarios were analyzed. The primary intersection analyzed is adjacent to and provides access to the Proposed Project site: the North Buhach Road and Piro Road/Garden Drive intersection. The analysis included existing 2023 conditions, existing 2023 plus Project conditions, cumulative 2046 conditions, and cumulative 2046 plus Project conditions and the Proposed Project peak hour trip assignment was based on the existing traffic flows occurring at this intersection. Per the City of Atwater's General Plan Circulation Element, the City of Atwater designates LOS D as their minimum standard. Based on the analysis provided, the Proposed Project would generate approximately 688 daily trips with 51 weekday AM peak hour trips and 69 weekday PM peak hour trips. With the Proposed Project trips added to existing volumes at the N Buhach Road and Piro Drive intersection, both AM and PM peak hour LOS would be acceptable; this intersection would be operating at LOS C during both weekday peak hours. As such, the Proposed Project will not conflict with a program, plan, ordinance or policy

addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. Therefore, the Proposed Project will have a **Less Than Significant Impact.**

b. *Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?*

The CEQA Guidelines provided in Section 15064.3, subdivision (b) establish criteria for analyzing transportation impacts of a project based on Vehicle Miles Traveled (VMT) instead of the previous, now superseded Level of Service (LOS) methodology. Regarding Land Use Projects, the guidelines state, "Vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact" ...while "projects that decrease vehicle miles traveled in the project area compared to existing conditions should be presumed to have a less than significant impact."

To date, the City of Atwater has not developed criterion to determine if it can be assumed a project will have a less than significant impact. However, the Merced County Association of Governments has adopted regional screening criteria for development projects; the criterion concludes that if a project generates less than 1,000 daily trips and is consistent with the jurisdiction's General Plan it can be assumed said project will have a less than significant impact. As discussed above and based on the analysis provided, the Proposed Project will generate approximately 688 daily trips, well short of the 1,000 daily trip threshold established by the Merced County Association of Governments. Consequently, the Proposed Project will not conflict with or be inconsistent with the CEQA guidelines established, and as a result, the Proposed Project will have a **Less Than Significant Impact**.

c. *Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

A review of the Proposed Project's site design clearly illustrates no increase in hazards due to a geometric design feature or incompatible uses. The Proposed Project does not introduce new curves or hazardous intersections. Access to the Project site will be provided directly from Nebela Road via two (2) future north-south road extensions (Rondel Road and Nina Drive). To ensure there will be no increase in hazards, all internal roadways and connections to existing roadways would be required to meet existing City roadway design standards. Further, the Proposed Project site traffic and vehicles visiting the site during the construction phase will be comprised of automobiles and trucks which are permitted under the California Vehicle Code. The Proposed Project does not introduce incompatible uses or users (i.e., farm equipment) to roadways or transportation facilities not intended for the established use. As such, the Proposed Project will have a **Less Than Significant Impact**.

d. *Would the project result in inadequate emergency access?*

As discussed above, the Proposed Project-related traffic would not cause a significant increase in congestion and would not reduce the existing LOS on area roads, which could indirectly affect emergency access. All Project lots to be developed will have direct access to an existing or proposed street allowing for adequate emergency access throughout the entirety of the proposed development. The Proposed Project site will be accessible off N. Buhach Road, as N. Buhach Road

currently functions as a major arterial street with four travel lanes in the Proposed Project area. As stated in the Technical Memorandum provided and based on direction from NorthStar Engineering staff (Applicant Representative), the intersection of N. Buhach Road and Piro Drive/Garden Drive is planned for signalization. Given the current conditions of the Proposed Project area, the anticipated level of project related trips generated, the Proposed Project related planned improvements, and the objective design standards by which the Project Proponent must adhere, the Proposed Project will not result in inadequate emergency access. Therefore, the Proposed Project will have a **Less Than Significant Impact**.

MITIGATION MEASURES:

Mitigation is not required for this topic.

18. TRIBAL CULTURAL RESOURCES -- WOULD THE PROJECT:

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
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)?			X	
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 I of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision I of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?			X	

Effective July 1, 2015, Assembly Bill 52 (AB 52) amended CEQA to mandate consultation with California Native American tribes during the CEQA process to determine whether or not the Proposed Project may have a significant impact on a Tribal Cultural Resource. Section 21073 of the Public Resources Code defines California Native American tribes as "a Native American tribe located in California that is on the contact list maintained by the Native American Heritage Commission for the purposes of Chapter 905 of the Statutes of 2004." This includes both federally and non-federally recognized tribes. Section 21074(a) of the Public Resource Code defines Tribal cultural resources for the purpose of CEQA as:

c) Sites, features, places, cultural landscapes (geographically defined in terms of the size and scope), sacred places, and objects with cultural value to a California Native American tribe that are either of the following:

a. included or determined to be eligible for inclusion in the California Register of Historical Resources; and/or

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

Because criteria A and B also meet the definition of a Historical Resource under CEQA (see Section 5 of this document), a Tribal Cultural Resource may also require additional (and separate) consideration as a Historical Resource. Tribal Cultural Resources may or may not exhibit archaeological, cultural, or physical indicators.

Recognizing that California tribes are experts in their Tribal Cultural Resources and heritage, AB 52 requires that CEQA lead agencies carry out consultation with tribes at the commencement of the CEQA process to identify Tribal Cultural Resources. Furthermore, because a significant effect on a Tribal Cultural Resource is considered a significant impact on the environment under CEQA, consultation is required to develop appropriate avoidance, impact minimization, and mitigation measures. Consultation is concluded when either the lead agency and tribes agree to appropriate mitigation measures to mitigate or avoid a significant effect, if a significant effect exists, or when a party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached, whereby the lead agency uses its best judgement in requiring mitigation measures that avoid or minimize impact to the greatest extent feasible.

IMPACT ANALYSIS

c. *Would the project cause a significant 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:*

1. *Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?*
2. *A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision I of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision I of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?*

In accordance with Public Resources Code Section 21080.3.1, notification letters were sent to tribal representatives of California Native American tribes that have requested to be notified of projects within the project area for the City of Atwater. Tribal representatives were advised of the Proposed Project and invited to request formal consultation with the City of Atwater regarding the Proposed Project within thirty (30) days of receiving the notification letters. On January 4, 2023, notification letters were sent to representatives of the following tribes –

(4) Southern Sierra Miwuk Nation
(5) Amah Mutsun Tribal Bank
(6) North Valley Yokuts Tribe

As of the preparation of this Initial Study/Mitigated Negative Declaration, more than thirty (30) days following the City's transmittal of notification letters, no tribal representatives requested consultation. No tribal cultural resources have been identified associated with the Proposed Project site. Therefore, the Proposed Project will have a **Less Than Significant Impact**.

MITIGATION MEASURES:

Mitigation is not required for this topic.

19. UTILITIES AND SERVICE SYSTEMS -- WOULD THE PROJECT:

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?			X	
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			X	
c) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand, in addition to the provider's existing commitments?			X	
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			X	
e) Comply with Federal, State, and local management and reduction statutes and regulations related to solid waste?			X	

IMPACT ANALYSIS

a. *Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?*

The current site of the Proposed Project is vacant and unimproved. The Project Proponent will be required to bring the property up to current City standards, and will be required to connect to the existing utilities such as electricity, natural gas, water, wastewater, etc. These services exist in the vicinity of the Proposed Project site. Connections can be made for water and sewer on Nina Drive and

connection to an existing water line can be made on Rondel Road. A new storm drain retention basin is proposed on the northeast side of the Proposed Project on Lot A, while the two existing storm basins are proposed to be expanded further to accommodate the increased demand for these utility services.

Development of the Proposed Project would increase the demand for water in the city due to human consumption and irrigation for landscaping. Water distribution lines would be installed and looped through the Proposed Project site in order to provide adequate water supply to each of the single-family residential units.

Finally, during the development period the Proposed Project, Project Proponent will be required to submit a Notice of Intent and Stormwater Pollution Prevention Plan (SWPPP) to the Regional Water Quality Control Board to obtain a National Pollutant Discharge Elimination System (NPDES) General Construction Permit. The SWPPP will include Best Management Practices (BMPs) to prevent water quality degradation and to control erosion and siltation. Therefore, the Proposed Project will have a **Less Than Significant Impact**.

b. *Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?*

The City of Atwater extracts its water supply from groundwater aquifers via a series of wells throughout the city. The City's existing system facilities include nine active water wells with a total pumping capacity of 13,688 gallons per minute, a distribution system that is nearly ninety-seven (97) miles in length with line sizes ranging from four (4) to fourteen (14) inches in diameter, two (2) five-hundred-thousand (500,000) gallon ground level tanks, and an elevated tank with a capacity of one-million (1,000,000) gallons. Based upon the preceding criteria, the Proposed Project will have sufficient water supplies available to serve the Proposed Project now and foreseeable future development during normal, dry, and multiple dry years. Therefore, the Proposed Project will have a **Less Than Significant Impact**.

c. *Would the project result in a determination by the wastewater treatment provider that 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?*

The City of Atwater completed construction of a new regional Wastewater Treatment Facility (WWTF) in 2012. The WWTF is located just south of the city on Bert Crane Road. The new WWTF has a capacity of six million gallons per day (MGD). Wastewater is collected through a gravity flow system with approximately twenty (20) lift stations spread throughout the city. The existing sewer system consists of pipes which range from six (6) inches to thirty-six (36) inches in diameter. The new facility meets the Regional Water Quality Control Board's (RWQCB) waste discharge requirements by providing improved treatment quality. Most notably, the WWTF is expandable in modules up to a capacity of twelve million gallons per day to handle the flow from future development. The majority of wastewater returning to the WWTF would be from normal residential uses by future residents of the subdivision. While the current wastewater treatment methods are adequate to meet the needs of the

Proposed Project, the Project Proponent is subject to the payment of wastewater impact fees. Additionally, the Proposed Project was referred to pertinent departments for their input; the city's Public Works department expressed no concern related to adequate capacity or insufficient capacity to meet the Proposed Projects projected demand. Therefore, the Proposed Project will have a **Less Than Significant Impact**.

The following discussion is an analysis for criteria (d) and I:

d. *Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impoir the attainment of solid waste reduction gaals?*
e. *Would the project comply with Federol, State, and local management and reduction statutes and regulations related to solid waste?*

Per the City of Atwater's 2000 General Plan, no solid waste disposal sites exist within the city's planning area. Solid waste generated within the city is collected by Allied Waste, a private contractor, and transported directly to the Merced County Landfill located off State Highway 59, approximately one and one-half miles north of Old Lake Road. The County of Merced is the contracting agency for landfill operations and maintenance. Solid waste generated from the Proposed Project will be disposed of at the County Landfill. The Proposed Project will not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. Additionally, the Proposed Project will comply with all federal, state, local statues, and regulations relating to solid waste. Therefore, the Proposed Project will have a **Less Than Significant Impact**.

MITIGATION MEASURES:

Mitigation is not required for this topic.

20. WILDFIRE -- Would the project:

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

IMPACT ANALYSIS

The following discussion is an analysis for criteria (a), (b), (c), and (d):

a. *Would the project* substantially impair an adopted emergency response plan or emergency evacuation plan?
b. *Would the project due to slope, prevoiling winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spreod of a wildfire?*
c. *Would the project require the installation of ossociated infrastructure (such os 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?*
d. *Would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainoge chonges?*

The Proposed Project site is a vacant, undeveloped parcel characterized by its' flat topography. The Proposed Project is located within a Local Responsibility Area (LRA) and there do not appear to be any State Responsibility Areas (SRA) in close proximity to the site, per Cal-Fire's State Responsibility Area

(SRA) Viewer. Similarly, the site is not located within or designated as a Very High Fire Hazard Severity Zone (VHFHSZ). As stated by the Fire Marshall via the project referral period, the materials have been reviewed and there are no special conditions or considerations that would cause the Proposed Project to impair or interfere with an emergency response. Further, the physical development of the Proposed Project and all construction related activities shall comply with current California Fire Code, California Building Code, and City Standards thereby reducing potential fire hazards. In the event that a fire of any intensity occurs, whether during the physical development or after construction activities have completed, the Proposed Project site sits nearly equidistant between Atwater Fire Station 42 and Cal-Fire Castle Crew Station. Therefore, the Proposed Project will have a **Less Than Significant Impact**.

MITIGATION MEASURES:

Mitigation is not required for this topic.

21. MANDATORY FINDINGS OF SIGNIFICANCE –

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
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 a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			X	
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		X		

IMPACT ANALYSIS

a. *Does the project have the potential to substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*

This Initial Study includes analysis of the Proposed Project impacts related to aesthetics, agricultural resources, air quality, biological resources, cultural resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation and traffic, wildfire, and utilities and service systems. The analysis covers a broad spectrum of topics relative to the potential for the Proposed Project to have environmental impacts; this includes the potential for the Proposed Project to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict of a rare or endangered plant or animal or eliminate important examples of the major

periods of California history or prehistory. Through this analysis, it was found that the Proposed Project would have either no impact, a less than significant impact, or a less than significant impact with the implementation of mitigation measures. For the reasons presented throughout this Initial Study, the Proposed Project would not substantially degrade the quality of the environment. With the implementation of mitigation measures presented in this Initial Study, the Proposed Project will have a **Less Than Significant Impact**.

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 the connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?*

As described in this Initial Study, the potential environmental effects of the Proposed Project will either be less than significant or will have no impact at all when compared to baseline conditions. Where the Proposed Project involves potentially significant effects, these effects would be reduced to a less than significant level with proposed mitigation measures and compliance with required permits and applicable regulations.

The potential environmental effects identified in this Initial Study have been considered in conjunction with each other as to their potential to generate other potentially significant effects. The various potential environmental effects of the Proposed Project would not combine to generate any potentially significant cumulative effects. There are no other known, similar projects with which the Proposed Project might combine to produce adverse cumulative effects. Thus, the Proposed Project will have a **Less Than Significant Impact**.

c. *Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

This Initial Study has considered the potential environmental impacts of the Proposed Project in the discrete issue areas outlined in the CEQA Environmental Checklist. During the environmental analysis, the potential for the Proposed Project to result in substantial impacts on human beings in these issue areas, as well as the potential for substantial impacts on human beings to occur outside of these issue areas, were considered. Potential adverse effects on human beings were discussed in Section 3, Air Quality; Section 4, Biological Resources; and Section 13, Noise. No significant adverse effects were identified in these sections that could not be mitigated to a level that would be less than significant.

The construction phase of the Proposed Project could have an effect on surrounding neighbors through an increase in traffic and noise; however, the effects experienced through the construction phase are temporary, not substantial, and implementation of Chapter 8.44, Noise Control, of the City of Atwater's Municipal Code combined with mitigation measures will curtail the level of impact experienced by surrounding neighbors. The operational phase of the Proposed Project could also affect surrounding neighbors through increased air emissions, noise, and traffic; however, mitigation measures have been incorporated into the Proposed Project that would reduce the impacts to a less

than significant level. Thus, the Proposed Project will not cause substantial adverse effects on human beings. Therefore, implementation of the Proposed Project will have a **Less Than Significant Impact with Mitigation Incorporated**.

REFERENCES

In accordance with Section 15063(a)(3) of the CEQA Guidelines, the following expert opinion, technical studies, and substantial evidence has been referenced and/or cited in the discussion included in the Initial Study Checklist:

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- CAL FIRE (2023). Merced County Fire Hazard Severity Zones in State Responsibility Area Map. Retrieved from: https://osfm.fire.ca.gov/fire-hazard-severity-zone-maps-2022/.
- Central California Information Center, California Historical Resources Information System; Records Search File Number: 12639I.
- City of Atwater – City of Atwater General Plan (July 2000).
- City of Atwater – City of Atwater General Plan Update Draft Environmental Impact Report.
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- City of Atwater – City of Atwater 2020 Urban Water Management Plan (Black Water Consulting Engineers, March 2022).
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- Merced County Airport Land Use Compatibility Plan (MCALUCP, June 2012).
- Merced County. Merced County General Plan (2030). Retrieved from: https://countyofmerced.com/DocumentCenter/View/6766/2030-Merced-County-General-Plan?bidId=.
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- United States Department of Agriculture. Web Soil Survey. Retrieved from Natural Resources Conservation Services: https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx.
- University of California, Davis, Agriculture and Natural Resources, Soil Web. Retrieved from: https://casoilresource.lawr.ucdavis.edu/gmap/.

Appendices