

CEQA FINDINGS OF FACT
and
STATEMENT OF OVERRIDING
CONSIDERATIONS

OF MERCED COUNTY

For the

CASTLE AIRPORT MASTER PLAN

(SCH NO. 2007011123)

NOVEMBER, 2011

I. **INTRODUCTION**

Because the Castle Airport Master Plan (AMP) will implement the adopted *Final Castle Air Force Base Reuse Plan* (Reuse Plan), and is consistent with the Reuse Plan, the County intends to use the previous environmental document as the environmental document for adoption of the AMP, pursuant to CEQA Guidelines Section 15153. The previous environmental document is the 1996 Reuse Plan EIR (State Clearinghouse #95122031) prepared by Merced County and the Castle Air Force Base Redevelopment Plan Draft Subsequent Environmental Impact Report (SEIR) (State Clearinghouse #2007011123) certified by the County in 2007 (the 1996 Reuse Plan EIR and the 2007 SEIR).

The Final Subsequent Environmental Impact Report (“Final SEIR” or “FSEIR”) prepared pursuant to the California Environmental Quality Act (“CEQA”) for the Castle Airport Aviation and Development Center Redevelopment Plan Project (the “Project”) considered, pursuant to Public Resources Code section 21166, whether any new potentially significant impacts would result, or whether there would be an increase in severity of previously identified significant impacts, from the proposed project due to substantial changes in circumstances or from new information discovered since adoption of the 1996 Reuse Plan. The SEIR therefore relied on information contained in the previously certified 1996 EIR prepared for the Reuse Plan. (Pub. Resources Code (or “PRC”), § 21166; CEQA Guidelines, §§ 15162, 15163.)

The SEIR, moreover, was a program SEIR from which later site-specific projects may “tier” from for purposes of any future environmental review that may be required under CEQA. (Pub. Resources Code, §§ 21090, 21093-21094; CEQA Guidelines, §§ 15168, 15152; see also *Citizens for Responsible Equitable Environmental Development v. City of San Diego Redevelopment Agency* (2005) 134 Cal.App.4th 598 (rejecting petitioner’s argument that all redevelopment projects must be subject to project-level EIRs pursuant to section 21090, and upholding city’s determination that program EIR contained sufficient analysis of impacts of hotel project within a redevelopment area).)

The County prepared an Initial Study to determine whether the previous EIR adequately describes the general environmental setting of the AMP project, the significant environmental impacts of the AMP project, and the alternatives and mitigation measures related to each significant effect of the AMP project. Because the AMP is consistent with and implements the Reuse Plan, and because, as described in detail in the Initial Study Checklist, the AMP will not result in additional impacts not identified in the previous environmental document, the alternatives analysis in the 1996 Reuse Plan EIR as supplemented by the 2007 SEIR adequately addresses alternatives related to the significant impacts of the AMP.

II.

BACKGROUND

In August 1991, after Castle Air Force Base (CAFB) was recommended for closure by the Defense Base Closure and Realignment Commission (BRAC), the City of Atwater (the City), the City of Merced, and Merced County (the County) formed the Castle Joint Powers Authority (CJPA). This multijurisdictional authority was to be responsible for the successful conversion of the former base to civilian uses and oversee the development and reuse of the site. A portion of the CAFB site was renamed the Castle Airport Aviation and Development Center (CAADC), and the CJPA developed a reuse plan, which identified appropriate uses for the CAADC, with the intention of maximizing both economic and community-based benefits. The surrounding Cities of Atwater and Merced and the County were included in the analysis process. In November 1994 the *Final Environmental Impact Statement: Disposal and Reuse of Castle Air Force Base, California* (the EIS) was adopted by the U.S. Air Force, pursuant to the National Environmental Policy Act (NEPA) of 1966, as amended, and the Defense Base Closure and Realignment Act (DBCRA) of 1990 (Public Law 101-510, Title XXIX). This EIS examined the potential environmental impacts of the proposed disposal and reuse of the CAFB site. In 1996, the CJPA developed the *Final Castle Air Force Base Reuse Plan* (Reuse Plan). The Reuse Plan provided for a variety of uses on the CAFB site, including a civilian airport, aviation support operations, commercial and industrial uses, economic development, educational uses, and a hospital.

CAFB was closed by the U.S. Air Force, and all military activities ceased on September 30, 1995. In 1996, the *Draft Environmental Impact Report for the Castle Air Force Base Reuse Plan and Local Agency Military Base Recovery Area* was released, followed by the *Final Environmental Impact Report for the Castle Air Force Base Reuse Plan and LAMBRA* in April 1996. The draft report examined the environmental impacts of the proposed reuse of the former CAFB. The *Environmental Impact Report for the Castle Air Force Base Reuse Plan and Local Agency Military Base Recovery Area* (both the draft and the final report, collectively referred to in this document as the 1996 Reuse Plan EIR or 1996 EIR) was certified in 1996. The Reuse Plan EIR was based on the EIS, as allowed under the California Environmental Quality Act (CEQA) (Public Resources Code [PRC] Sections 21083.5, 1083.7, and 21083.8.1[b][1]) and was prepared pursuant to PRC 21083.8.1. PRC 21083.8.1 is a provision of CEQA that applies to the environmental review of an initial plan for the reuse of a military base that has been closed by the federal government. Pursuant to PRC 21083.8.1(b)(2), all public and private activities taken pursuant to, or in furtherance of, a reuse plan are deemed to be a single project.

On August 29, 2000, the CJPA dissolved, and the County assumed reuse authority. On February 28, 2006, the County adopted the *Redevelopment Plan for the Castle Airport Aviation and Development Center* (Redevelopment Plan) pursuant to PRC 21090, for the former CAFB site, which became effective on March 30, 2006. Although the Redevelopment Plan did not cover the entire Reuse Plan area, for those areas within the Redevelopment Plan boundary, it proposes the same land uses as the 1996 Reuse Plan did. Therefore, the Redevelopment Plan actions implementing the Reuse Plan are a part of the Project for which the impacts were assessed in the 1996 Reuse Plan EIR. As stated in PRC 21083.8.1(b)(2), “if any of the events specified in Section 21166 have occurred,” further environmental review shall be conducted.

PRC 21166 covers the conditions under which a subsequent environmental impact report (SEIR) must be prepared. The County decided to use the 1996 Reuse Plan EIR as the environmental document for adoption of the Redevelopment Plan and prepared the SEIR to consider whether there had been any substantial changes in circumstances on or off base or new information of substantial importance that would result in new significant impacts, or an increase in severity of previously identified significant impacts, associated with adoption of the Redevelopment Plan that were not previously addressed in the 1996 EIR. (PRC 21166; CEQA Guidelines Sections 15162 and 15163.) Following certification of the 1996 final EIR, changes in the setting and background of the CAADC, a portion of the former CAFB, necessitated the preparation of an SEIR to address these changes in order that the EIR cover the potential effects of the adoption of the Redevelopment Plan.

The SEIR examined changes in the environment that could affect impact determinations for specific resource areas. As the Redevelopment Plan was deemed a part of the Reuse Plan analyzed in the 1996 Reuse Plan EIR, the SEIR used the same environmental baseline as the 1996 Reuse Plan EIR.

Pursuant to PRC 21083.8.1(b)(1), the impact assessment in the Reuse Plan environmental documents takes as a baseline the conditions existing at the CAFB at the time of the closure decision. In the case of Castle, those conditions reflected a considerably higher level of activity than what has occurred post-closure. In the 1996 Reuse Plan EIR, the analysis assumed Reuse Plan implementation in two phases; the first, or “Initial Phase,” reflected the level of activity associated with pre-closure conditions, and the remaining phase was described as “Buildout.” Generally, implementation of elements of the Reuse Plan falling within the Initial Phase do not result in significant impacts, as the resulting conditions reflect the baseline.

As the pre-CAFB-closure conditions are considered, pursuant to PRC 21083.8.1, to be the baseline for an assessment of environmental impacts, the analysis in the 1996 Reuse Plan EIR and in the SEIR differs from that typically found in a program or project EIR not associated with reuse of a military base, where the baseline is actual physical conditions existing at the time of issuance of the notice of preparation (NOP) of the environmental document (State CEQA Guidelines Section 15125[a]). In the case of the 1996 Reuse Plan EIR and the 2007 EIR document, if implementation of the Reuse Plan/Redevelopment Plan would result in a level of change in physical conditions not exceeding what existed at the time of closure, no significant impact would be identified in the EIR, even if the change is a substantial change from those conditions existing today.

The Redevelopment Agency adopted the Redevelopment Plan to promote the reuse of the facilities of the CAADC. Land uses and goals outlined in the Redevelopment Plan include office and commercial development, promoting new jobs to area residents, air cargo and airline operations, eliminating blight conditions, new planning, redesigning portions of the Project area that are currently underused, stimulating investment and new growth, creating employment opportunities, and commercial development.

The land use designations of the Reuse Plan and the Redevelopment Plan include the Aviation/Industrial land use designation, which covers most of the land area and the activities of the Airport Master Plan (AMP):

Aviation/Industrial: The Aviation/Industrial land use designation identifies areas that would best serve uses such as manufacturing, warehousing, and wholesale activities, which may

support aviation and nonaviation functions. This designation also applies to the runway and adjacent aviation facilities as well as locations where previous military use involved product assembly and warehousing.

The Reuse Plan also anticipated continued use/operation of the airport terminal and related facilities in support of general aviation activities. The property within the AMP is zoned “Castle Commerce Center and Airport Special Planning Zone” (SPZ), as described below. The zoning code also contains development review procedures (Section 18.28.030) and development standards for the Castle SPZ (Section 18.28.040). The airport property is specifically zoned “Aviation/Manufacturing”, one of the land use districts established in the Castle SPZ.

Castle Commerce Center and Airport Special Planning Zone” (SPZ)

18.28.010 Purpose of the Castle special planning zone.

The purpose of this chapter is to achieve the following:

- A. Promote the cohesive and comprehensive development of various portions of Castle Commerce Center and Airport consistent with the Castle Air Force Base reuse plan, general plan, and amend the special planning zone (SPZ) designation.
- B. Provide flexibility in the types of land uses that may be permitted through the identification of the unique nature and character of the Castle Commerce Center and Airport SPZ.
- C. Provide adequate regulation to ensure quality development through the establishment of development standards and design guidelines.
- D. Address the needs of airport-oriented operations and businesses, including the attraction of passenger transportation, air cargo, aviation training, manufacturing, and airport/industrial businesses.
- E. Provide opportunities for the private use of property for commercial and visitor uses.
- F. Provide for the preservation and restoration of environmental features and the development of a mixture of active and passive recreation uses.
- G. Recognize the unique character of Castle Commerce Center and Airport as reflected in this title and those covenants, conditions and restrictions (CC&Rs) and easements that contain additional requirements that are enforceable by landowners within Castle Commerce Center and Airport SPZ not otherwise enforceable through this Zoning Code. (Ord. 1854 § 1, 2009).

18.28.020 Establishment of land use districts in the Castle special planning zone.

The location of these districts shall correspond to those areas as shown in Figure 17 of the Castle Air Force Base reuse plan, at the time of adoption of the ordinance codified in this chapter, and as the Castle Air Force Base reuse plan may be amended.

- A. Aviation/Manufacturing (A-M) District. The A-M district is intended to accommodate aviation-related land uses as well as land uses involving manufacturing wholesale and warehousing activities which may support aviation and non-aviation functions which are compatible with airport activities. Typical uses which may be allowed include research and development, processing, assembly, distribution, storage, repair, and the wholesale trade of various materials and products. Examples of aviation-related land uses include general aviation, commercial, charter, and air cargo flight operations, pilot and crew training, aircraft manufacturing, testing service and repair and all related administrative support activities. Ground transportation for rail and truck shipping and maintenance may also be allowed.
- B. Business Park (BP) District. The BP district is intended to provide for research and development activities, associated offices and light manufacturing, production and research activities. Typical land uses that may be allowed include advanced technology businesses, offices for executive,

administrative, professional, and scientific staffs, businesses which provide technical consulting, personnel and productivity support services. Educational and institutional uses may also be allowed.

- C. Commercial (C) District. The C district is intended to provide for general retail commercial uses, entertainment establishments, offices, and service providers. Typical land uses that may be allowed include general merchandise retail sales, wholesale markets, shopping centers, home furnishings, apparel, restaurants, personal services, and professional services. Recreational, educational, and institutional uses may also be considered appropriate.
- D. Visitor Commercial (VC) District. The VC district is intended to provide for tourist and visitor oriented attractions and services. Typical visitor oriented facilities could include educational, recreational, commercial, and temporary lodging land uses.
- E. Institutional and Quasi-Public (I/QP) District. The purpose of the I/QP district is intended to provide for governmental, public, and quasi-public use and facilities such as the Atwater Federal Penitentiary and the Bloss Healthcare facility.
- F. Open Space/Public (OS/P) District. The OS/P district is intended to recognize and provide for open space, historic and public land uses within the central landscaped open space axis of the Castle Commerce Center and Airport. Land uses within this district include the central parade grounds and may provide for administrative offices and public meetings. (Ord. 1854 § 1, 2009).

These findings, as well as the accompanying statement of overriding considerations in section XI *infra*, have been prepared to comply with requirements of the California Environmental Quality Act ("CEQA") (Pub. Resources Code, § 21000 et seq.) and the CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.).

III. DEFINITIONS

These findings use the same definitions and acronyms set forth in the DSEIR. (DSEIR, pp. xi-xiv.) In addition, the term "County" refers to the County of Merced, and the term "Board" refers to the Board of Supervisors for the County of Merced.

IV. PROJECT DESCRIPTION

Location

Castle Airport is located in Merced County approximately 2.5 miles northeast of the City of Atwater, 6 miles northwest of the City of Merced and 15 miles southeast of the City of Turlock.

Project Description

The County of Merced proposes to adopt the Castle Airport Master Plan (AMP). The AMP lays out the plan for ultimate development of the airport and its operations. Specific descriptions of existing and planned airport facilities and operations are found in the AMP, most specifically in the Airport Layout Plan (ALP). The planned airport facilities and operations are consistent with the adopted Reuse Plan. The AMP will function as a tool for implementation of the aviation elements of the Reuse Plan.

Relationship between Reuse and Redevelopment Plans

The 1996 Reuse Plan described existing resources at the CAFB site, including public services, transportation and circulation, infrastructure, buildings, the environmental setting, and open space. The Reuse Plan also included an assessment of the market for reuse opportunities, which include a civilian airport, aviation support operations, commercial and industrial uses, educational uses, and a hospital. (DSEIR, p. 1-5.) The Redevelopment Plan adopted the same land use designations and acreages as was previously identified in the Reuse Plan, absent the lands no longer subject to the County's jurisdiction.

Reuse Plan Land Use Designations

Land use designations as proposed in the Reuse Plan are listed in DSEIR Table 3-2, followed by a brief description of the uses contemplated in each designation. (DSEIR, p. 3-6.) Technical improvements and additional survey data have resulted in more accurate calculations of acreages than were possible prior to the availability of computer-aided design and drafting (CADD) and geographic information systems (GIS). Table 3-2 of the SEIR reflects these corrected acreages as well as the acreage of lands within the Redevelopment Plan as designated in the Reuse Plan. (DSEIR, p. 3-6.) The land use designations are as follows:

Aviation/Industrial: The Aviation/Industrial land use designation identifies areas that would best serve uses such as manufacturing, warehousing, and wholesale activities, which may support aviation and nonaviation functions. This designation also applies to the runway and adjacent aviation facilities as well as locations where previous military use involved product assembly and warehousing. The Reuse Plan also anticipated continued use/operation of the airport terminal and related facilities in support of general aviation activities. (DSEIR, p. 3-7.) Ground transportation facilities for rail and truck shipping and maintenance are also compatible uses.

Business Park: The Business Park designation identifies an area that will most appropriately serve research and development (R&D) activities involving major office areas with associated light manufacturing and production research needs. This area has direct access to Wallace Road via Gate 3. Adjacent vacant parcels provide an opportunity for the location of high-technology businesses in a modern and attractive setting. (DSEIR, p. 3-8.)

Commercial: The Commercial land use designation applies to the central "Main Campus" area and is appropriate for general retail, commercial, office and related or supporting uses, including markets, shopping centers, apparel, home furnishings, restaurants and personal service providers. Recreational, educational, and institutional uses are also considered appropriate. While this area contains some multiple-family housing units, it is not intended to provide for conventional residential uses. (DSEIR, p. 3-8.)

Visitor Commercial: The Visitor Commercial land use designation applied to the southwestern corner of the former CAFB. This area contains visitor/tourist attractions such as the existing Castle Air Museum. (DSEIR, p. 3-8.)

Institutional: The Air Force Public Benefit Transfer conveyance process, a process by which various public and not-for-profit organizations received leases at various locations throughout the CAADC, spurred the Institutional land use designation in two main areas: (i) the former base hospital and the northeastern portion of Castle Airport, transferred to Bloss Memorial for operation; and (ii) the Federal Prison. Institutional uses in all other land use designations are

subject to approval by the Redevelopment Agency, the County Planning Department, and the Board of Supervisors. (DSEIR, p. 3-8.)

Public Improvements and Facilities: The Open Space/Public land use designation identifies the central landscaped open-space axis in the heart of the Main Campus area. It contains the main parade grounds between SAC and Castle Streets, visible when entering Castle Airport from the main entrance, and a north–south axis between B and C Streets connecting the Commercial with the Visitor Commercial areas. Within this open-space area are a few public buildings. (DSEIR, p. 3-8.) This area is intended to function as a visual and pedestrian link for the various commercial, office, and recreation uses located in this core campus area. Maintenance and enhancement of landscaping, including street trees and accessory structures, is required, and the installation of passive recreational facilities such as park benches, picnic tables, and gazebos is encouraged. Pedestrian and bicycle paths may be desirable through this area in the future. This designation may be reconfigured subject to approval of the Redevelopment Agency or the County. (DSEIR, p. 3-8.)

Public Improvements and Facilities: Infrastructure improvements were determined to be necessary to accommodate reuse and new development at the CAADC. These include improvements to water systems, sanitary sewer and storm drainage systems, and electrical and gas utilities. (DSEIR, p. 3-9.)

Additional infrastructure considerations addressed in the SEIR include:

On-site Circulation Systems

Development of a new on-site roadway system is proposed in the Project in order to alleviate the discontinuity that is created by the former base property. As most of the roadways were constructed for military purposes, their street widths do not conform to County standards. The Project proposes an extension of the roadway network in the northeastern portion of Castle Airport and improvements to existing roadways. The SEIR analyzes the potential effects of the roadway plan. (DSEIR, p. 3-9.)

Off-site Traffic/Circulation Mitigation

Improvements and traffic mitigation programs are proposed in the Project for the CAADC to offset impacts on adjacent arterial intersections and roadways resulting from proposed development associated with the Project. This mitigation includes traffic signalization, modifications, and new traffic improvements to increase operating efficiency. The addition of lanes and modifications of lane movements, depending on specific locations, could be accomplished by re-striping or by construction. Specific locations for these improvements will be determined as individual redevelopment projects are identified. (DSEIR, p. 3-9.)

Railroad

The BNSF Railway Company operates the main rail line from the San Francisco Bay Area to all points east and south through the Central Valley. There is one primary spur that provides direct access to facilities on the airport. These trains carry both domestic and international freight, linking with overseas freight through the Ports of Oakland and Richmond. Buildout could include additional railroad tracks, repairs and maintenance of existing railroad tracks, and loading/unloading docks. If/when specific railroad improvements are proposed, they may require additional environmental review under CEQA prior to approval. (DSEIR, p. 3-9.)

Proposed Public Improvements and Facilities Projects

Attachment 3 of the Redevelopment Plan lists proposed improvements to public facilities as a part of implementation of the Redevelopment Plan. The proposed improvements, along with an explanation of why they are needed, are listed below. (DSEIR, p. 3-10.)

- Water supply system expansion and upgrade to include back-up power generator.
- Drainage System deficiency is best described as an inability to accommodate runoff from a storm event which occurs at a frequency above 5 years. The correct positioning of storm water retention basins constructed as part of the future development increments is the intended mitigation so as to decrease the frequency of flooding and to comply with County and MID standards.
- Critical Backbone Road/Infrastructure System Upgrades & Repairs, including entrance upgrade, curbs, gutters, roadway striping, sidewalks, paving, widening, signage, fire hydrants and street lighting.
- Communications Infrastructure improvements to include replacement of copper lines supplying service to buildings and extension of phone service line to buildings currently not in place.
- Installation of Cable Infrastructure as needed.
- Airport Improvements and Repairs, including taxiway and parking ramp improvements, cement and asphalt replacement, sealing, striping and lighting.
- Demolition of buildings which are unsafe, deteriorated, and cost prohibitive to bring up to current Uniform Building Code standard.
- Undergrounding of overhead utility systems.
- The development of additional wastewater treatment capacity to serve planned redevelopment uses at the site.

(DSEIR, p. 3-10.)

Demolition/Clearance and Site Preparation

The Project outlines the need for demolition and infrastructure removal work associated with reuse of the CAADC, including removal of some or all existing roadways and abandoned utility systems, demolition of obsolete or substandard buildings or other structures, and other smaller demolition projects. In many cases, demolition and site-preparation activities also require asbestos and lead-based paint remediation. The possible environmental impacts associated with these materials and mitigation measures were examined in Chapter 4 of the 1996 EIR. (DSEIR, p. 3-11.)

Phased Development

In the 1996 Reuse Plan EIR, the analysis assumed Reuse Plan implementation in two phases: the first, or “Initial Phase,” reflected the level of activity associated with pre-closure conditions; and the remaining phase was described as “Buildout.” As discussed more fully below, environmental documents associated with a military base reuse plan prepared pursuant to PRC 21083.8.1(b)(1), take as a baseline the conditions existing at military base at the time of the

closure decision. For the CAFB, those conditions reflected a considerably higher level of activity than what has occurred post-closure. Generally, implementation of elements of the Reuse Plan falling within the Initial Phase do not result in significant impacts, as the resulting conditions reflect the baseline. (DSEIR, p. 3-12.)

The Initial Phase includes the reuse of existing structures, and infill within the existing developed areas that could occur in the near term. The CJPA determined that this phase would not exceed levels of activity on the CAADC that existed prior to the closure of CAFB. The second phase, Buildout, involves buildout primarily on vacant lands or undeveloped portions of the CAADC site as described in the Reuse Plan, and this is expected to occur over a 20-year period following the Initial Phase. The Initial Phase allows a substantial amount of development, and the Redevelopment Plan does not specify timing for completion of the Initial Phase. For the purposes of analysis, full implementation of the Reuse Plan/Redevelopment Plan was assumed to occur by 2030. This year was selected as it is the horizon year for the Merced County Association of Governments (MCAG) travel demand model. The MCAG model contains land use plans for the year 2030. Full buildout of the Redevelopment Plan by 2030 may not be likely to occur, but this horizon was selected because it was the farthest in the future it was reasonable to forecast. Impacts identified in this EIR are therefore a “worst case.” (DSEIR, p. 3-12.)

Initial Phase

The 1996 EIR established thresholds for the development of the Initial Phase based on levels similar to conditions occurring prior to base closure. During this phase, square footage dedicated to new uses would be maintained at or below the level occurring prior to CAFB closure such that the potential effects would remain below baseline levels and therefore less than significant. For the purposes of redevelopment during the Initial Phase of the Project, every activity considered by the CJPA for operation at the CAADC would be subject to a comparison of threshold levels, and any activity exceeding these thresholds would require additional environmental analysis. Thresholds are as follows:

- building square footage at pre-CAFB-closure levels by land use as shown in DSEIR Table 3-1;
- total employees not to exceed 7,325;
- average daily vehicle trips (ADT) not to exceed 20,000 at the three access gates (53% of trips at Gate 1, 35% at Gate 2, and 12% at Gate 3), based on trip generation rates contained in the *Institute of Traffic Engineers* manual;
- demand for water, wastewater, solid waste disposal, electricity, and gas not to exceed pre-CAFB-closure conditions (shown in DSEIR Table 3-3);
- a total of no more than 107,175 annual airplane operations, with each takeoff and landing constituting a single operation;
- air emissions from stationary sources equivalent to the emissions reduction credits issued at the time of closure (29.1 tons per year of nitrous oxides, 25.6 tons per year of volatile organic compounds [VOCs], and 8.9 tons per year of particulate matter 10 microns or less in diameter [PM10]); and
- the potential to create runoff not to exceed the capacity of receiving channels.

Additionally, all uses, including those that do not exceed a specific threshold, must comply with local, state, and federal laws and any mitigation measures previously adopted by the CIPA as part of the EIS and EIR. (DSEIR, p. 3-13.)

Buildout

Buildout of the Project is the realization of the Project goals, policies, and development within the CAADC. This includes the development of vacant lands and reuse as outlined in the Project and shown in Table 3-2. Buildout will continue to occur gradually over the next 20 years and will be subject to additional project specific environmental review if, for example, a site-specific master development plan is proposed or there are proposed changes to the existing land use and zoning designations that would result in new potentially significant impacts. (DSEIR, p. 3-14.)

The AMP area covers a portion of the Reuse Plan and Redevelopment Plan project sites. No construction is proposed under the AMP outside of the Reuse Plan area, and, other than four small “future acquisition areas” located at the four corners of the runway instrument approach protection zones, where no development of any kind would be permitted, none of the project site falls outside of the area covered by the previous environmental document. Further, the 2007 SEIR updated the existing setting information, and, as specifically described in the Initial Study Checklist, review of current existing conditions found that no substantial changes resulting in changes in impacts have occurred since 2007.

V. ENVIRONMENTAL REVIEW

The County of Merced intends to use the previous EIR prepared for the Castle Air Force Base Redevelopment Plan (*Castle Air Force Base Redevelopment Plan Subsequent Environmental Impact Report SCH #2007011123*), which was prepared as a subsequent EIR to the *Environmental Impact Report for the Castle Air Force Base Reuse Plan and Local Agency Military Base Recovery Area SCH #95122031*, as the Draft EIR for its proposed action to adopt the Castle Airport Master Plan.

The 2007 Subsequent EIR

On February 28, 2006, the County adopted a Redevelopment Plan pursuant to PRC 21090, for the former CAFB site, which became effective on March 30, 2006. (DSEIR, p. 3-3.) The Plan adopted the same land use and zoning designations as those previously adopted by the Reuse Plan. Under PRC 21166, when an environmental impact report has been prepared for a project, a subsequent EIR must be prepared only when:

- (a) Substantial changes are proposed in the project which will require major revisions of the environmental impact report;
- (b) Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report; or

- (c) New information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available.

CEQA Guidelines Section 15163 provides that a lead agency shall prepare an SEIR if any of the conditions described in Section 15162 would require the preparation of an SEIR. Section 15162, subdivision (a) provides that when an EIR has been certified for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR, was certified as complete shows any of the following:
 - (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

(DSEIR, pp. 2-4 to 2-5.)

Pursuant to PRC section 21166 and CEQA Guidelines, sections 15162 and 15163, the SEIR relies on the 1996 Reuse Plan EIR and considers whether there has been any substantial change

in circumstances or substantial change in the Project from what was approved as part of the Reuse Plan and whether there has been any significant new information discovered that would result in new significant adverse environmental effects or an increase in severity of previously identified significant adverse environmental effects as required by CEQA.

Project Baseline

The baseline associated with reuse of a military base differs from that typically found in a program or project EIR, where the baseline is actual physical conditions existing at the time of issuance of the notice of preparation (NOP) of the environmental document (CEQA Guidelines Section 15125(a)). As noted above, pursuant to PRC 21083.8.1, for a military base reuse plan, the pre-closure conditions are considered to be the baseline for assessment of environmental impacts. Such baseline was applied in the 1996 Reuse Plan EIR. As the Redevelopment Plan is considered, under PRC 21083.8.1(b)(2), to be an action taken in furtherance of the 1996 Reuse Plan and the Reuse Plan and Redevelopment Plan are deemed to be a single project, the same baseline was applied for analysis in the SEIR. If implementation of the Reuse Plan/Redevelopment Plan would result in a level of change in physical conditions not exceeding what existed at the time of closure, no significant impact would be identified in the SEIR, even if the change is a substantial change from those conditions existing today. (DSEIR, p. 2-3.)

Intended Uses of the SEIR

Lead and Responsible Agencies and Permit Approvals

As the lead agency for the Project under CEQA, the County may rely on the SEIR, or may tier from the SEIR for the preparation of additional environmental review for subsequent projects. Such future projects may include: the subdivision of land into parcel, tentative, or final maps consistent with the Subdivision Map Act; the adoption, amendment, and implementation of zoning code designations and regulations; the issuance of demolition or building permits; entering into a master lease and/or master reuse agreements for the lease and/or sale of existing buildings; and development agreements.

The following permits or approvals may be required from responsible and trustee agencies for implementation of the Project:

- an Airport Operating Certificate (through the [U.S. Department of Transportation Federal Aviation Administration](http://www.faa.gov/airports/airport_safety/part139_cert/) [FAA])
[http://www.faa.gov/airports/airport_safety/part139_cert/];
- [air pollution control district](http://www.valleyair.org/Home.htm) permits to construct and permits to operate
[<http://www.valleyair.org/Home.htm>];
- a California Department of Transportation (Caltrans) Division of Aeronautics [public-airport permit](http://www.dot.ca.gov/hq/planning/aeronaut/airportpermit.html) for aviation activities
[<http://www.dot.ca.gov/hq/planning/aeronaut/airportpermit.html>];
- a hazardous [waste treatment, storage, or disposal facility permit](http://www.dtsc.ca.gov/hazardouswaste/) (through the U.S. Environmental Protection Agency [EPA] and California Environmental Protection Agency [Cal/EPA])
[<http://www.dtsc.ca.gov/hazardouswaste/>];

- compliance with the [Merced County Congestion Management Plan](http://www.co.merced.ca.us/index.aspx?nid=79) for vehicular circulation and public transit [http://www.co.merced.ca.us/index.aspx?nid=79]; and,
- a National Pollutant Discharge Elimination System (NPDES) permit or Stormwater Pollution Prevention Plan (SWPPP) (through the EPA and the [California Regional Water Quality Control Board](http://www.swrcb.ca.gov/centralvalley/help/business_help/permit2.shtml) [RWQCB], Central Valley Region) [http://www.swrcb.ca.gov/centralvalley/help/business_help/permit2.shtml].

VI.

CASTLE AMP

The Initial Study Checklist prepared for the Castle AMP assessed whether the environmental setting, impacts and mitigation measures of the AMP project are adequately described by the previous environmental document. Alternatives are addressed below.

CONCLUSIONS OF THE INITIAL STUDY

The conclusions of the Initial Study are described below.

Setting

The AMP area covers a portion of the Reuse Plan and Redevelopment Plan project sites. No construction is proposed under the AMP outside of the Reuse Plan area, and, other than four small “future acquisition areas” located at the four corners of the runway instrument approach protection zones, where no development of any kind would be permitted, none of the project site falls outside of the area covered by the previous environmental document. Further, the 2007 SEIR updated the existing setting information, and, specifically described in the Initial Study Checklist, review of current existing conditions found that no substantial changes resulting in changes in impacts have occurred since 2007.

Impacts and Mitigation

The Initial Study Checklist assessed each of the impact areas in the checklist, and assessed whether the AMP would result in additional impacts not identified in the previous environmental document. As specifically described in the Initial Study Checklist, the AMP would not result in additional impacts not identified in the previous environmental document.

Mitigation measures presented in the previous environmental document will adequately address the impacts of the AMP. The application of these mitigation measures to the AMP is specifically described in the Initial Study Checklist.

Alternatives

Description of Alternatives Analysis in Previous Environmental Document

The alternatives to the proposed project analyzed in the 1996 Reuse Plan EIR were those that were presented as the alternatives in the federal EIS, as follows.

- The **Castle Aviation Center Alternative** included an integrated general aviation support center, which would provide general aircraft maintenance and repair, classic aircraft restoration, aircraft storage, sales, testing, and support for air shows. Non-aviation land uses include industrial, institutional (medical and educational), commercial, residential, public facilities/recreation, and agricultural.
- The **Commercial Aviation Alternative** included a general aviation airport with commercial passenger service, airline pilot proficiency training, and air cargo operations. This alternative would have the largest number of flight operations of any of the aviation-related reuse scenarios. Non-aviation land uses include industrial, institutional (medical and educational), commercial, residential, public facilities/recreation, and agricultural.
- The **Aviation with Mixed Use Alternative** included airfield/aviation support land use similar to the Proposed Action, although the number of aircraft operations is substantially lower under this alternative. Nonaviation land uses include industrial, institutional (medical and educational), commercial, residential, public facilities/recreation, and agricultural.
- The **Non-Aviation Alternative** included an extensive industrial research and development area on the existing airfield and aviation support acreage. Other land use includes a major educational campus, as well as commercial, residential, public facilities/recreation, and agricultural.
- The **No-Action Alternative** would result in the base being placed in caretaker status. No further activity would take place. The U.S. government would not be required to retain ownership of the base under this alternative.

The impacts of these alternatives were analyzed in the federal EIS. A summary of the impacts of these alternatives appears in Table 2-2 of the 1996 Reuse Plan EIR and is incorporated by reference.

Chapter 14 of the 2007 SEIR contained an updated evaluation of alternatives, including consideration of the potential On-Site Housing Alternative and Reduced Development Alternative in order to substantially reduce additional significant impacts not identified in the EIS or the 1996 Reuse Plan EIR and this analysis is incorporated by reference. The conclusion of this SEIR was that the conclusions of the 1996 Reuse Plan EIR were not affected by changes in circumstances.

Conclusion

Because the AMP is consistent with and implements the Reuse Plan, and because, as described in detail in the Initial Study Checklist, the AMP will not result in additional impacts not identified in the previous environmental document, the alternatives analysis in the 1996 Reuse Plan EIR as supplemented by the 2007 SEIR adequately addresses alternatives related to the significant impacts of the AMP

VII. **RECORD OF PROCEEDINGS**

The record of proceedings for the County's decision on the Project consists of the following documents, at a minimum:

- The NOP dated January 29, 2007 and all other public notices issued by the County in conjunction with the Project;
- Comments received from the scoping meeting held January, 31 2007, in Merced County, regarding the preparation of the SEIR;
- The Draft Subsequent Environmental Impact Report for the Castle Air Force Base Redevelopment Plan (“DSEIR”);
- Notice of Availability, published on or around October 22, 2007, providing notice that the DSEIR had been completed and was available for public review and comment;
- All comments submitted by agencies or members of the public during the 30-day comment period on the DSEIR;
- All comments and correspondence submitted to the County with respect to the Project, in addition to timely comments on the DSEIR;
- The Final Subsequent Environmental Impact Report for the Castle Air Force Base Redevelopment Plan (“FSEIR”), including all documents referred to or relied upon therein, which include, but are not limited to the following:
 - All timely comments received on the DSEIR and responses to those comments;
 - Technical appendices; and
 - 1996 EIR & EIS
- The Environmental Checklist prepared for the proposed Castle Air Force Base Redevelopment Plan and all supporting materials;
- The Environmental Checklist prepared for the proposed Castle AMP and all supporting materials;
- Record of any public hearing held on the Project;
- Notices of Public Hearings of the availability of environmental documents;
- Resolution 2007-190, certifying the FSEIR, adopted December 18, 2007, and all supporting documents.
- All findings and resolutions adopted by the County in connection with the Castle Air Force Base Redevelopment Plan, and all documents cited or referred to therein;
- All reports, studies, memoranda (including internal memoranda not protected by the attorney-client privilege), maps, staff reports, or other planning documents relating to the Project prepared by the County, consultants to the County, or responsible or trustee

agencies with respect to the County's compliance with the requirements of CEQA and with respect to the County's action on the Castle Air Force Base Redevelopment Plan;

- All documents submitted to the County by other public agencies or members of the public in connection with the Castle Air Force Base Redevelopment Plan, up through the close of the public hearing on December 11, 2007;
- Any minutes and/or verbatim transcripts of all information sessions, public meetings, and public hearings held by the County in connection with the Castle Air Force Base Redevelopment Plan;
- Any documentary or other evidence submitted to the County at such information sessions, public meetings and public hearings;
- The relevant files and the materials submitted by the County; and
- Any other materials required for the record of proceedings by Public Resources Code section 21167.6, subdivision (e).

The official custodian of the record is Mark J. Hendrickson, Merced County Department of Commerce, Aviation and Economic Development, 2507 Heritage Drive, Atwater, CA 95301.

VIII. FINDINGS REQUIRED UNDER CEQA

Public Resources Code section 21002 provides that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would *substantially lessen* the significant environmental effects of such projects[.]” (Emphasis added.) The same statute states that the procedures required by CEQA “are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will *avoid* or *substantially lessen* such significant effects.” (Emphasis added.) Section 21002 goes on to state that “in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof.”

The mandate and principles announced in Public Resources Code section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which EIRs are required. (See Pub. Resources Code, § 21081, subd. (a); CEQA Guidelines, § 15091, subd. (a).) For each significant environmental effect identified in an EIR for a proposed project, the approving agency must issue a written finding reaching one or more of three permissible conclusions. The first such finding is that “[c]hanges or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(1).) The second permissible finding is that “[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.” (CEQA Guidelines, § 15091, subd. (a)(2).) The third potential conclusion is that “[s]pecific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.” (CEQA Guidelines, § 15091, subd. (a)(3).) Public Resources Code section 21061.1 defines “feasible” to mean “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.” CEQA Guidelines section 15364 adds another factor: “legal” considerations. (See also *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 565 (*Goleta II*).

The concept of “feasibility” also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417.) “[F]easibility’ under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors.” (*Id.*; see also *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715.)

The CEQA Guidelines do not define the difference between “avoiding” a significant environmental effect and merely “substantially lessening” such an effect. The City must therefore glean the meaning of these terms from the other contexts in which the terms are used. Public Resources Code section 21081, on which CEQA Guidelines section 15091 is based, uses

the term "mitigate" rather than "substantially lessen." The CEQA Guidelines therefore equate "mitigating" with "substantially lessening." Such an understanding of the statutory term is consistent with the policies underlying CEQA, which include the policy that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would *substantially lessen* the significant environmental effects of such projects." (Pub. Resources Code, § 21002, emphasis added.)

For purposes of these findings, the term "avoid" refers to the effectiveness of one or more mitigation measures to reduce an otherwise significant effect to a less than significant level. In contrast, the term "substantially lessen" refers to the effectiveness of such measure or measures to substantially reduce the severity of a significant effect, but not to reduce that effect to a less than significant level. These interpretations appear to be mandated by the holding in *Laurel Hills Homeowners Association v. City Council* (1978) 83 Cal.App.3d 515, 519-521, in which the Court of Appeal held that an agency had satisfied its obligation to substantially lessen or avoid significant effects by adopting numerous mitigation measures, not all of which rendered the significant impacts in question less than significant.

Although CEQA Guidelines section 15091 requires only that approving agencies specify that a particular significant effect is "avoid[ed] or substantially lessen[ed]," these findings, for purposes of clarity, in each case will specify whether the effect in question has been reduced to a less than significant level, or has simply been substantially lessened but remains significant.

CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur. Project modification or alternatives are not required, however, where such changes are infeasible or where the responsibility for modifying the project lies with some other agency. (CEQA Guidelines, § 15091, subd. (a), (b).)

With respect to a project for which significant impacts are not avoided or substantially lessened, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project's "benefits" rendered "acceptable" its "unavoidable adverse environmental effects." (CEQA Guidelines, §§ 15093, 15043, subd. (b); see also Pub. Resources Code, § 21081, subd. (b).) The California Supreme Court has stated, "[t]he wisdom of approving . . . any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced." (*Goleta II*, 52 Cal.3d at p. 576.)

These findings constitute the County's best efforts to set forth the evidentiary and policy bases for its decision to approve the Project in a manner consistent with the requirements of CEQA. To the extent that these findings conclude that various proposed mitigation measures outlined in the FMEIR are feasible and have not been modified, superseded or withdrawn, the City hereby binds itself to implement these measures. These findings, in other words, are not merely informational, but rather constitute a binding set of obligations that will come into effect when the County adopts a resolution certifying the SEIR.

IX.

SIGNIFICANT EFFECTS AND MITIGATION MEASURES

The FSEIR identified a number of significant and potentially significant adverse environmental effects (or “impacts”). Some of these significant effects can be fully avoided through the adoption of feasible mitigation measures. Other effects cannot be avoided by the adoption of feasible mitigation measures or alternatives, and thus are significant and unavoidable despite, in some cases, being substantially lessened through the adoption of feasible mitigation measures. Other significant, unavoidable effects cannot be substantially lessened or avoided. For reasons set forth in Section XIII *infra*, however, the County has determined that the significant, unavoidable effects of the Project are outweighed by overriding economic, social, and other considerations.

A. AESTHETICS AND VISUAL RESOURCES

The AMP is located on a portion of the project site for the 1996 Reuse Plan EIR and the 2007 SEIR. The setting for aesthetics impacts is presented in the 2007 SEIR in Chapter 5 of the 2007 SEIR and is incorporated by reference. No substantial changes have occurred on the project site or in the vicinity since the preparation of the 2007 SEIR.

The AMP proposes construction of airport facilities as planned in the Reuse Plan. Structures proposed are consistent with the Reuse Plan. For these reasons, the AMP would not result in additional aesthetics impacts beyond those identified in the previous environmental document and described below.

Impact AES-1: The Project will not have an adverse effect on a scenic vista. This impact is considered *less than significant*. (DSEIR, p. 5-3.)

Finding: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)

Explanation: The 1996 Reuse Plan EIR concluded that the Reuse Plan would have a less-than-significant impact on a scenic vista, as construction under the proposed Reuse Plan would not result in substantial changes in the types of structures at the site and because the Castle site itself, being low-profile, would not interrupt available views of the Sierra from viewpoints across the site. (DSEIR, p. 5-3.)

Mitigation Measures: No mitigation measures are required. (DSEIR, p. 5-3.)

Significance After Mitigation: The impact is less than significant without mitigation. (DSEIR, p. 5-3.)

Impact AES-2: The Project will not cause substantial damage to scenic resources, including trees, rock outcroppings, and historic buildings along a scenic highway. This impact is considered *less than significant*. (DSEIR, p. 5-3.)

Finding: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)

Explanation: The 1996 Reuse Plan EIR concluded that the Reuse Plan would have a less-than-significant impact related to scenic highways, as there are no scenic highways within the viewshed of the Project site. (DSEIR, p. 5-3.)

Mitigation Measures: No mitigation measures are required. (DSEIR, p. 5-3.)

Significance After Mitigation: The impact is less than significant without mitigation. (DSEIR, p. 5-3.)

Impact AES-3: The Project may cause substantial degradation of the existing visual character or quality of the site and its surroundings. This impact is considered *less than significant with mitigation*. (DSEIR, p. 5-4.)

Finding: This impact can be minimized through Mitigation Measure 4-32. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental effect as identified in the DEIR. No additional mitigation measures are necessary to render the effects less than significant. (DSEIR, p. 5-4.)

Explanation: The 1996 Reuse Plan EIR concluded that the Initial Phase of the Reuse Plan would have a less-than-significant impact related to visual character because new construction would not occur and that Buildout of the Reuse Plan, which would improve the visual character of the site as buildings were renovated and newer buildings were built, would have a less-than-significant impact related to visual character with the implementation of Mitigation Measure 4-32. (DSEIR, p. 5-4.)

Mitigation Measures:

Mitigation Measure 4-32: Review Project Designs

Prior to approval of a building permit, the County shall review project designs to ensure that the following elements are included to the extent feasible.

- Existing visual features, including mature trees, are retained in the design where appropriate.
- The mass, height, fenestration, and surface treatment of new buildings is compatible with surrounding development and visual features.
- Landscape features are incorporated into the site design, including, where appropriate, linkages to adjacent sites.

Significance After Mitigation: The impact is less than significant with mitigation. (DSEIR, p. 5-4.)

Impact AES-4: The Project would create a new source of substantial light or glare that may adversely affect daytime or nighttime views in the area. This impact is considered *less than significant with mitigation*. (DSEIR, p. 5-4.)

Finding: This impact can be minimized through Mitigation Measures 4-33 and 4-34. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental effect as identified in the DEIR. No additional mitigation measures are necessary to render the effects less than significant. (DSEIR, p. 5-4.)

Explanation: The 1996 Reuse Plan EIR concluded that the Initial Phase of the Reuse Plan would have no impact related to visual character because new construction would not occur and that Buildout of the Reuse Plan would have a less-than-significant impact related to light and glare with the implementation of Mitigation Measures 4-33 and 4-34. (DSEIR, p. 5-4.)

Mitigation Measures:

Mitigation Measure 4-33: Review Landscaping Design

Prior to approval of building permit, the County shall review the landscaping design to ensure that, for development adjacent to light sensitive uses such as temporary housing, exterior lights are placed and shielded to prevent spillover onto adjacent properties.

Mitigation Measure 4-34: Minimize Glare

Glare shall be minimized by use of non-reflective surface and roofing materials in areas that can be seen from roadways and sensitive uses.

Significance After Mitigation: The impact is less than significant with mitigation. (DSEIR, p. 5-4.)

B. AGRICULTURAL RESOURCES

Impact: The 1996 Reuse Plan EIR and the 2007 Subsequent EIR concluded that there were no agricultural lands on the project site or located such that they would be affected by the project. This analysis is found in Chapter 4.1 of the Draft Reuse Plan EIR, Chapter 2 of the Final Reuse Plan EIR, and Chapter 4 of the 2007 SEIR and is incorporated by reference. Therefore the AMP will not result in impacts on agriculture. There are no forest lands on the project site or in the vicinity.

Finding: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)

Explanation: The AMP is located on a portion of the project site for the 1996 Reuse Plan EIR and the 2007 SEIR. The agricultural resources setting is presented in the 2007 SEIR in Chapter 4

of the 2007 SEIR and is incorporated by reference. No substantial changes have occurred on the project site or in the vicinity since the preparation of the 2007 SEIR.

Mitigation Measures: No mitigation measures are required. (DSEIR, p. 4-3.)

Significance After Mitigation: The impact is less than significant without mitigation. (DSEIR, p. 4-3.)

C. AIR QUALITY AND GREENHOUSE GAS

The AMP is located on a portion of the project site for the 1996 Reuse Plan EIR and the 2007 SEIR. The setting for air quality impacts is presented in Chapter 6 of the 2007 SEIR and is incorporated by reference. Since the preparation of the 2007 Subsequent EIR, the San Joaquin Valley Air Basin was designated as attainment for federal standards for PM10, an improvement in air quality over the previous level. This does not change the assessment of the impacts of buildout of the Reuse Plan.

The AMP proposes construction of airport facilities as planned in the Reuse Plan. Structures proposed are consistent with the Reuse Plan. The proposed Airport Master Plan would implement the Reuse Plan and would not result in an increase in air traffic, auto or truck traffic, or other emissions-generating activities beyond those planned in the Reuse Plan.

For these reasons, the AMP would not result in additional air quality impacts beyond those identified in the previous environmental document and described below.

The 1996 Reuse Plan EIR and the 2007 SEIR concluded that buildout of the Reuse Plan would not result in any significant air quality impacts. This analysis is found in Chapter 4.5 of the Draft Reuse Plan EIR, Chapter 2 of the Final Reuse Plan EIR, and Chapter 6 of the 2007 SEIR and is incorporated by reference.

Impacts and Mitigation Measures

Impact AQ-1: The Project will not conflict with or obstruct the implementation of the applicable air quality plan or violate any air quality standard or substantially contribute to an existing or projected air quality violation. This impact is considered *less than significant*. (DSEIR, p. 6-16.)

Finding: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)

Explanation: Although no changes in the Project are proposed from the Reuse Plan considered in the 1996 EIR, changes in traffic levels could result in changes to this impact. Operational air quality impacts are those associated with the change in permanent use of the Project site. Two types of air pollutant sources must be considered with respect to the proposed Project: area and mobile sources. Area sources include emissions from natural gas combustion for space heating requirements; emissions from personal product use; and small, miscellaneous sources that are

exempt from SJVAPCD permitting (e.g., lawnmowers). Mobile source emissions result from vehicle trips, including employees, deliveries, and maintenance activities. Industrial point sources were not included in the assessment because they will be regulated by preconstruction air quality permits issued by the SJVAPCD. (DSEIR, p. 6-16.)

The preclosure area source and vehicular emissions were reported in the 1994 EIS and are summarized in DSEIR Table 6-5. Note that the “preclosure emissions” listed in the table do not include stationary industrial facilities, permitted by SJVAPCD; aircraft flight operations at the CAFB; or aircraft ground support operations. As described in the 1996 EIR, the emissions from those industrial sources were banked as Emission Reduction Credits (ERCs), some of which were used later as conformity offsets applied to the proposed Castle Airport. (DSEIR, p. 6-16.)

For the purposes of comparing the vehicular and area source emissions for the preconstruction condition and the proposed future Buildout conditions, the 1994 preconstruction emissions were adjusted for the years 2007 and 2030. The vehicular emissions were adjusted based on EMFAC emission factors for 1994, 2007, and 2030. The area source emissions were assumed to remain constant between 1994 and the future Buildout years. The adjusted preconstruction emissions are listed in DSEIR Table 6-6. (DSEIR, p. 6-17.)

Proposed future area source emissions result from space heating and personal product use, as well as on-site activities exempted from SJVAPCD permitting (e.g., landscaping operations). The URBEMIS2002 computer model was used to predict project emissions based on 2,083,000 square feet of Shopping Center, 405 acres of Manufacturing, and 34.5 acres of Business Park. (DSEIR, p. 6-17.)

The proposed Project would generate motor-vehicle trips that would cause emissions of CO, ROG, NO_x and PM₁₀. The trip rates were provided in the traffic study for the CAFB Redevelopment Plan by Dowling Associates dated October 2007 (DSEIR, Appendix B). The results of the calculations for area sources and vehicle trips are summarized in DSEIR Table 6-6. (DSEIR, p. 6-17.) Emissions from on-road vehicles were estimated using EMFAC emission factors. (DSEIR, p. 6-18.)

The net emission increases/decreases between the 1994 preconstruction condition and the future Buildout years are listed in DSEIR Table 6-7. The net emission increases/decreases are compared with the applicable SJVAPCD CEQA thresholds. Estimates of vehicle and area source emissions of PM₁₀, ROG and NO_x are less than the pre-closure levels, for each condition modeled. Therefore, the air quality impacts for these pollutants would be less than significant. (DSEIR, p. 6-18.)

Generation of CO emissions from vehicle trips and area sources are greater than emissions from preclosure levels. Given that the SJVAB is in attainment for CO this increase is not significant. (DSEIR, p. 6-18.)

Mitigation Measures: No mitigation measures are required. (DSEIR, p. 6-18.)

Significance After Mitigation: The impact is less than significant without mitigation. (DSEIR, p. 6-16.)

Impact AQ-2: The Project will not expose sensitive receptors to substantial pollutant concentrations. This impact is considered *less than significant*. (DSEIR, p. 6-18.)

Finding: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)

Explanation: Nearby sensitive receptors would not be exposed to air emissions other than those described under Impact AQ-1. The emissions would be generated mainly by on-road vehicles, and those emissions would be distributed over the entire regional roadway network. Therefore, it is unlikely the increased emissions would cause any substantial increases in localized concentrations at any given location along the roadways. (DSEIR, p. 6-18.)

Mitigation Measures: No mitigation measures are required. (DSEIR, p. 6-18.)

Significance After Mitigation: The impact is less than significant without mitigation. (DSEIR, p. 6-19.)

Impact AQ-3: **The Project will not create objectionable odors affecting a substantial number of people in excess of standards established in a local general plan or applicable standards of other agencies. This impact is considered *less than significant*.** (DSEIR, p. 6-19.)

Finding: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)

Explanation: The 1996 Reuse Plan EIR concluded that the Project would not result in the creation of objectionable odors. Because there are no changes since that time that would adversely affect odor, this impact remains less than significant. (DSEIR, p. 6-19.)

Mitigation Measures: No mitigation measures are required. (DSEIR, p. 6-19.)

Impact AQ-4: **The Project will not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment for an applicable federal or state air quality standard, including releasing emissions that exceed quantitative thresholds for ozone precursors. This impact is considered *less than significant*.** (DSEIR, p. 6-19.)

Finding: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)

Explanation: As shown in DSEIR Table 6-7, the Project plus cumulative traffic generated by the other foreseeable projects would not result in emissions of criteria pollutants exceeding thresholds. A description of the cumulative background for the traffic analysis, upon which the emissions were modeled, is found in Chapter 13 of the SEIR. (DSEIR, p. 6-19.)

Mitigation Measures: No mitigation measures are required. (DSEIR, p. 6-19.)

Significance After Mitigation: The impact is less than significant without mitigation. (DSEIR, p. 6-19.)

Impact AQ-5(A): The Redevelopment Plan Project would have the potential to generate greenhouse gas emissions (GHG), however, the direct effects of the proposed Project to global climate change is considered less-than-significant considering the prior active operation levels of the former CAFB as the existing environmental baseline and prior approval of the 1996 Reuse Plan.

Finding: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd.(a)(3), 15091.)

Explanation: Given the challenges associated with determining project specific-significance and criteria for GHG emissions when the issue must be viewed on a global scale, a quantitative significance criterion was not used in the Draft SEIR for the proposed project. For purposes of the Draft SEIR's analysis, the incremental contribution to global climate change was considered less than significant if, due to the size or nature of the project, it would not generate a substantial increase in GHG emissions relative to existing conditions. Because the proposed project adopts the same land use and zoning designations previously approved under the 1996 Reuse Plan and utilizes the prior operating conditions at the former CAFB as the baseline environmental conditions from which to measure the potential effects of the Redevelopment Plan project, the project would not result in any new direct significant adverse environmental effects, from the generation of GHG emissions, on global climate change.

Mitigation Measures: See mitigation measures contained within AQ-1. No additional feasible mitigation measures are available or required.

Significance After Mitigation: The impact is less than significant.

Impact AQ-5(B): The Project will have a cumulatively considerable contribution to a change in climate. This impact is considered *significant and unavoidable*. (DSEIR, p. 6-19.)

Finding: Changes or alterations have been required in, or incorporated into, the Project that substantially lessen, but do not avoid, the potentially significant environmental effects associated with climate change. No mitigation is available to render the effects less than significant. The effects therefore remain significant and unavoidable.

Explanation: DSEIR Table 6-8 lists the estimated GHG emissions caused by on-road vehicle travel from the shopping center, manufacturing park, and business park. Using the trip rates provided in the traffic study performed by Dowling Associates and dated October 2007, CO₂ emissions were computed based on daily vehicle miles traveled, using the URBEMIS and EMFAC software. Additional GHG emissions also would be generated from fuel combustion for on-site space heating and from off-site fuel combustion used to generate electricity purchased by occupants at the proposed Project. Those additional combustion emissions are expected to be a small fraction of the emissions generated by on-road vehicles. (DSEIR, p. 6-19.)

The impact scale for climate change is global, and the amount of GHG emissions necessary to effect global warming is of a global scale. As noted above, California is responsible for perhaps 2% of global emissions. Emissions directly attributable to this Project, taken in isolation (i.e., as if they were the only source of global emissions), are unlikely of a sufficient scale to significantly affect global climate change. (DSEIR, p. 6-20.)

It is likely that some form of GHG emission reduction requirements will be imposed by the state of California eventually (as required by AB 32 and Executive Order S-3-05) and at the national level. All of the facilities to be constructed under the proposed Project will be required to implement the appropriate GHG reduction measures required on a statewide basis in the future. (DSEIR, p. 6-20.)

As noted above, no significance threshold exists for GHG emissions. However, it is acknowledged that climate change is a significant global cumulative impact that could have a substantial effect on the natural environment of California and within Merced County. Therefore, the Project will contribute to the cumulative impact. (DSEIR, p. 6-20.)

Mitigation Measures:

Mitigation Measure AQ-1: Incorporate Additional Innovative Measures to Reduce Greenhouse Gas Impacts, including but not limited to:

- Energy-efficient design will be provided for buildings, including automated control systems for heating and air conditioning and energy efficiency beyond 24 CCR (California Building Standards Code) requirements, lighting controls and energy-efficient lighting in buildings, increased insulation beyond 24 CCR requirements, and light-colored roof materials to reflect heat.
- Large canopy trees will be carefully selected and located to protect buildings from energy-consuming environmental conditions and shade paved areas. Trees will be selected to shade 50% of paved areas within 15 years.
- Deciduous trees will be planted on the south- and west-facing sides of buildings.
- Trees will be planted adjacent to all sidewalks 30 foot on center and at a ratio of one tree for each parking space. Structural soil will be used under paved areas to improve tree growth in locations where street trees are located or planned.
- The County will implement measures to reduce the amount of vehicle traffic to and from the Project area to further reduce air pollution in the valley. This could include provisions such as encouraging employees to rideshare or carpool to the Project site, or incentives for employees to use alternative transportation.
- If transit service is available to the Project site, improvements will be made to encourage its use. If transit service is not currently available but is planned for the area in the future, easements will be reserved to provide for future improvements. These include bus turnouts, loading areas, route signs, and shade structures. Pedestrian access will be directed to the main entrance of the Project from existing or potential public transit stops, and appropriately designed sidewalks will be provided. Such access will consist of paved walkways or ramps

and will be separated physically from parking areas and vehicle access routes. Appropriations made to facilitate public or mass transit will help mitigate trips generated by the Project.

- Sidewalks and bicycle paths will be provided throughout as much of the Project as possible and connect to any nearby open space areas, parks, schools, and commercial areas to encourage walking and bicycling. Connections to nearby public uses and commercial areas will be made as direct as possible to promote walking for some trips. Sidewalks and bikeways will be designed to separate pedestrian and bicycle pathways from vehicle paths. Sidewalks and bikeways will be designed to be accommodating and appropriately sized for anticipated future pedestrian and bicycle use. Such pathways will be easy to navigate and designed to facilitate pedestrian movement through the Project and create a safe environment for all potential users (pedestrian, bicycle, and disabled) from obstacles and automobiles. Pedestrian walkways will be created to connect all buildings throughout the Project. The walkways will create a safe and inviting walking environment for people wishing to walk from one building to another. Walkways will be installed to direct pedestrians from the street sidewalk to the buildings. Safe and convenient pathways will be provided for pedestrian movement in large parking lots. Mid-block paths will be installed to facilitate pedestrian movement through long blocks (over more than 500 feet in length) and cul-de-sacs. Sidewalks will be designed for high visibility (e.g., they will be painted brightly or will be a different color of concrete) when crossing parking lots, streets, and similar vehicle paths. Pathways through the Project will be built in anticipation of future growth/development.
- Exits to adjoining streets will be designed to reduce time to reenter traffic from the Project site.
- Efficient interior circulation and pedestrian access within the Project area and logical connection points for future development on the surrounding properties will be provided.
- Measures will be implemented to reduce the amount of vehicle traffic to and from the residential area(s) that further reduce air pollution in the SJVAB. This could include providing an information center for residents to coordinate carpooling.
- As many energy-conserving features as feasible will be incorporated into the design of future projects and their approvals, including:
 - increased energy efficiency;
 - increased wall and ceiling insulation (beyond building code requirements);
 - energy-efficient windows (double-paned or Low-E);
 - high-albedo (reflecting) roofing materials;
 - cool paving;
 - radiant heat barriers;
 - energy-efficient lighting, appliances, and heating and cooling systems;

- ❑ solar water-heating systems;
- ❑ low NO_x-emitting or high-efficiency, energy-efficient water heaters;
- ❑ clean-energy features that promote energy self-sufficiency (e.g., photovoltaic cells, solar thermal electricity systems, and small wind turbines);
- ❑ geothermal heat pump systems;
- ❑ programmable thermostats for all heating and cooling systems;
- ❑ awnings or other shading mechanisms for windows;
- ❑ porch, patio, and walkway overhangs;
- ❑ ceiling fans or whole-house fans;
- ❑ passive solar cooling and heating designs (e.g., natural convection, and thermal flywheels);
- ❑ delighting (natural lighting) systems such as skylights, light shelves, and interior transom windows;
- ❑ electrical outlets around the exterior of units to encourage the use of electric landscape maintenance equipment;
- ❑ bicycle parking facilities for patrons and employees in covered secure areas (conveniently located at each destination point);
- ❑ low- and no-VOC coatings and paints;
- ❑ natural gas fireplaces (instead of wood-burning fireplaces or heaters) and natural gas lines (if available to the Project area) in backyard or patio areas to encourage the use of gas barbecues;
- ❑ on-site employee cafeterias or eating areas;
- ❑ pre-wired units with high-speed modem connections/DSL and extra phone lines;
- ❑ employee shower and locker areas for bicycle and pedestrian commuters; and
- ❑ use of low- or non-polluting landscape maintenance equipment (e.g., electric lawn mowers, reel mowers, leaf vacuums, and electric trimmers and edgers).

(DSEIR, pp. 6-20 to 6-22.)

Significance After Mitigation: Implementation of the GHG reduction measures listed in Mitigation Measure AQ-1 will reduce the Project's cumulative contribution, but not to a less-than-significant level. The impact is cumulatively *significant and unavoidable* with mitigation. (DSEIR, p. 6-22.)

D. BIOLOGICAL RESOURCES

Impact BIO-1 (Updated): Potential Impacts on Special-Status Plants (Less than Significant with Mitigation)

This impact is considered potentially significant because the construction activities associated with the Buildout phase would have a substantial adverse effect on special-status plant species that are protected.

Finding: This impact can be minimized through Mitigation Measures Mitigation Measures BIO-1a through BIO-1c. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental effect as identified in the DEIR. No additional mitigation measures are necessary to render the effects less than significant. (DSEIR, p. 4-10.)

Explanation: The 1996 Reuse Plan EIR concluded that, with mitigation identified in the EIS for fill of wetlands, the Project would have a less-than-significant impact on all biological resources but that the Buildout phase of the Reuse Plan would result in a cumulatively significant impact related to a loss of habitat related to the removal of grasslands. This impact was identified as a significant and unavoidable impact. Due to the shrunken Project area, however, the remaining grasslands and wetlands are outside the developable area (e.g., outside the Plan area entirely or only within the “Airfield – Unavailable” area). Nevertheless, the County took the opportunity to update the applicable mitigation measures in the SEIR.

The AMP is located on a portion of the project site for the 1996 Reuse Plan EIR and the 2007 SEIR. The setting for biological resources impacts is presented in the 1996 Reuse Plan EIR in Chapter 4.7 of the 1996 Reuse Plan EIR and in Chapter 4 of the 2007 SEIR and is incorporated by reference. No substantial changes have occurred to existing biological resources on the project site or in the vicinity since the preparation of the 2007 SEIR.

The AMP proposes construction of airport facilities as planned in the Reuse Plan. Structures proposed are consistent with the Reuse Plan. No construction is planned under the AMP for areas outside of the Reuse Plan boundaries. For these reasons, the AMP would not result in additional biological resources impacts beyond those identified in the previous environmental document and described below.

Mitigation Measures:

Implementation of Mitigation Measures BIO-1a through BIO-1c would reduce this impact to a less-than-significant level. (DSEIR, p. 4-10.)

Mitigation Measure BIO-1a: Minimize Potential Impacts on Special-Status Plant Species

To reduce the level of this impact to less than significant, the Project proponent will retain qualified botanists to conduct botanical surveys at appropriate times that correspond to the blooming periods of the 15 special-status species with the potential to occur in the study area. The botanical surveys will be conducted in accordance with floristic methods recommended by the DFG (California Department of Fish and Game 2000) and California Native Plant Society (CNPS) guidelines (California Native Plant Society 2001). The guidelines specify that all plants be identified to the level necessary to determine whether they qualify as special-status plants or plant species with unusual or

significant range extensions. Any special-status plant populations identified during the field surveys will be mapped and documented as part of the public record.

If special-status plants are found within the redevelopment area and will be disturbed as a result of construction, then the Project proponent will redesign or modify the Project to avoid indirect or direct impacts on special-status plants. If avoidance is not feasible, the Project proponent will compensate for the loss of area occupied by special-status plants by implementing a compensation measure (e.g., purchasing and protecting another population or purchasing mitigation credits). Specific compensation for any loss of special-status plants will be developed in cooperation with the DFG and the USFWS.

Mitigation Measure BIO-1b: Conduct Mandatory Contractor/Worker Awareness Training for Construction Personnel

Before the start of construction activities, including grading, the Project proponent will retain a qualified biologist to conduct mandatory contractor/worker awareness training for construction personnel. The awareness training will be provided to all construction personnel to brief them on the identified location of sensitive biological resources, including how to identify species (visual and auditory) most likely to be present, the need to avoid impacts on biological resources (e.g., special-status plants, special-status wildlife, and wetlands) and to brief them on the penalties for not complying with biological mitigation requirements. If new construction personnel are added to redevelopment projects, the contractor will ensure that they receive the mandatory training before starting work.

Mitigation Measure BIO-1c: Install Construction Barrier Fencing to Protect Sensitive Biological Resources Adjacent to the Construction Zone

The Project proponent or its contractor will install orange construction barrier fencing to identify environmentally sensitive areas that are to be avoided. The construction specifications will require that a qualified biologist identify sensitive biological resources (e.g., special-status plants, and wetlands) on site and identify areas to avoid during construction. Sensitive communities within the area required for construction, including staging and access, will be fenced off to avoid disturbance in these areas.

(DSEIR, p. 4-11.)

Significance After Mitigation: Implementation of Mitigation Measures BIO-1a through BIO-1c would reduce this impact to a less-than-significant level. (DSEIR, p. 4-10.)

Impact BIO-2: Potential Impacts on California Tiger Salamander (Less than Significant with Mitigation)

The 1996 Reuse Plan EIR and the 2007 Subsequent EIR identified the California tiger salamander as a species that could be affected by buildout of the Reuse Plan; if any projects were to occur that would affect either aquatic or upland habitat, a Section 7 consultation with the USFWS would be required.

Finding: This impact can be minimized through Mitigation Measures BIO-2a and BIO-2b. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental effect as identified in the DEIR. No additional mitigation measures are necessary to render the effects less than significant. (DSEIR, p. 4-12)

Explanation: The 1996 Reuse Plan EIR concluded that, with mitigation identified in the EIS for fill of wetlands, the Project would have a less-than-significant impact on all biological resources but that the Buildout phase of the Reuse Plan would result in a cumulatively significant impact related to a loss of habitat related to the removal of grasslands. This impact was identified as a significant and unavoidable impact. Due to the shrunken Project area, however, the remaining grasslands and wetlands are outside the developable area (e.g., outside the Plan area entirely or only within the “Airfield – Unavailable” area). Nevertheless, the County took the opportunity to update the applicable mitigation measures in the SEIR.

The AMP is located on a portion of the project site for the 1996 Reuse Plan EIR and the 2007 SEIR. The setting for biological resources impacts is presented in the 1996 Reuse Plan EIR in Chapter 4.7 of the 1996 Reuse Plan EIR and in Chapter 4 of the 2007 SEIR and is incorporated by reference. No substantial changes have occurred to existing biological resources on the project site or in the vicinity since the preparation of the 2007 SEIR.

The AMP proposes construction of airport facilities as planned in the Reuse Plan. Structures proposed are consistent with the Reuse Plan. No construction is planned under the AMP for areas outside of the Reuse Plan boundaries. For these reasons, the AMP would not result in additional biological resources impacts beyond those identified in the previous environmental document.

Mitigation Measures:

Mitigation Measure BIO-2a: Determine whether California Tiger Salamanders Occur in the Redevelopment Area

The Project proponent or its contractor will retain a qualified biologist to prepare a site assessment and, if necessary, conduct surveys to document the presence or absence of California tiger salamanders prior to the implementation of individual redevelopment projects. The biologist will implement the USFWS’ *Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander—October 2003* in all suitable aquatic habitat and areas of nonnative annual grassland within the redevelopment area.

Because California tiger salamanders use aquatic and upland habitats (up to 1.24 miles from aquatic habitat) during their life cycle, they may be present in either or both habitats on a given property. For this reason, California tiger salamanders located in the aquatic habitats on adjacent lands potentially could use upland habitat areas on the Project site. First, the biologist will prepare a site assessment and submit it to the USFWS to determine whether field surveys are appropriate. If the USFWS determines that there is a potential for the California tiger salamander to occur in upland habitat within the redevelopment area, the Project proponent or its contractor can either assume there is a presence or require surveys to determine a presence or absence of California tiger salamanders. The biologist then will conduct surveys to determine a presence or support a negative finding.

As noted, another option is to forgo surveys and assume a presence. At sites that contain upland and potential aquatic breeding habitat (i.e., pools that contain standing water continuously for at least 10 weeks, extending into April), aquatic sampling during two breeding seasons and a drift fence study in the intervening winter will be conducted to support a negative finding. Aquatic sampling surveys are conducted in potential breeding pools and repeated three times each season. Surveys will be conducted once each in March, April, and May. Drift fence surveys are conducted in fall and winter and must be in place by October 15 and until March 15, or until 20 nights of surveying under proper conditions have been completed.

Any California tiger salamanders identified during the field surveys will be mapped and documented as part of the public record. The Project proponent or its contractor will implement Mitigation Measure BIO-2b in conjunction with this measure to avoid or minimize significant impacts on California tiger salamanders.

Mitigation Measure BIO-2b: Avoid or Minimize Impacts on California Tiger Salamander Populations by Protecting Salamander Populations during Construction

The Project proponent or its contractor will implement the following measures pursuant to the USFWS' *Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander—October 2003* to avoid or minimize impacts on California tiger salamanders.

- Temporary construction disturbances to California tiger salamander habitat will be minimized to the extent practicable. All Project-related vehicle traffic will be restricted to established roads, construction areas, and other sensitive biological areas that will be identified during the implementation of Mitigation Measure BIO-1c.
- A qualified biologist (one who the USFWS has agreed is qualified to monitor and move salamanders if necessary) will be on site during all activities that may result in the take of California tiger salamanders. The biologist will be given the authority to stop any work that may result in the take of this listed species.
- The biologist will be responsible for ensuring that the exclusion fence installed around the sensitive biological areas that will be identified during the implementation of Mitigation Measure BIO-1c is inspected before the start of each day and remains intact until project construction is complete.
- Plastic monofilament netting (erosion control matting) or similar material will not be used for erosion control or other purposes in the construction area because California tiger salamander may become entangled or trapped in it. Acceptable substitutes include coconut coir matting or tackified hydroseeding.
- The project proponent or its contractor will implement BMPs to prevent sediment from entering suitable California tiger salamander habitat near the pipeline alignment, through the use of silt fencing and sterile hay bales, by avoiding cleaning equipment in drainages or other wetlands, through temporary sediment disposal, and through other measures.

- A worker training program that includes the California tiger salamander will be conducted for construction personnel before groundbreaking at individual redevelopment project sites.
- A speed limit of 20 miles per hour (mph) will be observed within construction areas, particularly on rainy nights when California tiger salamanders are most likely to be moving between their breeding ponds and upland habitat. To the extent possible, nighttime construction will be minimized. Off-road traffic outside designated construction areas will be prohibited.
- To prevent entrapment of California tiger salamanders during construction, any trenches, holes, or other excavations into which California tiger salamanders could fall and become trapped will be covered. The openings will be completely covered at the end of each workday with plywood or other appropriate materials in a manner that prevents the animals from falling into them. Before a trench is filled, it must be thoroughly inspected for trapped animals. If a trapped California tiger salamander is discovered, the on-site biologist will take a photograph, remove it by hand, and place it at the entrance of a suitable rodent burrow within walking distance of the excavation site but outside the area where the animal could be killed or injured. The USFWS will be notified by e-mail within 1 working day.
- If construction occurs during the onset of fall and winter rains, the on-site biologist will examine the work site for California tiger salamanders each morning after any measurable precipitation has occurred. The biologist will search in pipes and beneath vehicles. If a California tiger salamander is found, the biologist will implement the same methods described in the above paragraph.
- Runoff from dust control, oil, or other chemicals used in construction activities will be retained on the construction site and prevented from entering any aquatic habitat.
- Upon completion of individual redevelopment projects, all California tiger salamander habitats subject to temporary ground disturbances will be recontoured if appropriate in the opinion of the on-site biologist and revegetated to promote restoration of the area to natural conditions within 2 working days of completion of the project. Appropriate methods and locally collected seeds from native plant species will be used to revegetate these areas.

(DSEIR, pp. 4-12 to 4-15.)

Significance After Mitigation: The implementation of Mitigation Measures BIO-2a and BIO-2b would reduce this impact to a less-than-significant level. (DSEIR, p. 4-12.)

Impact BIO-3 (Updated): Loss of Potential Burrowing Owl Foraging and Nesting Habitat during Construction of All Project Components (Less than Significant with Mitigation)

In the 1996 Reuse Plan EIR, the presence of Western burrowing owls in the redevelopment area was noted, but they were not addressed as a special-status species in the document. (DSEIR, p. 4-15.)

Finding: This impact can be minimized through Mitigation Measure BIO-3. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental effect as identified in the DEIR. No additional mitigation measures are necessary to render the effects less than significant. (DSEIR, p. 4-15.)

Explanation: The 1996 Reuse Plan EIR and the 2007 Subsequent EIR found that construction activities could result in a disturbance or loss of breeding and foraging habitat for Western burrowing owls. If Western burrowing owls are nesting in or within 250 feet of the construction right-of-way, grading and excavation activities could result in the removal of an occupied breeding or wintering burrow site and a loss of adults, young, or eggs. This impact would be considered significant because construction could result in a substantial adverse effect on a special-status species and would violate the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code Section 3503.5.

The AMP is located on a portion of the project site for the 1996 Reuse Plan EIR and the 2007 SEIR. The setting for biological resources impacts is presented in the 1996 Reuse Plan EIR in Chapter 4.7 of the 1996 Reuse Plan EIR and in Chapter 4 of the 2007 SEIR and is incorporated by reference. No substantial changes have occurred to existing biological resources on the project site or in the vicinity since the preparation of the 2007 SEIR.

The AMP proposes construction of airport facilities as planned in the Reuse Plan. Structures proposed are consistent with the Reuse Plan. No construction is planned under the AMP for areas outside of the Reuse Plan boundaries. For these reasons, the AMP would not result in additional biological resources impacts beyond those identified in the previous environmental document and described below.

Mitigation Measures:

Mitigation Measure BIO-3: Conduct Preconstruction Surveys for Active Burrowing Owl Burrows and Implement the California Department of Fish and Game Guidelines for Burrowing Owl Mitigation

The DFG (1994) recommends that preconstruction surveys be conducted at all construction sites (except paved areas) in the study area and in a 250-foot-wide buffer zone around the construction site to locate active burrowing-owl burrows. The Project proponent or its contractor will retain a qualified biologist to conduct preconstruction surveys for active burrows according to the DFG guidelines. The surveys will include one in the nesting season and one in the wintering season, which is the season immediately preceding construction. If no burrowing owls are detected, then no further mitigation is required. If active burrowing owls are detected, the following measures will be implemented by the Project proponent or its contractor.

- Occupied burrows will not be disturbed during the nesting season (February 1–August 31).
- When the destruction of occupied burrows is unavoidable outside the nesting season (September 1–January 31), unsuitable burrows will be enhanced (enlarged or cleared of debris), or new burrows will be created (by installing artificial burrows) at a ratio of 2:1 on protected lands approved by the DFG. Newly created burrows will follow guidelines established by the DFG.

- If owls must be moved away from Project construction areas, passive relocation techniques (e.g., installing one-way doors at burrow entrances) will be used instead of trapping. At least 1 week will be necessary to accomplish passive relocation and allow owls to acclimate to alternate burrows.
- If active burrowing-owl burrows are found, and the owls must be relocated, the Project proponent or its contractor will offset the loss of foraging and burrow habitat in the Project construction areas by acquiring and permanently protecting a minimum of 6.5 acres of foraging habitat per occupied burrow identified in the Project construction area. The protected lands should be located adjacent to the occupied burrowing owl habitat in the Project construction area or at another occupied site near the Project construction area. The location of the protected lands will be determined in coordination with the DFG. The Project proponent or its contractor will prepare a monitoring plan also and provide long-term management and monitoring of the protected lands. The monitoring plan will specify success criteria, identify remedial measures, and require an annual report to be submitted to the DFG.
- If avoidance is the preferred method of dealing with potential impacts, no disturbance will occur within 160 feet of occupied burrows during the nonbreeding season (September 1–January 31) or within 250 feet during the breeding season. Avoidance also requires that at least 6.5 acres of foraging habitat (calculated based on an approximately 300-foot foraging radius around an occupied burrow), contiguous with occupied burrow sites, be permanently preserved for each pair of breeding burrowing owls or single unpaired resident bird. The configuration of the protected site will be submitted to the DFG for approval.

(DSEIR, pp. 4-15 to 4-16.)

Significance After Mitigation: The implementation of Mitigation Measure BIO-3 would reduce this impact to a less-than-significant level. (DSEIR, p. 4-15).

Impact BIO-4: Loss of Potential Swainson’s Hawk Foraging Habitat (Less than Significant with Mitigation)

In the 1996 Reuse Plan EIR, Swainson’s hawks were not addressed. The Swainson’s hawk has been recorded in the CNDDDB 2 miles away from the redevelopment area. Because of this record, it is likely that Swainson’s hawks may use the grasslands in the redevelopment area as foraging habitat. (DSEIR, p. 4-16.) The 2007 Subsequent EIR found that construction activities could result in disturbance to or loss of foraging habitat for Swainson’s hawk. This impact would be considered significant because construction could result in a substantial adverse effect on a special-status species and would violate the MBTA and California Fish and Game Code Section 3503.5.

Finding: This impact can be minimized through Mitigation Measure BIO-4. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental effect as identified in the DEIR. No additional mitigation measures are necessary to render the effects less than significant. (DSEIR, p. 4-17.)

Explanation: The AMP is located on a portion of the project site for the 1996 Reuse Plan EIR and the 2007 SEIR. The setting for biological resources impacts is presented in the 1996 Reuse Plan EIR in Chapter 4.7 of the 1996 Reuse Plan EIR and in Chapter 4 of the 2007 SEIR and is incorporated by reference. No substantial changes have occurred to existing biological resources on the project site or in the vicinity since the preparation of the 2007 SEIR.

The AMP proposes construction of airport facilities as planned in the Reuse Plan. Structures proposed are consistent with the Reuse Plan. No construction is planned under the AMP for areas outside of the Reuse Plan boundaries. For these reasons, the AMP would not result in additional biological resources impacts beyond those identified in the previous environmental document .

Mitigation Measures:

Mitigation Measure BIO-4: Compensate for a Loss of Swainson's Hawk Foraging Habitat

The closest nest record in the CNDDDB is within 5 miles of the redevelopment area. To mitigate for a loss of foraging habitat, Project proponents will provide habitat management lands to the DFG based on DFG foraging habitat mitigation requirements for projects located within 5 miles of an active nest (California Department of Fish and Game 1994). Mitigation is as follows: 0.75 acre of habitat management lands will be preserved for each acre of development authorized. All habitat management lands will be preserved, by fee title or conservation easement on agricultural lands or other suitable habitats, for each acre of development authorized. (DSEIR, p. 4-17.)

Significance After Mitigation: The implementation of Mitigation Measure BIO-4 would reduce this impact to a less-than-significant level. (DSEIR, p. 4-17.)

E. CULTURAL RESOURCES

Impacts: The 1996 Reuse Plan EIR and the 2007 SEIR concluded that implementation of the Reuse Plan would not result in impacts on historical resources, as no significant historical resources existed on the Project site. The 1996 Reuse Plan EIR and the 2007 SEIR concluded that implementation of the Reuse Plan could result in impacts related to archaeological and paleontological resources.

Findings: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)

The 1996 Reuse Plan EIR and the 2007 Subsequent EIR concluded that Mitigation Measures 4-35 and 4-37, impacts related to archaeological and paleontological resources would be reduced to a less-than-significant level. This analysis is found in Chapter 4.14 of the Draft 1996 Reuse Plan EIR, Chapter 2 of the Final Reuse Plan EIR, and in Chapter 4 of the 2007 SEIR and is incorporated by reference.

Explanation: The AMP is located on a portion of the project site for the 1996 Reuse Plan EIR and the 2007 SEIR. The setting for cultural and paleontological resources is presented in Chapter 4.14 of the 1996 Reuse Plan EIR and in Chapter 4 of the 2007 SEIR and is incorporated by reference. No substantial changes have occurred on the project site or in the vicinity since the preparation of the 2007 SEIR.

The AMP proposes construction of airport facilities as planned in the Reuse Plan. Structures proposed are consistent with the Reuse Plan and construction would not take place in areas not included in the previous environmental document. For these reasons, the AMP would not result in additional cultural and paleontological resources impacts beyond those identified in the previous environmental document and described below.

Mitigation Measures:

Mitigation Measure 4-35 (Updated): Stop Work if Buried Cultural Deposits Are Encountered during Construction Activities

If buried cultural resources such as chipped or ground stone, historic debris, or building foundations, are inadvertently discovered during ground-disturbing activities, work will stop in that area and within a 100-foot radius of the find until a qualified archaeologist can assess the significance of the find and, if necessary, develop a Response Plan, with appropriate treatment measures, in consultation with the County, the State Historic Preservation Officer (SHPO), and other appropriate agencies. Preservation in place shall be the preferred treatment method per CEQA Guideline sec. 15126.4(b)(avoidance, open space, capping, easement). Data recovery of important information about the resource, research, or other actions determined during consultation, is allowed if it is the only feasible treatment method.

Mitigation Measure 4-37 (Updated): Stop Work if Human Remains Are Encountered during Construction Activities

If human skeletal remains are encountered, ground disturbing activities stop within a 100 foot radius of the discovery. The County Coroner must be contacted immediately and is required to examine the discovery within 48 hours. If the County Coroner determines that the remains are Native American, the Coroner is required to contact the Native American Heritage Commission (NAHC) within 24 hours. A qualified archaeologist (QA) should also be contacted immediately. The Coroner is required to notify and seek out a treatment recommendation of the NAHC-designated Most Likely Descendant (MLD).

- If the NAHC identifies an MLD, and the MLD makes a recommendation, and the landowner accepts the recommendation, then ground-disturbing activities may resume after the QA verifies and notices the County that the recommendations have been completed.
- If the NAHC is unable to identify the MLD, or the MLD makes no recommendation, or the landowner rejects the recommendation, and mediation per PRC 5094.98(k) fails, then ground disturbing activities may resume, but only after the QA verifies and notices the County that the landowner has completely reinterred the human remains and items associated with Native American burials with appropriate dignity on the property, and ensures no further disturbance of the site per PRC 5097.98(e) by county recording, open space designation, or a conservation easement.
- If the coroner determines that no investigation of the cause of death is required and that the human remains are not Native American, then ground-disturbing activities

may resume, after the Coroner informs the County of Merced of such determination. According to state law, six or more human burials at one location constitute a cemetery and disturbance of Native American cemeteries is a felony.

Refs: *PRC secs. 21083.2, 5094.98, 5097.5, 5097.9; H&S sec. 7050.5, 7052.*

According to the California Health and Safety Code, six or more human burials at one location constitute a cemetery (Section 8100), and disturbance of Native American cemeteries is a felony (Section 7052). Section 7050.5 requires that construction or excavation be stopped in the vicinity of discovered human remains until the coroner can determine whether the remains are those of a Native American. If the remains are determined to be Native American, the coroner must contact the NAHC.

(DSEIR, pp. 4-20 to 4-21.)

Significance After Mitigation: The implementation of Mitigation Measure BIO-4 would reduce this impact to a less-than-significant level. (DSEIR, p. 4-17.)

F. GEOLOGY AND SOILS

Impact: The AMP proposes construction of airport facilities as planned in the Reuse Plan. Structures proposed are consistent with the Reuse Plan. For these reasons, the AMP would not result in additional geologic impacts beyond those identified in the previous environmental document and described below.

The Reuse Plan EIR considered the potential effects of the Reuse Plan related to geology and soils on pages 4-9 through 4-12 and page 4-36, incorporating the analysis from the EIS (pages 3-77 through 3-83 and 4-88 through 4-90). (DSEIR, p. 4-4.) The 1996 Reuse Plan EIR concluded that no impacts resulting from the implementation of the Reuse Plan would occur as a result of fault rupture, landslides or mudflows, subsidence, soils inadequate to support septic systems, or loss of availability of mineral resources, as the physical conditions that could lead to these hazards do not exist on the project site. (DSEIR, p. 4-4.) The 1996 Reuse Plan EIR also concluded that, with updated mitigation measures proposed in the EIR and listed below, impacts related to seismic ground shaking, seismic ground failure or liquefaction, erosion, and expansive soils would be reduced to a less-than-significant level. (DSEIR, p. 4-4.)

Finding: This impact can be minimized through Mitigation Measures 4-2 through 4-5. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental effect as identified in the DEIR. No additional mitigation measures are necessary to render the effects less than significant. (DSEIR, p. 4-6.)

Explanation: The AMP is located on a portion of the project site for the 1996 Reuse Plan EIR and the 2007 SEIR. The setting for geology and soils is presented in the Chapter 4.3 of the Draft Reuse Plan EIR, Chapter 2 of the Final Reuse Plan EIR and Chapter 4 of the 2007 SEIR and is incorporated by reference. No changes related to geology and soils have occurred on the project site or in the vicinity since the preparation of the 2007 SEIR. The AMP does not propose construction in any areas outside of the Reuse Plan boundaries. The Reuse Plan EIR and the

2007 Subsequent EIR considered the potential effects of the Reuse Plan related to geology and soils and concluded that no impacts resulting from the implementation of the Project would occur as a result of fault rupture, landslides or mudflows, subsidence, soils inadequate to support septic systems, or loss of availability of mineral resources, as the physical conditions that could lead to these hazards do not exist on the project site. This analysis is found in 4.3 of the Draft Reuse Plan EIR, Chapter 2 of the Final Reuse Plan EIR and Chapter 4 of the 2007 SEIR and is incorporated by reference. Therefore the project would not result in any impacts in these areas.

Mitigation Measures:

Mitigation Measure 4-2: Conduct Building Inspections

Prior to approving an occupancy permit for any building on the Castle site, the County shall inspect the building to ensure that it meets state and County seismic safety codes. If any code deficiencies are identified, they shall be rectified prior to occupancy.

Mitigation Measure 4-3: Geotechnical Survey—Incorporate Recommendations

Prior to approving new construction on the Castle site, a geotechnical survey shall be completed for the Project site to identify any areas that could be prone to ground failure or liquefaction of soils. If such soils are found, the Project shall be designed in compliance with the recommendations of the geotechnical survey.

Mitigation Measure 4-4: Use Best Management Practices to Reduce Erosion

All construction occurring on the Castle site shall use the following best management practices (BMPs), or equally effective measures.

- Schedule grading and excavation activities to minimize the extent and duration of disturbance in any given area and avoid earthwork during the rainy season.
 - Lay foundations, complete paving, or apply mulch or mulch and seed combinations to disturbed areas as practical after grading or excavation is completed.
 - Establish perimeter controls through the use of silt fences, berms, sand bags, or other physical means to contain sediment and runoff and direct it to an engineered sediment trap or basin.

Mitigation Measure 4-5: Site-Specific Geotechnical Survey—Incorporate Recommendations

Prior to any new construction, a site-specific geotechnical study shall be performed by a Certified Engineering Geologist or Licensed Geotechnical Engineer to assess detailed geologic and soil conditions. The study shall include an evaluation of expansiveness and other structural characteristics and shall identify specific geotechnical recommendations designed to mitigate for soil hazards, consistent with state and local building codes. In addition, recommendations for adequate building design, including excavation and fill requirements for any identified soil constraints, shall be included in the analysis. These recommendations shall be incorporated into project design.

(DSEIR, p. 4-5.)

Implementation of the above mitigation measures, in combination with the following mitigation measure reflecting current standards proposed for hydrology impacts and will ensure that impacts will continue to be less than significant. (DSEIR, p. 4-5.)

Mitigation Measure HYD-1: Comply with the National Pollutant Discharge Elimination System

To reduce or eliminate construction-related water quality effects, the redevelopment project applicant will obtain coverage under the NPDES General Construction Permit from the Central Valley Regional Water Quality Control Board (RWQCB) before the onset of any construction activities where the disturbed area is 1 acre or greater in size. As a performance standard, the redevelopment project applicant will implement controls of pollutant discharges that utilize the best available technology that is economically achievable, the best conventional pollutant control technology to reduce pollutants, and any more stringent controls necessary to meet water quality standards. BMPs may consist of a wide variety of measures taken to reduce pollutants in stormwater and other nonpoint-source runoff. Measures range from source control, such as reduced surface disturbance, to the treatment of polluted runoff, such as detention or retention basins. BMPs to be implemented as part of a General Construction Permit issued within the Project area will include, at a minimum, the following. (DSEIR, p. 4-5.)

- Temporary erosion control measures (such as silt fences, staked straw bales/wattles, silt/sediment basins and traps, geofabric, sandbag dikes, and temporary revegetation or other ground cover) will be used to control erosion from disturbed areas.
- Compliance with state and local disposal requirements will be required.
- Grass or other vegetative cover will be established on the construction site as soon as possible after disturbance. At a minimum, vegetative application will be completed by September 15 to allow plants to establish. No disturbed surfaces will be left without erosion control measures in place between October 15 and April 15.

The final selection of BMPs for specific future projects will be subject to approval by the Central Valley RWQCB. The County will verify that a notice of intent (NOI) has been filed with the State Water Resources Control Board (SWRCB), for either a construction or industrial stormwater discharge permit, or both, and that a Storm Water Pollution Prevention Plan (SWPPP), or SWPPP-equivalent, has been developed before allowing construction to begin. The County will perform inspections of the construction area to verify that the BMPs specified in the SWPPP are properly implemented and maintained. The County will notify contractors immediately if there is a noncompliance issue and will require compliance. (DSEIR, p. 4-6.)

As there is no evidence that soil conditions are substantially different from those known at the time of preparation of the 1996 Reuse Plan EIR, there is no change in impacts from the 1996 Reuse Plan EIR. Therefore, the discussion of impacts and mitigation measures from the 1996 EIR is considered adequate for existing conditions. (DSEIR, p. 4-6.)

Significance After Mitigation: The impact is less than significant with mitigation. (DSEIR, p. 4-6.)

G. HAZARDS AND HAZARDOUS MATERIALS

The Reuse Plan EIR considered the potential effects of the Reuse Plan related to hazards on pages 4-38 through 4-51, incorporating the analysis from the EIS and applying Appendix G of the CEQA Guidelines as the Thresholds of Significance. (DSEIR, p.7-11.) Changes to the State CEQA Guidelines since the 1996 EIR expanded the areas to be addressed. (DSEIR, p. 7-12.)

Impacts and Mitigation Measures

Impact HAZ-1: The Project could create significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials; 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; is located on a site that is included on a hazardous materials site compiled pursuant to Government Code Section 65962.5, resulting in the creation of a significant hazard to the public or the environment. This impact is considered *less than significant with mitigation*. (DSEIR, p. 7-13.)

Finding: This impact can be minimized through Mitigation Measures 4-16 through 4-22. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental effect as identified in the DEIR. No additional mitigation measures are necessary to render the effects less than significant. (DSEIR, p. 7-13.)

Explanation: This impact was addressed in the 1996 Reuse Plan EIR under the following headings: Risk of Accidental Explosion or Release of Hazardous Substances (Including Oil, Pesticides, Chemicals, or Radiation) (Less than Significant with Mitigation); Creation of Any Health Hazard or Potential Health Hazard (Less than Significant with Mitigation); Exposure of People to Existing Sources of Potential Health Hazards (Less than Significant with Mitigation)

The 1996 EIR concluded that the analysis for “Risk of Accidental Explosion or Release of Hazardous Substances (Including Oil, Pesticides, Chemicals, or Radiation)” covered the issues of “Creation of Any Health Hazard or Potential Health Hazard” and “Exposure of People to Existing Sources of Potential Health Hazards.”

The Environmental Baseline Survey and the CAFB-wide RI/FS performed by the DOD compiled a list of sites that were determined to contain contaminated soils. This list is also available in the 1996 Reuse Plan EIR as Appendix C. Other than those mentioned in the “Existing Conditions” section, which are still being remediated, some of these sites have changed due to remediation efforts. Impacts of the Project would not be greater than those disclosed in the 1996 EIR, and the mitigation measures listed below and identified in the 1996 EIR as reducing this impact to a less-than-significant level remain sufficient to reduce the impact to a less-than-significant level. (DSEIR, p. 7-13.)

The AMP is located on a portion of the project site for the 1996 Reuse Plan EIR and the 2007 SEIR. The setting for hazards is presented in Chapter 4.9 of the Draft 1996 Reuse Plan EIR, Chapter 2 of the Draft 1996 Reuse Plan EIR, and Chapter 7 of the 2007 SEIR and is incorporated

by reference. No substantial changes have occurred on the project site or in the vicinity since the preparation of the 2007 SEIR.

The AMP proposes construction of airport facilities as planned in the Reuse Plan. Structures proposed are consistent with the Reuse Plan. The AMP does not propose construction on any areas outside of the Reuse Plan boundaries and the activities of the AMP would implement the Reuse Plan. For these reasons, the AMP would not result in additional hazards impacts beyond those identified in the previous environmental document and described below.

Mitigation Measures:

Mitigation Measure 4-16

Prior to issuance of a permit for demolition or renovation of each building under the Reuse Plan, the County shall review the [asbestos register](http://www.dir.ca.gov/dosh/dosh1.html) to determine whether the presence of asbestos-containing materials, if any, could pose a health risk (<http://www.dir.ca.gov/dosh/dosh1.html>).

Mitigation Measure 4-17

Prior to demolition or renovation of any building that contains asbestos, the asbestos will be removed or remediated in accordance with Air Force policy and [Cal/OSHA](http://www.dir.ca.gov/title8/1529.html) regulations and standards (<http://www.dir.ca.gov/title8/1529.html>).

Mitigation Measure 4-18

Prior to approval of an occupancy permit, for any use that could expose children to materials that could contain lead, including but not limited to painted walls and exterior soils that could contain lead chips, a lead survey shall be conducted. If any lead is found, the building and/or soil will be remediated according to [Cal/OSHA](http://www.dir.ca.gov/title8/1532_1.html) regulations and standards. Lead content in soils shall not exceed California standards (http://www.dir.ca.gov/title8/1532_1.html).

Mitigation Measure 4-19

Any demolition, renovation or construction occurring in areas with lead-containing materials shall be conducted according to [Cal/OSHA](http://www.dir.ca.gov/title8/1532_1.html) standards in order to protect construction workers (http://www.dir.ca.gov/title8/1532_1.html).

Mitigation Measure 4-20

Prior to any activities occurring in the outdoor small arms range, the explosive ordnance disposal range or the grenade launching range, all ordnance shall be [properly packaged](http://www.airforce.com/) and transported off-base (<http://www.airforce.com/>).

Mitigation Measure 4-21

Any underground storage tank that does not meet current regulations, as determined by the County Department of Health must be deactivated and removed prior to excavation, grading or construction in the vicinity of the UST.

Mitigation Measure 4-22

Prior to approval of a building permit for any project area landfill site, the landfill material shall be remediated and geotechnically engineered according to [federal](http://www.federal.gov/)

(<http://www.astm.org/>) and [State](http://www.bsc.ca.gov/title_24/default.htm) (http://www.bsc.ca.gov/title_24/default.htm) regulations to support the intended use.

Significance After Mitigation: The impact is less than significant with mitigation. (DSEIR, pp. 7-13 thru -14.)

Impact HAZ-2: The Project will not cause hazardous emissions or the handling of hazardous or acutely hazardous materials, substances or wastes within one-quarter mile of an existing or proposed school. This impact is considered *less than significant*. (DSEIR, p. 7-14.)

Finding: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)

Explanation: This issue was not addressed in the 1996 EIR. Schools located in the vicinity of the Project are shown in Figure 7-1. Located on the site is the Merced County Office of Education Head Start program, and located in the hospital building, off the Project site but on the former CAFB, is the Merced Scholars Charter School. The other nearest existing schools are Bellevue Elementary School, at 1020 E. Bellevue Road in Atwater, 1.2 miles southwest of the terminal site; and Peggy Heller Elementary School, at 201 Lakeview Drive in Atwater, 1.3 miles west of the site. Buhach Colony High School is 0.9 mile southwest of the terminal site, at 1800 Buhach Road in Atwater. For the on-base schools, these schools operate in areas of existing developed structures. Future development under the Redevelopment Plan will not result in the location of any potential sources of hazardous materials in the vicinity of these existing schools. (DSEIR, p. 7-14.)

Mitigation Measures: No mitigation measures are required. (DSEIR, p. 7-14.)

Significance After Mitigation: The impact is less than significant without mitigation. (DSEIR, p. 7-14.)

Impact HAZ-3: The Project will not be within the vicinity of a private airstrip and result in a safety hazard for people residing or working in the Project area. This impact is considered *less than significant*. (DSEIR, p. 7-15.)

Finding: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)

Explanation: This impact was not evaluated in the 1996 EIR. The nearest airport or private airstrip is adjacent to the Project area. To the east of the Project area are the existing and operational airfield, associated hangars, and outbuildings. The southwestern edge of Zone D of the *Merced County Airport Land Use Compatibility Plan* runs along Santa Fe Drive (Shutt Moen Associates 1999). The Redevelopment Plan takes into account the close proximity of airport land use and activities with other land uses. As described in Chapter 9, “Land Use and

Planning,” there is no conflict between airport and other land uses (commercial, residential, etc.), because the Redevelopment Plan takes into account the operation of the civilian airport. Therefore, this impact is considered less than significant. (DSEIR, p. 7-15.)

Mitigation Measures: No mitigation measures are required. (DSEIR, p. 7-15.)

Significance After Mitigation: The impact is less than significant without mitigation. (DSEIR, p. 7-15.)

Impact HAZ-4: The Project will not interfere with an emergency response plan or emergency evacuation plan. This is not considered an impact. (DSEIR, p. 7-15.)

Finding: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)

Explanation: The 1996 Reuse Plan EIR concluded that the major roadways identified by the County as primary evacuation routes were not located in areas where Reuse Plan implementation would affect such routes, and therefore the Project would have no impact on emergency response and evacuation. No substantial change in circumstances relative to evacuation routes has occurred since the certification of the 1996 Reuse Plan EIR, and therefore there is no change to this impact conclusion. (DSEIR, p. 7-15.)

Mitigation Measures: No mitigation measures are required. (DSEIR, p. 7-15.)

Significance After Mitigation: The impact is less than significant without mitigation. (DSEIR, p. 7-15.)

Impact HAZ-5: The Project will not 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. This impact is considered *less than significant*. (DSEIR, p. 7-15.)

Finding: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)

Explanation: The 1996 Reuse Plan EIR concluded that activities proposed under the Reuse Plan would not occur in areas subject to wildland fire. Additionally, residential uses are not proposed on the project site. Changes on the Project site and in the vicinity since 1996 have reduced the already limited areas potentially subject to wildfire hazard. For this reason, the impact, which was identified as less than significant in the 1996 EIR, continues to be less than significant. (DSEIR, p. 7-15.)

Mitigation Measures: No mitigation measures are required. (DSEIR, p. 7-15.)

Significance After Mitigation: The impact is less than significant without mitigation. (DSEIR, p. 7-15.)

Cumulative Impacts

Impact HAZ-6: The Project will not contribute to cumulative impacts related to hazards. This is not considered an impact. (DSEIR, p. 7-15.)

Finding: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)

Explanation: The primary impacts related to hazards associated with the Project are those related to the existence on the site of hazardous materials dating from the use of the site as a military base. Cumulative growth and development will occur outside of the Castle site and will not affect or be affected by these existing hazards. Therefore, there is no cumulative impact. (DSEIR, p. 7-15.)

Mitigation Measures: No mitigation measures are required. (DSEIR, p. 7-15.)

Significance After Mitigation: The impact is less than significant without mitigation. (DSEIR, p. 7-15.)

H. HYDROLOGY AND WATER QUALITY

The Reuse Plan EIR considered the potential effects of the Reuse Plan related to water on pages 4-13 through 4-17, incorporating the analysis from the EIS and applying the Thresholds of Significant contained in Appendix G of the CEQA Guidelines (pages 3-83 through 3-89 and 4-94 through 4-96). (DSEIR, p. 8-5.) The evaluation of hydrology and water quality effects was based on a comparison of the environmental setting as described in the 1996 Reuse Plan EIR with the existing environmental setting in or near the Project area. Because the Redevelopment Plan's project components have not changed from those previously analyzed, the potential impacts of the Redevelopment Plan were analyzed in the SEIR in relation to how any changes in the hydrology and water quality setting may have altered the related impacts described in the 1996 EIR. (DSEIR, p. 8-7.)

The AMP is located on a portion of the project site for the 1996 Reuse Plan EIR and the 2007 SEIR. The setting for hydrology and water quality is presented in Chapter 4.4 of the Draft 1996 Reuse Plan EIR, Chapter 2 of the Draft 1996 Reuse Plan EIR, and Chapter 8 of the 2007 SEIR and is incorporated by reference. No substantial changes have occurred on the project site or in the vicinity since the preparation of the 2007 SEIR.

The AMP proposes construction of airport facilities as planned in the Reuse Plan. Structures proposed are consistent with the Reuse Plan. The AMP does not propose construction on any areas outside of the Reuse Plan boundaries and the activities of the AMP would implement the Reuse Plan. For these reasons, the AMP would not result in additional flooding and hydrology impacts beyond those identified in the previous environmental document and described below.

Impacts and Mitigation Measures

Impact HYD-1: The Project could result in a violation of water quality standards or waste discharge requirement or otherwise substantially degrade water quality. This impact is considered *less than significant with mitigation*. (DSEIR, p. 8-7.)

Finding: This impact can be minimized through Mitigation Measures HYD-1 and HYD-2. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental effect as identified in the DSEIR. No additional mitigation measures are necessary to render the effects less than significant. (DSEIR, p. 8-7.)

Explanation: Initial Phase

The 1996 Reuse Plan EIR concluded that impacts related to water quality would not occur as a result of implementation of the Initial Phase of the Reuse Plan, as most areas affected by Initial Phase activities were already paved, and the small amount of construction associated with this phase would not result in substantial additional runoff. No changes on the Project site have occurred that would change this conclusion. (DSEIR, p. 8-7.)

Buildout

Construction activities for projects in the Project area would introduce the potential for increased erosion and sedimentation, with subsequent effects on water quality. During site grading, trenching, and construction activities, areas of bare soil could be exposed to erosive forces for long periods of time. If precautions were not taken to contain contaminants, construction activities could produce stormwater runoff (nonpoint-source pollution), a major contributor to the degradation of water quality. (DSEIR, p. 8-7.)

Heavy equipment would be used during the construction of projects in the Redevelopment Plan. Accidental spills of hazardous vehicular and equipment fluids, including oil and grease, may occur during construction activities. These potential spills, if not contained, could contaminate groundwater and surface waters. (DSEIR, p. 8-8.)

The 1996 EIR stated that approximately 816 acres could be disturbed during Buildout construction activities, including construction of the prison. As a result, the 1996 EIR states that an NPDES permit, which would include BMPs, would be required. In addition, compliance with the *Merced County Storm Drainage Design Manual* would be required, as stated in the 1996 EIR. Potential impacts of accidental spills were not addressed in the 1996 EIR. (DSEIR, p. 8-8.)

The Redevelopment Plan would not modify the total area of lands that could be disturbed by Project construction activities. To ensure less-than-significant impacts on groundwater or surface water quality as a result of the Redevelopment Plan, new Mitigation Measures HYD-1 and HYD-2 are being added to clarify that NPDES permits, Storm Water Pollution Prevention Plans (SWPPPs), and a related spill prevention program are required. The potential effects on water quality therefore would remain less than significant with mitigation. (DSEIR, p. 8-8.)

Changes to the area of impervious surfaces in the Project area and the resultant stormwater runoff could increase the potential for pollutants to be transported to local surface waters, such as Canal Creek. However, as described above, the Redevelopment Plan would not increase the quantity of impervious surfaces from those described in the 1996 EIR. In addition, the Redevelopment Plan would not include any alterations to the existing stormwater drainage

system, which drains to Canal Creek, as described in the 1996 EIR. Projects implemented in the Project area would be required to obtain coverage under and comply with the conditions of the existing NPDES permit for the Project area. (DSEIR, p. 8-8.)

There would be no change in operation-related potential water quality impacts resulting from Project buildout because the area of impervious surfaces and the potential for polluted runoff would not change substantially. The existing remediation projects would continue to occur to improve groundwater quality in the upper four HSZs. The Project would not significantly affect groundwater quality or interfere with the remediation activities. This impact is considered less than significant. (DSEIR, p. 8-8.)

Mitigation Measures:

Mitigation Measure HYD-1: Comply with the National Pollutant Discharge Elimination System

To reduce or eliminate construction-related water quality effects, the redevelopment project applicant will obtain coverage under the NPDES General Construction Permit from the Central Valley RWQCB before the onset of any construction activities where the disturbed area is 1 acre or greater in size. As a performance standard, the redevelopment project applicant will implement controls of pollutant discharges that utilize the best available technology that is economically achievable, the best conventional pollutant control technology to reduce pollutants, and any more stringent controls necessary to meet water quality standards. BMPs may consist of a wide variety of measures taken to reduce pollutants in stormwater and other nonpoint-source runoff. Measures range from source control, such as reduced surface disturbance, to the treatment of polluted runoff, such as detention or retention basins. BMPs to be implemented as part of a General Construction Permit issued within the Project area will include, at a minimum, the following.

- Temporary erosion control measures (such as silt fences, staked straw bales/wattles, silt/sediment basins and traps, geofabric, sandbag dikes, and temporary revegetation or other ground cover) will be used to control erosion from disturbed areas.
- Compliance with state and local disposal requirements will be required.
- Grass or other vegetative cover will be established on the construction site as soon as possible after disturbance. At a minimum, vegetative application will be completed by September 15 to allow plants to establish. No disturbed surfaces will be left without erosion control measures in place between October 15 and April 15.

The final selection of BMPs for specific future projects will be subject to approval by the Central Valley RWQCB. The County will verify that a notice of intent (NOI) has been filed with the State Water Resources Control Board (SWRCB), for either a construction or industrial stormwater discharge permit, or both, and that a Storm Water Pollution Prevention Plan (SWPPP), or SWPPP-equivalent, has been developed before allowing construction to begin. The County will perform inspections of the construction area to verify that the BMPs specified in the SWPPP are properly implemented and maintained. The County will notify contractors immediately if there is a noncompliance issue and will require compliance.

Mitigation Measure HYD-2: Implement a Spill Prevention and Control Program

The redevelopment project applicant shall be required to develop and implement a [spill prevention and control program](#) to minimize the potential for spills of hazardous, toxic, or petroleum-based substances that would be used during construction activities. The program will be completed before any construction activities begin. Implementation of this measure will comply with state and federal water quality regulations regarding spills of reportable quantities and requirements for emergency response and cleanup.

<http://www.epa.gov/oem/content/spcc/>

(DSEIR, pp. 8-8 to 8-9.)

Significance After Mitigation: The impact is less than significant with mitigation. (DSEIR, p. 7-14.)

Impact HYD-2: The Project will not cause a substantial depletion of groundwater supplies or substantially interfere with groundwater recharge, resulting in a net deficit in aquifer volume or a lowering of the local groundwater table level. This impact is considered *less than significant*. (DSEIR, p. 8-10.)

Finding: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)

Explanation: The 1996 Reuse Plan EIR addressed this impact. The 1996 Reuse Plan EIR assessment is updated as follows.

Interference with Groundwater Recharge (Less than Significant)

As described above, the quantity of existing impermeable surfaces has been reduced by 48,213 square feet since the 1996 EIR. The decrease in impervious surfaces may increase the potential for groundwater recharge from that described in the 1996 EIR. However, as mentioned in the 1996 EIR, the Project area is not in an area of groundwater recharge or shallow groundwater levels.

The Project would not increase the quantity of impervious surfaces from those described in the 1996 EIR. In addition, as mentioned above, groundwater is not likely to be intercepted during implementation of the Project because of the absence of shallow groundwater levels. The Project area is not in an area of groundwater recharge; therefore, this impact is less than significant.

Depletion of Groundwater Supplies (Updated) (Less than Significant)

As described above, groundwater remediation activities that have been ongoing since approximately 1991 have affected the local groundwater flow patterns. However, the majority of the CAADC on-site potable water is supplied from the two existing 900-foot-deep wells with a current pumping capacity of 2,500 gallons per minute (gpm) each.

The 1996 EIR's "Utilities and Service Systems" discussion stated that groundwater pumping in the Project area at Buildout would be approximately 0.91 mgd. This amount would be less than the pre-CAFB-closure demand of 1.34 mgd. The level of groundwater pumping at Buildout would represent 0.1% of either the existing basin wide groundwater use (approximately 866,875 acre-feet per year [afy] or 774 mgd) or the Water Supply Plan Update 2040 estimate of 776,000 afy. As such, groundwater pumping for the proposed Project would be minimal compared with the other existing and foreseeable demands in the basin, particularly agricultural demands.

Groundwater levels in the Merced Subbasin have been declining, as described in the "Groundwater Supplies" section above. However, the Project's impact on groundwater supplies would not be more severe than the impact disclosed in the 1996 EIR because the plan's groundwater use would be less than the pre-CAFB-closure groundwater demands. Issues related to overdraft, and programs to arrest such overdraft, are discussed in more detail in the discussion of cumulative impacts below. This impact would not change from that described in the 1996 EIR and would be considered less than significant.

(DSEIR, p. 8-11.)

Mitigation Measures: No mitigation measures are required. (DSEIR, p. 8-11.)

Significance After Mitigation: The impact is less than significant without mitigation. (DSEIR, p. 8-11.)

Impact HYD-3: Sufficient water supplies are available to serve the Project from existing entitlements and resources. This impact is considered *less than significant*. (DSEIR, p. 8-11.)

Finding: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)

Explanation: A water supply assessment (WSA) was prepared for the Project to determine the adequacy of existing and planned future water supplies available to the Redevelopment Plan and the County's ability to meet the water supply demands of the proposed Project, considering existing water users and future planned development in the County. The WSA is found in Appendix C of this document.

The conclusion of the WSA was that demands in all years and water year types would be met by pumping groundwater and that there are no foreseeable restrictions to this water supply; as such, sufficient supply exists to support the Project. While potential exists for declines in groundwater levels, given the existing storage in the aquifer (15,700,000 af to a depth of 300 feet), it would be more than 30 years before the aquifer declined below an average of 300 feet of depth. The wells at the Project site are 900 feet deep and would continue to be able to extract groundwater even in conditions of overdraft. Issues related to overdraft, and programs to arrest such overdraft, are discussed in more detail in the discussion of cumulative impacts below.

The Project, therefore, would have a less-than-significant impact related to water supply. (DSEIR, p. 8-11.)

Mitigation Measures: No mitigation measures are required. (DSEIR, p. 8-11.)

Significance After Mitigation: The impact is less than significant without mitigation. (DSEIR, p. 8-11.)

Impact HYD-4: The Project could result in substantial alteration of the existing drainage pattern of the site or area, including through alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on site or off site; could substantially degrade the existing surface and groundwater quality. This impact is considered *less than significant with mitigation*. (DSEIR, p. 8-7.)

Finding: This impact can be minimized through Mitigation Measures 4-6. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental effect as identified in the DSEIR. No additional mitigation measures are necessary to render the effects less than significant. (DSEIR, p. 8-7.)

Explanation: The 1996 Reuse Plan EIR addressed these impacts. The 1996 Reuse Plan EIR assessment is updated as follows. (DSEIR, p. 8-11.)

Substantial Alteration of Existing Drainage Patterns

Changes to the area of impervious surfaces in the Project area could result in changes to existing absorption rates, drainage patterns, and the rate and amount of surface runoff. The existing impervious surfaces in the Project area have been reduced by 48,213 square feet since the 1996 Reuse Plan EIR. This is not a substantial change from the conditions described in the 1996 EIR in that it would not result in a new or more severe significant effect. (DSEIR, p. 8-12.)

Initial Phase

The 1996 Reuse Plan EIR concluded that impacts related to drainage would not occur as a result of implementation of the Initial Phase of the Reuse Plan, as most areas affected by Initial Phase activities were already paved, and the small amount of construction associated with this phase would not result in substantial additional runoff. No changes on the Project site have occurred that would change this conclusion. (DSEIR, p. 8-12.)

Buildout

The Project would not increase the quantity of impervious surfaces from those described in the 1996 EIR. Projects in the Redevelopment Plan would be required to meet the requirements of the Small MS4 General Permit for the MSWG. Therefore, there would be no change in the impact significance described in the 1996 EIR. Mitigation Measure 4-6 from the 1996 EIR is updated to specify that the standards of the *Merced County Storm Drainage Design Manual* would be incorporated into the project and the project will comply with the Small MS4 General Permit for the MSWG. Mitigation Measure 4-7 is no longer applicable. Implementation of Revised Mitigation Measure 4-6 will reduce this impact to a less-than-significant level. (DSEIR, p. 8-12.)

Mitigation Measures:

Mitigation Measure 4-6 (Revised): Prepare a Drainage Study and Incorporate Drainage Improvements

Any project that would construct buildings or impervious surfaces on undeveloped land will prepare a study of pre- and post-project drainage flows at the project or building permit review stage. The project will incorporate any detention and storm drainage improvements necessary to satisfy the standards of the *Merced County Storm Drainage Design Manual*. Projects implemented as part of the Redevelopment Plan will be required to comply with the Small MS4 General Permit for the MSWG.

(DSEIR, p. 8-12.)

Significance After Mitigation: The impact is less than significant with mitigation. (DSEIR, p. 8-12.)

Impact HYD-5: The Project could result in placement of housing within a 100-year flood hazard area, as mapped on a Federal hazard boundary or flood insurance rate map or other flood hazard delineation map; could result in placement of structures within a 100-year flood hazard area, that would impede or redirect flood flows; or could expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of failure of a levee or dam. This impact is considered *less than significant with mitigation*. (DSEIR, p. 8-13.)

Finding: This impact can be minimized through Mitigation Measures 4-8 and 4-9. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental effect as identified in the DSEIR. No additional mitigation measures are necessary to render the effects less than significant. (DSEIR, p. 8-13.)

Explanation: The placement of structures in a 100-year floodplain could pose a risk to people and structures. Less of the Project area is in the 100-year floodplain (approximately 40 acres, compared with the 130 acres described in the 1996 Reuse Plan EIR) as a result of the changes to the floodplain extent that have occurred since the 1988 FEMA FIRMs used in the 1996 EIR were issued. The portion of the Project area in the floodplain is the southern portion of the existing runway, which would not have any buildings, including residences, placed on it in the future because of FAA restrictions. In addition, Mitigation Measure 4-9 in the 1996 EIR requires that no structures that interfere with the flow of floodwaters shall be built in the 100-year floodplain. Therefore, people or structures would not be exposed to a significant flood hazard as part of the Project. This impact is less than significant with the implementation of Mitigation Measures 4-8 and 4-9 from the 1996 EIR. (DSEIR, p. 8-13.)

Mitigation Measures:

Mitigation Measure 4-8

All buildings intended to be occupied shall be elevated above the 100-year floodplain, or flood-proofed, in compliance with FEMA and local flood protection ordinances.

Mitigation Measure 4-9

No structures that interfere with the flow of floodwaters shall be built in the 100 year floodplain.(DSEIR, p. 8-13.)

Significance After Mitigation: The impact is less than significant with mitigation. (DSEIR, p. 8-12.)

Impact HYD-6: The Project will not contribute to inundation by seiche, tsunami, or mudflow. This is not considered an impact. (DSEIR, p. 8-13.)

Finding: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)

Explanation: There would be no significant impact by seiche, tsunami, or mudflow. The site is located far from the Pacific Ocean and other large water bodies and historically has not been affected by tsunamis. In addition, the topography is flat, and mudflows are an unlikely scenario. Seiches are waves generated in enclosed water bodies as a result of seismic activity. The Project area is not located close enough to any large surface waters to be affected by a potential seiche. Therefore, there would be no impact. (DSEIR, p. 8-13.)

Mitigation Measures: No mitigation measures are required. (DSEIR, p. 8-13.)

Significance After Mitigation: The impact is less than significant without mitigation. (DSEIR, p. 8-13.)

Cumulative Impacts

Impact HYD-7: The Project will contribute to a cumulative depletion of groundwater supplies. This impact is considered *significant and unavoidable*. (DSEIR, p. 8-14.)

Finding: Changes or alterations have been required in, or incorporated into, the Project that substantially lessen, but do not avoid, the potentially significant environmental effects associated with the depletion of groundwater supplies. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. (CEQA Guidelines, § 15091, subd. (a)(2).) No other mitigation is available to render the effects less than significant. The effects therefore remain significant and unavoidable. (DSEIR, p. 8-14.)

Explanation: Groundwater users in the Merced Subbasin include the MID, urban interests (cities including Merced, Atwater, and Livingston), and agriculture. Average groundwater pumping by the MID, urban users, and agriculture from 1970 to 1999 were, respectively, approximately 50 mgd, 35 mgd, and 689 mgd (CH2M HILL 2001), or a total of approximately 867,000 acre-feet per year (afy). Groundwater use in the Merced Subbasin may increase as urban development continues, and the availability of surface water supplies, namely the Merced

River, may be affected by flow restrictions related to environmental concerns (CH2M HILL 2001). Overall, groundwater use in 2040 is estimated to decline to approximately 776,000 afy (CH2M HILL 2001). Annual recharge to the subbasin has been estimated at 290,000 afy (California Department of Water Resources 2004). Existing and foreseeable water demands throughout the subbasin are anticipated to continue to exceed recharge to the aquifer and, without intervention, will lead to ongoing declines in groundwater levels. (DSEIR, p. 8-14.)

The Project's use of groundwater would be less than the pre-CAFB-closure groundwater use, and the volume of pumping for the Project would be relatively small (0.1% of the total groundwater use in the subbasin); for this reason, it is considered less than significant at the Project level (see the conclusions of Impact HYD-2 [in Chapter 8]). However, it nevertheless would be considered a considerable contribution to this cumulative groundwater supply impact. (DSEIR, p. 8-14.)

Mitigation Measures: To mitigate these conditions of groundwater overdraft, the *Merced Water Supply Plan Update* (CH2M HILL 2001) outlines several actions and goals to stabilize groundwater levels at 1999 levels. These include conservation measures, both urban (within the City of Merced) and agricultural (outside the city). The following are immediate actions that are/were implemented:

- Commence Site Investigations for Intentional Recharge Basins;
- Continue Agriculture Surface Water Incentive Program;
- Implement Additional Agricultural System Improvements;
- Implement Agricultural Capacity Improvements;
- Implement Urban Capacity Improvements;
- Implement “Aggressive” Program for Urban Water Conservation;
- Urban Groundwater to Surface Water Conversion—Begin Conversion of Parklands to Surface Water Use;
- Construct Drought Relief Wells;
- Establish Institutional Program (Next Steps—Section 7);
- Ensure That Public Is Kept Informed and Involved on Ongoing Basis;
- Continue to Participate in Merced River, San Joaquin River, and Delta Water Rights Matters

(DSEIR, p. 8-14.)

Significance After Mitigation These mitigation measures are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. These actions are anticipated to reduce or stop groundwater overdraft. However, because these actions to stabilize groundwater levels would be implemented by other entities besides the County, and are beyond the authority of the County to enforce, the County cannot guarantee that regional declines in groundwater levels will be avoided. For this reason, the impact is considered *significant and unavoidable* with mitigation. (DSEIR, p. 8-15.)

I. LAND USE

The Reuse Plan EIR considered the potential effects of the Reuse Plan related to land use on pages 4-3 through 4-6, incorporating the analysis from the EIS by applying Appendix G of the CEQA Guidelines as the Thresholds of Significance (pages 3-1 through 3-20 and 4-1 through 4-12). (DSEIR, p. 9-8.)

The AMP is located on a portion of the project site for the 1996 Reuse Plan EIR and the 2007 SEIR. The land use setting is presented in the 2007 SEIR in Chapter 9 of the 2007 SEIR and is incorporated by reference. No substantial changes have occurred on the project site or in the vicinity since the preparation of the 2007 SEIR. The only regulatory change to occur was the adoption of zoning controls through the adoption of the “Castle Commerce Center and Airport Special Planning Zone (SPZ) in 2009.

The AMP proposes construction of airport facilities as planned in the Reuse Plan. Structures proposed are consistent with the Reuse Plan. For these reasons, the AMP would not result in additional land use impacts beyond those identified in the previous environmental document and described below.

Impacts and Mitigation Measures

Impact LU-1: The Project will be not conflict with the goals or policies of adopted plans of the County of Merced. This impact is considered *less than significant with mitigation.*

(DSEIR, p. 9-9.)

Finding: This impact can be minimized through Mitigation Measure 4-1. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental effect as identified in the DSEIR. No additional mitigation measures are necessary to render the effects less than significant.

Explanation:

Buildout

General Plan

When the 1996 Reuse Plan EIR was prepared, the County’s general plan identified the Project area as Federal Military Installation, because the general plan was adopted prior to closure of the CAFB (although it anticipated that the base would be closed). Similarly, the designations of the portions of the CAFB within Atwater did not completely match the Reuse Plan. The 1996 Reuse Plan EIR identified mitigation (revised below) calling for the City and County to amend their general plans and zoning ordinances to reflect the land uses identified in the Reuse Plan. Since that time, the City has amended both its general plan and its zoning ordinance.

DSEIR Table 9-2 addresses the consistency of the proposed Project with the applicable general plan policies. As discussed in the table, the Redevelopment Plan would not impede implementation of the applicable land use policies, so no inconsistencies have been identified. However, it should be noted that the references to the CIPA are no longer appropriate, because the County has taken over jurisdiction of the CAADC.

As discussed in the setting, the RMP project located immediately north of the prison was found to be inconsistent with the *Merced County Airport Land Use Compatibility Plan*. However, the County Board of Supervisors overrode this finding. The proposed Project would not alter operations at the airport or the zones identified in the compatibility plan. The Project does not include the RMP. For these reasons, the Project would not alter or make more severe any inconsistencies of the RMP and *Merced County Airport Land Use Compatibility Plan*.

Airport Land Use Compatibility Plan

The proposed Project would be consistent with the *Merced County Airport Land Use Compatibility Plan*. The entire Project area is within the influence area. Only the airfield and related activities are allowed within Zone A. Most of the area within Zone B is designated Aviation/Industry, which would not include any of the prohibited uses, such as residential (over 0.2 dwelling unit/acre), day care centers, hospitals, nursing homes, or libraries. The remainder of the Project area is in Zone D, which does not restrict land uses. The County reviews applications for new uses to ensure that they do not include any components that would exceed the population densities or height requirements of each zone. For these reasons, the proposed Project would be consistent with the *Merced County Airport Land Use Compatibility Plan*. (DSEIR, p. 9-10.)

Initial Phase

The impact of the Initial Phase would be identical to that during Buildout, and the County's general plan and zoning ordinance would need to be revised to include the designations identified in the Reuse Plan. (DSEIR, p. 9-10.)

Mitigation Measures:

Mitigation Measure 4-1 (Revised): Amend General Plan and Zoning Ordinance

The County shall amend its general plan and zoning ordinance to incorporate the designations identified in the Reuse Plan and Redevelopment Plan and to delete references to the CJPAs as appropriate.

The City has been removed from the above measure because the amendments required of it by the 1996 Reuse Plan EIR have been made. The proposed Project would not alter the land uses identified in the Reuse Plan, so once the County deletes references to the JPA and amends the SPZ zone to reflect the land uses identified in the Reuse Plan and Redevelopment Plan, no further mitigation would be required to reduce conflicts with general plans. (DSEIR, p. 9-10.)

Significance After Mitigation: The impact is less than significant with mitigation. (DSEIR, p. 9-10.)

Impact LU-2: The Project will result in development of land uses that are incompatible with each other or with adjacent uses. This impact is considered *significant and unavoidable*. (DSEIR, p. 9-10.)

Finding: Changes or alterations have been required in, or incorporated into, the Project that substantially lessen, but do not avoid, the potentially significant environmental effects associated with incompatible land uses. No mitigation is available to render the effects less than significant. The effects therefore remain significant and unavoidable.

Explanation:**Initial Phase**

The impact of the Initial Phase would be identical to that during Buildout. Even though it would be more limited under the Initial Phase, development could occur anywhere within the Project area. (DSEIR, p. 9-10.)

Buildout

The proposed Project would not alter the land uses within the Project area, which are the same as those described in the 1996 Reuse Plan EIR. The only change in the surrounding area is the construction of the prison, which was assumed in the 1996 Reuse Plan and 1996 EIR. The 1996 EIR found that incompatibilities between internal land uses would be less than significant with the implementation of mitigation measures for air quality, hazards, noise, and aesthetics. With the changes to mitigation described in the 2007 SEIR, including Mitigation Measures 4-10 (construction emissions), 4-14 (parking), Noise-1 (construction noise), 4-25 (interior noise levels), 4-32 (visual quality), 4-33 (light), 4-34 (glare), and 4-16 through 4-22 (hazards), the internal land uses would continue to be compatible with one another. (DSEIR, p. 9-10.)

For the most part, the proposed Project would be consistent with surrounding uses, because activity in the Project area would not generate excessive noise or other disturbances and would be separated from nearby residential and other sensitive uses (e.g., schools, by open land and roadways, such as Santa Fe Drive). One exception would be off-site traffic noise, which would increase as the result of project development. The 1996 EIR found that traffic noise levels outside the Project area would exceed pre-closure levels, which would be a significant impact. Mitigation Measures 4-23 and 4-24 would restrict new development in areas substantially affected by Project traffic noise. However, because these measures would be under the jurisdiction, in part, of the City, and the measures' feasibility is unknown, the impact was found to be significant and unavoidable in the 1996 Reuse Plan EIR. Because it would not alter traffic-generating uses, the Redevelopment Plan also would have this impact. (DSEIR, p. 9-11.)

Mitigation Measures: Mitigation measures 4-10 (construction emissions), 4-14 (parking), NOISE-1 (construction noise), 4-25 (interior noise levels), 4-32 (visual quality), 4-33 (light), 4-34 (glare), and 4-16 through 4-22 (hazards), 4-23 and 4-24 would apply for this impact.

Significance After Mitigation: Implementation of the mitigation measures listed will reduce the Project's incompatible land use impact, but not to a less-than-significant level. The impact is significant and unavoidable with mitigation. (DSEIR, p. 6-22.)

Impact LU-3: The Project will not physically divide an established community. This is not considered an impact. (DSEIR, p. 9-11.)

Finding: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)

Explanation: The 1996 Reuse Plan EIR concluded that because the Castle site was surrounded on three sides by vacant and agricultural lands, no impact related to dividing an established community would occur. Although development has occurred surrounding the Project area since 1996, the actions of the Redevelopment Plan would be limited to development on the Castle site and to improvement of existing roadways. For this reason, the Project would have no impact related to dividing an established community. (DSEIR, p. 9-11.)

Mitigation Measures: No mitigation measures are required. (DSEIR, p. 9-11.)

Significance After Mitigation: The impact is less than significant without mitigation. (DSEIR, p. 9-11.)

Impact LU-4: The Project will not conflict with any applicable habitat conservation plan or natural community conservation plan. This is not considered an impact. (DSEIR, p. 9-11.)

Finding: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)

Explanation: This impact area was not addressed in the 1996 Reuse Plan EIR. No adopted HCP or natural community conservation plan covers the Castle site. For this reason, the Project would have no impact in this area. (DSEIR, p. 9-11.)

Mitigation Measures: No mitigation measures are required. (DSEIR, p. 9-11.)

Significance After Mitigation: The impact is less than significant without mitigation. (DSEIR, p. 9-11.)

Cumulative Impacts

Impact LU-5: Cumulative Land Use impacts would occur if other related projects in the vicinity of the Project site would result in land use incompatibility impacts in conjunction with the impacts of the Project. This impact is considered *less than significant*. (DSEIR, p. 9-12.)

Finding: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)

Explanation:

Initial Phase

The impact of the Initial Phase would be identical to that during Buildout. Even though it would be more limited under the Initial Phase, development could occur anywhere within the Project area. Any potential incompatibilities would be the result of issues discussed in Chapter 5, “Aesthetics and Visual Resources”; Chapter 6, “Air Quality”; Chapter 7, “Hazards and Hazardous Materials”; and Chapter 10, “Noise.” (DSEIR, p. 9-12.)

Buildout

As discussed above, the proposed Project would not alter the land uses internal to the Project area, which are the same as those described in the 1996 Reuse Plan EIR. The 1996 EIR found that incompatibilities between internal land uses would be less than significant with the implementation of mitigation measures for air quality, hazards, noise, and aesthetics. This would continue to be true. (DSEIR, p. 9-12.)

As discussed in the setting, the Cities of Atwater and Merced and the County are undertaking plans and projects, such as the UCP and Bellevue Ranch that would increase development in the region, which would increase traffic and other urban activities in the Project vicinity. The Project would contribute to these increases in activities, as discussed in other chapters of the SEIR. (DSEIR, p. 9-12.)

The City of Merced and County are undergoing general plan updates. The County has not prepared any revisions to its general plan land use map at this time. The City of Merced's proposed general plan land use map could result in two areas in proximity to the Project area being incorporated into the City's boundaries. Area 11 would be designated Industrial Reserve and Reserve, so it would not be developed in the foreseeable future. Area 12 would be designated Community Plan, so it could be developed with a mix of uses, consistent with the restrictions of Zones C and D of the *Merced County Airport Land Use Compatibility Plan*. This area would be separated by more than 0.5 mile from the CAADC, so activities within the Project area would not be expected to create any incompatibilities with future uses in Area 12. No other changes identified in the City of Merced's draft land use plan would be close enough to the Project area to result in incompatibilities. (DSEIR, p. 9-12.)

The adopted *City of Atwater General Plan* provides for additional residential development and a future school, along with commercial and business park uses, south of the Project area (see Figure 9-3). The school and residential areas would be outside of the area of influence, or in Zone D, so aircraft noise would not exceed 60 decibels (dB) community noise equivalent level (CNEL) (Shutt Moen Associates 1999; Pacific Municipal Consultants 2000). As discussed in Chapter 10, "Noise," traffic noise levels would exceed the City's standard for residential development (60 dB day-night sound level [L_{dn}]) on several roadways. However, the City could require noise barriers, setbacks, or other measures of new development on these roadways to achieve the City standard. Gurr Road, which has a site designated for a school, is outside the 60 dB CNEL contour for the airport and would not experience a substantial increase in traffic, so it would not be subject to excessive traffic noise. (DSEIR, p. 9-13.)

The *City of Atwater General Plan* designates large areas west and south of the Project area for Business Park. The Business Park designation uses are intended to be similar to the land uses found within the Project area, such as manufacturing, associated offices, trade schools, retail, and child care. Because of their similarities, the uses within the Business Park would be generally compatible with the uses within the Project area. One concern could be noise from the airstrip. The *City of Atwater General Plan* (Table 6-5 of that plan) states that noise levels up to 70 dB CNEL are acceptable for manufacturing and playgrounds and that levels up to 65 dB CNEL are acceptable for office and business professional uses. Child care and schools can be subjected to noise levels of up to 60 dB CNEL without mitigation and up to 75 dB CNEL with mitigation. The Business Park area is outside the projected 60 dB CNEL noise contour for the airport (as shown in Figure 4-1 of the 1996 EIR), so average daily noise levels would be acceptable within the Business Park area. The proposed Project would not alter airport operations or noise levels.

For these reasons, the proposed Project would be compatible with future development of the area designated Business Park west of the Project area. (DSEIR, p. 9-13.)

Another substantial change in proximity to the Project area is the approval of the RMP. The distance between the RMP and the Project area would minimize the potential incompatibilities between these two areas. In addition, the prison would provide a substantial barrier. The RMP would generate substantial noise levels, primarily from engine noise during race events. Although noise from the RMP may be audible within the Project area, it should not reach levels that would render the two areas incompatible with each other. The RMP EIR found that average daily noise levels from the RMP would not exceed 70 A-weighted dB (dBA) maximum sound level (L_{max}) within the prison site, except for one or two weekends a year, and the maximum noise level would be approximately 90 L_{max} (County of Merced 2005:4.7-15). The Project does not include land uses that are particularly noise sensitive, such as residences, schools, and hospitals. The County standard for noise levels at a source's property line for nonresidential uses is 80 dBA L_{max} and 70 dBA L_{dn} . The Project area would be buffered from RMP noise by the prison and airstrip, so that noise levels within occupied portions of the Project area would not be subject to noise from the RMP in excess of County standards. For these reasons, the RMP is considered compatible with the proposed Project. (DSEIR, p. 9-13.)

Mitigation Measures: No mitigation measures are required. (DSEIR, p. 9-13.)

Significance After Mitigation: The impact is less than significant without mitigation. (DSEIR, p. 9-13.)

J. NOISE

The Reuse Plan EIR considered the potential effects of the Reuse Plan related to noise on pages 4-52 through 4-55, incorporating the analysis from the EIS and applying Appendix G of the CEQA Guidelines as the Thresholds of Significance (pages 3-102 through 3-111 and 4-137 through 4-145). (DSEIR, p. 10-8.)

The AMP is located on a portion of the project site for the 1996 Reuse Plan EIR and the 2007 SEIR. The noise setting is presented in Chapter 4.10 of the Draft 1996 Reuse Plan EIR, Chapter 2 of the Final 1996 Reuse Plan EIR, and Chapter 10 of the 2007 SEIR and is incorporated by reference. No substantial changes have occurred on the project site or in the vicinity since the preparation of the 2007 SEIR.

The AMP proposes construction of airport facilities as planned in the Reuse Plan. Structures proposed are consistent with the Reuse Plan. For these reasons, the AMP would not result in additional noise impacts beyond those identified in the previous environmental document and described below. To verify projected noise impacts of aircraft operations, additional aircraft noise analyses were done by Mead & Hunt in April 2011 as part of the Airport Master Plan project, and these noise contours were reviewed as part of the analysis in the Initial Study. The new noise contours show the noise contours do not extend further out from the airport than was shown in the previous environmental document, and may affect a smaller area to the south. For this reason the AMP would not have additional impacts related to aircraft noise beyond those identified in the previous environmental document.

Impacts and Mitigation Measures

Impact NOISE-1: The Project will result in a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the project and will 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; be not conflict with the goals or policies of adopted plans of the County of Merced. This impact is considered *significant and unavoidable*. (DSEIR, p. 10-10.)

Finding: Changes or alterations have been required in, or incorporated in, the Project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with noise generation and increase in ambient noise. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. (CEQA Guidelines, § 15091, subd. (a)(2).) No other mitigation is available to render the effects less than significant. The effects therefore remain significant and unavoidable. No mitigation is available to render the effects less than significant.

Explanation: Although no changes in the Project are proposed from the Reuse Plan considered in the 1996 EIR, changes in background traffic levels could result in changes to this impact. The Project would not result in greater increases in traffic noise levels but could contribute to a cumulative traffic noise impact. (DSEIR, p. 10-10.) Table 10-3 of the DSEIR summarizes calculated traffic noise levels for existing and Buildout conditions along primary approach roadways in the Project area with and without implementation of the proposed redevelopment. In general, human sound perception is such that a change in sound level of 3 dB is just noticeable. For this reason, the Project was not considered to have a significant impact if it did not increase noise levels by 3 dB. (DSEIR, p. 10-10.)

The analysis indicates that two roadway segments will experience an increase in traffic noise greater than 3 dBA (L_{dn}), which would be a substantial permanent increase in ambient noise levels:

- Buhach Road between Airdrome Entry and Bellevue Road, and
- Santa Fe Drive between Buhach Road and Spaceport Entry.

For both of these locations, the cumulative ambient noise level would exceed the County's standards. (DSEIR, p. 10-10.) Because the surrounding land use includes densely populated neighborhoods, this impact is considered significant and unavoidable. (DSEIR, p. 10-10.)

Mitigation Measures: As discussed in the 1996 Reuse Plan EIR, Mitigation Measures 4-23 and 4-24 from the 1996 Reuse Plan EIR could reduce traffic noise at residential and other noise-sensitive developments. However, the 1996 Reuse Plan EIR concluded that because the feasibility of these measures is unknown, and their implementation is under the jurisdiction of agencies other than the Redevelopment Agency, this impact is considered to be significant and unavoidable.

Mitigation Measure 4-23: Restrict Development of Sensitive Land Uses in Areas That Exceed Noise Standards

Merced County and the City of Atwater shall restrict new development of residential and other sensitive land uses in areas that exceed exterior noise levels of 65 L_{dn}, unless a noise study has been conducted that identifies noise attenuation measures that could reduce noise levels to acceptable levels. Such attenuation measures shall be required in new construction.

Mitigation Measure 4-24: Restrict Development That Would Increase Traffic Near Certain Land Uses

Merced County and the City of Atwater shall restrict development that would increase traffic along roadways where existing or planned residences and other sensitive land uses are experiencing exterior noise levels above 65 L_{dn} unless measures to reduce the noise levels have been identified and required as a condition of development. If 65 L_{dn} cannot be achieved, residential buildings shall be renovated with noise attenuation measures to achieve an interior noise level of 45 L_{dn}.

(DSEIR, p. 10-11.)

Significance After Mitigation: The mitigation measures are partially within the responsibility and jurisdiction of another public agency and not the agency making the finding. Because these actions to reduce noise levels must be implemented by other entities besides the County, and are beyond the authority of the County to enforce, the County cannot guarantee that the effects of increases in regional noise level will be avoided. For this reason, the impact is considered significant and unavoidable. (DSEIR, p. 10-11.)

Impact NOISE-2: The Project will not expose persons to or generate excessive groundbourne vibration or groundbourne noise levels. This is not considered an impact.

(DSEIR, p. 10-11.)

Finding: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)

Explanation: The Project does not include proposals to construct facilities or structures that would require activities such as blasting or pile driving that would result in the generation of groundborne vibration or noise. There would be no impact. (DSEIR, p. 10-11.)

Mitigation Measures: No mitigation measures are required. (DSEIR, p. 10-11.)

Significance After Mitigation: The impact is less than significant without mitigation. (DSEIR, p. 10-11.)

Impact NOISE-3: The Project may cause a substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project. This impact is considered *less than significant with mitigation*. (DSEIR, p. 9-9.)

Finding: This impact can be minimized through Mitigation Measure Noise-1. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental effect as identified in the DSEIR. No additional mitigation measures are necessary to render the effects less than significant.

Explanation:

Initial Phase and Buildout

DSEIR Table 10-4 summarizes noise levels produced by commonly used construction equipment. Individual types of construction equipment are expected to generate noise levels ranging from 74 to 89 dBA at a distance of 50 feet. The construction noise level at a given receiver depends on the type of construction activity, the noise level generated by that activity, and the distance and shielding between the activity and noise-sensitive receivers. (DSEIR, p. 10-11.)

Potential noise levels resulting from construction of the proposed redevelopment projects were evaluated by summing the noise levels of the three loudest pieces of equipment that would be likely to operate at the same time (a bulldozer, a paver, and a heavy truck). The combined noise level is 92 dBA at 50 feet. DSEIR Table 10-5 shows the estimated sound levels from construction activities as a function of distance based on calculated point-source attenuation over “soft” (i.e., acoustically absorptive) ground. (DSEIR, p. 10-12.)

The results in DSEIR Table 10-5 indicate that the daytime noise threshold of 55 dBA could be exceeded within about 1,400 feet of an active construction site and that the nighttime threshold of 45 dBA could be exceeded within 3,500 feet of an active construction site. Construction activity that occurs outside the hours of 7 a.m.-6 p.m. is therefore considered to be significant. (DSEIR, p. 10-13.)

Mitigation Measures: Implementation of the following mitigation measure would reduce this impact to a less than significant level.

Mitigation Measure NOISE-1: Employ Noise-Reducing Construction Practices

Noise-reducing construction practices shall be employed such that noise from construction activities that occurs outside the hours of 7 a.m.–6 p.m. does not exceed 55 dBA during the applicable daytime hours (6 p.m.–10 p.m.) and 45 dBA during nighttime hours (10 p.m.–7 a.m.) at noise-sensitive uses. Measures that can be employed to achieve this include:

- limiting noise-generating construction operations to the hours between 7 a.m. and 6 p.m.,
- locating equipment as far as practical from noise-sensitive uses, and
- using noise-reducing enclosures around noise-generating equipment and constructing barriers between noise sources and noise-sensitive land uses or taking advantage of existing barrier features (terrain or structures) to block sound transmission

Significance After Mitigation: The impact is less than significant with mitigation. (DSEIR, p. 10-14.)

Impact NOISE-4: The Project is located within an airport land use plan or within 2 miles of a public airport or public use airport and may expose people residing or working in the project area to excessive noise levels. This impact is considered *less than significant with mitigation*. (DSEIR, p. 10-14.)

Finding: This impact can be minimized through Mitigation Measure 4-25. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental effect as identified in the DSEIR. No additional mitigation measures are necessary to render the effects less than significant.

Explanation:

Initial Phase and Buildout

No new or planned noise-sensitive land uses on the Project site beyond those identified in the 1996 Reuse Plan EIR would be exposed to aircraft noise exceeding 65 L_{dn} . The *City of Atwater General Plan* designates large areas west and south of the Project area for Business Park (see Figure 9-3). The Business Park designation uses are intended to be similar to the land uses found within the Project area, such as manufacturing, associated offices, trade schools, retail, and child care. Because of their similarities, the uses within the Business Park would be generally compatible with the uses within the Project area. One concern could be noise from the airstrip. The *City of Atwater General Plan* (Table 6-5 of that plan) states that noise levels up to 70 dB CNEL are acceptable for manufacturing and playgrounds and that levels up to 65 dB CNEL are acceptable for office and business professional uses. Child care and schools can be subjected to noise levels of up to 60 dB CNEL without mitigation and up to 75 dB CNEL with mitigation. The Business Park area is outside the projected 60 dB CNEL noise contour for the airport (as shown in Figure 4-1 of the 1996 EIR), so average daily noise levels would be acceptable within the Business Park area. The proposed Project would not alter airport operations or noise levels. For these reasons, the proposed Project would be compatible with future development of the area designated for Business Park uses west of the Project area. (DSEIR, p. 10-14.)

Another substantial change in proximity to the Project area is the approval of the RMP. The distance between the RMP and the Project area would minimize the potential incompatibilities between these two areas. In addition, the prison would provide a substantial barrier. The RMP would generate substantial noise levels, primarily from engine noise during race events. Although noise from the RMP may be audible within the Project area, it should not reach levels that would render the two areas incompatible with each other. The RMP EIR found that average daily noise levels from the RMP would not exceed 70 dBA L_{max} within the prison site, except for one or two weekends a year, and the maximum noise level would be approximately 90 L_{max} (County of Merced 2005:4.7-15). The Project does not include land uses that are particularly noise sensitive, such as residences, schools, and hospitals. The County standard for noise levels at a source's property line for nonresidential uses is 80 dBA L_{max} and 70 dBA L_{dn} . The Project area would be buffered from RMP noise by the prison and airstrip so that noise levels within occupied portions of the Project area would not be subject to noise from the RMP in excess of County standards. (DSEIR, p. 10-15.)

Mitigation Measures: Impacts and mitigation related to aircraft noise identified in the 1996 EIR are unchanged. Mitigation Measure 4-25 from the 1996 EIR would continue to reduce this impact to a less-than-significant level. (DSEIR, p. 10-15.)

Mitigation Measure 4-25: Ensure Interior Noise Levels Meet Standards

Prior to approval of Aviation/Industrial and Public Facilities uses within the 65 CNEL contour, a noise analysis shall be conducted to determine whether interior noise levels meet the standards presented in Table 10-1. If the interior noise levels do not meet the standards, the buildings shall be fitted with noise attenuation measures adequate to reduce noise to acceptable levels.

(DSEIR, p. 10-15.)

Significance After Mitigation: The impact is less than significant with mitigation. (DSEIR, p. 10-15.)

Impact NOISE-5: The Project is not located in the vicinity of a private airstrip and will not expose people residing or working in the project area to excessive noise levels. This is not considered an impact. (DSEIR, p. 10-15.)

Finding: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)

Explanation: No private airstrip is located in the vicinity of the Project. (DSEIR, p. 10-15.)

Mitigation Measures: No mitigation measures are required. (DSEIR, p. 10-11.)

Significance After Mitigation: The impact is less than significant without mitigation. (DSEIR, p. 10-15.)

Cumulative Impacts

Impact NOISE-6: The Project will have a cumulatively considerable contribution to traffic noise. This impact is considered *significant and unavoidable*. (DSEIR, p. 10-15.)

Finding: Changes or alterations have been required in, or incorporated into, the Project that substantially lessen, but do not avoid, the potentially significant environmental effects associated with traffic noise. No mitigation is available to render the effects less than significant. The effects therefore remain significant and unavoidable.

Explanation: The 1996 Reuse Plan EIR concluded that the Project would contribute to a cumulative impact related to traffic noise. Increased growth and development in the vicinity of the Project site have resulted in increased traffic congestion, increased traffic, and increased traffic noise. Table 10-3 shows projected noise levels with buildout of cumulative development plus buildout of the Project. In six of the eight locations modeled, noise levels would exceed

County standards. The Project would contribute to this significant impact. Because of the built-up nature of the affected area, no mitigation is available to reduce this impact to a less-than-significant level, and thus this impact is considered to be significant and unavoidable. (DSEIR, p. 10-16.)

Mitigation Measures: Mitigation measures 4-23, 4-24, and 4-25 would apply to reduce the Project's cumulative contribution to traffic noise. (DSEIR, p. 10-16.)

Significance After Mitigation: Implementation of the listed mitigation measures will reduce the Project's contribution, but because of the built-up nature of the affected area, no mitigation is available to reduce this impact to a less-than-significant level, and thus this impact is considered to be significant and unavoidable. (DSEIR, p. 10-16.)

K. POPULATION AND HOUSING

The Reuse Plan EIR considered the potential effects of the Reuse Plan related to population and housing on pages 4-7 and 4-8, incorporating the analysis from the EIS and applying Appendix G of the CEQA Guidelines. (DSEIR, p. 11-3.)

The AMP is located on a portion of the project site for the 1996 Reuse Plan EIR and the 2007 SEIR. The setting for population and housing is presented in the 2007 SEIR in Chapter 5 of the 2007 SEIR and is incorporated by reference. No substantial changes have occurred on the project site or in the vicinity since the preparation of the 2007 SEIR.

The AMP proposes construction of airport facilities as planned in the Reuse Plan. Structures proposed are consistent with the Reuse Plan. For these reasons, the AMP would not result in additional population and housing impacts beyond those identified in the previous environmental document and described below.

Impacts and Mitigation Measures

Impact POP-1: The Project will not induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extensions of roads or other infrastructure). This impact is considered *less than significant*. (DSEIR, p. 11-4.)

Finding: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)

Explanation: The 1996 EIR concluded that the Reuse Plan would have a less-than-significant impact with respect to cumulative exceedance of official regional or local projections. It discusses the impact in two specific timeframes under the Reuse Plan: Initial Phase and Buildout. In the Initial Phase, the number of employees on the CAADC would be limited to the same number as worked at CAFB in 1990 (5,200 to 7,300 jobs). The EIR assumes that this number of jobs could be filled by existing workers, given the county's unemployment rate at the time (13.1% to 18.4% in 1995). At full Buildout, it noted, the Reuse Plan would result in reuse-related employment levels higher than pre-CAFB-closure levels, but because of the population base to fill those jobs, the 1996 EIR concluded that population levels associated with the Initial

Phase and Buildout of the Reuse Plan would not increase beyond pre-closure levels. (DSEIR, p. 11-4.)

Based on the analysis in the SEIR, this conclusion has not changed. Unemployment levels in the county have declined since the 1996 EIR, but the labor force has increased in size, meaning there is still a sizeable pool of potential employees (9,800) already living in the county, some of which could find jobs under the proposed Project. Because the Redevelopment Plan proposes the same land uses and facilities as the Reuse Plan did, the number of jobs generated would not significantly exceed those assumed for analysis in the 1996 EIR. Relocation from outside the area to fill these jobs is not expected to be significant relative to the substantial projected Merced County population increases illustrated in Table 11-1. (DSEIR, p. 11-4.)

The 1996 Reuse Plan EIR assessed the potential impacts of the Project related to growth inducement. The Project characteristics have not changed from those assessed in the 1996 Reuse Plan EIR. Substantial additional development, especially residential growth, has occurred in the region and the vicinity of the Project site since the previous EIR was prepared. The increase in population in the area will provide a larger potential employee base to serve the job-creating uses proposed to be developed on the Project site. Therefore, changes in the existing environment will serve to reduce potential growth-inducing effects of the Project from those identified in the previous EIR. (DSEIR, p. 11-5.)

Mitigation Measures: No mitigation measures are required. (DSEIR, p. 8-11.)

Significance After Mitigation: The impact is less than significant without mitigation. (DSEIR, p. 8-11.)

Impact POP-2: The Project will not cause displacement of a substantial number of existing housing units, necessitating the construction of replacement housing elsewhere; or cause displacement of a substantial number of people, necessitating the construction of replacement housing elsewhere. No Impact. (DSEIR, p. 11-5.)

Finding: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)

Explanation: The 1996 EIR concludes that the Reuse Plan would have no impact with respect to the displacement of residents. The EIR states that implementation of the Reuse Plan would not displace a large number of people because the housing currently located on the CAADC is not occupied. The EIR also states that no existing or planned civilian housing would be affected by the Reuse Plan. (DSEIR, p. 11-5.)

This conclusion has not changed based on the analysis in the SEIR. As stated, there are no residents currently living in these units. Chapter 3 of the SEIR states that there have been no changes in existing or planned land uses or facilities since the 1996 EIR and Reuse Plan were approved. The Redevelopment Agency points out that the CAADC housing units have never been available for general public use, and the agency would not displace any residents from these units because they are not currently occupied (Keyser Marston Associates 2005). (DSEIR, p. 11-5.)

The Redevelopment Agency does state that it is possible some residents could be displaced from the CAADC at some future point during the 30-year horizon of the Project, although this is not anticipated. There are no occupied units and no residentially zoned or planned land in the CAADC. Therefore, the circumstances under which this displacement would occur are speculative because they would depend upon changes to the CAADC that are not currently contemplated, and therefore no clear conclusions can be drawn for CEQA purposes. Consistent with California Redevelopment Law Section 3352(f), the Redevelopment Agency has provided a “method or plan” for relocation of displaced residents in its *Report to the Board of Supervisors for the Castle Air Force Base Redevelopment Project* (Keyser Marston Associates 2005). A relocation plan consistent with Relocation Assistance and Real Property Acquisition Guidelines Section 6038 may also be necessary in such circumstances. (DSEIR, p. 11-5.)

Mitigation Measures: No mitigation measures are required. (DSEIR, p. 11-5.)

Significance After Mitigation: The impact is less than significant without mitigation. (DSEIR, p. 11-5.)

Cumulative Impacts

Impact POP-3: The Project will not contribute to cumulative impacts related to population and housing. No Impact. (DSEIR, p. 11-6.)

Finding: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)

Explanation: While cumulative growth in the area potentially may result in adverse effects related to jobs and housing, the Project, which will serve to address the balance of jobs and housing in the Atwater area, will not contribute to any cumulative impact. (DSEIR, p. 11-6.)

Mitigation Measures: No mitigation measures are required. (DSEIR, p. 11-6.)

Significance After Mitigation: The impact is less than significant without mitigation. (DSEIR, p. 11-6.)

L. PUBLIC SERVICES AND UTILITIES

The Reuse Plan EIR considered the potential effects of the Reuse Plan on public utilities and services on pages 4-56 through 4-65, incorporating analysis from the EIS (pages 3-36 through 3-43 and 4-32 through 4-35). (DSEIR, p. 12-5.)

The topics analyzed in the 1996 Reuse Plan EIR and the EIS have been studied in the SEIR to determine whether any new significant adverse environmental impacts would occur from those previously identified pursuant to PRC 21166. Because the Project has not changed, this analysis examines updated public services and utilities information. (DSEIR, p. 12-5.)

The AMP is located on a portion of the project site for the 1996 Reuse Plan EIR and the 2007 SEIR. The setting for public services is presented in Chapter 4.11 of the Reuse Plan EIR and

Chapter 12 of the 2007 SEIR and is incorporated by reference. No substantial changes related to public services have occurred on the project site or in the vicinity since the preparation of the 2007 SEIR.

The AMP proposes construction of airport facilities as planned in the Reuse Plan. For this reason, demand for public services related to implementation of the AMP would not exceed that of buildout of the Reuse Plan and would not result in impacts beyond those identified in the previous environmental document and described below.

Approach and Methodology

The evaluation of public services and utilities effects is based on a comparison of the environmental setting as described in the 1996 Reuse Plan EIR with the existing environmental setting in or near the Project area. Because the 2007 Redevelopment Plan's project components have not changed from those previously analyzed, the potential impacts of the 2007 Redevelopment Plan are analyzed in this 2007 SEIR in relation to how any changes in the environmental setting may have altered the related impacts described in the 1996 EIR. (DSEIR, p. 12-7.)

Impacts and Mitigation Measures

Impact PS-1: The Project will not cause substantial adverse physical impacts associated with the provisions 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 public services, including fire protection, police protection, schools, and parks. This impact is considered *less than significant with mitigation*. (DSEIR, p. 12-7.)

Finding: This impact can be minimized through Mitigation Measures 4-26 through 4-31. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental effect as identified in the DSEIR. No additional mitigation measures are necessary to render the effects less than significant.

Explanation: This impact was addressed in the 1996 Reuse Plan EIR as follows.

Fire Protection

Initial Phase and Buildout

The 1996 Reuse Plan EIR stated that the on-site Fire Station #1, then operated by the Atwater Fire Department, would have sufficient capacity to serve the proposed Reuse Plan and concluded that with the implementation of Mitigation Measure 4- 26, impacts would be less than significant. The 2007 SEIR found that, because this station (now operated by the Merced County Fire Department) is dedicated to providing fire protection to the Project site, this conclusion would continue to be true. This analysis is presented in Chapter 4.11 of the Draft 1996 Reuse Plan EIR, Chapter 2 of the Final 1996 Reuse Plan EIR, and Chapter 12 of the 2007 SEIR and is incorporated by reference.

Police Protection

Initial Phase and Buildout

The 1996 Reuse Plan EIR stated that with continued use of private security, as required by Mitigation Measure 4-27, the Project would have sufficient police protection, and impacts would be less than significant. Private security is still provided to the Project site. This analysis is presented in Chapter 4.11 of the Draft 1996 Reuse Plan EIR, Chapter 2 of the Final 1996 Reuse Plan EIR, and Chapter 12 of the 2007 SEIR and is incorporated by reference.

Schools

Initial Phase and Buildout

The 1996 Reuse Plan EIR stated that increased employment at the former CAFB would not result in a significant impact on school services in the surrounding communities because developer fees and property taxes generated by housing development to house these workers would serve to fund needed schools. No changes have occurred that change this conclusion, because the proposed Project continues to include no housing. Additionally, more housing has been constructed and is planned to be constructed in the vicinity of the Project site, providing a larger employment base to serve the job-generating uses to be developed as a part of Project implementation. No changes to the impact conclusion are required. The 1996 Reuse Plan EIR did not assess impacts on parks, but the same assessment applies to parks. Existing recreational facilities at the CAADC include facilities that are not neighborhood-serving, such as the museum. Employment on the Project site as a result of implementation of the Redevelopment Plan would be unlikely to substantially increase demand for such facilities. No permanent residential uses that would increase demand for neighborhood parks are planned. (DSEIR, p. 12-8.)

Maintenance of Public Facilities, Including Roads

Initial Phase and Buildout

The 1996 Reuse Plan EIR stated that with implementation of the Capital Improvement Program (CIP), as required by Mitigation Measure 4-28, the Project would have sufficient funds for maintenance of public facilities, and impacts would be less than significant. This mitigation measure has since been implemented. In addition, the Redevelopment Plan includes funding measures for maintenance and improvement of public facilities. No further mitigation is required for this impact. (DSEIR, p. 12-8.)

Impacts on Other Government Services

The 1996 Reuse Plan EIR stated that increased employment at the base could not result in a significant impact on government services and proposed Mitigation Measure 4-29 to reduce these impacts to a less-than-significant level. (DSEIR, p. 12-8.)

The Redevelopment Plan includes funding measures for government services necessary for development consistent with the Redevelopment Plan. For this reason, Mitigation Measure 4-29 is no longer necessary. (DSEIR, p. 12-9.)

Impacts on Electricity

Initial Phase and Buildout

The 1996 Reuse Plan EIR concluded that although sufficient energy supplies were available to serve the Project, the existing facilities did not meet the CPUC requirements of the time. The 1996 Reuse Plan EIR concluded that with the implementation of Mitigation Measure 4-30, the impact would be reduced to a less-than-significant level. (DSEIR, p. 12-9.)

The Redevelopment Plan includes funding measures for maintenance and improvement of public facilities, including electrical power conveyance facilities. No further mitigation is required. (DSEIR, p. 12-9.)

Impacts on Natural Gas

Initial Phase and Buildout

The 1996 Reuse Plan EIR concluded that while sufficient energy supplies were available to serve the Project, existing structures would require individual gas meters. The 1996 Reuse Plan EIR concluded that with the implementation of Mitigation Measure 4-31, requiring meters, the impact would be reduced to a less-than-significant level. (DSEIR, p. 12-9.)

At this time, WCG continues to provide natural gas service to the project site, and there are no known shortages of natural gas to serve the proposed Project. No changes to the above-described conclusions of the 1996 Reuse Plan EIR are required. (DSEIR, p. 12-10.)

Impacts on Communications

Initial Phase and Buildout

The 1996 Reuse Plan EIR concluded that with construction on the Project site consistent with existing requirements, impacts related to communications services would be less than significant. (DSEIR, p. 12-10.)

The Redevelopment Plan includes funding measures for maintenance and improvement of public facilities, which will include communications facilities. No further mitigation is required. (DSEIR, p. 12-10.)

Mitigation Measures: The following mitigation measures were included in the 1996 Reuse Plan EIR to reduce impacts on public services:

Mitigation Measure 4-26

Prior to approving an occupancy permit for any existing building, the Fire Marshal will inspect the building to ensure that it does not contain any fire hazards, pursuant to state and County law. If any fire hazards are identified, they will be rectified prior to occupancy.

Mitigation Measure 4-27

The private security force shall continue to provide the necessary security services to ensure public safety on the Castle site until it is determined that the Sheriff's Department has adequate resources.

Mitigation Measure 4-30

Prior to approving an occupancy permit for any existing building, the County Building Inspector will inspect the building to ensure that it does not pose any electrical hazards to

the occupants. If any electrical deficiencies are noted, they will be rectified prior to occupancy. All new buildings will conform to current County building codes and state law.

Mitigation Measure 4-31

Prior to approving an occupancy permit for any existing building, the County building inspector will inspect the building to ensure that it does not pose any health hazards to the occupants. If any deficiencies are noted (e.g., no gas meter), they will be rectified prior to occupancy. All new buildings will conform to current County building codes, pursuant to state law.

Significance After Mitigation: The impact is less than significant with mitigation. (DSEIR, p. 12-10.)

Impact PS-2: The Project will not cause an exceedance of wastewater treatment requirements of the applicable regional water quality control board or a determination by the wastewater treatment provider that serves or may serve the Project's projected demand in addition to the provider's existing commitments. This is not considered an impact. (DSEIR, p. 11-5.)

Finding: Under CEQA, no mitigation measures are required impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)

Explanation: The 1996 Reuse Plan EIR concluded that, because the design capacity of the ARWTP was 12 mgd, the plant would have sufficient capacity to handle the demand generated by Reuse Plan Buildout. The plant's current maximum treatment capacity is 6.0 mgd, and it currently handles an average flow of 3 mgd, including wastewater generated at the Project site. Because expansion of the plant to its design capacity will take place in the very short term, it is still appropriate to conclude that capacity will be available to meet the demand of the proposed Project as concluded by the 1996 Reuse Plan EIR. The Redevelopment Plan includes funding measures for maintenance and improvement of public facilities, including wastewater conveyance facilities. No further mitigation is required for this impact. (DSEIR, p. 12-10.)

Mitigation Measures: No mitigation measures are required. (DSEIR, p. 12-10.)

Significance After Mitigation: This impact is less than significant without mitigation. (DSEIR, p. 12-10.)

Impact PS-3: The Project will require or result in the construction of new stormwater drainage, water, wastewater treatment, or recreational facilities or an expansion of existing facilities, the construction or expansion of which could cause significant environmental effects. This impact is considered *less than significant with mitigation*. (DSEIR, p. 12-7.)

Finding: This impact can be minimized through Mitigation Measures 4-4, HYD-1, HYD-2, HYD-4, PS-2, PS-4, and PS-6, 4-10, 4-12, BIO-1a, b, and c; BIO-2a and b; BIO-3; BIO-4; 4-20; 4-22; NOISE-1; 4-35; and 4-37. Changes or alterations have been required in, or incorporated

into, the Project which mitigate or avoid the significant environmental effect as identified in the DSEIR. No additional mitigation measures are necessary to render the effects less than significant.

Explanation: Impacts related to stormwater drainage, water, wastewater and recreation are addressed in Impacts HYD-4, PS-2, PS-4, and PS-6. Because the bulk of lands on the Project site where new construction will take place are already paved, or, at a minimum, disturbed, it is unlikely that construction of new stormwater drainage, water, or wastewater facilities would result in significant impacts beyond those disclosed for implementation of the other elements of the proposed Project. Mitigation measures for construction activities, including Mitigation Measures 4-4; HYD-1; HYD-2; 4-10; 4-12; BIO-1a, b, and c; BIO-2a and b; BIO-3; BIO-4; 4-20; 4-22; NOISE-1; 4-35; and 4-37, will ensure that the impact is less than significant.

Mitigation Measures: The following mitigation measures, implemented for other impacts will also reduce impacts related to stormwater drainage:

Mitigation Measure 4-4: Use Best Management Practices to Reduce Erosion

All construction occurring on the Castle site will use the following BMPs or equally effective measures.

- Schedule grading and excavation activities to minimize the extent and duration of disturbance in any given area and avoid earthwork during the rainy season.
- Lay foundations, complete paving, or apply mulch or mulch and seed combinations to disturbed areas as practical after grading or excavation is completed.
- Establish perimeter controls through the use of silt fences, berms, sand bags, or other physical means to contain sediment and runoff and direct it to an engineered sediment trap or basin

Mitigation Measure HYD-1: Comply with the National Pollutant Discharge Elimination System

To reduce or eliminate construction-related water quality effects, the redevelopment project applicant will obtain coverage under the NPDES General Construction Permit from the Central Valley RWQCB before the onset of any construction activities where the disturbed area is 1 acre or greater in size. As a performance standard, the redevelopment project applicant will implement controls of pollutant discharges that utilize the best available technology that is economically achievable, the best conventional pollutant control technology to reduce pollutants, and any more stringent controls necessary to meet water quality standards. BMPs may consist of a wide variety of measures taken to reduce pollutants in stormwater and other nonpoint-source runoff. Measures range from source control, such as reduced surface disturbance, to the treatment of polluted runoff, such as detention or retention basins. BMPs to be implemented as part of a General Construction Permit issued within the Project area will include, at a minimum, the following.

- Temporary erosion control measures (such as silt fences, staked straw bales/wattles, silt/sediment basins and traps, geofabric, sandbag dikes, and temporary revegetation or other ground cover) will be used to control erosion from disturbed areas.

- Compliance with state and local disposal requirements will be required.
- Grass or other vegetative cover will be established on the construction site as soon as possible after disturbance. At a minimum, vegetative application will be completed by September 15 to allow plants to establish. No disturbed surfaces will be left without erosion control measures in place between October 15 and April 15.

The final selection of BMPs for specific future projects will be subject to approval by the Central Valley RWQCB. The County will verify that a notice of intent (NOI) has been filed with the State Water Resources Control Board (SWRCB), for either a construction or industrial stormwater discharge permit, or both, and that a Storm Water Pollution Prevention Plan (SWPPP), or SWPPP-equivalent, has been developed before allowing construction to begin. . The County will perform inspections of the construction area to verify that the BMPs specified in the SWPPP are properly implemented and maintained. The County will notify contractors immediately if there is a noncompliance issue and will require compliance.

No structures that interfere with the flow of floodwaters will be built in the 100-year floodplain. (See HYD-2; MM 4-10, 4-12.)

Impact PS-4: The Project would be served by sufficient water supplies available from existing entitlements and resources. This impact is less than significant. (DSEIR, p. 12-19.)

Finding: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)

Explanation:

Initial Phase

The 1996 Reuse Plan EIR stated that total water demand as a result of Buildout of the Reuse Plan would be lower than pre-closure levels, and, for this reason, impacts would be less than significant. Because the proposed Project would not exceed development proposed under the Reuse Plan, no change in this impact would occur under Initial Phase conditions. (DSEIR, p. 12-20.)

Buildout

A Water Supply Assessment (WSA) was prepared pursuant to SB 610 for the proposed Project to determine the adequacy of existing and planned future water supplies available to the Redevelopment Plan area and the County’s ability to meet the water supply demands of the proposed Project, considering existing water users and future planned development in the County. The WSA is found in Appendix C of this document. The conclusion of the WSA was that demands in all years and water year types would be met by pumping groundwater and that there are no foreseeable restrictions to this water supply; as such, sufficient supply exists to support the Project without resulting in a project specific significant impact. The Project, therefore, would have a less-than-significant direct impact related to water supply. (DSEIR, p. 12-20.) As noted in Finding HYD-7, however, the proposed project would cumulatively

contribute to the depletion of groundwater, resulting in a cumulatively significant impact. (See DSEIR, pp. 8-14 thru -15.)

Mitigation Measures: No mitigation measures are required. (DSEIR, p. 12-20.)

Significance After Mitigation: This impact is less than significant without mitigation. (DSEIR, p. 12-20.)

Impact PS-5: The Project would be served by a landfill with insufficient permitted capacity to accommodate the Project's solid waste disposal needs and would not comply with Federal, State and local statutes and regulations related to solid waste. This impact is *less than significant*. (DSEIR, p. 12-20.)

Finding: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)

Explanation:

Initial Phase and Buildout

The 1996 Reuse Plan EIR concluded that the receiving landfill would have sufficient capacity to accept solid waste generated by Buildout of the Reuse Plan. As of 2000, the landfill had a 94% remaining capacity and was anticipated to continue operations until the year 2030. The landfill is permitted to accept up to 1,500 tons of waste per day, and in 2005 it received on average approximately 656 tons per day. Solid waste demand from the Reuse Plan was calculated in the 1996 Reuse Plan EIR to be 23 tons/day, which would be well within the available capacity of the landfill. No changes to the conclusions of the 1996 Reuse Plan EIR, that this would be a less-than-significant impact, are required. (DSEIR, p. 12-20.)

Mitigation Measures: No mitigation measures are required. (DSEIR, p. 11-5.)

Significance After Mitigation: This impact is less than significant without mitigation. (DSEIR, p. 12-20.)

Impact PS-6: The Project would cause an increase in the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility could occur or be accelerated. This impact is *less than significant*. (DSEIR, p. 12-20.)

Finding: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)

Explanation: The 1996 Reuse Plan EIR stated that increased employment at the former CAFB would not result in a significant impact on school services in the surrounding communities because developer fees and property taxes generated by housing development to house these workers would serve to fund needed schools. No changes have occurred that change this conclusion, because the proposed Project continues to include no permanent housing.

Additionally, more housing has been constructed and is planned to be constructed in the vicinity of the Project site, providing a larger employment base to serve the job-generating uses to be developed as a part of Project implementation. No changes to the impact conclusion are required. The 1996 Reuse Plan EIR did not assess impacts on parks, but the same assessment applies to parks. Existing recreational facilities at the CAADC include facilities that are not neighborhood-serving, such as the museum. Employment on the Project site as a result of implementation of the Redevelopment Plan would be unlikely to increase demand for such facilities substantially. No permanent residential uses that would increase demand for neighborhood parks are planned.

Mitigation Measures: No mitigation measures are required. (DSEIR, p. 12-21.)

Significance After Mitigation: This impact is less than significant without mitigation. (DSEIR, p. 12-21.)

Cumulative Impacts

Impact PS-7: The Project would contribute to cumulative impacts on public services. This impact is less than significant. (DSEIR, p. 12-20.)

Finding: Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.)

Explanation:

Increases in Demand for Domestic Water

Increased growth and development in the vicinity of the Project site have resulted in a greater demand on water resources. An updated assessment of the Project's contribution to cumulative impacts on groundwater resources is found in Chapter 8, "Hydrology and Water Quality." As discussed in Chapter 8, the conclusions of the 1996 Reuse Plan EIR, that there will be no cumulative impact on domestic water, remain true today. The largest planned future project, the RMP, will be served by a different water system than the Project. Cumulative impacts on groundwater were assessed separately from the ability to provide water. (See also Draft SEIR Appendix C (SB 610 Water Supply Assessment).)

Increases in Demand for Wastewater Treatment and Conveyance Infrastructure

The 1996 Reuse Plan EIR concluded that, because the design capacity of the ARWTP was 12 mgd, the plant would have sufficient capacity to handle the demand generated by Reuse Plan Buildout and cumulative development. The ARWTP Wastewater Master Plan was developed assuming Buildout of the Reuse Plan and provides adequate capacity to meet demand from the CAFB and other planned future development. Provision of sewer treatment capacity to the largest planned future project, the RMP, has been planned for in the current ARWTP Wastewater Master Plan. For this reason, the conclusion of the 1996 Reuse Plan EIR that the Project would not contribute to a significant cumulative impact related to demand for wastewater treatment continues to be true.

Mitigation Measures: No mitigation measures are required. (DSEIR, p. 12-21.)

Significance After Mitigation: This impact is less than significant without mitigation. (DSEIR, p. 12-21.)

M. TRANSPORTATION

The SEIR Transportation chapter identifies the changes in circumstances in traffic LOS in the surrounding areas of the Redevelopment Plan Project since adoption of the 1996 Reuse Plan and certification of the EIR. The chapter therefore considers whether there would be any new direct or cumulatively significant impacts, or substantial increase in the severity of previously identified significant impacts, on peak-hour traffic conditions at key adjacent intersections and roadway segments and identifies mitigation measures. Because of changes in the existing roadway network and levels of traffic in the vicinity of the Project area, new impact analysis was done for off-site traffic for the SEIR. This analysis considers the potential traffic impacts resulting from traffic generated by the Redevelopment Plan in excess of traffic levels existing prior to the closure of the CAFB.

No significant changes have occurred to the existing roadway network on the base itself since the 1996 EIR, and on-site land uses fall within those analyzed in the previous EIR. For this reason, no new analysis was performed for on-site traffic for the SEIR, with the exception of Airdrome Entry/G Street, which is affected by entrance movements.

The AMP is located on a portion of the project site for the 1996 Reuse Plan EIR and the 2007 SEIR. The setting for transportation is presented in the Chapter 4.6 of the 1996 Reuse Plan EIR and Chapter 13 of the 2007 SEIR and is incorporated by reference. No substantial changes have occurred on the project site or in the vicinity since the preparation of the 2007 SEIR that would substantially affect existing or future traffic.

The AMP proposes construction of airport facilities as planned in the Reuse Plan. Structures proposed are consistent with the Reuse Plan. The proposed Airport Master Plan would implement the Reuse Plan and would not result in an increase in air traffic, auto or truck traffic beyond those planned in the Reuse Plan.

For these reasons, the AMP would not result in additional traffic impacts beyond those identified in the previous environmental document and described below.

Thresholds of Significance

The County considers a project to have a significant impact if the project causes the facility to degrade peak-period LOS from LOS D or better to LOS E or F in urban areas and from LOS C or better to LOS D or worse in rural areas. The study intersections and roadway segments that are classified as in either an urban or rural area are stated in the “Approach and Methodology” section of this chapter. In addition, if facilities are, or would be under cumulative conditions, operating at an unacceptable LOS without the project, an impact is considered significant if the project contributes more than 5% to the total traffic on a facility. (DSEIR, p. 13-29.)

The City and Caltrans consider a project to have a significant impact if the project causes the facility to degrade peak-period LOS from LOS D or better to LOS E or F. The City and Caltrans

consider a project to have a significant impact if the project causes the facility to exacerbate congestion at intersections or freeway mainline segments that already (or are projected to) operate at unacceptable levels, LOS E or F. The intersections, roadway segments, and freeway facilities that fall under City or Caltrans jurisdiction are stated in the “Approach and Methodology” section of this report. (DSEIR, p. 13-29.)

Impacts and Mitigation Measures

Impact TRA-1: The Project will generally result in an increase in daily and peak-hour traffic volumes at study area intersections and roadway segments. This impact is considered *less than significant with mitigation*. (DSEIR, p. 13-43.)

Finding: This impact can be substantially reduced through implementation of Mitigation Measure TRA-1. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental effect as identified in the DSEIR. No additional mitigation measures are necessary to render the effects less than significant.

Explanation: The Redevelopment Plan would increase daily traffic volumes and peak-hour traffic volumes on study area roadways and intersections, respectively, within Merced County above pre-CAFB-closure levels. Consistent with Mitigation Measure TRA-1, as part of development agreement negotiations, the County will work with the City of Atwater and the City of Merced to implement a program whereby new development projects within this area of Merced County pay a traffic fee to fund certain major regional traffic infrastructure projects that provide relief for traffic congestion to the cities and Merced County. The applicant(s) may satisfy part, or all, of its regional traffic mitigation obligations, set forth in Mitigation Measure TRA-1, by paying its fair share fees into a comprehensive region-wide fee program. Because the adoption of such a region-wide fee program is beyond the authority of Merced County, there is no guarantee that such a program would be established; however, the County shall use its best efforts to establish such a fee program and, if not established prior to the approval of specific future development projects, otherwise mitigate the significant effects of the project(s) to less than significant levels. Implementation of Mitigation Measure TRA-1 would reduce the significance of the impact to a less-than-significant level. (DSEIR, p. 13-43.)

Mitigation Measures: The following mitigation measures will reduce impacts on traffic:

Mitigation Measure TRA-1: Impact Fee Fund

Developer(s) of property within the Redevelopment Plan area will ensure that the Project include each subsequent specific project’s fair share of all feasible physical improvements necessary and available to reduce the severity of the project’s significant transportation-related impacts, as identified in this traffic analysis after considering the pre-CAFB-closure levels of operation as the existing baseline consistent with the policies and exceptions set forth in the Circulation Chapter of the *Merced County Year 2000 General Plan*, as amended. The project’s contribution toward such improvements, which the County recognizes will not be sufficient to mitigate all cumulative transportation-related impacts to less-than-significant levels, may take any, or some combination, of the following forms:

- construction of roads and related facilities within and adjacent to the boundaries of the Redevelopment Plan area, which may be subject to fee credits and/or reimbursement, coordinated by the County, from other fee-paying development projects with respect to roads or other facilities that would also serve fee-paying development projects other than the Redevelopment Plan area;
- construction of roads and/or road improvements or other transportation facilities outside the boundaries of the Redevelopment Plan area but within unincorporated Merced County, subject in some instances to future reimbursement, coordinated by the County, from other fee-paying development projects where the roads or improvements at issue would also serve fee-paying development projects other than the Redevelopment Plan Project;
- the payment of impact fees to the County in amounts that constitute the Redevelopment Plan area's fair share contributions to the construction of transportation facilities to be built or improved within unincorporated Merced County, consistent with the County's Capital Improvement Plan/RTP;
- the payment of impact fees to MCAG, as the Regional Transportation Authority (RTA), in amounts that constitute the Project's fair share contribution to the construction of transportation facilities funded through fees collected through the RTP for Tier 1 and/or Tier 2 projects;
- the payment of other adopted regional or "zone of benefit" impact fees that would provide improvements to roadways, intersections, and/or interchanges that are affected by multiple jurisdictions;
- the payment of impact fees to the County in amounts that constitute the Redevelopment Plan's fair share contributions to the construction of transportation facilities and/or improvements within Atwater or the City of Merced needed in whole or in part because of the Redevelopment Plan, to be made available to the City of Atwater and/or City of Merced, if and when those jurisdictions and the County enter into an enforceable agreement. At the time of issuance of building permits for individual development projects within the Redevelopment Plan area, the County will collect fair share fee payments for improvements or facilities addressed by its CIP/RTP, as it exists at that time;
- the payment by developers of property within the Redevelopment Plan area of impact fees to Merced County in amounts that constitute the Redevelopment Plan's fair share contributions to the construction of transportation facilities and/or improvements on federal or state highways or freeways needed in part because of the Redevelopment Plan, to be made available to Caltrans if and when Caltrans and the County enter into an enforceable agreement consistent with State law; and
- in pursuing a single agreement or multiple agreements with the City of Atwater, City of Merced, and Caltrans, negotiation in good faith by Merced County with these other jurisdictions to enter into fair and reasonable arrangements with the intention of achieving, within a reasonable time period after certification of the SEIR for the Redevelopment Plan, commitments for the provision of adequate fair share mitigation

payments from the Redevelopment Plan for its out-of-jurisdiction traffic impacts and its impacts on federal and state freeways and highways.

Significance After Mitigation: The impact is less than significant with mitigation. (DSEIR, p. 13-44.)

Impact TRA-2: The Project will cause an unacceptable LOS at the intersection of Walnut Avenue and Santa Fe Drive. This impact is considered *less than significant with mitigation*. (DSEIR, p. 13-45.)

Finding: This impact can be minimized through Mitigation Measures TRA-1 and TRA-2. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental effect as identified in the DSEIR. No additional mitigation measures are necessary to render the effects less than significant.

Explanation: Project-related traffic in addition to traffic levels resulting from Future No Project conditions would cause the intersection of Walnut Avenue and Santa Fe Drive to continue to operate at an unacceptable LOS F under the Cumulative Plus Project Minus Initial Phase conditions during the a.m. and p.m. peak hours. The Project would increase the traffic volume at the intersection by more than 5%. Therefore, this impact is considered significant. With implementation of Mitigation Measures TRA-1 and TRA-2, the intersection would operate at an acceptable LOS D and LOS C with 48.5 and 34.3 seconds of delay during the a.m. and p.m. peak hours, respectively. Implementation of Mitigation Measure TRA-2 also would reduce the significance of the impact to a less-than-significant level. A detailed intersection operation sheet showing improved operations is included in Appendix A of the traffic study (see Appendix B of the SEIR). Implementation of Mitigation Measures TRA-1 and TRA-2 would reduce this impact to a less-than-significant level. (DSEIR, p. 13-45.)

Mitigation Measures: The following mitigation measures will to reduce impacts on traffic at the intersection of Walnut Avenue and Santa Fe Drive:

Mitigation Measure TRA-1: Impact Fee Fund

A detailed description of this mitigation measure is provided above.

Mitigation Measure TRA-2: Signalize Intersection and Alter Lane Configuration at the Intersection of Walnut Avenue and Santa Fe Drive

- This intersection meets the MUTCD peak-hour signal warrant during both the a.m. and p.m. peak hours and therefore should be considered for signalization.
- Split out the southbound and westbound combined left/through/right-turn lane to include an exclusive left-turn lane and a combined through/right-turn lane.
- Split out the northbound and eastbound combined left/through/right-turn lane to include an exclusive left-turn lane, an exclusive through lane, and an exclusive right-turn lane.

The proportionate share attributable to the Project is 20.0%.

Significance After Mitigation: The impact is less than significant with mitigation. (DSEIR, p. 13-45.)

Impact TRA-3: The Project will cause an unacceptable LOS at the intersection of Winton Way and Santa Fe Drive. This impact is considered *less than significant with mitigation*. (DSEIR, p. 13-45.)

Finding: This impact can be minimized through Mitigation Measures TRA-1 and TRA-3. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental effect as identified in the DSEIR. No additional mitigation measures are necessary to render the effects less than significant.

Explanation: Project-related traffic in addition to traffic levels resulting from Future No Project conditions would cause the intersection of Winton Way and Santa Fe Drive to continue to operate at an unacceptable LOS F under the Cumulative Plus Project Minus Initial Phase condition during the p.m. peak hour. The Project would increase the traffic volume at the intersection by more than 5%. Therefore, this impact is considered significant. With implementation of the improvements described in Mitigation Measures TRA-1 and TRA-3, the intersection would operate at an acceptable LOS C and D, with 21.1 and 48.0 seconds of delay during the a.m. and p.m. peak hours, respectively. Implementation of the recommended improvements also would reduce the significance of the impact to a less-than-significant level. A detailed intersection operation sheet showing improved operations is included in Appendix A of the traffic study (see Appendix B of the SEIR). Implementation of Mitigation Measures TRA-1 and TRA-3 would reduce this impact to a less-than-significant level. (DSEIR, p. 13-46.)

Mitigation Measures: The following mitigation measures will to reduce impacts on traffic at the intersection of Winton Way and Santa Fe Drive:

Mitigation Measure TRA-1: Impact Fee Fund

A detailed description of this mitigation measure is provided above.

Mitigation Measure TRA-3: Add Additional Eastbound and Westbound Lanes to Santa Fe Drive and Alter Lane Configuration on Santa Fe Drive

Add one additional westbound and one additional eastbound through lane to Santa Fe Drive.

- Split out the westbound combined through/right-turn lane to include an exclusive through lane and an exclusive right-turn lane on Santa Fe Drive.

The proportionate share attributable to the Project is 20.0%.

Significance After Mitigation: The impact is less than significant with mitigation. (DSEIR, p. 13-46.)

Impact TRA-4: The Project will cause an unacceptable LOS at the intersection of Shaffer Road and Santa Fe Drive. This impact is considered *less than significant with mitigation*. (DSEIR, p. 13-46.)

Finding: This impact can be minimized through Mitigation Measures TRA-1 and TRA-4. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental effect as identified in the DSEIR. No additional mitigation measures are necessary to render the effects less than significant.

Explanation: Project-related traffic in addition to traffic levels resulting from Future No Project conditions would cause the intersection of Shaffer Road and Santa Fe Drive to continue to operate at an unacceptable LOS F under the Cumulative Plus Project Minus Initial Phase condition during the a.m. and p.m. peak hours. The Project would increase the traffic volume at the intersection by more than 5%. Therefore, this impact is considered significant. With implementation of the improvements described in Mitigation Measures TRA-1 and TRA-4, the intersection would operate at an acceptable LOS D, with 35.1 and 44.3 seconds of delay during the a.m. and p.m. peak hours, respectively. Implementation of the recommended improvements also would reduce the significance of the impact to a less-than-significant level. A detailed intersection operation sheet showing improved operations is included in Appendix A of the traffic study (see Appendix B of the SEIR). Implementation of Mitigation Measures TRA-1 and TRA-4 would reduce this impact to a less-than-significant level. (DSEIR, p. 13-47.)

Mitigation Measures: The following mitigation measures will to reduce impacts on traffic at the intersection of Shaffer Road and Santa Fe Drive:

Mitigation Measure TRA-1: Impact Fee Fund

A detailed description of this mitigation measure is provided above.

Mitigation Measure TRA-4: Alter Lane Configurations at the Intersection of Shaffer Road and Santa Fe Drive and Add an Additional Westbound and Eastbound Through Lane to Santa Fe Drive

- Split out the southbound and northbound combined left/through/right-turn lane to include an exclusive left-turn lane and a combined through/right-turn lane on Shaffer Road.
- Add an exclusive left-turn lane to the southbound approach creating dual left-turn lanes on Shaffer Road.
- Split out the westbound and eastbound combined through/right-turn lane to include an exclusive through lane and an exclusive right-turn lane on Santa Fe Drive.
- Add an additional westbound and eastbound through lane to Santa Fe Drive.
- Split out the northbound combined through/right-turn lane to include an exclusive through lane and an exclusive right-turn lane on Shaffer Road.
- Add an exclusive left-turn lane to the westbound approach, creating dual left-turn lanes on Santa Fe Drive.
- Add a southbound receiving lane on Shaffer Road.

The proportionate share attributable to the Project is 22.3%.

Significance After Mitigation: The impact is less than significant with mitigation. (DSEIR, p. 13-47.)

Impact TRA-5: The Project will cause an unacceptable LOS at the intersection of Santa Fe Drive and Wallace Road. This impact is considered *less than significant with mitigation*. (DSEIR, p. 13-47.)

Finding: This impact can be minimized through Mitigation Measures TRA-1 and TRA-5. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental effect as identified in the DSEIR. No additional mitigation measures are necessary to render the effects less than significant.

Explanation: The westbound approach is projected to operate at an unacceptable LOS E during the p.m. peak hour prior to the addition of Project traffic. Project-related traffic in addition to traffic levels resulting from Future No Project conditions would exacerbate already unacceptable operations at this intersection, and therefore this is considered to be a significant impact based on City criteria. With implementation of the improvements described in Mitigation Measures TRA-1 and TRA-5, the intersection would operate at an acceptable LOS B and D with 15.0 and 43.2 seconds of delay during the a.m. and p.m. peak hours, respectively. Implementation of the recommended improvements also would reduce the significance of the impact to a less-than-significant level. A detailed intersection operation sheet showing improved operations is included in Appendix A of the traffic study (see Appendix B of the SEIR). Implementation of Mitigation Measures TRA-1 and TRA-5 would reduce this impact to a less-than-significant level. (DSEIR, p. 13-48.)

Mitigation Measures: The following mitigation measures will to reduce impacts on traffic at the intersection of Santa Fe Drive and Wallace Road:

Mitigation Measure TRA-1: Impact Fee Fund

A detailed description of this mitigation measure is provided above.

Mitigation Measure TRA-5: Signalize Intersection, Add Additional Lanes to Santa Fe Drive, and Reconfigure Lanes on Santa Fe Drive and Wallace Road

- Split out the southbound combined through/left-turn lane to include an exclusive through lane and an exclusive left-turn lane on Santa Fe Drive.
- Add an additional northbound and southbound through lane to Santa Fe Drive.
- This intersection meets the MUTC peak-hour signal warrant during both the a.m. and p.m. peak hours and therefore should be considered for signalization.
- Split out the westbound combined left/right-turn lane to include an exclusive left-turn lane and an exclusive right-turn lane on Wallace Road.

The proportionate share attributable to the Project is 40.3%.

Significance After Mitigation: The impact is less than significant with mitigation. (DSEIR, p. 13-48.)

Impact TRA-6: The Project will cause an unacceptable LOS at the intersection of Hospital Road and Wallace Road. This impact is considered *less than significant with mitigation*. (DSEIR, p. 13-48.)

Finding: This impact can be minimized through Mitigation Measures TRA-1 and TRA-6. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental effect as identified in the DSEIR. No additional mitigation measures are necessary to render the effects less than significant.

Explanation: The eastbound approach is projected to operate at an acceptable LOS A prior to the addition of Project traffic during both the a.m. and p.m. peak hours. The addition of Project-related traffic to traffic levels resulting from Future No Project conditions would cause the eastbound approach of Hospital Road and Wallace Road to operate at an unacceptable LOS F during both the a.m. and p.m. peak hours. The westbound approach is projected to operate at an acceptable LOS A prior to the addition of Project traffic during both the a.m. and p.m. peak hours. Project-related traffic in addition to traffic levels resulting from Future No Project conditions would cause the westbound approach of Hospital Road and Wallace Road to operate at an unacceptable LOS F during both the a.m. and p.m. peak hours. This degradation in LOS from an acceptable to unacceptable LOS during both the a.m. and p.m. peak hours is considered a Project-related effect and a significant impact. With implementation of Mitigation Measure TRA-6, the intersection would operate at an acceptable LOS A, with 4.2 and 4.6 seconds of delay during the a.m. and p.m. peak hours, respectively. Implementation of the recommended improvement also would reduce the significance of the impact to a less-than-significant level. A detailed intersection operation sheet showing improved operations is included in Appendix A of the traffic study (see Appendix B of the SEIR). Implementation of Mitigation Measures TRA-1 and TRA-6 would reduce this impact to a less-than-significant level. (DSEIR, p. 13-48.)

Mitigation Measures: The following mitigation measures will to reduce impacts on traffic at the intersection of Hospital Road and Wallace Road:

Mitigation Measure TRA-1: Impact Fee Fund

A detailed description of this mitigation measure is provided above.

Mitigation Measure TRA-6: Signalize Intersection of Hospital Road and Wallace Road

This intersection meets the MUTCD peak-hour signal warrant during both the a.m. and p.m. peak hours and therefore should be considered for signalization.

The proportionate share attributable to the Project is 93%.

Significance After Mitigation: The impact is less than significant with mitigation. (DSEIR, p. 13-49.)

Impact TRA-7: The Project will cause an unacceptable LOS at the intersection of Santa Fe Drive and Buhach Road. This impact is considered *less than significant with mitigation*. (DSEIR, p. 13-49.)

Finding: This impact can be minimized through Mitigation Measures TRA-1 and TRA-7. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental effect as identified in the DSEIR. No additional mitigation measures are necessary to render the effects less than significant.

Explanation: The intersection is projected to operate at an acceptable LOS D and C prior to the addition of Project traffic during the a.m. and p.m. peak hours, respectively. The addition of Project-related traffic to traffic levels resulting from Future No Project conditions would cause the intersection to operate at an unacceptable LOS F during both the a.m. and p.m. peak hours. This degradation in LOS from an acceptable to an unacceptable LOS during both the a.m. and p.m. peak hours is considered a Project-related effect and a significant impact. Implementation of Mitigation Measures TRA-1 and TRA-7 would reduce this impact to a less-than-significant level. With implementation of the improvements described in Mitigation Measures TRA-1 and TRA-7, the intersection would operate at an acceptable LOS C and D with 30.5 and 49.4 seconds of delay during the a.m. and p.m. peak hours, respectively. Implementation of the recommended improvement also would reduce the significance of the impact to a less-than-significant level. A detailed intersection operation sheet showing improved operations is included in Appendix A of the traffic study (see Appendix B of the SEIR). (DSEIR, p. 13-49.)

Mitigation Measures: The following mitigation measures will to reduce impacts on traffic at the intersection of Santa Fe Drive and Buhach Road:

Mitigation Measure TRA-1: Impact Fee Fund

A detailed description of this mitigation measure is provided above.

Mitigation Measure TRA-7: Improve Intersection of Santa Fe Drive and Buhach Road

- Split out the eastbound combined through/right-turn lane to include an exclusive through lane and an exclusive right-turn lane. Add an exclusive left-turn lane to the eastbound approach, creating dual left-turn lanes on Santa Fe Drive.
- Add an exclusive left-turn lane to the westbound approach, creating dual left-turn lanes on Santa Fe Drive.
- Split out the northbound combined through/left-turn lane to include an exclusive through lane and an exclusive left-turn lane on Buhach Road. Split out the northbound combined through/right-turn lane to include an exclusive through lane and an exclusive right-turn lane on Buhach Road. Add an exclusive left-turn lane to the northbound approach, creating dual left-turn lanes on Buhach Road. Add an additional northbound through lane to Buhach Road.
- Add an exclusive left-turn lane to the southbound approach, creating dual left-turn lanes on Buhach Road. Add an additional southbound through lane to Buhach Road.

The proportionate share attributable to the Project is 61%.

Significance After Mitigation: The impact is less than significant with mitigation. (DSEIR, pp. 13-49 thru -50.)

Impact TRA-8: The Project will cause an unacceptable LOS at the intersection of Airdrome Entry and G Street. This impact is considered *less than significant with mitigation*. (DSEIR, p. 13-50.)

Finding: This impact can be minimized through Mitigation Measures TRA-1 and TRA-8. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental effect as identified in the DSEIR. No additional mitigation measures are necessary to render the effects less than significant.

Explanation: The eastbound approach is projected to operate at an acceptable LOS A prior to the addition of Project traffic during both the a.m. and p.m. peak hours. The addition of Project-related traffic to traffic levels resulting from Future No Project conditions would cause the eastbound approach of Airdrome Entry and G Street to operate at an unacceptable LOS F during both the a.m. and p.m. peak hours. The westbound approach is projected to operate at an acceptable LOS C prior to the addition of Project traffic during both the a.m. and p.m. peak hours. The addition of Project-related traffic to traffic levels resulting from Future No Project conditions would cause the westbound approach of Airdrome Entry and G Street to operate at an unacceptable LOS F during both the a.m. and p.m. peak hours. This degradation in LOS from an acceptable LOS to an unacceptable LOS during both the a.m. and p.m. peak hours is considered a Project-related effect and a significant impact. With implementation of Mitigation Measure TRA-8, the intersection would operate at an acceptable LOS A and B, with 8.8 and 16.8 seconds of delay during the a.m. and p.m. peak hours, respectively. Implementation of the recommended improvement also would reduce the significance of the impact to a less-than-significant level. A detailed intersection operation sheet showing improved operations is included in Appendix A of the traffic study (see Appendix B of the SEIR). Implementation of Mitigation Measures TRA-1 and TRA-8 would reduce this impact to a less-than-significant level. (DSEIR, p. 13-50.)

Mitigation Measures: The following mitigation measures will to reduce impacts on traffic at the intersection of Airdrome Entry and G Street:

Mitigation Measure TRA-1: Impact Fee Fund

A detailed description of this mitigation measure is provided above.

Mitigation Measure TRA-8: Install Roundabout at Intersection of Airdrome Entry and G Street

This intersection meets the MUTCD peak-hour signal warrant during both the a.m. and p.m. peak hours. However, the spacing between this intersection and Santa Fe Drive is too short to allow for a signal. A roundabout would improve intersection operations to acceptable levels.

The proportionate share attributable to the Project is 85%.

Significance After Mitigation: The impact is less than significant with mitigation. (DSEIR, p. 13-51.)

Impact TRA-9: The Project will cause an unacceptable LOS at the intersection of Santa Fe Drive and Bellevue Road. This impact is considered *less than significant with mitigation*. (DSEIR, p. 13-50.)

Finding: This impact can be minimized through Mitigation Measures TRA-1 and TRA-9. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental effect as identified in the DSEIR. No additional mitigation measures are necessary to render the effects less than significant.

Explanation: The eastbound right-turn movement is projected to operate at an unacceptable LOS F during both the a.m. and p.m. peak hours prior to the addition of Project traffic. The northbound left-turn movement also is projected to operate at an unacceptable LOS F during the a.m. peak hour prior to the addition of Project traffic. Project-related traffic in addition to traffic levels resulting from Future No Project conditions would exacerbate already unacceptable operations at this intersection, and therefore this is considered to be a significant impact, based on City criteria. With implementation of the improvements described in Mitigation Measure TRA-9, the intersection would operate at an acceptable LOS B and LOS C, with 19.4 and 24.4 seconds of delay during the a.m. and p.m. peak hours, respectively. Implementation of the recommended improvement also would reduce the significance of the impact to a less-than-significant level. A detailed intersection operation sheet showing improved operations is included in Appendix A of the traffic study (see Appendix B of the SEIR). Implementation of Mitigation Measures TRA-1 and TRA-9 would reduce this impact to a less-than-significant level. (DSEIR, p. 13-51.)

Mitigation Measures: The following mitigation measures will to reduce impacts on traffic at the intersection of Santa Fe Drive and Bellevue Road:

Mitigation Measure TRA-1: Impact Fee Fund

A detailed description of this mitigation measure is provided above.

Mitigation Measure TRA-9: Signalize Intersection and Add Lanes to Santa Fe Drive and Bellevue Road

- Add an exclusive left-turn lane to the northbound approach, creating dual left-turn lanes on Santa Fe Drive.
- Add an exclusive right-turn lane to the westbound approach, creating dual right-turn lanes on Bellevue Road.
- This intersection meets the MUTCD peak-hour signal warrant during both the a.m. and p.m. peak hours and therefore should be considered for signalization.

The proportionate share attributable to the Project is 42.6%.

Significance After Mitigation: The impact is less than significant with mitigation. (DSEIR, p. 13-51.)

Impact TRA-10: The Project will cause an unacceptable LOS at the intersection of Spaceport Entry and Santa Fe Drive. This impact is considered *less than significant with mitigation*. (DSEIR, p. 13-50.)

Finding: This impact can be minimized through Mitigation Measures TRA-1 and TRA-10. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental effect as identified in the DSEIR. No additional mitigation measures are necessary to render the effects less than significant.

Explanation: The intersection is projected to operate at an acceptable LOS A prior to the addition of Project traffic during both the a.m. and p.m. peak hours. Project-related traffic in addition to traffic levels resulting from Future No Project conditions would cause the intersection of Spaceport Entry and Santa Fe Drive to operate at an unacceptable LOS F during both the a.m. and p.m. peak hours. This degradation in LOS from an acceptable to unacceptable LOS during both the a.m. and p.m. peak hour is considered a Project-related effect and a significant impact. With implementation of Mitigation Measures TRA-1 and TRA-10, the intersection would operate at an acceptable LOS B and LOS D with 16.6 and 38.2 seconds of delay during the a.m. and p.m. peak hours, respectively. Implementation of the recommended improvement also would reduce the significance of the impact to a less-than-significant level. A detailed intersection operation sheet showing improved operations is included in Appendix A of the traffic study (see Appendix B of the SEIR). Implementation of Mitigation Measures TRA-1 and TRA-10 would reduce this impact to a less-than-significant level. (DSEIR, p. 13-52.)

Mitigation Measures: The following mitigation measures will to reduce impacts on traffic at the intersection of Spaceport Entry and Santa Fe Drive:

Mitigation Measure TRA-1: Impact Fee Fund

A detailed description of this mitigation measure is provided above.

Mitigation Measure TRA-10: Add Lanes and Reconfigure Intersection of Spaceport Entry and Santa Fe Drive

- Add an exclusive left-turn lane to the eastbound approach, creating dual left-turn lanes on Santa Fe Drive.
- Split out the westbound combined through/right-turn lane to include an exclusive through lane and an exclusive right-turn lane on Santa Fe Drive.

The proportionate share attributable to the Project is 54%.

Significance After Mitigation: The impact is less than significant with mitigation. (DSEIR, p. 13-52.)

Impact TRA-11: The Project will cause an unacceptable LOS at the intersection of Santa Fe Drive and Avenue Two. This impact is considered *less than significant with mitigation*. (DSEIR, p. 13-52.)

Finding: This impact can be minimized through Mitigation Measures TRA-1 and TRA-11. Changes or alterations have been required in, or incorporated into, the Project which mitigate or

avoid the significant environmental effect as identified in the DSEIR. No additional mitigation measures are necessary to render the effects less than significant.

Explanation: With the addition of Project-related traffic to traffic levels resulting from Future No Project conditions, the Santa Fe Drive and Avenue Two intersection would continue to operate at an unacceptable LOS F under the Cumulative Plus Project Minus Initial Phase condition during the a.m. and p.m. peak hours. Additionally, with the addition of Project-related traffic to traffic levels resulting from Future No Project conditions, the northbound left-turn movement of the Santa Fe Drive and Avenue Two intersection would continue to operate at an unacceptable LOS F under the Cumulative Plus Project Minus Initial Phase condition during the a.m. and p.m. peak hours. The Project would increase the traffic volume at the intersection by more than 5%. With implementation of the improvements described in Mitigation Measure TRA-11, the intersection would operate at an acceptable LOS C, with 20.8 and 27.1 seconds of delay during the a.m. and p.m. peak hours, respectively. Implementation of the recommended improvement also would reduce the significance of the impact to a less-than-significant level. A detailed intersection operation sheet showing improved operations is included in Appendix A of the traffic study (see Appendix B of the SEIR). Therefore, this impact is considered significant. Implementation of Mitigation Measures TRA-1 and TRA-11 would reduce this impact to a less-than-significant level. (DSEIR, p. 13-53.)

Mitigation Measures: The following mitigation measures will to reduce impacts on traffic at the intersection of Santa Fe Drive and Avenue Two:

Mitigation Measure TRA-1: Impact Fee Fund

A detailed description of this mitigation measure is provided above.

Mitigation Measure TRA-11: Signalize Intersection and Reconfigure Lanes at Santa Fe Drive and Avenue Two

- This intersection meets the MUTCD peak-hour signal warrant during both the a.m. and p.m. peak hours and therefore should be considered for signalization.
- Split out the eastbound combined left/right-turn lane to include an exclusive left-turn lane and an exclusive right-turn lane on Avenue Two.

The proportionate share attributable to the Project is 33.0%.

Significance After Mitigation: The impact is less than significant with mitigation. (DSEIR, p. 13-53.)

Impact TRA-12: The Project will cause an unacceptable LOS at the intersection of Franklin Road and Bellevue Road. This impact is considered *less than significant with mitigation*. (DSEIR, p. 13-53.)

Finding: This impact can be minimized through Mitigation Measures TRA-1 and TRA-12. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental effect as identified in the DSEIR. No additional mitigation measures are necessary to render the effects less than significant.

Explanation: With the addition of Project-related traffic to traffic levels resulting from Future No Project conditions, the intersection of Franklin Road and Bellevue Road would continue to operate at an unacceptable LOS F under the Cumulative Plus Project Minus Initial Phase condition during the p.m. peak hour. The Project would increase the traffic volume at the intersection by more than 5%. Therefore, this impact is considered significant. With implementation Mitigation Measures TRA-1 and TRA-12 the intersection would operate at an acceptable LOS A and C, with 8.7 and 25.1 seconds of delay during the a.m. and p.m. peak hours, respectively. Implementation of the recommended improvement also would reduce the significance of the impact to a less-than-significant level. A detailed intersection operation sheet showing improved operations is included in Appendix A of the traffic study (see Appendix B of the SEIR). Implementation of Mitigation Measures TRA-1 and TRA-12 would reduce this impact to a less-than-significant level. (DSEIR, p. 13-54.)

Mitigation Measures: The following mitigation measures will to reduce impacts on traffic at the intersection of Franklin Road and Bellevue Road:

Mitigation Measure TRA-1: Impact Fee Fund

A detailed description of this mitigation measure is provided above.

Mitigation Measure TRA-12: Signalize Intersection of Franklin Road and Bellevue Road

This intersection meets the MUTCD peak-hour signal warrant during both the a.m. and p.m. peak hours and therefore should be considered for signalization.

The proportionate share attributable to the Project is 14.2%.

Significance After Mitigation: The impact is less than significant with mitigation. (DSEIR, p. 13-54.)

Impact TRA-13: The Project will cause an unacceptable LOS at the intersection of SR 59 and Bellevue Road. This impact is considered *less than significant with mitigation*. (DSEIR, p. 13-52.)

Finding: This impact can be minimized through Mitigation Measures TRA-1 and TRA-13. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental effect as identified in the DSEIR. No additional mitigation measures are necessary to render the effects less than significant.

Explanation: The intersection is projected to operate at an unacceptable LOS F during both the a.m. and p.m. peak hours prior to the addition of Project traffic. Project-related traffic in addition to traffic levels resulting from Future No Project conditions would exacerbate already unacceptable operations at this intersection, and therefore this is considered to be a significant impact based Caltrans' criteria. With implementation of Mitigation Measures TRA-1 and TRA-13, the intersection would operate at an acceptable LOS C, with 25.5 and 24.8 seconds of delay during the a.m. and p.m. peak hours, respectively. Implementation of the recommended improvement also would reduce the significance of the impact to a less-than-significant level. A detailed intersection operation sheet showing improved operations is included in Appendix A of

the traffic study (see Appendix B of the SEIR). Implementation of Mitigation Measures TRA-1 and TRA-13 would reduce this impact to a less-than-significant level. (DSEIR, p. 13-54.)

Mitigation Measures: The following mitigation measures will to reduce impacts on traffic at the intersection of SR 59 and Bellevue Road:

Mitigation Measure TRA-1: Impact Fee Fund

A detailed description of this mitigation measure is provided above.

Mitigation Measure TRA-13: Signalize and Reconfigure Intersection of SR 59 and Bellevue Road

- This intersection meets the MUTCD peak-hour signal warrant during both the a.m. and p.m. peak hours and therefore should be considered for signalization.
- Split out the southbound, northbound, eastbound, and westbound combined left/through/right-turn lane to include an exclusive left-turn lane, an exclusive through lane, and a combined through/right-turn lane on SR 59 and Bellevue Road.

The proportionate share attributable to the Project is 14.6%.

These improvements should be implemented only if the SR 59 realignment between Bellevue Road and SR 99 does not take place. At this time, no final selection has occurred for the alignment, and it is not fully funded. The SR 59 alignment would help to relieve congestion along the existing SR 59 corridor.

Significance After Mitigation: The impact is less than significant with mitigation. (DSEIR, p. 13-54.)

Impact TRA-14: The Project will cause an unacceptable LOS at the intersection of Franklin Road and Santa Fe Drive. This impact is considered *less than significant with mitigation*. (DSEIR, p. 13-55.)

Finding: This impact can be minimized through Mitigation Measures TRA-1 and TRA-14. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental effect as identified in the DSEIR. No additional mitigation measures are necessary to render the effects less than significant.

Explanation: With the addition of Project-related traffic to traffic levels resulting from Future No Project conditions, the intersection of Franklin Road and Santa Fe Drive would continue to operate at an unacceptable LOS F under the Cumulative Plus Project Minus Initial Phase condition during the a.m. and p.m. peak hours. The Project would increase the traffic volume at the intersection by more than 5%. Therefore, this impact is considered significant. Implementation of Mitigation Measures TRA-1 and TRA-14 would reduce this impact to a less-than-significant level. With implementation of the improvements described in Mitigation Measure TRA-14, the intersection would operate at an acceptable LOS C and LOS D, with 32.5 and 35.9 seconds of delay during the a.m. and p.m. peak hours, respectively. Implementation of the recommended improvement also would reduce the significance of the impact to a less-than-

significant level. A detailed intersection operation sheet showing improved operations is included in Appendix A of the traffic study (see Appendix B of the SEIR). (DSEIR, p. 13-55.)

Mitigation Measures: The following mitigation measures will to reduce impacts on traffic at the intersection of Franklin Road and Santa Fe Drive:

Mitigation Measure TRA-1: Impact Fee Fund

A detailed description of this mitigation measure is provided above.

Mitigation Measure TRA-14: Reconfigure Lanes at the Intersection of Franklin Road and Santa Fe Drive

- Split out the northbound combined left/through/right-turn lane to include a combined through/left-turn lane and an exclusive right-turn lane on Franklin Road.
- Split out the westbound combined through/right-turn lane to include an exclusive through lane and an exclusive right-turn lane on Santa Fe Drive.
- Split out the northbound combined through/left-turn lane to include an exclusive through lane and an exclusive left-turn lane on Franklin Road.
- Add an additional eastbound and westbound through lane to Santa Fe Drive.

The proportionate share attributable to the Project is 29.7%.

Significance After Mitigation: The impact is less than significant with mitigation. (DSEIR, p. 13-55.)

Impact TRA-15: The Project will contribute to an already unacceptable LOS at the intersection of SR 59 and Santa Fe Drive. This impact is considered *significant and unavoidable*. (DSEIR, p. 13-56.)

Finding: Changes or alterations have been required in, or incorporated into, the Project that substantially lessen, but do not avoid, the potentially significant environmental effects associated with the LOS at this intersection. No mitigation is available to render the effects less than significant. The effects therefore remain significant and unavoidable.

Explanation: The intersection is projected to operate at an unacceptable LOS F during both the a.m. and p.m. peak hours prior to the addition of Project traffic. Project-related traffic in addition to traffic levels resulting from Future No Project conditions would exacerbate already unacceptable operations at this intersection, and therefore this is considered to be a significant impact based Caltrans' criteria. No feasible mitigation measure was identified for the Santa Fe Drive and SR 59 intersection. The analysis assumed the following recommended intersection configurations on each of the four approaches to this intersection:

- two exclusive left-turn lanes,
- three exclusive through lanes, and
- one exclusive right-turn lane.

This intersection lane configuration is considered to be the maximum feasible configuration for this intersection with the existing available right of way. Therefore, no additions to this lane configuration were recommended, even though the intersection would operate at an unacceptable LOS. In order to mitigate the impact, three exclusive left-turn lanes at the westbound approach would be required, and additional ROW would be needed. Additional land for ROW is not feasibly available at this location. Because this is not a feasible mitigation measure, this impact is considered significant and unavoidable. (DSEIR, p. 56.)

Mitigation Measures: No feasible mitigation available.

Significance After Mitigation: The impact is significant and unavoidable. (DSEIR, p. 13-56.)

Impact TRA-16: The Project will cause an unacceptable LOS at the intersection of Buhach Road and Bellevue Road. This impact is considered *less than significant with mitigation*. (DSEIR, p. 13-56.)

Finding: This impact can be minimized through Mitigation Measures TRA-1 and TRA-15. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental effect as identified in the DSEIR. No additional mitigation measures are necessary to render the effects less than significant.

Explanation: The intersection is projected to operate at an acceptable LOS D and LOS C during the a.m. and p.m. peak hours, respectively, prior to the addition of Project traffic. Project-related traffic in addition to traffic levels resulting from Future No Project conditions would cause the intersection of Bellevue Road and Buhach Road to operate at an unacceptable LOS F during the a.m. and p.m. peak hours. This degradation in LOS from D and C to F during the a.m. and p.m. peak hours, respectively, is considered a Project-related effect and a significant impact. With implementation of the improvements described in Mitigation Measure TRA-15, the intersection would operate at an acceptable LOS C and LOS D, with 29.0 and 48.9 seconds of delay during the a.m. and p.m. peak hours, respectively. Implementation of the recommended improvement also would reduce the significance of the impact to a less-than-significant level. A detailed intersection operation sheet showing improved operations is included in Appendix A of the traffic study (the traffic study is Appendix B of the SEIR). Implementation of Mitigation Measures TRA-1 and TRA-15 would reduce this impact to a less-than-significant level. (DSEIR, p. 13-57.)

Mitigation Measures: The following mitigation measures will to reduce impacts on traffic at the intersection of Buhach Road and Bellevue Road:

Mitigation Measure TRA-1: Impact Fee Fund

A detailed description of this mitigation measure is provided above.

Mitigation Measure TRA-15: Improve Intersection of Buhach Road and Bellevue Road

- Split out the northbound combined through/right-turn lane to include an exclusive through lane and an exclusive right-turn lane on Buhach Road.

- Split out the southbound combined through/left-turn lane to include an exclusive through lane and an exclusive left-turn lane on Buhach Road. Add two additional southbound through lanes to Buhach Road.
- Add an exclusive eastbound and westbound through lane to Bellevue Road. Add an exclusive left-turn lane to the eastbound and westbound approaches, creating dual left-turn lanes on Bellevue Road.

The proportionate share attributable to the Project is 61%.

Significance After Mitigation: The impact is less than significant with mitigation. (DSEIR, p. 13-57.)

Impact TRA-17: The Project will cause an unacceptable LOS at the intersection of Avenue Two and Buhach Road. This impact is considered *less than significant with mitigation*. (DSEIR, p. 13-57.)

Finding: This impact can be minimized through Mitigation Measures TRA-1 and TRA-16. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental effect as identified in the DSEIR. No additional mitigation measures are necessary to render the effects less than significant.

Explanation: The intersection is projected to operate at an unacceptable LOS F during the a.m. peak hour, prior to the addition of Project traffic. Project-related traffic in addition to traffic levels resulting from Future No Project conditions would exacerbate already unacceptable operations at this intersection, and therefore this is considered to be a significant impact based on City criteria. With implementation of the improvements identified in Mitigation Measure TRA-16, the intersection would operate at an acceptable LOS D and C, with 47.5 and 28.0 seconds of delay during the a.m. and p.m. peak hours, respectively. Implementation of the recommended improvement also would reduce the significance of the impact to a less-than-significant level. A detailed intersection operation sheet showing improved operations is included in Appendix A of the traffic study (see Appendix B of the SEIR). Implementation of Mitigation Measures TRA-1 and TRA-16 would reduce this impact to a less-than-significant level. (DSEIR, p. 13-58.)

Mitigation Measures: The following mitigation measures will to reduce impacts on traffic at the intersection of Avenue Two and Buhach Road:

Mitigation Measure TRA-1: Impact Fee Fund

A detailed description of this mitigation measure is provided above.

Mitigation Measure TRA-16: Reconfigure Lanes on Buhach Road and Avenue Two and Add Lanes on Avenue Two and Buhach Road

- Split out the northbound and southbound combined through/right-turn lane to include an exclusive through lane and an exclusive right-turn lane on Buhach Road.
- Add an additional eastbound through lane to Avenue Two.

- Add an additional westbound through lane and split out the westbound combined through/right-turn lane to include an exclusive through lane and an exclusive right-turn lane on Avenue Two.
- Add an additional northbound and southbound through lane to Buhach Road.
- Add an exclusive left-turn lane to the northbound and southbound approaches, creating dual left-turn lanes on Buhach Road.

The proportionate share attributable to the Project is 44.8%.

Significance After Mitigation: The impact is less than significant with mitigation. (DSEIR, p. 13-58.)

Impact TRA-18: The Project will cause an unacceptable LOS at the intersection of Buhach Road and Avenue One. This impact is considered *less than significant with mitigation*. (DSEIR, p. 13-58.)

Finding: This impact can be minimized through Mitigation Measures TRA-1 and TRA-17. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental effect as identified in the DSEIR. No additional mitigation measures are necessary to render the effects less than significant.

Explanation: The intersection is projected to operate at an acceptable LOS C during the a.m. peak hour prior to the addition of Project traffic. Project-related traffic in addition to traffic levels resulting from Future No Project conditions would cause the intersection of Avenue One and Buhach Road to operate at an unacceptable LOS F during the a.m. peak hour. This degradation in LOS from C to F during the a.m. peak hour is considered a Project-related effect and a significant impact. With implementation of the improvements described in Mitigation Measure TRA-17, the intersection would operate at an acceptable LOS D and C, with 41.6 and 21.6 seconds of delay during the a.m. and p.m. peak hours, respectively. Implementation of the recommended improvement also would reduce the significance of the impact to a less-than-significant level. A detailed intersection operation sheet showing improved operations is included in Appendix A of the traffic study (see Appendix B of the SEIR). Implementation of Mitigation Measures TRA-1 and TRA-17 would reduce this impact to a less-than-significant level. (DSEIR, p. 13-58.)

Mitigation Measures: The following mitigation measures will to reduce impacts on traffic at the intersection of Buhach Road and Avenue One:

Mitigation Measure TRA-1: Impact Fee Fund

A detailed description of this mitigation measure is provided above.

Mitigation Measure TRA-17: Add Lanes to Buhach Road

Add an additional northbound and southbound through lane to Buhach Road.

The proportionate share attributable to the Project is 52%.

Significance After Mitigation: The impact is less than significant with mitigation. (DSEIR, p. 13-58.)

Impact TRA-19: The Project will cause an unacceptable LOS at the intersection of Ashby Road and Buhach Road. This impact is considered *less than significant with mitigation*. (DSEIR, p. 13-58.)

Finding: This impact can be minimized through Mitigation Measures TRA-1 and TRA-18. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental effect as identified in the DSEIR. No additional mitigation measures are necessary to render the effects less than significant.

Explanation: With Project-related traffic in addition to traffic levels resulting from Future No Project conditions, the eastbound approach of the Ashby Road and Buhach Road intersection would continue to operate at an unacceptable LOS F under the Cumulative Plus Project Minus Initial Phase condition during the a.m. and p.m. peak hours. With Project-related traffic in addition to traffic levels resulting from Future No Project conditions, the northbound left-turn movement of the Ashby Road and Buhach Road intersection would continue to operate at an unacceptable LOS F under the Cumulative Plus Project Minus Initial Phase condition during the a.m. and p.m. peak hours. The Project would increase the traffic volume at the intersection by more than 5%. Therefore, this impact is considered significant. With implementation of the improvements described in Mitigation Measure TRA-18, the intersection would operate at an acceptable LOS D and LOS C, with 38.3 and 27.4 seconds of delay during the a.m. and p.m. peak hours, respectively. Implementation of the recommended improvement also would reduce the significance of the impact to a less-than-significant level. A detailed intersection operation sheet showing improved operations is included in Appendix A of the traffic study (see Appendix B of the SEIR) Implementation of Mitigation Measures TRA-1 and TRA-18 would reduce this impact to a less-than-significant level. (DSEIR, p. 13-59.)

Mitigation Measures: The following mitigation measures will to reduce impacts on traffic at the intersection of Ashby Road and Buhach Road:

Mitigation Measure TRA-1: Impact Fee Fund

A detailed description of this mitigation measure is provided above.

Mitigation Measure TRA-18: Improve the Intersection of Ashby Road and Buhach Road

- This intersection meets the MUTCD peak-hour signal warrant during both the a.m. and p.m. peak hours and therefore should be considered for signalization.
- Add an exclusive left-turn lane to the northbound approach, creating dual left-turn lanes and split out the northbound combined left/through lane to include an exclusive left-turn lane and an exclusive through lane on Ashby Road.
- Add an exclusive left-turn lane to the eastbound approach, creating dual left-turn lanes, and split out the eastbound combined left/right-turn lane to include an exclusive left-turn lane and an exclusive right-turn lane on Buhach Road.

- Split out the southbound combined through/right-turn lane to include an exclusive through lane and an exclusive right-turn lane on Ashby Road. Add an eastbound and southbound departure lane for approximately 500 feet and then taper back to one lane.
- Add an additional northbound and southbound through lane to Ashby Road.

The proportionate share attributable to the Project is 30.4%.

Significance After Mitigation: The impact is less than significant with mitigation. (DSEIR, p. 13-58 thru -59.)

Impact TRA-20: The Project will cause an unacceptable LOS at the intersection of Broadway Avenue and Buhach Road. This impact is considered *less than significant with mitigation*. (DSEIR, p. 13-60.)

Finding: This impact can be minimized through Mitigation Measures TRA-1 and TRA-19. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental effect as identified in the DSEIR. No additional mitigation measures are necessary to render the effects less than significant.

Explanation: With Project-related traffic in addition to traffic levels resulting from Future No Project conditions, the eastbound approach of the Broadway Avenue and Buhach Road intersection would continue to operate at an unacceptable LOS F under the Cumulative Plus Project Minus Initial Phase condition during the a.m. and p.m. peak hours. The Project would increase the traffic volume at the intersection by more than 5%. Therefore, this impact is considered significant. With implementation of the improvements described in Mitigation Measure TRA-19, the intersection would operate at an acceptable LOS B, with 10.8 and 15.3 seconds of delay during the a.m. and p.m. peak hours, respectively. Implementation of the recommended improvement also would reduce the significance of the impact to a less-than-significant level. A detailed intersection operation sheet showing improved operations is included in Appendix A of the traffic study (see Appendix B of the SEIR). Implementation of Mitigation Measures TRA-1 and TRA-19 would reduce this impact to a less-than-significant level. (DSEIR, p. 13-60.)

Mitigation Measures: The following mitigation measures will to reduce impacts on traffic at the intersection of Broadway Avenue and Buhach Road:

Mitigation Measure TRA-1: Impact Fee Fund

A detailed description of this mitigation measure is provided above.

Mitigation Measure TRA-19: Signalize and Reconfigure Lanes at the Intersection of Broadway Avenue and Buhach Road

- This intersection meets the MUTCD peak-hour signal warrant during both the a.m. and p.m. peak hours and therefore should be considered for signalization.
- Split out the northbound combined through/left-turn lane to include an exclusive through lane and an exclusive left-turn lane on Buhach Road.

The proportionate share attributable to the Project is 37%.

Significance After Mitigation: The impact is less than significant with mitigation. (DSEIR, p. 13-60.)

Impact TRA-21: The Project will cause an unacceptable LOS at the intersection of Ashby Road and Buhach Road. This impact is considered *less than significant with mitigation*. (DSEIR, p. 13-61.)

Finding: This impact can be minimized through Mitigation Measures TRA-1 and TRA-20. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental effect as identified in the DSEIR. No additional mitigation measures are necessary to render the effects less than significant.

Explanation: With Project-related traffic in addition to traffic levels resulting from Future No Project conditions, the northbound approach of the Ashby Road and Buhach Road Overcrossing intersection would continue to operate at an unacceptable LOS F under the Cumulative Plus Project condition during the a.m. and p.m. peak hours. The Project would increase the traffic volume at the intersection by more than 5%. Therefore, this impact is considered significant. With implementation of the improvements described in Mitigation Measure TRA-20, the intersection would operate at an acceptable LOS D, with 35.9 and 43.9 seconds of delay during the a.m. and p.m. peak hours, respectively. Implementation of the recommended improvement also would reduce the significance of the impact to a less-than-significant level. A detailed intersection operation sheet showing improved operations is included in Appendix A of the traffic study (see Appendix B of the SEIR). Implementation of Mitigation Measures TRA-1 and TRA-20 would reduce this impact to a less-than-significant level. (DSEIR, p. 13-61.)

Mitigation Measures: The following mitigation measures will to reduce impacts on traffic at the intersection of Ashby Road and Buhach Road:

Mitigation Measure TRA-1: Impact Fee Fund

A detailed description of this mitigation measure is provided above.

Mitigation Measure TRA-20: Signalize and Reconfigure Intersection of Ashby Road and Buhach Road Overcrossing

- This intersection meets the MUTCD peak-hour signal warrant during both the a.m. and p.m. peak hours and therefore should be considered for signalization.
- Split out the eastbound combined through/right-turn lane to include an exclusive through lane and an exclusive right-turn lane on Ashby Road. Split out the westbound combined through/left-turn lane to include an exclusive through lane and an exclusive left-turn lane on Ashby Road.

The proportionate share attributable to the Project is 22.1%.

Significance After Mitigation: The impact is less than significant with mitigation. (DSEIR, p. 13-61.)

Impact TRA-22: The Project will cause an unacceptable LOS at the intersection of SR 99 Southbound Ramps and Ashby Road. This impact is considered *less than significant with mitigation*. (DSEIR, p. 13-61.)

Finding: This impact can be minimized through Mitigation Measures TRA-1 and TRA-21. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental effect as identified in the DSEIR. No additional mitigation measures are necessary to render the effects less than significant.

Explanation: The northbound left-turn movement is projected to operate at an unacceptable LOS F during both the a.m. and p.m. peak hours prior to the addition of Project traffic. Project-related traffic in addition to traffic levels resulting from Future No Project conditions would exacerbate already unacceptable operations at this intersection, and therefore this is considered to be a significant impact based Caltrans' criteria. With implementation of this improvement, the intersection would operate at an acceptable LOS C, with 30.1 and 33.5 seconds of delay during the a.m. and p.m. peak hours, respectively. Implementation of the recommended improvement also would reduce the significance of the impact to a less-than-significant level. A detailed intersection operation sheet showing improved operations is included in Appendix A of the traffic study (see Appendix B of the SEIR). Implementation of Mitigation Measures TRA-1 and TRA-21 would reduce this impact to a less-than-significant level. (DSEIR, p. 13-61.)

Mitigation Measures: The following mitigation measures will to reduce impacts on traffic at the intersection of SR 99 Southbound Ramps and Ashby Road:

Mitigation Measure TRA-1: Impact Fee Fund

A detailed description of this mitigation measure is provided above.

Mitigation Measure TRA-21: Signalize Intersection of SR 99 Southbound Ramps and Ashby Road

This intersection meets the MUTCD peak-hour signal warrant during both the a.m. and p.m. peak hours and therefore should be considered for signalization.

The proportionate share attributable to the Project is 27.7%.

Significance After Mitigation: The impact is less than significant with mitigation. (DSEIR, p. 13-62.)

Impact TRA-23: The Project will cause an unacceptable LOS at the intersection of Franklin Road and Ashby Road. This impact is considered *less than significant with mitigation*. (DSEIR, p. 13-62.)

Finding: This impact can be minimized through Mitigation Measures TRA-1 and TRA-22. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental effect as identified in the DSEIR. No additional mitigation measures are necessary to render the effects less than significant.

Explanation: With Project-related traffic in addition to traffic levels resulting from Future No Project conditions, the intersection of the Franklin Road and Ashby Road would continue to operate at an unacceptable LOS F under the Cumulative Plus Project Minus Initial Phase conditions during the p.m. peak hours. The Project would increase the traffic volume at the intersection by more than 5%. Therefore, this impact is considered significant. With implementation of the improvements described in Mitigation Measure TRA-22, the intersection would operate at an acceptable LOS D, with 46.2 and 47.6 seconds of delay during the a.m. and p.m. peak hours, respectively. Implementation of the recommended improvement also would reduce the significance of the impact to a less-than-significant level. A detailed intersection operation sheet showing improved operations is included in Appendix A of the traffic study (see Appendix B of the SEIR). Implementation of Mitigation Measures TRA-1 and TRA-22 would reduce this impact to a less-than-significant level. (DSEIR, p. 13-62.)

Mitigation Measures: The following mitigation measures will to reduce impacts on traffic at the intersection of Franklin Road and Ashby Road:

Mitigation Measure TRA-1: Impact Fee Fund

A detailed description of this mitigation measure is provided above.

Mitigation Measure TRA-22: Signalize Intersection of Franklin Road and Ashby Road and Reconfigure Lanes on Ashby Road

- This intersection meets the MUTCD peak-hour signal warrant during both the a.m. and p.m. peak hours and therefore should be considered for signalization.
- Split out the eastbound and westbound combined left/through/right-turn lane to include an exclusive left-turn lane and a combined through/right-turn lane on Ashby Road.

The proportionate share attributable to the Project is 9.2%.

Significance After Mitigation: The impact is less than significant with mitigation. (DSEIR, p. 13-62.)

Impact TRA-24: The Project will cause an unacceptable LOS at the intersection of SR 99 Northbound Ramps and Sycamore Avenue. This impact is considered *less than significant with mitigation*. (DSEIR, p. 13-63.)

Finding: This impact can be minimized through Mitigation Measures TRA-1 and TRA-23. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental effect as identified in the DSEIR. No additional mitigation measures are necessary to render the effects less than significant.

Explanation: The northbound approach is projected to operate at an acceptable LOS D during the p.m. peak hour prior to the addition of Project traffic. Project-related traffic, in addition to traffic levels resulting from Future No Project conditions, would cause the northbound approach of SR 99 Northbound Ramps and Sycamore Avenue to operate at an unacceptable LOS F during the p.m. peak hour. This degradation in LOS from D to F during the p.m. peak hour is considered a Project-related effect and a significant impact. With implementation of this

improvement, the intersection would operate at an acceptable LOS B and LOS A with 10.7 and 9.4 seconds of delay during the a.m. and p.m. peak hours, respectively. Implementation of the recommended improvement also would reduce the significance of the impact to a less-than-significant level. A detailed intersection operation sheet showing improved operations is included in Appendix A of the traffic study (see Appendix B of the SEIR). Implementation of Mitigation Measures TRA-1 and TRA-23 would reduce this impact to a less-than-significant level. (DSEIR, p. 13-63.)

Mitigation Measures: The following mitigation measures will to reduce impacts on traffic at the intersection of SR 99 Northbound Ramps and Sycamore Avenue:

Mitigation Measure TRA-1: Impact Fee Fund

A detailed description of this mitigation measure is provided above.

Mitigation Measure TRA-23: Signalize and Reconfigure Intersection of SR 99 Northbound Ramps and Sycamore Avenue

- This intersection meets the MUTCD peak-hour signal warrant during both the a.m. and p.m. peak hours and therefore should be considered for signalization.
- The combined westbound left/through lane should be split out to include an exclusive left-turn lane and an exclusive through lane.
- The combined northbound left/right-turn lane should be split out to include an exclusive left-turn lane and an exclusive right-turn lane.

The proportionate share attributable to the Project is 11%.

Significance After Mitigation: The impact is less than significant with mitigation. (DSEIR, p. 13-63.)

Impact TRA-25: The Project will cause an unacceptable LOS at the intersection of SR 99 Southbound Ramps and Bell Lane. This impact is considered *less than significant with mitigation*. (DSEIR, p. 13-64.)

Finding: This impact can be minimized through Mitigation Measures TRA-1 and TRA-24. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental effect as identified in the DSEIR. No additional mitigation measures are necessary to render the effects less than significant.

Explanation: The intersection is projected to operate at an unacceptable LOS E during the a.m. peak hour and LOS F during the p.m. peak hour prior to the addition of Project traffic. Project-related traffic in addition to traffic levels resulting from Future No Project conditions would exacerbate already unacceptable operations at this intersection, and therefore this is considered to be a significant impact based Caltrans' criteria. With implementation of this improvement, the intersection would operate at an acceptable LOS C and D with 21.2 and 40.5 seconds of delay during the a.m. and p.m. peak hours, respectively. Implementation of the recommended improvement also would reduce the significance of the impact to a less-than-significant level. A detailed intersection operation sheet showing improved operations is included in Appendix A of

the traffic study (see Appendix B of the SEIR). Implementation of Mitigation Measures TRA-1 and TRA-24 would reduce this impact to a less-than-significant level. (DSEIR, p. 13-64.)

Mitigation Measures: The following mitigation measures will to reduce impacts on traffic at the intersection of SR 99 Southbound Ramps and Bell Lane:

Mitigation Measure TRA-1: Impact Fee Fund

A detailed description of this mitigation measure is provided above.

Mitigation Measure TRA-24 (New): Signalize and Reconfigure Intersection of SR 99 Southbound Ramps and Bell Lane

- This intersection meets the MUTCD peak-hour signal warrant during both the a.m. and p.m. peak hours and therefore should be considered for signalization.
- The combined southbound left/through/right-turn lane should be split out to include an exclusive left-turn lane and a combined through/right-turn lane.

The proportionate share attributable to the Project is 12%.

Significance After Mitigation: The impact is less than significant with mitigation. (DSEIR, p. 13-64.)

Impact TRA-26: The Project will cause an unacceptable LOS at Santa Fe Drive between Shaffer Road and Wallace Road. This impact is considered *less than significant with mitigation*. (DSEIR, p. 13-65.)

Finding: This impact can be minimized through Mitigation Measures TRA-1 and TRA-25. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental effect as identified in the DSEIR. No additional mitigation measures are necessary to render the effects less than significant.

Explanation: With Project-related traffic in addition to traffic levels resulting from Future No Project conditions, the roadway segment of Santa Fe Drive between Shaffer Road and Wallace Road would continue to operate at LOS F. The Project would increase the traffic volume at the roadway segment by more than 5%. With implementation of Mitigation Measure TRA-25, the roadway segment would operate at an acceptable LOS C. Implementation of the recommended improvement also would reduce the significance of the impact to a less-than-significant level. Therefore, this impact is considered significant. Implementation of Mitigation Measures TRA-1 and TRA-25 would reduce this impact to a less-than-significant level. (DSEIR, p. 13-65.)

Mitigation Measures: The following mitigation measures will to reduce impacts on traffic the roadway segment at Santa Fe Drive between Shaffer Road and Wallace Road:

Mitigation Measure TRA-1: Impact Fee Fund

A detailed description of this mitigation measure is provided above.

Mitigation Measure TRA-25 : Widen Santa Fe Drive between Shaffer Road and Wallace Road from Two to Four Lanes

The proportionate share attributable to the Project is 28%.

Significance After Mitigation: The impact is less than significant with mitigation. (DSEIR, p. 13-65.)

Impact TRA-27: The Project will cause an unacceptable LOS at Santa Fe Drive between Wallace Road and Buhach Road. This impact is considered *less than significant with mitigation*. (DSEIR, p. 13-66.)

Finding: This impact can be minimized through Mitigation Measures TRA-1 and TRA-26. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental effect as identified in the DSEIR. No additional mitigation measures are necessary to render the effects less than significant.

Explanation: With Project-related traffic in addition to traffic levels resulting from Future No Project conditions, the roadway segment of Santa Fe Drive between Wallace Road and Buhach Road would operate at LOS F. The Project would increase the traffic volume at the roadway segment by more than 5%. Therefore, this impact is considered significant. With implementation of Mitigation Measure TRA-26, the roadway segment would operate at an acceptable LOS B. Implementation of the recommended improvement also would reduce the significance of the impact to a less-than-significant level. Implementation of Mitigation Measures TRA-1 and TRA-26 would reduce this impact to a less-than-significant level. (DSEIR, p. 13-66.)

Mitigation Measures: The following mitigation measures will to reduce impacts on traffic the roadway segment at Santa Fe Drive between Wallace Road and Buhach Road:

Mitigation Measure TRA-1: Impact Fee Fund

A detailed description of this mitigation measure is provided above.

Mitigation Measure TRA-26: Widen Santa Fe Drive between Wallace Road and Buhach Road from Two to Four Lanes

The proportionate share attributable to the Project is 26%.

Significance After Mitigation: The impact is less than significant with mitigation. (DSEIR, p. 13-66.)

Impact TRA-28: The Project will cause an unacceptable LOS at Santa Fe Drive between Spaceport Entry and Franklin Road. This impact is considered *less than significant with mitigation*. (DSEIR, p. 13-66.)

Finding: This impact can be minimized through Mitigation Measures TRA-1 and TRA-27. Changes or alterations have been required in, or incorporated into, the Project which mitigate or

avoid the significant environmental effect as identified in the DSEIR. No additional mitigation measures are necessary to render the effects less than significant.

Explanation: The addition of Project-related traffic to traffic levels resulting from Future No Project conditions would cause the roadway segment to operate at an unacceptable LOS F. Project-related traffic would contribute to the poor operation and degrade operating conditions at this roadway segment from LOS C under the Future No Project to LOS F under the Cumulative Plus Project Minus Initial Phase condition. This degradation in LOS from C to F is considered a project-related effect and a significant impact. With implementation of Mitigation Measure TRA-27, the roadway segment would operate at an acceptable LOS C. Implementation of the recommended improvement also would reduce the significance of the impact to a less-than-significant level. Implementation of Mitigation Measures TRA-1 and TRA-27 would reduce this impact to a less-than-significant level. (DSEIR, p. 13-66.)

Mitigation Measures: The following mitigation measures will to reduce impacts on traffic the roadway segment at Santa Fe Drive between Shaffer Road and Wallace Road:

Mitigation Measure TRA-1: Impact Fee Fund

A detailed description of this mitigation measure is provided above.

Mitigation Measure TRA-27: Widen Santa Fe Drive between Spaceport Entry and Franklin Road from Four to Six Lanes

The proportionate share attributable to the Project is 32%.

Significance After Mitigation: The impact is less than significant with mitigation. (DSEIR, p. 13-66.)

Impact TRA-29: The Project will cause an unacceptable LOS at Bellevue Road between SR 59 and Franklin Road. This impact is considered *less than significant with mitigation*. (DSEIR, p. 13-67.)

Finding: This impact can be minimized through Mitigation Measures TRA-1 and TRA-28. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental effect as identified in the DSEIR. No additional mitigation measures are necessary to render the effects less than significant.

Explanation: The addition of Project-related traffic to traffic levels resulting from Future No Project conditions would cause the roadway segment to operate at an unacceptable LOS D. Project-related traffic would contribute to the poor operation and degrade operating conditions at this roadway segment from LOS C under the Future No Project to LOS D under the Cumulative Plus Project Minus Initial Phase condition. This degradation in LOS from C to D is considered a project-related effect and a significant impact. With implementation of Mitigation Measure TRA-28, the roadway segment would operate at an acceptable LOS A. Implementation of the recommended improvement also would reduce the significance of the impact to a less-than-significant level. Implementation of Mitigation Measures TRA-1 and TRA-28 would reduce this impact to a less-than-significant level. (DSEIR, p. 13-67.)

Mitigation Measures: The following mitigation measures will to reduce impacts on traffic the roadway segment at Bellevue Road between SR 59 and Franklin Road:

Mitigation Measure TRA-1: Impact Fee Fund

A detailed description of this mitigation measure is provided above.

Mitigation Measure TRA-28: Widen Bellevue Road between SR 59 and Franklin Road from Two to Four Lanes

The proportionate share attributable to the Project is 11%.

Significance After Mitigation: The impact is less than significant with mitigation. (DSEIR, p. 13-67.)

Impact TRA-30: The Project will cause an unacceptable LOS at Buhach Road between Green Sands Avenue and Ashby Road. This impact is considered *less than significant with mitigation*. (DSEIR, p. 13-67.)

Finding: This impact can be minimized through Mitigation Measures TRA-1 and TRA-29. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental effect as identified in the DSEIR. No additional mitigation measures are necessary to render the effects less than significant.

Explanation: The addition of Project-related traffic to traffic levels resulting from Future No Project conditions would cause the roadway segment to operate at an unacceptable LOS F. Project-related traffic would contribute to the poor operation and degrade operating conditions at this roadway segment from LOS D under the Future No Project to LOS F under the Cumulative Plus Project Minus Initial Phase condition. This degradation in LOS from D to F is considered a project-related effect and a significant impact. With implementation of Mitigation Measure TRA-28, the roadway segment would operate at an acceptable LOS C. Implementation of the recommended improvement also would reduce the significance of the impact to a less-than-significant level. Implementation of Mitigation Measures TRA-1 and TRA-29 would reduce this impact to a less-than-significant level. (DSEIR, p. 13-67.)

Mitigation Measures: The following mitigation measures will to reduce impacts on traffic the roadway segment at Buhach Road between Green Sands Avenue and Ashby Road:

Mitigation Measure TRA-1: Impact Fee Fund

A detailed description of this mitigation measure is provided above.

Mitigation Measure TRA-29: Widen Buhach Road between Green Sands Avenue and Ashby Road from Two to Four Lanes

The proportionate share attributable to the Project is 46%.

Significance After Mitigation: The impact is less than significant with mitigation. (DSEIR, p. 13-68.)

Impact TRA-31: The Project will cause an unacceptable LOS at the Freeway Segment from Northbound On from 16th Street to Northbound Off to Franklin Road. This impact is considered *significant and unavoidable*. (DSEIR, p. 13-68.)

Finding: Changes or alterations that would avoid the potentially significant environmental effects are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. (CEQA Guidelines, § 15091, subd. (a)(2).) No other mitigation is available to render the effects less than significant. The effects therefore remain significant and unavoidable.

Explanation: The freeway segment is projected to operate at an unacceptable LOS F during both the a.m. and p.m. peak hours prior to the addition of Project traffic. Project-related traffic in addition to traffic levels resulting from Future No Project conditions would exacerbate already unacceptable operations at this freeway segment, and therefore this is considered to be a significant impact based on Caltrans' criteria. (DSEIR, p. 13-68.) The freeway mainline study segment would need to be widened to provide additional capacity. SR 99 freeway widening to six lanes between the City of Merced and City of Atwater is proposed in the MCAG 2007 RTP as a Tier 2 project but there is no funding. Since there is no funding for the SR 99 widening project, this impact is considered significant and unavoidable. (DSEIR, p. 13-68.)

Mitigation Measures: No feasible mitigation measures are available other than requiring future projects to pay their fair share fees as set forth in mitigation measure TRA-1.

Significance After Mitigation: The impact is significant and unavoidable. (DSEIR, p. 13-68.)

Impact TRA-32: The Project will cause an unacceptable LOS at the Freeway Segment from Northbound Off from Franklin Road to Northbound on from Franklin Road. This impact is considered *significant and unavoidable*. (DSEIR, p. 13-69.)

Finding: Changes or alterations that would avoid the potentially significant environmental effects are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. (CEQA Guidelines, § 15091, subd. (a)(2).) No other mitigation is available to render the effects less than significant. The effects therefore remain significant and unavoidable.

Explanation: The freeway segment is projected to operate at an unacceptable LOS F during both the a.m. and p.m. peak hours prior to the addition of Project traffic. Project-related traffic in addition to traffic levels resulting from Future No Project conditions would exacerbate already unacceptable operations at this freeway segment, and therefore this is considered to be a significant impact based on Caltrans' criteria. (DSEIR, p. 13-69.) The freeway mainline study segment would need to be widened to provide additional capacity. SR 99 freeway widening to six lanes between the City of Merced and City of Atwater is proposed in the MCAG 2007 RTP as a Tier 2 project but there is no funding. Since there is no funding for the SR 99 widening project, this impact is considered significant and unavoidable. (DSEIR, p. 13-69.)

Mitigation Measures: No feasible mitigation measures are available other than requiring future projects to pay their fair share fees as set forth in mitigation measure TRA-1.

Significance After Mitigation: The impact is significant and unavoidable. (DSEIR, p. 13-69.)

Impact TRA-33: The Project will cause an unacceptable LOS at the Freeway Segment from Northbound On from Franklin Road to Northbound Off to Buhach Road. This impact is considered *significant and unavoidable*. (DSEIR, p. 13-69.)

Finding: Changes or alterations that would avoid the potentially significant environmental effects are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. (CEQA Guidelines, § 15091, subd. (a)(2).) No other mitigation is available to render the effects less than significant. The effects therefore remain significant and unavoidable.

Explanation: The freeway segment is projected to operate at an unacceptable LOS F during both the a.m. and p.m. peak hours prior to the addition of Project traffic. Project-related traffic in addition to traffic levels resulting from Future No Project conditions would exacerbate already unacceptable operations at this freeway segment, and therefore this is considered to be a significant impact based on Caltrans' criteria. (DSEIR, p. 13-69.) The freeway mainline study segment would need to be widened to provide additional capacity. SR 99 freeway widening to six lanes between the City of Merced and City of Atwater is proposed in the MCAG 2007 RTP as a Tier 2 project but there is no funding. Since there is no funding for the SR 99 widening project, this impact is considered significant and unavoidable. (DSEIR, p. 13-69.)

Mitigation Measures: No feasible mitigation measures are available other than requiring future projects to pay their fair share fees as set forth in mitigation measure TRA-1.

Significance After Mitigation: The impact is significant and unavoidable. (DSEIR, p. 13-69.)

Impact TRA-34: The Project will cause an unacceptable LOS at the Freeway Segment from Northbound Off to Buhach Road to Northbound On to Buhach Road. This impact is considered *significant and unavoidable*. (DSEIR, p. 13-69.)

Finding: Changes or alterations that would avoid the potentially significant environmental effects are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. (CEQA Guidelines, § 15091, subd. (a)(2).) No other mitigation is available to render the effects less than significant. The effects therefore remain significant and unavoidable.

Explanation: The freeway segment is projected to operate at an unacceptable LOS F during both the a.m. and p.m. peak hours prior to the addition of Project traffic. Project-related traffic in addition to traffic levels resulting from Future No Project conditions would exacerbate already unacceptable operations at this freeway segment, and therefore this is considered to be a significant impact based on Caltrans' criteria. (DSEIR, p. 13-69.) The freeway mainline study segment would need to be widened to provide additional capacity. SR 99 freeway widening to

six lanes between the City of Merced and City of Atwater is proposed in the MCAG 2007 RTP as a Tier 2 project but there is no funding. Since there is no funding for the SR 99 widening project, this impact is considered significant and unavoidable. (DSEIR, p. 13-70.)

Mitigation Measures: No feasible mitigation measures are available other than requiring future projects to pay their fair share fees as set forth in mitigation measure TRA-1.

Significance After Mitigation: The impact is significant and unavoidable. (DSEIR, p. 13-70.)

Impact TRA-35: The Project will cause an unacceptable LOS at the Freeway Segment from Northbound On from Buhach Road to Northbound Off to Atwater Boulevard. This impact is considered *significant and unavoidable*. (DSEIR, p. 13-69.)

Finding: Changes or alterations that would avoid the potentially significant environmental effects are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. (CEQA Guidelines, § 15091, subd. (a)(2).) No other mitigation is available to render the effects less than significant. The effects therefore remain significant and unavoidable.

Explanation: The freeway segment is projected to operate at an unacceptable LOS F during both the a.m. and p.m. peak hours prior to the addition of Project traffic. Project-related traffic in addition to traffic levels resulting from Future No Project conditions would exacerbate already unacceptable operations at this freeway segment, and therefore this is considered to be a significant impact based on Caltrans' criteria. (DSEIR, p. 13-70.) The freeway mainline study segment would need to be widened to provide additional capacity. SR 99 freeway widening to six lanes between the City of Merced and City of Atwater is proposed in the MCAG 2007 RTP as a Tier 2 project but there is no funding. Since there is no funding for the SR 99 widening project, this impact is considered significant and unavoidable. (DSEIR, p. 13-70.)

Mitigation Measures: No feasible mitigation measures are available other than requiring future projects to pay their fair share fees as set forth in mitigation measure TRA-1.

Significance After Mitigation: The impact is significant and unavoidable. (DSEIR, p. 13-70.)

Impact TRA-36: The Project will cause an unacceptable LOS at the Freeway Segment from Northbound Off to Atwater Boulevard to Northbound Off to Applegate Road. This impact is considered *significant and unavoidable*. (DSEIR, p. 13-70.)

Finding: Changes or alterations that would avoid the potentially significant environmental effects are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. (CEQA Guidelines, § 15091, subd. (a)(2).) No other mitigation is available to render the effects less than significant. The effects therefore remain significant and unavoidable.

Explanation: The freeway segment is projected to operate at an unacceptable LOS F during the a.m. and p.m. peak hours, prior to the addition of Project traffic. Project-related traffic in addition to traffic levels resulting from Future No Project conditions would exacerbate already

unacceptable operations at this freeway segment, and therefore this is considered to be a significant impact based on Caltrans' criteria. (DSEIR, p. 13-70.) The freeway mainline study segment would need to be widened to provide additional capacity. SR 99 freeway widening to six lanes between the City of Merced and City of Atwater is proposed in the MCAG 2007 RTP as a Tier 2 project but there is no funding. Since there is no funding for the SR 99 widening project, this impact is considered significant and unavoidable. (DSEIR, p. 13-70.)

Mitigation Measures: No feasible mitigation measures are available other than requiring future projects to pay their fair share fees as set forth in mitigation measure TRA-1.

Significance After Mitigation: The impact is significant and unavoidable. (DSEIR, p. 13-70.)

Impact TRA-37: The Project will cause an unacceptable LOS at the Freeway Segment from Northbound Off to Applegate Road to Northbound On from Applegate Road. This impact is considered *significant and unavoidable*. (DSEIR, p. 13-71.)

Finding: Changes or alterations that would avoid the potentially significant environmental effects are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. (CEQA Guidelines, § 15091, subd. (a)(2).) No other mitigation is available to render the effects less than significant. The effects therefore remain significant and unavoidable.

Explanation: The freeway segment is projected to operate at an unacceptable LOS F during the a.m. peak hour prior to the addition of Project traffic. Project-related traffic in addition to traffic levels resulting from Future No Project conditions would exacerbate already unacceptable operations at this freeway segment, and therefore this is considered to be a significant impact based Caltrans' criteria. (DSEIR, p. 13-71.) The freeway mainline study segment would need to be widened to provide additional capacity. SR 99 freeway widening to six lanes between the City of Merced and City of Atwater is proposed in the MCAG 2007 RTP as a Tier 2 project but there is no funding. Since there is no funding for the SR 99 widening project, this impact is considered significant and unavoidable. (DSEIR, p. 13-71.)

Mitigation Measures: No feasible mitigation measures are available other than requiring future projects to pay their fair share fees as set forth in mitigation measure TRA-1.

Significance After Mitigation: The impact is significant and unavoidable. (DSEIR, p. 13-71.)

Impact TRA-38: The Project will cause an unacceptable LOS at the Freeway Segment from Northbound On from Applegate Road to Northbound On from Atwater Boulevard. This impact is considered *significant and unavoidable*. (DSEIR, p. 13-71.)

Finding: Changes or alterations that would avoid the potentially significant environmental effects are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. (CEQA Guidelines, § 15091, subd. (a)(2).) No other mitigation is available to render the effects less than significant. The effects therefore remain significant and unavoidable.

Explanation: The freeway segment is projected to operate at an unacceptable LOS F and LOS F during the a.m. and p.m. peak hours, respectively, prior to the addition of Project traffic. Project-related traffic in addition to traffic levels resulting from Future No Project conditions would exacerbate already unacceptable operations at this freeway segment, and therefore this is considered to be a significant impact based on Caltrans' criteria. (DSEIR, p. 13-71.) The freeway mainline study segment would need to be widened to provide additional capacity. SR 99 freeway widening to six lanes between the City of Merced and City of Atwater is proposed in the MCAG 2007 RTP as a Tier 2 project but there is no funding. Since there is no funding for the SR 99 widening project, this impact is considered significant and unavoidable. (DSEIR, p. 13-71.)

Mitigation Measures: No feasible mitigation measures are available other than requiring future projects to pay their fair share fees as set forth in mitigation measure TRA-1.

Significance After Mitigation: The impact is significant and unavoidable. (DSEIR, p. 13-71.)

Impact TRA-39: The Project will cause an unacceptable LOS at the Freeway Segment from Southbound Off to Atwater Boulevard to Southbound Off to Applegate Road. This impact is considered *significant and unavoidable*. (DSEIR, p. 13-71.)

Finding: Changes or alterations that would avoid the potentially significant environmental effects are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. (CEQA Guidelines, § 15091, subd. (a)(2).) No other mitigation is available to render the effects less than significant. The effects therefore remain significant and unavoidable.

Explanation: The freeway segment is projected to operate at an unacceptable LOS F during the p.m. peak hour and LOS E during the a.m. peak hour prior to the addition of Project traffic. Project-related traffic in addition to traffic levels resulting from Future No Project conditions would exacerbate already unacceptable operations at this freeway segment, and therefore this is considered to be a significant impact based on Caltrans' criteria. (DSEIR, p. 13-71.) The freeway mainline study segment would need to be widened to provide additional capacity. SR 99 freeway widening to six lanes between the City of Merced and City of Atwater is proposed in the MCAG 2007 RTP as a Tier 2 project but there is no funding. Since there is no funding for the SR 99 widening project, this impact is considered significant and unavoidable. (DSEIR, p. 13-72.)

Mitigation Measures: No feasible mitigation measures are available other than requiring future projects to pay their fair share fees as set forth in mitigation measure TRA-1.

Significance After Mitigation: The impact is significant and unavoidable. (DSEIR, p. 13-72.)

Impact TRA-40: The Project will cause an unacceptable LOS at the Freeway Segment from Southbound Off to Applegate Road to Southbound On from Applegate Road. This impact is considered *significant and unavoidable*. (DSEIR, p. 13-72.)

Finding: Changes or alterations that would avoid the potentially significant environmental effects are within the responsibility and jurisdiction of another public agency and not the agency

making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. (CEQA Guidelines, § 15091, subd. (a)(2).) No other mitigation is available to render the effects less than significant. The effects therefore remain significant and unavoidable.

Explanation: The freeway segment is projected to operate at an unacceptable LOS F during the p.m. peak hour prior to the addition of Project traffic. Project-related traffic in addition to traffic levels resulting from Future No Project conditions would exacerbate already unacceptable operations at this freeway segment, and therefore this is considered to be a significant impact based on Caltrans' criteria. (DSEIR, p. 13-72.) The freeway mainline study segment would need to be widened to provide additional capacity. SR 99 freeway widening to six lanes between the City of Merced and City of Atwater is proposed in the MCAG 2007 RTP as a Tier 2 project but there is no funding. Since there is no funding for the SR 99 widening project, this impact is considered significant and unavoidable. (DSEIR, p. 13-72.)

Mitigation Measures: No feasible mitigation measures are available other than requiring future projects to pay their fair share fees as set forth in mitigation measure TRA-1.

Significance After Mitigation: The impact is significant and unavoidable. (DSEIR, p. 13-72.)

Impact TRA-41: The Project will cause an unacceptable LOS at the Freeway Segment from Southbound On from Applegate Road to Southbound On from Atwater Boulevard. This impact is considered *significant and unavoidable*. (DSEIR, p. 13-72.)

Finding: Changes or alterations that would avoid the potentially significant environmental effects are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. (CEQA Guidelines, § 15091, subd. (a)(2).) No other mitigation is available to render the effects less than significant. The effects therefore remain significant and unavoidable.

Explanation: The freeway segment is projected to operate at an unacceptable LOS F during the p.m. peak hour prior to the addition of Project traffic. Project-related traffic in addition to traffic levels resulting from Future No Project conditions would exacerbate already unacceptable operations at this freeway segment, and therefore this is considered to be a significant impact based on Caltrans' criteria. (DSEIR, p. 13-72.) The freeway mainline study segment would need to be widened to provide additional capacity. SR 99 freeway widening to six lanes between the City of Merced and City of Atwater is proposed in the MCAG 2007 RTP as a Tier 2 project but there is no funding. Since there is no funding for the SR 99 widening project, this impact is considered significant and unavoidable. (DSEIR, p. 13-72.)

Mitigation Measures: No feasible mitigation measures are available other than requiring future projects to pay their fair share fees as set forth in mitigation measure TRA-1.

Significance After Mitigation: The impact is significant and unavoidable. (DSEIR, p. 13-72.)

Impact TRA-42: The Project will cause an unacceptable LOS at the Freeway Segment from Southbound On from Atwater Boulevard to Southbound Off to Buhach Road. This impact is considered *significant and unavoidable*. (DSEIR, p. 13-73.)

Finding: Changes or alterations that would avoid the potentially significant environmental effects are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. (CEQA Guidelines, § 15091, subd. (a)(2).) No other mitigation is available to render the effects less than significant. The effects therefore remain significant and unavoidable.

Explanation: The freeway segment is projected to operate at an unacceptable LOS F during both the a.m. and p.m. peak hours prior to the addition of Project traffic. Project-related traffic in addition to traffic levels resulting from Future No Project conditions would exacerbate already unacceptable operations at this freeway segment, and therefore this is considered to be a significant impact based on Caltrans' criteria. (DSEIR, p. 13-73.) The freeway mainline study segment would need to be widened to provide additional capacity. SR 99 freeway widening to six lanes between the City of Merced and City of Atwater is proposed in the MCAG 2007 RTP as a Tier 2 project but there is no funding. Since there is no funding for the SR 99 widening project, this impact is considered significant and unavoidable. (DSEIR, p. 13-73.)

Mitigation Measures: No feasible mitigation measures are available other than requiring future projects to pay their fair share fees as set forth in mitigation measure TRA-1.

Significance After Mitigation: The impact is significant and unavoidable. (DSEIR, p. 13-73.)

Impact TRA-43: The Project will cause an unacceptable LOS at the Freeway Segment from Southbound Off Buhach Road to Southbound On from Buhach Road. This impact is considered *significant and unavoidable*. (DSEIR, p. 13-73.)

Finding: Changes or alterations that would avoid the potentially significant environmental effects are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. (CEQA Guidelines, § 15091, subd. (a)(2).) No other mitigation is available to render the effects less than significant. The effects therefore remain significant and unavoidable.

Explanation: The freeway segment is projected to operate at an unacceptable LOS E and LOS F during the a.m. and p.m. peak hours, respectively, prior to the addition of Project traffic. Project-related traffic in addition to traffic levels resulting from Future No Project conditions would exacerbate already unacceptable operations at this freeway segment, and therefore this is considered to be a significant impact based on Caltrans' criteria. (DSEIR, p. 13-73.) The freeway mainline study segment would need to be widened to provide additional capacity. SR 99 freeway widening to six lanes between the City of Merced and City of Atwater is proposed in the MCAG 2007 RTP as a Tier 2 project but there is no funding. Since there is no funding for the SR 99 widening project, this impact is considered significant and unavoidable. (DSEIR, p. 13-73.)

Mitigation Measures: No feasible mitigation measures are available other than requiring future projects to pay their fair share fees as set forth in mitigation measure TRA-1.

Significance After Mitigation: The impact is significant and unavoidable. (DSEIR, p. 13-73.)

Impact TRA-44: The Project will cause an unacceptable LOS at the Freeway Segment from Southbound On Buhach Road to Southbound Off to 16th Street. This impact is considered *significant and unavoidable*. (DSEIR, p. 13-73.)

Finding: Changes or alterations that would avoid the potentially significant environmental effects are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. (CEQA Guidelines, § 15091, subd. (a)(2).) No other mitigation is available to render the effects less than significant. The effects therefore remain significant and unavoidable.

Explanation: The freeway segment is projected to operate at an unacceptable LOS F during both the a.m. and p.m. peak hours prior to the addition of Project traffic. Project-related traffic in addition to traffic levels resulting from Future No Project conditions would exacerbate already unacceptable operations at this freeway segment, and therefore this is considered to be a significant impact based on Caltrans' criteria. (DSEIR, p. 13-73.) The freeway mainline study segment would need to be widened to provide additional capacity. SR 99 freeway widening to six lanes between the City of Merced and City of Atwater is proposed in the MCAG 2007 RTP as a Tier 2 project but there is no funding. Since there is no funding for the SR 99 widening project, this impact is considered significant and unavoidable. (DSEIR, p. 13-74.)

Mitigation Measures: No feasible mitigation measures are available other than requiring future projects to pay their fair share fees as set forth in mitigation measure TRA-1.

Significance After Mitigation: The impact is significant and unavoidable. (DSEIR, p. 13-74.)

Impact TRA-45: The Project will cause an unacceptable LOS at the Freeway Segment from Southbound Off to 16th Street to Southbound On from 16th Street. This impact is considered *significant and unavoidable*. (DSEIR, p. 13-74.)

Finding: Changes or alterations that would avoid the potentially significant environmental effects are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. (CEQA Guidelines, § 15091, subd. (a)(2).) No other mitigation is available to render the effects less than significant. The effects therefore remain significant and unavoidable.

Explanation: The freeway segment is projected to operate at an unacceptable LOS F during the p.m. peak hour prior to the addition of Project traffic. Project-related traffic in addition to traffic levels resulting from Future No Project conditions would exacerbate already unacceptable operations at this freeway segment, and therefore this is considered to be a significant impact based on Caltrans' criteria. (DSEIR, p. 13-74.) The freeway mainline study segment would need to be widened to provide additional capacity. SR 99 freeway widening to six lanes between the City of Merced and City of Atwater is proposed in the MCAG 2007 RTP as a Tier 2 project but there is no funding. Since there is no funding for the SR 99 widening project, this impact is considered significant and unavoidable. (DSEIR, p. 13-74.)

Mitigation Measures: No feasible mitigation measures are available other than requiring future projects to pay their fair share fees as set forth in mitigation measure TRA-1.

Significance After Mitigation: The impact is significant and unavoidable. (DSEIR, p. 13-74.)

X. GROWTH INDUCEMENT

CEQA Guidelines section 15126.2, subdivision (d), requires a discussion of the ways in which the Project could foster economic or population growth, or the construction of additional housing, whether directly or indirectly, in the surrounding environment. Induced growth is distinguished from the direct employment, population, or housing growth of the Project. These direct forms of growth have a secondary effect of expanding the size of local markets and inducing additional economic activity in the area. Examples of development that would indirectly facilitate growth include the installation of new roadways or the construction or expansion of water delivery/treatment facilities.

If the Project has characteristics that “may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively,” then these aspects must be discussed as well. Induced growth is any growth that exceeds planned growth and results from new development that would not have taken place in the absence of the proposed Project. The CEQA Guidelines also indicate that the topic of growth should not be assumed to be either beneficial or detrimental.

The Project has the potential to contribute indirectly to future population growth in Merced County, but its contribution is not anticipated to exceed County or regional projections. Anticipated population increases resulting from the Redevelopment Plan are discussed in the SEIR in Chapter 11, “Population and Housing.” Implementation of the Redevelopment Plan would be phased, as described in Chapter 3, “Project Description.” As such, the additional population growth attributed to the Redevelopment Plan would occur over a very long period. (DSEIR, p. 14-2.)

Anticipated job generation and resultant indirect housing demand from the Project site is described in Chapter 11, “Population and Housing.” Substantial additional development, especially residential growth, has occurred in the region and the vicinity of the Project site since the previous EIR was prepared. The increase in population in the area will provide a larger potential employee base to serve the job-creating uses proposed to be developed on the Project site. Therefore, changes in the existing environment will serve to reduce potential growth-inducing effects of the Redevelopment Plan from those identified in the previous EIR, which would be less than significant in the context of the projected growth in the area. (DSEIR, p. 14-2.)

The Redevelopment Plan would provide for the redevelopment of an existing developed site. Improvement of services and facilities at the CAADC will facilitate growth within the redevelopment area and consistent with the Redevelopment Plan and Reuse Plan. The Redevelopment Plan does not include elements that would remove obstacles to growth outside that foreseen in the Reuse Plan. (DSEIR, p. 14-2.)

The AMP proposes construction of airport facilities as planned in the Reuse Plan. Structures proposed are consistent with the Reuse Plan. For these reasons, the AMP would not result in additional growth inducing impacts beyond those identified in the previous environmental document and described above.

XI.

SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL EFFECTS

The CEQA Guidelines mandate that an EIR address any significant irreversible environmental changes which would be involved if the proposed project is implemented. (CEQA Guidelines, § 15126.2, subd. (c).) An impact would fall into this category if:

- The project would involve a large commitment of nonrenewable resources;
- The primary and secondary impacts of a project would generally commit future generations to similar uses (e.g., a highway provides access to a previously remote area);
- The project involves uses in which irreversible damage could result from any potential environmental accidents associated with the project; or
- The phasing of the proposed consumption of resources is not justified (e.g., the project involves a wasteful use of energy).

The following impacts were determined to be significant and unavoidable:

- Impact AQ-5(B): Cumulatively considerable contribution to climate change from the emission of GHG;
- Impact HYD-7 (Updated): Cumulative Depletion of Groundwater Supplies;
- Impact LU-2: Development of land uses that are incompatible with each other or with adjacent uses;
- Impact NOISE-1 (Updated): Exposure of Persons to or Generation of Noise Levels in Excess of Standards Established in a Local General Plan or Noise Ordinance or Applicable Standards of Other Agencies; or a Substantial Permanent Increase in Ambient Noise Levels in the Project Vicinity above Levels Existing without the Project;
- Impact NOISE-6: Cumulatively considerable contribution to traffic noise;
- Impact TRA-15 (New): Unacceptable LOS at the Intersection of SR 59 and Santa Fe Drive;
- Impact TRA-31 (New): Unacceptable LOS at the Freeway Segment from Northbound On from 16th Street to Northbound Off to Franklin Road Drive;
- Impact TRA-32 (New): Unacceptable LOS at the Freeway Segment from Northbound Off to Franklin Road Drive to Northbound On from Franklin Road;

- Impact TRA-33 (New): Unacceptable LOS at the Freeway Segment from Northbound On from Franklin Road Drive to Northbound Off to Buhach Road;
- Impact TRA-34 (New): Unacceptable LOS at the Freeway segment from NB off to Buhach Road to NB on from Buhach Road;
- Impact TRA-35 (New): Unacceptable LOS at the Freeway Segment from Northbound On from Buhach Road to Northbound Off to Atwater Boulevard;
- Impact TRA-36 (New): Unacceptable LOS at the Freeway Segment from Northbound Off to Atwater Boulevard to Northbound Off to Applegate Road;
- Impact TRA-37 (New): Unacceptable LOS at the Freeway Segment from Northbound Off to Applegate Road to Northbound On from Applegate Road;
- Impact TRA-38 (New): Unacceptable LOS at the Freeway Segment from Northbound On from Applegate Road to Northbound On from Atwater Boulevard;
- Impact TRA-39 (New): Unacceptable LOS at the Freeway Segment from Southbound Off to Atwater Boulevard to Southbound Off to Applegate Road;
- Impact TRA-40 (New): Unacceptable LOS at the Freeway Segment from Southbound Off to Applegate Road to Southbound On from Applegate Road;
- Impact TRA-41 (New): Unacceptable LOS at the Freeway Segment from Southbound On from Applegate Road to Southbound On from Atwater Boulevard;
- Impact TRA-42 (New): Unacceptable LOS at the Freeway Segment from Southbound On from Atwater Boulevard to Southbound Off to Buhach Road;
- Impact TRA-43 (New): Unacceptable LOS at the Freeway Segment from Southbound Off to Buhach Road to Southbound On from Buhach Road;
- Impact TRA-44 (New): Unacceptable LOS at the Freeway Segment from Southbound On from Buhach Road to Southbound Off to 16th Street; and
- Impact TRA-45 (New): Unacceptable LOS at the Freeway Segment from Southbound Off to 16th Street to Southbound On from 16th Street.

(DSEIR, pp. 14-13 to 14-14.)

XII.

PROJECT ALTERNATIVES

Public Resources Code section 21002 provides that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would *substantially lessen* the significant environmental effects of such projects[.]” (Pub. Resources Code, § 21002, italics added.) The same statute states that the procedures required by CEQA “are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will *avoid* or *substantially lessen* such significant effects.” (*Ibid.*, italics added.) Section 21002 goes on to state that “in the event [that] specific economic, social, or other conditions make

infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects.” (*Ibid.*)

CEQA defines “feasible” to mean “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.” (Pub. Resources Code, § 21061.1.) The CEQA Guidelines add another factor: “legal” considerations. (CEQA Guidelines, § 15364; see also *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 565 (*Goleta II*)). Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site. (CEQA Guidelines, § 15126.6, subd. (f)(1).) The concept of “feasibility” also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417.)

Where a significant impact can be substantially lessened (i.e., mitigated to an “acceptable level”) solely by the adoption of mitigation measures, the lead agency, in drafting its findings, has no obligation to consider the feasibility of alternatives with respect to that impact, even if the alternative would mitigate the impact to a greater degree than the Project. (Pub. Resources Code, § 21002; *Laurel Hills Homeowners Association, supra*, 83 Cal.App.3d at p. 521; see also *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 691, 730-731; and *Laurel Heights Improvement Association v. Regents of the University of California* (1988) 47 Cal.3d 376, 400-403.) In short, CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur. Project modification or alternatives are not required, however, where such changes are infeasible or where the responsibility of modifying the project lies with some other agency. (CEQA Guidelines, § 15091, subs. (a), (b).) Key provisions of the State CEQA Guidelines (Section 15126.6) pertaining to the alternatives analysis are summarized below.

- The discussion of alternatives shall focus on alternatives to the Project or its location that are feasible, meet most or all of the Project objectives, and would substantially reduce one or more of the significant effects of the Project.
- The range of alternatives must include the *No-Project* Alternative. The no-project analysis will discuss the existing conditions at the time the NOP was published, as well as what would be reasonably expected to occur in the foreseeable future if the Project were not approved based on current plans and consistent with available infrastructure and community services. The No-Project Alternative is not required to be feasible, meet any of the Project objectives, or reduce the Project’s expected impacts to any degree.
- The range of alternatives required in an EIR is governed by a *rule of reason*; therefore, the EIR must evaluate only those alternatives necessary to permit a reasoned choice. An EIR is not required to analyze every conceivable alternative to a project.
- An EIR need not consider an alternative whose effects cannot be reasonably ascertained, whose implementation is remote and speculative, and that would not achieve the basic project objectives.

With respect to a project for which significant impacts are not avoided or substantially lessened, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found the project's "benefits" rendered "acceptable" its "unavoidable adverse environmental effects." (CEQA Guidelines, §§ 15093, 15043, subd. (b); see also Pub. Resources Code, § 21081, subd. (b).) The California Supreme Court has stated that, "[t]he wisdom of approving . . . any development project, a delicate task which requires a balancing of interest, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced." (*Goleta II, supra*, 52 Cal.3d at p. 576.)

Thus, as a legal matter, the County, in considering alternatives in these findings, need only determine whether any alternatives are environmentally superior with respect to these three impacts. If any alternatives are in fact superior with respect to those impacts, the County is then required to determine whether the alternatives are feasible. If the County determines that no alternative is both feasible and environmentally superior with respect to the unavoidable significant impacts identified in the FSEIR, the County may approve the Project as mitigated, after adopting a statement of overriding considerations. The FSEIR examined the Project alternatives in detail, exploring their comparative advantages and disadvantages with respect to the Project. As the following discussion demonstrates, however, only the Project as proposed is feasible in light of Project objectives and other considerations.

Summary of Alternatives Considered

The alternatives to the proposed Project first analyzed in the 1996 Reuse Plan EIR were those that were presented as the alternatives in the federal EIS, as follows.

- The **Castle Aviation Center Alternative** included an integrated general aviation support center, which would provide general aircraft maintenance and repair, classic aircraft restoration, aircraft storage, sales, testing, and support for air shows. Non-aviation land uses include industrial, institutional (medical and educational), commercial, residential, public facilities/recreation, and agricultural.
- The **Commercial Aviation Alternative** included a general aviation airport with commercial passenger service, airline pilot proficiency training, and air cargo operations. This alternative would have the largest number of flight operations of any of the aviation-related reuse scenarios. Non-aviation land uses include industrial, institutional (medical and educational), commercial, residential, public facilities/recreation, and agricultural.
- The **Aviation with Mixed Use Alternative** included airfield/aviation support land use similar to the Proposed Action, although the number of aircraft operations is substantially lower under this alternative. Non-aviation land uses include industrial, institutional (medical and educational), commercial, residential, public facilities/recreation, and agricultural.
- The **Non-Aviation Alternative** included an extensive industrial research and development area on the existing airfield and aviation support acreage. Other land

- use includes a major educational campus, as well as commercial, residential, public facilities/recreation, and agricultural.
- The **No-Action Alternative** would result in the base being placed in caretaker status. No further activity would take place. The U.S. government would not be required to retain ownership of the base under this alternative.

The impacts of these alternatives were analyzed in the federal EIS. A summary of the impacts of these alternatives appears in Table 2-2 of the 1996 Reuse Plan EIR. Additional alternatives were examined as part of the Draft SEIR in an attempt to substantially reduce or avoid one or more of the significant adverse impacts identified above which were not identified in the EIS or the 1996 Reuse Plan EIR and this description is incorporated by reference.

A. ON-SITE HOUSING ALTERNATIVES

B. Reduced Development Alternative

C. Environmentally Superior Alternative

CEQA Guidelines Section 15126.6(e)(2) requires that the EIR identify which of those alternatives is the environmentally superior alternative. If the No-Project Alternative is the environmentally superior alternative, then CEQA requires an EIR to identify which of the other alternatives is environmentally superior. The 1996 Reuse Plan EIR identified the Non-Aviation Alternative as the environmentally superior alternative for the following reasons.

- Although the alternative would disturb the greatest number of acres due to new development agricultural uses, the northeastern portion of the site would be designated Public Facility/Recreation, and because this area would be used for passive recreation, biological resources could be avoided.
- Population- and traffic-related impacts would be the least severe under the Non-Aviation Alternative because it would have the smallest population and generate the fewest vehicle trips.
- Air and noise impacts would be further reduced under this alternative because it does not include any aircraft activity.

Based on the discussion above of potential additional alternatives, and based on the analysis in the SEIR of impacts of the Project, the 1996 Reuse Plan EIR's identification of the environmentally superior alternative remains true even with the changes in circumstances.

XIII.
STATEMENT OF OVERRIDING CONSIDERATIONS

As set forth in the preceding sections, the County's approval of the Project will result in significant adverse environmental effects that cannot be avoided even with the adoption of all feasible mitigation measures. Despite the occurrence of these effects, however, the County chooses to approve the Project because, in its view, the economic, social, and other benefits that the Project will produce will render the significant effects acceptable. (See Pub. Resources Code, § 21081; CEQA Guidelines, § 15093.) Specifically, the County determines that the benefits of the Project outweigh, and thus make acceptable, the above-referenced significant environmental effects of the Project.

The following statement identifies the reasons why, in the County's judgment, the benefits of the AMP will outweigh its unavoidable significant effects. Any one of these reasons is sufficient to justify approval of the Project. Thus, even if a court were to conclude that not every reason is supported by substantial evidence, the County would stand by its determination that each individual reason is sufficient. The substantial evidence supporting the various benefits can be found in the preceding findings, which are incorporated by reference into this section and in the documents found in the Record of Proceedings.

The County finds that the Castle AMP would have the following economic, social, and environmental benefits:

The proposed Project will promote aviation and aviation-related uses at the CAADC consistent with the Redevelopment Plan and Reuse Plan.

As a former Air Force base, the CAADC accommodates a number of aviation-related businesses and uses, including the airstrip, the planned passenger terminal, and hangars for private aircraft. Aviation and aviation-related uses at the CAADC are important resources for Merced County and the region. The CAADC is partially within the Aviation/Industrial land use designation which identifies areas that would best serve uses such as manufacturing, warehousing, and wholesale activities, and may support aviation and nonaviation functions. This designation also applies to the runway and adjacent aviation facilities as well as locations where previous military use involved product assembly and warehousing. The *Merced County General Plan Issues & Opportunities Report* prepared for the general plan update identifies the CAADC as an opportunity site for significant employment growth, with the potential for 9 million to 11 million square feet of leasable industrial and commercial space, primarily for aviation and related uses (Mintier & Associates 2007:29) The Reuse Plan anticipated continued use/operation of the airport terminal and related facilities in support of general aviation activities. The Redevelopment Plan also anticipates continued support of general aviation activities through the proposed Project.

The AMP provides the basis for implementation of aviation improvements toward these functions:

A Base for Merced County and Local Area Pilots — With the longest runway of any of the nearby airports, an operating air traffic control tower, and a precision instrument landing system, Castle Airport has the potential to become the most convenient and reliable airport for the

majority of GA pilots who live or work in the Merced County region. It also has a significant potential to serve the needs of the U.S. military for flight training operations.

A Point of Air Access for Visitors to the Community — Castle Airport has the potential to become the gateway to Yosemite National Park, Merced County, the U.C. Merced campus and businesses in the area.

A Place to Conduct Business — The Airport is located within a Foreign Trade Zone (FTZ), an Enterprise Zone, and a Local Agency Military Base Recovery Area (LAMBRA) Zone. It is also reasonably close to local hotels and conference facilities. In addition, the Airport is located adjacent to the Castle Commerce Center, which offers an all-inclusive business community, including office/warehouse/R&D facilities, aviation-support facilities, retail, hotel and conference/training facilities.

A Site for Emergency Community Access — Following such natural disasters as a major earthquake, fire, or flood, airports are often of critical importance as points of access into a community for emergency and disaster relief services. In addition, if local/regional surface access routes (i.e., highways, roads and rail lines) are rendered unusable or blocked, air transportation may be the only means of efficiently getting medical and relief supplies into the affected area, and transferring trauma victims out.