

Initial Study and Negative Declaration

County of Merced Housing Element Update County of Merced, CA

May 13, 2010

Prepared for:

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

Table of Contents

- Section 1: Introduction - 1 -
 - 1.1 Purpose: - 1 -
 - 1.2 Project Location - 1 -
 - 1.3 Project Objective..... - 1 -
 - 1.4 Project Description..... - 1 -
- Section 2: Environmental Checklist..... - 15 -
 - 2.1 Purpose and Legal Basis for the Initial Study - 15 -
 - 2.2 Declaration of No Significant Impact - 16 -
 - 2.3 Initial Environmental Checklist - 17 -
 - 2.3 Environmental Factors Potentially Affected - 17 -
 - 1. Aesthetics..... - 17 -
 - 2. Agricultural Resources - 19 -
 - 3. Air Quality - 20 -
 - 4. Biological Resources..... - 22 -
 - 5. Cultural Resources - 24 -
 - 6. Geology and Soils - 25 -
 - 7. Global Climate Change..... - 27 -
 - 8. Hazards and Hazardous Materials..... - 28 -
 - 9. Hydrology and Water Quality - 31 -
 - 10. Land Use and Planning - 34 -
 - 11. Mineral Resources..... - 35 -
 - 12. Noise - 36 -
 - 13. Population and Housing - 38 -
 - 14. Public Services..... - 40 -
 - 15. Recreation - 42 -
 - 16. Transportation/Traffic..... - 43 -
 - 17. Utilities and Service Systems..... - 45 -
 - 18. Mandatory Findings of Significance - 47 -

SECTION 1: INTRODUCTION

1.1 Purpose:

The project under evaluation in this Initial Study (IS) and Negative Declaration (ND) is the 2009 Housing Element Update for the County of Merced. The purpose of the IS/ND is to identify the potential environmental impacts associated with the 2009 Housing Element Update. The IS includes information to substantiate the conclusions made regarding the potential of the proposed project to result in significant environmental effects and provides the basis for input from public agencies, organizations, and interested members of the public. Pursuant to Section 15367 of the California Environmental Quality Act (CEQA) Guidelines, Merced County is the Lead Agency for the proposed project and, as such, has the primary responsibility for approval or denial of the project.

1.2 Project Location

The County of Merced is located in the heart of California's vast agricultural Central Valley and encompasses over 1,972 square miles. Merced County shares a border with Stanislaus County to the north, Tuolumne County to the north east, Mariposa County to the east, Madera County to the southeast, Fresno County to the south, San Benito County to the southwest, and Santa Clara County to the west. Cities within the Merced County include Atwater, Dos Palos, Gustine, Livingston, Los Banos, and the county seat of Merced. The project site includes all areas within the boundary of Merced County with the exception of these cities.

1.3 Project Objective

The 2009 Housing Element is a comprehensive review and update of the 2003 Housing Element background information and goals, policies, and programs. The 7½-year planning period for the 2009 Housing Element covers the period January 1, 2007, to June 30, 2014. The County of Merced last updated its Housing Element in 2003, which served a 7½-year planning period from January 2001 to June 2008.

1.4 Project Description

State Housing Element Law (Government Code Section 65580 (*et seq.*)) mandates that local governments must adequately plan to meet the existing and projected housing needs of all economic segments of the community. The purpose of the housing element is to identify the county's housing needs; to state the county's goals and objectives with regard to housing production, rehabilitation, and conservation to meet those needs; and to define the policies and programs that the county will implement to achieve the stated goals and objectives.

The 2009 Housing Element is a policy document intended as a guide for decision-makers in meeting the county's housing objectives over the next five years. The 2009 Housing Element modifies existing policies and implementation programs from the previous Housing Element, preserves the most successful programs; and proposes new programs to meet the housing needs of the county's residents. Some of the more significant changes in the 2009 Housing Element Update include additional policies

to prevent and mitigate foreclosures, strengthen programs for persons in need of emergency shelter, and monitor the implementation of the Element.

“Projected housing needs” for the County of Merced during this housing element period were determined through the regional housing needs allocation (RHNA) process. California law requires the California Department of Housing and Community Development (HCD) to project the statewide housing need and allocate the statewide need amongst the various regions in California. The Merced County Association of Governments (MCAG) allocated the region’s “fair share” housing need among the jurisdictions within its boundaries, including the County of Merced pursuant to State guidelines.

In August 2008 MCAG assigned a need of 7,364 housing units to the County of Merced for the period January 1, 2007, through June 30, 2014. Of the 7,364 housing units, 4,319 units (58.7percent) are to be affordable to moderate-income households and below, including 824 extremely low-income units, 824 very low-income units, 1,241 low-income units, and 1,430 moderate-income units. Since the County did not fully implement Program HE-1.5 in the 2003 Merced County Housing Element to meet its 2003 RHNA, the unaccommodated 2003 RHNA was brought forward and added to the 2008 RHNA. The remaining need from the prior planning period is 866 very low- and 689 low-income housing units.

Since the Housing Element planning period runs from January 1, 2007, to June 30, 2014, the County’s RHNA can be reduced by the number of new units built or approved since January 1, 2007. County staff compiled an inventory of all residential units that have been constructed, were under construction, or had been issued a building permit between January 2007 and December 2008. The inventory showed that 154 single-family dwelling units have been constructed, were under construction, or have received building permits, all of which are assumed to accommodate above moderate-income households. In addition, there have been 26 second units, 30 mobiles homes, and 55 farmworker housing units approved or constructed in the unincorporated county. Second units are assumed to be affordable to moderate-income households, while mobile/modular homes and farmworker housing are assumed to be affordable to lower-income households. After accounting for units constructed since the beginning of the planning period (January 1, 2007) and combining the 2003 unmet need and 2008 RHNA, the County’s remaining need is 4,226 lower-income and 1,404 moderate-income units.

To determine whether or not the county has sufficient land capacity to accommodate this remaining need on land already zoned and designated for residential development, the County conducted an inventory of vacant sites within the unincorporated areas of the county in accordance with the requirements of Government Code Section 65583.2. In November 2008, County staff produced a list of vacant parcels by reviewing the most recent assessor land use codes, querying permit data, flagging new development and vacant parcels, and reviewing updated aerial photography. The County also inventoried realistic capacity in the new communities of The Villages of Laguna San Luis, Fox Hills, UC Merced, and University Community Plan area. The county has more than sufficient capacity on lower-density-zoned land to accommodate the need for above moderate-income housing; therefore, the sites inventory focuses on land with zoning and General Plan land use designations that allow for medium- and high-density development. Affordability assumptions are based on default density standards established by HCD, which considers sites zoned for medium and higher-density residential development available for moderate- and lower-income units.

In addition to vacant sites, the Housing Element includes an estimate of projected secondary dwelling units, mobile homes, and farmworker housing units based on past development trends. Historically, second units (aka granny units), mobile/modular homes, and farmworker housing have been a source of affordable housing in the county. Based on past trends 189 second units, 625 mobile/modular homes, and 195 farmworker units are projected between 2008 and 2014 in areas of the county zoned for this type of development. Of the 1,008 total units projected, 189 units would be expected to be affordable for moderate-income households and 820 units for very low- and low-income households.

The results of the inventory showed that there is an inventoried capacity of 166 moderate-income units and 1,991 lower-income units on land zoned and designated for residential development within existing communities in the county (i.e., Delhi, Franklin/ Beachwood, Hilmar, Le Grand, Planada, Santa Nella, and Winton). In the new communities of the Villages of Laguna San Luis, Fox Hills, and UC Merced there is a realistic development capacity for 2,005 moderate-income and 607 lower-income units. Since there is not yet zoning in place in the University Community Plan Area as of April 2010, the county cannot count the future development potential in this area against the RHNA. After accounting for: built and approved units; projected mobile homes, farmworker housing, and second units; and capacity on vacant land, the County has a remaining need of 974 lower-income units. This remaining need will be met through the rezoning of land within the University Community Plan Area. This rezoning will occur as part of the Community Plan process, and the environmental impacts will be analyzed in a separate environmental impact report.

The Housing Element is strictly a planning document, which does not require the County or others to construct housing. The Housing Element determines whether or not the County has sufficient land zoned for residential development to accommodate its regional housing need allocation assigned by MCAG, which identified current and projected housing needs for households of all income groups and with special housing needs. Table 1 shows the Housing Element programs. Through implementation of the policies and programs identified in the Housing Element, the County can meet its RHNA and provide a variety of housing types that address the needs of existing and future Merced County residents.

Future residential development projects facilitated by the programs and policies in the Housing Element may have environmental impacts and these projects will be subject to project-specific environmental review. The County will evaluate specific projects based on their compliance with the General Plan, Zoning Ordinance, applicable community plans, other ordinances, and CEQA. Compliance with the programs and policies of the Housing Element does not ensure entitlements or project approval will be granted.

Table 1 Housing Element Programs					
Program	Responsibility	Funding	Timeframe	Quantified Objective	
Goal HE-1: New Construction					
1-1	VACANT AND UNDERUTILIZED LAND INVENTORY. The County shall maintain an updated inventory of vacant and underutilized, residentially designated land. The County shall make this information available to the public by providing the inventory at the Planning and Community Development Department and on the County's website.	Planning and Community Development Department, County Assessor, County Tax Collector	Staff time, General Fund	FY 2009-10, ongoing	N/A
1-2	COMMUNITY PLAN UPDATES. The County shall continue to review and update its Community Plans to ensure adequate land is available for various housing types at all income levels. The County shall continue to zone and designate adequate sites during the Community Plan updates to meet the various housing needs of each community.	Planning and Community Development Department	Staff time, General Fund, development fees	Ongoing	N/A
1-3	INNOVATIVE HOUSING TYPES. To encourage development of innovative housing designs and building materials that may emerge during the buildout of all new communities, the County shall consider modifications of building and subdivision codes, where appropriate, that would facilitate the development of new types of affordable units, while maintaining the public's health, safety, and quality of life. The County shall also work closely with local builders and potential developers to create new experimental housing prototypes.	Planning and Community Development Department	Staff time, General Fund	FY 2011-12	N/A
1-4	INFRASTRUCTURE FINANCING ASSISTANCE IN NEW COMMUNITIES. To reduce the "up-front" infrastructure improvement and development costs in new communities, the County shall investigate the feasibility of providing assistance in developing long-term infrastructure financing. Such financing might include formation of a Mello-Roos or special assessment district to support a long-term, low-interest revenue bond to fund infrastructure improvements.	Planning and Community Development Department, Public Works	Staff time, General Fund	FY 2010-11	N/A
1-5	WATER STUDY. The County shall conduct a countywide water study that examines future demand compared with existing and planned supply and identifies ways to meet unmet projected demand. The study will consist of the following components: <ul style="list-style-type: none"> • A summary of existing water resources in the county; • Water demand and capacity projections for a 20-year time horizon for the eastern, western, and northern regions of the 	Planning and Community Development Department, Public Works	Staff time, General Fund	FY 2009-10	N/A

**Table 1
Housing Element Programs**

	Program	Responsibility	Funding	Timeframe	Quantified Objective
	county; <ul style="list-style-type: none"> • An estimation of groundwater and surface water available to support future urban development, including new towns; • A description of water supply systems to satisfy the urban demands for each region; • An analysis of groundwater and surface water source availability during drought years; • A list of strategies for augmenting groundwater and surface water supplies through non-potable water sources, recycled water practices, water conservation programs, and new storage facility construction opportunities. 				
1-6	CHILD CARE. The County shall encourage the development of childcare facilities within all housing developments, with specific the specific emphasis on affordable housing, through the use of incentives determined to be appropriate. The County shall review incentive options to develop a plan or policy relating to this issue in cooperation with childcare providers and intermediaries.	Planning and Community Development Department, Public Works	Staff time, General Fund	FY 2010-11	N/A
1-7	REZONE SITES TO MEET RHNA. The County shall rezone adequate sites for higher-density development within the University Community Plan to accommodate at least the remaining need of 974 lower-income units (48.7 acres, assuming 20 units per acre). The County shall ensure that at least 50 percent of the unmet lower-income RHNA need be accommodated on housing sites designated exclusively for residential use, permit owner-occupied and rental multi-family uses by-right, allow at least 16 units per site, and allow at least 20 units per acre.	Planning and Community Development Department	Staff time, General Fund	FY 2012-13	N/A
1-8	PLANNING FOR LARGE SITES. The County shall provide opportunities for further subdivision or specific plan development of large sites identified in the Housing Element to encourage a variety of housing types, including affordable housing, and site plan concepts that achieve the maximum housing potential of large sites. The County shall employ a range of tools and techniques, potentially including outreach to property owners and stakeholders, to encourage development of these sites.	Planning and Community Development Department	Staff time, General Fund	As necessary	N/A

**Table 1
Housing Element Programs**

	Program	Responsibility	Funding	Timeframe	Quantified Objective
1-9	SUFFICIENT CAPACITY FOR VACANT SITES. The County shall work with water and sewer service providers to ensure that sufficient capacity exists for sites identified in the Housing Element vacant sites inventory to facilitate development of these sites within the planning period.	Planning and Community Development Department	Staff time, General Fund	Ongoing	N/A
1-10	MODIFYING THE PERMITTING PROCESS FOR MULTI-FAMILY HOUSING. The County shall amend the Zoning Code to allow multi-family developments with 21 units or more with an Administrative Permit (AP) instead of a Conditional Use Permit (CUP), consistent with the current requirements for multi-family developments with 5 to 20 units.	Planning and Community Development Department	Staff time, General Fund	FY 2010/2011	N/A
Goal HE-2: Affordable Housing					
2-1	SAN JOAQUIN VALLEY HOUSING TRUST. The County shall continue to work with the California Partnership for the San Joaquin Valley and San Joaquin Valley Housing Trust in developing a housing trust fund to provide a dedicated source of revenue to build new affordable housing units. The County shall investigate the formation of a county-level housing trust to provide a variety of assistance for low-income housing projects, including, but not limited to, land acquisition, deferred loans for homebuyers, rental loan funds, low-interest financing for the construction, incentives to private developers (e.g., density bonuses), leveraging government programs and private loans, front-end master planning, and other assistance.	Board of Supervisors, Planning and Community Development Department	Federal, State (Proposition 1C), and local (real estate transfer tax, general fund, sales tax, RDA set aside) funds	FY 2009-10, Ongoing	228 units (30 extremely low-, 70 very low-, 70 low-, and 58 moderate-income units)
2-2	FIRST-TIME HOMEBUYER PROGRAM. The County shall continue to partner with other public agencies and non-profit organizations in providing loans to qualified low-income, first-time homebuyers.	Planning and Community Development Department	HOME and CDBG funds	Ongoing	40 Low-income households
2-3	DENSITY BONUS ORDINANCE AMENDMENT. The County shall amend the Zoning Ordinance so that the density bonus requirements are consistent with changes to State law (i.e., SB 1818 and SB 435).	Planning and Community Development Department, Planning Commission, Board of Supervisors	Staff time, General Fund	FY 2010-11	N/A
2-4	"FAST TRACK" PROCESSING. The County shall continue to provide "fast track" processing for extremely-low, very low-, low-, and moderate-income housing project applications.	Planning and Community Development Department	Staff time, General Fund	Ongoing	N/A

**Table 1
Housing Element Programs**

	Program	Responsibility	Funding	Timeframe	Quantified Objective
2-5	EXPEDITED PLAN CHECKS AND BUILDING INSPECTIONS. The County shall continue to expedite plan checks and building inspections to meet construction deadlines associated with the award of Federal tax credits.	Public Works, Planning and Community Development Department	Staff time, General Fund	Ongoing	N/A
2-6	IMPACT FEES REDUCTION. The County shall waive or reduce some or all processing and impact fees for affordable multi-family developments.	All County Departments, Board of Supervisors	Staff time, General Fund	Determined at time of project application	N/A
2-7	HOUSING CHOICE VOUCHER PROGRAM. The County shall provide assistance to the County Housing Authority for the continuation of Section 8 (Housing Choice Voucher Program) rental housing program. The County shall assist the Housing Authority in providing translation services (e.g., Spanish, Hmong) to residents that speak English as a second language.	Planning and Community Development Department, Housing Authority	Staff time, General Fund	Ongoing	N/A
2-8	HOUSING CHOICE VOUCHER PROGRAM OUTREACH. The County shall continue to work with the Housing Authority in providing outreach to landlords about the benefits of Housing Choice Vouchers and other available rental programs.	Planning and Community Development Department, Housing Authority	Staff time, General Fund	Ongoing	N/A
2-9	ASSISTANCE TO AT-RISK UNITS. The County shall continue to work with other local agencies and non-profit organizations (e.g., California Housing Partnership) in identifying and assisting existing subsidized, affordable housing developments that are at risk of converting to market-rate housing. The County shall maintain and update, as needed, the inventory of housing units or projects at risk of converting to market rate (See Table 5-51 in the Background Report).	Planning and Community Development Department, Housing Authority	Federal and State funds	Ongoing	N/A
2-10	INCLUSIONARY HOUSING PROGRAM STUDY. The County shall consider applying for a CDBG technical assistance grant to develop workshops with the Cities, Planning Commission, and Board of Supervisors in order to discuss the need for a countywide inclusionary ordinance. The workshops shall consider various topics including integration of inclusionary requirements with employment/housing balance requirements to discourage impaction of areas, and methods to ensure firm commitment from the Cities for its implementation (e.g., City/County revenue sharing agreements).	Planning and Community Development Department, County Counsel, Planning Commission, Board of Supervisors, participation with Cities	CDBG technical assistance funds	FY 2013-14	N/A
2-11	HOUSING PROGRAM INFORMATION. The County shall	Planning and Community	Staff time, General	Ongoing	N/A

**Table 1
Housing Element Programs**

	Program	Responsibility	Funding	Timeframe	Quantified Objective
	continue to disseminate information to the public about its available housing programs. The County shall continue to use its website as an information/referral source.	Development Department, Governmental Affairs	Fund		
2-12	LEGISLATIVE RELIEF. The County shall, through its State and Federal representatives, advocate for higher State and Federal financial commitments to low and moderate income housing programs to allow provide local governments with greater financial resources to meet Federal and State housing mandates. The County shall pursue housing legislation that establishes a permanent statewide fund to address the county's housing need. The County shall write letters of support or opposition as warranted.	All County Departments	Staff time, General Fund	FY 2011-12	N/A
2-13	PURSUE STATE AND FEDERAL FUNDING FOR AFFORDABLE HOUSING. The County shall pursue appropriate State and Federal funding sources, including HOME, CDBG, and Proposition 1-C funds, to support the efforts of non-profit and for-profit developers to meet new construction and rehabilitation needs of lower-income households, especially extremely low-income households. The County shall periodically update and review available housing programs to identify additional funding sources.	Planning and Community Development Department	Staff time, General Fund	FY 2010-11, at least annually thereafter	50 extremely low-, 25 very low-, and 25 low-income units
Goal HE-3: Foreclosure					
3-1	FORECLOSURE PREVENTION RESOURCES. The County shall continue to promote foreclosure prevention resources by posting information on the County website about foreclosure prevention hotlines and services offered by non-profit organizations.	Planning and Community Development Department, Government Affairs	General Fund (Staff Time)	Ongoing	N/A
3-2	HOMEBUYER EDUCATION PROMOTION. The County shall continue to coordinate meetings in appropriate communities between relevant participants (Building Industry Association, mortgage lenders, Association of Realtors, Housing Authority, etc.) to educate the public on options that exist for potential homebuyers. The program shall include workshops and/or the distribution of information regarding readiness to purchase a home, money management, understanding credit, obtaining a loan, shopping for a home, home maintenance, financial management, and foreclosure prevention. The County shall promote the program on the County	Planning and Community Development Department, Government Affairs	General Fund (Staff Time)	Ongoing	N/A

**Table 1
Housing Element Programs**

	Program	Responsibility	Funding	Timeframe	Quantified Objective
	website, through brochures available at the County offices, and/or in local newspaper advertisements, as well as through partnerships with local realtors. To assist residents where English is their second language, the County shall provide translations of written materials and translation services at public meetings.				
3-3	NUISANCE ABATEMENT IN IMPACTED NEIGHBORHOODS. To help secure and maintain vacant, foreclosed properties, the County shall expand code enforcement in the areas most impacted by foreclosures. The County shall strive to effectively follow up on zoning code violations to ensure that problems are addressed. The County shall investigate creation of a nuisance abatement fund through measures, such as the annual licensing of properties of two or more units to fund the maintenance of abandoned properties and consider recouping costs by charging property owners and/or placing liens on the properties.	Planning and Community Development Department, Public Works, Environmental Health Division, District Attorney	General Fund	FY 2009-10	N/A
3-4	FORECLOSURE REGISTRATION ORDINANCE. To ensure that foreclosed homes are not a source of blight, the County shall investigate adoption of an ordinance that require property owners of foreclosed homes, including banks, mortgage lenders, or any other holder of a deed of trust, to register their properties with the Public Works Building Division and pay a fine if the properties fall into disrepair. The County shall expand the electronic complaint system through the County's website that would allow neighboring homeowners to report problem homes in the community.	Public Works, Planning and Community Development Department, Planning Commission, Board of Supervisors, County Counsel	General Fund	FY 2010-11, Ongoing	N/A
3-5	FORECLOSURE ACQUISITION. The County shall continue its work with qualified non-profit partners using Federal and State Neighborhood Stabilization Program funds to acquire foreclosed properties for private ownership, rehabilitate properties if necessary, and redevelop properties as affordable housing for renters or first time homebuyers. The County may use other housing programs, such as the first time homebuyer down-payment assistance program, in conjunction with this program.	Planning and Community Development Department	Neighborhood Stabilization Program Funds, CDGB Funds, other State and Federal Funds	Ongoing	50 very low-, low-, and moderate-income units
3-6	FORECLOSURE EVICTION ORDINANCE. The County shall investigate the need for a Foreclosure Eviction Ordinance, which would ensure that banks or lenders who foreclose on a single-family	Planning and Community Development Department, Public Works, County	General Fund	FY 2009-10	N/A

Table 1 Housing Element Programs					
Program	Responsibility	Funding	Timeframe	Quantified Objective	
	or multi-family residence cannot evict tenants merely because property owners have been foreclosed on the property.	Counsel, Planning Commission, Board of Supervisors			
Goal HE-4: Special Needs Housing					
4-1	<p>ZONING CODE AMENDMENTS. The County shall amend to the Zoning Code to reflect changes to State law since the previous Housing Element was adopted in 2003:</p> <ul style="list-style-type: none"> • Permit "by right" farm labor camp housing for up to 36 employees through the "plot plan" review process • Permit "by right" family day care homes for eight or fewer children consistent with the Merced County Health and Safety Code. • Allow transitional and supportive housing as a permitted use in residential zoning districts subject only to those restrictions that apply to other residential uses of the same type in the same zone; and • Ensure that various special needs housing types, such as single room occupancy housing, are defined and listed as permitted uses in appropriate zoning districts and specify the conditions and process required to develop such housing. 	Planning and Community Development Department, County Counsel, Public Works, Planning Commission, Board of Supervisors	General Fund	FY 2010-11	N/A
4-2	<p>FARMWORKER HOUSING PLAN. The County shall establish a committee or task force to oversee development of a Farmworker Housing Plan that identifies and addresses farmworker housing needs. Initial committee members should include a representative from the County Planning and Community Development Department, Public Works Department, Environmental Health Division, Agricultural Commissioner, Housing Authority, Farm Bureau, University of California Cooperative Extension, and a member of a group representing farmworkers.</p>	Planning and Community Development Department, Public Works Department, Environmental Health Division, County Counsel, Planning Commission, Board of Supervisors	General Fund	FY 2011-12	N/A
4-3	<p>REASONABLE ACCOMMODATION. The County shall amend the County Code to provide individuals, family members, caregivers, and/or anyone acting on behalf of the person with disabilities reasonable accommodation in rules, policies, practices, and procedures that may be necessary to ensure equal access to housing.</p>	Public Works Department, Planning and Community Development Department, County Counsel, Board of Supervisors	General Fund	FY 2010-11	N/A

**Table 1
Housing Element Programs**

	Program	Responsibility	Funding	Timeframe	Quantified Objective
4-4	PUBLICIZING REASONABLE ACCOMMODATION. The County shall create a public information brochure on reasonable accommodation for disabled persons and provide that information on the County's website.	Public Works Department, Planning and Community Development Department, Government Affairs	Staff time, General Fund	FY 2011-12	N/A
4-5	UNIVERSAL DESIGN. The County shall investigate the feasibility of adopting specific universal design standards for all new construction to encourage accessibility to the greatest extent possible.	Public Works Department, Planning and Community Development Department	Staff time, General Fund	FY 2011-12	N/A
4-6	FUNDING FOR SENIOR CITIZEN PROJECTS. The County shall continue to work with the County Housing Authority and private entities in acquiring grants for senior citizen projects in the unincorporated communities where they are needed.	Public Works Department, Planning and Community Development Department	Federal and State grants	Ongoing, as funds are available	N/A
4-7	SENIOR HOUSING INCENTIVES. The County shall allow a 50 percent density bonus for senior housing and explore revisions to the parking standards for senior housing to allow a reduced standard from that of typical single and multi-family housing.	Planning and Community Development Department, Public Works Department, Planning Commission, Board of Supervisors	Staff time, General Fund	Ongoing	N/A
4-8	PRIORITY PERMIT PROCESSING. The County shall provide priority permit processing for projects that are targeted toward special needs groups and key facilities (including childcare) that service groups such as seniors, the disabled, and the homeless, including priority for building plan check, subdivision map review, improvement plans for roadways and utilities, and environmental impact analysis.	Planning and Community Development Department, Public Works Building Division, Public Works Roads Division, Environmental Health	Staff time, General Fund	FY 2009-10, ongoing	N/A
4-9	ZONING FOR EMERGENCY SHELTERS. The County shall amend to the Zoning Code to allow emergency shelters in at least one of the following zones by right (i.e., without a conditional use permit or other discretionary approval): Light Industrial (M-1) and General Commercial (C-2). The County shall establish development and management standards for emergency shelters that are consistent with State law and encourage and facilitate the development of emergency shelters.	Planning and Community Development Department, County Counsel, Planning Commission, Board of Supervisors	Staff time, General Fund	Within one year of adoption of the Housing Element	N/A
4-10	FARMWORKER HOUSING PERMITTING PROCESS. The County shall continue the additional dwelling occupancy monitoring permit (ADOMP) program to facilitate the provision of private	Planning and Community Development Department, Building Department	Staff time, General Fund	Ongoing	100 farmworker housing units (extremely low-

**Table 1
Housing Element Programs**

Program		Responsibility	Funding	Timeframe	Quantified Objective
	farmworker housing in agricultural zones.				and very low-income units)
4-11	ASSIST IN OBTAINING FUNDING FOR FARMWORKER HOUSING. The County shall apply for or support applications for funding for farmworker housing, including the Joe Serna Jr. Farmworker Housing Grant Program. The County shall periodically review available funding programs to identify additional funding sources for farmworker housing.	Planning and Community Development Department	Staff time, General Fund	FY 2010-11, annually thereafter	50 farmworker housing units (extremely low-income)
Goal HE-5: Neighborhood Preservation/Rehabilitation					
5-1	OWNER-OCCUPIED HOUSING REHABILITATION PROGRAM. The County shall continue to work with other public agencies and non-profit organizations in implementing the Owner-Occupied Housing Rehabilitation Program, which provides assistance to eligible low-income homeowners for correction of health, safety, and/or sanitation issues and code violations.	Planning and Community Development Department, Public Works Department	Staff time, General Fund	Ongoing	500 units (100 units per year)
5-2	FUNDING FOR HOUSING REHABILITATION. The County shall continue to apply for Community Development Block Grant and HOME Program funding for housing rehabilitation in Merced County unincorporated communities with the greatest need.	Planning and Community Development Department	Staff time, General Fund, CDBG and HOME Grants	Ongoing	N/A
5-3	CDBG FUNDING FOR CODE ENFORCEMENT. The County shall continue to utilize "set-aside" funds from CDBG grants for code enforcement to aid in property clean-up and substandard housing enforcement, and community/neighborhood preservation.	Planning and Community Development Department, Environmental Health Division	Staff time, General Fund	Annually	N/A
5-4	HOUSING CONDITIONS SURVEY. To get an accurate assessment of Merced County's existing housing stock, the County shall pursue State and Federal grants to assist in funding a housing conditions survey.	Planning and Community Development Department, Environmental Health Division	State and Federal funds	FY 2010-11	N/A
5-5	STATE HOUSING CODE ENFORCEMENT. The County shall continue to enforce the State Housing Code by either the repair or demolition of substandard housing units that are health and safety hazards.	Planning and Community Development Department, Environmental Health Division	Staff time, General Fund	Ongoing	N/A
5-6	OUTREACH TO LANDLORDS. The County shall continue work with the Housing Authority and other housing agencies and organizations in providing outreach to landlords about the benefits of	Planning and Community Development Department, Housing Authority,	Staff time, General Fund	Ongoing	N/A

Table 1 Housing Element Programs					
Program	Responsibility	Funding	Timeframe	Quantified Objective	
improving rental units.	Environmental Health Division				
Goal HE-6: Equal Opportunity Housing and Discrimination Prevention					
6-1	FAIR HOUSING INFORMATION. The County shall distribute to public locations throughout the county and continue to display in County offices brochures and pamphlets from the Fair Employment & Housing Practices Commission that explain the requirement of employers to provide adequate housing for employees. The County shall also post information on the County's website about fair housing practices with links to appropriate investigative or enforcement agencies that can resolve housing complaints.	Planning and Community Development Department, Government Affairs	Staff time, General Fund	Ongoing	N/A
Goal HE-7: Energy Conservation					
7-1	RENEWABLE ENERGY RESOURCES INFORMATION. The County shall continue to display brochures illustrating the use of solar, wind, and other renewable energy resources in housing maintenance and repair and information on "Leadership in Energy and Environmental Design" (LEED) certification programs.	Planning and Community Development Department, Public Works Department	Staff time, General Fund	Ongoing	N/A
7-2	ENERGY CONSERVATION FOR AFFORDABLE HOUSING. The County shall target local funds and community development block grant resources to assist affordable housing developers in providing the use of solar, wind, other renewable energy resources, and use of water recycling water systems for residential and other building applications.	Planning and Community Development Department, Public Works Department	Staff time, General Fund	FY 2011-12	N/A
7-3	GREEN BUILDING CODE REGULATIONS. The County shall enforce State regulations related to green building as the State enacts laws in accordance with the Building Energy Efficiency Standards, Part 11 of Title 24 of California's new Green Building Standards Code to establish mandatory green building standards for all new construction by 2010.	Building Department	Staff time, General Fund	FY 2010-11	N/A
7-4	ENERGY EFFICIENCY RETROFIT PROGRAMS. The County shall continue to promote energy efficiency retrofit and preventative maintenance programs such as the Merced County Community Action Agency Weatherization Program and PG&E Residential Energy Efficiency Rebate Programs. The County shall display	Planning and Community Development Department, Public Works Department	Staff time, General Fund	FY 2010-11	N/A

Table 1 Housing Element Programs					
Program		Responsibility	Funding	Timeframe	Quantified Objective
	brochures advertising these programs, as well as flyers and brochures illustrating the beneficial use of solar and other renewable energy resources in housing maintenance and repair.				
Goal HE-8: Implementation Monitoring					
8-1	IMPLEMENTATION TRACKING MATRIX. The County shall use the Implementation Tracking Matrix to continually track the progress of Housing Element programs.	Planning and Community Development Department, Public Works Department	Staff time, General Fund	FY 2009-10, Ongoing	N/A
8-2	HOUSING ELEMENT IMPLEMENTATION REPORTING. The County shall annually review and report on the implementation of Housing Element programs and the County's effectiveness in meeting the programs' objectives.	Planning and Community Development Department	Staff time, General Fund	Annually	N/A
8-3	ANNUAL REAL ESTATE MARKET MONITORING. The County shall establish and implement a comprehensive annual monitoring program to document the sales prices or rental rates for all new units constructed or rehabilitated in the previous year and to determine housing affordability levels. The County shall also regularly monitor housing sales price trends of existing units along with a report on the amount of vacant designated land for residential development.	Planning and Community Development Department, Assessor's Office, County Tax Collector	Staff time, General Fund	Ongoing	N/A

SECTION 2: ENVIRONMENTAL CHECKLIST

2.1 Purpose and Legal Basis for the Initial Study

CEQA requires that public agencies document and consider the potential environmental effects of a “project.” As a public disclosure document, this Initial Study provides local decision makers and the public with information regarding the environmental impacts associated with the project. CEQA’s definition of a “project” is an action that has the potential to result in direct or indirect physical changes in the environment. A project includes the agency’s direct activities as well as activities that involve public agency approvals or funding.

According to Section 15063 of the California Environmental Quality Act (CEQA) Guidelines, the purpose of an Initial Study is to:

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

In the event that the Initial Study does not identify significant effects, or identifies mitigation measures that would reduce all of the significant effects of the project to a less than significant level, the agency may prepare a Negative Declaration. If this is not the case, the agency must prepare an Environmental Impact Report (EIR); the agency may also decide to proceed directly with the preparation of an EIR without preparation of an Initial Study.

2.2 Declaration of No Significant Impact

No specific housing developments are being approved as part of Housing Element adoption, nor would adoption of the Housing Element directly result in any changes in planned land uses or in the modification of land use policies. The 2009 Housing Element Update, in itself, would not directly or indirectly result in changes to the physical environment. Housing projects undertaken in the course of implementing the goals, policies, and programs identified in the 2009 Housing Element will be subject to project-specific environmental review in accordance with Section 10562 et seq. of the CEQA Guidelines. Compliance with the programs and policies of the Housing Element alone does not ensure project approval.

While the 2009 Housing Element contains programs (e.g., Program 4-1) that, when implemented, will require further action to amend the Zoning Code, the potential environmental impacts of these Zoning Code amendments will have to be reviewed in conjunction with their enactment.

The Initial Study/Negative Declaration has not identified any significant, adverse environmental impacts that may occur because of the Housing Element that were not adequately described in a previous environmental document such as a Community Plan EIR. There are no impacts peculiar to the project that will increase the severity of impacts or create new impacts that were not covered in other documents.

This project will not have a significant effect on the environment for the following reasons:

1. The project does not 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.
2. The project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.
3. The project does not have environmental effects which are individually limited but cumulatively considerable. Cumulatively considerable means that the incremental effects of an individual 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.
4. The environmental effects of the project will not cause substantial adverse effects on human beings, either directly or indirectly.

This Initial Study/Negative Declaration has been prepared by the County of Merced Planning and Community Development Department in accordance with the California Environmental Quality Act of 1970, as amended and local CEQA Guidelines. Determinations have been made as to adequacy by County staff, as required by Section 15204 of CEQA. A copy of the referenced attachments, local CEQA Guidelines and state CEQA Guidelines and statutes may be obtained from the County of Merced Planning and Community Development staff during normal business hours.

2.3 Initial Study Checklist

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

“No impact” means that it is anticipated that the project will not affect the physical environment on or around the project site. It therefore does not warrant mitigation measures.

“Less than significant” means the project is anticipated to affect the physical environment on or around the project site, however to a less-than-significant degree, therefore not warranting mitigation measures.

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

“Potentially significant impact” means there is substantial evidence that an effect is significant, and no mitigation is possible.

None of the environmental factors listed below would be potentially affected by this project, nor involve an impact that is a “Potentially significant impact” as indicated by the evaluation on the following pages.

- | | | |
|---------------------------------------------------|--------------------------------------------------------|-------------------------------------------------------------|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geological / Soils |
| <input type="checkbox"/> Greenhouse Gases | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality |
| <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population and Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation / Traffic | <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |

2.3 Environmental Factors Potentially Affected

1. Aesthetics

Would the Project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
--------------------	--------------------------------	--------------------------------------------------------	------------------------------	-----------

a. Have a Substantial adverse effect on a scenic vista?				✓
---------------------------------------------------------	--	--	--	---

- b. Substantially damage scenic resources, including, but not limited to, trees, rocks outcroppings, and historic buildings along a scenic highway?
- c. Substantially degrade the existing visual character or quality of the site and its surroundings?
- d. Create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?

			✓
			✓
			✓

Discussion:

The primary scenic resource within Merced County is the rural and agricultural landscape of non-urbanized areas of the county. State Route 152 and Interstate 5 in the western portion of the county are designated scenic routes. Preservation of the County’s scenic features, both natural and working landscapes, enhances the amenity value and economic development potential of the County as it adds to the quality of life for existing residents.

No specific housing developments are being approved as part of Housing Element adoption, nor would adoption of the Housing Element directly result in any changes in planned land uses or in the modification of land use policies; therefore, the Housing Element, in itself, would not directly or indirectly result in aesthetic impacts. The Housing Element targets the supply of housing on lands already designated for urban development in the County General Plan and various Community Plans. As stated in the Project Description in Section 1.4 of this Initial Study (Page 3) approval of the programs identified in the Housing Element does not ensure any entitlements or project approvals will be granted. Housing projects undertaken in the course of implementing the goals, policies, and programs identified in the 2009 Housing Element will be subject to project-specific environmental review unless they were already considered in the environmental document for a Community Plan in accordance with Section 15183 of the CEQA Guidelines.

- a. **NO IMPACT.** No developments are proposed that would obstruct any scenic vista.
- b. **NO IMPACT.** Adopting the Housing Element will not, by itself, allow development in areas that may obstruct views of any scenic routes.
- c. **NO IMPACT.** The proposed project would constitute no more than a furtherance of the existing character of the project area. The County has development standards that will ensure that the visual character of the area is not degraded.
- d. **NO IMPACT.** Adopting the Housing Element will not, by itself, create new light sources or sources of glare that would adversely affect day or nighttime views in the area.

2. Agriculture and Forestry Resources

Would the Project: Potentially Significant Impact Less than Significant w/ Mitigation Incorporated Less than Significant No Impact

a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?				✓
b. Conflict with existing zoning for agricultural use or conflict with a Williamson Act contract?				✓
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))?				✓
d. Result in the loss of forest land or conversion of forest land to non-forest use?				✓
e. Involve other changes in the existing environment that, 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?				✓

Discussion:

Agriculture is the dominant land use in Merced County, accounting for more than 90 percent of all land. It is also the top economic sector of the county, considering both the sales from farms and ranches and the related processing and support service activities that give enhanced economic value to the commodities produced by the land and an ongoing source of employment. A wide range of commodities are grown in the county, with major production of milk, poultry, livestock, and other animal commodities, row crops, nuts and fruit tree crops, and vegetables. Rich soils, plentiful irrigation water, favorable climate, a large labor force, and steady access to local, national, and global markets make this possible.

While Merced County is a rich agricultural area, there are limited forest resources. There are no lands classified as timberland protection zones, and the Housing Element does not propose rezoning any land designated for forest land.

No specific housing developments are being approved as part of Housing Element adoption, nor would adoption of the Housing Element directly result in any changes in planned land uses or in the modification of land use policies; therefore, the Housing Element, in itself, would not directly or indirectly result in impacts to agricultural resources. The Housing Element targets the supply of housing on lands already designated for urban development in the County General Plan and various Community Plans. As stated in the Project Description in Section 1.4 of this Initial Study (Page 3) approval of the programs identified in the Housing Element does not ensure any entitlements or project approvals will be granted. Housing projects undertaken in the course of implementing the goals, policies, and programs identified in the 2009 Housing Element will be subject to project-specific environmental review unless they were already considered in the environmental document for a Community Plan in accordance with Section 15183 of the CEQA Guidelines.

- a. **NO IMPACT.** Adopting the Housing Element will not, by itself, result in the conversion of land in agricultural use to nonagricultural use.
- b. **NO IMPACT.** Adopting the Housing Element will not, by itself, result in the conversion of land in agricultural use, an agricultural preserve, or a land conservation contract.
- c. **NO IMPACT.** The project will not involve other changes in the existing environment which due to their location or nature could result in conversion of farmland to non-agricultural use.

3. Air Quality

Would the Project:	Potentially Significant Impact	Less than Significant w/ Mitigation Incorporated	Less than Significant	No Impact
--------------------	--------------------------------	--------------------------------------------------	-----------------------	-----------

a. Conflict with or obstruct implementation of the applicable air quality plan?				✓
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				✓
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is a nonattainment area for an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?				✓
d. Expose sensitive receptors to substantial pollutant concentrations?				✓

e. Create objectionable odors affecting a substantial number of people?

			✓
--	--	--	---

Discussion:

Air quality is an important natural resource that influences public health and welfare, the economy, and quality of life. Air pollutants have the potential to adversely impact public health, the production and quality of agricultural crops, visibility, native vegetation, and buildings and structures. Sensitive receptors are typically defined as populations or uses that are more susceptible to the effects of air pollution than the general population. These include children and the elderly and land uses such as: long-term healthcare facilities; rehabilitation centers; retirement homes; convalescent homes; residences; schools; childcare centers; and playgrounds. Sensitive receptors are located throughout Merced County.

No specific housing developments are being approved as part of Housing Element, nor would adoption of the Housing Element directly result in any changes in planned land uses or in the modification of land use policies; therefore, the Housing Element, in itself, would not directly or indirectly result in air quality impacts. The Housing Element targets the supply of housing on lands already designated for urban development in the County General Plan and various Community Plans. As stated in the Project Description in Section 1.4 of this Initial Study (Page 3) approval of the programs identified in the Housing Element does not ensure any entitlements or project approvals will be granted. Housing projects undertaken in the course of implementing the goals, policies, and programs identified in the 2009 Housing Element will be subject to project-specific environmental review unless they were already considered in the environmental document for a Community Plan in accordance with Section 15183 of the CEQA Guidelines.

NO IMPACT. Adoption of the Housing Element does not disrupt implementation of the San Joaquin Valley Air Pollution Control District’s (SJVAPCD) air quality plan.

- a. **NO IMPACT.** The Housing Element does not propose any land uses or will not directly accommodate any known land uses that generate substantial pollutant concentrations.
- b. **NO IMPACT.** The Housing Element does not propose any land uses or will not directly accommodate any known land uses that will result in the generation of air pollutants in the project area and in the immediate vicinity that could incrementally add to cumulative emissions.
- c. **NO IMPACT.** Adopting the Housing Element will not, by itself, result in exposure of sensitive receptors to substantial pollutant concentrations.
- d. **NO IMPACT.** The project does not propose any land uses that generate objectionable odors nor will it directly accommodate any known land uses that generate objectionable odors.

4. Biological Resources

Would the Project: Potentially Significant Impact Less than Significant w/ Mitigation Incorporated Less than Significant 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?				✓
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				✓
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, marshes, vernal pools, coastal wetlands, etc.) through direct removal, filling, hydrological interruption, or other means?				✓
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?				✓
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				✓
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?				✓

Discussion:

Merced County is renowned in the environmental community of California for its unique natural resources, including pristine vernal pool grasslands, highly specialized unique plant and animal species, large managed wetland preserves, and wildlife-based recreational opportunities. Many of the wildlife

species supported by the county's natural communities have experienced decreasing numbers due to encroaching development of urban and agricultural uses. Most development projects in Merced County have involved disturbance or destruction of natural communities, such as grasslands or grasslands interspersed with vernal pools. Most often, development activity in natural areas negatively impacts sensitive species such as vernal pool annual plants and vernal pool crustaceans (i.e., vernal pool fairy shrimp, vernal pool tadpole shrimp) that spend their entire lifecycle in wetlands, as well as sensitive species that use wetlands during only a portion of their lifecycle such as California tiger salamander. Development in the county may also adversely affect upland species such as San Joaquin kit fox, blunt-nosed leopard lizard, and the giant kangaroo rat.

No specific housing developments are being approved as part of Housing Element adoption, nor would adoption of the Housing Element directly result in any changes in planned land uses or in the modification of land use policies; therefore, the Housing Element, in itself, would not directly or indirectly result in impacts to biological resources. The Housing Element targets the supply of housing on lands already designated for urban development in the County General Plan and various Community Plans. As stated in the Project Description in Section 1.4 of this Initial Study (Page 3) approval of the programs identified in the Housing Element does not ensure any entitlements or project approvals will be granted. Housing projects undertaken in the course of implementing the goals, policies, and programs identified in the 2009 Housing Element will be subject to project-specific environmental review unless they were already considered in the environmental document for a Community Plan in accordance with Section 15183 of the CEQA Guidelines.

- a. **NO IMPACT.** Adopting the Housing Element will not, by itself, directly impact 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. County-wide biological resources were evaluated in the EIR for the County of Merced General Plan Update for conversion to urban use.
- b. **NO IMPACT.** Adopting the Housing Element will not, by itself, have a direct impact on any protected or endangered species or their habitats.
- c. **NO IMPACT.** Adopting the Housing Element will not, by itself, have a direct impact on any Federally protected wetlands as defined by Section 404 of the Clean Water Act.
- d. **NO IMPACT.** Adopting the Housing Element will not interfere nor act as a barrier to animal movement since it is not site specific.
- e. **NO IMPACT.** Adopting the Housing Element will not, by itself, have a direct impact on any habitat areas or species in the project area.
- f. **NO IMPACT.** Adopting the Housing Element will not conflict with an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan.

5. Cultural Resources

Would the Project: Potentially Significant Impact Less than Significant w/ Mitigation Incorporated Less than Significant No Impact

a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?				✓
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?				✓
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				✓
d. Disturb any human remains, including those interred outside of formal cemeteries?				✓

Discussion:

Merced County occupies an archeologically and historically rich part of the San Joaquin Valley. Archeological, historical, architectural, paleontological, and Native American cultural resources and values must be considered in all phases of planning and subsequent development projects, including design, permitting, construction, and long-term maintenance. It is essential that the public and project proponents be aware of cultural resources, as well as all the County, State, and Federal environmental laws and regulations that address them.

No specific housing developments are being approved as part of Housing Element adoption, nor would adoption of the Housing Element directly result in any changes in planned land uses or in the modification of land use policies; therefore, the Housing Element, in itself, would not directly or indirectly result in impacts to cultural resources. The Housing Element targets the supply of housing on lands already designated for urban development in the County General Plan and various Community Plans. As stated in the Project Description in Section 1.4 of this Initial Study (Page 3) approval of the programs identified in the Housing Element does not ensure any entitlements or project approvals will be granted. Housing projects undertaken in the course of implementing the goals, policies, and programs identified in the 2009 Housing Element will be subject to project-specific environmental review unless they were already considered in the environmental document for a Community Plan in accordance with Section 15183 of the CEQA Guidelines.

- a. **NO IMPACT.** Adopting the Housing Element will not, by itself, impact any known or unknown historical resources located within the project area. This project does not allow for site specific development, and therefore, there is no possibility of unearthing historical or cultural resources.

- b. **NO IMPACT.** Adopting the Housing Element will not, by itself, impact any known or unknown archaeological resources located within the project area. This project does not allow for site specific development, and therefore, there is no possibility of unearthing unknown archaeological resources.
- c. **NO IMPACT.** Adopting the Housing Element will not, by itself, impact any known or unknown paleontological resources or geologic features located within the project area. This project does not allow for site specific development, and therefore, there is no possibility of impacting paleontological resources or geologic features.
- d. **NO IMPACT.** Adopting the Housing Element will not, by itself, impact any known or unknown human remains buried in the project area. This project does not allow for site specific development, and therefore, there is no possibility of unearthing unknown human remains.

6. Geology and Soils

Would the Project:

Potentially Significant Impact	Less than Significant w/ Mitigation Incorporated	Less than Significant	No Impact
--------------------------------	--------------------------------------------------	-----------------------	-----------

a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:			✓
(1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			✓
(2) Strong seismic groundshaking?			✓
(3) Seismic-related ground failure, including liquefaction?			✓
(4) Landslides?			✓
b. Result in substantial soil erosion or the loss of topsoil?			✓
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 an onsite or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse?			
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1998), creating substantial risks to life or property?			✓
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems in areas where sewers are not available for the disposal of wastewater?			✓

Discussion:

The project site is located in the San Joaquin Valley, which is a broad alluvial plain between the Sierra Nevada foothills and Coastal Range. According to the General Plan, no specific liquefaction hazard areas have been identified in the county. This potential is recognized throughout the San Joaquin Valley where unconsolidated sediments and a high water table coincide. Soils in the northeast section of the county have a low potential for liquefaction because the groundwater table is not shallow . Liquefaction is caused when soils subjected to ground shaking lose strength due to increased water pressure.

The only fault known inside the county is the "Ortivalita", also known as the "Telsa-Ortivalita Fault", located in the western quarter of the county, dissecting the Coast Range in the northwesterly direction. According to the Merced General Plan, the Ortivalita Fault is inactive and there have been no recorded earthquakes along it. While there is no record of any seismic activity originating in the county (other than tremors on the west side, close to the Ortivalita Fault), the county has been shaken by earthquakes originating elsewhere. These Fault Zones have been, and will continue to be the principal source of seismic activity affecting the county of Merced.

No specific housing developments are being approved as part of Housing Element adoption, nor would adoption of the Housing Element directly result in any changes in planned land uses or in the modification of land use policies; therefore, the Housing Element, in itself, would not directly or indirectly result in impacts to soil resources, nor would it expose people to geological hazards. The Housing Element targets the supply of housing on lands already designated for urban development in the County General Plan and various Community Plans. As stated in the Project Description in Section 1.4 of this Initial Study (Page 3) approval of the programs identified in the Housing Element does not ensure any entitlements or project approvals will be granted. Housing projects undertaken in the course of implementing the goals, policies, and programs identified in the 2009 Housing Element will be subject to project-specific environmental review unless they were already considered in the environmental document for a Community Plan in accordance with Section 15183 of the CEQA Guidelines.

- a. **NO IMPACT.** The Ortivalita Fault runs in a north-south direction and is located in the western portion of Merced County. The San Andreas fault, an active fault, is approximately 50 miles west of the county. Although this fault is a considerable distance

from the county, there could be moderate damage from a strong earthquake along the San Andreas Fault. Any future housing developments approved would need to meet building codes and standards that have been implemented to protect people and structures during an earthquake.

- b. **NO IMPACT.** Adopting the Housing Element will not, by itself, require any removal of soil.
- c. **NO IMPACT.** According to the General Plan, no specific liquefaction hazard areas have been identified in the County. Soils in the northeast section of the County have a low potential for liquefaction because the groundwater table is not shallow. Furthermore, compliance with California’s Uniform Building Code for any new structures would minimize any unforeseen impacts associated with ground movement.
- d. **NO IMPACT.** Soils in the county include stiff to very stiff silty and sandy clays. These soils have a moderate to high shrink-swell and expansion potential. However, no specific housing developments are being approved as part of Housing Element adoption.

7. Global Climate Change

Would the Project:

Potentially Significant Impact Less than Significant w/ Mitigation Incorporated Less than Significant No Impact

a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?				✓
b. Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				✓

Discussion:

Global Warming is a public health and environmental concern around the world. As global concentrations of atmospheric greenhouse gases increase, global temperatures increase, weather extremes increase, and air pollution concentrations increase. The predominant opinion within the scientific community is that global warming is currently occurring, and that it is being caused and/or accelerated by human activities, primarily the generation of “greenhouse gases” (GHG).

In 2006, the California State Legislature adopted AB32, the California Global Warming Solutions Act of 2006, which aims to reduce greenhouse gas emissions in California. Greenhouse gases, as defined under AB 32, include carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. AB 32 requires the California Air Resources Board (ARB), the State agency charged with regulating statewide air quality, to adopt rules and regulations that would achieve greenhouse gas emissions equivalent to statewide levels in 1990 by 2020.

The Housing Element includes several policies and programs in the Energy Conservation section to promote the use of alternative energy sources as well as energy conservation and green building techniques, which would decrease the use of fossil fuels, in turn decreasing greenhouse gas emissions.

No specific housing developments are being approved as part of Housing Element adoption, nor would adoption of the Housing Element directly result in any changes in planned land uses or in the modification of land use policies; therefore, the Housing Element, in itself, would not directly or indirectly result in new sources of greenhouse gas emissions, nor would it contribute to global warming. The Housing Element targets the supply of housing on lands already designated for urban development in the County General Plan and various Community Plans. As stated in the Project Description in Section 1.4 of this Initial Study (Page 3) approval of the programs identified in the Housing Element does not ensure any entitlements or project approvals will be granted. Housing projects undertaken in the course of implementing the goals, policies, and programs identified in the 2009 Housing Element will be subject to project-specific environmental review unless they were already considered in the environmental document for a Community Plan in accordance with Section 15183 of the CEQA Guidelines.

- a. **NO IMPACT.** Adopting the Housing Element will not, by itself, generate greenhouse gas emissions or contribute to global warming because no new development is being approved.
- b. **NO IMPACT.** The Housing Element will does not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

8. Hazards and Hazardous Materials

Would the Project:	Potentially Significant Impact	Less than Significant w/ Mitigation Incorporated	Less than Significant	No Impact
--------------------	--------------------------------	--------------------------------------------------	-----------------------	-----------

a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				✓
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?				✓
c. Emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within one quarter mile of				✓

- an existing or proposed school?
- d. Be located on a site that 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?
 - e. Be located within an airport land use plan area or, where such a plan has not been adopted, be within two miles of a public airport or public use airport, and result in a safety hazard for people residing or working in the project area?
 - f. Be located within the vicinity of a private airstrip and result in a safety hazard for people residing or working in the project area?
 - g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
 - h. 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?

			✓
			✓
			✓
			✓
			✓

Discussion:

People and communities are subject to harm from natural forces, such as wildland fires, as well as from potential human-caused hazards, such as human made hazardous materials and aviation. Wildland fire hazards exist across the county but are most prevalent and destructive in rural foothill areas where fuels exist and water resources are scarce. The California Division of Forestry and Fire Protection (CDF) is responsible for protecting the majority of wildland areas prone to fire hazards.

Both Federal and State laws include special provisions for the safe handling of hazardous substances. The County Division of Environmental Health administers Merced County ordinances regulating hazardous materials and the requirement for preparation of a business emergency plan.

A key ingredient in aviation safety is compatible land use planning around airports. While promoting compatible land uses around airports is necessary to address safety concerns; it has the added advantage of maintaining or expanding airport capabilities, improving delivery of products and services, and preserving previous investments. The Airport Land Use Commission Plan provides policy for compatible land uses near airports and, in conjunction with regulations of the Federal Aviation Administration and the Caltrans Division of Aeronautics, clear zones and safety zones have been established for the five public airports.

No specific housing developments are being approved as part of Housing Element adoption, nor would adoption of the Housing Element directly result in any changes in planned land uses or in the modification of land use policies; therefore, the Housing Element, in itself, would not directly or indirectly result in the creation of hazardous materials or exposure to existing hazards. The Housing Element targets the supply of housing on lands already designated for urban development in the County General Plan and various Community Plans. As stated in the Project Description in Section 1.4 of this Initial Study (Page 3) approval of the programs identified in the Housing Element does not ensure any entitlements or project approvals will be granted. Housing projects undertaken in the course of implementing the goals, policies, and programs identified in the 2009 Housing Element will be subject to project-specific environmental review unless they were already considered in the environmental document for a Community Plan in accordance with Section 15183 of the CEQA Guidelines.

- a. **NO IMPACT.** The project will not involve the use or transport of any hazardous materials.
- b. **NO IMPACT.** There is no reasonably foreseeable condition or incident involving the project that could result in release of hazardous materials into the environment.
- c. **NO IMPACT.** The project does not involve the use of hazardous materials, therefore, implementation of the proposed project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or wastes within one-quarter mile of school sites.
- d. **NO IMPACT.** The project does not impact any sites listed as hazardous materials sites pursuant to Government Code Section 65692.5.
- e. **NO IMPACT.** Adoption of the Housing Element does not authorize any development that is inconsistent with the Merced County Airport Land Use Compatibility Plan. No development is being approved as part of the Housing Element adoption.
- f. **NO IMPACT.** Adoption of the Housing Element does not authorize any development that is inconsistent with the Merced County Airport Land Use Compatibility Plan. No development is being approved as part of the Housing Element adoption.
- g. **NO IMPACT.** The project will not interfere with the implementation of any adopted emergency response plan or evacuation plan.
- h. **NO IMPACT.** There are no specific developments being approved as part of this project, therefore adopting the Housing Element will not, by itself, impact any wildlands or flammable brush, grassy or dry tree areas within or near the project area.

9. Hydrology and Water Quality

Would the Project: Potentially Significant Impact Less than Significant w/ Mitigation Incorporated Less than Significant No Impact

a. Violate any water quality standards or waste discharge requirements?				✓
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge, resulting in a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of preexisting nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)?				✓
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation onsite or offsite?				✓
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding onsite or offsite?				✓
e. Create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?				✓
f. Otherwise substantially degrade water quality?				✓
g. Place housing within a 100-year flood hazard area, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map				✓
h. Place within a 100-year flood hazard area structures that would impede or redirect				✓

floodflows?			
i. Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?			✓
j. Contribute to inundation by seiche, tsunami, or mudflow?			✓

Discussion:

Water is one of the most critical resources for the Merced County agricultural economy and for the quality of life of its residents. Both surface water and groundwater supplies are an important determinant of future growth and agricultural production in the County, yet, like much of California, the County has experienced problems with water supply and quality. Declining groundwater levels have been a long-term problem in some regions of the county. Groundwater recharge, conjunctive use programs, and recycled water practices are keys to meeting increased agricultural and urban water demands. Water conservation will also be critical to sustaining an adequate water supply for future use. Water quality is also a concern in many areas of the County where contaminating sources have degraded water. Areas with degraded water quality may require extensive and expensive treatment/remediation.

Water quality is regulated by both State and Federal agencies under the authority of the Clean Water Act (CWA). Projects that have the potential to degrade water quality are subject to the regulations of those agencies. Operational activities may involve common urban pollutants such as surface litter, oil, gasoline, grease, paint, fertilizers, pesticides, and herbicides. Construction activities involving soils disturbances such as excavation, demolition, stockpiling, and grading activities could result in increased erosion and sedimentation to surface waters, and could produce contaminated stormwater runoff, a major contributor to the degradation of water quality. These activities could result in the discharge of pollutants into surface water resources and could degrade water quality.

Stormwater runoff water quality is regulated by the National Pollutant Discharge Elimination System (NPDES) Program (established through the CWA). The NPDES program objective is to control and reduce pollutants to water bodies from surface water discharges. Locally, the program is administered by the Central Valley RWQCB. Compliance with the NPDES Permit is mandated by State and Federal statutes and regulations. The County of Merced has participated in the development of a Storm Water Management Program (SWMP) for the purpose of limiting to the Maximum Extent Practicable (MEP) the discharge of pollutants from the Merced Storm Water Group (MSWG) storm sewer system. The MSWG is a coalition of the Cities of Atwater, Livingston, and Merced, Merced County, and MID acting as co-permittees. Implementation of the SWMP is intended to fulfill requirements for improving the quality of stormwater discharges in accordance with the CWA. The SWMP was developed as a requirement of and to achieve compliance with NPDES General Permit Number CAS000004, Water Quality Order No. 20030005-DWQ. The latest version of the SWMP is dated April 2007. The County of Merced is listed as a municipality that is governed by the NPDES General Permit, and the SWMP has been approved by the Central Valley RWQCB. Participating agencies (including the County of Merced) must comply with the provisions of the permit by ensuring that new development and

redevelopment mitigate, to the maximum extent practicable, water quality impacts to storm water runoff both during construction and operation periods of projects.

No specific housing developments are being approved as part of Housing Element adoption, nor would adoption of the Housing Element directly result in any changes in planned land uses or in the modification of land use policies; therefore, the Housing Element, in itself, would not directly or indirectly result in impacts to hydrological resources or water quality and supply. The Housing Element targets the supply of housing on lands already designated for urban development in the County General Plan and various Community Plans. As stated in the Project Description in Section 1.4 of this Initial Study (Page 3) approval of the programs identified in the Housing Element does not ensure any entitlements or project approvals will be granted. Housing projects undertaken in the course of implementing the goals, policies, and programs identified in the 2009 Housing Element will be subject to project-specific environmental review unless they were already considered in the environmental document for a Community Plan in accordance with Section 15183 of the CEQA Guidelines, to assure adherence to FEMA protocols for such development as well as to address the individual and cumulative impact upon water resources, including the alteration of drainage patterns that might result in flooding, siltation, or erosion.

- a. **NO IMPACT.** Adopting the Housing Element will not, by itself, violate any water quality standards.
- b. **NO IMPACT.** Adopting the Housing Element will not, by itself, substantially deplete groundwater supplies within Merced County.
- c. **NO IMPACT.** Adopting the Housing Element will not, by itself, result in substantial erosion within Merced County.
- d. **NO IMPACT.** Adopting the Housing Element will not, by itself, substantially alter the existing drainage pattern, alter the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding.
- e. **NO IMPACT.** Adopting the Housing Element will not, by itself, require any infrastructure improvements. Policies and programs in the Housing Element promote the adequate provision of public infrastructure for housing, but any future infrastructure project would be subject to a project-level environmental review process.
- f. **NO IMPACT.** There are no reasonably foreseeable reasons why adoption of the Housing Element would result in the degradation of water quality.
- g. **NO IMPACT.** Adopting the Housing Element will not, by itself, have any impacts on flood zones.
- h. **NO IMPACT.** Adopting the Housing Element will not, by itself, impede or redirect flood flows.
- i. **NO IMPACT.** Adopting the Housing Element will not, by itself, expose people or structures to risks from failure of levee or dam.
- j. **NO IMPACT.** No developments are being proposed, so there will be no impacts related to construction in mudflow prone areas. Tsunami and seiches are not considered to be a

significant threat within Merced County due to its location in the center of the San Joaquin Valley.

10. Land Use and Planning

Would the Project: Potentially Less than Less than No Impact
 Significant Significant w/ Significant
 Impact Mitigation
 Incorporated

a. Physically divide an established community?				✓
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, a general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				✓
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?				✓
d. Result in land use/operational conflicts between existing and proposed on-site or off-site land uses?				✓

Discussion:

The residential development patterns facilitated through the Housing Element are consistent with the County’s existing General Plan, as well as adopted Community Plans and specific plans. The Housing Element includes a program to rezone land within the University Community Plan Area, consistent with the land use designations proposed in the Community Plan. This rezoning will occur as part of the University Community Plan process and potential impacts of the rezoning will be analyzed as part of the environmental review of subsequent specific plans.

Implementation of the 2009 Housing Element would ensure that the County is in compliance with the Regional Housing Needs Allocation (RHNA). The proposed policies and programs promote affordable housing provision throughout the county. In addition, the proposed Housing Element complies with SB 2, which requires local jurisdictions to strengthen provisions for addressing the housing needs of the homeless, including identifying a zone or zones where emergency shelters are allowed as a permitted use without a conditional use permit.

- a. **NO IMPACT.** Adopting the Housing Element will not, by itself, physically divide an established community. Projects that have the potential to physically divide an established community include new freeways and highways, major arterial streets, and

railroad lines. None of these activities are planned as part of this project that could physically divide an established community.

- b. **NO IMPACT.** The project does not involve any change to, or conflict with applicable land use plans, policies, or regulations.
- c. **NO IMPACT.** The Housing Element does not conflict with any applicable conservation plan.
- d. **NO IMPACT.** Adopting the Housing Element will not, by itself, result in land use/operational conflict between existing and proposed on-site or off-site land uses.

11. Mineral Resources

Would the Project:	Potentially Significant Impact	Less than Significant w/ Mitigation Incorporated	Less than Significant	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?				✓
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?				✓

Discussion:

Over 60 percent of the county lies within the Central Valley physiographic province, which is dominated by significant amounts of overburden soils that are alluvial in nature. Less than 30 percent of the county lies in higher topographic areas, away from the alluvium and near bedrock conditions. Merced County is rich in nonfuel mineral resources; however, there are very few traditional hard rock mines in operation today. The County’s mineral resources are primarily sand and gravel, which are ample in the County.

The flat lying broad alluvial plain is dominated by coalescing alluvial fans derived from the coast, Sierra Foothill, and mountain ranges. Action within the San Joaquin River and tributaries has concentrated several geologically significant aggregate deposits including the Los Banos Alluvium, Modesto Formation, San Luis Ranch, Patterson, and Dos Palos alluvium.

Due to the extensive alluvial deposition, approximately 38 square miles of Merced County, in ten aggregate resource areas (ARA), have been classified by the California Division of Mines and Geology for aggregate. The ten identified resource areas contain an estimated 1.18 billion tons of concrete resources with approximately 574 million tons in Western Merced County and approximately 605 million tons in eastern Merced County.

Sand and gravel aggregate mines are located near the existing major rivers and creeks. Eight major aggregate mine companies exist in the county. Significant accessible flood plain and channel deposits are located in the Atwater, Los Banos Creek, and flood plain deposits along the Merced River. County records indicate that there are presently 13 land excavation and conditional use permits within the county used for either surface mining or reclamation.

No specific housing developments are being approved as part of Housing Element adoption, nor would adoption of the Housing Element directly result in any changes in planned land uses or in the modification of land use policies; therefore, the Housing Element, in itself, would not directly or indirectly result in impacts to mineral resources. The Housing Element targets the supply of housing on lands already designated for urban development in the County General Plan and various Community Plans. As stated in the Project Description in Section 1.4 of this Initial Study (Page 3) approval of the programs identified in the Housing Element does not ensure any entitlements or project approvals will be granted. Housing projects undertaken in the course of implementing the goals, policies, and programs identified in the 2009 Housing Element will be subject to project-specific environmental review unless they were already considered in the environmental document for a Community Plan in accordance with Section 15183 of the CEQA Guidelines.

- a. **NO IMPACT.** Sand and gravel are the most valuable mineral resources in Merced County. The Housing Element does not proposed development within any areas with asna and gravel resources, therefore the housing element will not impact mineral resources.
- b. **NO IMPACT.** The Housing Element would have no effect on the availability of or access to designated or known mineral resources.

12. Noise

Would the Project:	Potentially Significant Impact	Less than Significant w/ Mitigation Incorporated	Less than Significant	No Impact
--------------------	--------------------------------	--------------------------------------------------	-----------------------	-----------

a. Expose persons to or generate noise levels in excess of standards established in a local general plan or noise ordinance or applicable standards of other agencies?				✓
b. Expose persons to or generate excessive groundborne vibration or groundborne noise levels?				✓
c. Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				✓

d. Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			✓
e. Be located within an airport land use plan area, or, where such a plan has not been adopted, within two miles of a public airport or public use airport and expose people residing or working in the project area to excessive noise levels?			✓
f. Be located in the vicinity of a private airstrip and expose people residing or working in the project area to excessive noise levels?			✓

Discussion:

While most noise is common and acceptable, exposure to excessive noise is often cited as a health problem in terms of general well-being and contribution to undue stress and annoyance. There are many sources of noise in the County including traffic on Interstate 5; State Routes 33, 59, 99, 140, 152, and 165; local roads; railroad operations; aircraft operations; commercial uses; active recreation areas; and outdoor play areas.

Merced County has established noise compatibility standards for residential uses in the Noise Chapter of the Merced County 2000 General Plan (Merced County, 1990). The General Plan established acceptable interior and exterior residential noise levels from roadways, rail, and air traffic and acceptable daytime and nighttime noise levels from other sources. The County has adopted sound level limitations in Section 18.41.060 of the Merced County Code that restricts the sound level to 65 dBA DNL or 75 dBA Lmax for residential property, and 70 bBA DNL or 80 dBA max for non-residential property, when measured at or within the property line of the receiving property (Merced County, 2004). The code states that noise generated by mechanical equipment, buzzers, bells, loud speakers, or other noise generating devices shall comply with these noise standards at any boundary line of the parcel with a few exceptions. This ordinance does not apply to noise from construction activity provided that all construction in or adjacent to urban areas is limited to between 7 a.m. and 6 p.m. and all construction equipment is properly muffled and maintained. Sensitive receptors are land uses where a substantial increase in exterior noise levels would be considered a significant impact.

Merced County contains five publicly owned, public-use airports: Castle Aviation Center, Gustine Airport, Los Banos Municipal Airport, Merced Municipal Airport, and Turlock Municipal Airport (located in Merced County but owned/operated by the City of Turlock in Stanislaus County). In addition to the public use airports, there are eight privately-owned airfields located within Merced County, some of which allow public use.

No specific housing developments are being approved as part of Housing Element adoption, nor would adoption of the Housing Element directly result in any changes in planned land uses or in the modification of land use policies; therefore, the Housing Element, in itself, would not directly or indirectly result in noise impacts. The Housing Element targets the supply of housing on lands already

designated for urban development in the County General Plan and various Community Plans. As stated in the Project Description in Section 1.4 of this Initial Study (Page 3) approval of the programs identified in the Housing Element does not ensure any entitlements or project approvals will be granted. Housing projects undertaken in the course of implementing the goals, policies, and programs identified in the 2009 Housing Element will be subject to project-specific environmental review unless they were already considered in the environmental document for a Community Plan in accordance with Section 15183 of the CEQA Guidelines.

- a. **NO IMPACT.** Adopting the Housing Element will not, by itself, generate noise or result in exposure of persons to noise that exceeds thresholds established by the Noise Chapter of the County General Plan.
- b. **NO IMPACT.** Adopting the Housing Element will not, by itself, result in ground-borne vibration or ground-borne noise levels.
- c. **NO IMPACT.** Adopting the Housing Element will not, by itself, result in a substantial permanent increase in the ambient noise levels above levels existing without the project.
- d. **NO IMPACT.** Adopting the Housing Element will not, by itself, impact ambient noise levels.
- e. **NO IMPACT.** Adopting the Housing Element will not, by itself, impact airport operations.
- f. **NO IMPACT.** No private airstrip in the county will be impacted.

13. Population and Housing

Would the Project:	Potentially Significant Impact	Less than Significant w/ Mitigation Incorporated	Less than Significant	No Impact
--------------------	--------------------------------	--------------------------------------------------	-----------------------	-----------

a. Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?				✓
b. Displace a substantial number of existing housing units, necessitating the construction of replacement housing elsewhere?				✓
c. Displace a substantial number of people, necessitating the construction of replacement housing elsewhere?				✓

Discussion:

The Housing Element is a planning document designed to address the county's housing needs over the 2007-2014 planning period. While the Housing Element is designed to facilitate the development of housing in order to meet anticipated population growth and includes policies, which is adopted in the appropriate planning documents, would facilitate greater residential density, the implementation of the Housing Element Update is not expected to induce growth. The purpose and scope of the Housing Element is to ensure that sufficient sites are available and that existing constraints are reduced or removed in order to encourage housing production to meet the expected need during the 2007-2014 planning period. The proposed project would ensure adequate land is made available with appropriate zoning to allow the County to meet its RHNA.

No specific housing developments are being approved as part of Housing Element adoption, nor would adoption of the Housing Element directly result in any changes in planned land uses or in the modification of land use policies; therefore, the Housing Element, in itself, would not directly or indirectly result in population and housing impacts. The Housing Element targets the supply of housing on lands already designated for urban development in the County General Plan and various Community Plans. As stated in the Project Description in Section 1.4 of this Initial Study (Page 3) approval of the programs identified in the Housing Element does not ensure any entitlements or project approvals will be granted. Housing projects undertaken in the course of implementing the goals, policies, and programs identified in the 2009 Housing Element will be subject to project-specific environmental review unless they were already considered in the environmental document for a Community Plan in accordance with Section 15183 of the CEQA Guidelines.

- a. **NO IMPACT.** Adopting the Housing Element will not, by itself, directly induce substantial population growth that is in excess of that planned in the General Plan. As required by State law, the Housing Element is designed to address the housing needs projected for the County of Merced for the planning period.
- b. **NO IMPACT.** Adopting the Housing Element will not, by itself, directly displace any housing, necessitating the construction of replacement housing elsewhere. As required by State law, the Housing Element is designed to address the city's housing needs.
- c. **NO IMPACT.** Adopting the Housing Element will not, by itself, directly displace any people, necessitating the construction of replacement housing elsewhere. As required by State law, the Housing Element is designed to address the city's housing needs.

14. Public Services

Would the Project:

Potentially Significant Impact	Less than Significant w/ Mitigation Incorporated	Less than Significant	No Impact
--------------------------------	--------------------------------------------------	-----------------------	-----------

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

(1) Fire protection?			✓
(2) Police protection?			✓
(3) Schools?			✓
(4) Parks?			✓
(5) Other public facilities?			✓

Discussion:

Merced County provides public services, such as fire and police protection and public parks. Other county services include: administrative and general services, public protection services, public assistance services, and health and sanitation services. As development occurs in the unincorporated and underserved areas, the County must ensure that increases in demand for services caused by increased development and population growth are accommodated. School services are provided by various independent school districts located throughout the county.

The Merced County Fire Department (MCFD) is a full service fire department providing emergency services to all unincorporated areas of the county through a network of fire stations, personnel, and equipment. This network is comprised of 20 stations and a fleet of approximately 80 vehicles. The MCFD is administered and suppression personnel are provided through a contract with the California Department of Forestry and Fire Protection (CDF). Support personnel are Merced County employees. The department also provides fire protection to the cities of Gustine, Dos Palos, and Livingston through agreements with these cities.

The Sheriff's Department has the primary responsibility for protecting the life and property of the citizens living in the unincorporated areas of Merced County as well as providing other law enforcement services as needed. The coverage area of Merced County Sheriff's Department (MCSD) encompasses the entire unincorporated area of the county. The department maintains stations in Merced, Los Banos, and Hilmar and operates the John Lotorraca Correctional Center in El Nido. MCSD also maintains a total of six Sheriff's Community Law Enforcement Office stations throughout the county, in Merced, Planada, Santa Nella, Delhi, Hilmar, and Winton (MCSD 2004).

Public education is overseen by the Merced County Office of Education (MCOE). The MCOE is a regional agency, independent from Merced County, whose mission is to provide educational leadership, resources, and service to assist school districts to be effective facilities of learning for all pupils. The Merced County Office of Education also acts as an intermediary agency between the California Department of Education and the school districts in Merced County. A total of 20 school districts with 90 schools, one community college, and one university provide education throughout Merced County. Of the 20 school districts, five are unified districts providing educational services for kindergarten through 12th grade. The remaining 15 districts consist of 13 elementary school districts and two high school districts. Some of the districts have only one school.

There are a total of 21 parks owned and/or operated by Merced County. The Merced County Parks and Recreation Division of the Public Works Department maintains a variety of parklands throughout the county. County maintained parklands can be broken down into four basic classes: regional parks, community parks, dual-use parks, and neighborhood parks. The County of Merced minimum standard for dedication of parkland within residential development is 3.0 acres per 1,000 people.

- a. **NO IMPACT.** No specific housing developments are being approved as part of Housing Element adoption, nor would adoption of the Housing Element directly result in any changes in planned land uses or in the modification of land use policies; therefore, adopting the Housing Element will not, by itself, result in substantial adverse impacts associated with the provision of new or physically altered public facilities. The Housing Element targets the supply of housing on lands already designated for urban development in the County General Plan and various Community Plans. As stated in the Project Description in Section 1.4 of this Initial Study (Page 3) approval of the programs identified in the Housing Element does not ensure any entitlements or project approvals will be granted. Housing projects undertaken in the course of implementing the goals, policies, and programs identified in the 2009 Housing Element will be subject to project-specific environmental review unless they were already considered in the environmental document for a Community Plan in accordance with Section 15183 of the CEQA Guidelines.
 - (1) Adopting the Housing Element will not, by itself, require new fire protection services or facilities.
 - (2) Adopting the Housing Element will not, by itself, require new police protection services or facilities.
 - (3) Adopting the Housing Element will not, by itself, directly generate new students.

- (4) Adopting the Housing Element will not, by itself, directly generate the need for additional park facilities.
- (5) Adopting the Housing Element will not, by itself, require other public services or facilities.

15. Recreation

Would the Project: Potentially Significant Impact Less than Significant w/ Mitigation Incorporated Less than Significant No Impact

- a. 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. Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?

			✓
			✓

Discussion:

Merced County contains several County, State, and Federal parks and recreation areas. There are three National Wildlife Refuges (NWR) located in Merced County: the Merced National Wildlife Refuge, the San Luis National Wildlife Refuge, and the San Joaquin River National Wildlife Refuge. The State of California Department of Parks and Recreation, and Department of Fish and Game operate a variety of public recreation sites located in whole or in part in Merced County. There are a total of 21 parks owned and/or operated by Merced County. Aside from parks in the county, there are many public open space areas as well. Park and recreation facilities generally rank high on the list of community needs for the citizens of Merced County. These facilities provide economic, health, and open space benefits to county residents. These lands represent a unique assortment of facilities that provide both residents and visitors with an amenity.

No specific housing developments are being approved as part of Housing Element adoption, nor would adoption of the Housing Element directly result in any changes in planned land uses or in the modification of land use policies; therefore, the Housing Element, in itself, would not directly or indirectly impact recreational facilities. The Housing Element targets the supply of housing on lands already designated for urban development in the County General Plan and various Community Plans. As stated in the Project Description in Section 1.4 of this Initial Study (Page 3) approval of the programs identified in the Housing Element does not ensure any entitlements or project approvals will be granted. Housing projects undertaken in the course of implementing the goals, policies, and programs identified in the 2009 Housing Element will be subject to project-specific environmental

review unless they were already considered in the environmental document for a Community Plan in accordance with Section 15183 of the CEQA Guidelines..

- a. **NO IMPACT.** Adopting the Housing Element will not, by itself, directly generate new residents and will therefore not directly 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. **NO IMPACT.** Adopting the Housing Element will not, by itself, require the construction or expansion of recreational facilities within the area that might have an adverse physical effect on the environment.

16. Transportation/Traffic

Would the Project:	Potentially Significant Impact	Less than Significant w/ Mitigation Incorporated	Less than Significant	No Impact
--------------------	--------------------------------	--------------------------------------------------	-----------------------	-----------

a. Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways, and freeways, pedestrian and bicycle paths, and mass transit?				✓
b. Conflict with an applicable congestion management program, including but not limited to level-of-service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?				✓
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				✓
d. Substantially increase hazards because of a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				✓

e. Result in inadequate emergency access?

			✓
			✓

f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

Discussion:

The Merced County General Plan Circulation Chapter indicates that the countywide acceptable peak Level of Service (LOS) is "C" for roadways located within rural areas of the county. Traffic flow for a two-lane road at a LOS C is stable, operating speeds of 40 mph or above with total volume under ideal conditions equal to 70% of capacity with continuous passing sight distance, or 1,800 passenger vehicles per hour, two-way. (General Plan 2000). The County uses the LOS standards at key intersections and roadway segments to analyze potential impacts on the overall vehicle operation. Levels that are considered acceptable levels range from LOS A to LOS D. Unacceptable levels include LOS E and LOS F. If a project would cause a currently acceptable level LOS to drop to an unacceptable LOS, it would be considered a significant impact.

No specific housing developments are being approved as part of Housing Element adoption, nor would adoption of the Housing Element directly result in any changes in planned land uses or in the modification of land use policies; therefore, the Housing Element, in itself, would not directly or indirectly result in traffic or other transportation impacts. The Housing Element targets the supply of housing on lands already designated for urban development in the County General Plan and various Community Plans. As stated in the Project Description in Section 1.4 of this Initial Study (Page 3) approval of the programs identified in the Housing Element does not ensure any entitlements or project approvals will be granted. Housing projects undertaken in the course of implementing the goals, policies, and programs identified in the 2009 Housing Element will be subject to project-specific environmental review unless they were already considered in the environmental document for a Community Plan in accordance with Section 15183 of the CEQA Guidelines.

- a. **NO IMPACT.** Adopting the Housing Element will not, by itself, alter traffic conditions in the county.
- b. **NO IMPACT.** Adopting the Housing Element will not, by itself, alter traffic conditions in the county.
- c. **NO IMPACT.** Adopting the Housing Element will not, by itself, result in nor require a need to change air traffic patterns.
- d. **NO IMPACT.** Adopting the Housing Element will not, by itself, increase hazards due to a design feature or incompatible use.
- e. **NO IMPACT.** Adopting the Housing Element will not, by itself, result in inadequate emergency access.
- f. **NO IMPACT.** Adopting the Housing Element will not, by itself, conflict with traffic programs supporting alternative transportation in the county.

through development fees, connection fees, and/or service agreements under which developers are required to construct and dedicate wells, lift stations, and other needed facilities.

Merced County is the lead agency in providing storm drain infrastructure within the unincorporated areas of the county with the exception of the community of Hilmar (Hilmar County Water District) which provides and maintains its own storm drainage facilities. In most unincorporated communities of Merced County, developers are required to provide their own storm drainage systems on site. Once constructed, the County maintains the storm drainage systems. To prevent flooding in Merced County, stormwater management and floodplain management is enforced.

To meet the requirements of the California Integrated Waste Management Act (AB 939), the County has adopted Source Reduction and Recycling programs and a Household Hazardous Waste program. The County of Merced operates two active Class III landfills within the County.

No specific housing developments are being approved as part of Housing Element adoption, nor would adoption of the Housing Element directly result in any changes in planned land uses or in the modification of land use policies; therefore, the Housing Element, in itself, would not directly or indirectly impact utilities and service systems. The Housing Element targets the supply of housing on lands already designated for urban development in the County General Plan and various Community Plans. As stated in the Project Description in Section 1.4 of this Initial Study (Page 3) approval of the programs identified in the Housing Element does not ensure any entitlements or project approvals will be granted. Housing projects undertaken in the course of implementing the goals, policies, and programs identified in the 2009 Housing Element will be subject to project-specific environmental review unless they were already considered in the environmental document for a Community Plan in accordance with Section 15183 of the CEQA Guidelines.

- a. **NO IMPACT.** Adopting the Housing Element will not, by itself, require the use of wastewater facilities. Any future development will need to meet the Merced County Department of Public Health, Division of Environmental Health standards for new wastewater systems.
- b. **NO IMPACT.** Adopting the Housing Element will not, by itself, require the construction of new or expansion of existing water or wastewater treatment facilities. Any expansion of public sewer and water systems will require conformance with State agency approvals including the Regional Water Quality Control Board and Department of Water Resources. Any future construction of homes relying on on-site utilities will need to meet the Merced County Department of Public Health, Division of Environmental Health standards for new water well and septic systems, that will serve any new residential development.
- c. **NO IMPACT.** Adopting the Housing Element will not, by itself, require the construction of new storm water facilities. Any future residential development will meet the Public Works Department, and County Division of Environmental Health requirements for sizing of the storm water drainage facilities to support the development and will be reviewed in the permitting process.

- d. **NO IMPACT.** Adopting the Housing Element will not, by itself, affect existing water demands.
- e. **NO IMPACT.** Adopting the Housing Element will not, by itself, require the use of wastewater facilities.
- f. **NO IMPACT.** Adopting the Housing Element will not, by itself, require the use of solid waste facilities.
- g. **NO IMPACT.** Adopting the Housing Element will not, by itself, require the use of solid waste facilities.

18. Mandatory Findings of Significance

Would the Project:

Potentially Significant Impact Less than Significant w/ Mitigation Incorporated Less than Significant 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?
- b. Does the project have impacts that are individually limited but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)
- c. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?

			✓
			✓
			✓

Discussion:

No specific housing developments are being approved as part of Housing Element adoption, nor would adoption of the Housing Element directly result in any changes in planned land uses or in the

modification of land use policies; therefore, the Housing Element, in itself, would not directly or indirectly result in any potential degradation of the quality of the environment or human health. The Housing Element targets the supply of housing on lands already designated for urban development in the County General Plan and various Community Plans. As stated in the Project Description in Section 1.4 of this Initial Study (Page 3) approval of the programs identified in the Housing Element does not ensure any entitlements or project approvals will be granted. Housing projects undertaken in the course of implementing the goals, policies, and programs identified in the 2009 Housing Element will be subject to project-specific environmental review unless they were already considered in the environmental document for a Community Plan in accordance with Section 15183 of the CEQA Guidelines.

- a. **NO IMPACT.** Adoption of the Housing Element will not, by itself, have any impacts on wildlife species, rare or endangered plant species or eliminate major periods of California history or prehistory.
- b. **NO IMPACT.** Adoption of the Housing Element will not have any cumulatively considerable impacts.
- c. **NO IMPACT.** The analyses of environmental issues contained in this Initial Study indicate that the project is not expected to have a substantial impact on human beings, either directly or indirectly

DETERMINATION OF REQUIRED ENVIRONMENTAL DOCUMENT

On the basis of this initial evaluation:

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

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on the attached sheet have been added to the project. A **MITIGATED NEGATIVE DECLARATION** will be prepared.

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

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

Signature: _____

Date: _____

Printed Name: Robert A. Lewis
Title: Development Services Director