DRAFT INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION

DELHI COUNTY WATER DISTRICT

WATER SYSTEM IMPROVEMENTS

JULY 2020

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DELHI COUNTY WATER DISTRICT WATER SYSTEM IMPROVEMENTS

Prepared for:

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July 2020

Project #200027

NOTICE OF PUBLIC HEARING AND INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

PLEASE BE ADVISED that the Delhi County Water District Board Members will consider adopting the Mitigated Negative Declaration at the Board's meeting to be held on [Date]. Presentations will be made at approximately [Time]. Action on items on the board agenda will occur after the presentations. The meeting will be held at [Location].

Project Name

Delhi County Water District Water System Improvements

Project Location

The unincorporated Community of Delhi in Merced County

Project Description

The Delhi County Water District proposes water system improvements that will abandon and destroy existing private domestic wells to install approximately 3,160 feet of water line, water service, and lateral connections to approximately 76 residences in the unincorporated Community of Delhi in Merced County.

The document and documents referenced in the Initial Study/Mitigated Negative Declaration are available for review at the Delhi County Water District Office at 9738 Stephens Street in Delhi and at the Delhi Park Community Park located at 16881 Schendel Ave in Delhi.

As mandated by the California Environmental Quality Act (CEQA), the public review period for this document was 30 days (CEQA Section 15073[b]). The public review period began on [Start Date] and ended on [End Date]. For further information, please contact Leandro Maldonado at 209-632-8777.

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ACRONYMS AND ABBREVIATIONS

AB	Assembly Bill
ac	Acre
ADWF	Average Daily Wastewater Flow
afy	Acre-Foot per
APN	Assessor's Parcel Number
AQAP	Air Quality Attainment Plan
ATCM	Airborne Toxic Control Measure
BAU	Business-As-Usual
BMPs	Best Management Practices
CAA	Clean Air Act
CARB	California Air Resources Board
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CH4	Methane
CNDDB	California Natural Diversity Database
CO2	Carbon dioxide
CRECs	Controlled Recognized Environmental Concerns
CWA	Clean Water Act
dB	Decibels
DNL	Day-Night Average Level
DOC	Department of Conservation
DOGGR	Department of Oil, Gas, and Geothermal Resources
DTSC	Department of Toxic Substance Control
EIR	Environmental Impact Report
EOADP	Extreme Ozone Attainment Demonstration Plan
EPA	U.S. Environmental Protection Agency
ESA	Environmental Site Assessment
ESAs	Environmentally Sensitive Areas
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
FMMP	Farmland Mapping and Monitoring Program
g	Acceleration of Gravity
GAMAQI	Guide to Assessing and Mitigating Air Quality Impacts
GHGs	Greenhouse Gases
HAPs	Hazardous Air Pollutants
HCFCs	Halogenated Fluorocarbons
HCP	Habitat Conservation Plan
HFCs	Hydrofluorocarbons
HREC	Historical Recognized Environmental Concerns
HVAC	Heating, Ventilation, and Air Conditioning
IS	Initial Study
IS/MND	Initial Study/Mitigated Negative Declaration
ITE	Institute of Transportation Engineers

LOS	Level of Service
MBTA	Migratory Bird Treaty Act
MDB&M	Mount Diablo Base and Meridian
MGD	Million Gallons per Day
MM	Mitigation Measure
MND	Mitigated Negative Declaration
MTCO2e	Metric Tons Carbon Dioxide Equivalent
N2O	Nitrous Oxide
NAHC	Native American Heritage Commission
NOx	Oxide of Nitrogen
NPDES	National Pollutant Discharge Elimination System
NRCS	Natural Resources Conservation Service
NSR	New Source Review
O3	Ozone
OCPs	Organochlorine Pesticides
PEA	Preliminary Environmental Assessment
PFCs	Perfluorinated Carbons
PM2.5	Particulate Matter Less than 2.5 Microns
PM10	Particulate Matter Less than 10 Microns
PRC	Public Resources Code
ROG	Reactive Organic Gases
RSLs	Residential Screening Levels
RTIF	Regional Traffic Impact Fee
RWQCB	Regional Water Quality Control Board
SEI	Soils Engineering, Inc.
SF6	Sulfur Hexafluoride
SJVAB	San Joaquin Valley Air Basin
SJVAPCD	San Joaquin Valley Air Pollution Control District
SPAL	Small Project Analysis Level
SWP	State Water Project
SWPPP	Stormwater Pollution Prevention Plan
USACE	United States Army Corps of Engineers
USDA	United States Department of Agriculture
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
UWMP	Urban Water Management Plan
VMT	Vehicle Miles Traveled
WSA	Water Supply Assessment
OCPs	Organochlorine Pesticides

MITIGATED NEGATIVE DECLARATION

As Lead Agency under the California Environmental Quality Act (CEQA), the Delhi County Water District reviewed the Project described below to determine whether it could have a significant effect on the environment because of its development. In accordance with CEQA Guidelines Section 15382, "[s]ignificant effect on the environment" means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.

Project Name

Delhi County Water District Water System Improvements

Project Location

The unincorporated Community of Delhi in Merced County.

Project Description

The Delhi County Water District (District) proposes water system improvements that will abandon and destroy existing private domestic wells to install approximately 3,160 feet of water line, water service, and lateral connections within 61.3 acres to approximately 76 residences in the unincorporated Community of Delhi in Merced County (Project). Due to the shallow depth of the private wells and uncertain groundwater levels, abandonment of the private existing wells for a more reliable and modern water system are necessary in order to protect the health and safety of the Community. Residents of the Community seek to secure a reliable water system as the diminishing groundwater supply may further degrade the quality of their drinking water. The project consists of the installation of approximately 1,310 feet of 12-inch water line, 1,755 feet of eight-inch water line, and 95 feet of six-inch water line connecting to the Delhi County Water District's water distribution system to supply all 76 households.

The Project is divided into four tasks. The first task is composed of the water line extension in the public right of way, the second task is the private property connection (meter to house), the third task is well destruction, and the final task consists of general provisions such as project management and construction management. The first task is anticipated to start in May of 2020 and go through June of 2022.

Mailing Address and Phone Number of Contact Person

Leandro Maldonado
General Manager
9738 Stephens Street
Delhi, CA 95315
209-632-8777

Findings

As Lead Agency, the Delhi County Water District finds that the Project will not have a significant effect on the environment. The Environmental Checklist (CEQA Guidelines Appendix G) or Initial Study (IS) (see *Section 3 - Environmental Checklist*) identified one or more potentially significant effects on the environment, but revisions to the Project have been made before the release of this Mitigated Negative Declaration (MND) or mitigation measures would be implemented that reduce all potentially significant impacts to less-than-significant levels. The Lead Agency further finds that there is no substantial evidence that this Project would have a significant effect on the environment.

Mitigation Measures Included in the Project to Avoid Potentially Significant Effects

MM BIO-1: Prior to ground disturbing activities, a qualified wildlife biologist shall conduct a biological clearance survey between 14 and 30 calendar days prior to the onset of construction. The clearance survey shall include walking transects to identify presence of San Joaquin kit fox, Swainson's hawk, nesting birds and other special-status species or signs of, and sensitive natural communities. The preconstruction survey shall be walked by no greater than 30-foot transects for 100 percent coverage of the accessible areas of the Project site and the 50-foot buffer. A report outlining the results of the survey shall be submitted to the Lead Agency.

Potential kit fox dens may be excavated provided that: (1) the den has been monitored using tracking medium placed around the den for at least five consecutive days, is examined daily for tracks, and is deemed unoccupied by a qualified biologist; (2) the excavation is conducted by or under the direct supervision of a qualified biologist. Den monitoring and excavation, if required, shall be conducted in accordance with the *Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance* (USFWS 2011).

MM BIO-2: Prior to ground disturbance activities, or within one week of being deployed at the Project site for newly hired workers, all construction workers at the Project site shall attend a Worker Environmental Awareness Training and Education Program, developed and presented by a qualified biologist.

The Worker Environmental Awareness Training and Education Program shall be presented by a qualified biologist and shall include information on the life history of wildlife and plant species that may be encountered during construction activities, their legal protections, the definition of "take" under the California Endangered Species Act (CESA) and Federal Endangered Species Act (FESA), measures the Project operator must implement to protect species, reporting requirements, specific measures that each worker must employ to avoid take of the species, and penalties for violation of CESA and FESA. Identification and information regarding special-status or other sensitive species with the potential to occur

on the Project site shall also be provided to construction personnel. The program shall include:

- An acknowledgement form signed by each worker indicating that environmental training has been completed.
- A copy of the training transcript and/or training video/CD, as well as a list of the names of all personnel who attended the training and copies of the signed acknowledgement forms shall be maintained onsite for the duration of construction activities.

MM BIO-3: If construction activities are to occur during the Swainson's hawk breeding season (February 15 through August 31), then nesting surveys for the Swainson's hawks shall be conducted in accordance with the protocol outlined in the *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley* (Swainson's Hawk Technical Advisory Committee 2000). If potential Swainson's hawk nests or nesting substrates are located within 0.5 miles of the Project site, then those nests or substrates must be monitored for activity on a routine and repeating basis throughout the breeding season, or until Swainson's hawks or other raptor species are verified to be using the nests. The protocol recommends that the following visits be made to each nest or nesting site: one visit during January 1 through March 20 to identify potential nest sites, three visits during March 20 through April 5, three visits during April 5 through April 20, and three visits during the period from June 10 through July 30. A fewer number of visits may be permissible if deemed adequate by a qualified biologist. To meet the minimum level of protection for the species, surveys shall be completed for at least the two survey periods immediately prior to Project-related ground disturbance activities. If Swainson's hawks are not found to nest within the survey area, then no further action is warranted.

If Swainson's hawks are found to nest within the survey area, active Swainson's hawk nests shall be avoided by 0.5 miles during the nesting period. If a construction area falls within this 0.5-mile buffer, then construction must be delayed until the young have fledged (left the nest). This avoidance buffer may be reduced by a recommendation by a qualified biologist with expertise in Swainson's hawk who can verify through periodic monitoring of nesting activities that the Project will not result in decreased reproductive potential of the nesting pair of hawks, or through consultation with the CDFW . In no case shall the no-disturbance area be reduced to less than 500 feet. If the no-disturbance area is reduced below 0.5 miles, a qualified biologist must conduct construction monitoring on a daily basis, inspect the nest on a daily basis, and ensure that construction activities do not disrupt breeding behaviors.

MM BIO-4: If construction is planned outside the nesting period for raptors and migratory birds, no mitigation shall be required. If construction is planned during the nesting season for migratory birds and raptors (February 15 to August 31), a preconstruction survey to identify active bird nests shall be conducted by a qualified biologist to evaluate the site and a 250-foot buffer for migratory birds and a 500-foot buffer for raptors. If nesting birds are identified during the survey, active raptor nests shall be avoided by 500 feet and all other migratory bird nests shall be avoided by 250 feet. Avoidance buffers may be reduced if a qualified onsite monitor determines that encroachment into the buffer area would not affect

nest building, the rearing of young, or otherwise affecting the breeding behaviors of the resident birds. If no-disturbance buffer areas are reduced, a qualified biologist must conduct construction monitoring on a daily basis, inspect nests on a daily basis, and ensure that construction activities do not disrupt breeding behaviors. Once the migratory birds or raptors have completed nesting and young have fledged (left the nest), disturbance buffers will no longer be needed and can be removed, and monitoring can cease. Because nesting birds can establish new nests or produce a second or even third clutch at any time during the nesting season, nesting bird surveys shall be repeated every 30 days as construction activities are occurring throughout the nesting season.

MM BIO-5: During all construction-related activities, the following measures shall apply:

a. All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in securely closed containers and removed at least once a week from the construction or Project site.
b. Construction-related vehicle traffic shall be restricted to established roads and predetermined ingress and egress corridors, staging, and parking areas. Vehicle speeds should not exceed 20 miles per hour (mph) within the Project site.
c. To prevent inadvertent entrapment of kit fox or other animals during construction, the contractor shall cover all excavated, steep-walled holes or trenches more than two feet deep at the close of each workday with plywood or similar materials. If holes or trenches cannot be covered, one or more escape ramps constructed of earthen fill or wooden planks shall be installed in the trench. Before such holes or trenches are filled, the contractor shall thoroughly inspect them for entrapped animals. All construction-related pipes, culverts, or similar structures with a diameter of four-inches or greater that are stored on the Project site shall be thoroughly inspected for wildlife before the pipe is subsequently buried, capped, or otherwise used or moved in anyway. If at any time an entrapped or injured kit fox is discovered, work in the immediate area shall be temporarily halted and USFWS and CDFW shall be consulted.
d. Kit foxes are attracted to den-like structures such as pipes and may enter stored pipes and become trapped or injured. All construction pipes, culverts, or similar structures with a diameter of four-inches or greater that are stored at a construction site for one or more overnight periods shall be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe shall not be moved until the USFWS and CDFW has been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved only once to remove it from the path of construction activity, until the fox has escaped.
e. Use of anti-coagulant rodenticides and herbicides in Project areas shall be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds shall observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and federal legislation, as well as additional Project-related restrictions deemed necessary by the

USFWS and CDFW. If rodent control must be conducted, zinc phosphide shall be used because of the proven lower risk to kit foxes.

f. A representative shall be appointed by the Project proponent who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured or entrapped kit fox. The representative shall be identified during the employee education program and their name and telephone number shall be provided to the USFWS.
g. The Sacramento Fish and Wildlife Office of USFWS and CDFW shall be notified in writing within three working days of the accidental death or injury to a San Joaquin kit fox during Project-related activities. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information. The USFWS contact is the Chief of the Division of Endangered Species, at the addresses and telephone numbers below. The CDFW contact can be reached at (559) 243-4014 and R4CESA@wildlifeca.gov.
h. All sightings of the San Joaquin kit fox shall be reported to the California Natural Diversity Database (CNDDB). A copy of the reporting form and a topographic map clearly marked with the location of where the kit fox was observed shall also be provided to the Service at the address below.
i. Any Project-related information required by the USFWS or questions concerning the above conditions, or their implementation may be directed in writing to the U.S. Fish and Wildlife Service at: Endangered Species Division, 2800 Cottage Way, Suite W 2605, Sacramento, California 95825-1846, phone (916) 414-6620 or (916) 414-6600.

MM CUL-1: If prehistoric or historic-era cultural materials are encountered during construction activities, all work in the immediate vicinity of the find shall halt until a qualified archaeologist can evaluate the find and make recommendations. Cultural resource materials may include prehistoric resources such as flaked and ground stone tools and debris, shell, bone, ceramics, and fire-affected rock as well as historic resources such as glass, metal, wood, brick, or structural remnants. If the qualified archaeologist determines that the discovery represents a potentially significant cultural resource, additional investigations may be required to mitigate adverse impacts from Project implementation. These additional studies may include avoidance, testing, and evaluation or data recovery excavation. Implementation of the mitigation measure below would ensure that the proposed Project would not cause a substantial adverse change in the significance of a historical resource. Therefore, the Project would have a less-than-significant impact with incorporation of mitigation measures.

MM CUL-2: If human remains are discovered during construction or operational activities, further excavation or disturbance shall be prohibited pursuant to Section 7050.5 of the California Health and Safety Code. The specific protocol, guidelines, and channels of communication outlined by the Native American Heritage Commission, in accordance with Section 7050.5 of the Health and Safety Code, Section 5097.98 of the Public Resources Code (Chapter 1492, Statutes of 1982, Senate Bill 297), and Senate Bill 447 (Chapter 44, Statutes of 1987), shall be followed. Section 7050.5(c) shall guide the potential Native American

involvement, in the event of discovery of human remains, at the direction of the Merced County Coroner.

MM GEO-1: If any paleontological resources are encountered during ground disturbance activities, all work within 25 feet of the find shall halt until a qualified paleontologist as defined by the Society of Vertebrate Paleontology Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources (2010), can evaluate the find and make recommendations regarding treatment. Paleontological resource materials may include resources such as fossils, plant impressions, or animal tracks preserved in rock. The qualified paleontologist shall contact the Natural History Museum of Los Angeles County or other appropriate facility regarding any discoveries of paleontological resources.

If the qualified paleontologist determines that the discovery represents a potentially significant paleontological resource, additional investigations and fossil recovery may be required to mitigate adverse impacts from project implementation. If avoidance is not feasible, the paleontological resources shall be evaluated for their significance. If the resources are not significant, avoidance is not necessary. If the resources are significant, they shall be avoided to ensure no adverse effects, or such effects must be mitigated. Construction in that area shall not resume until the resource appropriate measures are recommended or the materials are determined to be less than significant. If the resource is significant and fossil recovery is the identified form of treatment, then the fossil shall be deposited in an accredited and permanent scientific institution. Copies of all correspondence and reports shall be submitted to the Lead Agency.

MM HAZ-1: An encroachment permit, approved by the County Department of Public Works, will be required to cut trenches in the County's right of way. As a part of the encroachment permit, a traffic control plan will be submitted to the County Public Works Department.

MM HYD-1: Prior to construction, the District shall submit an approved copy of: (1) the approved Storm Water Pollution Prevention Plan (SWPPP) and (2) the Notice of Intent (NOI) to comply with the General National Pollutant Discharge Elimination System (NPDES) from the Central Valley Regional Water Quality Control Board. The requirements of the SWPPP and NPDES shall be incorporated into design specifications and construction contracts. Recommended BMPs for the construction phase may include the following:

- Disposing of demolition debris and stockpiling soil properly to prevent erosion;
- Protecting existing storm drain inlets and stabilizing disturbed areas;
- Implementing erosion controls;
- Properly managing construction materials; and
- Managing waste, aggressively controlling litter, and implementing sediment controls.

SECTION 1 - INTRODUCTION

1.1 - Overview

The Delhi County Water District proposes water system improvements that will abandon and destroy existing private domestic wells to install approximately 3,160 feet of water line, water service, and lateral connections to approximately 76 residences in the unincorporated Community of Delhi in Merced County.

1.2 - California Environmental Quality Act

The Delhi County Water District is the Lead Agency for this Project pursuant to the CEQA Guidelines (Public Resources Code Section 15000 et seq.). The Environmental Checklist (CEQA Guidelines Appendix G) or Initial Study (IS) (see *Section 3 – Initial Study*) provides analysis that examines the potential environmental effects of the construction and operation of the Project. Section 15063 of the CEQA Guidelines requires the Lead Agency to prepare an IS to determine whether a discretionary project will have a significant effect on the environment. A Mitigated Negative Declaration (MND) is appropriate when an IS has been prepared and a determination can be made that no significant environmental effects will occur because revisions to the Project have been made or mitigation measures will be implemented that reduce all potentially significant impacts to less-than-significant levels. The content of an MND is the same as a Negative Declaration, with the addition of identified mitigation measures and a Mitigation Monitoring and Reporting Program (MMRP) (see *Appendix A – Mitigation Monitoring and Reporting Program*).

Based on the IS, the Lead Agency has determined that the environmental review for the proposed application can be completed with an MND.

1.3 - Impact Terminology

The following terminology is used to describe the level of significance of impacts.

- A finding of "no impact" is appropriate if the analysis concludes that the Project would not affect a topic area in any way.
- An impact is considered "less than significant" if the analysis concludes that it would cause no substantial adverse change to the environment and requires no mitigation.
- An impact is considered "less than significant with mitigation incorporated" if the analysis concludes that it would cause no substantial adverse change to the environment with the inclusion of environmental commitments that have been agreed to by the applicant.
- An impact is considered "potentially significant" if the analysis concludes that it could have a substantial adverse effect on the environment.

The content and format of this IS/MND is designed to meet the requirements of CEQA. The report contains the following sections:

- *Section 1 – Introduction:* This section provides an overview of CEQA requirements, intended uses of the IS/MND, document organization, and a list of regulations that have been incorporated by reference.

- *Section 2– Project Description:* This section describes the Project and provides data on the site's location.

- *Section 3 – Environmental Checklist:* This section contains the evaluation of 21 different environmental resource factors contained in Appendix G of the CEQA Guidelines. Each environmental resource factor is analyzed to determine whether the proposed Project would have an impact. One of four findings is made which include: no impact, less-than-significant impact, less than significant with mitigation, or significant and unavoidable. If the evaluation results in a finding of significant and unavoidable for any of the 21 environmental resource factors, then an Environmental Impact Report will be required.

- *Section 4 – List of Preparers:* This section identifies the individuals who prepared the IS/MND.

- *Section 5 – Bibliography:* This section contains a full list of references that were used in the preparation of this IS/MND.

- *Appendix A – Air Quality & Greenhouse Gas Impact Assessment*

- *Appendix B – Cultural Report*

- *Appendix C – Traffic Memorandum*

1.4 - Incorporated by Reference

The following documents and/or regulations are incorporated into this IS/MND by reference:

- 2006 Delhi Community Plan
- 2012 Merced County General Plan Draft Environmental Impact Report
- 2013 Merced County General Plan

SECTION 2 - PROJECT DESCRIPTION

2.1 - Introduction

The Delhi County Water District proposes to make improvements to the Community's water system. Figure 2-1 is a map of the regional location of the Project.

2.2 - Project Location

The unincorporated Community of Delhi in Merced County.

2.3 - Surrounding Land Uses

Delhi is predominantly a residential unincorporated community surrounded by agricultural uses with State Highway 99 bisecting the Community.

2.4 - Proposed Project

The Delhi County Water District (District) proposes to annex two neighborhoods that are presently outside the District boundary and on independent domestic groundwater systems, to abandon and destroy the existing private domestic wells, and to install approximately 3,160 feet of water line, water service, and lateral connections to approximately 76 residences on 61.3 acres in the unincorporated Community of Delhi in Merced County (Project). The Delhi CWD provides municipal water services to the majority of the Delhi Community Plan Area. This water is supplied by groundwater wells. Water is pumped, chlorinated, and conveyed through a pressurized water system. The wells owned and operated by the District meet the California Department of Health's minimum standard of 20 pounds per square inch and the overall water quality of the wells meet State California Title 22 requirements (Community of Delhi, 2006). The proposed Project would be providing safe, reliable water to the two neighborhoods that are not a part of the Community, bringing them up to standard.

The 76 residences are located within the two neighborhoods. One neighborhood along Letteau Avenue and Flower Street consists of 40 homes and the other neighborhood along Corner Street and August Avenue consists of 36 homes. Residents of these two neighborhoods have requested assistance to help alleviate the drought related issues they are experiencing. Due to the shallow depth of the private wells and uncertain groundwater levels, abandonment of the private existing wells for a more reliable and modern water system are necessary in order to protect the health and safety of the Community. Residents of the Community seek to secure a reliable water system as the diminishing groundwater supply may further degrade the quality of their drinking water.

The Project consists of the installation of approximately 1,310 feet of 12-inch water line, 1,755 feet of eight-inch water line, and 95 feet of six-inch water line connecting to the Delhi County Water District's water distribution system to supply all 76 households. The pipe will

Figure 2-1
Regional Location Map

be within 20 feet of either side of the street with a trench that will be three feet to five feet deep, and three feet to five feet wide. Potential staging areas include the Delhi County Water District Wastewater Treatment Plant and the Delhi High School. Additionally, the Project will include isolation gate valves, a tapping sleeve and valve, water service to each lot, lateral connections, and well abandonments. The Project area as well as the Project area with staging sites can be found in Figure 2-2 and 2-3. Figures 2-4 and 2-5 show the new connections that will be established with implementation of the Project.

The Project is divided into four tasks or phases. The first task is annexation of the neighborhoods to the District; the second is construction of the water line extension in the public right of way; the third task is the private property connection (meter to house); and the fourth task is well destruction.

2.4.1 - CONSTRUCTION

The first task is anticipated to start in September of 2020 and go through June of 2022. The required vehicles and equipment that are anticipated for these construction activities include:

- Forklifts
- Tractors/Loaders/Backhoes
- Concrete/Industrial Saws
- Excavators
- Plate compactors
- Bulldozers
- Loaders
- Signal Boards
- Air Compressors Cement and Mortar Mixers
- Cranes
- Generator Sets
- Welders
- Pavers
- Rollers

During construction at the proposed Project site, construction-related trucks would be present. However, these trucks would be traveling along the existing, local roadways and would not interfere with access surrounding the site. The construction phases would include workers such as laborers, craftsmen, supervisory personnel, support personnel, and construction management personnel.

Figure 2-2
Project Site

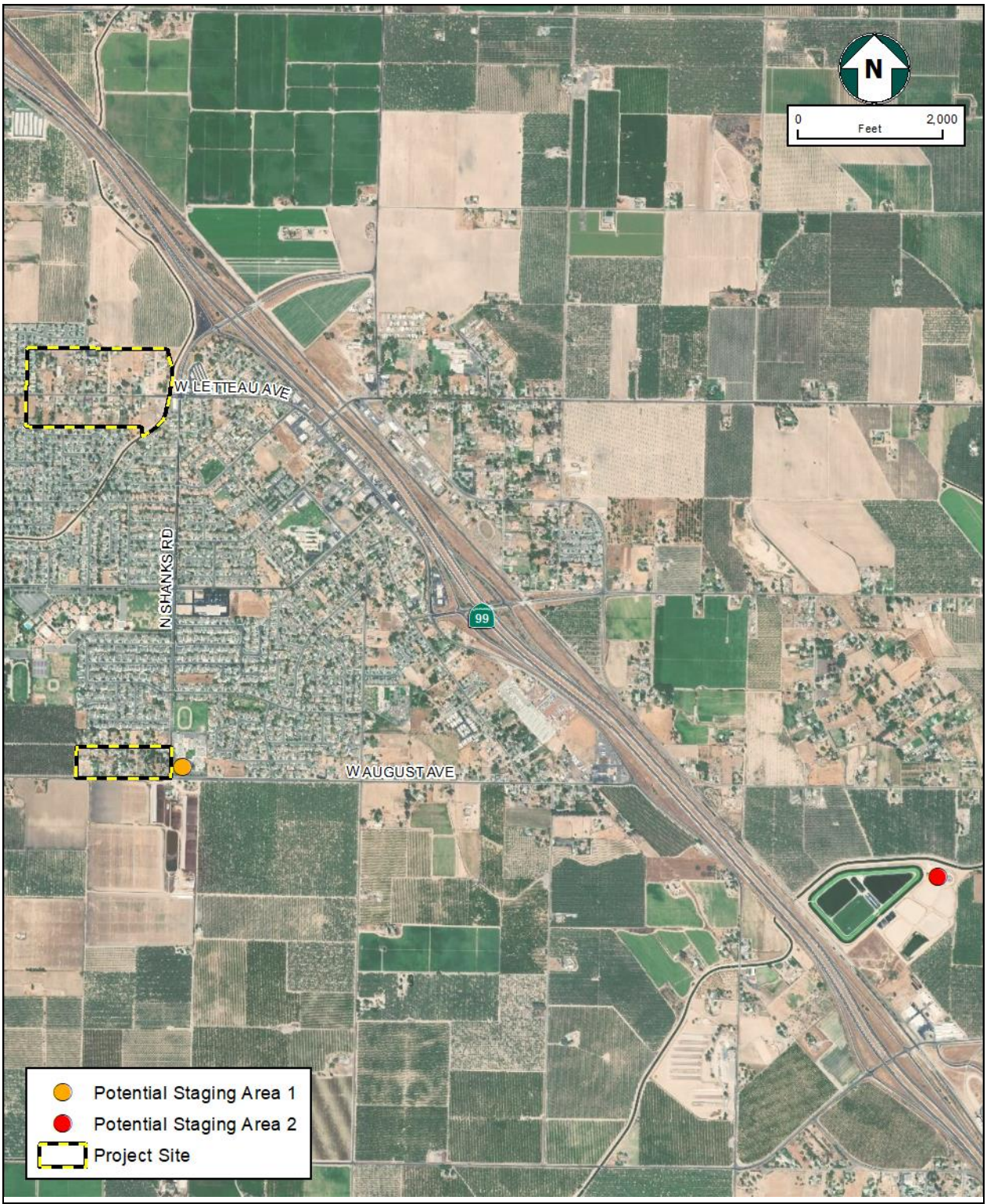

Figure 2-3
Project Site with Staging Areas

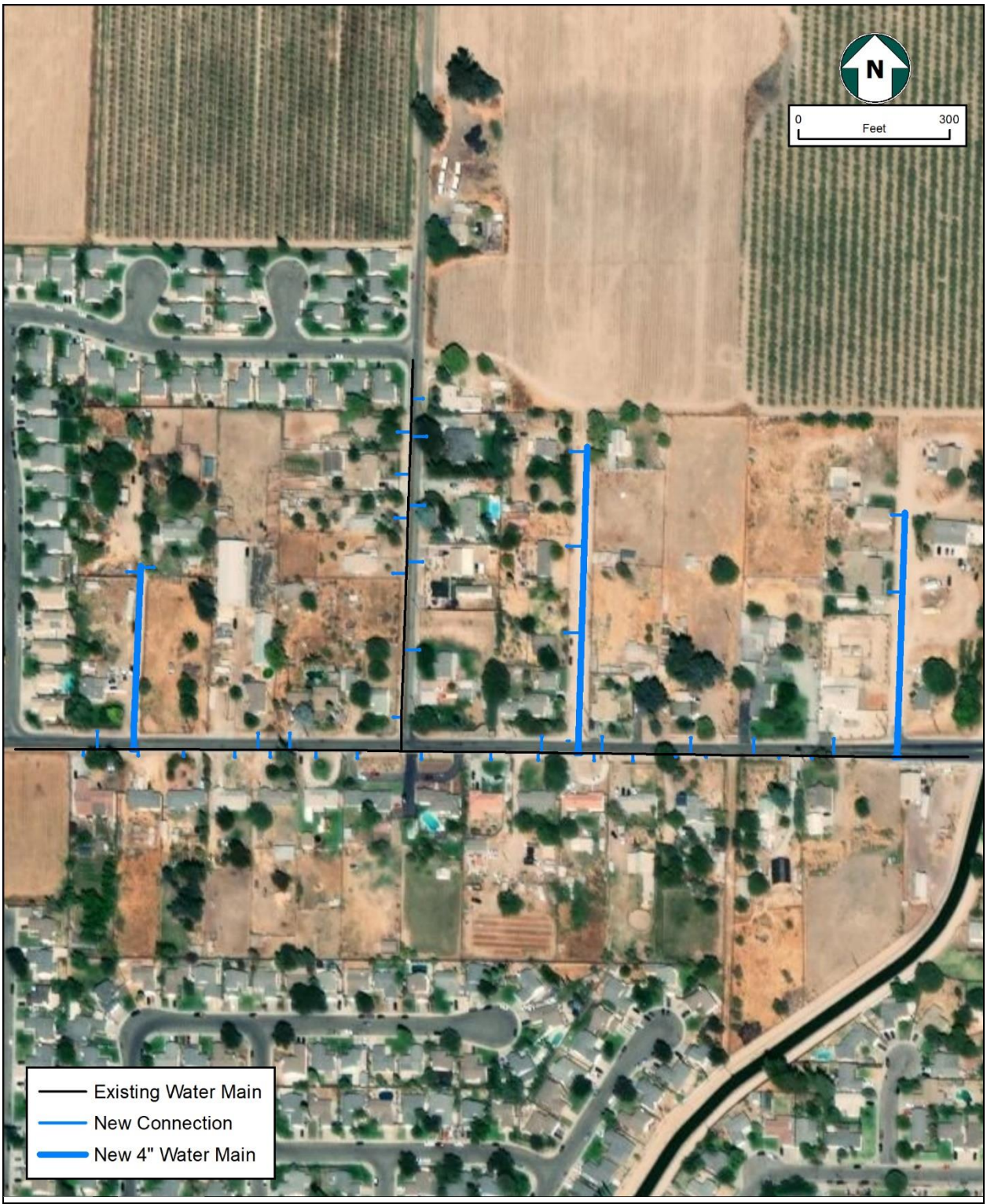

Figure 2-4
New Connections in Letteau Avenue

Figure 2-5
New Connections in Corner Street

SECTION 3 - INITIAL STUDY

3.1 - Environmental Checklist

1. Project Title:

   Delhi County Water District Water System Improvements

2. Lead Agency Name and Address:

   Delhi County Water District
   9738 Stephens Street
   Delhi, CA 95315
   209-632-8777

3. Contact Person and Phone Number:

   Leandro Maldonado
   General Manager
   9738 Stephens Street
   Delhi, CA 95315
   209-632-8777

4. Project Location:

   The unincorporated Community of Delhi in Merced County.

5. General Plan Designation:

   Low Density Residential

6. Zoning:

   Low Density Residential

7. Description of Project:

   See *Section 2 – Project Description*.

8. Surrounding Land Uses and Setting:

   Delhi is predominantly a residential unincorporated community with a commercial center and scattered industrial uses. The Community is surrounded by agricultural uses with State Highway 99 bisecting the Community.

9. Other Public Agencies Whose Approval is Required:

   - Merced County Local Agency Formation Commission

- Merced County Environmental Health Division
- San Joaquin Valley Air Pollution Control District
- Central Valley Regional Water Quality Control Board
- California State Water Resources Control Board
- California Department of Fish and Wildlife

10. Have California Native American tribes traditionally and culturally affiliated with the Project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

    A request for a list of potentially interested tribes was submitted to the California Native American Heritage Commission on April 2nd, 2020. Requests for consultation were sent out on April 24th, 2020 to the Amah Mutsun Tribal Band, the Dumna Wo-Wah Tribal Government, the North Valley Yokuts Tribe, and the Southern Sierra Miwuk Nation. No responses were received.

3.2 - Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this Project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

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

3.3 - Determination

On the basis of this initial evaluation:

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

☒ I find that although the proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the Project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed Project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (a) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (b) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENT IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

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

Signature	Date
Leandro Maldonado, General Manager	Delhi CWD
Printed Name	For

3.4 - Evaluation of Environmental Impacts

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

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

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

4. Negative Declaration: "Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less-Than-Significant Impact." The Lead Agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).

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

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

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

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

6. Lead Agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., General Plans, Zoning Ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

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

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

9. The explanation of each issue should identify:

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

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

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
3.4.1 - AESTHETICS					
Except as provided in Public Resources Code Section 21099, would the Project:					
a.	Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b.	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?	☐	☐	☐	☒
c.	In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the Project is in an urbanized area, would the Project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d.	Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	☐	☐	☐	☒

Discussion

Impact #3.4.1a – Except as provided in Public Resources Code Section 21099, would the Project have a substantial adverse effect on a scenic vista?

The Project is located in an area that has been developed for residential purposes. There are no roads or features in the area designated as scenic resources in the County General Plan (Merced County, 2013). The site is not within or in the vicinity of a State, city, or county identified scenic vista and the Project does not lie near or within a State Designated or Eligible State Scenic Highway (California Department of Transportation, 2011). Furthermore, development of the Project would not block or preclude views to any area containing important or what would be considered visually appealing landforms. Additionally, the Project will not include the removal of trees determined to be scenic or of scenic value, destroy rock outcroppings, or degrade any historic buildings. Therefore, no scenic resources will be significantly impacted by the Project.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact*.

Impact #3.4.1b - Except as provided in Public Resources Code Section 21099, would the Project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?

See Impact #3.4.1a, above.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have *no impact*.

Impact #3.4.1c - Except as provided in Public Resources Code Section 21099, would the Project in nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the Project is in an urbanized area, would the Project conflict with applicable zoning and other regulations governing scenic quality?

The Project is in an area that is developed for predominantly urban uses. Although short-term construction of the Project such as trenching and stockpiling soil would result in degradation of the existing visual character of the area, these impacts would be localized and temporary. The Project's operation would not change or degrade the visual character of the site. Therefore, it would not result in a substantial impact to the visual quality of the area.

See also discussion of Impact #3.4.1a, above.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact*.

Impact #3.4.1d - Except as provided in Public Resources Code Section 21099, would the Project create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

The Project proposes to replace the private wells of 76 residences with a connection to water line, water service, and lateral connections. Nighttime construction activity is not proposed, and no long-term operation lighting is required or proposed. Given the nature of the Project, any creation of a light source or glare would be temporary and would cease once the Project was completed. Therefore, the impact would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact

3.4.2 - AGRICULTURE AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, Lead Agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, Lead Agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the State's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the Project:

a.	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?	☐	☐	☐	☒
b.	Conflict with existing zoning for agricultural use or a Williamson Act contract?	☐	☐	☐	☒
c.	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220[g]), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104[g])?	☐	☐	☐	☒
d.	Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e.	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to nonagricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

Discussion

Impact #3.4.2a – Would the Project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?

The proposed Project would not convert any agricultural land to nonagricultural uses. As shown in Figure 3.4.2-1, the Project is in land designated as Urban and Built-Up Land by the

Merced County Farmland Mapping and Monitoring Program (California Department of Conservation, 2016). The Project is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance; therefore, the Project would have no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have ***no impact***.

Impact #3.4.2b – Would the Project conflict with existing zoning for agricultural use or a Williamson Act contract?

The Project site will not conflict with existing zoning for agricultural use or a Williamson Act contract. Therefore, there will be no impact.

Additionally, see Impact 3.4.2a, above.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have ***no impact***.

Impact #3.4.2c – Would the Project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220[g]), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104[g])?

The Public Resources Code Section 12220 (g) and Section 4526 defines "Forest land" as land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. There are no forest lands identified on the Project site or within its vicinity; therefore, there would be no conflict with or impacts to zoning for forest land or timberland. The Project would not result in the loss or conversion of forest land to a non-forest use.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have ***no impact***.

Impact #3.4.2d – Would the Project result in the loss of forest land or conversion of forest land to non-forest use?

See discussion of Impact 3.4.2c, above.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have ***no impact***.

Impact #3.4.2e – Would the Project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to nonagricultural use or conversion of forest land to non-forest use?

See discussion of Impacts #3.4.2a and #3.4.2c, above.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have ***no impact***.

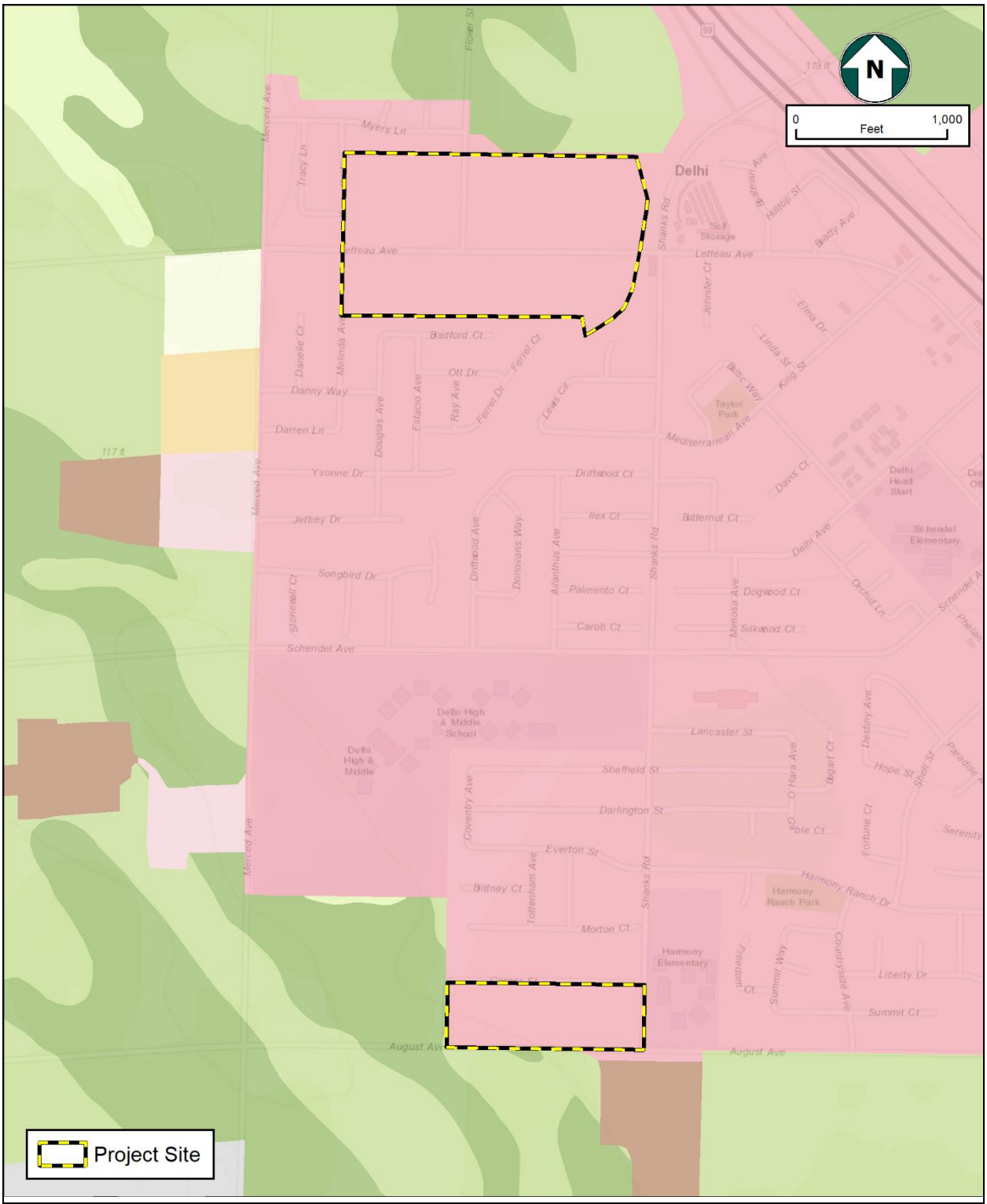

Figure 3.4.2-1
Farmland Mapping and Monitoring Program

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact

3.4.3 - AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the Project:

a.	Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b.	Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is nonattainment under an applicable federal or State ambient air quality standard?	☐	☐	☒	☐
c.	Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d.	Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

Discussion

Impact #3.4.3a – Would the Project conflict with or obstruct implementation of the applicable air quality plan?

The primary way of determining consistency with the air quality plan's (AQP's) assumptions is determining consistency with the applicable General Plan to ensure that the Project's population density and land use are consistent with the growth assumptions used in the AQPs for the air basin.

As required by California law, city and county General Plans contain a Land Use Element that details the types and quantities of land uses that the city or county estimates will be needed for future growth, and that designate locations for land uses to regulate growth. Merced County Association of Governments (MCAG) uses the growth projections and land use information in adopted General Plans to estimate future average daily trips and then vehicle miles travelled (VMT), which are then provided to San Joaquin Valley Air Pollution Control District (SJVAPCD) to estimate future emissions in the AQPs. Existing and future pollutant emissions computed in the AQP are based on land uses from area General Plans. AQPs detail the control measures and emission reductions required for reaching attainment of the air standards.

The applicable General Plan for the Project is the Merced County 2030 General Plan, which was adopted in 2012. The Project is consistent with the currently adopted General Plan for the Delhi Community and is therefore consistent with the population growth and VMT applied in the plan. Therefore, the Project is consistent with the growth assumptions used in the applicable AQPs. As a result, the Project will not conflict with or obstruct implementation of any air quality plans.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact*.

Impact #3.4.3b – Would the Project result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is nonattainment under an applicable federal or State ambient air quality standard?

The Merced County area is nonattainment for federal and State air quality standards for ozone and nonattainment for federal and State standards for $PM_{2.5}$. Merced County is also nonattainment for State standards for PM_{10}. The SJVAPCD has prepared the 2016 and 2013 Ozone Plans, 2007 PM_{10} Maintenance Plan, and 2012 $PM_{2.5}$ Plan to achieve federal and State standards for improved air quality in the San Joaquin Valley Air Board (SJVAB) regarding ozone and PM. Individual projects contribute cumulatively to a regions nonattainment status and inconsistency with any of the plans would be considered a cumulatively adverse air quality impact.

Project specific emissions that exceed the thresholds of significance for criteria pollutants would be expected to result in a cumulatively considerable net increase of any criteria pollutant for which the County is in nonattainment under applicable federal or State ambient air quality standards. It should be noted that a project isn't characterized as cumulatively insignificant when project emissions fall below thresholds of significance. The SJVAPCD has established thresholds of significance for determining environmental significance which are provided in Table 6, of the Air Quality & Greenhouse Gas Impact Assessment (Appendix A).

Per CEQA Guidelines §15064(h)(3), a Lead Agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program, including, but not limited to an air quality attainment or maintenance plan that provides specific requirements that will avoid or substantially lessen the cumulative problem within the geographic area in which the project is located.

Air Quality Plan

As noted above, the SJVAPCD has prepared the 2016 and 2013 Ozone Plans, 2007 PM_{10} Maintenance Plan, and 2012 $PM_{2.5}$ Plan to achieve federal and State standards for improved

air quality in the SJVAB regarding ozone and PM. Existing and future pollutant emissions computed in the AQP are based on land uses from area General Plans. The AQP details the control measures and emission reductions required for reaching attainment of the air standards.

The applicable General Plan for the Project is the Merced County 2030 General Plan, which was adopted in 2012. The Project is consistent with the currently adopted General Plan for the Delhi Community and is therefore consistent with the population growth and VMT applied in the Plan. Therefore, the Project is consistent with the growth assumptions used in the applicable AQP. As a result, the Project will not conflict with or obstruct implementation of any air quality plans.

Ozone/Particulate Matter

As discussed above, Project emissions would not exceed the project-level significance thresholds for ozone precursors ROG and NOx or PM_{10} and $PM_{2.5}$ during construction and operation. The SJVAPCD considers projects that exceed the project-level thresholds of significance as cumulatively significant. The Project's emissions would not combine with other sources in the SJVAB to make a cumulatively considerable contribution to a violation of the ozone standards. Therefore, this impact is less than significant. As such, there would not be a significant contribution to health effects from ozone and particulate matter.

Based on the assessment above, the Project will not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or State ambient air quality standards (including releasing emissions which exceed quantitative thresholds for ozone precursors) and any impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact*.

Impact #3.4.3c – Would the Project expose sensitive receptors to substantial pollutant concentrations?

Sensitive receptors refer to those segments of the population most susceptible to poor air quality (i.e., children, the elderly, and those with pre-existing serious health problems affected by air quality). Land uses that have the greatest potential to attract these types of sensitive receptors include schools, parks, playgrounds, daycare centers, nursing homes, hospitals, and residential communities. The first step in evaluating the potential for impacts to sensitive receptors for Toxic Air Contaminants (TACs) from the Project is to perform a screening level analysis. For Type A Projects, one type of screening tool is found in the California Air Resources Board (CARB) Handbook: Air Quality and Land Use Handbook: A

Community Perspective. This handbook includes a table (depicted in Table 4 of Appendix A) with recommended buffer distances associated with various types of common sources. Since, the Project does not correspond with the characteristics of the source categories included in Table 4, a health risk assessment is not needed at this time. Therefore, the Project will not expose sensitive receptors to substantial pollutant concentrations and any impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact*.

Impact #3.4.3d – Would the Project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

The SJVAPCD requires that an analysis of potential odor impacts be conducted for the following two situations:

- Generators – projects that would potentially generate odorous emissions proposed to be located near existing sensitive receptors or other land uses where people may congregate, and
- Receivers – residential or other sensitive receptor projects or other projects built for the intent of attracting people located near existing odor sources.

The intensity of an odor source's operations and its proximity to sensitive receptors influences the potential significance of odor emissions. The SJVAPCD has identified some common types of facilities that have been known to produce odors in the SJVAB. The types of facilities that are known to produce odors are shown in Table 5 of Appendix A, along with a reasonable distance from the source within which, the degree of odors could possibly be significant. The Project does not correspond with specific characteristics (projects), as identified in Table 5 of the assessment in Appendix A. As a result, the Project will not generate odorous emissions that would adversely affect a substantial number of people.

Therefore, no mitigation is needed.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
3.4.4 - BIOLOGICAL RESOURCES				
Would the Project:				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
c. Have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☒	☐	☐
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f. Conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or State habitat conservation plan?	☐	☐	☐	☒

Discussion

A reconnaissance level biological survey was conducted to determine the presence or absence of sensitive biological resources that might potentially be adversely affected by the proposed Project. This evaluation is based upon a query of existing database information, existing site conditions based upon the onsite examination, an evaluation of the potential for

sensitive biological resources to occur on and in the vicinity of the Project site, and any respective impacts that could potentially occur. In addition to the evaluation of potential impacts, this report also details the regulatory environment as it relates to biological resources.

A review of the California Department of Fish and Wildlife's (CDFW) California Natural Diversity Database (CNDDB) (CDFW 2019) California Native Plant Society (CNPS; CNPS 2019), and United States Fish and Wildlife Service (USFWS) Endangered Species List (USFWS 2019) was conducted to identify special-status plant and wildlife species with the potential to occur within the Project site and vicinity (the surrounding nine quads and a 10-mile radius). Information on the potential presence of wetlands and waters was obtained from the National wetlands Inventory (NWI), National Hydrography Database (NHD) and Federal Emergency Management Agency (FEMA). Information regarding the presence of Critical Habitat in the Project vicinity was obtained from the United States Fish and Wildlife Service's Critical Habitat Mapper database. The results of the database inquiries were subsequently reviewed to evaluate the potential for occurrence of special-status species and other sensitive biological resources known to occur on or near the Project site prior to conducting the biological reconnaissance survey.

On April 15, 2020, a biological reconnaissance survey of the entire Project site and a 500-foot buffer area (Biological Survey Area [BSA]) was conducted. Some areas of the BSA was on private lands where access was not available, so those areas were evaluated from a distance. The purpose of the survey was to determine the locations and extent of plant communities and sensitive habitats, determine the potential for occurrence of special-status plant and animal species, and identify other sensitive biological resources within the BSA. Survey methodologies included performing vehicular transects along accessible roads, using binoculars to survey areas that were not accessible. Protocol surveys for specific special-status wildlife species were not conducted for this report because such surveys were not warranted due to the condition of the Project site. Ground-based and aerial photographs were taken to document existing landscapes of the Project site and adjacent land uses; detailed notes on plant and wildlife species encountered and site conditions were recorded while conducting the survey.

General Site Conditions

The 61.3-acre Project consists of 76 residences located within two neighborhoods at the north and south ends of the unincorporated Community of Delhi. One neighborhood along Letteau Avenue and Flower Street consists of 40 homes and the other neighborhood along Corner Street and August Avenue consists of 36 homes. The areas surrounding the Project contain a mix of residential neighborhoods, commercial areas, vacant lots, active agricultural lands, irrigation canals, and a dairy. Many of the houses within the Project site sit on long rectangular lots with large backyard areas. Most of the onsite vegetation consists of ornamental tree, shrub and herbaceous plants with some naturally recruited species observed along the margins of private properties and along roadways. The active agricultural lands within the BSA currently support almond orchards and an active dairy. A field adjacent to the dairy is being used to produce grain and oats for cattle feed. Several

small mammal burrow complexes were present along August Avenue and multiple California ground squirrels (*Otospermophilus beecheyi*) were observed running amongst the burrow complexes. Red-tailed hawks (*Buteo jamaicensis)* were seen around the margins of the Project. One active red-tailed hawk nest was present within the BSA along North Flower Street. Two Swainson's hawks (*Buteo swainsoni)* were soaring south of Letteau Avenue in the BSA, but no active Swainson's hawk nests were found. The raptor observations mostly occurred outside the Project site boundaries, within areas of the BSA associated with active agricultural lands and otherwise undeveloped lands.

There were 21 plant species and 12 wildlife species identified during the survey, either through direct observation or by the presence of diagnostic sign.

Table 3.4.4-1
List of Plant and Wildlife Species Observed within the Biological Survey Area

Scientific name	Common name
Plants	
Brassica nigra	black Mustard
Bromus sp.	brome species
Cupressus sempervirens	Mediterranean cypress
Eschscholzia californica	California poppy
Erodium botrys	long-stemmed filaree
Eucalyptus sp.	eucalyptus
Ficus carica	common fig
Grevillea robusta	silky oak
Hordeum jubatum	foxtail barley
Juglans sp	walnut
Liquidambar styraciflua	sweetgum
Magnolia grandiflora	magnolia
Pinus sp.	pine
Populus fremontii	cottonwood
Prunus dulcis	almond
Prunus salicina	Japanese plum
Quercus lobate	valley oak
Rosa sp.	ornamental rose
Sequoia sp.	ornamental redwood
Trifolium repens	white clover
Washintonia robusta	fan palm
Wildlife	
Ammodramus savannarum	grasshopper sparrow
Buteo jamaicensis	red-tailed hawk
Buteo swainsoni	Swainson's hawk
Columba livia domestica	common pigeon
Corvus brachyrhynchos	American crow
Lanius ludovicianus	loggerhead shrike

Scientific name	Common name
Mimus polyglottos	mockingbird
Otospermophilus beecheyi	California ground squirrel
Petrochelidon sp.	swallow
Pica nuttalli	yellow-beaked magpie
Tyrannus verticalis	western kingbird
Zenaida macroura	mourning dove

*Indicates that only sign (scat, tracks, prey remains, dens) were observed.

This section describes the results of the database searches and, using conditions present on the Project site as determined by the onsite examination, provides an analysis of Project impacts on each of six biological evaluation criteria. Each criterion is discussed below, and mitigation measures are provided when warranted. When implemented the measures provided would reduce impacts to below significant levels.

Impact #3.4.4a – Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

The database search indicated that there is a potential for seven sensitive natural communities and 18 special-status species to be present on the Project site. An evaluation of each of the potentially occurring sensitive natural communities and special-status species, which included habitat requirements, likelihood of required habitat to occur within the Project area, and a comparison to the CNDDB records was conducted. This evaluation resulted in a conclusion that no sensitive natural communities or special-status plant species are likely to occur on or near the Project site, and that four wildlife species have a low or moderate potential to occur on or near the Project site.

Sensitive Natural Communities and Special Status Species

SENSITIVE NATURAL COMMUNITIES AND SPECIAL STATUS PLANTS

According to the CNDDB and USFWS database query, there are seven sensitive natural communities and seven special status plant species identified as having potential to occur within the subject quadrangle and eight surrounding quadrangles. There are three sensitive natural communities and seven special-status plant species found within a 10-mile buffer of the Project site (CDFW 2019). The Project site and adjacent lands have been continually disturbed for years given the ongoing agricultural activity and development of the surrounding areas in the Community of Delhi. These land uses preclude the presence of suitable conditions to support these sensitive natural communities and special-status plant species. No sensitive natural communities or special-status plant species occur on or near the Project site.

SPECIAL-STATUS WILDLIFE

Based on the USFWS database query, there were 11 special-status wildlife species identified as having a potential to occur within the subject quadrangle and eight surrounding quadrangles. However, there are 29 special-status wildlife species found within a 10-mile buffer of the Project site (CDFW 2019). All potentially occurring special-status wildlife species were eliminated from occurring on the Project site and surrounding area except for the San Joaquin kit fox (*Vulpes macrotis mutica*), and the Swainson's hawk (*Buteo swainsoni*). These two species have a low or moderate potential to occur within the Project site and vicinity. There are no species with a high potential to occur on or near the Project site. Nesting bird species have a likelihood of occurring and are also included in the analysis below.

San Joaquin Kit Fox

The San Joaquin kit fox has a low potential to occur within the Project site and surrounding areas. There are no historical records of occurrence within 10 miles of the Project. No potential dens of a suitable size were present at the Project site and no diagnostic sign of the species was documented during the site visit. The densely packed residential neighborhoods that comprise the Project do not contain suitable habitat for dens to occur, but the surrounding agricultural lands could potentially support the San Joaquin kit fox and they could occur on the Project from time to time as foraging transients.

Swainson's Hawk

The Swainson's hawk has potential to occur on the Project site and in the immediate surrounding areas. The most recent CNDDB recorded occurrence (EONDX 91246) of a Swainson's hawk is also the closest occurrence, which is 4.46 miles northeast of the Project. Habitat on the Project site is highly developed and contains a mix of ornamental and native trees. These ornamental species, including Italian cypress and fan palm, offer little nesting opportunity for this species. The naturally occurring native species such as valley oak show signs of being maintained and trimmed, creating thick canopies that are not ideal for nesting raptors, including the Swainson's hawk. Swainson's hawks are known to nest and forage near agricultural lands and a pair of Swainson's hawks was observed soaring over the northern portion of the Project during the site survey. The areas surrounding the Project could potentially support this species.

Nesting Birds

Various species of nesting birds have potential to occur within the Project Site and immediate surrounding area. The Project site contains numerous trees and manmade structures that could be used as nesting habitat for migratory bird species. Multiple red-tailed hawks (*Buteo jamaicensis*) were observed soaring in the immediate areas surrounding the Project and an occupied red-tailed hawk nest was documented just outside the 500-foot BSA during the April 2020 reconnaissance survey.

The following measures shall be implemented to ensure adequate protection and avoidance of these special-status species and nesting migratory birds and raptors.

MITIGATION MEASURE(S)

MM BIO-1: Prior to ground disturbing activities, a qualified wildlife biologist shall conduct a biological clearance survey between 14 and 30 calendar days prior to the onset of construction. The clearance survey shall include walking transects to identify presence of San Joaquin kit fox, Swainson's hawk, nesting birds and other special-status species or signs of, and sensitive natural communities. The preconstruction survey shall be walked by no greater than 30-foot transects for 100 percent coverage of the accessible areas of the Project site and the 50-foot buffer. A report outlining the results of the survey shall be submitted to the Lead Agency.

Potential kit fox dens may be excavated provided that: (1) the den has been monitored using tracking medium placed around the den for at least five consecutive days, is examined daily for tracks, and is deemed unoccupied by a qualified biologist; (2) the excavation is conducted by or under the direct supervision of a qualified biologist. Den monitoring and excavation, if required, shall be conducted in accordance with the *Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance* (USFWS 2011).

MM BIO-2: Prior to ground disturbance activities, or within one week of being deployed at the Project site for newly hired workers, all construction workers at the Project site shall attend a Worker Environmental Awareness Training and Education Program, developed and presented by a qualified biologist.

The Worker Environmental Awareness Training and Education Program shall be presented by a qualified biologist and shall include information on the life history of wildlife and plant species that may be encountered during construction activities, their legal protections, the definition of "take" under the California Endangered Species Act (CESA) and Federal Endangered Species Act (FESA), measures the Project operator must implement to protect species, reporting requirements, specific measures that each worker must employ to avoid take of the species, and penalties for violation of CESA and FESA. Identification and information regarding special-status or other sensitive species with the potential to occur on the Project site shall also be provided to construction personnel. The program shall include:

- An acknowledgement form signed by each worker indicating that environmental training has been completed.
- A copy of the training transcript and/or training video/CD, as well as a list of the names of all personnel who attended the training and copies of the signed acknowledgement forms shall be maintained onsite for the duration of construction activities.

MM BIO-3: If construction activities are to occur during the Swainson's hawk breeding season (February 15 through August 31), then nesting surveys for the Swainson's hawks shall be conducted in accordance with the protocol outlined in the *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley* (Swainson's Hawk Technical Advisory Committee 2000). If potential Swainson's hawk nests or nesting substrates are located within 0.5 miles of the Project site, then those nests or substrates must be monitored for activity on a routine and repeating basis throughout the breeding season, or until Swainson's hawks or other raptor species are verified to be using the nests. The protocol recommends that the following visits be made to each nest or nesting site: one visit during January 1 through March 20 to identify potential nest sites, three visits during March 20 through April 5, three visits during April 5 through April 20, and three visits during the period from June 10 through July 30. A fewer number of visits may be permissible if deemed adequate by a qualified biologist. To meet the minimum level of protection for the species, surveys shall be completed for at least the two survey periods immediately prior to Project-related ground disturbance activities. If Swainson's hawks are not found to nest within the survey area, then no further action is warranted.

If Swainson's hawks are found to nest within the survey area, active Swainson's hawk nests shall be avoided by 0.5 miles during the nesting period. If a construction area falls within this 0.5-mile buffer, then construction must be delayed until the young have fledged (left the nest). This avoidance buffer may be reduced by a recommendation by a qualified biologist with expertise in Swainson's hawk who can verify through periodic monitoring of nesting activities that the Project will not result in decreased reproductive potential of the nesting pair of hawks, or through consultation with the CDFW . In no case shall the no-disturbance area be reduced to less than 500 feet. If the no-disturbance area is reduced below 0.5 miles, a qualified biologist must conduct construction monitoring on a daily basis, inspect the nest on a daily basis, and ensure that construction activities do not disrupt breeding behaviors.

MM BIO-4: If construction is planned outside the nesting period for raptors and migratory birds, no mitigation shall be required. If construction is planned during the nesting season for migratory birds and raptors (February 15 to August 31), a preconstruction survey to identify active bird nests shall be conducted by a qualified biologist to evaluate the site and a 250-foot buffer for migratory birds and a 500-foot buffer for raptors. If nesting birds are identified during the survey, active raptor nests shall be avoided by 500 feet and all other migratory bird nests shall be avoided by 250 feet. Avoidance buffers may be reduced if a qualified onsite monitor determines that encroachment into the buffer area would not affect nest building, the rearing of young, or otherwise affecting the breeding behaviors of the resident birds. If no-disturbance buffer areas are reduced, a qualified biologist must conduct construction monitoring on a daily basis, inspect nests on a daily basis, and ensure that construction activities do not disrupt breeding behaviors. Once the migratory birds or raptors have completed nesting and young have fledged (left the nest), disturbance buffers will no longer be needed and can be removed, and monitoring can cease. Because nesting birds can establish new nests or produce a second or even third clutch at any time during the nesting season, nesting bird surveys shall be repeated every 30 days as construction activities are occurring throughout the nesting season.

MM BIO-5: During all construction-related activities, the following measures shall apply:

a. All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in securely closed containers and removed at least once a week from the construction or Project site.
b. Construction-related vehicle traffic shall be restricted to established roads and predetermined ingress and egress corridors, staging, and parking areas. Vehicle speeds should not exceed 20 miles per hour (mph) within the Project site.
c. To prevent inadvertent entrapment of kit fox or other animals during construction, the contractor shall cover all excavated, steep-walled holes or trenches more than two feet deep at the close of each workday with plywood or similar materials. If holes or trenches cannot be covered, one or more escape ramps constructed of earthen fill or wooden planks shall be installed in the trench. Before such holes or trenches are filled, the contractor shall thoroughly inspect them for entrapped animals. All construction-related pipes, culverts, or similar structures with a diameter of four-inches or greater that are stored on the Project site shall be thoroughly inspected for wildlife before the pipe is subsequently buried, capped, or otherwise used or moved in anyway. If at any time an entrapped or injured kit fox is discovered, work in the immediate area shall be temporarily halted and USFWS and CDFW shall be consulted.
d. Kit foxes are attracted to den-like structures such as pipes and may enter stored pipes and become trapped or injured. All construction pipes, culverts, or similar structures with a diameter of four-inches or greater that are stored at a construction site for one or more overnight periods shall be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe shall not be moved until the USFWS and CDFW has been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved only once to remove it from the path of construction activity, until the fox has escaped.
e. Use of anti-coagulant rodenticides and herbicides in Project areas shall be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds shall observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and federal legislation, as well as additional Project-related restrictions deemed necessary by the USFWS and CDFW. If rodent control must be conducted, zinc phosphide shall be used because of the proven lower risk to kit foxes.
f. A representative shall be appointed by the Project proponent who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured or entrapped kit fox. The representative shall be identified during the employee education program and their name and telephone number shall be provided to the USFWS.
g. The Sacramento Fish and Wildlife Office of USFWS and CDFW shall be notified in writing within three working days of the accidental death or injury to a San Joaquin kit fox during Project-related activities. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent

information. The USFWS contact is the Chief of the Division of Endangered Species, at the addresses and telephone numbers below. The CDFW contact can be reached at (559) 243-4014 and R4CESA@wildlifeca.gov.

h. All sightings of the San Joaquin kit fox shall be reported to the California Natural Diversity Database (CNDDB). A copy of the reporting form and a topographic map clearly marked with the location of where the kit fox was observed shall also be provided to the Service at the address below.
i. Any Project-related information required by the USFWS or questions concerning the above conditions, or their implementation may be directed in writing to the U.S. Fish and Wildlife Service at: Endangered Species Division, 2800 Cottage Way, Suite W 2605, Sacramento, California 95825-1846, phone (916) 414-6620 or (916) 414-6600.

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact with mitigation incorporated*.

Impact #3.4.4b – Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

According to CNDDB recorded occurrences, there are seven sensitive natural communities within 10 miles of the Project site. The Project site and adjacent lands have been continually disturbed for years given the ongoing agricultural activity and development of the surrounding areas in the Community of Delhi. The areas surrounding the Project contain a mix of additional residential neighborhoods, commercial areas, vacant lots, active agricultural lands, irrigation canals, and a dairy cattle facility. The agricultural canal is paved and lacks vegetation. No sensitive natural communities exist on the Project site or within the Survey Area.

Riparian habitat is defined as lands that are influenced by a river, specifically the land area that encompasses the river channel and its current or potential floodplain. The Project is not located within a river or an area that encompasses a river or potential floodplain. The proposed Project would not have any adverse effect to a riparian habitat.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have *no impact*.

Impact #3.4.4c – Would the Project have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

The United States Army Corps of Engineers (USACE) has regulatory authority over the Clean Water Act (CWA), as provided for by the EPA. The USACE has established specific criteria for the determination of wetlands based upon the presence of wetland hydrology, hydric soils, and hydrophilic vegetation. There are no federally protected wetlands, waters of the United States, or vernal pools that occur within the Project site.

Wetlands, streams, reservoirs, sloughs, and ponds typically meet the criteria for federal jurisdiction under Section 404 of the CWA and State regulatory authority under the Porter-Cologne Water Quality Control Act. Streams and ponds typically meet the criteria for State regulatory authority under Section 1602 of the California Fish and Game Code. There are no features on the Project site that would meet the criteria for either federal jurisdiction or State regulatory authority. There would be no impact to federally protected wetlands or waterways or State wetlands or waters.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have ***no impact***.

Impact #3.4.4d – Would the Project interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Wildlife migratory corridors are described as a linear stretch of land that connects two open pieces of habitat that would otherwise be unconnected. These routes provide shelter and sufficient food resources to support wildlife species during migratory movements. Movement corridors generally consist of riparian, woodlands, or forested habitats that span contiguous acres of undisturbed habitat and are important elements of resident species' home ranges.

The proposed Project and surrounding areas do not occur within a known essential connectivity area identified by the Essential Habitat Connectivity Project (Spencer et al 2010). The proposed Project does not occur within any terrestrial migration route, significant wildlife corridor, or wildlife linkage area as identified in the Recovery Plan for Upland Species in the San Joaquin Valley (USFWS 1998). The survey conducted for the Project did not provide evidence of a wildlife nursery or important migratory habitat being present on the Project site. Migratory birds and raptors could use habitat on or near the Project for foraging and/or as stopover sites during migrations or movement between local areas.

The Project would not substantially affect migrating birds or other wildlife. The Project will not restrict, eliminate, or significantly alter a wildlife movement corridor, wildlife core area, or Essential Habitat Connectivity area, either during construction or after the Project has

been constructed. Project construction will not substantially interfere with wildlife movements or reduce breeding opportunities.

Additionally, the land surrounding the Project site is developed with residences or is planned for continuation of agricultural development that would not enhance the ability of wildlife to move through the area. The proposed Project would not interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites.

MITIGATION MEASURE(S)

MM BIO-1 through MM BIO-5.

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact with mitigation incorporated*.

Impact #3.4.4e – Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

There are no adopted local policies or ordinances protecting biological that would apply to this Project site. Therefore, implementation of the proposed Project would have no conflict related to an adopted local policies or ordinances protecting biological resources.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have *no impact*.

Impact #3.4.4f – Would the Project conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or State habitat conservation plan?

The Project site is not located within any natural community conservation plan area or any other local, regional, or State habitat conservation plan.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have no impact.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
3.4.5 - CULTURAL RESOURCES				
Would the Project:				
a. Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5?	☐	☒	☐	☐
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?	☐	☒	☐	☐
c. Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐

Discussion

Impact #3.4.5a – Would the Project cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5?

As defined by CEQA Guidelines Section 15064.5, "historical resources" are:

- A resource listed in or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (Public Resource Code Section 5024.1, Title 14 California Code of Regulations, Section 4850 et seq.).
- A resource included in a local register of historical resources, as defined in Section 5020.1(k) of the Public Resources Code or identified as significant in a historical resource survey meeting the requirements Section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.
- Any object, building, structure, site, area, place, record, or manuscript which a Lead Agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource, provided the Lead Agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the Lead Agency to be "historically significant" if the resource meets the criteria for listing on the California Register of Historical Resources (Public Resources Code Section 5024.1, Title 14 CCR, Section 4852) including the following:

- Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- Is associated with the lives of persons important in our past;
- Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
- Has yielded, or may be likely to yield, information important in prehistory or history.

On May 5, 2020, a record search was requested from the California Historical Resources Information System's (CHRIS) Central California Information Center (CCIC) at California State University, Stanislaus at Turlock. The records search encompassed the Project areas plus all land within a 0.5-mile radius of the Project. CCIC staff consulted archaeological site and survey base maps, reports of previous investigations, cultural resource records, the listings of the National Register of Historic Places, the Historic Property Data File, the California Historical Land marks, the California Register of Historical Resources, the California Inventory of Historical Resources, and the California Points of Historical Interest (see Appendix B).

No cultural resources were located as a result of survey. The area is composed of 85-percent Delhi sand within a developed neighborhood. It is not conductive to preservation or a contextual understanding of historic artifacts and the natural surface was not visible. The remaining area is within the right of way of a developed roadway and will not impact any historical features.

Although it is unlikely, due to the possible presence of undocumented tribal or cultural resources within the Project site, construction related impacts on tribal or cultural resources could be potentially significant prior to mitigation. Implementation of the following mitigation measure would require appropriate steps to preserve and/or document any previously undiscovered resources that may be encountered during construction activities, including human remains

MITIGATION MEASURE(S)

MM CUL-1: If prehistoric or historic-era cultural materials are encountered during construction activities, all work in the immediate vicinity of the find shall halt until a qualified archaeologist can evaluate the find and make recommendations. Cultural resource materials may include prehistoric resources such as flaked and ground stone tools and debris, shell, bone, ceramics, and fire-affected rock as well as historic resources such as glass, metal, wood, brick, or structural remnants. If the qualified archaeologist determines that the discovery represents a potentially significant cultural resource, additional investigations may be required to mitigate adverse impacts from Project implementation. These additional studies may include avoidance, testing, and evaluation or data recovery excavation. Implementation of the mitigation measure below would ensure that the proposed Project would not cause a substantial adverse change in the significance of a historical resource.

Therefore, the Project would have a less-than-significant impact with incorporation of mitigation measures.

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact with mitigation incorporated*.

Impact #3.4.5b – Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?

See discussion of Impact #3.4.5a, above.

MITIGATION MEASURE(S)

Implementation of Mitigation Measure MM CUL-1.

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact with mitigation incorporated*.

Impact #3.4.5c – Would the Project disturb any human remains, including those interred outside of formal cemeteries?

Although unlikely, subsurface construction activities associated with the proposed Project could potentially disturb previously undiscovered human burial sites. Accordingly, this is a potentially significant impact. Although considered unlikely subsurface construction activities could cause a potentially significant impact to previously undiscovered human burial sites. The records searches did not indicate the presence of human remains, burials, or cemeteries within the Project area or in a 0.5-mile radius of the Project area. However, construction would involve earth-disturbing activities, and it is still possible that human remains may be discovered, possibly in association with archaeological sites. Implementation of the below mitigation measure would ensure that the proposed Project would not directly or indirectly destroy previously unknown human remains. The proposed Project would not disturb any known human remains, including those interred outside of formal cemeteries. Therefore, the Project would have a less-than-significant impact with incorporation of mitigation measures.

MITIGATION MEASURE(S)

MM CUL-2: If human remains are discovered during construction or operational activities, further excavation or disturbance shall be prohibited pursuant to Section 7050.5 of the California Health and Safety Code. The specific protocol, guidelines, and channels of communication outlined by the Native American Heritage Commission, in accordance with Section 7050.5 of the Health and Safety Code, Section 5097.98 of the Public Resources Code (Chapter 1492, Statutes of 1982, Senate Bill 297), and Senate Bill 447 (Chapter 44, Statutes of 1987), shall be followed. Section 7050.5(c) shall guide the potential Native American

involvement, in the event of discovery of human remains, at the direction of the Merced County Coroner.

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact with mitigation incorporated*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
3.4.6 - ENERGY				
Would the Project:				
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation?	☐	☐	☐	☒
b. Conflict with or obstruct a State or local plan for renewable energy or energy efficiency?	☐	☐	☐	☒

Discussion

Impact #3.4.6a – Would the Project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation?

Construction of the Project would increase energy consumption due to the operation of construction equipment. The increase in energy consumption associated with construction activities would be minimal in comparison to statewide and regional consumption. Construction equipment and vehicles would be operated in accordance with all applicable rules and regulations thereby minimizing energy consumption associated with the construction equipment and vehicles primarily powered by nonrenewable fuels.

Increased energy consumption as a result of the Project is expected to be minimal to none.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have ***no impact***.

Impact #3.4.6b – Would the Project Conflict with or obstruct a State or local plan for renewable energy or energy efficiency?

Assembly Bill 32 (Health and Safety Code Sections 38500–38599), also known as the California Global Warming Solutions Act of 2006, commits the State to achieving year 2000 GHG emission levels by 2010 and year 1990 levels by 2020. To achieve these goals, AB 32 tasked the California Public Utilities Commission and the California Energy Commission with

providing information, analysis, and recommendations to the California Air Resources Board regarding ways to reduce GHG emissions in the electricity and natural gas utility sectors.

The California Green Building Standards Code (California Code of Regulations, Title 24, Part 11), commonly referred to as the CALGreen Code, went into effect on January 1, 2014, with energy provisions effective July 1, 2014. The 2013 CALGreen Code includes mandatory measures for nonresidential development related to site development; water use; weather resistance and moisture management; construction waste reduction, disposal, and recycling; building maintenance and operation; pollutant control; indoor air quality; environmental comfort; and outdoor air quality. Mandatory measures for residential development pertain to green building; planning and design; energy efficiency; water efficiency and conservation; material conservation and resource efficiency; environmental quality; and installer and special inspector qualifications.

In 2009, the SJVAPCD adopted the following guidance documents applicable to projects within the San Joaquin Valley:

- Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA (SJVAPCD 2009); and
- District Policy: Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as the Lead Agency (SJVAPCD 2009).

This guidance and policy are the documents referenced in the SJVAPCD's Guidance for Assessing and Mitigating Air Quality Impacts adopted in March 2015 (SJVAPCD 2015). Consistent with the District Guidance and District Policy above, SJVAPCD (2015) acknowledges the current absence of numerical thresholds, and recommends a tiered approach to establish the significance of the GHG impacts on the environment:

- If a project complies with an approved GHG Emission Reduction Plan or GHG Mitigation Program which avoids or substantially reduces GHG emissions within the geographic area in which the project is located, then the project would be determined to have a less than significant individual and cumulative impact for GHG emissions;
- If a project does not comply with an approved GHG Emission Reduction Plan or mitigation program, then it would be required to implement Best Performance Standards (BPS); and
- If a project is not implementing BPS, then it should demonstrate that its GHG emissions would be reduced or mitigated by at least 29 percent compared to Business as Usual (BAU).

In the event that a local air district's guidance for addressing GHG impacts does not use numerical GHG emissions thresholds, at the Lead Agency's discretion, a neighboring air district's GHG thresholds may be used to determine impacts. On December 5, 2008, the South Coast Air Quality Management District (SCAQMD) Governing Board adopted the staff proposal for an interim GHG significance threshold for projects where the SCAQMD is Lead Agency. The SCAQMD guidance identifies a threshold of 10,000 $MTCO_2eq.$/year for GHG for construction emissions amortized over a 30-year project lifetime, plus annual operation

emissions. This threshold is often used by agencies, such as the California Public Utilities Commission, to evaluate GHG impacts in areas that do not have specific thresholds (CPUC 2015). Therefore, because this threshold has been established by the SCAQMD in an effort to control GHG emissions in the largest metropolitan area in the State of California, this threshold is considered a conservative approach for evaluating the significance of GHG emissions in a more rural area, such as Merced County.

Though the Project is under SJVAPCD jurisdiction, the SCAQMD GHG threshold provides some perspective on the GHG emissions generated by the Project. The Project will not generate operational emissions as noted above. However, in accordance with SCAQMD guidance, the Project's construction emissions were amortized over 30 years and compared to the 10,000 $MTCO_2eq$./year criteria. Table 7 of the AQIA (Appendix A) shows GHG emissions associated with the construction phase of the Project. Construction emissions associated with the Project amortized over 30 years equates to 32.83 $MTCO_2eq$, which is approximately 99.8 percent less than the threshold identified by the SCAQMD.

CARB's California GHG Emissions Inventory provides estimates of anthropogenic GHG emissions within California, as well as emissions associated with imported electricity; natural sources are not included in the inventory. California's GHG emissions for 2015 totaled approximately 440,400,000 $MTCO_2eq$. The proposed Project's GHG emissions represents 0.00000007 percent of the total GHG emissions for the State of California when compared to year 2015 emissions data.

Based on the assessment above, the Project will not conflict with or obstruct a State or local plan for renewable energy or energy efficiency. The proposed Project will not increase energy consumption associated with long-term (operational) activities beyond existing levels given the nature of the Project. All operations associated with the Project will cease upon completion of the repairs (construction) associated with the water system improvements.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have ***no impact***.

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

f.	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

Discussion

Impact #3.4.7a(i) – Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

The Project would consist of replacing private wells with a connection to the Delhi CWD community water system. The proposed construction and operation of the Project would not increase the potential exposure of persons living and working on the Project site to seismic events including risk of loss, injury, and death related to earthquakes and related hazards, which are described as follows:

The Merced County General Plan acknowledges that the Merced County region is seismically active. Although the District service area is not crossed by any known active or potentially active faults, it does have surrounding faults in various directions. The following are principal sources of seismic activity for the County of Merced: the San Andreas fault to the west (approximately 15 miles from the Merced County line); the Hayward and Calaveras faults to the northwest; the White Wolf, Garlock and Sierra Nevada Faults to the south; and Bear Mountain Fault zone located about five miles east of and parallel to the eastern border of Merced County (Merced County, 2013). The only known fault inside the County of Merced is the "Ortigalita" also known as "Telsa-Ortigalita Fault" located in the western quarter of the County. The Ortigalita Fault dissects the Coast Range in northwesterly direction; and even though it has been historically inactive, there is no guarantee it will not be active in the future. However, the Project will not result in an increase the risk of loss, injury, or death as a result of fault rupture; therefore, impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact*.

Impact #3.4.7a(ii) – Would the Project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?

In the event of an earthquake on a nearby fault, it is likely that the Project site would experience ground shaking, exposing people and structures in the vicinity of the Project, to ground shaking. There is documented evidence of six earthquakes that took place in Merced

County in 1872, 1906, 1952, 1966, 1984, and 1989. None of the earthquakes reported have caused death, but major structural damage occurred in Los Banos in 1906 with minor structural damage recorded throughout the County on other occasions (Merced County, 2012). Structures constructed as part of the Project would be required by State law to be in accordance with all applicable International Building Code (IBC) and California Building Code (CBC) earthquake construction standards, including those relating to soil characteristics. Adherence to all applicable regulations would avoid any potential impacts to the proposed water system improvements resulting from ground shaking at the Project site. Therefore, there would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact*.

Impact #3.4.7a(iii) – Would the Project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?

Liquefaction could occur in local areas during a strong earthquake or seismic ground shaking where unconsolidated sediments and high-water tables coincide. Specific liquefaction hazard areas in the County have not been identified (Merced County, 2012). The USDA NRCS indicates that Delhi sand, Hilmar sand, Delhi loamy sand, and Delhi loamy sandy lie beneath the Project site. The Project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure including liquefaction. Structures constructed as part of the Project would be required by State law to be constructed in accordance with all applicable IBC and CBC earthquake construction standards, including those relating to soil characteristics. Adherence to all applicable regulations would avoid any potential impacts to the water lines resulting from liquefaction at the Project site, and no above-ground structures are proposed. Therefore, there would be less-than-significant impacts as a result of ground failure and liquefaction.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have a less-than-significant impact.

Impact #3.4.7a(iv) – Would the Project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?

According to the Delhi Community Plan, Delhi is relatively flat with very few slopes (Community of Delhi, 2006). The risk of loss, injury, or death involving landslides is very low. Therefore, the impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact*.

Impact #3.4.7b – Would the Project result in substantial soil erosion or the loss of topsoil?

Construction activities associated with the proposed Project would temporarily disrupt surface vegetation and/or soils and would expose these disturbed areas to wind and water erosion. National Pollutant Discharge Elimination System (NPDES) stormwater permitting programs regulate stormwater quality from construction sites, which includes erosion and sedimentation. Under the NPDES permitting program, the preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) is required for construction activities that would disturb an area of one acre or more. As noted in *Section 3.4.10–Hydrology and Water Quality*, Impact #3.4.10a., a SWPPP must identify potential sources of erosion or sedimentation that may be reasonably expected to affect the quality of stormwater discharges as well as identify and implement Best Management Practices (BMPs) that ensure the reduction of these pollutants during stormwater discharges. Typical BMPs intended to control erosion include sandbags, detention basins, silt fencing, storm drain inlet protection, street sweeping, and monitoring bodies of water. Mitigation Measure (MM) HYD-1 requires the approval of a SWPPP to comply with the NPDES General Construction Permit from the Central Valley Regional Water Quality Control Board (RWQCB).

The Project would not increase the total area of impermeable surfaces in the Project area beyond those that currently exist. The Project would not result in substantial soil erosion or the loss of topsoil since any impacts would be less than significant with incorporation of mitigation measures.

MITIGATION MEASURE(S)

Implementation of MM HYD-1 (see#3.4.10 – Hydrology and Water Quality).

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact with mitigation incorporated*.

Impact #3.4.7c – Would the Project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse?

There is no evidence of landslides on the Project site, and the site is not located in an unstable geologic unit or on soil that is considered unstable. As shown in Figure 3.4.7-1, the USDA NRCS indicates that Delhi sand, Hilmar sand, Delhi loamy sand, and Delhi loamy sandy lie beneath the Project site. The proposed Project would not be located on a geologic unit or soil that is unstable or may become unstable as a result of the Project or result in a potential on or offsite landslide, lateral spreading, subsidence, liquefaction or collapse. Therefore, the Project would have a less-than-significant impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have a ***less-than-significant impact***.

Impact #3.4.7d – Would the Project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Based on the type of soil encountered in the Project area (mentioned above), it is likely that no significant areas of highly expansive soils would be encountered (Merced County, 2013). The Project would comply with all applicable requirements of the California Code of Regulations and the most recent California Building Standards Code that provides criteria for the appropriate design of buildings. The proposed Project would not be located on any identified expansive soils, as defined in the California Building Code. Therefore, the Project would have a less-than-significant impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have a ***less-than-significant impact***.

Impact #3.4.7e – Would the Project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems in areas where sewers are not available for the disposal of wastewater?

The proposed Project does not include the construction of septic tanks. The existing sewer disposal system, and the proposed waster distribution system, has been and will continue to meet all applicable State and local code and regulations. Therefore, the Project would have a less-than-significant impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact*.

Impact #3.4.7f – Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

The Project would consist of replacing private wells with a connection to the Delhi County Water District's community water supply. Although the Project area is developed, the Project would involve trenching activity and could potentially reveal paleontological resources if any are present. Implementation of the following mitigation measure will reduce any Project-related potential impacts to paleontological resources to a level that is less than significant.

MITIGATION MEASURE(S)

MM GEO-1: If any paleontological resources are encountered during ground disturbance activities, all work within 25 feet of the find shall halt until a qualified paleontologist as defined by the Society of Vertebrate Paleontology Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources (2010), can evaluate the find and make recommendations regarding treatment. Paleontological resource materials may include resources such as fossils, plant impressions, or animal tracks preserved in rock. The qualified paleontologist shall contact the Natural History Museum of Los Angeles County or other appropriate facility regarding any discoveries of paleontological resources.

If the qualified paleontologist determines that the discovery represents a potentially significant paleontological resource, additional investigations and fossil recovery may be required to mitigate adverse impacts from project implementation. If avoidance is not feasible, the paleontological resources shall be evaluated for their significance. If the resources are not significant, avoidance is not necessary. If the resources are significant, they shall be avoided to ensure no adverse effects, or such effects must be mitigated. Construction in that area shall not resume until the resource appropriate measures are recommended or the materials are determined to be less than significant. If the resource is significant and fossil recovery is the identified form of treatment, then the fossil shall be deposited in an accredited and permanent scientific institution. Copies of all correspondence and reports shall be submitted to the Lead Agency.

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact with mitigation incorporated*.

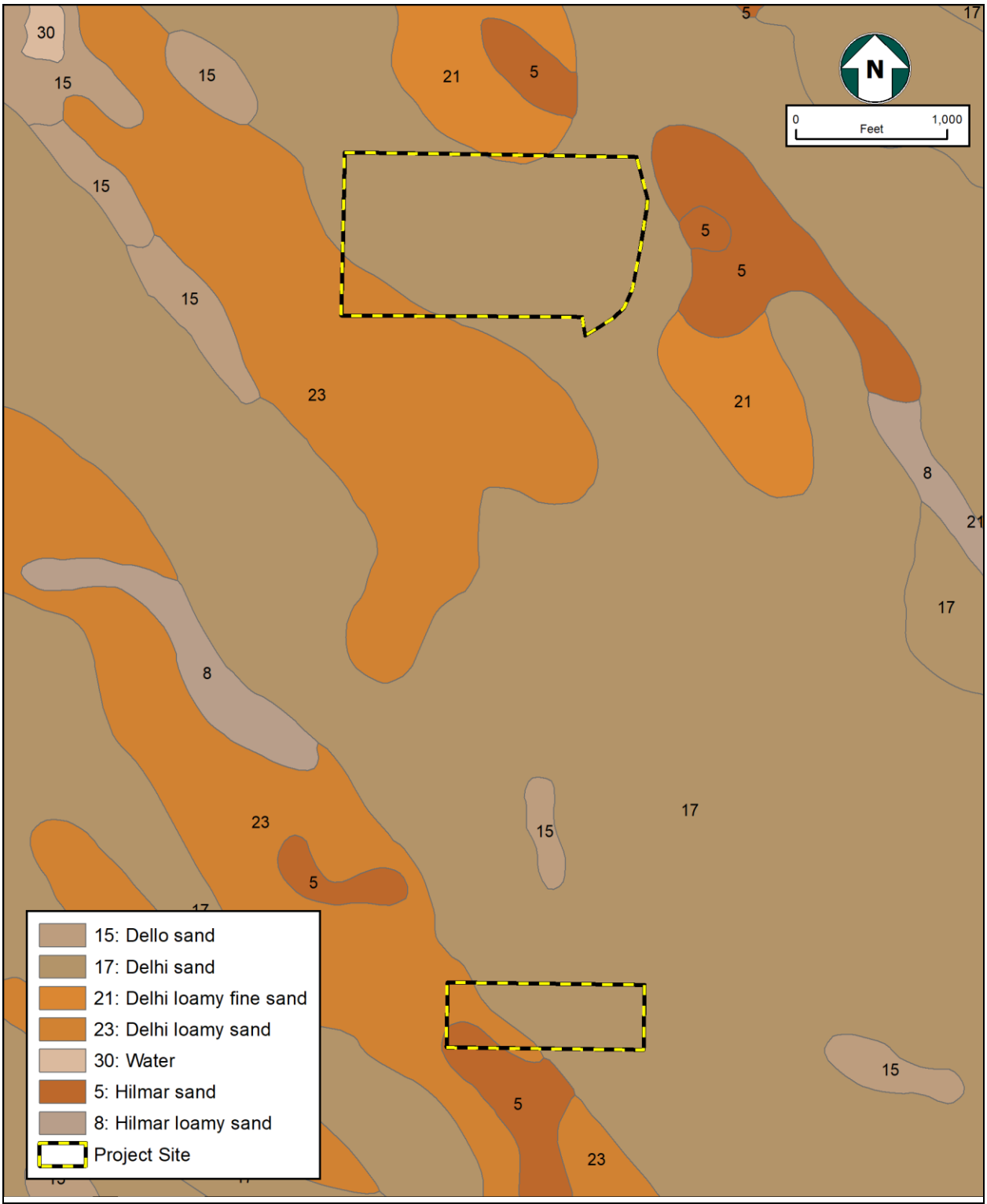

Figure 3.4.7-1
Soil Types in Project Area

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
3.4.8 - GREENHOUSE GAS EMISSIONS				
Would the Project:				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b. Conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

Discussion

An air quality and greenhouse gas analysis report was relied upon in the analysis of impacts related to greenhouse gases (GHGs) (see Appendix A). This report was prepared in accordance with the SJVAPCDs guidelines and adopted policies of CARB.

In addition to providing an assessment of the Project's impacts to GHGs, the report includes a detailed description of the regulatory environment as it relates to GHGs.

GHGs are identified as any gas that absorbs infrared radiation in the atmosphere. GHGs include water vapor, carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), halogenated fluorocarbons (HCFCs), ozone (O_3), perfluorinated carbons (PFCs), hydrofluorocarbons (HFCs), and sulfur hexafluoride (SF_6). On December 7, 2009, the EPA issued an Endangerment Finding on the above referenced key well-mixed GHGs. These GHGs are considered "pollutants" under the Endangerment Finding. However, these findings do not themselves impose any requirements on industry or other entities.

The Global Warming Solutions Act [Assembly Bill (AB) 32] was passed by the California Legislature and signed into law by the Governor in 2006. AB 32 requires that GHGs emissions in 2020 be reduced to 1990 levels. GHGs rules and market mechanisms for emissions reduction were required to be in place as of January 2012.

Impact #3.4.8a – Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

In the event that a local air district's guidance for addressing GHG impacts does not use numerical GHG emissions thresholds, at the Lead Agency's discretion, a neighboring air district's GHG thresholds may be used to determine impacts. On December 5, 2008, the South Coast Air Quality Management District (SCAQMD) Governing Board adopted the staff

proposal for an interim GHG significance threshold for projects where the SCAQMD is Lead Agency. The SCAQMD guidance identifies a threshold of 10,000 $MTCO_2eq$./year for GHG for construction emissions amortized over a 30-year project lifetime, plus annual operation emissions. Therefore, because this threshold has been established by the SCAQMD in an effort to control GHG emissions in the largest metropolitan area in the State of California, this threshold is considered a conservative approach for evaluating the significance of GHG emissions in a more rural area, such as Merced County. Though the Project is under SJVAPCD jurisdiction, the SCAQMD GHG threshold provides some perspective on the GHG emissions generated by the Project. The Project will not generate operational emissions as noted above. However, in accordance with SCAQMD guidance, the Project's construction emissions were amortized over 30 years and compared to the 10,000 $MTCO_2eq$./year criteria. Table 7 of Appendix A shows GHG emissions associated with the construction phase of the Project. Construction emissions associated with the Project amortized over 30 years equates to 32.83 $MTCO_2eq$, which is approximately 99.8 percent less than the threshold identified by the SCAQMD.

CARB's California GHG Emissions Inventory provides estimates of anthropogenic GHG emissions within California, as well as emissions associated with imported electricity; natural sources are not included in the inventory. California's GHG emissions for 2015 totaled approximately 440,400,000 $MTCO_2eq$. The proposed Project's GHG emissions represents 0.00000005 percent of the total GHG emissions for the State of California when compared to year 2015 emissions data.

Based on the assessment above, the Project will not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. Therefore, any impacts would be less than significant. It should be noted that the Project will not generate emissions associated with long-term emissions given the nature of the Project. All operations associated with the Project will cease upon completion of the water system improvements. Therefore, the Project's greenhouse emissions are not cumulatively considerable.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact*.

Impact #3.4.8b – Would the Project conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

As noted previously, California passed the California Global Warming Solutions Act of 2006. AB 32 requires that statewide GHG emissions be reduced to 1990 levels by 2020. Under AB 32, CARB must adopt regulations by January 1, 2011 to achieve reductions in GHGs to meet the 1990 emission cap by 2020. On December 11, 2008, CARB adopted its initial Scoping

Plan, which functions as a roadmap of CARB's plans to achieve GHG reductions in California required by AB 32 through subsequently enacted regulations. CARB's 2017 Climate Change Scoping Plan builds on the efforts and plans encompassed in the initial Scoping Plan.

SB 375 requires Metropolitan Planning Organizations (MPOs) to adopt a Sustainable Communities Strategy (SCS) or Alternative Planning Strategy (APS) that will prescribe land use allocation in that MPO's regional transportation plan. CARB, in consultation with MPOs, has provided each affected region with reduction targets for GHGs emitted by passenger cars and light trucks in the region for the years 2020 and 2035. For the MCAG region, CARB set targets at five percent per capita decrease in 2020 and a 10)percent per capita decrease in 2035 from a base year of 2005. MCAG's 2014 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), which was adopted in 2016, projects that the Merced County region would achieve the prescribed emissions targets.

Executive Order B-30-15 establishes a California greenhouse gas reduction target of 40 percent below 1990 levels by 2030 to ensure California meets its target of reducing greenhouse gas emissions to 80 percent below 1990 levels by 2050. Executive Order B-30-15 requires MPO's to implement measures that will achieve reductions of greenhouse gas emissions to meet the 2030 and 2050 greenhouse gas emissions reductions targets.

As required by California law, city and county General Plans contain a Land Use Element that details the types and quantities of land uses that the city or county estimates will be needed for future growth, and that designate locations for land uses to regulate growth. MCAG uses the growth projections and land use information in adopted General Plans to estimate future average daily trips and then VMT, which are then provided to SJVAPCD to estimate future emissions in the AQPs. The applicable General Plan for the project is the Merced County 2030 General Plan, which was adopted in 2012.

The proposed Project is consistent with the currently adopted General Plan for Merced County and the adopted 2014 RTP/SCS and is therefore consistent with the population growth and VMT applied in those plan documents. Therefore, the Project is consistent with the growth assumptions used in the applicable AQP. It should also be noted that yearly GHG emissions generated by the Project are approximately 99.8 percent less than the threshold identified by the SCAQMD (see the discussion for Impact #3.4.8a, above).

Based on the assessment above, the Project will not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. The Project further the achievement of the County's greenhouse gas reduction goals. Therefore, any impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact*.

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

Discussion

Impact #3.4.9a – Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

The construction and operation of the water system extension would not involve the transport, use, and storage of large quantities of hazardous materials. Although construction of the Project would involve the transport and use of minor quantities of hazardous materials, such materials would be limited to fuels, oils, lubricants, hydraulic fluids, paints and solvents utilized at the Project site for construction purposes. Moreover, use of such materials would be temporary in nature and would cease upon completion of Project construction.

The presence and use of these materials, which can be classified as hazardous materials, create the potential for accidental spillage and exposure of workers to these substances. Hazardous and nonhazardous wastes would likely be transported to and from the Project site during the construction phase of the proposed Project. Construction could involve the use of some hazardous materials, such as diesel fuel, hydraulic oil, grease, solvents, adhesives, paints, and other petroleum-based products, although these materials are commonly used during construction activities and would not be disposed of on the Project site. Replacement of the private wells will be handled in accordance with all applicable regulations to minimize potential public exposure. In addition, sanitary waste generated during construction would be managed by means of portable toilets, which would be located at reasonably accessible onsite locations.

No known historic oil activity has occurred on the site. The Project is not located within the boundaries of an oilfield (see Figure 3.4.9-1). According to the California Geologic Energy Management Division (Cal GEM) records and maps, no abandoned oil wells are located on the site, and the nearest plugged well is approximately 1.5 miles to the southwest of the site (California Department of Conservation, 2019).

Although the Project could require the handling of limited amounts of hazardous waste during construction, this handling will be in compliance with all applicable regulations. Therefore, the Project would have a less-than-significant impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact*.

Impact #3.4.9b – Would the Project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

The destruction of private wells for a connection to the Delhi CWD, though improbable, may involve risk of upset and accident conditions that could potentially release hazardous materials into the environment. During the destruction of wells and installation of approximately 3,160 feet of water line, water service, and lateral connections, applicable

precautions will be taken to reduce the likelihood of an accident resulting in the release of hazardous materials in the environment. All contracts shall transport, store, handle, and dispose of construction-related hazardous materials consistent with relevant regulations and guidelines, including those recommended and enforced by Caltrans; the Central Valley RWQCB; and Merced County Environmental Health Department standards. Implementation of the discussed management practices would result in a less-than-significant impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact*.

Impact #3.4.9c – Would the Project emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

One of the two neighborhoods that compose the Project area is within 0.25 miles of an existing school, Harmony Elementary School. No hazardous materials are proposed to be used, other than fuel and oil for equipment during the short-term construction period. The level of hazardous emissions from the Project construction equipment, as discussed in Air Quality and in the Greenhouse Gas sections, is less than significant, and any hazardous materials would be handled in accordance with applicable regulations during construction of the proposed Project. Therefore, the impact is less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact*.

Impact #3.4.9d – Would the Project be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

An online search of the California Department of Toxic Substances Control (DTSC) website determined Cortese Act locations on or near the Project site. The DTSC indicated that there are no hazardous or toxic sites in the vicinity of the Project site; the closest hazardous waste and substances site is over 40 miles south of the Project area in the unincorporated Community of Dos Palos (Department of Toxic Substances Control, 2015).

The Project is not located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and would not create a significant

hazard to the public or the environment. The Project site is not within the immediate vicinity of a hazardous materials site and would not impact a listed site. Therefore, the Project would have no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have ***no impact***.

Impact #3.4.9e – Would the Project for a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project result in a safety hazard or excessive noise for people residing or working in the Project area?

No airports, public or private, are within two miles of the Project site. Therefore, there would be no impact to people residing or working in the Project area due to excessive noise or a safety hazard from an airport.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have no impact.

Impact #3.4.9f – Would the Project impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?

The proposed Project will require earth moving activities in order to excavate the private wells and install new pipelines. Although this may result in open trenches in front of homes, work will be staged to allow emergency vehicles to have access to all homes. The construction team will back fill trench as they go along or will use steel plates to allow the houses to be accessible during construction. However, an encroachment permit will be required for work in the County's right of way. With the approval of the encroachment permit, the Project will have a less-than-significant impact on emergency response plans or emergency evacuation plans.

MITIGATION MEASURE(S)

MM HAZ-1: An encroachment permit, approved by the County Department of Public Works, will be required to cut trenches in the County's right of way. As a part of the encroachment permit, a traffic control plan will be submitted to the County Public Works Department.

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact with mitigation incorporated*.

Impact #3.4.9g – Would the Project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?

The proposed Project is surrounded by a mix of urban, agricultural, and residential land uses but would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires as the risk of wildland fires in the Project area are low. According to Cal Fire's Fire Hazard Severity Zones Maps, the Project site is not located within a hazard zone classified as Very High, High or Moderate for wildland fires (Cal Fire, 2007). Construction and operation of the Project is not expected to increase the risk of wildfires on and adjacent to the Project site. The Project will also be required to comply with all applicable standards as required by the Merced County Fire Department.

The proposed Project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires. Therefore, the Project would have a less-than-significant impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact*.

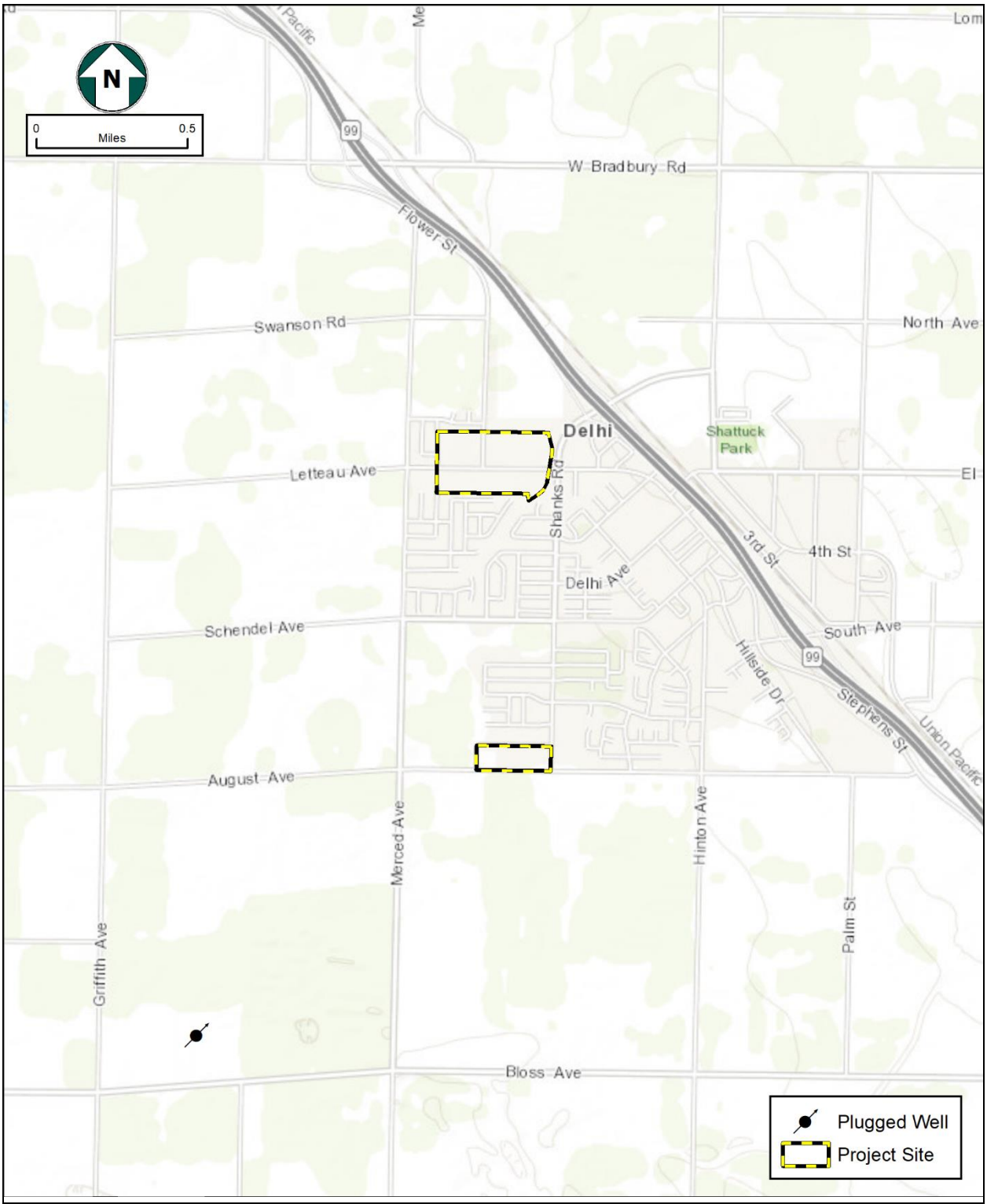

Figure 3.4.9-1
Oil / Gas Wells and Pipelines

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

Discussion

Impact #3.4.10a – Would the Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

The Delhi CWD proposes water system improvements that will abandon and destroy existing private domestic wells to install approximately 3,160 feet of water line, water service, and lateral connections to approximately 76 residences in the Community.

Due to the shallow depth of the private wells and uncertain groundwater levels, abandonment of the private existing wells for a more reliable and modern water system are necessary in order to protect the health and safety of the Community. Residents of the Community seek to secure a reliable water system as the diminishing groundwater supply may further degrade the quality of their drinking water. The Delhi CWD provides municipal water services to the majority of the Delhi Community Plan Area. This water is supplied by groundwater wells. Water is pumped, chlorinated, and conveyed through a pressurized water system. The wells owned and operated by the District meet the California Department of Health's minimum standard of 20 pounds per square inch and the overall water quality of the wells meet State California Title 22 requirements (Community of Delhi, 2006).

The proposed Project would be providing safe, reliable water for the 76 residences that are not a part of the Community, bringing them up to standard. Therefore, any impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact*.

Impact #3.4.10b – Would the Project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin?

Groundwater is supplied to the Delhi CWD from the Turlock Basin. The Turlock Subbasin contains an unconfined water body, a semi-confined, and a confined water body in consolidated rocks, and a confined water body beneath a clay layer in the western portion. Water pumping has outpaced recharge in several areas of the Turlock Subbasin (County of Merced, 2012). However, despite this, the groundwater being pumped for operation of the Project would not increase the amount of water being pumped from the Subbasin because implementation of the Project would be pumping water that it has already been permitted to extract. Therefore, the impact would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact*.

Impact #3.4.10c(i) – Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on or offsite?

The rate and amount of surface runoff is determined by multiple factors, including the following: topography, the amount and intensity of precipitation, the amount of evaporation that occurs in the watershed and the amount of precipitation and water that infiltrates to the groundwater. Construction of the Project would involve the abandonment and destruction of existing private wells for the installation of approximately 1,310 feet of 12-inch water line, 1,755 feet of eight-inch water line, and 95 feet of six-inch water line connecting to the Delhi CWD's water distribution system to supply all 76 households in the two neighborhoods. The pipe will be within 20 feet of either side of the street with a trench that will be three feet to five feet deep, and three feet to five feet wide. on individual properties. Although Project construction would be localized and temporary, during excavation and construction activities, areas of bare soil could be exposed to erosive forces that would otherwise not be present. Construction activities involving soil disturbance, excavation, stockpiling, and grading activities could result in increased erosion and siltation.

Additionally, accidental spills or disposal of potentially harmful materials used during construction or operation of the Project could possibly wash into and pollute surface water runoff. Materials that could potentially contaminate the construction area, or spill or leak, include lead-based paint flakes, diesel fuel, gasoline, lubrication oil, hydraulic fluid, antifreeze, transmission fluid, lubricating grease, and other fluids. A Stormwater Pollution Prevention Plan (SWPPP) for construction related activities would include, but not be limited to, the following types of Best Management Practices (BMPs) to minimize the potential for pollution related to material spills:

- Vehicles and equipment will be cleaned;
- Vehicle and equipment fueling and maintenance requirements will be established;
- and
- A spill containment and clean-up plan will be in place prior to and during construction activities.

In order to reduce potential impacts to water quality during construction activities, Mitigation Measure MM HYD-1 requires the Project proponent to file a Notice of Intent (NOI) to comply with the National Pollutant Discharge Elimination System (NPDES) General Construction Permit and prepare a SWPPP. The Project SWPPP would include BMPs targeted

at minimizing and controlling construction and postconstruction runoff and erosion to the "maximum extent practicable." In order to reduce potential impacts to water quality during construction and operation activities, Mitigation Measures MM HYD-1 would be required. With mitigation, the Project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on or offsite, result in flooding, or result in substantial additional sources of polluted runoff. Therefore, the Project would have a less-than-significant impact with incorporation of mitigation.

MITIGATION MEASURE(S)

MM HYD-1: Prior to construction, the District shall submit an approved copy of: (1) the approved Storm Water Pollution Prevention Plan (SWPPP) and (2) the Notice of Intent (NOI) to comply with the General National Pollutant Discharge Elimination System (NPDES) from the Central Valley Regional Water Quality Control Board. The requirements of the SWPPP and NPDES shall be incorporated into design specifications and construction contracts. Recommended BMPs for the construction phase may include the following:

- Disposing of demolition debris and stockpiling soil properly to prevent erosion;
- Protecting existing storm drain inlets and stabilizing disturbed areas;
- Implementing erosion controls;
- Properly managing construction materials; and
- Managing waste, aggressively controlling litter, and implementing sediment controls.

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact with mitigation incorporated*.

Impact #3.4.10c(ii) – Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite?

See discussion of Impact #3.4.10c, above.

MITIGATION MEASURE(S)

Implementation of Mitigation Measures MM HYD-1.

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact with mitigation incorporated*.

Impact #3.4.10c(iii) – Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would create or contribute runoff

water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

See discussion of Impact #3.4.10c, above.

MITIGATION MEASURE(S)

Implementation of Mitigation Measures MM HYD-1.

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact with mitigation incorporated*.

Impact #3.4.10c(iv) – Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would impede or redirect flood flows?

See discussion of Impact #3.4.10c, above.

MITIGATION MEASURE(S)

Implementation of Mitigation Measures MM HYD-1.

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact with mitigation incorporated*.

Impact #3.4.10d – Would the Project in flood hazard, tsunami, or seiche zones, risk release of pollutants due to Project inundation?

The entire Community of Delhi is not located in an area at risk for flood hazards, according to the Federal Emergency Management Agency as shown in Figure 3.4.10-1 (Federal Emergency Management Agency, 2008). The risk of release of pollutants from a flood hazard, tsunami, or seiche would be less than significant. Therefore, the Project would have a less-than-significant impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact*.

Impact #3.4.10e – Would the Project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

The Project would continue to pump water from the Turlock Subbasin; sustainable groundwater management is overseen by the Turlock Groundwater Basin Association. Delhi County Water District is one of the many agencies that participate in the groundwater management activities in the Turlock Groundwater Basin. The local agencies within the Turlock Subbasin agree that the groundwater and surface waters within the Turlock Subbasin are vitally important resources that provide the foundation for maintaining current and future water needs. The overall goal of the local water agencies is to ensure that the groundwater will continue to be a reliable, safe, efficient, and cost-effective source of water. The Groundwater Management Plan includes objectives to achieve this goal. One of the objectives includes protecting groundwater quality and implementing measures to reduce the potential movement of contaminants (City of Modesto, 2008). Having the residences of the Community move to wells that are owned and operated by the Delhi CWD will ensure that the water supply will be overseen and monitored for quality and safety, thus helping to achieve the goal for clean and reliable groundwater set in the Groundwater Management Plan. Implementation of the Project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Therefore, there would be no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have ***no impact***.

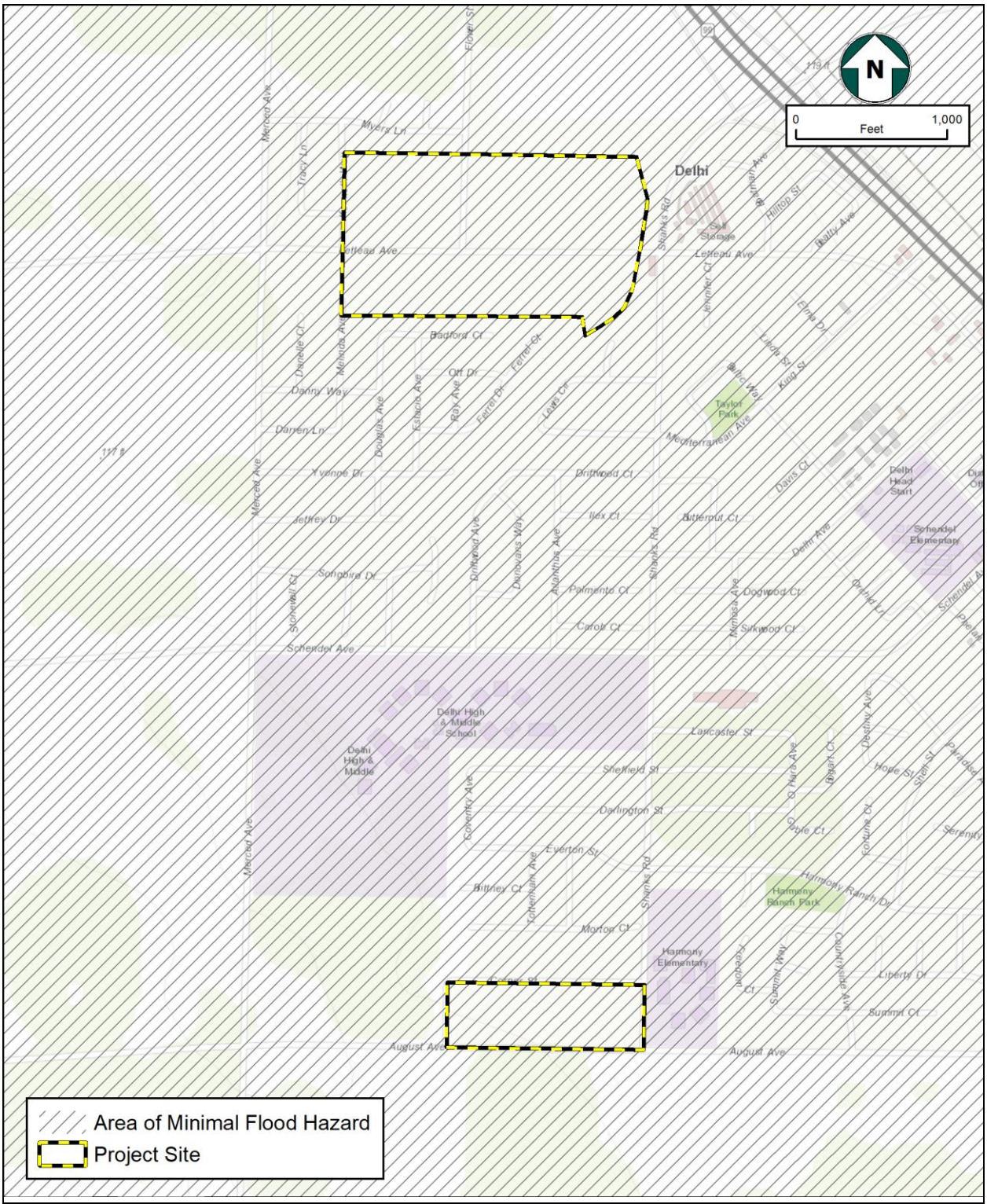

Figure 3.4.10-2
FEMA Flood Map

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact

3.4.11 - LAND USE AND PLANNING

Would the Project:

a.	Physically divide an established community?	☐	☐	☐	☒
b.	Cause a significant environmental impact due to a conflict with any land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒

Discussion

Impact #3.4.11a – Would the Project physically divide an established community?

The Project is proposed in two neighborhoods; the first neighborhood is on Letteau Avenue and Flower Street and the other neighborhood is on Corner Street and August Street. Although the Project is taking place in a community, it will not be physically dividing it. Therefore, the Project will have no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have ***no impact***.

Impact #3.4.11b – Would the Project cause a significant environmental impact due to a conflict with any land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

The Project proposes to replace private wells with water line, water service, and lateral connections to the Delhi County Water District. The land use plan and zoning for the Community can been seen in Figures 3.4.11-1 and 3.4.11-2. Given the nature of the Project to provide needed infrastructure to an existing community that is in conformance with adopted County policies, there will not be any conflict with a land use plan, policy or regulation adopted for the purpose of avoiding an environmental effect. Therefore, there will be no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have ***no impact***.

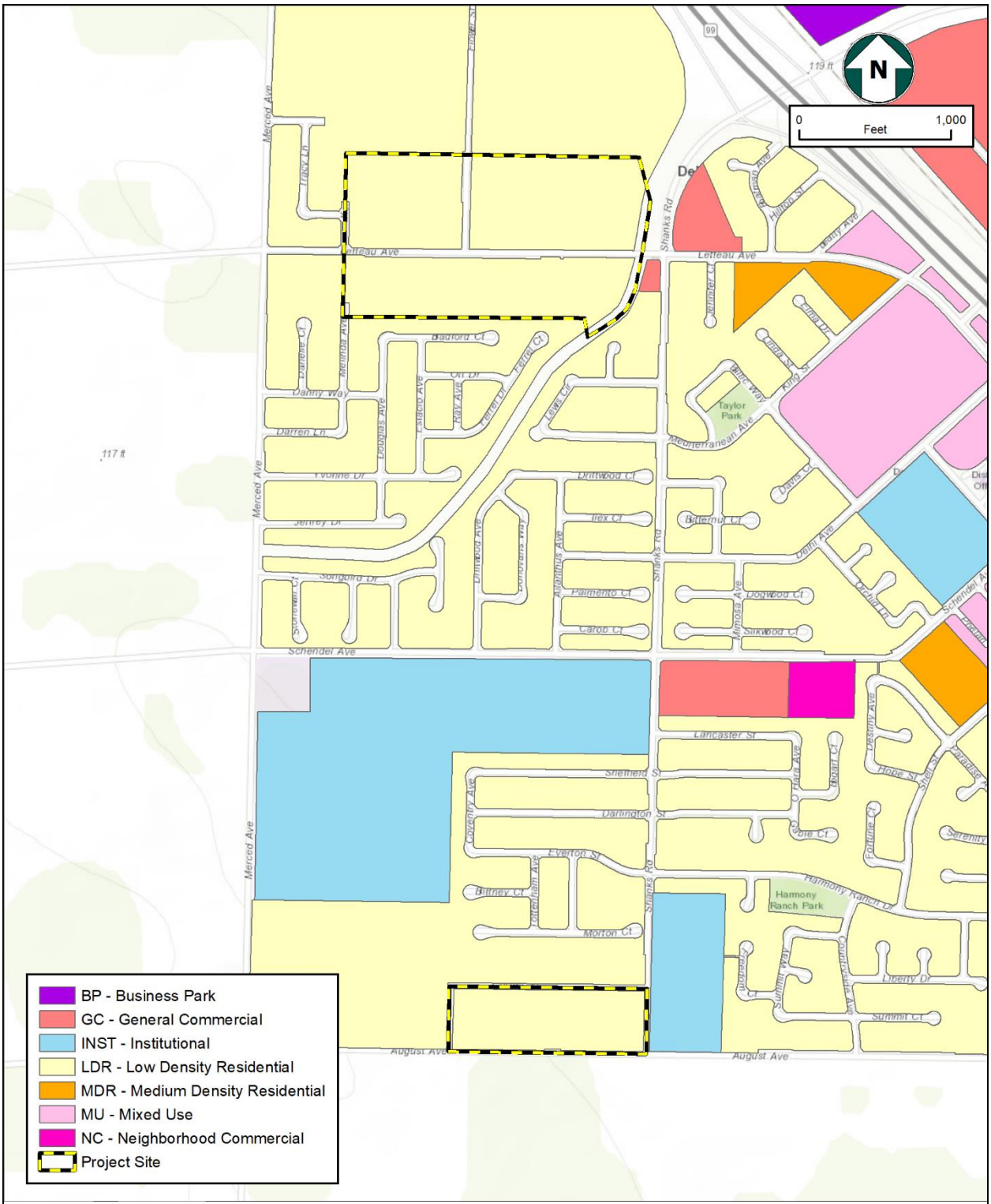

Figure 3.4.11-1
Community Plan Land Use Designations

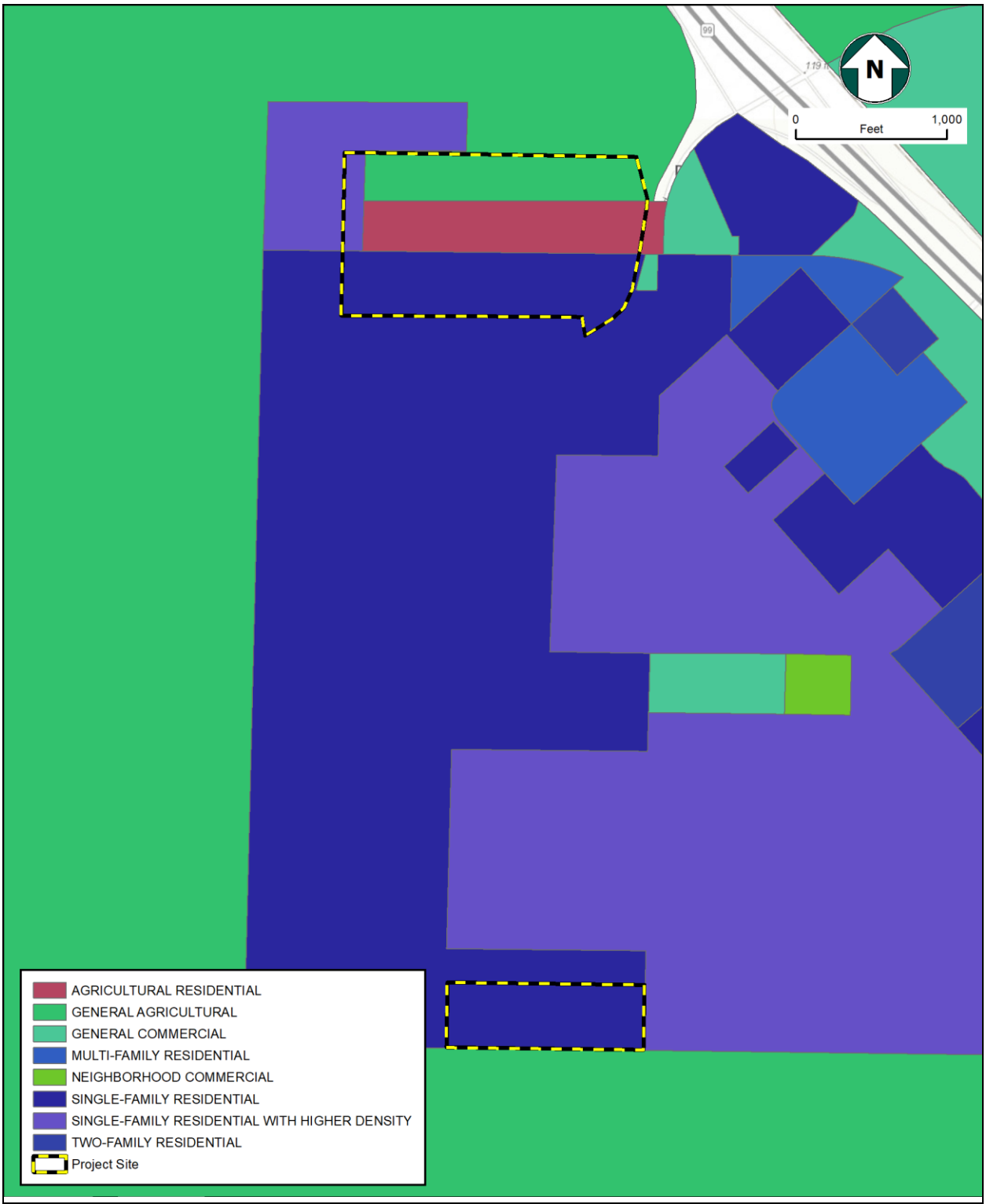

Figure 3.4.11-2
Zoning

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less–than-Significant Impact	No Impact
3.4.12 - MINERAL RESOURCES				
Would the Project:				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?	☐	☐	☐	☒
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	☐	☐	☐	☒

Discussion

Impact #3.4.12a – Would the Project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?

No current mineral extraction activities exist on the Project site nor are any mineral extraction activities included in the Project design. As illustrated in Figure 3.4.9-1, the Project site is not located in an oilfield and there are no known wells located on the site. The closest plugged oil well is located approximately 1.3 miles to the southwest of the Project site (California Department of Conservation, 2019). The proposed Project would not result in the loss of availability of mineral resources as the Project does not propose the extraction of mineral resources. Additionally, the proposed Project would not restrict the ability of mineral rights holders in the area to exercise their legal rights to access surrounding sites for the exploration and/or extraction of underlying oil research or other natural resources.

The proposed Project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State. Therefore, there would be no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have ***no impact***.

Impact #3.4.12b – Would the Project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

According to the Merced County General Plan Environmental Impact Report, the County's mineral resources are primarily sand and gravel. Although Merced County is rich in nonfuel mineral and soil resources, there are very few traditional hard rock mines in operation. The project area soils are composed of sands that may or may not be of resource value; in any case the proposed project will not change the urbanized condition of the project site. There are no mines or wells in the Project area. Therefore, there would be no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have *no impact*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
3.4.13 - NOISE				
Would the Project result in:				
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b. Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c. For a Project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the Project area to excessive noise levels?	☐	☐	☐	☒

Discussion

Impact #3.4.13a – Would the Project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

The Merced County Noise Ordinance contains noise policies that are applicable to the Project site. The Noise Element establishes noise level criteria in terms of the Day-Night Average Sound Level (Ldn) metric. The Ldn is the time-weighted energy average noise level used to compare the noisiness of neighborhoods. Ldn is a single number result that is calculated for a complete 24-hour period and usually made up of results taken at shorter intervals such as five minutes or one hour and then averaged over the whole 24 hours.

The Noise Element of the Merced County General Plan establishes non-transportation noise standards. For all residential land uses, the daytime Ldn median is 55 and the maximum Ldn is 75; the nighttime median for residential is 50 Ldn and the maximum Ldn is 70.

The Project would temporarily generate noise during the construction phase. However, operation of the Project can be expected to register little to no impact in noise generation. Since noise generation would be temporary and localized, the Project would have a less-than-significant impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact*.

Impact #3.4.13b – Would the Project result in generation of excessive groundborne vibration or groundborne noise levels?

The construction of the proposed Project would entail the use of construction-related equipment, i.e. forklifts, tractors, loaders, backhoes. Construction noise would result from operation of machinery and equipment used in the construction process. Noise impacts associated with the proposed Project construction would result in temporary or periodic increases in ambient noise levels, primarily during excavation and installation. However, any generation of groundborne vibrations from construction would be temporary and localized. Operation of the Project would not contain any activities which would create groundborne vibrations. The proposed Project would not result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels. Therefore, the Project would have a less-than-significant impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact*.

Impact #3.4.13c – Would the Project result in for a Project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the Project area to excessive noise levels?

The Project is not within range of a private air strip, an airport land use plan, or within two miles of a public airport or public use airport. Therefore, the Project would not expose people residing or working in the Project area to excess noise levels, making no impacts.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have *no impact*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
3.4.14 - POPULATION AND HOUSING				
Would the Project:				
a. Induce substantial population unplanned growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Discussion

This analysis relied upon the Delhi Community Plan for evaluating the significance of the Project's impacts to Population and Housing issues outlined in this section.

Impact #3.4.14a – Would the Project induce substantial population unplanned growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

The Project will be replacing private wells with water line, water service, and lateral connections to the Delhi County Water District. Due to the shallow depth of the private wells and uncertain groundwater levels, abandonment of the private existing wells for a more reliable and modern water system are necessary in order to protect the health and safety of the Community. Residents of the Community seek to secure a reliable water system as the diminishing groundwater supply may further degrade the quality of their drinking water. The Project would accommodate the residents that are already being serviced for the same amount of water. Therefore, the impact would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact*.

Impact #3.4.14b – Would the Project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

The proposed Project does not propose to displace any existing housing or people in the Project area, nor would implementation of the Project require construction or replacement of housing. Therefore, there would be no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have ***no impact***.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
3.4.15 - PUBLIC SERVICES					
Would the Project:					
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or to other performance objectives for any of the public services:					
(i)	Fire protection?	☐	☐	☒	☐
(ii)	Police protection?	☐	☐	☒	☐
(iii)	Schools?	☐	☐	☒	☐
(iv)	Parks?	☐	☐	☒	☐
(v)	Other public facilities?	☐	☐	☒	☐

Discussion

The improvements to the water system in Delhi are not anticipated to directly require the employment of additional fire fighters or law enforcement officers. The Delhi Community Plan acknowledges a multitude of growth challenges and strategies to assess these challenges. Under public services, the existing water infrastructure is limiting the capacity for growth within the Community. The Project would create a modern, reliable water system to provide for existing homes. It is anticipated that existing and future public facilities and equipment would be able to maintain the current level of service. No other public services would be significantly affected by the Project.

Impact #3.4.15a(i) – Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or to other performance objectives for any of the public services - Fire Protection?

Under contract with the County of Merced, the California Department of Forestry proves fire, rescue, and emergency medical services within Delhi. In downtown Delhi near the corner of Acacia Street and Hinton Avenue is Merced County Fire Station 91. The fire station is staffed with a full-time fire captain, and emergency response is augmented paid call firefighters. Emergency response time is currently between one and five minutes (Community of Delhi, 2006).

The development of the Project would not facilitate growth beyond what has been anticipated in the Delhi Community Plan, but instead will serve two existing built neighborhoods. Therefore, the impact would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact*.

Impact #3.4.15a(ii) – Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or to other performance objectives for any of the public services – Police Protection?

Law enforcement is provided by the Merced County Sheriff's Department. Within the County, there are three primary stations with a total of seven to eight patrols at any given time. Law enforcement needs are provided by Merced County Sheriff's North Station located within the community services building at the corner of Schendel Avenue and Shanks Road.

The development of the Project would not facilitate growth beyond what has been anticipated in the Delhi Community Plan, but instead will serve two existing built neighborhoods. Therefore, the impact would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact*.

Impact #3.4.15a(iii) – Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or to other performance objectives for any of the public services – Schools?

The Delhi Unified School District and the Turlock Unified School District provide educational services to the Community. Delhi Unified School District operates three elementary schools, one combined middle and high school education center, and a continuation school.

The development of the Project would not facilitate growth beyond what has been anticipated in the Delhi Community Plan, but instead will serve two existing built neighborhoods. Therefore, the impact would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact*.

Impact #3.4.15a(iv) – Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or to other performance objectives for any of the public services – Parks?

Parks and recreation facilities are needed within the Community. However, no additional parkland will be required or removed by the construction of the proposed Project. Therefore, there would be no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have *no impact*.

Impact #3.4.15a(v) – Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or to other performance objectives for any of the public services – Other Public Facilities?

The Project would not induce the use of other public facilities such as libraries, courts, and other Merced County services.

The proposed Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause a significant

environmental impact, in order to maintain acceptable service ratios for any of the public services. Therefore, the Project would have a less-than-significant impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less–than-Significant Impact	No Impact
3.4.16 - RECREATION				
Would the Project:				
a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b. Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	☐	☐	☐	☒

Discussion

Impact #3.4.16a – Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

The proposed Project would not create an increase in the use of existing recreational resources. Additionally, it does not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. Therefore, no impacts would occur.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have ***no impact***.

Impact #3.4.16b – Would the Project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?

See Impact 3.4.16a, above.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have ***no impact***.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
3.4.17 - TRANSPORTATION AND TRAFFIC					
Would the Project:					
a.	Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐
b.	Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	☐	☐	☒	☐
c.	Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d.	Result in inadequate emergency access?	☐	☐	☒	☐

Discussion

The following is provided by the Delhi Community Plan.

The roadways providing the main circulation throughout the Community of Delhi include the following:

- Arterials function as high volume thoroughfares with heavy truck traffic and with intersection intervals between 0.25 miles and 0.5 miles apart. Arterials are typically four to six lanes. The only arterial in the Planning Area it Bradbury Road, a regional east-west route extending from Crows Landing Road in the west to just past Santa Fe Drive in the east.

- Major collectors serve as primary circulation corridors; they are high capacity roadways that are typically two to four lanes. The following roadways are designated major collectors, according to the Delhi Community Plan:

    - Shanks Road between August Avenue and planned extension of Sycamore Street. Shanks Road between August Avenue and Letteau Avenue will be a two-lane road with a continuous left turn lane and Class II bike lanes. Shanks road between Letteau Avenue and the edge of the Plan Area boundary will be a four-lane roadway.

- South Avenue between Sycamore Street and planned extension of Hinton Avenue. South Avenue will serve as the Community's southern gateway and link to downtown Delhi.
- Vincent Road between El Capitan Way and Bradbury Road serves as a major north-south thoroughfare east of Highway 99. Vincent Road between El Captain Way and Bradbury Road will be a four-lane road.

Impact #3.4.17a – Would the Project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

The Delhi Community Plan Circulation Element ensures that the health and welfare of the Community is achieved through an orderly network of streets and pedestrian and bicycle facilities. According to the Circulation Element, Delhi intends to become a walkable community with easy access to neighborhoods, commercial centers, and public amenities. The Circulation Element contains many goals and implementation measures in order to achieve walkability and promote orderly streetways (Community of Delhi, 2006). The Project will be replacing private wells for a water infrastructure connection to the Delhi CWD; during the construction phase of the Project, vehicles could block roadways and walkways. However, this disruption would only be localized and temporary in nature and would cease to occur once installation of the waterlines was complete. Once operational, the Project would not generate traffic beyond current levels and implementation of strategies to establish a walkable community could resume. Therefore, the Project would not conflict with any applicable Circulation Plan and any impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact*.

Impact #3.4.17b – Would the Project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?

A traffic memorandum was prepared by VRPA Technologies. The memorandum determined the Project trip generation for both the construction and operational phases of the Project (see Appendix C). The Project will not generate a substantial number of trips during its operation but would generate some trips during the construction phase of the Project. The construction phases would include workers such as laborers, craftsmen, supervisory personnel, support personnel, and construction management personnel. Modeling for the total Project trip generation for the construction phase would have a volume of 80 Daily Trip Ends (ADT) (VRPA Technologies, Inc., 2020). The Project will not conflict with or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b), therefore any impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact*.

Impact #3.4.17c – Would the Project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

The Project would not introduce new curves and/or hazardous intersections into the Project vicinity. All roads surrounding the Project sites are straight and set in a grid pattern. No new design or features would be introduced that would result in transportation-related hazards or safety concerns. During construction at the proposed Project site, construction-related trucks would be present. However, these trucks would be traveling along the existing, local roadways and would not interfere with access surrounding the site. Coupled with this, once construction is completed, trucks would cease to access the site. The proposed Project would not result in an increase in hazards due to a design feature or incompatible use, making any impacts less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact*.

Impact #3.4.17d – Would the Project result in inadequate emergency access?

See discussion in Impact 3.4.9f.

With mitigation incorporated, any impacts to emergency access would be less than significant.

MITIGATION MEASURE(S)

Implementation of Mitigation Measure MM HAZ-1.

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact with mitigation incorporated*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less–than-Significant Impact	No Impact
3.4.18 - TRIBAL CULTURAL RESOURCES				
Would the Project:				
a. Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
(i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or	☐	☒	☐	☐
(ii) A resource determined by the Lead Agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the Lead Agency shall consider the significance of the resource to a California Native American tribe.	☐	☒	☐	☐

Discussion

Impact #3.4.18a(i) – Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?

On April 24th, 2020 a request for tribal consultation contacts was sent to the Native American Heritage Commission. After receiving a response, letters were mailed to each of the Native American tribes within the geographic area (see Appendix B). These tribes

include the Amah Mutsun Tribal Band, the Dumna Wo-Wah Tribal Government, the North Valley Yokuts Tribe, and the Southern Sierra Miwuk Nation. The letters included a brief project description and location maps. No responses were received from the tribes requesting to be consulted.

This question is addressed in *Section 3.4.5 – Cultural Resources*. See discussion.

MITIGATION MEASURE(S)

Implementation of Mitigation Measures MM CUL-1 and MM CUL-2.

LEVEL OF SIGNIFICANCE

The Project would have a ***less-than-significant impact with mitigation incorporated***.

Impact #3.4.18a(ii) – Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the Lead Agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the Lead Agency shall consider the significance of the resource to a California Native American tribe?

This question is addressed in *Section 3.4.5 – Cultural Resources*. See discussion.

MITIGATION MEASURE(S)

Implementation of Mitigation Measures MM CUL-1 and MM CUL-2.

LEVEL OF SIGNIFICANCE

The Project would have a ***less-than-significant impact with mitigation incorporated***.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
3.4.19 - UTILITIES AND SERVICE SYSTEMS				
Would the Project:				
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which would cause significant environmental effects?	☐	☐	☒	☐
b. Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
c. Result in a determination by the wastewater treatment provider that serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☐	☒
e. Comply with federal, State, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	☒

Discussion

Impact #3.4.19a – Would the Project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which would cause significant environmental effects?

The Delhi County Water District provides municipal water and sewer services to a majority of the Community. Municipal water is supplied by groundwater wells. In 2019, The Delhi CWD had a total of 2,368 water connections with annual usage of 465,060,000 gallons of water (Maldonado, 2020). In correspondence with the District's engineer, even with the addition of the new residences, the overall draw on the groundwater aquifers will be reduced

as a result of the implementation of this Project (Fremming, 2020). It is likely that with the transfer to the District's wells, due to being metered and charged for their usage, customer consumption will go down, reducing the overall draw from the local aquifers. The District would have adequate capacity to accommodate the Project before and after the replacement of one of the District's wells. The Project would not require or result in the relocation or construction of expanded water, wastewater treatment or storm water drainage facilities that would cause significant environmental effects. Therefore, the impact would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact*.

Impact #3.4.19b – Would the Project have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years?

See discussion of Impact 3.4.19a, above.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact*.

Impact #3.4.19c – Would the Project result in a determination by the wastewater treatment provider that serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?

The Project will be replacing private wells for a connection to Delhi CWD's water lines. There are no plans for connecting the residences on Letteau Avenue and Corner Street to Delhi's wastewater treatment facility. Therefore, there would be no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have *no impact*.

Impact #3.4.19d – Would the Project Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

The Merced County Association of Governments (MCAG) Regional Waste Management Authority owns and operates the two active solid waste disposal/landfill facilities in the County: the SR 59 Landfill and the Billy Wright Landfill. The SR 59 landfill accepts waste generated in the Community of Delhi and is located approximately 20 miles east of the Project site. The SR 59 Landfill is a Class III landfill that occupies 610 acres and is permitted to receive 1,500 tons per day of solid waste. The remaining capacity of the landfill is almost 24,000,000 cubic yards (Authority, 2016). Construction of the proposed Project would not result in the generation of significant additional solid waste in Delhi, and long-term operation of the water line extensions would generate no waste . Additionally, the Project, in compliance with federal, State, and local statutes and regulations related to solid waste, would dispose of any waste generated onsite at an approved solid waste facility, the SR 59 Landfill. The Highway 59 landfill has enough capacity to accommodate the proposed Project, and would have no effect on remaining capacity, therefore there would be no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact*.

Impact #3.4.19e – Would the Project comply with federal, State, and local statutes and regulations related to solid waste?

See discussion of Impact #3.4.19d, above.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
3.4.20 - WILDFIRE				
Would the Project:				
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☒	☐	☐
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose Project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☒	☐
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☒	☐
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☒	☐	☐

Discussion

Impact #3.4.20a – Would the Project substantially impair an adopted emergency response plan or emergency evacuation plan?

See discussion in Impact 3.4.9f.

With mitigation incorporated, any impacts to emergency response plans or emergency evacuation plans would be less than significant.

MITIGATION MEASURE(S)

Implementation of Mitigation Measure MM HAZ-1.

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact with mitigation incorporated*.

Impact #3.4.20b – Would the Project due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose Project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

According to the Fire Hazard Severity Zones Map of Merced County, provided by Cal Fire, the Project area is not in a high fire hazard severity zone (Cal Fire, 2007). All construction under the proposed Project shall comply with current California Fire Code and County standards, minimizing potential risks to wildfire exposure. Therefore, the impact would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact*.

Impact #3.4.20c – Would the Project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

The Project consists of replacing private wells with a connection to the Delhi Water District community water system. Additional infrastructure associated with the Project is not expected to be required, but if needed, would be minimal. There would be no additional exposure to fire risk as a result of infrastructure associated with the Project and would therefore have a less-than-significant impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact*.

Impact #3.4.20d – Would the Project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

See discussion of Impact #3.4.10c(i) related to erosion impacts due to drainage changes. Due to the nature of this Project and the relatively flat topography of the Project site, downslope or downstream flooding impacts due to runoff, post-fire slope instability, and/or drainage changes could have a significant impact. However, with mitigation incorporated into the Project, these impacts would be less than significant.

MITIGATION MEASURE(S)

Implementation of Mitigation Measure MM HYD-1.

LEVEL OF SIGNIFICANCE

The Project would have a *less-than-significant impact with mitigation incorporated*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
3.4.21 - MANDATORY FINDINGS OF SIGNIFICANCE				
a. Does the Project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b. Does the Project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a Project are significant when viewed in connection with the effects of past Projects, the effects of other current Projects, and the effects of probable future Projects.)	☐	☒	☐	☐
c. Does the Project have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

Discussion

Impact #3.4.21a – Does the Project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?

As evaluated in this IS/MND, the proposed Project would not substantially degrade the quality of the environment; substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; reduce the number or restrict the range of an endangered, rare, or threatened species; or eliminate important examples of the major periods of California history or prehistory. With mitigation, the proposed Project would not have the potential to

degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory. Therefore, the Project would have a less-than-significant impact with mitigation incorporated.

MITIGATION MEASURE(S)

Implementation of Mitigation Measures MM BIO-1 through MM BIO-5.

LEVEL OF SIGNIFICANCE

Less than significant with mitigation incorporated.

Impact #3.4.21b - Does the Project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a Project are significant when viewed in connection with the effects of past Projects, the effects of other current Projects, and the effects of probable future Projects.)?

As described in the impact analyses in Sections 3.4.1 through 3.4.20 of this IS/MND, any potentially significant impacts of the proposed Project would be reduced to a less-than-significant level following incorporation of the mitigation measures listed beginning on Page 2 of this IS/MND. Projects completed in the past have also implemented mitigation as necessary. Accordingly, the proposed Project would not otherwise combine with impacts of related development to add considerably to any cumulative impacts in the region. With mitigation, the proposed Project would not have impacts that are individually limited, but cumulatively considerable. Therefore, the Project would have a less-than-cumulatively-considerable impact with mitigation incorporated.

MITIGATION MEASURE(S)

Implementation of Mitigation Measures MM BIO-1 through MM BIO-5, MM CUL-1 through MM CUL-2, MM GEO-1, MM HAZ-1, and MM HYD-1.

LEVEL OF SIGNIFICANCE

Less than significant with mitigation incorporated.

Impact #3.4.21c - Does the Project have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?

All of the Project's impacts, both direct and indirect, that are attributable to the Project were identified and mitigated. As shown beginning on Page 2 of this IS/MND, the District has agreed to implement mitigation measures, substantially reducing or eliminating impacts from the Project. Therefore, the proposed Project would not either directly or indirectly cause substantial adverse effects on human beings because all potentially adverse direct

impacts of the proposed Project are identified as having no impact, less-than-significant impact, or less-than-significant impact with mitigation.

MITIGATION MEASURE(S)

Implementation of Mitigation Measures MM BIO-1 through MM BIO-5, MM CUL-1 through MM CUL-2, MM GEO-1, MM HAZ-1, and MM HYD-1.

LEVEL OF SIGNIFICANCE

Less than significant with mitigation incorporated.

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APPENDIX A
AIR QUALITY & GREENHOUSE GAS IMPACT ASSESSMENT

(REPORT AVAILABLE AT DISTRICT OFFICE OR UPON REQUEST)

APPENDIX B
CULTURAL REPORT

(REPORT AVAILABLE AT DISTRICT OFFICE OR UPON REQUEST)

APPENDIX C
TRAFFIC MEMORANDUM

(REPORT AVAILABLE AT DISTRICT OFFICE OR UPON REQUEST)