



Buhach Colony High School Stadium Project

Initial Study – Mitigated Negative Declaration

prepared by

Merced Union High School District

3430 "A" Street

Atwater, California 95301

Contact: Melissa Miller, Facilities Planning Manager

prepared with the assistance of

Rincon Consultants, Inc.

7080 North Whitney Ave, Suite 101

Fresno, California 93720

Odell Planning & Research, Inc.

49346 Road 426, Suite 2

Oakhurst, California 93644

September 2023



RINCON CONSULTANTS, INC.

Environmental Scientists | Planners | Engineers

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Table of Contents

Initial Study	1
1. Project Title	1
2. Lead Agency Name and Address.....	1
3. Contact Person and Phone Number	1
4. Project Location	1
5. Project Sponsor's Name and Address	5
6. General Plan Designation.....	5
7. Zoning.....	5
8. Description of Project	5
9. Surrounding Land Uses and Setting	6
10. Other Public Agencies Whose Approval is Required	6
11. Have California Native American Tribes Traditionally and Culturally Affiliated with the Project Area Requested Consultation Pursuant to Public Resources Code Section 21080.3.1?	7
Environmental Factors Potentially Affected.....	9
Determination	9
Environmental Checklist.....	11
1 Aesthetics.....	11
2 Agriculture and Forestry Resources.....	15
3 Air Quality	17
4 Biological Resources.....	27
5 Cultural Resources	33
6 Energy	37
7 Geology and Soils	41
8 Greenhouse Gas Emissions	47
9 Hazards and Hazardous Materials	51
10 Hydrology and Water Quality	57
11 Land Use and Planning.....	63
12 Mineral Resources	65
13 Noise	67
14 Population and Housing.....	75
15 Public Services.....	77
16 Recreation.....	79
17 Transportation	81
18 Tribal Cultural Resources	86
19 Utilities and Service Systems	88

20	Wildfire.....	92
21	Mandatory Findings of Significance.....	94
References		98
Bibliography		98
List of Preparers.....		101

Tables

Table 1	Health Effects Associated with Non-Attainment Criteria Pollutants	19
Table 2	Air Quality Thresholds of Significance	20
Table 3	Annual Construction Emissions.....	22
Table 4	Daily Construction Emissions	22
Table 5	Annual Operational Emissions	23
Table 6	Daily Operational Emissions.....	23
Table 7	Annual Construction GHG Emissions	49
Table 8	Annual Operation GHG Emissions.....	49
Table 9	Summary of Short-term Measured Ambient Noise Levels - Measurement	68
Table 10	Predicted Operation Noise Levels at Nearby Land Uses without Mitigation	71
Table 11	Predicted Operation Noise Levels at Nearby Land Uses with Mitigation	71

Figures

Figure 1	Regional Site Location.....	2
Figure 2	Project Site	3
Figure 3	Proposed Site Plan	4
Figure 4	View from Buhach Road East Toward Project Site	12
Figure 5	View from Northern End of Campus Looking East along Avenue Two	12
Figure 6	View from Eastern Side of Project Site Looking East	13
Figure 7	View from North End of the Project Site Looking South.....	13
Figure 8	Short-term Measured Ambient Noise Levels Measurement Locations.....	69

Appendices

Appendix A	Air Quality and Greenhouse Gas Emissions Analysis
Appendix B	Biological Resource Evaluation
Appendix C	Noise and Groundborne Vibration Impact Analysis
Appendix D	Traffic Study

Initial Study

1. Project Title

Buhach Colony High School Stadium Project

2. Lead Agency Name and Address

Merced Union High School District
3430 "A" Street
Atwater, California 95301

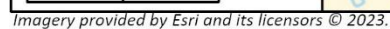
3. Contact Person and Phone Number

Melissa Miller, Facilities Planning Manager
(209) 325-2243

4. Project Location

The project site is a five-acre portion of the existing Buhach Colony High School campus, located at 1800 Buhach Road in the City of Atwater in Merced County. The project is located on Assessor's Parcel Number (APN) 005-080-039 and 042. The campus is at the southeast corner of Avenue Two and North Buhach Road. The regional location is shown on Figure 1, and Figure 2 shows the project site in its immediate context. The area surrounding the project site consists of other existing school facilities at the Buhach Colony campus, single-family residential development, a fire station, a stormwater basin, and agricultural fields and orchards.

Figure 1 Regional Site Location



23-14390 EPS

Fig 1 Regional Location

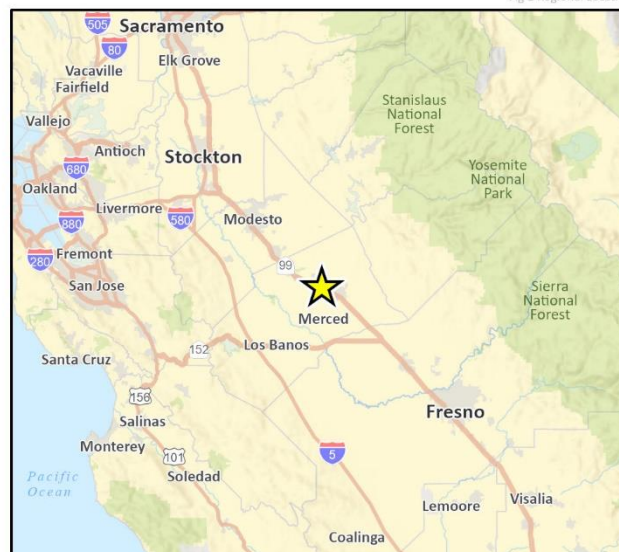


Figure 2 Project Site



Project Site

Buhach Colony High School Stadium Project
Merced Union High School District

ODELL Planning & Research, Inc.
Environmental Planning • School Facility Planning • Demographics

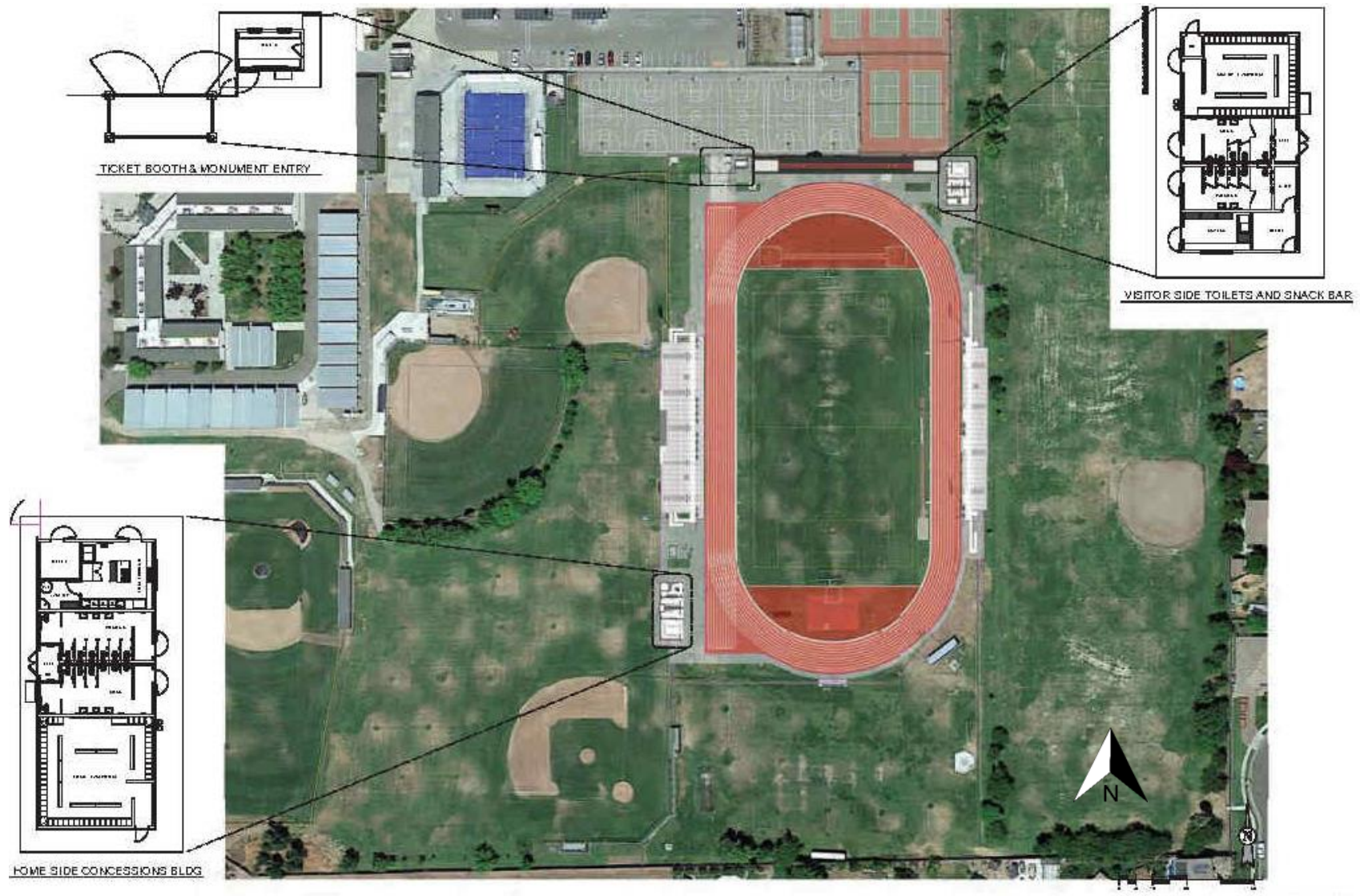
Source: ODELL Planning and Research Inc, 2023 (Appendix B)

 Buhach Colony High School
 Project Site

Figure 2



Figure 3 Proposed Site Plan



Source: ODELL Planning and Research Inc, 2023 (Appendix B)

5. Project Sponsor's Name and Address

Merced Union High School District
3430 "A" Street
Atwater, California 95301

6. General Plan Designation

The project site has a General Plan land use designation of School (City of Atwater 2010a).

7. Zoning

The parcel is zoned as Low Density Residential by the City of Atwater General Plan (City of Atwater 2010b).

8. Description of Project

Background

The project aims to fulfill the Merced Union High School District's (District) objective of ensuring equitable facilities and services across all its high school sites. Currently, out of the six comprehensive high schools within the District, Buhach Colony High School and El Capitan High School are the only ones without a stadium. Establishing a home stadium at each high school would enhance the athletic educational experience at each campus, fostering a sense of school spirit and community identity. Additionally, the stadium would provide improved opportunities for fundraising through events. Furthermore, the stadium would offer additional amenities for community use, reducing scheduling conflicts with other schools. Eliminating the need to travel to different schools for home games has several advantages: it reduces costs, enhances efficiency, eliminates inconvenience for students, staff, and the community, and relieves strain on limited transportation resources.

Project Components

Buhach Colony High School Stadium Project (herein referred to as "proposed project" or "project") would entail construction of a 3,000-seat high school football stadium on approximately five acres of the existing Buhach Colony High School campus. The project site is currently occupied by existing campus athletic facilities (a football field, running track, and baseball/softball fields). The project would not expand campus boundaries and no land acquisition is necessary for the project. Facilities planned as part of the project include enclosed bleacher seating, monument entry, a ticket booth, an announcer's booth, two concession/team room/restroom buildings, a natural turf (grass) competition field, a rubberized running track, and a scoreboard. No stadium lighting would be installed as part of the project as the project site is already equipped with 75-foot-tall metal-halide lights. The project would also include small, landscaped areas and new concrete-paved areas around the perimeter of the stadium, as shown in Figure 3. Transportation access for the project would be provided via existing access points at the Buhach Colony High School campus, particularly the existing driveways on Avenue Two. The project would use existing surface parking lots at the campus.

Construction

Construction of the proposed project would begin in fall of 2023 and last until fall of 2024. Construction would be limited to between 7 a.m. and 7 p.m. on weekdays, and between 9 a.m. and 5 p.m. on weekends. Construction would consist of site preparation, grading, building construction, infrastructure installation, paving, site restoration, and architectural coating. No nighttime construction would be required. No vegetation or tree removal would be required for the project.

The maximum depth of excavation would be approximately seven feet. No soil would be exported or imported for the project (Appendix A). Project construction activities would be subject to the requirements of the statewide NPDES Construction General Permit, which include preparation of a SWPPP.

Construction equipment and materials staging along with construction worker parking would occur within the project site. Construction vehicles would access the site from Avenue Two and North Buhach Road. Construction vehicles would park on site. No lane closures would be required for construction.

Operation and Maintenance

General Characteristics

The project would operate year-round to varying degrees. During the school year (August through May), the project would be at peak operation. Games and practices would be scheduled on weekdays and weekends, with events scheduled during daytime and evening hours. The new stadium may also be utilized for hosting occasional non-athletic special events, such as pep rallies and graduation ceremonies. The football stadium would host approximately five to seven games per year which would take place on Friday nights and last until 10:00 P.M. Use of the stadium PA system would be limited to 7 a.m. to 10 p.m. The project would not introduce a new need for maintenance staff as the District has adequate maintenance staff to accommodate the project.

9. Surrounding Land Uses and Setting

The proposed stadium project would be located on a portion of the existing Buhach Colony High School campus. The stadium site is located within the interior of the existing campus in an area that is currently occupied by existing campus athletic facilities (a football field, running track, and baseball/softball fields). Project site plans are shown on Figure 3. The topography of the site is flat.

The project site is surrounded by existing school facilities on the Buhach Colony High School campus. Single-family residential subdivisions are located to the east and south of the site, buffered by existing school sports fields. Atwater Fire Station 42 is also located east of the campus on Avenue Two. Agriculture, residential subdivisions, vacant lands, and commercial development surround the campus.

10. Other Public Agencies Whose Approval is Required

The District is the lead agency for this project. Other public agencies whose approval may be required for the project include the following:

t

- California Department of Education and the California Division of the State Architect – approval of stadium construction plans.
- City of Atwater – approval of any necessary off-site improvements, such as for water supply and wastewater collection.
- Merced County Department of Health – approval of plans for food preparation and service facilities.
- San Joaquin Valley Air Pollution Control District – approval of Rule 9510 Indirect Source Review application.
- State Water Resources Control Board (SWRCB) – approval of the SWPPP under the statewide NPDES Construction General Permit and approval of the SWPPP under the statewide NPDES Industrial General Permit

11. Have California Native American Tribes Traditionally and Culturally Affiliated with the Project Area Requested Consultation Pursuant to Public Resources Code Section 21080.3.1?

The California Native American tribes traditionally and culturally affiliated with the project area include the Amah Mutsun Tribal Band, Dumna Wo-Wah Tribal Government, North Valley Yokuts Tribe, Southern Sierra Miwuk Nation, Table Mountain Rancheria, Tule River Indian Tribe and the Wuksache Indian Tribe/Eshom Valley Band. The District sent mail notification letters on December 13, 2022, and May 26, 2022, to the aforementioned California Native American tribes. No tribes responded during the 30-day period to request consultation.

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Environmental Factors Potentially Affected

This project would potentially affect the environmental factors checked below, involving at least one impact that is “Potentially Significant” or “Less than Significant with Mitigation Incorporated” as indicated by the checklist on the following pages.

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

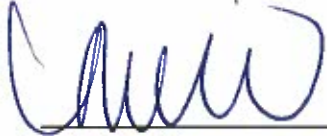
Determination

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

Merced Union High School District
Buhach Colony High School Stadium Project

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



Signature



Date



Printed Name



Title

Environmental Checklist

1 Aesthetics

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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 non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a 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 daytime or nighttime views in the area?	☐	☐	☒	☐

a. *Would the project have a substantial adverse effect on a scenic vista?*

A scenic vista is a view from a public place (roadway, designated scenic viewing spot, etc.) that is expansive and visually notable. It can be obtained from an elevated position (such as from the top of a hillside) or it can be seen from a roadway with a longer-range view of the landscape. The City of Atwater does not have any designated scenic vistas. However, the City of Atwater has designated several routes as scenic corridors, one of which is Buhach Road which is located along the west boundary of the campus (City of Atwater 2000). The project would not be readily visible from Buhach Road as the project site is over 1,000 feet east of Buhach Road, and school buildings and other structures obstruct views through the campus. Figure 4 through Figure 7 show the surrounding views from the project site and the project site. No scenic vistas would be impacted or obstructed by the proposed project. No impact would occur.

NO IMPACT

Figure 4 View from Buhach Road East Toward Project Site



Figure 5 View from Northern End of Campus Looking East along Avenue Two



Figure 6 View from Eastern Side of Project Site Looking East



Figure 7 View from North End of the Project Site Looking South



- b. *Would the project substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

The nearest officially designated scenic highway is Interstate 5 (I-5) approximately 30 miles west and State Route (SR 140) approximately 28 miles northeast (California Department of Transportation [Caltrans] 2018). The project site is not visible from a state scenic highway. Therefore, there would be no impact to scenic resources within a state scenic highway.

NO IMPACT

- c. *Would the project, in non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a 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?*

According to Public Resources Code 21071(a), the City of Atwater is classified as a nonurbanized area because its population is less than 100,000 persons and it is not located adjacent to one or more incorporated cities with populations that would add up to 100,000 persons or more when combined with the population of Atwater. Currently, the project site is utilized for Buhach Colony High School's sports facilities. The proposed project aims to maintain compatibility with the visual character and quality of existing High School facilities, both in terms of scale and architectural design. As a result, the project would have a less than significant impact on the existing visual character and quality of this site and its surroundings.

LESS THAN SIGNIFICANT IMPACT

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

The project would not require nighttime construction. During operation, the stadium would utilize the existing stadium lighting which would be used for nighttime events such as football games at the stadium. The project would not introduce new operational lighting to the project site as the existing lights would be used.

The project would include a new stadium that may result in increased vehicle traffic, including buses and automobiles. The increase in traffic would generate new glare from vehicle mirrors, windows, and metal surfaces; however, vehicle glare would be typical of what is normally experienced in the area and would not significantly increase sources of glare and would not adversely affect daytime or nighttime views in the area. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

2 Agriculture and Forestry Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural 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 non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

- a. *Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*

The project site is designated as Urban and Built-Up land by the Department of Conservation (DOC) (DOC 2022a). The project site is not located on Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Additionally, the site is not currently being used for agricultural purposes, therefore there would be no impact.

NO IMPACT

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

The project site is not under a Williamson Act contract, nor is it zoned for agricultural uses and activities (DOC 2022b) The project would not conflict with existing zoning for agricultural use or a Williamson Act contract. No impact would occur.

NO IMPACT

- c. Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)); timberland (as defined by Public Resources Code Section 4526); or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?*

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

The project site does not meet the definition of a forestry resource, as defined by California Public Resources Code Section 12220(g). The project site does not have a forest land designation. Therefore, the project would not conflict with existing zoning or cause rezoning of forest land, timberland, timberland zoned Timberland Production, or result in the loss or conversion of forest land. No impact would occur.

NO IMPACT

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

The project site is surrounded by the Buhach Colony High School campus and sports fields. The project site use would remain the same and would continue to be used for sporting events at the school. The project would not result in the indirect development of adjacent agricultural lands. No impact would occur.

NO IMPACT

3 Air Quality

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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 non-attainment 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?	☐	☐	☒	☐

The following analysis is primarily based on the Air Quality and Greenhouse Gas Impact Analysis prepared for the project by Ambient Air Quality and Noise Consulting, which is included as Appendix A.

Overview

The federal and State Clean Air Acts (CAA) mandate the control and reduction of certain air pollutants. Under these laws, the U.S. Environmental Protection Agency (USEPA) and the California Air Resources Board (CARB) have established the National Ambient Air Quality Standards (NAAQS) and the California Ambient Air Quality Standards (CAAQS) for “criteria pollutants” and other pollutants. Some pollutants are emitted directly from a source (e.g., vehicle tailpipe, an exhaust stack of a factory, etc.) into the atmosphere, including carbon monoxide, volatile organic compounds (VOC)/reactive organic gases (ROG),¹ nitrogen oxides (NO_x), particulate matter with diameters of ten microns or less (PM₁₀) and 2.5 microns or less (PM_{2.5}), sulfur dioxide, and lead. Other pollutants are created indirectly through chemical reactions in the atmosphere, such as ozone, which is created by atmospheric chemical and photochemical reactions primarily between ROG and NO_x. Secondary pollutants include oxidants, ozone, and sulfate and nitrate particulates (smog).

Air pollutant emissions are generated primarily by stationary and mobile sources. Stationary sources can be divided into two major subcategories:

¹ CARB defines VOC and ROG similarly as, “any compound of carbon excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate,” with the exception that VOC are compounds that participate in atmospheric photochemical reactions. For the purposes of this analysis, ROG and VOC are considered comparable in terms of mass emissions, and the term ROG is used in this Initial Study.

- 1 Point sources occur at a specific location and are often identified by an exhaust vent or stack. Examples include boilers or combustion equipment that produce electricity or generate heat.
- 2 Area sources are widely distributed and include such sources as residential and commercial water heaters, painting operations, lawn mowers, agricultural fields, landfills, and some consumer products.

Mobile sources refer to emissions from motor vehicles, including tailpipe and evaporative emissions, and can also be divided into two major subcategories:

- 1 On-road sources that may be legally operated on roadways and highways.
- 2 Off-road sources include aircraft, ships, trains, and self-propelled construction equipment.

Air pollutants can also be generated by the natural environment, such as when high winds suspend fine dust particles.

Air Quality Standards and Attainment

The project site is located in the San Joaquin Valley Air Basin (SJVAB), which is under the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD). As the local air quality management agency, the SJVAPCD is required to monitor air pollutant levels to ensure that the NAAQS and CAAQS are met and, if they are not met, to develop strategies to meet the standards. Depending on whether the standards are met or exceeded, the SJVAB is classified as being in “attainment” or “nonattainment.” In areas designated as non-attainment for one or more air pollutants, a cumulative air quality impact exists for those air pollutants, and the human health impacts associated with these criteria pollutants, presented in Table 1 are already occurring in that area as part of the environmental baseline condition.

Under state law, air districts are required to prepare a plan for air quality improvement for pollutants for which the district is in non-compliance. The SJVAB is designated a nonattainment area for the state one-hour ozone standard as well as for the federal and state eight-hour ozone standards. The SJVAB is also designated as nonattainment for the state 24-hour and annual arithmetic mean PM₁₀ as well as the state annual arithmetic mean and federal 24-hour PM_{2.5} standards. The nonattainment statuses of the SJVAB are the result of several factors, such as increased population and unique topographical and meteorological conditions that exacerbate the formation and retention of high levels of air pollution in the SJVAB (SJVAPCD 2016). The SJVAB is unclassified or in attainment for all other ambient air quality standards (SJVAPCD 2018).

Table 1 Health Effects Associated with Non-Attainment Criteria Pollutants

Pollutant	Adverse Effects
Ozone	(1) Short-term exposures: (a) pulmonary function decrements and localized lung edema in humans and animals and (b) risk to public health implied by alterations in pulmonary morphology and host defense in animals; (2) long-term exposures: risk to public health implied by altered connective tissue metabolism and altered pulmonary morphology in animals after long-term exposures and pulmonary function decrements in chronically exposed humans; (3) vegetation damage; and (4) property damage.
Suspended particulate matter (PM ₁₀)	(1) Excess deaths from short-term and long-term exposures; (2) excess seasonal declines in pulmonary function, especially in children; (3) asthma exacerbation and possibly induction; (4) adverse birth outcomes including low birth weight; (5) increased infant mortality; (6) increased respiratory symptoms in children such as cough and bronchitis; and (7) increased hospitalization for both cardiovascular and respiratory disease (including asthma).
Suspended particulate matter (PM _{2.5})	(1) Excess deaths from short- and long-term exposures; (2) excess seasonal declines in pulmonary function, especially in children; (3) asthma exacerbation and possibly induction; (4) adverse birth outcomes, including low birth weight; (5) increased infant mortality; (6) increased respiratory symptoms in children, such as cough and bronchitis; and (7) increased hospitalization for both cardiovascular and respiratory disease, including asthma.

Source: USEPA 2021

Air Quality Management

The SJVAB is currently designated nonattainment for the ozone and PM_{2.5} NAAQS. The SJVAPCD is required to implement strategies to reduce pollutant levels to achieve attainment of the NAAQS. The SJVAPCD 2016 Ozone Plan and 2018 PM_{2.5} Plan include emissions inventories that identify sources of air pollutants, evaluations for feasibility of implementing potential opportunities to reduce emissions, sophisticated computer modeling to estimate future levels of pollution, and a strategy for how air pollution will be further reduced. The plans also include innovative alternative strategies for accelerating attainment through non-regulatory measures. The 2016 Ozone Plan determines that, with implementation of the proposed control strategy, the SJVAB can expect to reach attainment of the 2008 eight-hour ozone NAAQS by December 31, 2031 (SJVAPCD 2016). The 2018 PM_{2.5} Plan for the 1997, 2006, and 2012 PM_{2.5} NAAQS includes a strategy for bringing SJVAB into attainment by the respective deadlines of 2023, 2024, and 2025 (SJVAPCD 2021).

Air Emission Thresholds

The SJVAPCD has adopted guidelines for quantifying and determining the significance of air quality emissions in its *Guidance for Assessing and Mitigating Air Quality Impacts* (GAMAQI; SJVAPCD 2015a). The SJVAPCD recommends the use of quantitative thresholds to determine the significance of construction-and operational related emissions of criteria air pollutant emissions. SJVAPCD has two sets of significance thresholds for operational emissions depending on whether the activities are for permitted equipment and activities or non-permitted equipment and activities. Project operation does not include permitted equipment or activities such as the use of back-up generators. Therefore, only the operational thresholds for non-permitted equipment and activities and construction activities are appropriate for evaluating project impacts. These thresholds are shown in Table 2.

Table 2 Air Quality Thresholds of Significance

Pollutant	Construction (tons per year)	Operation (tons per year)
Nitrogen Oxides (NO _x)	10	10
Reactive Organic Gases (ROG)	10	10
Particulate Matter with diameter < 10µm (PM ₁₀)	15	15
Particulate Matter with diameter < 2.5 µm (PM _{2.5})	15	15
Sulfur Oxide (SO _x)	27	27
Carbon Monoxide (CO)	100	100

Source: SJVAPCD 2015b.

In addition to the annual SJVAPCD thresholds presented above, SJVAPCD has published the *Ambient Air Quality Analysis Project Daily Emissions Assessment* guidance, which is summarized in Section 8.4.2, *Ambient Air Quality Screening Tools*, of the SJVAPCD's GAMAQI (SJVAPCD 2018). The Ambient Air Quality Screening Tools guidance provides a screening threshold of 100 pounds per day to evaluate construction and operational activities include the following pollutants: NO_x, ROG, PM₁₀, PM_{2.5}, SO_x, and carbon monoxide. An ambient air quality assessment, which includes refined dispersion modeling, would be necessary if an exceedance occurs.

Methodology

Temporary Construction Impacts

Short-term construction emissions associated with the proposed project were calculated using the CalEEMod 2022.1.1.2 computer program. Emissions were quantified for site preparation, grading, building construction, and paving. Demolition and architectural coating were assumed to not occur with project implementation. Detailed construction information, including construction schedules and equipment requirements, have not been identified for the proposed project. As a result, default construction phases and equipment assumptions contained in the CalEEMod model were, therefore, relied upon for the calculation of construction-generated emissions. Modeling assumptions and output files are included in Appendix A of this report.

Operational Impacts

Operational GHG emissions associated with the proposed project were calculated using the CalEEMod 2022.1.1.2 computer program. Emissions were quantified for area sources, energy use, water use, and waste generation. The usage of the stadium is expected to vary greatly from day to day. However, it should be noted that the typical high school events, games, and practices intended to be held at the project site are generally occurring already in the existing condition. Therefore, over the course of a year the average number of new daily trips is expected to be negligible (Appendix D). As a result, mobile source emissions were not calculated. All other modeling assumptions were based on the default parameters contained in CalEEMod. Due to anticipated reductions in future fleet-average mobile source and energy emission rates, emissions for post-year 2026 operational conditions would be less. Modeling assumptions and output files are included in Appendix A of this report.

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

In accordance with SJVAPCD-recommended methodology for the assessment of air quality impacts, projects that result in significant air quality impacts at the project level are also considered to have a significant cumulative air quality impact. As noted in threshold (b) below, short-term construction and operational emissions would not exceed applicable thresholds. While the seating improvements at the existing field would increase capacity, the project is intended to better accommodate events that are already taking place and in many instances are held at more distant locations, which would reduce the distance attendees are required to travel to large events and result in a less than significant vehicle miles traveled (VMT) impact (Appendix D). The project is not creating new land uses and, therefore, would not result in significant increases in area-source related emissions, such as emissions associated with waste generation, natural gas use, or landscape maintenance. In addition, the proposed project would be designed to meet current building energy efficiency standards, which include the California Energy Code (Title 24, Part 6 of the California Code of Regulations, California's Energy Efficiency Standards for Residential and Nonresidential Buildings) and the California Green Building Standards Code (Title 24, Part 11 of the California Code of Regulations) which includes measures to reduce overall energy use. For these reasons, implementation of the proposed project would not conflict with air quality attainment or maintenance planning efforts. This impact would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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

Construction Emissions

The proposed project is located in the City of Atwater, which is within the SJVAB. The SJVAB is designated nonattainment for the national 8-hour ozone and PM_{2.5} standards. On September 25, 2008, the U.S. EPA redesignated the San Joaquin Valley to attainment for the PM₁₀ NAAQS and approved the PM₁₀ Maintenance Plan (SJVAPCD 2019).

Temporary increases in emissions would occur during the construction phase. Construction-generated emissions are temporary, lasting only as long as construction activities occur. Construction of the proposed project would result in emissions of ozone-precursor pollutants (i.e., ROG and NO_x), CO, and PM from site preparation, grading, building construction, and paving. Emissions of ozone-precursors would result from the operation of on-road and off-road motorized vehicles and equipment. Emissions of airborne PM are largely dependent on the amount of ground disturbance associated with site grading activities and can result in increased concentrations of PM that can adversely affect nearby sensitive land uses.

Estimated construction-generated annual emissions associated with the proposed project are summarized in Table 3. As noted in Table 3, annual construction-generated emissions would not exceed the SJVAPCD's annual significance for criteria pollutants.

Table 3 Annual Construction Emissions

Construction	Annual Emissions (tons/year)					
	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Maximum Annual Emissions	0.08	0.78	0.95	<0.01	0.08	0.05
Significant Thresholds	100	100	100	27	15	15
Exceeds Thresholds/Significant Impact?	No	No	No	No	No	No
Refer to Appendix A for modeling results and assumptions.						

Estimated daily construction emissions are summarized in Table 4. As noted in Table 4, daily construction emissions would not exceed the SJVAPCD's daily significance thresholds for criteria pollutants.

Table 4 Daily Construction Emissions

	Uncontrolled Daily Emissions (lbs/day)					
	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Maximum Daily Emissions	1.89	17.7	18.2	0.03	6.8	3.4
Thresholds	100	100	100	100	100	100
Exceeds Thresholds/ Significant Impact?	No	No	No	No	No	No
¹ Emissions were calculated using the CalEEMod computer program. Does not include implementation of emissions control measures. Refer to Appendix A for modeling assumptions and results.						

Given the aforementioned, construction emissions of the proposed project would not result in a significant impact to regional or local air quality conditions. Furthermore, project construction, including grading activities, would be required to comply with SJVPACD Regulation VIII (Fugitive PM₁₀ Prohibitions). Mandatory compliance with SJVAPCD Regulation VIII would further reduce emissions of fugitive dust from the project site and minimize the project's potential to adversely affect nearby sensitive receptors. With compliance with SJVAPCD Regulation VIII, emissions of PM would be further reduced. For these reasons, construction generated emissions would not be anticipated to result in a substantial increase in localized or regional pollutant concentrations that would have a significant adverse impact to public health. Therefore, this impact would be less than significant.

Operational Emissions

Estimated annual operational emissions for the proposed project are summarized in Table 5. As depicted, annual operational emissions would not exceed the SJVAPCD's annual operational significance thresholds.

Table 5 Annual Operational Emissions

Operational Category	Annual Emissions (tons/year)					
	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Area Source	0.02	<0.01	0.01	<0.01	<0.01	<0.01
Energy Use	<0.01	0.01	0.01	<0.01	<0.01	<0.01
Total	0.02	0.01	0.02	<0.01	<0.01	<0.01
Thresholds	10	10	100	27	15	15
Exceeds Thresholds/ Significant Impact?	No	No	No	No	No	No

Emissions were calculated using the CalEEMod computer program. Does not include implementation of emissions control measures. Refer to Appendix A for modeling assumptions and results

Estimated daily operational emissions are summarized in Table 6. Daily operational emissions would not exceed the SJVAPCD's daily thresholds.

Table 6 Daily Operational Emissions

Operational Category	Uncontrolled Annual Emissions (tons/year)					
	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Area Source	0.14	<0.01	0.13	<0.01	<0.01	<0.01
Energy Use	<0.01	0.03	0.03	<0.01	<0.01	<0.01
Total	0.14	0.03	0.16	<0.01	<0.01	<0.01
Thresholds	100	100	100	100	100	100
Exceeds Thresholds/ Significant Impact?	No	No	No	No	No	No

Emissions were calculated using the CalEEMod computer program. Does not include implementation of emissions control measures. Refer to Appendix A for modeling assumptions and results

It is important to note that the project is intended to better accommodate events that are already taking place, and in many instances are held at more distant locations (Appendix D). As a result, actual mobile source emissions may be reduced with the completion of the project. Long term operation of the proposed project would not result in a significant impact on regional or local air quality conditions. For these reasons, operational emissions would not be anticipated to result in a significant adverse impact to public health. This impact is considered less than significant.

LESS THAN SIGNIFICANT IMPACT

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

Sensitive land uses located in the vicinity of the proposed project site consist predominantly of residential land uses. The nearest residential land uses are generally located 350 feet to the east and 250 feet south of the project site within the adjacent subdivisions. Temporary construction activities and operational activities emission sources that could adversely impact these nearest sensitive receptors are discussed, as follows.

Operational Impacts

Localized Mobile-Source CO Emissions

Carbon monoxide is the primary criteria air pollutant of local concern associated with the proposed project. Under specific meteorological and operational conditions, such as near areas of heavily congested vehicle traffic, CO concentrations may reach unhealthy levels. If inhaled, CO can be adsorbed easily by the bloodstream and can inhibit oxygen delivery to the body, which can cause significant health effects ranging from slight headaches to death. The most serious effects are felt by individuals susceptible to oxygen deficiencies, including people with anemia and those suffering from chronic lung or heart disease.

Mobile-source emissions of CO are a direct function of traffic volume, speed, and delay. Transport of CO is extremely limited because it disperses rapidly with distance from the source under normal meteorological conditions. For this reason, modeling of mobile-source CO concentrations is typically recommended for sensitive land uses located near signalized roadway intersections that are projected to operate at unacceptable levels of service (i.e., LOS E or F). Localized CO concentrations associated with the proposed project would be considered less-than-significant impact if: (1) traffic generated by the proposed project would not result in deterioration of a signalized intersection to a LOS E or F; or (2) the project would not contribute additional traffic to a signalized intersection that already operates at LOS of E or F. Based on the traffic analysis prepared for this project (Appendix D), the project would not result in or contribute to unacceptable levels of service (i.e., LOS E or F). As a result, the project's contribution to localized CO concentrations and potential health-related impacts on nearby receptors would be considered less than significant.

Toxic Air Contaminants

Implementation of the proposed project would not result in the operation of any major onsite stationary sources of toxic air contaminants (TACs), nor would project implementation result in a significant increase in diesel-fueled vehicles traveling along area roadways. No major stationary sources of TACs were identified in the project vicinity that would result in increased exposure of residences, students, or staff to TACs. For these reasons, operational increases in exposure to TACs would be less than significant.

Temporary Construction Impacts

Naturally Occurring Asbestos

Naturally-occurring asbestos, which was identified by ARB as a TAC in 1986, is located in many parts of California and is commonly associated with ultramafic rock. The project site is not located near any areas that are likely to contain ultramafic rock (Appendix A). As a result, risk of exposure to asbestos during the construction process would be less than significant.

Asbestos-Containing Materials

Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, demolition, and disposal of asbestos containing material (ACM). Asbestos containing materials could be encountered during the demolition of existing buildings, particularly older structures constructed prior to 1970. Asbestos can also be found in various building products, including (but not limited to) utility pipes/pipelines (transit pipes or insulation on pipes). The

proposed project would not include the demolition of existing onsite structures; therefore, impacts would be less than significant.

Lead-Coated Materials

Demolition of structures coated with lead-based paint can have potential negative air quality impacts and may adversely affect the health of nearby individuals. Lead-based paints could be encountered during the demolition of existing buildings, particularly older structures constructed prior to 1978. Improper demolition can result in the release of lead containing particles from the site. Sandblasting or removal of paint by heating with a heat gun can result in significant emissions of lead. The proposed project would not include the demolition of existing onsite structures; therefore, impacts would be less than significant.

Diesel-Exhaust Emissions

Implementation of the proposed project would result in the generation of DPM emissions during construction associated with the use of off-road diesel equipment for site grading, paving and other construction activities. Health-related risks associated with diesel-exhaust emissions are primarily associated with operational exposure and associated risk of contracting cancer. For work-sites and residential land uses, the calculation of cancer risk associated with exposure to TACs are typically calculated based on a 25 year and 30-year period of exposure, respectively. The use of diesel-powered construction equipment, however, would be temporary and episodic and would occur over a relatively large area. Assuming that construction activities involving the use of diesel-fueled equipment would occur over an approximately 18- month period, project-related construction activities would constitute less than six percent of the typical exposure period. As a result, exposure to construction-generated DPM would not be anticipated to exceed applicable thresholds (i.e., incremental increase in cancer risk of 20 in one million). For these reasons, impacts would be less than significant.

Localized PM Concentrations

Fugitive dust emissions would be primarily associated with site preparation, grading, and vehicle travel on unpaved and paved surfaces. On-site off-road equipment and trucks would also result in temporary emissions of diesel-exhaust PM, which could contribute to elevated localized concentration at nearby receptors. However, project construction activities would be required to comply with SJVAPCD Regulation VIII, which includes measures to be implemented during project construction for the control of fugitive dust. In addition, daily construction emissions of PM would not exceed the SJVAPCD's recommended localized ambient air quality significance thresholds of 100 lbs/day. For these reasons, localized uncontrolled concentrations of construction-generated PM would result in a less than significant impact.

LESS THAN SIGNIFICANT IMPACT

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

Other emissions potentially associated with the proposed project would be predominantly associated with the generation of odors during project construction. The occurrence and severity of odor impacts depend on numerous factors, including: the nature, frequency, and intensity of the source; wind speed and direction; and the sensitivity of the receptors.

Construction of the proposed project would involve the use of a variety of gasoline or diesel-powered equipment that would emit exhaust fumes. Exhaust fumes, particularly diesel-exhaust, may be considered objectionable by some people. In addition, pavement coatings used during project construction would also emit temporary odors. However, construction-generated emissions would occur intermittently throughout the workday and would dissipate rapidly within increasing distance from the source. As a result, temporary construction activities would not expose a substantial number of people to frequent odorous emissions. In addition, a stadium project would not be a source of substantial operational odors. This impact would be less than significant.

LESS THAN SIGNIFICANT IMPACT

4 Biological Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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, or 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?	☐	☐	☐	☒

The following analysis is based primarily on the Biological Resources Evaluation (BRE) prepared for the project by ODELL Planning & Research, Inc. (ODELL), which is included as Appendix B. For the purposes of this analysis, the Study Area is comprised of a project site as well as a 500-foot buffer around those features in order to capture potential direct and indirect impacts to biological resources. As part of the BRE, ODELL conducted a field reconnaissance survey of the Study Area on February 4, 2023.

Regulatory Setting

Federal and State

Regulatory authority over biological resources is shared by federal, State, and local agencies under a variety of laws, ordinances, regulations, and statutes. Primary authority for biological resources lies within the land use control and planning authority of local jurisdictions (in this instance, the CUHSD).

The U.S. Fish and Wildlife Service (USFWS) implements the Migratory Bird Treaty Act (MBTA; 16 United States Code [USC] Section 703-711) and the Bald and Golden Eagle Protection Act (16 USC Section 668). The USFWS and National Marine Fisheries Service (NMFS) share responsibility for implementing the Federal Endangered Species Act (FESA) (16 USC Section [§] 153 et seq.). Generally, the USFWS implements the FESA for terrestrial and freshwater species, while the NMFS implements the FESA for marine and anadromous species.

The California Department of Fish and Wildlife (CDFW) is a trustee agency for biological resources throughout the State under CEQA and has direct jurisdiction under the California Fish and Game Code (CFGF). Under the California Endangered Species Act (CESA) and federal Endangered Species Act (FESA), the CDFW and USFWS, respectively, have direct regulatory authority over species formally listed as threatened or endangered (and listed as rare for CDFW). Native and/or migratory bird species are protected under the MBTA and CFGF Sections 3503, 3503.5, and 3511.

The CDFW also has authority to administer the Native Plant Protection Act (NPPA) (CFGF Section 1900 et seq.). The NPPA requires the CDFW to establish criteria for determining if a species, subspecies, or variety of native plant is endangered or rare. Under Section 1913(c) of the NPPA, the owner of land where a rare or endangered native plant is growing is required to notify the CDFW at least 10 days in advance of changing the land use to allow for salvage of the plant(s).

Laws and regulations found within the Clean Water Act (CWA), CFGF, California Water Code, and California Code of Regulations (CCR) protect wetlands and riparian habitat. The U.S. Army Corps of Engineers (USACE) has regulatory authority over wetlands and other waters of the United States under Section 404 of the CWA. The State Water Resources Control Board and the nine Regional Water Quality Control Boards (RWQCBs) ensure water quality protection in California pursuant to Section 401 of the CWA and Section 13263 of the Porter-Cologne Water Quality Control Act. The CDFW regulates certain waters features, such as streams and lakes, under the CFGF Section 1600 et seq.

Local

The Open Space and Conservation Element of the City's General Plan (City of Atwater 2000), Policy CO-6.2, encourages the preservation of corridors between natural habitat areas to allow for the movement of wildlife and to prevent the creation of "biological islands." Implementation Program CO-6.a states "When new development or redevelopment activities are proposed in locations with the potential for special status species to occur, require the project applicant to submit a report by a

qualified biologist addressing the presence or absence of any special status species on the development site.

Methodology

Literature Review and Field Survey

Information contained in this section consists of a review of relevant literature and database query results, a reconnaissance-level field survey to determine what sensitive biological resources occur or may occur at the project site, and an evaluation of the proposed activity in the context of potentially occurring biological resources to determine potentially significant impacts under CEQA. The potential presence of special-status species and other sensitive biological resources is based on the literature review and a field survey designed to assess habitat suitability for special-status species and presence/absence of other sensitive biological resources (e.g., wetlands). The potential for impacts to these resources was evaluated based on this methodology, the proposed project description, and expected construction activity.

- a. *Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status 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?*

Special-Status Species

Special-status species are those plants and animals listed, proposed for listing, or candidates for listing as threatened or endangered by the USFWS or NMFS under the FESA; those listed or proposed for listing as rare, threatened, or endangered by the CDFW under the CESA or NPPA; animals designated as “Species of Special Concern,” “Fully Protected,” or “Watch List” by the CDFW; and plants with a California Rare Plant Rank (CRPR) of 1 or 2, which are defined as:

- List 1A = Plants presumed extinct in California
- List 1B.1 = Rare or endangered in California and elsewhere; seriously endangered in California (over 80 percent of occurrences threatened/high degree and immediacy of threat)
- List 1B.2 = Rare or endangered in California and elsewhere; fairly endangered in California (20-80 percent occurrences threatened)
- List 1B.3 = Rare or endangered in California and elsewhere, not very endangered in California (<20 percent of occurrences are threatened or no current threats known)
- List 2 = Rare, threatened or endangered in California, but more common elsewhere

Special-Status Plants

Seven special-status plant species identified in the literature and database review have been documented as occurring within the nine-quad search surrounding the project site (Appendix B). However, none of these special status plants have been documented in the project site. There are no historical records of these special-status species occurring within the project site. The project site is an athletic field with turf. No special-status plant species were observed within the site project site. Although the field survey did not coincide with the optimum survey period for all sensitive plant species, the high school campus contains no habitat that would support the special-status plant species. The area within the one-half-mile buffer around the project site is urbanized

residential or commercial. The site is unsuitable for special status plants. No special-status plant species are present on the project site, and the project site contains no habitat that would support special-status plant species. No impact would occur.

Special-Status Wildlife

Fifteen special-status wildlife species identified in the literature and database review have been documented as occurring within the nine-quad search surrounding the project site. However, none of these special-status plants have been documented in the project site and there are no historical records of these special-status species occurring within the project site. No special-status wildlife species or their sign were observed within the project site. The project site is a high school campus and does not contain any habitat that would support the special-status wildlife species.

Thirteen species-status or migratory bird species identified in the literature and database review have been documented as occurring historically within the nine-quad search area surrounding the project site. However, none of these special-status wildlife species have been documented in the project site. Two California gulls were observed flying overhead within the BSA. The California gull is considered a Bird of Conservation Concern. It is a common winter migrant along the coast of California but can occur inland foraging in urban areas, farmlands, pastures, scrublands, and landfills. Breeding season occurs from March to July. This species will migrate inland to northwestern Wyoming, northern Utah, western Nevada, and northern California. The project site is a high school campus within an urbanized residential or commercial area. No other migratory birds, raptors, or nest sites were observed within the project site or a one-half radius of the project site. However, there are potential nest sites in trees on the campus for resident and migratory bird species.

Migratory birds are protected under CFGC Section 3503 and the MBTA. The bird nesting season generally extends from February 1 through August 31 in California but can vary based upon annual climatic conditions. Thus, construction activities could result in direct impacts to active nests during disturbance-related nest abandonment. Impacts to most non-listed bird species through nest destruction or abandonment would not be significant; however, this would be a violation of CFGC and the MBTA. Impacts to non-listed special-status birds would be potentially significant if those impacts would jeopardize the viability of a local or regional population. Mitigation Measure BIO-1 would be required to avoid or reduce the project's potentially significant impacts to special-status avian wildlife and avoid violation of the CFGC and MBTA.

Mitigation Measure

BIO-1 Nesting Bird Avoidance and Minimization

Project construction shall be conducted outside of the nesting season to the extent feasible (September 1 to February 1). If vegetation removal or initial ground-disturbing activities are conducted during the nesting season, a qualified biologist shall conduct a pre-construction nesting bird survey no more than 10 days prior to vegetation removal or initial ground disturbance. Nesting habitat may include buildings, shrubs, trees, and open ground. The survey shall include all potential nesting habitat in the project site and within 500 feet of the proposed project grading boundaries to identify the location and status of any nests that could potentially be affected by project activities.

If active nests are found within project impact areas or close enough to these areas that project activity would affect breeding success, the biologist shall establish a work exclusion zone around each nest that shall be followed by the contractor. Established exclusion zones shall remain in place

until a qualified biologist determines all young in the nest have fledged or the nest otherwise becomes inactive (e.g., due to predation). Appropriate exclusion zone sizes vary dependent upon bird species, nest location, existing visual buffers, ambient sound levels, and other factors; an exclusion zone radius may be as small as 25 feet (for common, disturbance-adapted species) or as large as 300 feet or more for raptors. Exclusion zone size may be reduced from established levels if the qualified biologist determines that work activities outside the reduced radius would not adversely impact the nest.

If the survey detects an active nest, a qualified biologist, in consultation with CDFW, will determine the protective measures necessary. These measures could include fencing off an area where a nest occurs or shifting construction work temporally or spatially away from the nesting birds. Biologists are required on-site to monitor construction while protected migratory birds are nesting in the project site to ensure that the measures are adequate and that the nest is not stressed and/or abandoned. If an active nest is found after the completion of the pre-construction surveys and after construction begins, all construction activities will stop until a qualified biologist has evaluated the nest and implemented protective measures, as necessary.

Significance after Mitigation Measure

With implementation of Mitigation Measure BIO-1, potential impacts related to nesting birds would be reduced to a less-than-significant level.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

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

There are no sensitive Natural Communities within the project site. A single willow plant (*Salix sp.*) was observed in the constructed stormwater basin located in the southwest corner of the campus. The basin, about 0.3 acre in size, was completely enclosed by a chain link fence. During construction activities, runoff from possible storm events (rain or wind) may convey sediment into the stormwater basin. The project would implement erosion control measures through Mitigation Measure BIO-2 and through compliance with the NPDES Construction General Permit. Therefore, the project would have a less than significant impact after mitigation on riparian habitat or other sensitive natural communities.

Mitigation Measure

BIO-2 Erosion Control

Prior to ground disturbance activities straw waddles shall be placed around the stormwater basin by the construction contractor. The straw waddles shall remain in place for the duration of construction.

Significance after Mitigation Measure

With implementation of Mitigation Measure BIO-2, potential impacts related to riparian habitat would be reduced to a less-than-significant level.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

- c. *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 review of the resource agency databases for wetlands and waters within the project vicinity did not reveal any potentially jurisdictional areas, nor wetlands or waters present within or adjacent to the project site. Therefore, the project would have no impact on State or federally protected wetlands.

NO IMPACT

- d. *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?*

The project site consists of developed and disturbed areas with primarily non-native vegetation. Land use in the vicinity is primarily agricultural, rural residential, and industrial, with no connectivity to natural habitats and is therefore not expected to support wildlife movement. Therefore, no impacts to wildlife movement corridors would occur as a result of project activities.

NO IMPACT

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

No tree removal is proposed and as described in Section 4, *Biological Resources*, no significant impacts to biological resources would occur. The project would not conflict with local policies and ordinances. No impact would occur.

NO IMPACT

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

The project site is not located within the boundaries of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan (CDFW 2019). As such, the project would not conflict with the provisions of any such plan. No impact would occur.

NO IMPACT

5 Cultural Resources

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

This section provides an analysis of the project's impacts on cultural resources, including historical and archaeological resources, as well as human remains. CEQA requires a lead agency to determine whether a project may have a significant effect on historical resources (Public Resources Code [PRC], Section 21084.1). A historical resource is a resource listed in, or determined to be eligible for listing in, the California Register of Historical Resources (CRHR); a resource included in a local register of historical resources; or any object, building, structure, site, area, place, record, or manuscript a lead agency determines to be historically significant (*CEQA Guidelines*, Section 15064.5[a][1-3]).

A resource is considered historically significant if it:

1. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
2. Is associated with the lives of persons important in our past;
3. 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
4. Has yielded, or may be likely to yield, information important in prehistory or history.

In addition, if it can be demonstrated that a project would cause damage to a unique archaeological resource, the lead agency may require reasonable efforts be made to permit any or all of these resources to be preserved in place or left in an undisturbed state. To the extent that resources cannot be left undisturbed, mitigation measures would be required (PRC, Section 21083.2[a], [b]).

PRC, Section 21083.2(g) defines a unique archaeological resource as an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it:

1. Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information;

2. Has a special and particular quality such as being the oldest of its type or the best available example of its type; or
3. Is directly associated with a scientifically recognized important prehistoric or historic event or person.

On March 3, 2023, the results of a cultural resources records search performed by the California Historical Resources Information System (CHRIS) Central California Information Center (CCIC) were made available. The CCIC records search was performed to identify previously conducted cultural resources studies, as well as previously recorded cultural resources within the project site and a 0.5-mile radius surrounding it. The records search included a review of available records at the CCIC, as well as the National Register of Historic Places, California Register of Historical Resources (CRHR), the Office of Historic Preservation Historic Properties Directory, the California Inventory of Historic Resources, the Archaeological Determinations of Eligibility list, and historical maps.

The records search found that there are no formally recorded prehistoric or historic archaeological resources or historic buildings within the project site. The District contacted the Native American Heritage Commission (NAHC) to request a Sacred Lands File (SLF) search of the project site. On May 15, 2023, the NAHC responded with the SLF search results and stated the results were negative.

- a. *Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?*

A search of the CHRIS at the CCIC located at California State University, Stanislaus was completed on March 3, 2023. The search was performed to identify previously recorded cultural resources as well as previously conducted cultural resources studies within the project site and a 0.5-mile radius surrounding it. Results of these searches indicated no known historical resources are located within or near the project site. Because no historical resources exist on the project site, the project would not result in a substantial adverse change to the significance of a historical resource, and no impact would occur.

NO IMPACT

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

The CCIC records search assessment did not identify any archaeological resources within the project site. On May 15, 2023, the NAHC responded with the SLF search results. The SLF check for the project site vicinity was negative. The lack of surface evidence of archaeological materials does not preclude their subsurface existence. Although the results of the background research indicates there is a low potential for encountering intact subsurface archaeological deposits, mitigation measures would be required to ensure that potential impacts to unanticipated archaeological resources, including those that may be considered historical resources, are reduced to a less-than-significant level.

Mitigation Measure

CUL-1 Unanticipated Discovery of Cultural Resources

If evidence of any prehistoric or historic-era subsurface archaeological features, deposits or tribal cultural resources are discovered during construction-related earthmoving activities (e.g., ceramic shard, trash scatters, lithic scatters), all ground-disturbing activity proximate to the discovery shall

be halted until a qualified archaeologist (36 CFR Section 61) can assess the significance of the find. If the find is a prehistoric archaeological site, the appropriate Native American group shall be notified. If the archaeologist determines that the find does not meet the CRHR standards of significance for cultural resources, construction may proceed. If the archaeologist determines that further information is needed to evaluate significance, a testing plan shall be prepared and implemented. If the find is determined to be significant by the qualified archaeologist (i.e., because the find is determined to constitute either an historical resource or a unique archaeological resource), the archaeologist shall work with the implementing agency to avoid disturbance to the resources, and if complete avoidance is not feasible in light of project design, economics, logistics and other factors, shall recommend additional measures such as the preparation and implementation of a data recovery plan. All cultural resources work shall follow accepted professional standards in recording any find including submittal of standard Department of Parks and Recreation (DPR) Primary Record forms (Form DPR 523) and location information to the appropriate CHRIS office for the project site. If the find is a prehistoric archaeological site, the culturally affiliated California Native American tribe shall be notified and afforded the opportunity to monitor mitigative treatment. During evaluation or mitigative treatment, ground disturbance and construction work could continue in other parts of the project site that are distant enough from the find not to impact it, as determined by the qualified archaeologist.

Significance after Mitigation Measure

With implementation of Mitigation Measure CUL-1, potential impacts related to cultural resources would be reduced to a less-than-significant level.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

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

No human remains are known to be present within the project site. However, the discovery of human remains is always a possibility during ground disturbing activities. If human remains are found, the State of California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. In the event of an unanticipated discovery of human remains, the County Coroner must be notified immediately. If the human remains are determined to be of Native American origin, the Coroner will notify the NAHC, which will determine and notify a most likely descendant (MLD). The MLD has 48 hours from being granted site access to make recommendations for the disposition of the remains. If the MLD does not make recommendations within 48 hours, the landowner shall reinter the remains in an area of the property secure from subsequent disturbance. With adherence to existing regulations, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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6 Energy

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Result in a 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?	☐	☐	☒	☐

As a state, California is one of the lowest per capita energy users in the United States, ranked 49th in the nation, due to its energy efficiency programs and mild climate (United States Energy Information Administration 2022). Electricity and natural gas are primarily consumed by the built environment for lighting, appliances, heating and cooling systems, fireplaces, and other uses such as industrial processes in addition to being consumed by alternative fuel vehicles. The project would not result in a net increase in electricity usage in the City's service area as compared to existing conditions and would not include natural gas connections. Therefore, electricity and natural gas consumption are not discussed further in this analysis.

Petroleum fuels are primarily consumed by on-road and off-road equipment in addition to some industrial processes, with California being one of the top petroleum-producing states in the nation (California Energy Commission [CEC]2021). Gasoline, which is used by light-duty cars, pickup trucks, and sport utility vehicles, is the most used transportation fuel in California with 13.8 billion gallons sold in 2021 (CEC 2022a). Diesel, which is used primarily by heavy duty-trucks, delivery vehicles, buses, trains, ships, boats and barges, farm equipment, and heavy-duty construction and military vehicles, is the second most used fuel in California with 1.8 billion gallons sold in 2019 (CEC 2022b).

Energy consumption is directly related to environmental quality in that the consumption of nonrenewable energy resources releases criteria air pollutant and greenhouse gas (GHG) emissions into the atmosphere. The environmental impacts of air pollutant and GHG emissions associated with the project's energy consumption are discussed in detail in Section 3, *Air Quality*, and Section 8, *Greenhouse Gas Emissions*, respectively.

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

Construction Energy Consumption

Energy use during project construction would be primarily in the form of fuel consumption to operate heavy equipment, light-duty vehicles, machinery, and construction worker travel to and from the project site. Energy use would be typical of similar-sized construction projects in the region. Furthermore, the proposed project would utilize construction contractors who demonstrate compliance with the provisions of the California Code of Regulations Title 13 Sections 2449 and 2485, which restrict the idling of heavy-duty diesel vehicles and govern the accelerated retrofitting, repowering, or replacement of heavy-duty diesel on- and off-road equipment. Applicable regulatory requirements such as 2019 California's Green Building Standards Code (CALGreen; California Code of Regulations, Title 24, Part 11), mandate that future infrastructure projects comply with construction waste management practices to divert a minimum of 65 percent of construction and demolition debris. These practices would result in efficient use of energy during construction. Further, in the interest of both environmental awareness and cost efficiency, construction contractors would not be expected to utilize fuel in a manner that is wasteful or unnecessary. As such, construction would not result in wasteful, inefficient, or unnecessary consumption of energy resource during construction. This impact would be less than significant.

Operational Energy Consumption

Operation of the proposed project would result in the consumption of natural gas and electricity. However, new development would be subject to the energy conservation requirements of the California Energy Code (Title 24, Part 6 of the California Code of Regulations, California's Energy Efficiency Standards for Residential and Nonresidential Buildings) and the California Green Building Standards Code (Title 24, Part 11 of the California Code of Regulations). The California Energy Code provides energy conservation standards for all new and renovated commercial and residential buildings constructed in California. The California Energy Code applies to the building envelope, space-conditioning systems, and water-heating and lighting systems of buildings and appliances and provides guidance on construction techniques to maximize energy conservation. Minimum efficiency standards are given for a variety of building elements, including appliances; water and space heating and cooling equipment; and insulation for doors, pipes, walls, and ceilings. The California Energy Code emphasizes saving energy at peak periods and seasons and improving the quality of installation of energy efficiency measures. The California Green Building Standards Code sets targets for energy efficiency; water consumption; dual plumbing systems for potable and recyclable water; diversion of construction waste from landfills; and use of environmentally sensitive materials in construction and design, including ecofriendly flooring, carpeting, paint, coatings, thermal insulation, and acoustical wall and ceiling panels. Furthermore. Therefore, operation of the proposed project would not result in the wasteful, inefficient, or unnecessary consumption of energy resources. This impact would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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

The proposed project would involve the construction of a sports stadium. The City does not have policies in place to reduce emissions related to energy consumption in area sources. As described above under *Operational Energy Consumption*, the proposed project would be required to adhere to the California Code of Regulations, Title 24, Part 6 which sets requirements for California's Energy Efficiency Standards for residential and non-residential buildings. As such, the proposed project would adhere to design standards that govern indoor/outdoor lighting, mechanical systems, solar, electrical power distribution, among other features. Therefore, the proposed project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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7 Geology and Soils

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	☐	☐	☒	☐
2. Strong seismic ground shaking?	☐	☐	☒	☐
3. Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
4. Landslides?	☐	☐	☐	☒
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site 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 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?	☐	☒	☐	☐

- a.1. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake 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?*
- a.2. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?*

The nearest faults of major historical significance within the vicinity of Merced County are: the San Andreas Fault, approximately 75 miles to the west; the Hayward Fault, approximately 85 miles to the northwest; the Greenville Fault, approximately 90 miles to the northwest; the Calaveras Faults approximately 55 miles to the northwest; and the Bear Mountain Fault Zone approximately 20 miles east of the project site. These faults have been, and will continue to be, the principal sources of seismic activity affecting Merced County (County of Merced 2021a).

There is no indication of active faults on the project site and the site is not located within a designated Alquist-Priolo Earthquake fault zone (DOC 2023). Additionally, development is required to comply with the California Building Standards Commission (CBSC), which provides minimum standards to ensure that proposed structures are designed using sound engineering practices and appropriate engineering standards for the seismic area in which a project site is located. Projects designed in accordance with the CBSC would be able to: 1) resist minor earthquakes without damage; 2) resist moderate earthquakes without structural damage, but with some non-structural damage; and 3) resist major earthquakes without collapse, but with some structural, as well as non-structural, damage. Although conformance with the CBSC does not guarantee that substantial structural damage would not occur in the event of a maximum magnitude earthquake, conformance with the CBSC can reasonably be assumed to ensure that the proposed structures would be survivable, allowing occupants of the stadium and associated facilities to safely evacuate in the event of a major earthquake. No habitable structures are proposed. The project site is not in a location of known active faults and would be required to comply with the CBCS building codes; thus, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- a.3. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?*
- a.4. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?*

The project site and surroundings are generally flat. The site is not located in a landslide or liquefaction zone, and landslides would not occur due to the flat topography of the area (DOC 2022c). Thus, there would be no impact.

NO IMPACT

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

Development of the proposed project would involve construction activities such as stockpiling, grading, excavation, paving, and other earth-disturbing activities that could result in erosion or the loss of topsoil. Construction activities that disturb one or more acres of land surface are subject to the NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No. 2012-0006-DWQ) adopted by the SWRCB Compliance with the

permit requires each qualifying development project to file a Notice of Intent with the SWRCB. Permit conditions require development of a SWPPP, which must describe the site, the facility, erosion and sediment controls, runoff water quality monitoring, means of waste disposal, implementation of approved local plans, control of construction sediment and erosion control measures, maintenance responsibilities, and non-storm water management controls. Inspection of construction sites before and after storms is also required to identify storm water discharge from the construction activity and to identify and implement erosion controls, where necessary. Adherence to Best Management Practices (BMPs) and the NPDES General Permit would ensure the project would be designed to support erosion control. Thus, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- c. *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 off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?*

As described above in thresholds *a.3* and *a.4*, the project site is not located in a landslide zone or a liquefaction zone. The project site is not located directly adjacent to open faces, such as riverbanks and streams, that would be considered susceptible to lateral spreading. Therefore, the potential for liquefaction and lateral spreading to pose a risk to the proposed development is relatively low. Land subsidence is the gradual, local settling or sinking of the earth's surface with little or no horizontal motion and is typically a result of groundwater depletion. The CBSC building regulations require the preparation of geotechnical reports, which would determine the site's potential for subsidence and recommend necessary design features to ensure the stability of proposed structures. Compliance with CBSC building regulations would reduce impacts related to the lateral spreading and subsidence/settlement hazards to a less than significant level.

LESS THAN SIGNIFICANT IMPACT

- d. *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?*

Expansive soils are soils that, due to their composition and moisture content, have a potential to undergo significant changes in volume, in the form of either shrinking or swelling. The project site consists of Atwater loamy sand, which has a low susceptibility to expansion due to its low permeability and drainage properties (United States Department of Agriculture [USDA]2023). Additionally, the project would comply with the CBSC requirements to address soil-related hazards. In cases where soil remediation is not feasible, the California Building Code requires structural reinforcement of foundations to resist the forces of expansive soils. Compliance with the requirements of the California Building Code would reduce impacts related to expansive soils to a less than significant level.

LESS THAN SIGNIFICANT IMPACT

- e. *Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?*

The construction or operation of septic tanks or other alternative wastewater disposal systems is not included as part of the project. No impacts from septic or alternative wastewater disposal systems would occur.

NO IMPACT

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

Paleontological resources, or fossils, are the evidence of once-living organisms preserved in the rock record. They include both the fossilized remains of ancient plants and animals and the traces thereof (e.g., trackways, imprints, burrows, etc.). Paleontological resources are not found in “soil” but are contained within the geologic deposits or bedrock that underlies the soil layer. Typically, fossils are greater than 5,000 years old (i.e., older than middle Holocene in age) and are typically preserved in sedimentary rocks. Although rare, fossils can also be preserved in volcanic rocks and low-grade metamorphic rocks under certain conditions (Society of Vertebrate Paleontology [SVP] 2010).

Ground disturbing activities in previously undisturbed sediments with high paleontological sensitivity may result in significant impacts to paleontological resources. Impacts would be significant if construction activities result in the destruction, damage, or loss of scientifically important paleontological resources and associated stratigraphic and paleontological data. The activities may include grading, excavation, boring, or any other activity that disturbs the surface or subsurface geologic formations. The project’s ground disturbing activities would be up to seven feet in depth. Given that the project site has been previously graded for and developed as a sports field, it is not likely that a large volume of previously undisturbed sediments would be impacted. Although there is a low chance of disturbance, to address the potential to impact an unanticipated paleontological resource, Mitigation Measure GEO-1 would be required to reduce potential impacts to unanticipated paleontological resources by training construction personnel on the appearance of fossils and establishing procedures for the salvage, preparation, and curation of unanticipated paleontological resources.

Mitigation Measure

GEO-1 Unanticipated Fossil Discovery

PALEONTOLOGICAL WORKER ENVIRONMENTAL AWARENESS PROGRAM

Prior to the start of construction, a Qualified Professional Paleontologist (as defined by SVP [2010]) or their designee shall conduct a paleontological Worker Environmental Awareness Program (WEAP) training for construction personnel regarding the appearance of fossils and the procedures for notifying paleontological staff should fossils be discovered by construction staff.

UNANTICIPATED DISCOVERY OF PALEONTOLOGICAL RESOURCES

In the event a fossil is discovered during project construction, excavations within 50 feet of the find shall be temporarily halted or delayed until the discovery is examined by a Qualified Professional Paleontologist (QPP). The District shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. If the find is determined to be significant by a QPP, the District shall retain a QPP to design and carry out a data recovery plan consistent with the SVP (2010) standards and tasked to direct and carry out all requirements identified in the data recovery plan as necessary to recover and preserve any identified paleontological resources as directed by the data recovery plan to reduce impacts to a less than significant impact.

Significance after Mitigation Measure

With implementation of Mitigation Measure GEO-1, potential impacts related to paleontological resources would be reduced to a less-than-significant level.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

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8 Greenhouse Gas Emissions

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

The following analysis is primarily based on the Air Quality and Greenhouse Gas Impact Analysis prepared for the project by Ambient Air Quality and Noise Consulting, which is included as Appendix A.

Overview

GHG emissions occur both naturally and as a result of human activities, such as fossil fuel burning, decomposition of landfill wastes, raising livestock, deforestation, and some agricultural practices. GHGs produced by human activities include carbon dioxide (CO₂), methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. Different types of GHGs have varying global warming potentials (GWP). The GWP of a GHG is the potential of a gas or aerosol to trap heat in the atmosphere over a specified timescale (generally, 100 years). Because GHGs absorb different amounts of heat, a common reference gas (CO₂) is used to relate the amount of heat absorbed to the amount of the gas emitted, referred to as “carbon dioxide equivalent” (CO₂e), which is the amount of GHG emitted multiplied by its GWP. Carbon dioxide has a 100-year GWP of one. By contrast, methane has a GWP of 30, meaning its global warming effect is 30 times greater than CO₂ on a molecule per molecule basis (Intergovernmental Panel on Climate Change [IPCC] 2021).

Regulatory Framework

In response to climate change, California implemented Assembly Bill (AB) 32, the “California Global Warming Solutions Act of 2006.” AB 32 codifies the statewide goal of reducing GHG emissions to 1990 levels by 2020 and requires CARB to prepare a Scoping Plan that outlines the main state strategies for reducing GHG emissions to meet the 2020 deadline.

On September 8, 2016, the Governor signed Senate Bill 32 into law, extending AB 32 by requiring the State to further reduce GHG emissions to 40 percent below 1990 levels by 2030 (the other provisions of AB 32 remain unchanged). On December 14, 2017, the CARB adopted the 2017 Scoping Plan, which provides a framework for achieving the 2030 target. AB 1279, “The California Climate Crisis Act,” was passed on September 16, 2022, and declares the State would achieve net

zero greenhouse gas emissions as soon as possible, but no later than 2045, and to achieve and maintain net negative greenhouse gas emissions thereafter. In addition, the bill states that the State would reduce GHG emissions by 85 percent below 1990 levels no later than 2045. Essentially this means that by 2045 California would emit no more than 64.65 MMT CO₂e and would continue to reduce emissions thereafter. The 2022 Scoping Plan lays out a path to achieve AB 1279 targets (CARB 2022). The actions and outcomes in the 2022 Scoping Plan would achieve significant reductions in fossil fuel combustion by deploying clean technologies and fuels, further reductions in short-lived climate pollutants, support for sustainable development, increased action on natural and working lands to reduce emissions and sequester carbon, and the capture and storage of carbon.

SB 375, signed in August 2008, enhances the State's ability to reach AB 32 goals by directing CARB to develop regional GHG emission reduction targets to be achieved from vehicles for 2020 and 2035. In addition, SB 375 directs each of the State's 18 major Metropolitan Planning Organizations (MPO) to prepare a "sustainable communities strategy" (SCS) that contains a growth strategy to meet these emission targets for inclusion in the Regional Transportation Plan (RTP). In August 2022, MCTC adopted the *2022-2046 Regional Transportation Plan/Sustainable Communities Strategy* (RTP/SCS). MCTC's RTP/SCS includes a commitment to reduce emissions from transportation sources by promoting compact and infill development to comply with SB 375.

Local Regulations

SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT CLIMATE CHANGE ACTION PLAN

In August 2008, the SJVAPCD Governing Board adopted the Climate Change Action Plan (CCAP) (SJVAPCD 2008). The CCAP directed the SJVAPCD Air Pollution Control Officer to develop guidance to assist lead agencies, project proponents, permit applicants, and interested parties in assessing and reducing the impacts of project-specific GHG emissions on global climate change. In 2009, the SJVAPCD adopted the *Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects Under CEQA* and the *District Policy – Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as the Lead Agency*. The guidance and policy rely on the use of performance-based standards, otherwise known as Best Performance Standards, to assess significance of project-specific GHG emissions on global climate change during the CEQA review process (SJVAPCD 2009a and 2009b).

GHG Emissions Thresholds

The SJVAPCD has not adopted recommended mass-emissions (e.g., bright-line) or service-population based GHG significance thresholds or Best Performance Standards applicable to development projects. CAPCOA's *CEQA and Climate Change Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act* identifies a recommended threshold of 900 MTCO₂e/year; therefore, this threshold is used for the analysis (see Appendix A for further details).

- a. *Would the project generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?*

Implementation of the proposed project would result in construction and operational GHG emissions, as discussed below.

Temporary Greenhouse Gas Emissions

Estimated construction GHG emissions are summarized in Table 7, which would total 202.5 MTCO₂e. Assuming an average project life of 30 years, amortized construction-generated GHG emissions would total approximately 6.8 MTCO₂e/yr.

Table 7 Annual Construction GHG Emissions

Construction Year	GHG Emissions (MTCO ₂ E)
Year 1	21.2
Year 2	161
Year 3	20.3
Total	202.5
Amortized Construction Emissions:	6.8
Amortized construction-generated GHG emissions assume a 30-year project life Refer to Appendix A for modeling results and assumptions	

Operational Greenhouse Gas Emissions

Estimated operational increases in GHG emissions associated with the proposed project are summarized in Table 8. Based on the modeling conducted, operational GHG emissions would total approximately 18.1 MTCO₂e/year. With the inclusion of amortized construction emissions, operational GHG emissions would total approximately 24.9 MTCO₂e/year. Therefore, total project generated GHG emissions would not exceed the GHG significance threshold of 900 MTCO₂e/yr, and the project's GHG emissions would result in a less than significant impact.

Table 8 Annual Operation GHG Emissions

Emission Source	GHG Emissions (MTCO ₂ e/year)
Area Source	0.04
Energy Use	11.4
Waste Generation	5.5
Water Use	1.2
Total Project Operational Emissions:	18.1
Amortized Construction Emissions:	6.8
Total with Amortized Construction Emissions:	24.9
GHG Significance Threshold (MTCO ₂ e/SP/yr)	900
Exceeds Threshold/Significant Impact?	No
Amortized construction-generated GHG emissions assume a 30-year project life Refer to Appendix AQ for modeling results and assumptions	

LESS THAN SIGNIFICANT IMPACT

- b. Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*

The City of Atwater does not have an adopted Climate Action Plan or GHG Reduction Plan. While the seating improvements at the existing field would increase capacity, the project is intended to better accommodate events that are already taking place and in many instances are held at more distant locations. As a result, over the course of a year the average number of new daily vehicle trips is expected to be negligible (Appendix D). The project is not creating new land uses and, therefore, would not result in significant increases in area-source related emissions, such as emissions associated with waste generation, natural gas use, or landscape maintenance. In addition, the proposed project would be designed to meet current energy-efficiency standards, which includes measures to reduce overall energy use. For these reasons and given that the proposed project would not result in GHG emissions that would exceed the GHG significance thresholds, no impacts would occur from conflicts with applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.

NO IMPACT

9 Hazards and Hazardous Materials

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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 handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?	☐	☐	☒	☐
d. Be located on a site that is included on a list of hazardous material 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 in 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?	☐	☐	☐	☒

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	☐	☐	☐	☒

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

Potential hazardous materials, such as fuel, paint products, lubricants, solvents, and cleaning products, may be used and/or stored on site during the construction of the proposed project. The quantities of these materials would be limited, and they are not considered hazardous to the public at large. Furthermore, the transport, use, and storage of hazardous materials during project construction would be conducted pursuant to all applicable federal, State, and local regulations, including but not limited to Title 49 of the CFR, as implemented by Title 13 of the CCR, which describes strict regulations for the safe use and transport of hazardous materials.

In addition, as described in Section 4.10, *Hydrology and Water Quality*, the project would be required to comply with the NDPES Construction General Permit. As part of compliance with the Construction General Permit, a Stormwater Pollution Prevention Plan (SWPPP) would be prepared for the proposed project. Among other things, the SWPPP requires that hazardous materials be properly stored, contained, and disposed of to prevent polluted stormwater discharges from the site. As a result, the proper use and disposal of these materials would not pose a significant risk to the public and the environment. Therefore, with implementation of the NDPES Construction General Permit, project construction would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. Impacts would be less than significant.

Small quantities of hazardous materials may be used during operation of the proposed project for maintenance activities. Maintenance and upkeep of the facility by the District's in-house Custodial Services, including maintenance of landscaping would require the applicable use of various solvents, cleaners, paints, lubricants, and/or pesticides/herbicides which would be stored in storage enclosures on-site and in accordance with applicable regulations.

Transportation of hazardous materials and wastes associated with the project along any city or State roadway or rail lines in or near the campus would be subject to all relevant Caltrans, California Highway Patrol, and California Department of Health Services hazardous materials and wastes transportation regulations, as applicable. Regular inspections are conducted of licensed waste transporters by agencies to ensure compliance with requirements that range from the design of vehicles used to transport wastes to the procedures to be followed in case of spills or leaks during transit. Hazardous waste generated by the proposal project would be transported and disposed of the material at a licensed hazardous waste disposal facility in accordance with all applicable regulations, such as the Hazardous Materials Transportation Act, California Hazardous Material Management Act, and California Code of Regulations, Title 22.

With continued adherence to federal and State regulations, project operation would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- b. Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

No facilities or infrastructure containing lead-based paint or asbestos-containing materials would be demolished as part of project construction. Based on a review of the EnviroStor, GeoTracker, and the USEPA Superfund Enterprise Management System Search (SEMS) databases, no hazardous waste disposal sites, solid waste disposal sites, or hazardous substance release sites were identified within the project site (DTSC 2023b; SWRCB 2022; USEPA 2023). Therefore, construction of the proposed project would not disturb hazardous material-impacted soil, soil vapor, or groundwater such that a release of hazardous materials into the environment through reasonably foreseeable upset and accident conditions may occur.

As part of the compliance with the Construction General Permit, a SWPPP would be prepared for the proposed project. Among other things, the SWPPP requires that hazardous materials be properly stored, contained, and disposed of to prevent polluted stormwater discharged from construction sites, which would prevent substantial spills of hazardous materials during reasonably foreseeable upset and accident conditions and prevent or reduce the release hazardous materials into the environment. Therefore, project construction would not 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. Impacts would be less than significant.

As noted above in criterion a, small quantities of hazardous materials may be used during operation of the proposed project for maintenance activities, which creates the potential risk for upset and accident conditions to arise that involve the potential release of hazardous materials into the environment. With continued adherence to federal and State regulations, project operation would not create a significant hazard to the public through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, and impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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

The project site is an existing school. Construction of the proposed project would comply with existing federal and State, for the transport, use, or disposal of hazardous materials. No facilities or infrastructure containing lead-based paint or asbestos-containing materials would be demolished as part of project construction. In addition, no hazardous waste disposal sites, solid waste disposal sites, or hazardous substance release sites were identified within the project site that could result in a release of hazardous emissions or materials (DTSC 2023a; SWRCB 2022; USEPA 2023). The project would be required to comply with existing federal and State regulations during construction activities. Therefore, project construction would not emit hazardous emissions or handle hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school. Impacts would be less than significant.

The proposed project would not emit hazardous emissions during operation, but small quantities of hazardous materials may be used during operation for maintenance activities. Maintenance and upkeep of the facility, including maintenance of landscaping would require the applicable use of various solvents, cleaners, paints, lubricants, and/or pesticides/herbicides which would be stored in storage enclosures and in accordance with applicable regulations. With adherence to these regulations and standards, project operation would not adversely affect schools within 0.25 mile of the project site due to the handling of hazardous materials, substances, or waste. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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

The following databases compiled pursuant to Government Code Section 65962.5 were checked for known hazardous materials contamination:

- SWRCB – GeoTracker search for leaking underground storage tanks (LUST) and other cleanup sites (SWRCB 2023);
- DTSC – EnviroStor database for hazardous waste facilities or known contamination sites (DTSC 2023a); and
- USEPA Superfund Enterprise Management System Search (USEPA 2023).

There is a DTSC school investigation site located along the eastern edge of Buhach Colony High School (DTSC 2023b). In 2001, a Preliminary Endangerment Assessment Report was performed for the site which determined that chemicals were used on the project site, however, there was no indication that they were stored, mixed or disposed of on-site. It was determined that no further action was needed. There were no other DTSC, SWRCB, or USEPA hazardous material sites located within 1,000 feet of the project site. Therefore, the project would not create a significant hazard to the public or the environment related to location on a hazardous materials site. No impact would occur.

NO IMPACT

- 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?*

The nearest airport is the Merced-Castle Airport located approximately one mile north of the project site. The proposed project site is not located within the projected noise contours of Merced-Castle Airport (City of Atwater 2000; Appendix C). Implementation of the proposed project would not result in a safety hazard or excessive noise for people residing or working at the project site. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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

The Merced County Operational Area Emergency Operations Plan establishes an emergency management organization and assigns functions and tasks consistent with the California Standardized Emergency Management System (SEMS) and the National Incident Management System (NIMS) (County of Merced 2007). This plan provides for the integration and coordination of the planning efforts of Merced County with those of its cities, towns, and unincorporated areas. The intent of the Merced County Operational Area Emergency Operations is to facilitate emergency response and short-term recovery by providing a framework for response to all significant emergencies, regardless of the nature of the event.

Project implementation would not hinder the County's implementation of its emergency response and emergency evacuation plans. During the construction phase, the staging area is expected to remain on-site and not block roadways. Once the proposed project is operational, traffic volume is not expected to increase as the school would serve existing residents within District boundaries. The project's implementation would ensure that existing street and intersection networks remain unaffected, preserving their capacity for emergency response. The project maintains its emergency access points through Avenue Two and the existing parking lots. No impact would occur.

NO IMPACT

- g. Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?*

As discussed below in Section 20, *Wildfire*, the project is not located in a state responsibility area or land classified as a Very High Fire Hazard Severity Zone (VHFHSZ). The nearest state responsibility area is about three miles northeast of the project site (California Department of Forestry and Fire Protection [CAL FIRE] 2023). Therefore, the project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires. No impact would occur.

NO IMPACT

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10 Hydrology and Water Quality

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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 off-site;	☐	☒	☐	☐
(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	☐	☐	☒	☐
(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?	☐	☒	☐	☐

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒

a. Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

The project would disturb more than one acre of land and, and therefore would be required to comply with the NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No. 2012-0006-DWQ) adopted by the SWRCB. The project site is located within the Central Valley Regional Water Quality Control Board (RWQCB) and would be subject to the Water Quality Control Plan (Basin Plan) for the RWQCB Central Valley Region (RWQCB 2019). The Basin Plan designates beneficial uses of water in the region and establishes narrative and numerical water quality objectives. The NPDES Construction General Permit requires preparation and implementation of a project specific SWPPP, which requires operators to implement pollution prevention controls to minimize the discharge of pollutants from stormwater and spilled or leaked materials such as straw waddles. Compliance with applicable regulatory requirements would minimize potential surface water quality impacts associated with sediment erosion during project construction.

Following construction of the project, a majority of the project site would consist of pervious surfaces, such as the natural turf (grass) field. The proposed project would result in a minimal increase in impervious surfaces on the project site. Impermeable surfaces would include the track and surrounding paved areas. However, these impermeable surfaces are surrounded to the east, south, and west by other grass sports fields which would capture a majority of runoff from the project site before it would travel to the stormwater basin.

Implementation of permit requirements, including the requirements in the Construction General Permit described above would prevent or minimize impacts related to water quality and ensure that the project would not cause or contribute to the degradation of water quality in receiving waters during construction. During operation, there would be a negligible increase in campus-wide water runoff with the addition of this project due to the minimal increase in impermeable surfaces and the surrounding sports fields being able to capture additional runoff. The project would not violate water quality standards or waste discharge requirements or otherwise substantially degrade water quality, and water quality impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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

The Sustainable Groundwater Management Act (SGMA) requires all high- and medium-priority basins, designated by Department of Water Resources (DWR), to be sustainably managed. The San Joaquin Valley Groundwater Basin Merced Subbasin (Subbasin) is designated as a high-priority basin. As discussed in *item (a)*, the project would be required to comply with NPDES requirements and the project would be served by the City of Atwater, which helps ensure that it meets SGMA requirements including monitoring and reporting groundwater supplies.

The proposed project would introduce new impervious surfaces to the project site through the development of associated site improvements. The development of impervious surfaces would occur in conjunction with site-specific BMPs as outlined in the SWPPP developed as part of the NPDES General Permit, including the addition of appropriate drainage features to convey surface flows across and around impermeable areas to areas where flows may infiltrate to the subsurface. Consequently, the addition of impervious surfaces would be minimal and would not substantially interfere with groundwater recharge. With stormwater control/treatment measures, the increase in impervious surfaces under the proposed project would not affect groundwater recharge such that the proposed project would impede sustainable groundwater management of the basin. Impacts related to sustainable groundwater management would be less than significant.

The project would comply with SGMA requirements to ensure that groundwater quality and groundwater levels are not significantly impacted. Therefore, the proposed project would not interfere with water quality control plans or sustainable groundwater management plans and groundwater impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- c.(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 off-site?*
- c.(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 off-site?*
- c.(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 that 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?*

The project site is currently occupied by existing campus athletic facilities (a football field, running track, and baseball/softball fields). The project would require grading, but with limited cut and fill due to the flatness of the site. The project would not substantially alter general runoff patterns on the campus, and would not affect the course of a stream or river as no streams or rivers (i.e., flowing waterways) occur on or adjacent to the project site. The project would be required to comply with the NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No. 2012-0006-DWQ), which includes preparing a SWPPP

and BMPs to prevent erosion and polluted runoff. In addition, Mitigation Measure BIO-2 would require implementation of additional erosion control methods to prevent sediment from entering the stormwater basin. Therefore, the project would not substantially alter the existing drainage pattern of the site or area in a manner that would result in substantial erosion or siltation on- or off-site. Impacts would be less than significant with mitigation incorporated.

Project runoff during construction and operation would be accommodated by the existing stormwater basin on campus. The stormwater basin has been designed to accommodate runoff from the High School campus, including the project site. The project would include the addition of minimal impervious surfaces through paved areas surrounding the stadium and proposed northern and southern buildings which would house facilities such as concessions, restrooms, and locker rooms. However, the increase in impervious surfaces would be minimal and would not contribute runoff amounts that would exceed the stormwater basin's capacity. The project site's primary impervious surfaces are the track material, walkways, and buildings. The football field would remain natural turf (grass) and would not increase water runoff. In addition, the project would be required to adhere to the NPDES Permit adopted by the SWRCB. The NPDES Permit would minimize potential surface water quality impacts associated with sediment erosion during project construction through implementation of a SWPPP. The proposed project also includes landscaping, which would restore ground cover following construction. The establishment of groundcover would reduce erosion potential of on-site soils. The surrounding areas enclosing the project site are made up of other sports fields to the east, south, and west. These sports fields are permeable and would be able to capture stormwater as it flows off the project site. Stormwater not absorbed by these surrounding sports fields would be captured in the stormwater basin. The project would not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Impacts would be less than significant.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

c.(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?

The proposed project would not alter the course of a stream or river. The addition of stadium and associated stadium facilities would minimally increase the amount of impervious surface area on-site, including within the areas mapped as 100-year floodplain, i.e., Federal Emergency Management Agency [FEMA] Flood Zone A)) (FEMA 2021). According to FEMA estimates, AE Flood Zones are areas that present a 1 percent chance of flooding per year (FEMA 2021). As described above in the impact analysis for CEQA checklist questions c.(i), (ii), and (iii), runoff from impervious surfaces of the project site would be directed toward the existing stormwater basin in the southwest corner of campus. Therefore, the limited additional impervious surface and associated runoff from the project would not impede or redirect flood flows such that a significant flooding impact would occur on or off site.

d. In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?

As described above, the project is located within a FEMA flood zone (FEMA 2021). The project site is not located in a tsunami inundation area, nor is there a water body near the project site capable of seiche.

During construction, pollutants such as oils, fuels, chemicals, metals, and other substances from vehicles, equipment, and materials could risk release due to inundation since portions of the project site and staging areas are located in a FEMA flood zone. As part of the compliance with the Construction General Permit, a SWPPP would be prepared for the proposed project. Among other things, the SWPPP requires that hazardous materials be properly stored, contained, and disposed of to prevent polluted stormwater discharged from construction sites, which would prevent substantial spills of hazardous materials during project inundation. With implementation of the SWPPP, impacts from the risk release of pollutants due to project inundation would be less than significant during construction.

During operation, the project may store potentially hazardous materials such as cleaning or lawn care chemicals for the field. During inundation, impacts would be potentially significant if these materials were released, Mitigation Measure HWQ-1 Interior Storage Requirement would be implemented to prevent the release of hazardous materials during a flood event. With implementation of Mitigation Measure HWQ-1 impacts would be less than significant.

Mitigation Measure

HWQ-1 Interior Storage Requirement

All chemicals or other products determined, designated, or otherwise categorized by the State of California as a hazardous material shall not be stored in spaces exterior to the proposed buildings in quantities exceeding 20 gallons. Storage of hazardous materials in quantities of 20 gallons or more shall be stored in the interior of a campus building. If safety requirements prevent the storage of materials indoors, the materials shall be stored in a space providing secondary containment in the event of a spill and the space shall be constructed to prevent infiltration of flood waters based on the 100-year flood elevation published by FEMA.

Significance After Mitigation

Implementation of Mitigation Measures HWQ-1 would ensure that hazardous materials used and stored on-site as part of project operations or activities are contained in areas preventing their release in the event of inundation. With this mitigation measure, the proposed project would have a less than significant impact.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

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11 Land Use and Planning

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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?	☐	☐	☒	☐

a. Would the project physically divide an established community?

The project site is currently used for campus athletic facilities. The project does not include any new roads, development or infrastructure that would divide established communities. No impact would occur.

NO IMPACT

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

The project site has a City of Atwater General Plan land use designation of School and is zoned as Low Density Residential (City of Atwater 2010a and 2010b). The current designation permits public and quasi-public buildings and uses of recreational, educational, religious, cultural, or public service types with the obtainment of a conditional use permit. The current land use designation of "School" is applied to areas with existing and proposed primary and secondary public school facilities.

In addition, as described in Section 3, *Air Quality*, and Section 8, *Greenhouse Gas Emissions*, the proposed project would be consistent with the goals and policies of the CARB's 2022 Scoping Plan and MCAG RTP/SCS. Therefore, the proposed project would not conflict with land use plans, policies, and regulations adopted for the purpose of avoiding or mitigating an environmental effect, and impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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12 Mineral Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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?	☐	☐	☐	☒

- a. *Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?*
- b. *Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?*

As described in the County of Merced's General Plan Background Report, the County's mineral resources are primarily sand and gravel mining operations (County of Merced 2013). The project site is not identified as a site with a High Likelihood of Known Significant Sand and Gravel Resources (County of Merced 2013). Therefore, no mineral resources would be altered or displaced by the project. There would be no impact.

The project would not result in the loss of availability of a known mineral resource, nor would it result in the loss of availability of a mineral resource recovery site. There would be no impact.

NO IMPACT

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13 Noise

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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?	☐	☐	☒	☐

The following analysis is based on the Noise and Groundborne Vibration Impact Analysis prepared for the project by Ambient Air Quality and Noise Consulting, which is included as Appendix C.

Setting

City of Atwater standards have been used to set a CEQA significance threshold for this evaluation.

City of Atwater Noise Standards

The City of Atwater Municipal Code Title 8 – Health and Safety, Chapter 8.44 – Noise Control addresses noise associated with public nuisances. The County’s municipal code identifies specifically prohibited noises as well as exemptions. Additionally, the municipal code establishes acceptable periods for construction. Construction activities shall be conducted between the hours of 7 a.m. and 7 p.m., Monday through Friday, and 9 a.m. and 5 p.m. Saturdays and Sundays.

The City of Atwater has adopted a general plan that contains limitations intended to prevent noise that may create dangerous, injurious, noxious, or otherwise objectionable conditions. These standards are to be applied at the property line of noise-sensitive land uses, such as rear yards, that are intended to accommodate leisure or active use. The City’s noise standards for stationary (non-transportation) noise sources are summarized in Appendix C. As depicted, average-hourly noise levels are limited to 55 decibels (dBA) equivalent continuous sound level (L_{eq}), which includes a 5 dB reduction for sources consisting primarily of speech, during the daytime hours (7:00 a.m. to 10:00

p.m.) and 45 dBA L_{eq} during the nighttime hours (10:00 p.m. to 7:00 a.m.) at sensitive receptors. For noise sources consisting of instantaneous noise events, maximum instantaneous noise levels are limited to 75 and 65 dBA L_{max} during the daytime and nighttime hours, respectively (City of Atwater 2000).

The City's General Plan also includes noise standards from transportation noise sources. Transportation noise standards are summarized in Appendix C. As depicted, transportation noise levels at outdoor activity areas are limited to 60 day-night average sound level (L_{dn})/Community Noise Equivalent Level (CNEL) dBA, excluding playgrounds and neighborhood parks which are limited to 70 L_{dn} /CNEL dBA. Transportation noise levels at interior spaces are limited to 45 L_{dn} /CNEL dBA (City of Atwater 2000).

Project Site Noise Environment

Noise-sensitive receptors in the project area consist predominantly of residential dwellings located adjacent to the proposed project's eastern and southern property line. The nearest residential use property line is located approximately 225 feet south of the proposed stadium location. Nearby noise sensitive land uses are depicted in Figure 8.

The noise environment in the proposed project area is defined primarily by vehicular traffic on the nearby local roadways of Avenue Two and North Buhach Road. Additionally, the local noise environment includes train horns.

To document existing ambient noise levels at the project site, short-term ambient noise measurements were conducted on February 16, 2023. Noise measurements were conducted using a Larson Davis Laboratories, Type I, Model LxT sound-level meter positioned at a height of approximately 5 feet above ground level. Noise measurement equipment was calibrated prior to and upon completion of the noise measurement survey. Short-term measured ambient noise levels are summarized in Table 9.

Based on the noise measurements conducted, daytime ambient noise levels in the vicinity of nearby noise-sensitive land uses range from approximately 45 to 56 dBA L_{eq} . Ambient noise levels were influenced primarily by vehicle traffic on area roadways.

Table 9 Summary of Short-term Measured Ambient Noise Levels - Measurement

Measurement Location		Sample Times	L_{eq} (dBA)	L_{max} (dBA)
ST-1	Elk Ridge Court cul-de-sac, approximately 320 feet east of Augusta Lane	11:48 – 11:58 02-16-22.	45.4	53.9
ST-2	Skyview Court cul-de-sac, approximately 155 feet north of Sagewood Drive	12:07 – 12:17 02-16-22.	48.8	62.7
ST-3	Sola Court cul-de-sac, approximately 265 feet west of El Rodebaugh Court	12:24 – 12:34 02-16-22	48.4	65.1
ST 4	Buckeye Lane approximately 165 feet north of Avenue Two	12:40 – 12:50 02-16-22	55.8	71.9

Figure 8 Short-term Measured Ambient Noise Levels Measurement Locations



Source: Ambient Air Quality and Noise Consulting 2023 (Appendix C)

Impacts

- a. *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?*

Potential short-term and long-term noise impacts associated with the proposed project are discussed, as follows.

Temporary Construction Noise Impacts

Construction noise typically occurs intermittently and varies depending upon the phase (e.g., land clearing, grading, excavation, and erection). Noise generated by construction equipment, including earthmovers, material handlers, and portable generators can reach high levels. Noise levels commonly associated with off-road equipment anticipated to be used during project construction are summarized in Appendix C. The Federal Transit Administration (FTA) criteria identifies daytime and nighttime average-hourly noise limits of 90 and 80 dBA Leq, respectively. Since the City of Atwater and California have not set a standard criteria for the assessment of construction-generated noise levels, the FTA construction noise threshold is being used.

Construction noise was estimated using the Federal Highway Administration's (FHWA) Roadway Construction Noise Model (RCNM) (FHWA 2006). Appendix C includes the methodology for how RCNM predicts construction noise levels.

As noted in Appendix C, instantaneous noise levels generated by individual pieces of off-road equipment typically range from approximately 77 to 90 dBA L_{max} at 50 feet. Typical operating cycles may involve two minutes of full power, followed by three or four minutes at lower settings. Based on typical off-road equipment usage rates, average hourly noise levels for individual equipment would be approximately 83 dBA L_{eq}, or less, at 50 feet. Assuming that multiple pieces of equipment could be operating simultaneously, predicted average-hourly noise levels could reach levels of approximately 85 dBA at 50 feet.

The nearest noise-sensitive land uses located in the vicinity of the proposed project site are residences located approximately 225 feet adjacent to and south of the project site. Depending on the location and types of activities conducted, predicted noise levels at the nearest existing residences could potentially exceed an average-hourly noise limit of 70 dBA L_{eq} which is below the FTA threshold of 90dBA L_{eq}. No construction would occur during nighttime hours; construction would be limited to the hours between 7:00 a.m. and 7:00 p.m. on weekdays, and between 9:00 a.m. to 5:00 p.m. on weekends. Mitigation NOI-1 would require noise reduction measures for construction equipment to ensure construction noise would not exceed the FTA limits. Temporary construction noise impacts would be less than significant with implementation of Mitigation Measure NOI-1.

Operational Noise Impacts

On-Site Stationary Noise Sources

On-site stationary source noise levels would include the PA system used during stadium events and, to a lesser extent, noise from the players, referees, and game spectators.

EXTERIOR NOISE LEVELS

Predicted exterior stationary source operational noise levels at the nearby existing noise sensitive land uses are summarized in Table 10. As presented in Table 10, exterior noise levels would range from approximately 44 to 51 dBA L_{eq} . Noise levels at Receivers R1 and R2 (Figure 8) would exceed the City's exterior daytime standard of 50 dBA L_{eq} . Predicted exterior noise levels at Receivers R1, R2, and R3 would exceed the City's exterior nighttime noise standard of 40 dBA L_{eq} . Predicted noise levels are predominantly influenced by the proposed PA system used primarily during games. Football games would be the loudest event held at the stadium and would be played mainly on Friday evenings. Games would last until 10:00 p.m. and use of the PA System would be limited to 7:00 a.m. to 10:00 p.m. Mitigation Measure NOI-2 would be required to reduce noise levels. Predicted noise levels at nearby land uses with mitigation are summarized in Table 11. Impacts would be less than significant with mitigation.

Table 10 Predicted Operation Noise Levels at Nearby Land Uses without Mitigation

Receiver	Land Use Type	Exceeds Noise Standard		
		Project Noise Level (dBA L_{eq})	Daytime (50 dBA L_{eq}) (7 a.m. to 10 p.m.)	Nighttime (40 dBA L_{eq}) (10 p.m. to 7 a.m.)
R1	Residential	51.2	Yes	N/A ¹
R2	Residential	50.4	Yes	N/A ¹
R3	Residential	43.7	Yes	N/A ¹

¹Use of the stadium PA system would be limited to 7 a.m. to 10 p.m.

Noise standards include a 5 dB reduction as noise associated with the project would predominantly consist of speech Refer to Figure 8 for receiver locations

Table 11 Predicted Operation Noise Levels at Nearby Land Uses with Mitigation

Receiver	Land Use Type	Exceeds Noise Standard		
		Project Noise Level (dBA L_{eq})	Daytime (50 dBA L_{eq}) (7 a.m. to 10 p.m.)	Nighttime (40 dBA L_{eq}) (10 p.m. to 7 a.m.)
R1	Residential	49.5	No	N/A ¹
R2	Residential	48.9	No	N/A ¹
R3	Residential	43.9	No	N/A ¹

¹Use of the stadium PA system would be limited to 7 a.m. to 10 p.m.

Noise standards include a 5 dB reduction as noise associated with the project would predominantly consist of speech

Refer to Figure 8 for receiver locations

Stadium Event Vehicle Traffic

Based on the traffic analysis prepared for this project, games held at the stadium are estimated to generate approximately 4,088 vehicle trips/event with half of trips (2,044) occurring in the hour before the event and the remaining half of the trips (2,044) occurring after the event (Appendix D). The stadium would host approximately five to seven football games per year. Daily trip generation estimates for the stadium are expected to vary greatly from day to day. However, the typical high school events, games, and practices intended to be held at the project site are generally occurring already in the existing condition. Therefore, over the course of a year the average number of new daily trips is expected to be negligible (Appendix D). For these reasons, increases in traffic noise levels would be less than significant.

Mitigation Measures

Mitigation Measure NOI-1 Construction Noise Reduction

The following measures shall be implemented to reduce construction-related noise impacts:

- Noise sources associated with construction shall be limited to between 7 a.m. and 7 p.m. on weekdays, and between 9 a.m. and 5 p.m. on weekends.
- Construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations. Equipment engine shrouds shall be closed during equipment operation.
- When not in use, all equipment shall be turned off and shall not be allowed to idle.

Mitigation Measure NOI-2 Operational Noise Reduction

The following measures shall be implemented to reduce operational noise impacts:

- A noise barrier shall be constructed along a portion of the southern property line as shown in Figure 6 of Initial Study Appendix C (Noise and Groundborne Vibration Impact Analysis). Specifically, the barrier shall be placed adjacent to the northerly property line of the single family residences located at 1663 and 1662 Skyview Court and 1663 Savannah Court (Merced County Assessor's Parcel Nos. 005-421-003, 004 and 009). The noise barrier shall be constructed of masonry block or material of similar density and usage. The barrier shall be constructed to a minimum height of 8 feet above ground level (agl) with no visible air gaps at the base of the barrier or between barrier construction components.
- The eastern bleachers shall have a solid backing extending the entire length of the bleachers. The backing shall be constructed of 0.75 inch plywood, or material of similar density and usage, with no visible air gaps at the base of the barrier or between barrier construction components; or, the bleachers shall have closed risers.

Significance after Mitigation

For construction noise, use of mufflers would reduce individual equipment noise levels by approximately 10 dBA. Implementation of the above Mitigation Measure NOI-1 would limit construction activities to the less noise-sensitive periods of the day. With implementation of Mitigation Measure NOI-1 and because construction activities would be temporary, this impact would be less than significant.

For operational noise, as summarized in Table 11, predicted noise levels at Receivers R1, R2, and R3 with the implementation of Mitigation Measure NOI-2 would not exceed the City's daytime standard of 50 dBA L_{eq} . Therefore, with the implementation of Mitigation Measure NOI-2, this impact would be less than significant.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

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

In comparison to existing operations, operational activities associated with the proposed project would not involve the use of any new equipment or processes that would result in potentially significant levels of ground vibration. Increases in groundborne vibration levels attributable to the proposed project would be primarily associated with temporary construction-related activities.

Construction activities would be primarily associated with the construction of the stadium and concession/restroom buildings. Construction equipment required typically includes smaller equipment (e.g., concrete saws, concrete mixers, welders, forklifts, compressors, pneumatic tools, and jack hammers). Groundborne vibration levels associated with these types of construction equipment would be approximately 0.003 inches per second (in/sec) Peak Particle Velocity (ppv) at 25 feet (Caltrans 2020).

The nearest existing off-site structures in relation to proposed onsite construction areas would be located approximately 225 feet, or more, from on-site construction areas. The proposed project site has previously been developed. As a result, the use of large off-road equipment (e.g., graders, scrapers, and vibratory compactors) would likely not be needed. Based on this distance and assuming a maximum vibration level of 0.003 in/sec ppv at 25 feet, predicted vibration levels at the nearest off-site structures would be <0.01 in/sec ppv. Predicted vibration levels at the nearest existing structures would not be projected to exceed commonly applied criteria for structural damage or human annoyance (i.e., 0.5 and 0.2 in/sec ppv, respectively). As a result, this impact would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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

The project site is located within two miles of a public airport or private airstrip. The nearest airport is the Merced-Castle Airport located approximately one mile north of the project site. The proposed project site is not located within the projected noise contours of Merced-Castle Airport (City of Atwater 2000). Implementation of the proposed project would not result in the exposure of sensitive receptors to aircraft noise levels, nor would the proposed project affect airport operations. This impact is less than significant.

LESS THAN SIGNIFICANT IMPACT

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14 Population and Housing

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

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

The project would serve the existing school and surrounding community and would not increase the school's capacity. Additionally, the project would not involve residential or commercial development that would directly or indirectly result in population growth. Therefore, the project would not result in substantial unplanned population growth and no impact would occur.

NO IMPACT

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

The project site does not currently contain housing or habitable structures, and the project would not result in the removal of housing. Therefore, the project would not displace people or housing. There would be no impact.

NO IMPACT

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15 Public Services

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
1 Fire protection?	☐	☐	☐	☒
2 Police protection?	☐	☐	☐	☒
3 Schools?	☐	☐	☐	☒
4 Parks?	☐	☐	☐	☒
5 Other public facilities?	☐	☐	☐	☒

a.1. *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered fire protection facilities, or the need for new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?*

CAL FIRE serves the City of Atwater. The nearest fire station to the project site is Fire Station No. 42, which is located immediately adjacent to the eastern portion of Buhach High School. Fire Station No. 42 would provide emergency and evacuation services in the event of a fire. As discussed in Section 20, *Wildfire*, the project site is not located in a Fire Hazard Severity Zone (FHSZ) or VHFHSZ for wildland fires and the project site would not be subject to substantial risk of wildfire. The proposed project would not increase the local population, and thus would not result in the need for additional fire protection facilities. No impact would occur.

NO IMPACT

- a.2. *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered police protection facilities, or the need for new or physically altered police protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?*

Law enforcement services for the City of Atwater are provided by the City of Atwater Police Department. The station nearest to the project is located at 750 Bellevue Road, approximately 2.5 miles from the project site. As the project would not increase school capacity, it would not result in an increase in demand for police services. Therefore, it would not result in substantial adverse impacts to existing police facilities or impact the need for additional facilities or staff. No impact would occur.

NO IMPACT

- a.3. *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered schools, or the need for new or physically altered schools, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives?*

The project would not induce population growth or demand for schools (see Section 14, *Population and Housing*). The environmental impacts of the proposed project are addressed throughout this document, and the project would not result in the need for off-site schools. Therefore, there would be no impacts associated with the provision of new or physically altered schools, or the need for new schools. No impact would occur.

NO IMPACT

- a.4. *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered parks, or the need for new or physically altered parks, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives?*

Demand for parks and open space is directly related to population. The proposed project would not result in substantial population growth and therefore would not increase demand for public services, such as parks and open space. The project would not affect parks or alter access to parks. The proposed project would create outdoor recreational spaces for the school community and would not increase demand for park facilities or result in the need for new off-site parks. No impact would occur.

NO IMPACT

- a.5. *Would the project result in substantial adverse physical impacts associated with the provision of other new or physically altered public facilities, or the need for other new or physically altered public facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?*

The proposed project would not result in population growth because the expanded facilities are intended to serve the existing community and school population. Therefore, the project would not result in substantial adverse impacts to existing government facilities or impact the need for additional public facilities, such as libraries, roadways, and infrastructure. No impact would occur.

NO IMPACT

16 Recreation

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

- a. *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*

The recreational facilities proposed by the project would replace the existing campus facilities. The project would not increase the school's capacity and thus, would not lead to population growth that may lead to an increase in the use and deterioration of existing recreational facilities. Therefore, there would be no impact.

NO IMPACT

- b. *Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?*

The project's recreational facilities would replace the existing campus facilities and would not require construction or expansion of other existing recreational facilities. Therefore, there would be no impact.

NO IMPACT

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17 Transportation

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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 <i>CEQA Guidelines</i> section 15064.3, subdivision (b)?	☐	☐	☒	☐
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?	☐	☒	☐	☐
d. Result in inadequate emergency access?	☐	☐	☒	☐

The following impact analysis uses information and analysis from the Traffic Study prepared for the project by Peters Engineering Group, which is included as Appendix D.

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

Several land use plans, policies, and regulations are regionally and locally adopted in the area. These include the City of Atwater General Plan Circulation Element and the MCAG RTP/SCS.

The City of Atwater General Plan Circulation Element is intended to set up local goals and guiding policies regarding transportation. The intent of the Circulation Element is to provide an overview of all the means of transport, and to show how these different methods can complement each other to make Atwater's circulation system work more efficiently (City of Atwater 2000).

The MCAG RTP/SCS is a long-range planning document that establishes a set of regional transportation goals, policies, and actions intended to guide development of the planned multimodal transportation systems in Merced County. Overall, the RTP/SCS aims to continue to operate efficiently in the future with sufficient capacity to meet demand and that mobility options are available for all of Merced County's residents (MCAG 2022).

Project implementation would not alter the roadways, transit stops, or sidewalks, increase commercial or residential development, generate growth, or cause a regular increase in vehicle traffic in the project vicinity. The school would remain accessible to pedestrians and bicyclists throughout construction. There are bike lanes and sidewalks along Avenue Two and Buhach Road. Project construction would not include road closures and would not impact bicycle infrastructure or sidewalks along Buhach Road or Avenue Two. Therefore, the project would not impact the overall use of the roadways, bicycle or pedestrian facilities, or transit facilities in the project vicinity.

The State of California does not recognize traffic congestion and delay as an environmental impact per the California Environmental Quality Act (CEQA). However, the City of Atwater General Plan Policy CIRC-1.1 states that the City will: “Establish and maintain a minimum LOS of D for all arterial and collector streets within the City.”

The proposed stadium will be used for football games approximately 5 to 7 times per year, and only a few would be expected to approach the capacity of the stadium. Thus, the analysis in the Traffic Study (Initial Study Appendix D) is for a worst-case scenario. The traffic study indicates the following for such a scenario:

The existing-plus-Project conditions analyses indicate that the intersection of Buhach Road, Juniper Avenue, and Avenue Two is expected to operate at LOS F with long queues during the time period before a large event. In addition, vehicles dropping off visitors and exiting the parking lot driveway on Buhach Road are likely to experience LOS D while exiting the driveway, particularly if vehicles attempt to turn left from the right-turn-only driveway. The intersection Buhach Road, Juniper Avenue, and Avenue Two is already signalized, and additional physical improvements are not warranted for events that are likely to occur fewer than 10 times per year and generally during off-peak periods when a substantial amount of the delay is experienced only by the Project trips. It is recommended that traffic conditions be observed during large events and measures such as modifying signal timing or providing flaggers or traffic control officers be considered where necessary. For very large worst-case-scenario events, it is anticipated that the existing school parking lots will fill up and that additional parking will be required off site. Additional congestion may result if vehicles are allowed to enter parking lots that are full. Therefore, the entrances to the lots should be closed once they are full with signs notifying drivers the lot is full.

To avoid queues extending into the adjacent roadways, parking fees should not be collected near the adjacent streets.

In order to minimize the number of trips generated by large events and the associated parking demand, it is recommended that the District implement an informational campaign in advance of large events to promote carpooling. Establishing an alternate parking lot with bussing to the site may be required for worst-case scenarios. Over time, the transportation needs are likely to become more apparent and the operations can be tailored to the actual conditions experienced.

After a large event, it is recommended that vehicles be prevented from exiting the Avenue Two / Main Parking Entrance (western driveway). Vehicles should be directed to the eastern exit where separate left-turn and right-turn lanes exist. This will minimize conflicting turning movements on Avenue Two and maximize the available queuing distance between the driveway exit and the traffic signal at Buhach Road.

Based on the analysis in the Traffic Study, the following mitigation measure is incorporated into the project to reduce the impact to a less than significant level.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

Mitigation Measure

TRA-1 Circulation Policy Conflict and Traffic Safety

The following shall be implemented to reduce transportation impacts:

- During large events, measures such as modifying signal timing or providing flaggers or traffic control officers, providing off-site parking and bussing, closure of full parking lots, and conducting an informational campaign promoting carpooling shall be implemented where necessary.

- After a large event, vehicles shall be prevented from exiting the Avenue Two / Main Parking Entrance (western driveway). Vehicles shall be directed to the eastern exit where separate left-turn and right-turn lanes exist.

Significance after Mitigation

The above measures will improve traffic flow and safety for the occasional large events that will occur at the stadium. With implementation of Mitigation Measure TRA-1, this impact would be less than significant.

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

CEQA Guidelines section 15064.3 requires an analysis of a project's effect on vehicle miles traveled (VMT). The County of Merced has prepared local VMT guidelines as presented in VMT Thresholds and Implementation Guidelines dated September 2022 (County Guidelines). The County Guidelines indicate that K-12 public schools may be presumed to produce a less than significant VMT impact. The County Guidelines also indicate that a project consistent with the jurisdiction's General Plan may be successfully screened (i.e., presumed to produce a less than significant VMT impact) if the project would generate fewer than 1,000 average daily trips (ADT).

As discussed in the Traffic Study (Appendix D), the project is intended to better accommodate events that are already taking place, and in many instances are held at more distant locations (such as Atwater High School) simply to accommodate the crowd. By constructing a stadium within the campus, events can be held closer to the residences of those attending the events. The project would result in a less-than-significant transportation impact because it is a K-12 public school facility, would reduce the distance many attendees are required to travel to large events, would generally better accommodate events that are currently taking place and, would generate far less than 1,000 new ADT as compared to the existing condition. Overall, the proposed project would not result in an increase in VMT. This impact would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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

The project site is regionally accessible from SR 99, SR 59, and SR 140. Direct access to the project site would be provided by Avenue Two and Buhach Road. The project would not increase hazards due to a new geometric design feature. Implementation of the project would not alter or affect existing street and intersection networks or involve an incompatible use. Sufficient turning areas and access opportunities for truck and passenger vehicle access are available within the existing access points on Avenue Two, Buhach Road, and in existing parking lots. No new roadways or alterations to existing roadway design are proposed. Therefore, the proposed project would not substantially increase hazards due to a geometric design feature.

The proposed project would continue the existing use of the site but would introduce occasional large events generating substantial traffic and turning movements for limited periods of time. As such, the potential for traffic safety hazards will increase during these times. The implementation of Mitigation Measure TRA-1 will reduce potential traffic safety impacts to a less than significant level.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

d. Would the project result in inadequate emergency access?

The main vehicle entrance and exit for the project would be the existing driveways located along Avenue Two north of the site. There would be adequate egress and ingress for emergency vehicles to the project site. Staging equipment and temporary work areas utilized during project construction would be located within the project site and would not require closure of existing roadways in the project vicinity. As a result, the proposed project would not result in inadequate emergency access. This impact would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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18 Tribal Cultural Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in a Public Resources Code Section 21074 as either a site, feature, place, or 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. 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)?	☐	☐	☐	☒
b. 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 Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☐	☒

On July 1, 2015, Assembly Bill 52 (AB 52) was enacted, expanding CEQA by defining a new resource category, “tribal cultural resources.” AB 52 states, “a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment” (PRC Section 21084.2). It further states the lead agency shall establish measures to avoid impacts altering the significant characteristics of a tribal cultural resource, when feasible (PRC Section 21084.3).

PRC Sections 21074 (a)(1)(A-B) define tribal cultural resources as “sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe” and are:

1. Listed or eligible for listing in the CRHR or in a local register of historical resources as defined in PRC Section 5020.1(k); or

2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in PRC Section 5024.1(c). In applying these criteria, the lead agency shall consider the significance of the resource to a California Native American tribe.

AB 52 also establishes a formal consultation process for California tribes regarding those resources. The consultation process must be completed before a CEQA document can be certified or adopted. Under AB 52, lead agencies are required to “begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project.” Native American tribes to be included in the process are those having requested notice of projects proposed in the jurisdiction of the lead agency.

On December 13, 2022 and May 26, 2022, the District sent AB 52 notification letters to the following tribal governments:

- Amah Mutsun Tribal Band
- Dumna Wo-Wah Tribal Government
- North Valley Yokuts Tribe
- Southern Sierra Miwuk Nation
- Table Mountain Rancheria
- Tule River Indian Tribe
- Wuksache Indian Tribe/Eshom Valley Band

Under AB 52, Native American tribes have 30 days to respond and request further project information and formal consultation; however, none of the contacted tribes responded within 30 days of mailing of the letters. Accordingly, AB 52 consultation is complete for the project.

- a. *Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074 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)?*
- b. *Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code 21074 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?*

No tribal cultural resources listed or eligible for listing in the CRHR or in a local register of historical resources were identified within the project site. In addition, no tribal cultural resources were identified within or near the project site that have been determined by District (the lead agency) to be significant. Therefore, the project would not cause a substantial adverse change in the significance of a tribal cultural resource as defined in PRC Section 21074 that is listed or eligible for listing in the CRHR, or in a local register of historical resources as defined in PRC Section 5020.1(k) or that is a resource determined by District (the lead agency), in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in PRC Section 5024.1(c). No impact would occur. Furthermore, in the event of an inadvertent discovery of cultural resources, Mitigation Measure CR-1 (outlined in Section 2.5, *Cultural Resources*) would be implemented, which includes contacting a Native American representative to participate in the evaluation of the find if it is prehistoric.

NO IMPACT

19 Utilities and Service Systems

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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 could 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 which 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?	☐	☐	☒	☐

- a. *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 could cause significant environmental effects?*

Water

A significant impact would occur if a project would increase water consumption or wastewater generation to such a degree that the capacity of facilities currently serving the project site would be exceeded or that new water sources would need to be identified.

The City's Urban Water Management Plan (UWMP) includes water demand projections, water supply reliability, potential supply interruptions, and water conservation planning and implementation. The UWMP projects long-term water demands through 2040 based on expected service area growth for both population and employment. The UWMP states that Atwater has enough water supply to meet current demands, as well as demands during normal water years through 2040 (City of Atwater 2020). The project would not increase the City of Atwater's population. The project site already receives its water from the City of Atwater. The project would not require an extension of water infrastructure or service into a new area of the City. The project would not require or result in the relocation or construction of new or expanded water systems or the construction or relocation of which could cause significant environmental effects.

Wastewater

The City of Atwater Public Works Department collects wastewater from the majority of residential, commercial, and industrial users within incorporated City limits and conveys it to the City-owned Atwater Bert Crane Wastewater Treatment Plant (WWTP). The WWTP has a capacity of 6 million gallons per day (mgd) with the potential to increase capacity to 12 mgd as needed to accommodate growth and development within the City of Atwater, Winton, Castle Aviation and Development Center and/or the US Penitentiary (County of Merced 2020). In 2017, the WWTP treated 3.33 mgd (County of Merced 2020). The WWTP would have approximately 2.7 to 8.7 mgd of remaining capacity. The City of Atwater anticipates that the WWTP has the capacity to meet wastewater demand from the WWTP service areas through 2040 and beyond (County of Merced 2020).

The project site is located in an urbanized area within the boundaries of the City of Atwater wastewater system. The project would connect into the existing sewer system and would not require substantial improvements other than improved connections to the sewer systems from the project site, which are included in the environmental analysis.

The proposed project would increase existing wastewater generation on-site through the development of the stadium which includes restrooms. However, the project is consistent with the General Plan's land use designation and would not generate growth beyond that anticipated in the General Plan. The WWTP would have adequate capacity to service the proposed project, and no new or expanded wastewater treatment facilities would be required. The project would not require or result in the relocation or construction of new or expanded wastewater treatment or the construction or relocation of which could cause significant environmental effects. Impacts would be less than significant.

Stormwater

As described in the Project Description, the project site would utilize the High School's existing stormwater drainage basin to capture stormwater runoff. This basin would be able to the capacity of the runoff generated from the project and would accommodate the anticipated runoff generated from the project. The project would not require or result in the relocation or construction of new or expanded stormwater facilities or the construction or relocation of which could cause significant environmental effects. Impacts would be less than significant.

Electricity, Natural Gas, and Telecommunications

Electricity and natural gas service in the City of Atwater are provided by PG&E. Long-term operation of development projects, including the proposed project, would require permanent grid connections for electricity and natural gas service to power internal and exterior building lighting

and heating of buildings and water. Electricity for the project would be provided as needed by PG&E and would not require improvements to provide the utilities. Telecommunications in the City of Atwater are provided by several service providers. Telecommunications would be provided as needed and facility upgrades would not be necessary. Accordingly, the project would be accommodated adequately by existing electricity, gas, and telecommunication facilities. The project would not require or result in the relocation or construction of new or expanded electricity, natural gas, and telecommunications facilities or the construction or relocation of which could cause significant environmental effects. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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

The 2020 UWMP states that the City of Atwater has enough water supply to meet current demands, as well as demands during normal water years through 2040. According to the UWMP, the City expects sufficient water supply to meet project demands in normal-year conditions and in single or multiple dry-year conditions (City of Atwater 2020).

As described in Section 11, *Land Use and Planning*, and Section 14, *Population and Housing*, the proposed project is consistent with the General Plan's land use designation and would not generate growth beyond that anticipated in the General Plan. The UWMP is based on growth envisioned in the City's General Plan. Accordingly, because the proposed project is consistent with the General Plan land use designation for the project site, there would be adequate water supply available to serve anticipated growth in the City of Atwater, including the proposed project. Thus, the City would have sufficient potable water supply to accommodate the anticipated demand increases from the proposed project, and impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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

Domestic, commercial, and industrial wastewater from the City of Atwater is treated at the WWTP. The project site is located within the boundaries of the City of Atwater and its wastewater service area. Wastewater infrastructure would not require significant improvements other than infrastructure to service the new restroom/concessions buildings. As described above under *item (a)*, the WWTP for the City of Atwater would have a remaining capacity of 2.7 to 8.7 mgd. As the proposed project would not exceed the wastewater capacity of the existing system, nor require new or expanded facilities, impacts would be less than significant. The project would result in a determination by the wastewater treatment provider that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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

Municipal solid waste is disposed of at the Highway 59 Landfill which is operated by the Merced County Regional Waste Authority. The Mid Valley Disposal provides waste hauling for the school. Solid waste generation at the project site would increase by an estimated 17.43 tons per year (Appendix A). The nearest landfill to the project site is the Highway 59 Landfill, located approximately 7 miles north of the project site. The Highway 59 Landfill has a maximum capacity of 1,500 tons per day or about 55 million tons per year (California Department of Resources Recycling and Recovery [CalRecycle] 2017). The remaining capacity for the Highway 59 Landfill is 28,025,334 cubic yards (CalRecycle 2017). The project would produce approximately 17.43 tons of solid waste per year, which is approximately 0.0002 percent of the remaining capacity of the landfill (Appendix A). The estimated closure for the Highway 59 Landfill site is 2030. The project would not exceed the landfill's maximum capacity or produce a substantial amount of solid waste that would cause early closure of the landfill. Therefore, the proposed project would be served by a landfill with sufficient capacity to accommodate its solid waste disposal needs and would not violate any statute or regulation regarding solid waste capacity. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

20 Wildfire

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
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 downslopes or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	☒
a. <i>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project substantially impair an adopted emergency response plan or emergency evacuation plan?</i>				
b. <i>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, 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?</i>				
c. <i>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, 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?</i>				

- d. *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project expose people or structures to significant risks, including downslopes or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

A Fire Hazard Severity Zone (FHSZ) is a mapped area that designates zones (based on factors such as fuel, slope, and fire weather) with varying degrees of fire hazard (i.e., moderate, high, and very high). While FHSZs do not predict when or where a wildfire will occur, they do identify areas where wildfire hazards could be more severe and therefore are of greater concern. FHSZs are meant to help limit wildfire damage to structures through planning, prevention, and mitigation activities/requirements that reduce risk. The FHSZs serve several purposes: they are used to designate areas where California's wildland urban interface building codes apply to new buildings, they can be a factor in real estate disclosure, and they can help local governments consider fire hazard severity in the safety elements of their general plans.

The project site is in an urbanized area and is surrounded by the existing high school campus, residential, and agricultural development. Undeveloped wildland areas are not located near the project site. According to the California FHSZ Viewer, the project site is not located in or near a FHSZ or Very High FHSZ for wildland fires or in a state responsibility area (CAL FIRE 2023). The nearest FHSZ or Very High FHSZ is approximately 40 miles to the east. Therefore, the project site would not be subject to substantial risk of wildfire. No impact would occur.

NO IMPACT

21 Mandatory Findings of Significance

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Does the project:				
a. 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. Have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐
c. Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

- 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?*

As discussed in Section 4, *Biological Resources*, the project site is unlikely to contain special status-plants or wildlife. Non-native grasslands, buildings, and bare ground in the project site and nearby trees could be used by migratory birds as nesting habitat. Therefore, Mitigation Measure BIO-1 would be required to avoid or reduce the project’s potentially significant impacts to special-status avian wildlife. With implementation of Mitigation Measure BIO-1, the project would not 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.

As discussed in Section 5, *Cultural Resources*, no archeological resources were identified at the project site. A Sacred Lands File search was also conducted and did not identify any cultural resources. Upon the completion of the survey and consultation with the NAHC, NRHP, and CRHR, it was determined no historical resources would directly be impacted by the project. In the event of evidence being found of prehistoric or historic-era subsurface archaeological features, deposits or tribal cultural resources are discovered, the project would implement Mitigation Measure CUL-1. Therefore, it is unlikely that the project would eliminate important examples of major periods of California history or prehistory.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

- b. *Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?*

As described in the discussion of environmental checklist Sections 1 through 20, with respect to all environmental issues, the proposed project would not result in significant and unmitigable impacts to the environment. All anticipated impacts associated with project construction and operation would be either less than significant or less than significant with mitigation incorporated. This is largely due to the fact project construction activities would be temporary and project operation would result in minimal changes to the environmental baseline condition.

Cumulatively considerable impacts could occur if the construction of other projects occurs at the same time as the proposed project and in the same vicinity, such that the effects of similar impacts of multiple projects combine to expose adjacent sensitive receptors to greater levels of impact than would occur under the proposed project. For example, if the construction of other projects in the area occurs at the same time as construction of the proposed project, potential impacts associated with noise and traffic to residents in the area surrounding the project may be more substantial. There are no other planned or pending projects within the immediate vicinity of the project site that could combine with the project to result in cumulative construction-related impacts.

The project is intended to serve the existing student population of the District and not increase capacity. Therefore, the project would not contribute to cumulative impacts related to direct or indirect population growth, such as impacts to public services, recreation, and population and housing. Impacts related to cultural resources, geology and soils, hazards and hazardous materials, land use and planning, mineral resources, and tribal cultural resources are inherently restricted to the project site and would not contribute to cumulative impacts associated with existing and future development in Atwater or Merced County.

In addition, air quality and GHG impacts are cumulative by nature, and as discussed in Section 3, *Air Quality*, and Section 8, *Greenhouse Gas Emissions*, the project would not generate air pollutant emissions in excess of SJVAPCD thresholds or GHG emissions that would exceed the SJVAPCD-recommended threshold. Therefore, the project would not contribute to the existing significant cumulative air quality impacts related to the Basin’s nonattainment status for ozone, PM₁₀, and PM_{2.5}, or the existing significant cumulative climate change impact. Furthermore, project impacts to resources such as aesthetics, agriculture and forestry resources, biological resources, hydrology and water quality, noise, transportation, and utilities and service systems are less than significant and

therefore not have the potential to constitute a cumulatively considerable contribution to cumulative impacts that may occur due to existing and future development in the region. Therefore, the proposed project would not result in a cumulatively considerable contribution to a significant impact.

LESS THAN SIGNIFICANT IMPACT

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

Effects to human beings are generally associated with air quality, geology, noise, traffic safety, and hazards/hazardous materials. Potential significant effects affecting human beings were identified only under Section 13, *Noise*. With implementation of Mitigation Measures NOI-1 and NOI-2, impacts to human beings would be less than significant with mitigation incorporated.

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