

1.1 CEQA PROCESS

In preparing an Environmental Impact Report (EIR), the California Environmental Quality Act (CEQA) requires public agencies to circulate a Draft EIR (DEIR) for public and agency review and comment. The public agency then uses the comments obtained by this review to modify or correct the EIR for subsequent use in project review and consideration. The document containing the text of any comments received on the DEIR, responses of the lead agency to these comments, and any corrections or amendments to the EIR is termed the Final EIR (FEIR).

The DEIR for the Antonio Brasil Dairy Expansion project was circulated locally and with the State Clearinghouse from February 7, 2013 to March 25, 2013. The County accepted written comments on the DEIR during this period. This FEIR has been prepared to respond to the comments received on the DEIR for the Antonio Brasil Dairy Expansion project.

Consistent with the requirements of Section 15132 of the CEQA Guidelines, this FEIR consists of:

- The DEIR published on February 7, 2013 (incorporated by reference);
- A list of persons, organizations, and public agencies commenting on the DEIR;
- Comments received on the DEIR;
- The response of the Merced County Department of Planning and Community Development to significant environmental issues raised in the review and consultation process; and,
- Modifications to the EIR arising from the County's response to comments received on the DEIR.

This "response to comments" document, together with the DEIR for the Antonio Brasil Dairy Expansion project, constitutes the FEIR for the project. This document incorporates comments received on the DEIR, as well as responses by the lead agency (Merced County) to these comments. The FEIR is an informational document that must be considered and certified by the lead agency prior to considering approval of the Antonio Brasil Dairy Expansion project.

1.2 PURPOSE OF THIS ENVIRONMENTAL IMPACT REPORT

CEQA requires the evaluation of government actions or private activities permitted by government to determine their effects on the environment. When such an action could have a significant effect on the environment, the agency with primary responsibility over the approval of the project (the lead agency) is required to prepare an EIR. As stated in CEQA Guidelines Section 15121:

An EIR is an informational document which will inform public agency decision-makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project. The public agency shall consider the information in the EIR along with other information which may be presented to the agency (*when considering whether to approve a project*).

An EIR is the public document used to meet these requirements. The EIR must disclose: significant adverse environmental impacts that cannot be avoided; growth inducing impacts; effects not found to be significant; and significant cumulative impacts of all past, present, and reasonably foreseeable future projects. For this EIR, an “impact” or “significant impact” is assumed to be an adverse effect on the environment.

This EIR is intended to provide information to the public and to decision makers regarding the potential environmental effects of approval and implementation of the Antonio Brasil Dairy Expansion project. Prior to considering approval of this request, the Merced County Planning Commission must certify that this EIR is adequate under CEQA and that they have considered the information herein. Upon making this finding, the Merced County Planning Commission may then consider approval of the Antonio Brasil Dairy Expansion project.

1.3 TYPE OF ENVIRONMENTAL IMPACT REPORT

This EIR is being prepared as a “Project” EIR pursuant to Section 15161 of the CEQA Guidelines. A project EIR is prepared to examine the environmental impacts of a specific development project. According to the CEQA Guidelines, “(t)his type of EIR should focus primarily on the changes in the environment that would result from the development project. The EIR shall examine all phases of the project, including planning, construction, and operation.” This EIR is intended to serve as the environmental document for all activities related to the Antonio Brasil Dairy Expansion project, including issuance of a Conditional Use Permit and issuance of construction and building permits.

1.4 MITIGATION MONITORING AND REPORTING PROGRAM

CEQA requires that public agencies carrying out or approving certain projects must adopt mitigation monitoring or reporting programs to ensure the implementation and effectiveness of mitigation measures. Consequently, mitigation measures identified in this EIR that are necessary to reduce or eliminate potentially significant adverse environmental effects are subject to this monitoring requirement. Copies of the Mitigation Monitoring and Reporting Program, which must be adopted upon approval of the Antonio Brasil Dairy Expansion project, are available from the Merced County Department of Planning and Community Development at 2222 ‘M’ Street, Merced, California 95340.