



INITIAL STUDY AND MITIGATED NEGATIVE
DECLARATION

FOR THE

CP-42 NORTH PROJECT

MAY 2026

Prepared for:

City of Merced
Planning Division
678 W 18th Street
Merced, CA 95340
(209) 385-6858

Prepared by:

De Novo Planning Group
1020 Suncastr Lane, Suite 106
El Dorado Hills, CA 95762
(916) 580-9818

D e N o v o P l a n n i n g G r o u p

A Land Use Planning, Design, and Environmental Firm

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CP-42 North Project

Lead Agency:

City of Merced
Planning Division
678 W 18th Street
Merced, CA 95340

Project Title: CP-42 North Project

Project Location: The Project site consists of six parcels (APNs: 259-130-010, 011, 012, 013, 014 and -016) consisting of approximately 40.00 acres of mostly undeveloped land located along South Tyler Road and East Gerard Avenue in unincorporated Merced. Of the irrigated green space, one parcel is 33.82 acres of agricultural land owned by the Merced Union High School District (APN: 259-130-010). The second parcel is 0.99 acres of vacant land that has remnants of a residence that no longer exists on the parcel (APN: 259-130-016). The other four parcels are privately owned and developed with single family dwellings (APN: 259-130-011, 012, 013, 014). The site is relatively flat, with an elevation range of approximately 22 to 25 feet above sea level. There is a small irrigation ditch along the eastern boundary of the Project site. Surrounding land uses include rural residences to the north, low density residential neighborhoods to the west, agricultural fields to the east, and a 37.19-acre Sports Park under construction by the City of Merced (City) to the south. The Project site is in the unincorporated limits of Merced County, but the city limits are located along the southern and western parcel boundary.

Project Description: The proposed Project is an expansion of Community Park – 42 South, which is a city-owned Sports Park currently under construction immediately south of the Project site. The proposed Project includes the installation of park irrigation facilities and the placement of grass turf within the Project site. Future phases of the park could include additional park and recreational development including park structures, lighting, etc., however, there are not any current plans for such development and no future uses are assumed at this time. The current proposal is limited to irrigation and turf installation only. The expansion of the Sports Park is intended to provide accessible recreational amenities for surrounding neighborhoods while maintaining compatibility with adjacent uses. Primary vehicular access will be provided from South Tyler Road to the east, East Gerard Avenue to the north, Barroso Avenue to the west, and the existing (under construction) Sports Park to the south. The Proposed Project consists of a General Plan Amendment (GPA) and Annexation request for approximately 40 acres located immediately north and east of the existing city limits. The Project site is currently designated for Low Density Residential (LDR) land uses per the City's Vision 2030 General Plan, dated January 12, 2012. The proposed Project would amend the Vision 2030 Land Use Element to change the land use designation from Low Density Residential (LDR) to Open Space/Park (OS-PK). The purpose of the GPA is to allow for consistency between the City's Vision 2030 General Plan and development of the Project site as an extension of Community Park – 42 South, which is under development to the immediate south of the Project site. In addition to the GPA, the entitlements requested include an Annexation and Prezone request to the Merced Local Agency Formation Commission (LAFCo). The proposed Prezone is (P-OS), Parks and Open Space under the City's Zoning Ordinance. The P-OS zone district is consistent with the Open Space/Park land use designation.

Findings:

In accordance with the California Environmental Quality Act (CEQA), the City has prepared an Initial Study to determine whether the proposed project may have a significant adverse effect on the environment. The Initial Study and Proposed Mitigated Negative Declaration reflect the independent judgment of City staff. On the basis of the Initial Study, the City hereby finds:

Although the proposed project could have a significant adverse effect on the environment, there will not be a significant adverse effect in this case because the project has incorporated specific provisions to reduce impacts to a less than significant level and/or the mitigation measures described herein have been added to the project. A Mitigated Negative Declaration has thus been prepared.

The Initial Study, which provides the basis and reasons for this determination, is attached and/or referenced herein and is hereby made a part of this document.

Valeria Renteria

May 21, 2026

Signature

Date

Proposed Mitigation Measures:

The following Mitigation Measures are extracted from the Initial Study. These measures are designed to avoid or minimize potentially significant impacts, and thereby reduce them to an insignificant level. A Mitigation Monitoring and Reporting Program (MMRP) is an integral part of project implementation to ensure that mitigation is properly implemented by the City and the implementing agencies. The MMRP will describe actions required to implement the appropriate mitigation for each CEQA category including identifying the responsible agency, program timing, and program monitoring requirements. Based on the analysis and conclusions of the Initial Study, the impacts of proposed project would be mitigated to less-than-significant levels with the implementation of the mitigation measures presented below.

BIOLOGICAL RESOURCES

MM BIO-1: Prior to the commencement of grading activities or other ground disturbing activities on the Project site, the project applicant shall arrange for a qualified biologist to conduct a preconstruction survey for Swainson's hawks. If no hawks or hawk nests are detected, then construction activities may commence. If Swainson's hawks or occupied nests are discovered, then the following shall be implemented:

- During the nesting season (February 15 through August 31) if Swainson's hawks are nesting in or near the Project site, a construction setback of 250 feet of the nest tree (as measured from under the nest) would be required until nesting is complete.

MM BIO-2: Prior to the commencement of grading activities or other ground disturbing activities on the Project site, the project applicant shall arrange for a qualified biologist to conduct a preconstruction survey for burrowing owls. If no owls or owl nests are detected, then construction activities may commence. If burrowing owls or occupied nests are discovered, then the following shall be implemented:

- During the nesting season (February 1 and August 31) if burrowing owls are present on-site, a 250-foot construction setback from the natal burrow would be required until nesting is complete.
- Outside the nesting season (September 1 and January 31) burrowing owls occupying the Project site should be evicted from the Project site by passive relocation as described in the California Department of Fish and Game's Staff Report on Burrowing Owls (Oct., 1995).

MM BIO-3: Prior to the commencement of grading activities or other ground disturbing activities on the Project site, the project applicant shall arrange for a qualified biologist to conduct a preconstruction survey for white-tailed kites. If no kites or kite nests are detected, then construction activities may commence. If white-tailed kite or occupied nests are discovered, then the following shall be implemented:

- During the nesting season (February 15 through September 15) occupied nests shall not be disturbed and shall be provided with a 100-foot construction setback until nesting is complete.

CULTURAL RESOURCES

MM CUL-1: If potentially significant historic resources are encountered during subsurface excavation activities, all construction activities within a 100-foot radius of the resource shall cease until a qualified archaeologist determines whether the resource requires further study. The City shall require that the applicant include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. Any previously undiscovered resources found during construction shall be recorded on appropriate California Department of Parks and Recreation forms and evaluated for significance in terms of CEQA criteria by a qualified archaeologist.

Potentially significant cultural resources consist of but are not limited to stone, bone, fossils, wood, or shell artifacts or features, including hearths, structural remains, or historic dumpsites. If the resource is determined to be significant under CEQA, the City and a qualified archaeologist shall determine whether preservation in place is feasible. Such preservation in place is the preferred mitigation. If such preservation is infeasible, the qualified archaeologist shall prepare and implement a research design and archaeological data recovery plan for the resource. The archaeologist shall also conduct appropriate technical analyses, prepare a comprehensive written report, and file it with the appropriate information center (California Historical Resources Information System), and provide for the permanent curation of the recovered materials.

MM CUL-2: If potentially significant archaeological resources are encountered during subsurface excavation activities, all construction activities within a 100-foot radius of the resource shall cease until a qualified archaeologist determines whether the resource requires further study. The City shall require that the applicant include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. Any previously undiscovered resources found during construction shall be recorded on appropriate Department of Parks and Recreation forms and evaluated for significance in terms of CEQA criteria by a qualified archaeologist. Potentially significant cultural resources consist of but are not limited to stone, bone, fossils, wood, or shell artifacts or features, including hearths, structural remains, or historic dumpsites. If the resource is determined to be significant under CEQA, the City and a qualified archaeologist shall determine whether preservation in place is feasible. Such preservation in place is the preferred mitigation. If such preservation is infeasible, the qualified archaeologist shall prepare and implement a research design and archaeological data recovery plan for the resource. The archaeologist shall also conduct appropriate technical analyses, prepare a comprehensive written report, and file it with the appropriate information center (California Historical Resources Information System), and provide for the permanent curation of the recovered materials.

MM CUL-3: If previously unknown human remains are encountered during construction activities, Section 7050.5 of the California Health and Safety Code applies, and the following procedures shall be followed: In the event of an accidental discovery or recognition of any human remains, Public Resource Code Section 5097.98 must be followed. Once project-related ground disturbance begins and if there is accidental discovery of human remains, the following steps shall be taken:

- There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the Merced County Coroner's Office is contacted to determine if the remains are Native American and if an investigation into cause of death is required. If the coroner determines the remains are Native American, the coroner shall contact the NAHC within 24 hours, and the NAHC shall identify the person or persons it believes to be the "most likely descendant" of the deceased Native American. The most likely descendant may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98.

GEOLOGY AND SOILS

MM GEO-1: If plant or animal fossils are discovered during subsurface excavation activities for the proposed project, all excavation within 50 feet of the fossil shall cease until a qualified paleontologist has determined the significance of the find and provides recommendations in accordance with Society of Vertebrate Paleontology standards. The paleontologist shall notify the City of Merced to determine procedures to be followed before construction is allowed to resume at the location of the find. If the find is determined to be significant and the City determines that avoidance is not feasible, the paleontologist shall design and implement a data recovery plan consistent with the Society of Vertebrate Paleontology standards. The plan shall be submitted to the City for review and approval. Upon approval, the plan shall be incorporated into the project.

HYDROLOGY AND WATER QUALITY

MM HYD-1: *Prior to the issuance of grading or building permits, the Project applicant shall prepare and submit a Stormwater Pollution Prevention Plan (SWPPP) to the City of Merced for approval that identifies specific actions and Best Management Practices (BMPs) to prevent stormwater pollution during construction activities. The SWPPP shall identify a practical sequence for BMP implementation, monitoring, and maintenance; site restoration; contingency measures; responsible parties; and agency contacts. The SWPPP shall include but not be limited to the following elements:*

- *Temporary erosion control measures shall be employed for disturbed areas.*
- *Specific measures shall be identified to protect the onsite open drainages during construction of the proposed resort.*
- *Specific measures shall be identified to protect the French Camp Outlet Canal and Drain 3 during any construction activities.*
- *No disturbed surfaces shall be left without erosion control measures in place during the winter and spring months.*
- *Sediment shall be retained onsite by a system of sediment basins, traps, or other appropriate measures.*
- *The construction contractor shall prepare Standard Operating Procedures for the handling of hazardous materials on the construction site to eliminate or reduce discharge of materials to storm drains.*

- *BMP performance and effectiveness shall be determined either by visual means where applicable (e.g., observation of above-normal sediment release), or by actual water sampling in cases where verification of contaminant reduction or elimination (such as inadvertent petroleum release) is required by the RWQCB to determine adequacy of the measure.*
- *In the event of significant construction delays or delays in final landscape installation, native grasses or other appropriate vegetative cover shall be established on the construction site as soon as possible after disturbance, as an interim erosion control measure throughout the wet season.*

MM HYD-2: *Prior to the issuance of building or grading permits, the Project applicant shall submit a stormwater quality control plan to the City of Merced for review and approval. The plan shall include a detailed drainage plan and identify expected site-specific pollutants and required measures to treat those pollutants before they reach the regional detention basins. The approved measures shall be incorporated into the proposed Project. The plan will describe monitoring and performance measures and standards required to ensure water quality is adequately protected during operation of all proposed sites within the Project site. Examples of stormwater pollution prevention measures and practices to be incorporated into the plan include but are not limited to:*

- *Strategically placed bioswales and landscaped areas that promote percolation of runoff*
- *Pervious pavement*
- *Roof drains that discharge to landscaped areas*
- *Trash enclosures with screen walls and roofs*
- *Stenciling on storm drains*
- *Curb cuts in parking areas to allow runoff to enter landscaped areas*
- *Rock-lined areas along landscaped areas in parking lots*
- *Catch basins*
- *Oil/water separators*
- *Regular sweeping of parking areas and cleaning of storm drainage facilities*
- *Employee training to inform maintenance personnel of stormwater pollution prevention measures*

MM HYD-4: *Prior to the issuance of building or grading permits for the proposed Project, the Project applicant shall submit a stormwater quality control plan for the project to the City of Merced for review and approval. The plan shall include a detailed drainage plan that demonstrates attainment of pre-project runoff requirements prior to release and describes the volume reduction measures and treatment controls used to reach attainment. The drainage plan shall identify all expected flows from the Project site and the location, size, and type of facilities used to retain and treat the runoff volumes and peak flows to meet pre-project conditions. The approved drainage plan shall be incorporated into the proposed Project.*

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INITIAL STUDY CHECKLIST

PROJECT TITLE

General Plan Amendment, Prezone, and Annexation 24-05: Community Park-42 North

LEAD AGENCY NAME AND ADDRESS

City of Merced
Planning Division
678 W 18th Street
Merced, CA 95340
(209) 385-6858

PROJECT LOCATION AND SETTING

The Project site consists of six parcels (APNs: 259-130-010, 011, 012, 013, 014 and -016) consisting of approximately 40.00 acres of undeveloped land located along South Tyler Road and East Gerard Avenue in unincorporated Merced. Of the irrigated green space, one parcel is 33.82 acres of agricultural land owned by the Merced Union High School District (APN: 259-130-010). The second parcel is 0.99 acres of vacant land that has remnants of a residence that no longer exists on the parcel (APN: 259-130-016). The other four parcels are privately owned and developed with single family dwellings (APN: 259-130-011, 012, 013, 014). The site is relatively flat, with an elevation range of approximately 22 to 25 feet above sea level. There is a small irrigation ditch along the eastern boundary of the Project site. Figure 1 provides a regional location.

Surrounding land uses include rural residences to the north, low density residential neighborhoods to the west, agricultural fields to the east, and a 37.19-acre Sports Park under construction by the City of Merced to the south. The Project site is in the unincorporated limits of Merced County, but the city limits are located along the southern and western parcel boundary. Figure 2 illustrates the Project site relative to adjacent Sports Park and other existing uses. Figure 3 provides an aerial view of the Project site.

PROJECT DESCRIPTION

The proposed Project is an expansion of Community Park – 42 South, which is a city-owned Sports Park currently under construction immediately south of the Project site. The proposed Project includes the installation of park irrigation facilities and the placement of grass turf within the Project site. Future phases of the park could include additional park and recreational development including park structures, lighting, etc., however, there are not any current plans for such development and no future uses are assumed at this time. The current proposal is limited to irrigation and turf installation only.

The expansion of the Sports Park is intended to provide accessible recreational amenities for surrounding neighborhoods while maintaining compatibility with adjacent uses. Primary vehicular access will be provided from South Tyler Road to the east, East Gerard Avenue to the north, Barroso Avenue to the west, and the existing (under construction) Sports Park to the south.

The Proposed Project consists of a General Plan Amendment (GPA) and Annexation request for approximately 40 acres located immediately north and east of the existing city limits. The Project site is currently designated for Low Density Residential (LDR) land uses per the City's Vision

2030 General Plan, dated January 12, 2024. The proposed Project would amend the Vision 2030 Land Use Element to change the land use designation from Low Density Residential (LDR) to Open Space/Park (OS-PK).

The purpose of the GPA is to allow for consistency between the City's Vision 2030 General Plan and development of the Project site as an extension of Community Park – 42 South, which is under development to the immediate south of the Project site.

In addition to the GPA, the entitlements requested include an Annexation and Prezone request to the Merced Local Agency Formation Commission (LAFCo). The proposed Prezone is, Parks and Open Space (P-OS) under the City's Zoning Ordinance. The P-OS zone district is consistent with the Open Space/Park land use designation.

Figure 4 illustrates the existing General Plan and Zoning for the Project site and vicinity.

ANNEXATION

The Project site is within the City of Merced's Sphere of Influence but located outside the city limits and will require annexation approval by the City of Merced and Merced County Local Agency Formation Commission (LAFCo). The annexation request will not require adjustment to the Sphere of Influence.

REQUESTED ENTITLEMENTS AND OTHER APPROVALS

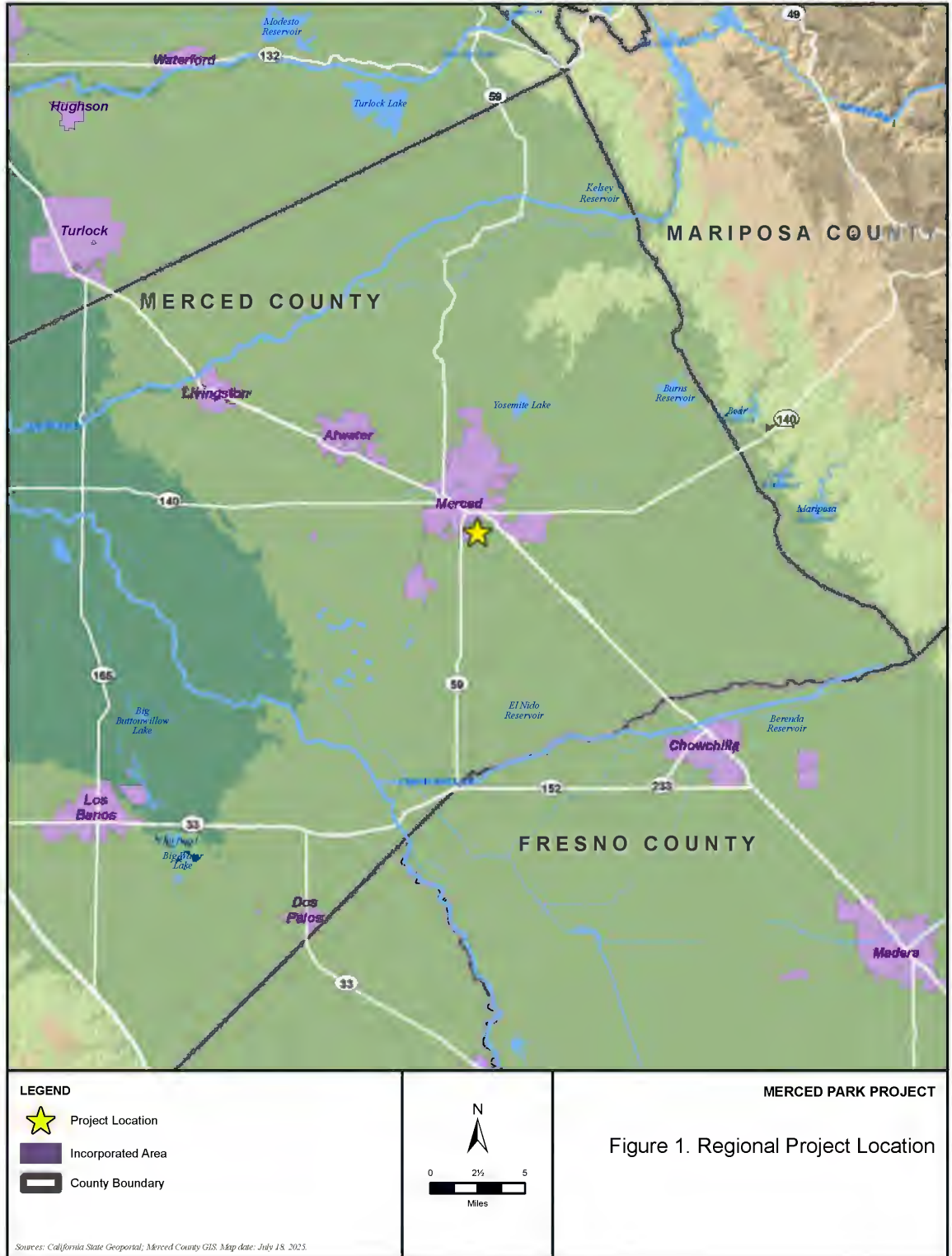
The City of Merced is the Lead Agency for the proposed Project, pursuant to the State CEQA Guidelines, Section 15050.

This document will be used by the City of Merced to take the following actions:

- Adoption of the Mitigated Negative Declaration (MND);
- Adoption of the Mitigation Monitoring and Reporting Program;
- Adoption of a General Plan Amendment;
- Approval of a Prezone; and
- Approval of a recommendation for LAFCo to approve the Annexation;
- City review and approval of the proposed Grading and Improvement Plans.

The following agencies may be required to issue permits or approve certain aspects of the proposed Project:

- Regional Water Quality Control Board (RWQCB) – Construction activities would be required to be covered under the National Pollution Discharge Elimination System (NPDES);
- RWQCB – The Storm Water Pollution Prevention Plan (SWPPP) would be required to be approved prior to construction activities pursuant to the Clean Water Act;
- San Joaquin Valley Air Pollution Control District (SJVAPCD) – Approval of construction-related air quality permits;

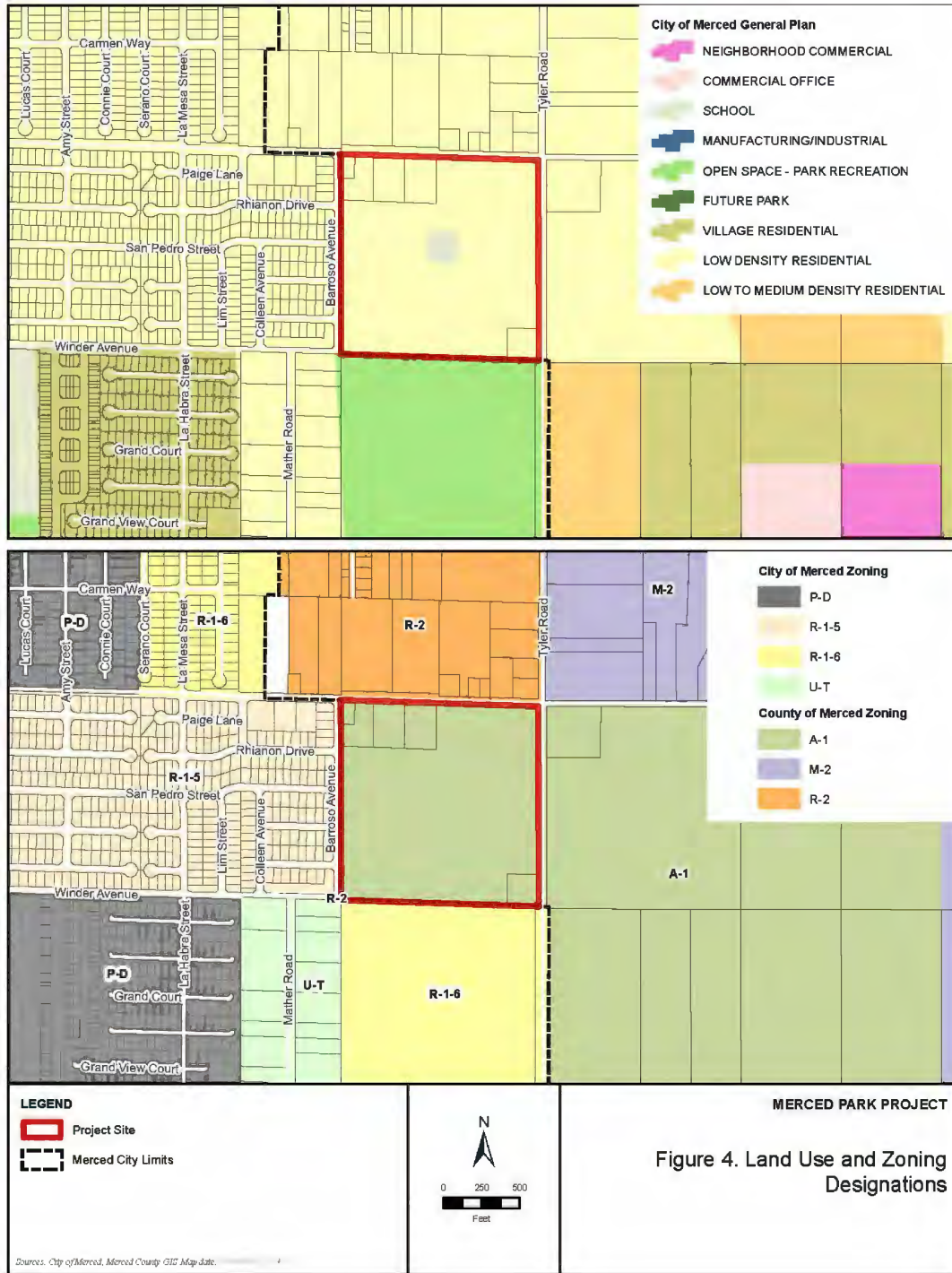




MERCED PARK PROJECT

Figure 2. Site Plan





ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

None of the environmental factors listed below would have potentially significant impacts as a result of development of this project, as described on the following pages.

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

DETERMINATION

On the basis of this initial evaluation:

	I find that the proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
X	I find that although the proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
	I find that the proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
	I find that the proposed Project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
	I find that although the proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed Project, nothing further is required.

Valeria Renteria

May 21, 2026

Signature

Date

EVALUATION INSTRUCTIONS

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and

- b) The mitigation measure identified, if any, to reduce the impact to less than significant.

EVALUATION OF ENVIRONMENTAL IMPACTS

In each area of potential impact listed in this section, there are one or more questions which assess the degree of potential environmental effect. A response is provided to each question using one of the four impact evaluation criteria described below. A discussion of the response is also included.

- **Potentially Significant Impact.** This response is appropriate when there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries, upon completion of the Initial Study, an EIR is required.
- **Less than Significant With Mitigation Incorporated.** This response applies when the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact". The Lead Agency must describe the mitigation measures and briefly explain how they reduce the effect to a less than significant level.
- **Less than Significant Impact.** A less than significant impact is one which is deemed to have little or no adverse effect on the environment. Mitigation measures are, therefore, not necessary, although they may be recommended to further reduce a minor impact.
- **No Impact.** These issues were either identified as having no impact on the environment, or they are not relevant to the project.

ENVIRONMENTAL CHECKLIST

This section of the Initial Study incorporates the most current Appendix "G" Environmental Checklist Form contained in the CEQA Guidelines. Impact questions and responses are included in both tabular and narrative formats for each of the 21 environmental topic areas.

I. AESTHETICS

<i>Would the project:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Have a substantial adverse effect on a scenic vista?			X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
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 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?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

Responses to Checklist Questions

Responses a), c): The City of Merced General Plan does not specifically designate any scenic viewsheds within the City. While the General Plan acknowledges regional scenic resources such as the Sierra Nevada Mountains to the east and the Coast Range to the west, these views are considered broad background vistas and are not formally designated for protection.

The Project site is located within a generally flat area that is characterized by annual grasslands and agricultural uses. The site is immediately adjacent to an existing sports park that is currently under construction. The Project site itself does not contain unique natural features such as ridgelines, rock outcroppings, water bodies, or historic structures that would be considered scenic resources. Views across the Project site are typical of the agricultural landscape that dominates the surrounding area and are not considered unique within the region.

Implementation of the proposed Project would consist of installation of irrigation infrastructure and turf placement. No permanent buildings, lighting, or other structures are currently proposed as part of this phase. As such, the Project would not introduce features that would block, obstruct, or substantially degrade views of the distant Sierra Nevada or Coast Range. Future phases of park development could include recreational facilities or lighting; however, any such development would be subject to separate environmental review at that time.

Because the proposed Project does not contain or obstruct scenic resources, nor would it substantially alter the broad viewshed of the area, it would not result in a substantial adverse effect on a scenic vista. Therefore, implementation of the proposed Project would have a ***less than significant*** impact relative to these topics.

Response b): There are no officially designated State Scenic Highways within or adjacent to the City of Merced. The closest eligible State Scenic Highway segment is State Route 152, which is located approximately 13 miles south of the City limits. The Project site is not visible from this highway, nor from any other roadway designated as a scenic highway by the California Department of Transportation.

The Project site does not contain scenic resources such as mature landmark trees, rock outcroppings, or historic buildings. The site consists primarily of disturbed agricultural land and annual grassland immediately north of an under-construction sports park. The proposed Project involves only irrigation installation and turf placement, which would not result in the removal of scenic resources.

Because the proposed Project would not affect scenic resources and is not located within a state scenic highway corridor, implementation of the proposed Project would result in ***no impact***.

Response d): The proposed Project consists solely of irrigation improvements and turf installation. No new lighting or reflective building materials are proposed as part of this phase. Therefore, the proposed Project would not introduce a new source of substantial light or glare that could adversely affect day or nighttime views in the area.

Future phases of park development may include recreational structures and lighting; however, such facilities are not proposed at this time and would be subject to separate environmental review should a lighting design be developed. Therefore, implementation of the proposed Project would have a ***less than significant*** impact relative to this topic.

II. AGRICULTURE AND FORESTRY RESOURCES

<i>Would the project:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			X	
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?			X	
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 1222(g)) or timberland (as defined in Public Resources Code section 4526)?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
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?				X

Responses to Checklist Questions

Response a): The Project site includes land designated as Prime Farmland, Farmland of Statewide Importance, and unique farmland, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program (FMMP) of the California Resources Agency (California Department of Conservation, 2022). While portions of the Project site are mapped as Prime Farmland by FMMP, the site does not meet the Merced Local Agency Formation Commission (LAFCo) definition of Prime Farmland. Under LAFCo criteria, Prime Farmland must consist of land that is capable of Class I or Class II agricultural production with feasible irrigation; land with a Storie Index Rating of 80 to 100; land supporting livestock at a minimum carrying capacity of one animal unit per acre; land planted with commercial fruit or nut crops; or land that has generated at least \$400 per acre in annual gross agricultural value for three of the previous five years. The Project site is largely undeveloped (with the existing of existing single-family residences), but is has not recently supported commercial crop production, livestock operations, orchards, or other agricultural uses meeting LAFCo’s productivity thresholds, nor has it demonstrated sustained agricultural production at the minimum economic return required to qualify as Prime Farmland under LAFCo criteria. As a result, although mapped as Prime Farmland for statewide inventory purposes, the site does not qualify as Prime Farmland as defined by Merced LAFCo. The proposed project would result in the conversion of this FMMP designated Prime Farmland and Farmland of Statewide Importance to a non-agricultural use. The conversion of Important Farmland to non-agricultural uses was previously evaluated in the Merced Vision 2030 General Plan EIR, which identified farmland conversion as a significant and unavoidable impact of planned growth in the area. The City adopted a Statement of Overriding Considerations in certifying that document, acknowledging that farmland conversion would occur as part of urban development. The impacts from the proposed Project are not greater than what was anticipated under the General Plan EIR.

The City of Merced does not currently administer an agricultural mitigation fee program; however, the City requires consistency with General Plan goals and policies that encourage the preservation of farmland through compact, orderly development patterns to reduce overall farmland conversion. The proposed Project would convert land to Open Space/Park use, which would not induce additional agricultural land conversion beyond that already anticipated under the General Plan. Because the Project site is within the City's Sphere of Influence and planned for annexation and urban development, the proposed conversion is consistent with the City's land use planning framework. Therefore, the proposed project would have a *less than significant* impact relative to this issue.

Response b): The Project site does not include any land in a Williamson Act contract. The Project site is designated as Low Density Residential by the Merced General Plan Land Use Map. The Project site is currently zoned for agricultural use under Merced County jurisdiction. However, the site is planned to be rezoned and annexed into the City of Merced for development as a recreational facility under park and open space designation. The change in jurisdiction and rezoning would remove the agricultural designation and apply an appropriate City zoning classification consistent with park and open space use.

While the proposed Project would result in the conversion of land from agricultural zoning to urban parkland, this conversion is consistent with the City's long-range land use planning, annexation policies, and community need for recreational facilities. No indirect or secondary conflicts with surrounding agricultural uses are anticipated, as the park use is compatible with urban edge conditions and will be buffered through landscaping and design.

The proposed Project does not conflict with existing zoning for agricultural use, or a Williamson Act contract. Therefore, implementation of the proposed Project would have *less than significant* relative to this issue.

Response c): The Project site is not forest land (as defined in Public Resources Code section 1222(g)) or timberland (as defined in Public Resources Code section 4526). The proposed Project would not conflict with existing zoning for, or cause rezoning of, forest land or timberland. Implementation of the proposed Project would have *no impact* relative to this issue.

Response d): The Project site is not forest land. The proposed Project would not result in the loss of forest land or conversion of forest land to non-forest use. Implementation of the proposed Project would have *no impact* relative to this issue.

Response e): The Project site does not contain forest land, and there is no forest land in the vicinity of the Project site. The proposed Project does not involve any other changes in the existing environment not disclosed under the previous responses 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. Therefore, implementation of the proposed Project would have *no impact* relative to this issue.

III. AIR QUALITY

<i>Would the project:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
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?			X	
c) Expose sensitive receptors to substantial pollutant concentrations?			X	
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?			X	

The Project site is located within the San Joaquin Valley Air Pollution Control District (SJVAPCD). This agency is responsible for monitoring air pollution levels and ensuring compliance with federal and state air quality regulations within the San Joaquin Valley Air Basin (SJVAB) and has jurisdiction over most air quality matters within its borders.

Responses to Checklist Questions

Responses a), b): The San Joaquin Valley Air Pollution Control District (SJVAPCD) utilizes its Small Project Analysis Level (SPAL) thresholds to screen projects for potentially significant air quality impacts. Projects that fall below the SPAL thresholds are presumed to have a less than significant impact on air quality, would not conflict with or obstruct implementation of an applicable air quality plan, and would not contribute to a cumulatively considerable net increase of any criteria pollutant.

For city park uses, the SJVAPCD has established a project size threshold of 256 acres and a daily trip generation threshold of 1,100 trips per day. The Proposed Project involves approximately 34.81 acres and would be limited to turf and irrigation improvements associated with an expansion of Community Park – 42 South. The proposed Project does not include development that would generate substantial traffic or ongoing operational emissions.

The growth projections used for the City of Merced General Plan assume that growth in population, vehicle use, and other source categories will occur consistent with the rates used to develop the SJVAPCD’s attainment plans. The amount of growth predicted for the General Plan is accommodated by the SJVAPCD’s attainment plan and allows the air basin to meet federal and state attainment requirements. Future development on the Project site is required to comply with SJVAPCD rules and regulations.

Furthermore, the proposed Project will comply with the Merced Vision 2030 General Plan and the Goals, Policies, and Objectives of the Regional Transportation Plan (RTP) adopted by the Merced County Association of Governments (MCAG). Because the proposed Project would generate less than significant project-level impacts related to criteria air pollutants, the cumulative increase of any criteria pollutant would also be less than significant.

Since the proposed Project is well below the SJVAPCD's SPAL thresholds, it is considered to have a ***less than significant impact*** on air quality, would not conflict with the SJVAPCD's air quality plans and would not contribute substantially to a cumulative air quality impact or net increase of criteria pollutants.

Response c): Sensitive receptors are those individuals within the population that have an increased sensitivity to air pollution or environmental contaminants. Sensitive receptors include children, the elderly, and those with pre-existing serious health problems affected by air quality, and sensitive receptor locations include schools, parks and playgrounds, day care center, nursing homes, hospitals, and residences. The closest sensitive receptors are the residential properties located adjacent to the Project site (to the west), on the opposite side of Barroso Avenue.

The construction phase of the proposed Project would be temporary and short-term, and the implementation of all State, Federal, and SJVAPCD requirements would greatly reduce pollution concentrations generated during construction activities. Temporary pollutant emissions may occur from construction equipment and vehicle trips associated with irrigation and turf installation. Standard construction best management practices, including equipment maintenance and dust control, would be implemented to minimize air quality impacts.

Therefore, dust from construction of the proposed Project would be reduced and would be consistent with SJVAPCD guidance on this topic. Impacts to sensitive receptors during construction would be negligible. In addition, Long-term operational emissions would be minimal, limited primarily to irrigation pump electricity usage and occasional maintenance equipment. The proposed Project would not include industrial, commercial, or high-traffic-generating uses, and would therefore produce negligible criteria pollutant emissions. This project would have a ***less than significant*** impact relative to this topic.

Response d): The proposed Project would not generate objectionable odors that would adversely affect substantial numbers of people. People in the immediate vicinity of construction activities may be subject to temporary odors typically associated with construction activities (diesel exhaust, hot asphalt, etc.). However, any odors generated by construction activities would be minor and would be short and temporary in duration.

Examples of facilities that are known producers of operational odors include: Wastewater Treatment Facilities, Chemical Manufacturing, Sanitary Landfill, Fiberglass Manufacturing, Transfer Station, Painting/Coating Operations (e.g. auto body shops), Composting Facility, Food Processing Facility, Petroleum Refinery, Feed Lot/Dairy, Asphalt Batch Plant, and Rendering Plant. The proposed Project would not contain any of these land uses. If a project would locate receptors and known odor sources in proximity to each other further analysis may be warranted; however, if a project would not locate receptors and known odor sources in proximity to each other, then further analysis is not warranted.

The proposed Project does not include any of the uses. Additionally, construction activities would be temporary and minor. Lastly, other emissions are evaluated in responses a-c), as provided above. Therefore, implementation of the proposed Project would have a ***less than significant*** impact relative to this topic.

IV. BIOLOGICAL RESOURCES

<i>Would the project:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?				X
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?				X
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?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
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?				X

Regional Setting

The City of Merced is in the northern portion of the San Joaquin Valley, which forms the southern half of the Great Valley Geomorphic Province of California. The Great Valley is a broad, flat alluvial basin bounded by the Sierra Nevada to the east and the Coast Ranges to the west. The Merced River, located just north of the City, is a major tributary of the San Joaquin River and provides a significant drainage feature for the region. Ultimately, the San Joaquin River system drains northward into the Sacramento–San Joaquin Delta, discharging into the San Francisco Bay.

The City of Merced lies within the San Joaquin Valley Bioregion, which includes Kings County, most of Fresno, Kern, Merced, and Stanislaus counties, and portions of Madera, San Luis Obispo, and Tulare counties. The San Joaquin Valley Bioregion is the state’s leading agricultural region and one of the most productive agricultural areas in the world due to its fertile soils, flat terrain, and extensive irrigation infrastructure. Major urban centers in the bioregion include Fresno, Bakersfield, Stockton, and Modesto, in addition to Merced, which is recognized as the “Gateway to Yosemite” due to its location along State Route 140 leading into Yosemite National Park. Interstate 5 and State Route 99 provide the major north-south transportation corridors in the Valley.

Habitat types in the San Joaquin Valley Bioregion historically included vernal pools, freshwater marshes, valley sink scrub, saltbush scrub, native grasslands, arid plains, and oak savannahs. However, most of these habitats have been converted to agricultural and urban uses. Only small remnants of wetlands, vernal pools, and grasslands remain, many of which are protected in wildlife refuges and preserves such as the San Luis National Wildlife Refuge Complex west of Merced.

The climate of the Merced region is Mediterranean, with hot, dry summers and cool, damp winters often characterized by tule fog. Average annual precipitation in Merced is approximately 12.5 inches, most of which falls between November and April, with January typically being the wettest month. Average temperatures range from winter lows in the upper 30s (°F) to summer highs in the mid-90s (°F).

Responses to Checklist Questions

Response a): The Project site is composed of previously disturbed agricultural land and annual grasslands located adjacent to the existing Community Park – 42 South, which is currently under construction. Site disturbance and ongoing agricultural use have reduced habitat quality for sensitive plant and wildlife species. The site does not contain unique habitat features such as wetlands, riparian corridors, or woodlands that would support candidate, sensitive, or special-status species. A concrete lined agricultural irrigation ditch exists along Tyler Road, and an earthen agricultural ditch exists along East Gerard. These facilities do not provide high quality habitat, and are aquatic periodically associated with the agricultural activities.

Special-status plants generally occur in relatively undisturbed areas in vegetation communities such as vernal pools, marshes and swamps, seasonal wetlands, riparian scrub, and areas with unusual soils. All special-status plants in area occur in habitat types that do not occur on the Project site. The site contains ruderal grassland species that is routinely disked and the site has been historically farmed for decades and is not suitable for special-status plants. No special-status plants or potentially suitable habitat for special-status plants are observed on the Project site. Due to lack of suitable habitat, it is unlikely that special status plants occur in the Project site. Human settlement has involved a high frequency of ground disturbance associated with the historical farming activities in the region, including the Project site. Therefore, the Project site does not contain suitable habitat for special-status plant species.

A records search was performed through the California Natural Diversity Database (CNDDDB) and U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) to develop a list of potential species that could be present on the Project site. The full records are contained in Appendix A. While the Project site may have provided habitat for several of the special-status wildlife species at some time in the past, intensive farming and development have substantially modified natural habitats in the greater project vicinity, including those in the Project site. Many raptor species, such as Swainson's hawk, burrowing owl, and white-tailed kite have the potential to occur on the Project site on more than a transitory or very occasional basis. Each of these species are discussed below in more detail.

Swainson's Hawk. The Swainson's hawk is threatened in California and is protected by the California Department of Fish and Wildlife (CDFW) and the Migratory Bird Treaty Act (MBTA). Additionally, Swainson's hawk foraging habitat is protected by the CDFW. Swainson's hawks forage in open grasslands and agricultural fields and commonly nest in solitary trees and riparian areas near foraging habitat. The agricultural land on the Project site provides foraging habitat for Swainson's hawk. There are also several potential nest trees along the edge, outside of the Project site, and annual cropland and grasslands in the region provide suitable foraging habitat for this

species. Mitigation measures are required for this species since there are suitable nesting and foraging habitat on or near the Project site.

Burrowing Owls. The burrowing owl is an endangered candidate in California that nest from February 1 through August 31. They are a year-long resident in a variety of grasslands as well as scrub lands that have a low density of trees and shrubs with low growing vegetation. The primary habitat requirement is small mammal burrows for nesting, usually abandoned ground squirrel burrows, although they have been known to dig their own burrows in softer soils. In urban areas, burrowing owls often utilize artificial burrows including pipes, culverts, and piles of concrete pieces. This semi-colonial owl that is most active while hunting during dawn and dusk. The intensity of development and agriculture within and surrounding the Project site reduces the likelihood of burrowing owls using the Project site for nesting. If burrow habitat becomes available in the future, this species may utilize habitats in the Project site for nesting.

White-Tailed Kite. White-tailed kite is a State of California Species of Concern, but is not a listed species at the state or federal level. The Migratory Bird Treaty Act and Fish and Game Code protect white-tailed kite year-round, as well as their nests during nesting season; nesting for this species peaks from May to August. White-tailed kites can be found in a variety of habitats across California including grasslands, open woodlands, riparian areas, marshes, and cultivated fields. Populations of white-tailed kites are concentrated in the Central Valley, but their range spans west of the Sierra Nevada's to the California coastline. White-tailed kite may nest in trees in or near the Project site and may forage in the onsite fields and grasslands near the Project site. Nesting usually commences in the early spring, concurrent with other resident Central Valley raptors, and most young fledge by early-July.

The proposed Project would be required to comply with the City's General Plan and adopted Federal, State, and local regulations for the protection of special-status plants and animals, including habitat. The City of Merced General Plan includes numerous policies and actions intended to protect special-status plants and animals, including habitat, from adverse effects associated with future development and improvement projects. Therefore, with implementation of the following mitigation measures, the proposed Project would have a ***less than significant*** impact relative to this topic.

Mitigation Measures

Mitigation Measure BIO-1: *Prior to the commencement of grading activities or other ground disturbing activities on the Project site, the project applicant shall arrange for a qualified biologist to conduct a preconstruction survey for Swainson's hawks. If no hawks or hawk nests are detected, then construction activities may commence. If Swainson's hawks or occupied nests are discovered, then the following shall be implemented:*

- *During the nesting season (February 15 through August 31) if Swainson's hawks are nesting in or near the Project site, a construction setback of 250 feet of the nest tree (as measured from under the nest) would be required until nesting is complete.*

Mitigation Measure BIO-2: *Prior to the commencement of grading activities or other ground disturbing activities on the Project site, the project applicant shall arrange for a qualified biologist to conduct a preconstruction survey for burrowing owls. If no owls or owl nests are detected, then construction activities may commence. If burrowing owls or occupied nests are discovered, then the following shall be implemented:*

- *During the nesting season (February 1 through August 31) and burrowing owls are present on-site, a 250-foot construction setback from the natal burrow would be required until nesting is complete.*
- *Outside the nesting season (September 1 through January 31) burrowing owls occupying the Project site should be evicted from the Project site by passive relocation as described in the California Department of Fish and Game's Staff Report on Burrowing Owls (Oct., 1995)*

Mitigation Measure BIO-3: *Prior to the commencement of grading activities or other ground disturbing activities on the Project site, the project applicant shall arrange for a qualified biologist to conduct a preconstruction survey for white-tailed kites. If no kites or kite nests are detected, then construction activities may commence. If white-tailed kite or occupied nests are discovered, then the following shall be implemented:*

- *During the nesting season (February 15 through September 15) occupied nests shall not be disturbed and shall be provided with a 100-foot construction setback from the nest until nesting is complete.*

Response b): There is no riparian habitat on the Project site. The Project site consists of disturbed agricultural land and annual grasslands. The site has been previously graded and cultivated and does not support riparian habitat, wetlands, or other sensitive natural communities such as vernal pools or oak woodlands. No natural drainage features or waterways occur on or adjacent to the Project site.

As the proposed Project is limited to installation of irrigation facilities and turf placement, no sensitive habitats would be altered, removed, or otherwise adversely affected. Future phases of park development could include additional recreational amenities; however, such improvements would occur on the same disturbed footprint and would be subject to subsequent environmental review if pursued. Implementation of the proposed Project would have **no impact** relative to this topic.

Response c): A concrete lined agricultural irrigation ditch exists along Tyler Road, and an earthen agricultural ditch exists along East Gerard. The Project site does not contain protected wetlands or other jurisdictional areas and there is no need for permitting associated with the federal or state Clean Water Acts. Absent any wetlands or jurisdictional waters, implementation of the proposed Project would have **no impact** relative to this topic.

Response d): The Project site does not contain water features, riparian corridors, or other natural landscape linkages that would function as a migratory fish or wildlife corridor. Wildlife movement in the region is generally limited due to surrounding agricultural operations, roadways, and urban development.

Although some common urban-adapted species (e.g., ground squirrels, doves, raptors) may opportunistically forage in the area, the Project site does not provide suitable conditions for native wildlife nursery sites or serve as a significant movement corridor. The Project improvements are limited to irrigation and turf installation, which would not introduce barriers to wildlife movement or impede access to surrounding areas. The land uses within the Project site would not have any direct disturbance to the movement corridor or habitat. Implementation of the proposed Project would have **no impact** relative to this topic.

Response e): The City of Merced does not have a local tree preservation ordinance or other local regulations specifically protecting biological resources beyond compliance with state and federal requirements. The Project site consists of disturbed agricultural land and annual grassland without mature native trees, woodlands, or other biological resources that would be subject to local policy protections.

As the proposed Project scope is limited to installation of irrigation facilities and turf placement, no removal of trees or other resources subject to a local ordinance would occur. Therefore, the proposed project would have **no impact** relative to this topic.

Response f): The Project site is located within the City of Merced Sphere of Influence and is currently designated for Low Density Residential use under the City's Vision 2030 General Plan. The site is not located within the boundaries of an adopted Habitat Conservation Plan (HCP) or Natural Community Conservation Plan (NCCP). While Merced County participates in the San Joaquin Valley Blueprint and other regional planning efforts, there is no adopted HCP or NCCP that applies to the Project site.

Because the proposed Project is limited to irrigation and turf installation on previously disturbed agricultural land, it would not conflict with the provisions of any adopted local, regional, or state habitat conservation plan. Therefore, the proposed Project would result in **no impact** relative to habitat conservation plans.

V. CULTURAL RESOURCES

<i>Would the project:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?		X		
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?		X		
c) Disturb any human remains, including those interred outside of formal cemeteries?		X		

Responses to Checklist Questions

Response a), b): A cultural resource assessment has been prepared for the proposed Project (Appendix B). Records of previously recorded cultural resources and cultural resource investigations were examined by the Central California Information Center (CCIC) of the California Historical Resources Information System on for the Project site and a ¼-mile radius CCIC File 134011) on June 26, 2025. The two resources are not associated with important people or events in history. The buildings associated with these features have both been torn down. There are thousands of similar features that date to the post-World War II and post Korean-Conflict in rural areas of the Central Valley. There is no further research value to these features. They are not important under the criteria of the California Register. There are no resources formally recorded at the CCIC in the Project area or in the ¼-mile radius search area.

Although no prehistoric sites were found during the survey, there is a slight possibility that a site may exist and be totally obscured by vegetation, fill, or other historic activities, leaving no surface evidence. Should artifacts or unusual amounts of stone, bone, or shell be uncovered during construction activities, an archeologist should be consulted for on-the-spot evaluation of the finding. As such, Mitigation Measure CUL-1 requires standard inadvertent discovery procedures to be implemented if subsurface historical or archaeological resources are encountered during construction. With the implementation of mitigation, impacts would be reduced to a level of ***less than significant***.

Mitigation Measures

Mitigation Measure CUL-1: *If potentially significant historic resources are encountered during subsurface excavation activities, all construction activities within a 100-foot radius of the resource shall cease until a qualified archaeologist determines whether the resource requires further study. The City shall require that the applicant include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. Any previously undiscovered resources found during construction shall be recorded on appropriate California Department of Parks and Recreation forms and evaluated for significance in terms of California Environmental Quality Act criteria by a qualified archaeologist. Potentially significant cultural resources consist of but are not limited to stone, bone, fossils, wood, or shell artifacts or features, including hearths, structural remains, or historic dumpsites. If the resource is determined to be significant under CEQA, the City and a qualified archaeologist shall determine whether preservation in place is feasible. Such preservation in place is the preferred mitigation. If such preservation is infeasible, the qualified archaeologist shall prepare and implement a research design and archaeological data recovery plan for the resource. The archaeologist shall also conduct appropriate technical analyses, prepare a comprehensive written report, and file it with the appropriate information center (California*

Historical Resources Information System), and provide for the permanent curation of the recovered materials.

Mitigation Measure CUL-2: *If potentially significant archaeological resources are encountered during subsurface excavation activities, all construction activities within a 100-foot radius of the resource shall cease until a qualified archaeologist determines whether the resource requires further study. The City shall require that the applicant include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. Any previously undiscovered resources found during construction shall be recorded on appropriate Department of Parks and Recreation forms and evaluated for significance in terms of California Environmental Quality Act criteria by a qualified archaeologist. Potentially significant cultural resources consist of but are not limited to stone, bone, fossils, wood, or shell artifacts or features, including hearths, structural remains, or historic dumpsites. If the resource is determined to be significant under CEQA, the City and a qualified archaeologist shall determine whether preservation in place is feasible. Such preservation in place is the preferred mitigation. If such preservation is infeasible, the qualified archaeologist shall prepare and implement a research design and archaeological data recovery plan for the resource. The archaeologist shall also conduct appropriate technical analyses, prepare a comprehensive written report, and file it with the appropriate information center (California Historical Resources Information System), and provide for the permanent curation of the recovered materials.*

Response c): There are no known burial sites within the Project area. The pedestrian survey conducted for the proposed Project did not find any evidence of human remains or burial goods within the Project site. In addition, none of the previous surveys that included the Project area or were within a 0.25-mile radius reported finding any human remains. Nonetheless, the possibility exists that subsurface construction activities may encounter previously undiscovered human remains. Accordingly, this is a potentially significant impact. Mitigation Measure CUL-3 requires standard inadvertent discovery procedures to be implemented if subsurface cultural resources are encountered during construction. With the implementation of mitigation, impacts would be reduced to a level of ***less than significant***.

Mitigation Measures

Mitigation Measure CUL-3: *If previously unknown human remains are encountered during construction activities, Section 7050.5 of the California Health and Safety Code applies, and the following procedures shall be followed: In the event of an accidental discovery or recognition of any human remains, Public Resource Code Section 5097.98 must be followed. Once project-related ground disturbance begins and if there is accidental discovery of human remains, the following steps shall be taken:*

- *There shall be no further excavation or disturbance of the site, or any nearby area reasonably suspected to overlie adjacent human remains until the Merced County Coroner's Office is contacted to determine if the remains are Native American and if an investigation into cause of death is required. If the coroner determines the remains are Native American, the coroner shall contact the NAHC within 24 hours, and the NAHC shall identify the person or persons it believes to be the "most likely descendant" of the deceased Native American. The most likely descendant may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98.*

VI. ENERGY

<i>Would the project:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			X	
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			X	

Responses to Checklist Questions

Responses a), b): Appendix G of the State CEQA Guidelines requires consideration of the potentially significant energy implications of a project. CEQA requires mitigation measures to reduce “wasteful, inefficient and unnecessary” energy usage (Public Resources Code Section 21100, subdivision [b][3]). According to Appendix G of the CEQA Guidelines, the means to achieve the goal of conserving energy include decreasing overall energy consumption, decreasing reliance on natural gas and oil, and increasing reliance on renewable energy sources. In particular, the proposed Project would be considered “wasteful, inefficient, and unnecessary” if it were to violate state and federal energy standards and/or result in significant adverse impacts related to project energy requirements, energy inefficiencies, energy intensiveness of materials, cause significant impacts on local and regional energy supplies or generate requirements for additional capacity, fail to comply with existing energy standards, otherwise result in significant adverse impacts on energy resources, or conflict or create an inconsistency with applicable plan, policy, or regulation.

Construction activities would involve installation of irrigation systems and turf, which would require standard fuel consumption by off-road construction equipment and construction-related vehicle trips. Operational energy use would be limited to electricity for irrigation systems and minimal maintenance equipment.

The proposed Project does not include high-energy-use facilities, residential, or commercial development. Energy consumption during construction and operation would be typical for park development and would not constitute wasteful, inefficient, or unnecessary use of energy resources. The proposed Project would comply with applicable state and local energy efficiency standards and best management practices.

Conclusion

The proposed Project would follow all applicable federal, state, and local regulations regulating energy usage. For example, statewide measures, including those intended to improve the energy efficiency of the statewide passenger and heavy-duty truck vehicle fleet (e.g. the Pavley Bill and the Low Carbon Fuel Standard) are improving vehicle fuel economies, thereby conserving gasoline and diesel fuel. These energy savings would continue to accrue over time.

As a result, the proposed Project would not result in any significant adverse impacts related to project energy requirements, energy use inefficiencies, and/or the energy intensiveness of materials by amount and fuel type for each stage of the proposed Project including construction, operations, maintenance, and/or removal. Electric service to the Project site would be provided by Merced Irrigation District (MID). MID maintains sufficient electrical infrastructure and capacity within the Merced area to serve the limited demands associated with the proposed

Project. MID's power supply includes renewable energy resources and the utility implements energy efficiency and demand-side management programs consistent with applicable State requirements. The proposed Project would comply with all existing energy standards, including the statewide Title 24 Energy Efficiency Standards, and would not result in significant adverse impacts on energy resources. Therefore, the proposed Project would not result in potentially significant environmental impacts due to inefficient, wasteful, or unnecessary use of energy resources during construction and operation, nor conflict with or construct with a State or local plan for renewable energy or energy efficiency. This is a *less than significant* impact.

VII. GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:			X	
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?			X	
b) Result in substantial soil erosion or the loss of topsoil?			X	
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?			X	
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?			X	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	

Responses to Checklist Questions

Responses a.i), a.ii), a.iv): The site is not located within a currently designated Alquist-Priolo Earthquake Fault Zone, and known surface expression of active faults does not exist within the site. However, the site is located within a seismically active region. The U.S. Geological Survey identifies potential seismic sources within approximately 20 miles of the Project site. The nearest significant active faults to Merced are approximately 15 miles west, including the San Andreas Fault, which is the most prominent fault in California. Other notable faults in the region include the Hayward, Greenville, and Calaveras Faults to the northwest, and the Bear Mountain Fault Zone located about five miles east of Merced.

Despite the proximity of these faults, Merced County experiences relatively low seismic hazards due to the considerable distance between the city and these active fault lines. Seismic activity in the area is infrequent, with recent minor earthquakes recorded in nearby regions such as Tres Pinos and Los Banos.

Geologic Hazards

Potential seismic hazards resulting from a nearby moderate to major earthquake could generally be classified as primary and secondary. The primary seismic hazard is ground rupture, also called surface faulting. The common secondary seismic hazards include ground shaking and ground lurching.

Ground Rupture

Because the property does not have known active faults crossing the site, and the site is not located within an Earthquake Fault Special Study Zone, ground rupture is unlikely at the subject property.

Ground Shaking

According to the California Geological Survey's Probabilistic Seismic Hazard Assessment Program, Merced is within an area that is predicted to have a 10 percent probability that a seismic event would produce horizontal ground shaking of 10 to 20 percent within a 50-year period. This level of ground shaking correlates to a Modified Mercalli intensity of V to VII, light to strong. As a result of these factors the California Geological Survey has defined the entire county as a seismic hazard zone. There will always be a potential for groundshaking caused by seismic activity anywhere in California, including the Project site.

Landslides

The proposed Project site is not susceptible to landslides because the area is essentially flat.

Conclusion

To minimize potential damage to the proposed site improvements, all construction in California is required to be designed in accordance with the latest seismic design standards of the California Building Standards Code. Design in accordance with these standards would reduce any potential impact to a less than significant level. Because all development in the Project site must be designed in conformance with these State standards, any potential impact would be considered ***less than significant***.

Responses a.iii), c), d): Liquefaction normally occurs when sites underlain by saturated, loose to medium dense, granular soils are subjected to relatively high ground shaking. During an earthquake, ground shaking may cause certain types of soil deposits to lose shear strength, resulting in ground settlement, oscillation, loss of bearing capacity, landsliding, and the buoyant rise of buried structures. The majority of liquefaction hazards are associated with sandy soils, silty soils of low plasticity, and some gravelly soils. Cohesive soils are generally not considered to be susceptible to liquefaction. In general, liquefaction hazards are most severe within the upper 50 feet of the surface, except where slope faces or deep foundations are present.

Expansive soils are those that undergo volume changes as moisture content fluctuates; swelling substantially when wet or shrinking when dry. Soil expansion can damage structures by cracking

foundations, causing settlement, and distorting structural elements. Expansion is a typical characteristic of clay-type soils. Expansive soils shrink and swell in volume during changes in moisture content, such because of seasonal rain events, and can cause damage to foundations, concrete slabs, roadway improvements, and pavement sections.

Soil expansion is dependent on many factors. The more clayey, critically expansive surface soil and fill materials will be subjected to volume changes during seasonal fluctuations in moisture content. There are no expansive (i.e. shrink-swell) soils within the Project site. The soils encountered at the Project site consist of Landlow silty clay loam (at the center of the Project site) and Wyman clay loam (within the northern portion of the Project site), and Yokohl clay loam (within the southern portion of the Project site).

Soils in the area consist primarily of alluvial deposits, which are characteristic of the Valley floor. The Project site is not located in a mapped landslide hazard zone and is not adjacent to any steep slopes that could contribute to off-site landslide risk. While portions of the San Joaquin Valley are susceptible to liquefaction and lateral spreading during a significant seismic event, the Project area is considered to have a moderate-to-low liquefaction potential due to the shallow groundwater table and soil compaction from previous agricultural use.

The Project site does not contain expansive soils at levels that are expected to pose substantial risk to life or property based on the proposed characteristics of the proposed Project, and construction would be subject to standard engineering and building code requirements per the California Building Code, including soil compaction, grading, and stabilization measures. The proposed Project consists primarily of irrigation improvements and turf installation, which do not involve structures or grading that would exacerbate geologic hazards or soil instability.

Therefore, the proposed Project would not result in significant risks related to liquefaction, soil instability, landslides, lateral spreading, subsidence, or expansive soils, and impacts would be ***less than significant***.

Response b): The Project site consists of previously disturbed agricultural land that has been routinely disked and cultivated. The proposed improvements are limited to installation of irrigation facilities and turf placement, which would require minor grading and trenching. These activities could temporarily expose soils to wind or water erosion during construction. However, given the relatively flat topography of the site, the potential for substantial soil loss is low.

The proposed Project would be required to comply with the City of Merced Municipal Code and applicable State Water Resources Control Board requirements, including implementation of standard construction best management practices (BMPs) to control dust, prevent runoff, and minimize soil disturbance. Following construction, the site would be stabilized with turf, which would reduce long-term erosion potential compared to the existing bare and cultivated condition. Therefore, with implementation of standard regulatory requirements, the proposed Project would not result in substantial soil erosion or the loss of topsoil. Impacts would be ***less than significant***.

Response e): No septic systems will be used or developed as part of the proposed project. Therefore, ***no impact*** would occur related to soils incapable of adequately supporting the use of septic tanks.

Response f): Known paleontological resources or sites are not located on the Project site. Additionally, unique geologic features are not located on the site. The site is currently undeveloped and surrounded by existing or future urban development. Additionally, as discussed

in Section V, Cultural Resources, if plant or animal fossils are discovered during subsurface excavation activities, Mitigation Measure GEO-1 would all excavation within 50 feet of the fossil to cease until a paleontologist has determined the significance of the find and provided recommendations in accordance with Society of Vertebrate Paleontology standards. If the find is determined to be significant and the City determines that avoidance is not feasible, the paleontologist would design and implement a data recovery plan consistent with the Society of Vertebrate Paleontology standards, to be submitted to the City for review and approval. With implementation of the following mitigation measure, impacts to paleontological resources or unique geologic features are not expected. This is a ***less than significant*** impact.

Mitigation Measures

Mitigation Measure GEO-1: *If plant or animal fossils are discovered during subsurface excavation activities for the proposed project, all excavation within 50 feet of the fossil shall cease until a qualified paleontologist has determined the significance of the find and provides recommendations in accordance with Society of Vertebrate Paleontology standards. The paleontologist shall notify the City of Merced to determine procedures to be followed before construction is allowed to resume at the location of the find. If the find is determined to be significant and the City determines that avoidance is not feasible, the paleontologist shall design and implement a data recovery plan consistent with the Society of Vertebrate Paleontology standards. The plan shall be submitted to the City for review and approval. Upon approval, the plan shall be incorporated into the project.*

VIII. GREENHOUSE GAS EMISSIONS

<i>Would the project:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gasses?			X	

Background

Various gases in the Earth’s atmosphere, classified as atmospheric greenhouse gases (GHGs), play a critical role in determining the Earth’s surface temperature. Solar radiation enters Earth’s atmosphere from space, and a portion of the radiation is absorbed by the Earth’s surface. The Earth emits this radiation back toward space, but the properties of the radiation change from high-frequency solar radiation to lower-frequency infrared radiation.

Naturally occurring GHGs include water vapor (H₂O), carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), and ozone (O₃). Several classes of halogenated substances that contain fluorine, chlorine, or bromine are also GHGs, but they are, for the most part, solely a product of industrial activities. Although the direct GHGs CO₂, CH₄, and N₂O occur naturally in the atmosphere, human activities have changed their atmospheric concentrations. From the pre-industrial era (i.e., ending about 1750) to 2019, concentrations of these three GHGs have increased globally by 47, 156, and 23 percent, respectively (IPCC, 2023).¹

Greenhouse gases, which are transparent to solar radiation, are effective in absorbing infrared radiation. As a result, this radiation that otherwise would have escaped back into space is now retained, resulting in a warming of the atmosphere. This phenomenon is known as the greenhouse effect. Among the prominent GHGs contributing to the greenhouse effect are carbon dioxide (CO₂), methane (CH₄), ozone (O₃), water vapor, nitrous oxide (N₂O), and chlorofluorocarbons (CFCs).

Emissions of GHGs contributing to global climate change are attributable in large part to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors. In California, the transportation sector is the largest emitter of GHGs, followed by the industrial and electricity generation sectors (California Energy Commission, 2023).²

As the name implies, global climate change is a global problem. GHGs are global pollutants, unlike criteria air pollutants and toxic air contaminants, which are pollutants of regional and local

¹ IPCC. Climate Change 2023: The Physical Science Basis. Intergovernmental Panel on Climate Change, 2023.

² California Energy Commission. California's State Greenhouse Gas Emissions Inventory: 2023 Edition. California Energy Commission, 2023.

concern, respectively. California produced 369 million gross metric tons of carbon dioxide equivalents (MMTCO_{2e}) in 2022 (California Air Resources Board, 2023).³

Carbon dioxide equivalents are a measurement used to account for the fact that different GHGs have different potential to retain infrared radiation in the atmosphere and contribute to the greenhouse effect. This potential, known as the global warming potential of a GHG, is also dependent on the lifetime, or persistence, of the gas molecule in the atmosphere. Expressing GHG emissions in carbon dioxide equivalents takes the contribution of all GHG emissions to the greenhouse effect and converts them to a single unit equivalent to the effect that would occur if only CO₂ were being emitted.

Consumption of fossil fuels in the transportation sector was the single largest source of California's GHG emissions in 2022, accounting for 38% of total GHG emissions in the State. This category was followed by the industrial sector (23%), the electricity generation sector (including both in-state and out-of-state sources) (16%), the agriculture and forestry sector (9%), the residential energy consumption sector (8%), and the commercial energy consumption sector (6%).⁴

Responses to Checklist Questions

Response a) and b): Less than Significant. Existing science is inadequate to support quantification of impacts that project specific GHG emissions have on global climatic change. This is readily understood when one considers that global climatic change is the result of the total sum of GHG emissions, both man-made and natural that occurred in the past; that is occurring now; and will occur in the future. The effects of project specific GHG emissions are cumulative, and unless reduced or mitigated, their incremental contribution to global climatic change could be considered significant.

The SJVAPCD's Guidance for Assessing and Mitigating Air Quality Impacts (SJVAPCD, 2015) provides an approach to assessing a project's impacts on greenhouse gas emissions by evaluating the proposed Project's emissions to the "reduction targets" established in the CARB's AB 32 Scoping Plan. For instance, the SJVAPCD's guidance recommends that projects should demonstrate that *"project specific GHG emissions would be reduced or mitigated by at least 29%, compared to Business as Usual (BAU), including GHG emission reductions achieved since the 2002-2004 baseline period, consistent with GHG emission reduction targets established in ARB's AB 32 Scoping Plan. Projects achieving at least a 29% GHG emission reduction compared to BAU would be determined to have a less than significant individual and cumulative impact for GHG."*

After the SJVAPCD's approval of the *Final Draft Guidance for Assessing and Mitigating Air Quality Impacts* (SJVAPCD 2015), the California Supreme Court issued an opinion that affects the conclusions that should/should not be drawn from a GHG emissions analysis that is based on consistency with the AB 32 Scoping Plan. More specifically, in *Center for Biological Diversity v. California Department of Fish and Wildlife*, the Court ruled that showing a "project-level reduction" that meets or exceeds the Scoping Plan's overall statewide GHG reduction goal is not necessarily sufficient to show that the proposed Project's GHG impacts will be adequately mitigated: *"the Scoping Plan nowhere related that statewide level of reduction effort to the*

³ California Air Resources Board. California Greenhouse Gas Emissions Inventory: 2023 Edition. California Air Resources Board, 2023.

⁴ California Air Resources Board. 2022. 2022 Scoping Plan for Achieving Carbon Neutrality. November 16, 2022.

percentage of reduction that would or should be required from individual projects...” According to the Court, the lead agency cannot simply assume that the overall level of effort required to achieve the statewide goal for emissions reductions will suffice for a specific project.

Given this Court decision, reliance on a 29 percent GHG emissions reduction from projected BAU levels compared to the proposed Project’s estimated 2020 levels as recommended in the SJVAPCD’s guidance documents is not an appropriate basis for an impact conclusion in the MND. Given that the SJVAPCD staff has concluded that *“existing science is inadequate to support quantification of impacts that project specific GHG emissions have on global climatic change,”* this MND instead relies on consistency with the local reduction strategies contained within the latest version of the CARB’s Scoping Plan policies, and the policies contained within the MCAG’s 2022 RTP/SCS.

The approach still relies on the Appendix G of the CEQA Guidelines thresholds which indicate that climate change-related impacts are considered significant if implementation of the proposed Project would do any of the following:

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

These two CEQA Appendix G threshold questions are provided within the Initial Study checklist and are the thresholds used for the subsequent analysis. The focus of the analysis is on the proposed Project’s consistency with the 2022 Scoping Plan policies and the policies contained within the MCAG’s 2022 Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS), as well as consistency with the Merced Climate Action Plan.

Project Consistency with the 2022 Scoping Plan Policies

Table GHG-1, below provides a consistency analysis of the relevant 2022 Scoping Plan Policies in comparison to the proposed Project. The 2030 goal was codified under SB 32 and is addressed by the 2022 Scoping Plan. The new plan provides a strategy that can reach the SB 32 target if the measures included in the plan are implemented and achieve reductions within the ranges expected. Under the Scoping Plan Update, local government plays a supporting role through its land use authority and control over local transportation infrastructure. SB 375 and AB 32 are implemented with the MCAG’s 2022 RTP/SCS. The RTP/SCS envisions an increase in development density that would encourage fewer and shorter trips and more trips by transit, walking, and bicycling in amounts sufficient to achieve the SB 375 targets. The 2022 Scoping Plan Update includes the strategy that the State intends to pursue to achieve the 2030 targets of Executive Order S-3-05 and SB 32.

TABLE GHG-1: PROJECT CONSISTENCY WITH THE 2022 SCOPING PLAN

SCOPING PLAN MEASURE	PROJECT CONSISTENCY
<p>SCAQMD Rule 445 (Wood Burning Devices): Restricts the installation of wood-burning devices in new development.</p>	<p><u>Mandatory Compliance.</u> Approximately 15 percent of California’s major anthropogenic sources of black carbon include fireplaces and woodstoves. The proposed Project would not include hearths (woodstove and fireplaces) as mandated by this rule.</p>

<i>SCOPING PLAN MEASURE</i>	<i>PROJECT CONSISTENCY</i>
<p>California Renewables Portfolio Standard, Senate Bill 350 (SB 350), and Senate Bill 100 (SB 100): Increases the proportion of electricity from renewable sources to 33 percent renewable power by 2020. SB 350 requires 50 percent by 2030. SB 100 requires 44 percent by 2024, 52 percent by 2027, and 60 percent by 2030. It also requires the State Energy Resources Conservation and Development Commission to double the energy efficiency savings in electricity and natural gas final end uses of retail customers through energy efficiency and conservation.</p>	<p><u>No Conflict.</u> The proposed Project would utilize electricity provided by MID, a publicly owned electric utility. MID owns and operates renewable energy resources, including up to approximately 107 megawatts of zero-emission hydroelectric capacity and power purchase contracts that include wind and solar resources, and participates in California’s Renewable Portfolio Standard (RPS) procurement obligations consistent with State renewable energy targets. As a load-serving entity subject to California’s RPS, MID aligns with statewide clean energy requirements—including goals for 50 percent renewable energy by 2025, 60 percent by 2030, and 100 percent zero-carbon electricity by 2045¹.</p>
<p>All Electric Appliances for New Residential and Commercial Buildings (AB 197): All electric appliances beginning 2026 (residential) and 2029 (commercial), contributing to 6 million heat pumps installed statewide by 2030.</p>	<p><u>Mandatory Compliance.</u> Project-specific plans would be required to demonstrate that only all electric appliances would be installed for residential land uses starting in 2026, and for commercial uses starting in 2029, consistent with this requirement.</p>
<p>California Code of Regulations, Title 24, Building Standards Code: Requires compliance with energy efficiency standards for residential and nonresidential buildings.</p>	<p><u>Mandatory Compliance.</u> Future development associated with Project implementation would be required to meet the applicable requirements of the 2022 Title 24 Building Energy Efficiency Standards (see discussion under CALGreen Code requirements below).</p>
<p>California Green Building Standards (CALGreen) Code Requirements: All bathroom exhaust fans are required to be ENERGY STAR compliant.</p>	<p><u>Mandatory Compliance.</u> Project-specific construction plans would be required to demonstrate that energy efficiency appliances, including bathroom exhaust fans, and equipment are ENERGY STAR compliant.</p>
<p>California Green Building Standards (CALGreen) Code Requirements: HVAC system designs are required to meet American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) standards.</p>	<p><u>Mandatory Compliance.</u> Project-specific construction plans would be required to demonstrate that the HVAC system meets the ASHRAE standards.</p>
<p>California Green Building Standards (CALGreen) Code Requirements: Air filtration systems are required to meet a minimum efficiency reporting value (MERV) 8 or higher.</p>	<p><u>Mandatory Compliance.</u> Specific development projects would be required to install air filtration systems (MERV 8 or higher) as part of its compliance with the 2022 Title 24 Building Energy Efficiency Standards.</p>
<p>California Green Building Standards (CALGreen) Code Requirements: Refrigerants used in newly installed HVAC systems shall not contain any chlorofluorocarbons.</p>	<p><u>Mandatory Compliance.</u> Specific development projects would be required to meet this requirement as part of its compliance with the CALGreen Code.</p>
<p>California Green Building Standards (CALGreen) Code Requirements: Parking spaces shall be designed for carpool or alternative fueled vehicles. Up to eight percent of total parking spaces is required for such vehicles.</p>	<p><u>Mandatory Compliance.</u> Specific development projects would be required to meet this requirement as part of its compliance the CALGreen Code.</p>

SCOPING PLAN MEASURE	PROJECT CONSISTENCY
<p>Mobile Source Strategy (Cleaner Technology and Fuels): Reduce GHGs and other pollutants from the transportation sector through transition to zero-emission and low-emission vehicles, cleaner transit systems, and reduction of vehicle miles traveled.</p>	<p><u>Consistent.</u> The proposed Project would be consistent with this strategy by supporting the use of zero-emission and low-emission vehicles; refer to CALGreen Code discussion above.</p>
<p>Senate Bill (SB) 375: SB 375 establishes mechanisms for the development of regional targets for reducing passenger vehicle GHG emissions. Under SB 375, CARB is required, in consultation with the State’s Metropolitan Planning Organizations, to set regional GHG reduction targets for the passenger vehicle and light-duty truck sector for 2020 and 2035.</p>	<p><u>Consistent.</u> As demonstrated in <u>Table GHG-2</u>, the proposed Project would comply with the MCAG 2022 RTP/SCS, and therefore, the proposed Project would be consistent with SB 375.</p>
<p>CCR, Title 24, Building Standards Code: Title 24 includes water efficiency requirements for new residential and non- residential uses.</p>	<p><u>Mandatory Compliance.</u> Refer to the discussion under 2022 Title 24 Building Standards Code and CALGreen Code, above.</p>
<p>Water Conservation Act of 2009 (Senate Bill X7-7): The Water Conservation Act of 2009 sets an overall goal of reducing per capita urban water use by 20 percent by December 31, 2020. Each urban retail water supplier shall develop water use targets to meet this goal. This is an implementing measure of the Water Sector of the AB 32 Scoping Plan. Reduction in water consumption directly reduces the energy necessary and the associated emissions to convene, treat, and distribute the water; it also reduces emissions from wastewater treatment.</p>	<p><u>Consistent.</u> Refer to the discussion under 2022 Title 24 Building Standards Code and CALGreen Code, above.</p>
<p>California Integrated Waste Management Act (IWMA) of 1989 and Assembly Bill (AB) 341: The IWMA mandates that State agencies develop and implement an integrated waste management plan which outlines the steps to divert at least 50 percent of solid waste from disposal facilities. AB 341 directs the California Department of Resources Recycling and Recovery (CalRecycle) to develop and adopt regulations for mandatory commercial recycling and sets a Statewide goal for 75 percent disposal reduction by the year 2020.</p>	<p><u>Mandatory Compliance.</u> The proposed Project would be required to comply with AB 341 which requires multifamily residential dwelling of five units or more to arrange for recycling services. This would reduce the overall amount of solid waste disposed of at landfills. The decrease in solid waste would in return decrease the amount of methane released from decomposing solid waste.</p>

¹MERCED IRRIGATION DISTRICT (MID). 2024. 2023 POWER CONTENT LABEL. WEBSITE: [HTTPS://WWW.MERCEDID.ORG](https://www.mercedid.org)
 SOURCE: CALIFORNIA AIR RESOURCES BOARD. 2022. FINAL 2022 SCOPING PLAN FOR ACHIEVING CARBON NEUTRALITY. WEBSITE: [HTTPS://WW2.ARB.CA.GOV/OUR-WORK/PROGRAMS/AB-32-CLIMATE-CHANGE-SCOPING-PLAN/2022-SCOPING-PLAN-DOCUMENTS](https://ww2.arb.ca.gov/our-work/programs/ab-32-climate-change-scoping-plan/2022-scoping-plan-documents)

Project Consistency with Merced County Association of Government’s (MCAG’s) 2022 RTP/SCS

The MCAG’s 2022 RTP/SCS includes eighteen goals that were established to meet the regulatory requirements of the FAST Act, the Clean Air Act, Title VI of the Civil Rights Act, Senate Bill (SB) 375, the California Complete Streets Act, and the California Environmental Quality Act (CEQA). They were tailored specifically to the unique needs of Merced County and incorporate feedback that was received from the public during the planning process. Each goal was associated with specific performance measures to compare different planning alternatives against current

conditions. The proposed Project's consistency with the applicable 2022 RTP/SCS strategies is discussed in Table GHG-2, below.

TABLE GHG-2: PROJECT CONSISTENCY WITH THE MCAG'S 2022 RTP/SCS

<i>GOAL</i>	<i>PROJECT CONSISTENCY</i>
<p>Goal 1. Active Transportation (Bicycle & Pedestrian): A regional transportation system for bicyclists and pedestrians. Create a safe, connected, and integrated regional transportation system for bicyclists and pedestrians.</p>	<p>No Conflict. The proposed Project includes pedestrian and bicycle connectivity to adjacent roadways, thereby enhancing the overall regional transportation system for bicyclists and pedestrians.</p>
<p>Goal 2. Air Quality: Achieve air quality standards set by the Environmental Protection Agency (EPA), and the State Air Resources Board.</p>	<p>No Conflict. As provided in Section 3.3: Air Quality, the proposed Project would not exceed the criteria pollutant thresholds established by the Air District, for both Project construction and operation, as it would be under the SJVAPCD's SPAL thresholds. Therefore, the proposed Project would not conflict the ability of the region to achieve the air quality standards set by the Environmental Protection Agency (EPA), and the State Air Resources Board.</p>
<p>Goal 3. Aviation: Provide a fully-functional and integrated air service and airport system that complements the countywide transportation system.</p>	<p>Not applicable. The proposed Project is not an aviation project.</p>
<p>Goal 4. Energy: Reduce usage of nonrenewable energy resources for transportation purposes.</p>	<p>No Conflict. The proposed Project would comply with the State's EV parking requirement and includes EV spaces consistent with the requirements of the California Energy Code (CCR Title 24, Part 6), as applicable.</p>
<p>Goal 5. Goods Movement: Improve the national freight network, strengthen the ability of rural communities to access national and international trade markets, and support regional economic development.</p>	<p>Not applicable. The proposed Project is not a transportation project.</p>
<p>Goal 6. Highways, Streets, and Roads: Provide a safe and efficient regional road system that accommodates the demand for movement of people and goods.</p>	<p>Not applicable. The proposed Project is not a transportation project.</p>
<p>Goal 7. Land Use Development Patterns and Strategies: Provide economical, long-term solutions to transportation problems by encouraging community designs that encourage walking, transit, and bicycling.</p>	<p>No Conflict. The proposed Project includes pedestrian and roadway connectivity to adjacent roadways, thereby enhancing the overall regional transportation system for bicyclists and pedestrians, and integrating it with the existing nearby pedestrian and bicycle networks.</p>
<p>Goal 8. Outreach and Coordination: Provide a forum for participation and cooperation in transportation planning and facilitate relationships for transportation issues that transcend jurisdictional boundaries.</p>	<p>Not applicable. The proposed Project is not a transportation project.</p>
<p>Goal 9. Passenger Rail: Provide a rail system that offers safe and reliable service for passengers.</p>	<p>Not applicable. The proposed Project is not a transportation project.</p>
<p>Goal 10. Reduce Project Delivery Delays: Efficiently use available transportation funding to expedite delivery of transportation improvements within the region, and delivery</p>	<p>Not applicable. The proposed Project is not a transportation project.</p>

<i>GOAL</i>	<i>PROJECT CONSISTENCY</i>
of the Measure V expenditure plan.	
Goal 11. Reliability & Congestion: Achieve a significant reduction in congestion on the National Highway System. Improve the efficiency of the surface transportation system.	<u>Not applicable.</u> The proposed Project is not a transportation project.
Goal 12. Safety for all Roadway Users: Achieve a significant reduction in traffic fatalities and serious injuries on all public roads.	<u>No Conflict.</u> The proposed Project includes pedestrian and roadway connectivity to adjacent roadways, and would preserve the overall safety of both Project roadways and those roadways effected by increased demand associated with the proposed Project.
Goal 13. Smart Infrastructure: Coordinate, monitor, and integrate planning and programming for intelligent transportation system (ITS), smart infrastructure, demand-responsive transportation, and automated vehicles.	<u>Not applicable.</u> The proposed Project is not a transportation project.
Goal 14. Social Equity and Environmental Justice: Promote and provide equitable transportation and housing options for all populations and ensure that all populations share in the benefits of transportation improvements.	<u>No Conflict.</u> The proposed Project is not a transportation or housing project.
Goal 15. Sustainable Communities: Reduce per capita greenhouse gas emissions through compact growth and alternative transportation strategies. Protect and enhance the natural environment. Support vehicle electrification and the provision of electrification infrastructure in public and private parking facilities and structures. Support a vibrant and sustainable regional economy. Maximize the use of Regional Early Action Planning 2.0 funds to implement and advance efforts to reduce per capita greenhouse gas emissions.	<u>No Conflict.</u> The development of the proposed Project would add recreational use nearby to existing communities. This would reduce per capita greenhouse gas emissions by providing for compact growth.
Goal 16. System Preservation: Maintain the existing transportation system in a state of good repair.	<u>No Conflict.</u> The proposed Project would not degrade the existing transportation system.
Goal 17. Transit: Provide an efficient, effective, coordinated regional transit system that increases mobility for urban and rural populations, including transportation for disadvantaged persons.	<u>No Conflict.</u> The proposed Project would not interfere with existing transit systems.
Goal 18. Transportation Financing: Develop and support financing strategies that provide for a continuous implementation of the Regional Transportation Plan projects and strategies	<u>Not applicable.</u> The proposed Project is not a transportation project.

SOURCE: MCAG 2022 RTP/SCS

As shown in Table GHG-2, the proposed Project would not conflict with any of the GHG emissions reduction strategies contained in the MCAG’s 2022 RTP/SCS. Therefore, the proposed Project would be consistent with MCAG’s 2022 RTP/SCS.

Consistency with Merced Climate Action Plan

The proposed Project would be consistent with the relevant GHG reduction measures associated with the Merced Climate Action Plan (CAP), published in 2012. Table GHG-3 provides an analysis of the consistency of the proposed Project with applicable GHG reduction measures contained within the CAP. As shown, the proposed Project would be consistent with all GHG reduction measures that would be applicable to the proposed Project.

TABLE GHG-3: PROJECT CONSISTENCY WITH THE CITY OF MERCED CLIMATE ACTION PLAN

GHG REDUCTION MEASURE	PROJECT CONSISTENCY
Strategy EM 1.1: Site Design Planning	No Conflict. The proposed Project would include extensive site design planning, bring a new recreational use to nearby existing communities. The proposed Project would include pedestrian walkways and connect with the existing system. Therefore, the proposed Project would not conflict with this GHG reduction measure.
Strategy EM 1.2: Transit Planning	No Conflict. The proposed Project would not hinder the development of the City’s transit system. Therefore, the proposed Project would not conflict with this GHG reduction measure.
Strategy EM 1.3: Bicycle Planning and Projects	No Conflict. The proposed Project would connect the City’s existing transportation system. Therefore, the proposed Project would not conflict with this GHG reduction measure.
Strategy EM 1.4: Pedestrian Planning and Projects	No Conflict. The proposed Project would connect the City’s existing transportation system, via pedestrian walkways (including sidewalks). Therefore, the proposed Project would not conflict with this GHG reduction measure.
Strategy SC 2.1: Compact Urban Form/Infill	No Conflict. The proposed Project would develop a currently undeveloped area, thereby facilitating additional land use and existing transportation integration. Therefore, the proposed Project would not conflict with this GHG reduction measure.
Strategy SC 2.2: Mixed Use/Transit-oriented Development	No Conflict. The proposed Project development is located nearby to other uses (included residential and other uses), thereby facilitating additional land use and existing transportation integration, and development oriented around multiple transportation choices. Therefore, the proposed Project would not conflict with this GHG reduction measure.
Strategy WC 3.1: Water Conservation and Technology	No Conflict. The proposed Project would be consistent with the State’s statewide goal of a 20% reduction in urban per capita use, as required by Senate Bill X7-7. Therefore, the proposed Project would not conflict with this GHG reduction measure.
Strategy WC 3.2: Reduce Groundwater Pumping	No Conflict. The proposed Project would be consistent with the State’s statewide goal of a 20% reduction in urban per capita use, as required by Senate Bill X7-7. Therefore, the proposed Project would not conflict with this GHG reduction measure.
Strategy WC 3.3: Water Efficient Landscapes	No Conflict. The proposed Project would be consistent with the State’s statewide goal of a 20% reduction in urban per capita use, as required by Senate Bill X7-7. Therefore, the proposed Project would not conflict with this GHG reduction measure.
Strategy AR 4.1: Reduced Vehicle Trips	No Conflict. The proposed Project would connect the City’s existing transportation system, via pedestrian walkways (including sidewalks). Therefore, the proposed Project would not conflict with this GHG

<i>GHG REDUCTION MEASURE</i>	<i>PROJECT CONSISTENCY</i>
	reduction measure.
Strategy AR 4.2: Clean Trips – Clean Vehicles	No Conflict. The proposed Project would not conflict with the City’s goal to reduce vehicle emissions. For example, the proposed Project would connect the City’s existing transportation system, via pedestrian walkways (including sidewalks) and connect with the existing system. Therefore, the proposed Project would not conflict with this GHG reduction measure. It should also be noted that some of the actions associated with this Strategy are not applicable to the proposed Project.
Strategy AR 4.3: Reduce Non-vehicular Emissions	No Conflict. The proposed Project would connect the City’s existing transportation system, via pedestrian walkways (including sidewalks). Therefore, the proposed Project would not conflict with this GHG reduction measure.
Strategy WR 5.1: Reduce, Reuse, Recycle	No Conflict. The proposed Project would be consistent with the State’s 75% waste diversion goal as required by AB 341, as the local waste haulers are required by State law to implement this measure. Therefore, the proposed Project would not conflict with this GHG reduction measure.
Strategy RE 6.1: Renewable Energy Systems	No Conflict. The proposed Project would be consistent with the current Title 24 Standards associated with renewable energy. Therefore, the proposed Project would not conflict with this GHG reduction measure.
Strategy BE 7.2: Energy Efficiency in New Development	No Conflict. The proposed Project would exceed the Title 24 of the California Code of Regulations Standards, since the most recent version of the Title 24 Standards is much more stringent. Simply meeting the current Title 24 Standards would result in significant energy and GHG savings for the City because the state has regularly updated the Title 24 requirements since 2005 and plans to continue to update the Title 24 standards periodically in the future. Therefore, the proposed Project would not conflict with this GHG reduction measure.
Strategy BE 7.5: Urban Forestry/Heat Island Effect	No Conflict. The proposed Project would include landscaping trees that would not conflict with this GHG reduction measure.

SOURCE: MERCED CLIMATE ACTION PLAN, 2012

Conclusion

Overall, the proposed Project would be consistent with the policies within the CARB’s 2022 Scoping Plan, MCAG’s 2022 RTP/SCS, and the Merced Climate Action Plan. Therefore, the proposed Project would not generate a significant cumulative impact to GHGs. The proposed Project would not generate GHG emissions that would have a significant impact on the environment or conflict with any applicable plans, policies, or regulations. Therefore, impacts related to greenhouse gases are *less than significant*.

IX. HAZARDS AND HAZARDOUS MATERIALS

<i>Would the project:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
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?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X	
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?			X	
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			X	

Responses to Checklist Questions

Responses a), b): The proposed Project is limited to installation of irrigation facilities and placement of turf and does not involve the routine use, storage, transport, or disposal of hazardous materials. Any materials used during construction would be limited to common, commercially available construction products (e.g., fuels, lubricants, and adhesives), which would be handled in accordance with applicable federal, state, and local regulations, including the California Health and Safety Code and City of Merced standards.

Given the limited scale of construction and the absence of significant hazardous substances, the proposed Project would not create a substantial risk of upset or accidental release of hazardous materials that could affect the public or the environment.

Therefore, implementation of the proposed Project would result in *less than significant* relative to hazardous materials.

Response c): The Project site is not located within $\frac{1}{4}$ mile of an existing school. The nearest school is located approximately 0.4 miles to the southeast of the Project site, at its closest point. Therefore, implementation of the proposed Project would result in a *less than significant* impact relative to this topic.

Response d): According the California Department of Toxic Substances Control (DTSC) there are no Federal Superfund Sites, State Response Sites, or Voluntary Cleanup Sites on, or in the near vicinity of the Project site. The Project site is not listed on the California Department of Toxic Substances Control (DTSC) Cortese List, which compiles hazardous materials sites pursuant to Government Code Section 65962.5. Therefore, implementation of the proposed Project would result in a *less than significant* impact relative to this environmental topic.

Response e): The Federal Aviation Administration (FAA) establishes distances of ground clearance for take-off and landing safety based on such items as the type of aircraft using the airport. The Project site is in the City of Merced, approximately 3.5 miles southwest of the Merced Yosemite Regional Airport, which is the nearest public airport. The site is not located within the Airport Influence Area (AIA) or Safety Compatibility Zones defined by the Merced County Airport Land Use Compatibility Plan (ALUCP) for Merced Regional Airport.

The proposed Project is limited to installation of irrigation facilities and turf placement and does not include uses that would attract large concentrations of people or create aviation hazards, such as tall structures, hazardous materials, or smoke-emitting activities. In addition, routine operations at the Merced Yosemite Regional Airport would not expose park users or adjacent residents to excessive aircraft noise, as the site is located outside the 60 CNEL (Community Noise Equivalent Level) noise contour.

Therefore, the proposed Project would not result in a safety hazard or excessive noise for people residing or working in the Project area, and impacts would be *less than significant*.

Response f): The Project site is located on previously disturbed agricultural land immediately north of the under-construction Community Park – 42 South. Primary vehicular access to the site will be provided via South Tyler Road to the east, East Gerard Avenue to the north, and Barroso Avenue to the west, consistent with existing road networks. The proposed Project does not involve construction of permanent structures or road closures that would block or restrict circulation on public roadways. All driveways and internal roadways would be designed to accommodate large emergency vehicles such as fire engines. These improvements would contribute to effective emergency response and evacuation, and they would promote efficient circulation in the Project vicinity. Furthermore, the proposed Project does not propose any permanent road closures, lane reductions, or other adverse circulation conditions that may adversely affect emergency response or evacuation in the Project vicinity.

Construction activities would be short-term and confined to the Project site, with standard construction traffic control measures implemented to ensure that emergency vehicle access is always maintained. The proposed Project does not propose any uses or infrastructure that would impede emergency response or evacuation routes. Therefore, impacts would be *less than significant*.

Response g): The risk of wildfire is related to a variety of parameters, including fuel loading (vegetation), fire weather (winds, temperatures, humidity levels, and fuel moisture contents), and topography (degree of slope). Steep slopes contribute to fire hazard by intensifying the effects of wind and making fire suppression difficult. Fuels such as grass are highly flammable

because they have a high surface area to mass ratio and require less heat to reach the ignition point, while fuels such as trees have a lower surface area to mass ratio and require more heat to reach the ignition point.

The city has areas with an abundance of flashy fuels (i.e., grassland) in the outlying residential parcels and open lands that, when combined with warm and dry summers with temperatures often exceeding 100 degrees Fahrenheit, create a situation that results in higher risk of wildland fires. Most wildland fires are human caused, so areas with easy human access to land with the appropriate fire parameters generally result in an increased risk of fire.

The site is not located within a State Responsibility Area (SRA) or a Very High Fire Hazard Severity Zone as designated by the California Department of Forestry and Fire Protection (CAL FIRE). Surrounding land uses include existing urban development, agricultural fields, and infrastructure, which provide buffers that reduce the potential for wildfire spread. The Project site is in an area with a "Local Responsibility Zone (LRA) Unzoned" rank. The site is not located on a steep slope, and is essentially flat. The proposed Project consists solely of installation of irrigation facilities and turf placement, and does not involve construction of residential, commercial, or other structures that would expose occupants to fire risk. Standard construction practices and site maintenance will further minimize any negligible fire hazard. Therefore, this is a ***less than significant*** impact.

X. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			X	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			X	
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;			X	
(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;			X	
(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			X	
(iv) Impede or redirect flood flows?			X	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			X	
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			X	

Responses to Checklist Questions

Responses a), c.i), c.ii), c.iii), e):

Construction

Construction activities including grading could temporarily increase soil erosion rates during and shortly after project construction. Construction-related erosion could result in the loss of soil and could adversely affect water quality in nearby surface waters.

Temporary stockpiles of sediment or other materials also have the potential to erode and be carried into the stormwater system and waterways. Construction activities will likely involve the use of gasoline and diesel-powered vehicles and equipment that pose a potential risk of accidental fuel and related chemical releases that could enter the drainage system and degrade water quality. As described below, BMPs would be implemented and maintained just before and during any project construction activities to protect surface water in the drainages during all earthwork activities.

The RWQCB requires a project-specific SWPPP to be prepared for each project that disturbs an area one acre or larger, which includes the Project site. The SWPPP is required to include project specific BMPs that are designed to control drainage and erosion. Mitigation Measure HYD-1 would require the preparation of a SWPPP to ensure that the proposed Project prepares and implements a SWPPP throughout the construction phase of the proposed Project. By implementing and maintaining proper BMPs, the potential for short-term sediment introduction should be minimized. The SWPPP would reduce the potential for the proposed Project to violate water quality standards during construction.

Operation

The infiltration and runoff process is altered when a site is developed. Buildings, sidewalks, roads, and parking lots introduce asphalt, concrete, and roofing materials to the landscape. These materials are relatively impervious, which means that they absorb less rainwater. As impervious surfaces are added to the ground conditions, the natural infiltration process is reduced. As a result, the volume and rate of storm water runoff increase. The increased volumes and rates of storm water runoff can result in flooding if adequate storm drainage facilities are not provided.

There are no rivers, streams, or water courses located on or immediately adjacent to the Project site, other than the agricultural irrigation ditches. The proposed Project would not generate new or altered stormwater discharge into streams. As such, there is low potential for the proposed Project to alter a water course, which could lead to on or offsite flooding. Drainage improvements associated with the Project site would be located on the Project site, and the proposed Project would not alter or adversely impact offsite drainage facilities.

The proposed Project is subject to the requirements of Chapter 15.50 of the Merced Municipal Code – Stormwater Management and Discharge Control. The purpose of these requirements is to “establish minimum storm water management requirements and controls to protect and safeguard the general health, safety and welfare of the public residing in watersheds within the City of Merced.” These requirements are intended to assist in the protection and enhancement of the water quality of watercourses, water bodies, and wetlands in a manner pursuant to and consistent with the Federal Water Pollution Control Act (Clean Water Act, 33 USC Section 1251 et seq.), Porter- Cologne Water Quality Control Act (California Water Code Section 13000 et seq.) and National Pollutant Discharge Elimination System (“NPDES”) Permit No. CAS000004, as such permit is amended and/or renewed.

Additionally, the proposed Project is required to prepare and submit a stormwater quality control plan for the proposed Project to the City of Merced for review and approval that would demonstrate adequate water quality protection prior to issuance of building or grading permits. The plan would be required to document the expected target pollutants and types of treatments that would be required of the building site to address those pollutants during operation. The expected polluted runoff from the paved internal roadways and proposed treatment must be included in the plan. The plan would also describe any monitoring effort and performance measures required and what entity would provide oversight to ensure that stormwater quality is sufficiently treated so as not to impede downstream detention basin performance or degrade water quality downstream.

Mitigation Measure HYD-2 requires a drainage plan that demonstrates attainment of pre-project runoff volumes and peak flows prior to release. As required under Mitigation Measure HYD-3, the drainage plan must also describe the volume reduction measures and treatment controls used to reach attainment. With implementation of the following Mitigation measures, the proposed Project would have a ***less than significant*** impact relative to this environmental topic.

Mitigation measures(s)

Mitigation measure HYD-1: *Prior to the issuance of grading or building permits, a Stormwater Pollution Prevention Plan (SWPPP) must be submitted to the City of Merced for approval that identifies specific actions and Best Management Practices (BMPs) to prevent stormwater pollution during construction activities. The SWPPP shall identify a practical sequence for BMP implementation, monitoring, and maintenance; site restoration; contingency measures; responsible parties; and agency contacts. The SWPPP shall include but not be limited to the following elements:*

- *Temporary erosion control measures shall be employed for disturbed areas.*
- *Specific measures shall be identified to protect the onsite open drainages during construction of the proposed resort.*
- *Specific measures shall be identified to protect the French Camp Outlet Canal and Drain 3 during any construction activities.*
- *No disturbed surfaces shall be left without erosion control measures in place during the winter and spring months.*
- *Sediment shall be retained onsite by a system of sediment basins, traps, or other appropriate measures.*
- *The construction contractor shall prepare Standard Operating Procedures for the handling of hazardous materials on the construction site to eliminate or reduce discharge of materials to storm drains.*
- *BMP performance and effectiveness shall be determined either by visual means where applicable (e.g., observation of above-normal sediment release), or by actual water sampling in cases where verification of contaminant reduction or elimination (such as inadvertent petroleum release) is required by the RWQCB to determine adequacy of the measure.*
- *In the event of significant construction delays or delays in final landscape installation, native grasses or other appropriate vegetative cover shall be established on the construction site as soon as possible after disturbance, as an interim erosion control measure throughout the wet season.*

Mitigation measure HYD-2: *Prior to the issuance of building or grading permits, a stormwater quality control plan must be submitted to the City of Merced for review and approval. The plan shall include a detailed drainage plan and identify expected site-specific pollutants and required measures to treat those pollutants before they reach the regional detention basins. The approved measures shall be incorporated into the proposed Project. The plan will describe monitoring and performance measures and standards required to ensure water quality is adequately protected during operation of all proposed sites within the Project site. Examples of stormwater pollution prevention measures and practices to be incorporated into the plan include but are not limited to:*

- *Strategically placed bioswales and landscaped areas that promote percolation of runoff*
- *Pervious pavement*
- *Roof drains that discharge to landscaped areas*
- *Trash enclosures with screen walls and roofs*
- *Stenciling on storm drains*
- *Curb cuts in parking areas to allow runoff to enter landscaped areas*
- *Rock-lined areas along landscaped areas in parking lots*

- *Catch basins*
- *Oil/water separators*
- *Regular sweeping of parking areas and cleaning of storm drainage facilities*
- *Employee training to inform maintenance personnel of stormwater pollution prevention measures*

Mitigation measure HYD-3: *Prior to the issuance of building or grading permits for the proposed Project, a stormwater quality control plan for the project must be submitted to the City of Merced for review and approval. The plan shall include a detailed drainage plan that demonstrates attainment of pre-project runoff requirements prior to release and describes the volume reduction measures and treatment controls used to reach attainment. The drainage plan shall identify all expected flows from the Project site and the location, size, and type of facilities used to retain and treat the runoff volumes and peak flows to meet pre-project conditions. The approved drainage plan shall be incorporated into the proposed Project.*

Response b): The Project site is located entirely within the Merced Groundwater Subbasin of the San Joaquin Valley Groundwater Basin. This subbasin is recognized as critically overdrafted and is subject to management under California's Sustainable Groundwater Management Act (SGMA). The Merced Groundwater Sustainability Agency (GSA) and the Merced Irrigation-Urban GSA (MIUGSA) coordinate the implementation of the Groundwater Sustainability Plan (GSP) for the basin.

The proposed Project would not introduce significant new impervious surfaces, as the site would remain largely open space with pervious turf. As such, the potential for infiltration and groundwater recharge would remain essentially unchanged. Irrigation demands would be met through the City of Merced's existing water supply system, which relies on a combination of groundwater pumping and surface water supplies managed under the GSP. The proposed Project's water demand is minor relative to citywide usage, limited to turf irrigation, and would not substantially affect groundwater supplies or sustainable management of the basin. As such, the proposed Project uses would not contribute to groundwater overdraft.

The proposed Project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted). In addition, construction activities would be temporary and minor. Therefore, project construction and operation would not substantially deplete or interfere with groundwater supply or quality. This impact would be ***less than significant***.

Response c.iv), d): The risks of flooding hazards on the Project site and immediate surroundings are primarily related to large, infrequent storm events. These risks of flooding are greatest during the rainy season between November and March. Flooding events can result in damage to structures, injury or loss of human and animal life, exposure to waterborne diseases, and damage to infrastructure. In addition, standing floodwater can destroy agricultural crops, undermine infrastructure and structural foundations, and contaminate groundwater.

In 2007, the State of California passed a series of laws referred to as Senate Bill (SB) 5 directing the Department of Water Resources (DWR) to prepare flood maps for the Central Valley flood system and the State Plan of Flood Control, which includes a system of levees and flood control facilities located in the Central Valley. This legislation set specific locations within the area

affected by the 200-year flood event as the urban level of flood protection (ULOP) for the Central Valley.

SB5 “requires all cities and counties within the Sacramento-San Joaquin Valley, as defined in California Government Code Sections 65007(h) and (j), to make findings related to an ULOP or national Federal Emergency Management Agency (FEMA) standard of flood protection before: (1) entering into a development agreement for any property that is located within a flood hazard zone; (2) approving a discretionary permit or other discretionary entitlement, or ministerial permit that would result in the construction of a new residence, for a project that is located within a flood hazard zone; or (3) approving a tentative map, or a parcel map for which a tentative map was not required, for any subdivision that is located within a flood hazard zone.”

The Project site is located within a FEMA-designated Zone AO (depth 1 foot) on Flood Insurance Rate Map (FIRM) Panel No. 060188. Zone AO floodplains are shallow flooding areas subject to sheet flow. In accordance with City of Merced Municipal Code Chapter 17.48 (Floodplain Damage Prevention), new development must be designed to ensure finished floor elevations are raised above base flood depth and that grading and drainage improvements do not divert or concentrate flood flows onto adjacent parcels. Compliance with these requirements ensures the proposed Project would not substantially impede or redirect flood flows.

The Project site is not located within a mapped dam inundation area as identified in the Merced County Hazard Mitigation Plan and State dam inundation mapping prepared pursuant to Division 14 of the California Water Code. Therefore, the proposed Project would not be subject to flooding from dam failure and would not pose a risk of pollutant release due to dam inundation.

The proposed Project would not expose people or structures to a significant risk of loss, injury or death involving flooding because of the failure of a levee or dam.

The Project site is not anticipated to be inundated by a tsunami because it is located at an elevation of approximately 23 feet above sea level and is approximately 80 miles away from the Pacific Ocean which is the closest ocean waterbody.

The Project site is not anticipated to be inundated by a seiche because it is not located near a water body capable of creating a seiche.

Implementation of the proposed Project would have a *less than significant* impact relative to the risk of release of pollutants due to project inundation by flood hazards, seiches, and tsunamis, or the potential to alter the course of a stream or river in a manner that would impede or redirect flood flows.

XI. LAND USE AND PLANNING

<i>Would the project:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Physically divide an established community?			X	
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?			X	

Responses to Checklist Questions

Response a): The development of a recreational facility and related improvements would not physically divide the community, and there are no conflicts with land use plans, policies, or regulations adopted for purposes of mitigating environmental impacts as the proposed Project would be developed consistent with the low-density residential land use designation. Implementation of the proposed Project would have a *less than significant* impact relative to this topic.

Response b): The Proposed Project consists of a General Plan Amendment (GPA) and Annexation request for approximately 40 acres located immediately north and east of the existing city limits. The Project site is currently designated for Low Density Residential (LDR) land uses per the City’s Vision 2030 General Plan, dated January 2021. The proposed Project would amend the Vision 2030 Land Use Element to change the land use designation from LDR to Open Space/Park (OS-PK). The purpose of the GPA is to allow for consistency between the City’s Vision 2030 General Plan and development of the Project site as an extension of Community Park – 42 South, which is under development to the immediate south of the Project site.

In addition to the GPA, the entitlements requested include an Annexation and Prezone request to the Merced Local Agency Formation Commission (LAFCo). The proposed Prezone is (P-OS), Parks and Open Space under the City’s Zoning Ordinance. The P-OS zone district is consistent with the Open Space/Park land use designation.

The GPA, Annexation, and Prezone would ensure consistency between the City’s Vision 2030 General Plan, Zoning Ordinance, and the intended recreational development of the Project site. The proposed Project would not cause a significant environmental impact due to a land use plan conflict and would not conflict with any goals, policies, or implementing actions contained within the General Plan. Therefore, impacts would be *less than significant*.

XII. MINERAL RESOURCES

<i>Would the project:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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?			X	
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?			X	

Existing Setting

The California Geological Survey identifies areas that contain or that could contain significant mineral resources to provide context for local agency land use decisions and to protect availability of known mineral resources. Classifications ranging from Mineral Resource Zone (MRZ) -1 to MRZ-4 are based on knowledge of a resource's presence and the quality of the resource. No mineral extraction operations are known to exist in or adjacent to the Project site. The Project site is within MRZ-4, as delineated by the Mineral Resources and Mineral Hazards Mapping Program (MRMHMP) (California Department of Conservation, 2021). MRZ-4 is defined by the MRMHMP as being in areas where geologic information is inadequate to assign to any other mineral resource zone category.

Responses to Checklist Questions

Responses a), b): As noted above, the Project site is located within MRZ-4. The proposed Project would not result in the loss of an available known mineral resources nor result in the loss of availability of locally-important mineral resource recovery sites delineated in a local general plan, specific plan, or other land use plan. Additionally, there are no oil and gas extraction wells within or near the property. Therefore, the impact is *less than significant* to this environmental topic.

XIII. NOISE

	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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?			X	
b) Generation of excessive groundborne vibration or groundborne noise levels?			X	
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?				X

Responses to Checklist Questions

Response a): Project activities include the installation of irrigation systems, turf, and minor park improvements, with no residential, commercial, or industrial development proposed.

Temporary increases in noise may occur during the short-term construction period from the operation of construction equipment and vehicle traffic. Construction would comply with the City of Merced Municipal Code Chapter 8.40 – Nuisance, which limits construction hours and requires standard noise minimization practices.

Once completed, the proposed Project would generate minimal additional noise from routine park maintenance activities, irrigation systems, and recreational use. Noise levels would be consistent with typical neighborhood park activity and would not exceed applicable local or state noise standards.

Because both temporary construction and long-term operational noise levels are low and subject to standard mitigation measures and ordinances, the Proposed Project would not result in substantial adverse noise impacts, and impacts would be *less than significant*.

Response b): The proposed Project does not include heavy industrial or large-scale construction that typically generates groundborne vibration. Equipment used for turf installation and irrigation work (e.g., small tractors, hand tools, and light machinery) would produce minimal vibration, localized to the construction site. Operational activities, including irrigation and routine park maintenance, would not generate groundborne vibration or noise.

Given the limited scale of construction and absence of vibration-sensitive facilities on or near the Project site, the proposed Project would not result in excessive groundborne vibration or noise, and impacts would be *less than significant*.

Response c): There are no airports in the Project vicinity. Therefore, this impact is not applicable to the proposed project. Implementation of the proposed Project would have *no impact* relative to this topic.

XIV. POPULATION AND HOUSING

<i>Would the project:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) 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)?				X
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X

Responses to Checklist Questions

Response a): The Proposed Project consists of a General Plan Amendment, Annexation, and Prezone request to allow the development of approximately 34 acres for park and open space use. The proposed Project does not include residential, commercial, or industrial development that would directly induce population growth. Similarly, the proposed Project would not extend infrastructure in a manner that would indirectly support new residential or business development beyond what is already anticipated under the City’s Vision 2030 General Plan.

The park uses is intended to serve existing and planned residents within the City and surrounding area and does not constitute a growth-inducing use. While the proposed Project would accommodate recreational needs associated with existing and planned population growth, it would not generate new population growth or unplanned development.

Therefore, implementation of the proposed Project would have *no impact* relative to this topic.

Response b): Although there are four existing home site within the proposed Project, the proposed Project will not displace any existing housing. The proposed Project would not displace housing or people. Implementation of the proposed Project would have *no impact* relative to this topic.

XV. PUBLIC SERVICES

	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?			X	
Police protection?			X	
Schools?			X	
Parks?				X
Other public facilities?				X

Responses to Checklist Questions

Response a):

Fire Protection

The City of Merced Fire Department provides fire protection and emergency response services within the City limits, including newly annexed areas. The City of Merced Fire Department operates its facilities under the guidance set by the National Fire Protection Association in NFPA 1710, the Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operation to the Public by Career Fire Departments. NFPA 1710 sets standards for turnout time, travel time, and total response time for fire and emergency medical incidents, as well as other standards for operation and fire service. The Fire Department has established the objectives set forth in NFPA 1710 as department objectives to ensure the public health, safety, and welfare.

The proposed Project would not involve development of residential, commercial, or industrial uses that would substantially increase population, density, or fire protection service demand. Park uses typically generate lower demand for fire protection services compared to urban uses and do not require new fire stations or significant expansion of facilities. Routine fire and emergency access would be maintained via adjacent public roadways (South Tyler Road, East Gerard Avenue, and Barroso Avenue). Demand for fire service generated by the proposed Project is within planned services levels of the Fire Department. As a result, the proposed Project would not require the construction of new or expanded fire protection facilities that could result in significant environmental effects. Impacts related to fire protection services would be **less than significant**.

Police Protection

The City of Merced Police Department provides police protection services within the City limits, and would also serve the Project site following annexation. Park uses typically generate minimal law enforcement demand, generally limited to routine patrols and occasional response to park-related incidents. Response times are an important benchmark of police service. Response times can vary greatly depending on the size of the city and department, geographical location, and levels of crime. Smaller cities usually have faster response times, due simply to the geography.

Based on the current adequacy of existing response times and the ability of the Merced Police Department to serve the City, it is anticipated that the existing police department facilities are sufficient to serve the proposed Project. Consequently, any impacts would be ***less than significant***.

Schools

The proposed Project would be limited to the installation of irrigation infrastructure and turf improvements to support recreational open space. The proposed Project does not include any residential units, and therefore would not directly increase the student population in the area. This impact would be ***less than significant***.

Parks

CEQA requires that the proposed Project is analyzed to determine whether any substantial adverse impacts would be associated with any new or physically altered governmental facilities that may be required to serve the proposed Project (in this case, for park and recreation facilities). The proposed Project directly increases the number of persons in the area because of an increase in open space and potential for recreation activities. The proposed Project does not include any residential units.

Because the proposed Project adds park acreage and recreational facilities, it would increase public park capacity rather than create demand that exceeds existing park resources. The expansion is intended to serve the surrounding neighborhoods and maintain acceptable service ratios for recreational opportunities. No new or expanded governmental facilities would be required to accommodate the proposed Project beyond the planned park improvements themselves.

The proposed Project does not include the construction of residential uses, does not directly increase the need for additional parks. Implementation of the proposed Project would have a ***no impact*** relative to this topic.

Other Public Facilities

The proposed Project would not result in a need for other public facilities that are not addressed above, or in Section XVIII, Utilities and Service Systems. Implementation of the proposed Project would have ***no impact*** relative to this issue.

XVI. RECREATION

	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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?			X	
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?			X	

Responses to Checklist Questions

Responses a): The proposed Project involves development of a new recreational facility. The addition of this facility would provide new recreational opportunities and amenities for surrounding neighborhoods. Because the proposed Project introduces new parkland, it would serve to reduce, rather than increase, pressure on existing neighborhood and regional parks.

By accommodating local demand for recreation within the Project area, the park would help disperse recreational use across the community and alleviate potential overuse of existing City of Merced park facilities. The proposed Project does not involve new residential development or other population-generating uses that could indirectly increase demand on other park facilities.

Accordingly, the proposed Project would not cause substantial physical deterioration of existing neighborhood or regional parks, nor would it accelerate deterioration of other recreational facilities. Thus, the potential impact would be reduced to a *less than significant* level.

Responses b): The proposed project consists of the development of a recreational facility. The proposed Project itself is the construction of new recreational facilities, including landscaped open space, passive recreation areas, and potentially small-scale amenities typical of neighborhood parks (e.g., play equipment, walking paths, benches, and shade structures).

Because the proposed Project is a recreational facility, the proposed Project does not create demand for new or expanded off-site recreational facilities that could cause additional environmental impacts. Instead, the proposed Project fulfills community recreational needs by providing accessible open space and amenities in an urban area.

The physical effects of constructing the park—such as temporary noise, dust, and equipment emissions during grading, landscaping, and installation of facilities—are addressed in other CEQA resource sections (e.g., Air Quality, Noise, Biological Resources). These effects would be temporary and subject to standard construction best management practices (BMPs) and City of Merced regulations. Once operational, the park is not anticipated to generate substantial adverse physical effects on the environment.

Therefore, the proposed Project would not include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment beyond those analyzed for the proposed Project itself. Implementation of the proposed Project would have *less than significant* impact relative to this topic.

XVII. TRANSPORTATION

<i>Would the project:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?			X	
b) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?			X	
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
d) Result in inadequate emergency access?			X	

Introduction

The proposed Project would amend the City’s Vision 2030 General Plan to allow the approximate 35-acre site to be developed as an extension of Community Park – 42 South, which is currently under construction immediately south of the Project site. Vehicular access to the Project site would be provided through internal circulation connections to the existing Community Park – 42 South driveways, which in turn connect to adjacent collector and local streets within the City of Merced. Additional driveways may be developed along the Project frontage as needed, subject to City review and approval, to provide safe and efficient ingress and egress. On-site circulation would be designed to accommodate passenger vehicles, maintenance and service vehicles, and emergency access consistent with City of Merced standards. Parking would be provided on-site to serve park visitors, with stalls sized and distributed in compliance with City parking requirements and the Americans with Disabilities Act (ADA). Pedestrian and bicycle facilities would also be incorporated to provide direct connections to surrounding neighborhoods, roadways, and the broader trail system associated with Community Park – 42 South. These features would ensure that the Project site is accessible by multiple modes of transportation and is consistent with the City’s circulation policies for recreational facilities.

Responses to Checklist Questions

Responses a): Development of the Project site as an extension of Community Park – 42 South would not introduce new residential or employment-generating land uses that could conflict with circulation system planning. Instead, the proposed Project would provide recreational amenities consistent with City park standards, which include provisions for vehicular access, pedestrian circulation, bicycle connections, and parking.

Access to the Project site would be provided through the existing circulation network being constructed as part of Community Park – 42 South to the south, as well as potential driveways from adjacent City streets, subject to City review and approval. The proposed Project would be required to comply with the City of Merced’s Public Works Department design standards and the circulation policies of the Vision 2030 General Plan. In addition, the proposed Project would incorporate bicycle and pedestrian improvements consistent with the City’s Bicycle Transportation Plan and trail network, ensuring connectivity with adjacent neighborhoods and regional facilities.

The proposed Project aligns with adopted transportation-related programs, plans, ordinances, and policies. The proposed Project's street improvements are consistent with adopted plans and design standards. Therefore, the proposed Project is not expected to impact the proposed and surrounding circulation system, including planned transit, roadway, bicycle, and pedestrian facilities.

The proposed Project would not induce any additional required improvements. The collection of fees and determined fair share fee amounts are adopted by the City as Conditions of Approval (COAs) for all new development projects prior to project approval. The payment of the required traffic impact fees to the City of Merced would reduce project-related traffic impacts to a **less than significant** level.

Moreover, the proposed Project is within the scope of projected growth under the General Plan and the anticipated uses on the Project site as assumed in the General Plan EIR. The proposed Project is considered planned growth under the General Plan and was considered in the analysis of the General Plan EIR. Therefore, the proposed Project would not result in new or substantially more severe impacts than identified in the General Plan EIR. Therefore, this is a **less than significant** impact.

Response b): SB 743 created several statewide changes to the evaluation of transportation and traffic impacts under CEQA. First, it directs OPR to amend the CEQA Guidelines to establish new metrics for determining the significance of transportation impacts of projects within transit priority areas (TPAs) and allows OPR to extend use of the new metrics beyond TPAs. The California Natural Resources Agency certified and adopted the amended CEQA Guidelines in December 2018. In the amended CEQA Guidelines, OPR selected Vehicle Miles Traveled (VMT) as the primary transportation impact metric to be applied throughout the State of California.

The amended CEQA Guidelines state that “generally, VMT is the most appropriate measure of transportation impacts” and the provisions requiring the use of VMT shall apply statewide as of July 1, 2020. The amended CEQA Guidelines further state that land use “projects within one-half mile of either an existing major transit stops or a stop along an existing high-quality transit corridor should be presumed to cause a less-than-significant transportation impact.”

Second, SB 743 establishes that aesthetic and parking impacts of a residential, mixed-use residential, or employment center projects on an infill site within a TPA shall not be considered significant impacts on the environment.

Third, SB 743 added section 21099 to the Public Resources Code, which states that automobile delay, as described by level of service (LOS) or similar measures of vehicular capacity or traffic congestion, shall not be considered a significant impact on the environment upon certification of the CEQA Guidelines by the Natural Resources Agency. Since the amended CEQA Guidelines were certified in December 2018, LOS or similar measures of vehicular capacity or traffic congestion are not considered a significant impact on the environment under CEQA.

Lastly, SB 743 establishes a new CEQA exemption for a residential, mixed-use, and employment center project a) within a TPA, b) consistent with a specific plan for which an EIR has been certified, and c) consistent with an SCS. This exemption requires further review if the proposed Project or circumstances changes significantly.

Technical Advisory on Evaluating Transportation Impacts

To aid in SB 743 implementation, in December 2018 OPR released a Technical Advisory on Evaluating Transportation Impacts in CEQA (Technical Advisory). The Technical Advisory provides advice and recommendations to CEQA lead agencies on how to implement the SB 743 changes. This includes technical recommendations regarding the assessment of VMT, thresholds of significance, VMT mitigation measures, and screening thresholds for certain land use projects. Lead agencies may consider and use these recommendations at their discretion and with the provision of substantial evidence to support alternative approaches.

The Technical Advisory identifies “screening thresholds” to quickly identify when a project should be expected to cause a less-than-significant impact without conducting a detailed study. The Technical Advisory suggests that projects meeting one or more of the following criteria should be expected to have a less-than-significant impact on VMT.

- Small projects – projects consistent with a SCS and local general plan that generate or attract fewer than 110 trips per day.
- Projects near major transit stops – certain projects (residential, retail, office, or a mix of these uses) proposed within ½ mile of an existing major transit stop or an existing stop along a high-quality transit corridor.
- Affordable residential development – a project consisting of a high percentage of affordable housing may be a basis to find a less-than-significant impact on VMT.
- Local-serving retail – local-serving retail development tends to shorten trips and reduce VMT. The Technical Advisory encourages lead agencies to decide when a project will likely be local-serving, but generally acknowledges that retail development including stores larger than 50,000 square feet might be considered regional-serving. The Technical Advisory suggests lead agencies analyze whether regional-serving retail would increase or decrease VMT (i.e., not presume a less-than-significant).
- Projects in low VMT areas – residential and office projects that incorporate similar features (i.e., density, mix of uses, transit accessibility) as existing development in areas with low VMT will tend to exhibit similarly low VMT.

The Technical Advisory also identifies recommended numeric VMT thresholds for residential, office, and retail projects, as described below.

- Residential development that would generate vehicle travel exceeding 15 percent below existing (baseline) residential VMT per capita may indicate a significant transportation impact. Existing VMT per capita may be measured as a regional VMT per capita or as city VMT per capita.
- Office projects that would generate vehicle travel exceeding 15 percent below existing regional VMT per employee may indicate a significant transportation impact.
- Retail projects (and other non-residential/non-office projects) that results in a net increase in total VMT may indicate a significant transportation impact.

For mixed-use projects, the Technical Advisory suggests evaluating each component independently and applying the significance threshold for each project type included. Alternatively, the lead agency may consider only the proposed Project’s dominant use.

The Technical Advisory also provides guidance on impacts to transit. Specifically, the Technical Advisory suggests that lead agencies generally should not treat the addition of new transit users as an adverse impact. As an example, the Technical Advisory suggests that “an infill development may add riders to transit systems and the additional boarding and alighting may slow transit vehicles, but it also adds destinations, improving proximity and accessibility. Such development also improves regional vehicle flow by adding less vehicle travel onto the regional network.”

VMT-Focused Transportation Impact Study Guide

On May 20, 2020, the VMT-Focused Transportation Impact Study Guide (TISG) was adopted. The TISG provides guidance on how Caltrans will review land use projects, with focus on VMT analysis and supporting state land use goals, state planning priorities, and GHG emission reduction goals; as well as identifying land use projects’ possible transportation impacts to the State Highway System and potential non-capacity increasing mitigation measures.

The TISG emphasizes that VMT analysis is Caltrans’ primary review focus, and references OPR’s Technical Advisory as a basis for the guidance in the TISG. Notably, the TISG recommends the use of the recommended thresholds in the Technical Advisory for land use projects. The TISG also references the Technical Advisory for screening thresholds that would identify projects and areas presumed to have a less-than-significant transportation impact. Caltrans supports streamlining for projects that meet these screening thresholds because they help achieve VMT reduction and mode shift goals.

VMT Analysis

The proposed Project meets the small project screening criteria specified in the City of Merced SB 743 Implementation Policy since the proposed Project generates fewer than 110 average daily vehicle trips. As a result, the proposed Project is presumed to not require a detailed VMT analysis for CEQA purposes.

For park uses, the Institute of Transportation Engineers (ITE) Land Use Code 411 — Public Park is the standard trip-generation source used in practice. Using the ITE 411 per-acre daily trip rate (1.89 trips per acre) (as applied in recent local trip-generation assessments), the proposed Project’s daily trip generation is estimated as 65.8 average daily trips. Based on OPR’s Technical Advisory and trip generation estimates, the proposed Project would generate substantially fewer than 110 daily trips. It is also noted that most of the trips would occur to the existing park with or without the park being expanded.

The proposed Project qualifies for the small-project screening threshold, would not conflict with CEQA Guidelines Section 15064.3(b). The proposed Project would not result in new or substantially more severe impacts and the criteria for requiring further CEQA review are not met. This impact would be **less than significant**.

Responses c), d): Proposed streets improvements to be constructed by the proposed Project will meet the minimum City of Merced design standards. Furthermore, proposed street improvements would provide continuous and connected sidewalks. The proposed improvements and corresponding design features are compatible with the proposed and neighborhood uses; therefore, no impact would occur.

Implementation of the proposed Project would not result in a geometric design feature that is inconsistent with applicable design standards for the City of Merced. The proposed Project would not result in a significant change to the vehicle mix or speed of traffic that is not compatible with the design of existing or planned facility design. The proposed Project does not propose any new

roadways or transportation facilities that would be inconsistent with applicable design standards for the City of Merced. Therefore, the proposed Project would not result in a change to the vehicle mix or speed of traffic that is not compatible with the design of existing or planned roadways and transportation facilities.

The internal circulation is designed to meet City code for emergency vehicle access and would maintain high levels of emergency vehicle accessibility and mobility, which ensures vehicles have the necessary access when responding to an emergency. Therefore, this is considered a **less than significant** impact.

XVIII. TRIBAL CULTURAL RESOURCES

	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?		X		
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resources to a California Native American tribe.		X		

Responses to Checklist Questions

Responses a), b): No Tribal Cultural Resources (TCRs) have been documented in the Project site. Nevertheless, the Project site is in a region where significant cultural resources have been recorded and there remains a potential that undocumented archaeological resources that may meet the TCR definition could be unearthed or otherwise discovered during ground-disturbing and construction activities. Examples of significant archaeological discoveries that may meet the TCR definition would include villages and cemeteries. Due to the possible presence of undocumented TCRs within the Project site, construction-related impacts on tribal cultural resources would be potentially significant. With implementation of the following mitigation measures, the proposed Project would have a *less than significant* impact related to tribal cultural resources.

Mitigation Measures

Implement Mitigation Measures CUL-1, CUL-2, and CUL-3.

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			X	
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			X	
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 projects projected demand in addition to the providers existing commitments?			X	
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?			X	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X	

Responses to Checklist Questions

Response a-c): The proposed Project consists of a General Plan Amendment, Annexation, and Prezone request to allow development of approximately 35 acres as an extension of Community Park – 42 South. Project improvements would include turf installation, irrigation, landscaping, and related park facilities. The proposed Project would connect to existing City utility infrastructure and storm drainage systems located in surrounding developed areas. No new off-site or expanded regional utility infrastructure would be required.

While minor extensions of water, wastewater, and storm drain connections may be necessary to serve the site, these improvements would be limited to on-site and immediately adjacent connections to existing infrastructure. Such improvements would be typical of park development and would not, by themselves, result in significant environmental effects. The proposed Project does not involve construction or relocation of major new water, wastewater, storm drainage, electric power, natural gas, or telecommunications facilities.

Therefore, the proposed Project would not result in the need for new or expanded utility infrastructure that could cause significant environmental effects, and impacts would be **less than significant**.

Responses d), e): Construction activities would generate a limited amount of solid waste, primarily from soil disturbance, vegetation removal, and construction materials. All construction waste would be disposed of at a permitted facility in compliance with applicable federal, state, and local standards. The proposed Project would also comply with applicable solid waste

reduction requirements, including the California Integrated Waste Management Act (AB 939) and CalRecycle diversion standards.

Once operational, the park would generate only minor amounts of solid waste associated with routine maintenance and park users. The City of Merced is served by the Highway 59 Landfill, which is operated by the Merced County Regional Waste Management Authority (MCRWMA). Currently, the Highway 59 Landfill (24-AA-0001) has a permitted capacity of 1,500 tons per day, with an estimated total permitted capacity of 30,012,352 cubic yards. The total estimated remaining capacity, as of 2024, was 28,025,334 cubic yards. The estimated closure date of the currently permitted facility is January 2030. This facility has sufficient permitted daily and total capacity to accommodate the limited amount of solid waste that would be generated by the Proposed Project.

Therefore, the Proposed Project would not generate solid waste more than State or local standards, would not exceed the capacity of local infrastructure, would not impair attainment of reduction goals, and would comply with all applicable solid waste regulations. Impacts would be less than significant.

XX. WILDFIRE

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	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?			X	
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?			X	
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?			X	
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?			X	

Responses to Checklist Questions

Response a): The proposed circulation improvements would allow for sufficient emergency access. The Project site would provide adequate emergency vehicular access via driveway connections with adjoining roadways and an internal circulation network. All driveways and internal roadways would be designed to accommodate large emergency vehicles such as fire engines. These improvements would contribute to effective emergency response and evacuation, and they would promote efficient circulation in the Project vicinity. Furthermore, the proposed Project does not propose any permanent road closures, lane reductions, or other adverse circulation conditions that may adversely affect emergency response or evacuation in the Project vicinity. The proposed Project would also be required to comply with all applicable requirements of the California Fire Code. As such, the proposed Project would not impact an adopted emergency response plan or emergency evacuation plan. Therefore, impacts from project implementation would be considered *less than significant* relative to this topic.

Response b): The risk of wildfire is related to a variety of parameters, including fuel loading (vegetation), fire weather (winds, temperatures, humidity levels, and fuel moisture contents) and topography (degree of slope). Steep slopes contribute to fire hazard by intensifying the effects of wind and making fire suppression difficult. Fuels such as grass are highly flammable because they have a high surface area to mass ratio and require less heat to reach the ignition point. Merced County has areas with an abundance of flashy fuels (i.e. grassland) in the foothill areas of the eastern and western portion of the County. The Project site is in an area that is predominately agricultural and urban, which is not considered at a significant risk of wildfire. Therefore, impacts from project implementation would be considered *less than significant* relative to this topic.

Response c): Development of the proposed Project would not exacerbate fire risks, nor would there be installation or maintenance of any other infrastructure associated with the proposed Project that would significantly exacerbate fire risk or result in temporary or ongoing impacts to the environment. Therefore, impacts from project implementation would be considered ***less than significant*** relative to this topic.

Response d): Landslides include rockfalls, deep slope failure, and shallow slope failure. Factors such as the geological conditions, drainage, slope, vegetation, and others directly affect the potential for landslides. One of the most common causes of landslides is construction activity that is associated with road building (i.e. cut and fill). The Project site is relatively flat; therefore, the potential for a landslide, because of runoff, post-fire slope instability, or drainage changes, in the Project site is essentially non-existent.

Therefore, impacts from proposed project implementation would be considered ***less than significant*** relative to this topic.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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?			X	
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)?			X	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

Responses to Checklist Questions

Response a): This Initial Study includes an analysis of the proposed Project impacts associated with aesthetics, agricultural and forest resources, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation and traffic, and utilities and service systems. The analysis covers a broad spectrum of topics relative to the potential for the proposed Project to have environmental impacts. This includes the potential for the proposed Project 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, 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. It was found that the proposed Project would have either no impact, a less than significant impact, or a less than significant impact with the implementation of mitigation measures. For the reasons presented throughout this Initial Study, the proposed Project would not substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. With the implementation of mitigation measures presented in this Initial Study, the proposed Project would have a **less than significant** impact relative to this topic.

Response b): In evaluating the cumulative effects of the proposed Project, Section 21100(e) of the *CEQA Guidelines* states that "previously approved land use documents including, but not limited to, general plans, specific plans, and local coastal plans, may be used in cumulative impact

analysis.” The City of Merced relies on its Vision 2030 General Plan, the MCAG RTP/SCS, and other adopted planning documents to evaluate cumulative conditions within the region.

The 2022 RTP/SCS prepared by MCAG analyzed the region’s transportation system, growth projections, and funding sources to develop a long-term framework for transportation improvements and land use planning. The RTP/SCS is designed to meet the requirements of Senate Bill 375, the Sustainable Communities Act of 2008, which seeks to integrate land use and transportation planning to reduce greenhouse gas emissions from VMT. The proposed Project would amend the Vision 2030 Land Use Element to change the land use designation from LDR to Open Space/Park (OS-PK). The purpose of the GPA is to allow for consistency between the City’s Vision 2030 General Plan and development of the Project site as an extension of Community Park – 42 South, which is under development to the immediate south of the Project site.

The proposed Project does not introduce new housing or employment opportunities that would generate unplanned growth projections or generate any increase in population that otherwise would not have been planned for in the City or by MCAG.

As discussed in Section III, Air Quality, construction, and operation of the proposed Project would not result in criteria pollutant emissions more than the SJVAPCD thresholds. Therefore, the proposed Project would not contribute substantially to cumulative regional air quality impacts. Similarly, as addressed in Section VIII, Greenhouse Gas Emissions, the proposed Project would not conflict with adopted state, regional, or local plans for reducing GHG emissions.

As discussed in Section III, Air Quality, construction, and operation of the proposed Project would not generate criteria pollutants more than the SJVAPCD emissions thresholds. Therefore, the proposed Project would not contribute significantly to cumulative impacts for any air quality pollutants for which the region is in non-attainment. As for cumulative impacts to regional air quality, the discussion in Section III, Air Quality indicates the proposed Project would not jeopardize the region’s attainment of air quality standards. The SJVAPCD uses project-level significance thresholds to determine whether a project’s emissions are cumulatively considerable. Because the proposed Project’s emissions do not exceed the SJVAPCD’s regional significance thresholds, as detailed in Section III, Air Quality, the SJVAPCD does not consider the proposed Project to contribute significantly to a cumulative air quality impact.

As detailed in Section XIII, Noise, for the cumulative conditions, a less than significant offsite noise impact from vehicle traffic noise would occur along the study area roadways.

Finally, as detailed throughout Section XIX., Utilities and Service Systems, sufficient utility facilities and resources are available to serve the proposed Project in addition to existing entitlements.

Conclusion

This Initial Study includes an analysis of the proposed Project impacts associated with aesthetics, agricultural and forest resources, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation/traffic, and utilities and service systems. The analysis covers a broad spectrum of topics relative to the potential for the proposed Project to have environmental impacts. It was found that the proposed Project would have either no impact, a less than significant impact, or a less than significant impact with the implementation of mitigation

measures. These mitigation measures would also function to reduce the proposed Project's contribution to cumulative impacts.

The proposed Project has no impact or a less than significant impact with respect to all environmental issues. Therefore, a *less than significant* cumulative impact would occur, and mitigation is not required.

Responses c): The construction phase could affect surrounding neighbors through increased air emissions, noise, and traffic; however, the construction effects are temporary and are not substantial. The operational phase could also affect surrounding neighbors through increased air emissions, noise, and traffic; however, mitigation measures have been incorporated into the proposed Project that would reduce the impacts to a less than significant level. The proposed Project would not cause substantial adverse effects on human beings. Implementation of the proposed Project would have a *less than significant* impact relative to this topic.

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APPENDIX A: BIOLOGICAL RECORDS



Summary Table Report
California Department of Fish and Wildlife
California Natural Diversity Database



Query Criteria: Quad IS (El Nido (3712024) OR (Merced (3712034) OR (Planada (3712033) OR (Haystack Mtn. (3712043) OR (Yosemite Lake (3712044) OR (Plainsburg (3712023) OR (Sandy Mush (3712025) OR (Atwater (3712035) OR (Winton (3712045))

Name (Scientific/Common)	CNDDB Ranks	Listing Status (Fed/State)	Other Lists	Elev. Range (ft.)	Total EO's	Element Occ. Ranks						Population Status		Presence		
						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extrip.	Extrip.
<i>Actinemys marmorata</i> northwestern pond turtle	G2 SNR	Proposed Threatened None	BLM_S-Sensitive CDFW_SSC-Species of Special Concern IUCN_VU-Vulnerable USFS_S-Sensitive	175 317	1160 S:5	0	0	1	0	0	4	4	1	5	0	0
<i>Agelaius tricolor</i> tricolored blackbird	G1G2 S2	None Threatened	BLM_S-Sensitive CDFW_SSC-Species of Special Concern IUCN_EN-Endangered USFWS_BCC-Birds of Conservation Concern	102 294	960 S:25	0	2	0	0	3	20	12	13	22	3	0
<i>Agrostis hendersonii</i> Henderson's bent grass	G2Q S2	None None	Rare Plant Rank - 3.2	225 350	26 S:4	0	3	0	0	0	1	4	0	4	0	0
<i>Ambystoma californiense pop. 1</i> California tiger salamander - central California DPS	G3T3 S3	Threatened Threatened	CDFW_WL-Watch List IUCN_VU-Vulnerable	105 600	1329 S:51	2	8	3	2	0	36	38	13	51	0	0
<i>Anarhynchus montanus</i> mountain plover	G3 S2	None None	BLM_S-Sensitive CDFW_SSC-Species of Special Concern IUCN_NT-Near Threatened USFWS_BCC-Birds of Conservation Concern	275 275	94 S:1	1	0	0	0	0	0	1	0	1	0	0
<i>Antrozous pallidus</i> pallid bat	G4 S3	None None	BLM_S-Sensitive CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern USFS_S-Sensitive	200 200	425 S:3	0	0	0	0	0	3	3	0	3	0	0
<i>Athene cunicularia</i> burrowing owl	G4 S2	None Candidate Endangered	BLM_S-Sensitive CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern USFWS_BCC-Birds of Conservation Concern	130 450	2300 S:14	4	4	4	0	0	2	4	10	14	0	0



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						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extirp.	Extirp.
<i>Atriplex cordulata</i> var. <i>cordulata</i> heartscale	GNRT2 S2	None None	Rare Plant Rank - 1B.2 BLM_S-Sensitive	140 200	66 S:4	0	0	0	0	1	3	4	0	3	0	1
<i>Atriplex minuscula</i> lesser saltscale	G2 S2	None None	Rare Plant Rank - 1B.1 SB_CalBC/RSABC- California/Rancho Santa Ana Botanic Garden	100 100	52 S:3	0	0	0	0	1	2	2	1	2	0	1
<i>Atriplex persistens</i> vernal pool smallscale	G2 S2	None None	Rare Plant Rank - 1B.2	110 145	41 S:5	1	1	0	0	1	2	3	2	4	1	0
<i>Atriplex subtilis</i> subtle orache	G1 S1	None None	Rare Plant Rank - 1B.2 BLM_S-Sensitive		24 S:1	0	0	0	0	1	0	1	0	0	0	1
<i>Bombus crotchii</i> Crotch's bumble bee	G2 S2	None Candidate Endangered	IUCN_EN-Endangered	111 948	880 S:5	0	3	0	0	0	2	0	5	5	0	0
<i>Bombus pensylvanicus</i> American bumble bee	G3G4 S2	None None	IUCN_VU-Vulnerable	170 250	810 S:3	0	0	0	0	0	3	3	0	3	0	0
<i>Branchinecta conservatio</i> Conservancy fairy shrimp	G2 S2	Endangered None	IUCN_EN-Endangered	135 320	57 S:8	2	1	0	0	0	5	3	5	8	0	0
<i>Branchinecta lynchi</i> vernal pool fairy shrimp	G3 S3	Threatened None	IUCN_VU-Vulnerable	100 660	804 S:125	83	15	1	0	0	26	109	16	125	0	0
<i>Branchinecta mesoovallensis</i> midvalley fairy shrimp	G2 S2S3	None None		130 504	148 S:50	7	2	0	0	0	41	42	8	50	0	0
<i>Brasenia schreberi</i> watershield	G5 S3	None None	Rare Plant Rank - 2B.3 IUCN_LC-Least Concern	170 170	43 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Buteo regalis</i> ferruginous hawk	G4 S3S4	None None	CDFW_WL-Watch List IUCN_LC-Least Concern	175 290	107 S:2	0	0	1	0	0	1	1	1	2	0	0
<i>Buteo swainsoni</i> Swainson's hawk	G5 S4	None Threatened	BLM_S-Sensitive IUCN_LC-Least Concern	105 290	2585 S:35	11	13	3	2	1	5	8	27	34	1	0
<i>Calycadenia hooveri</i> Hoover's calycadenia	G2 S2	None None	Rare Plant Rank - 1B.3 BLM_S-Sensitive	320 500	37 S:11	0	0	0	0	0	11	11	0	11	0	0
<i>Casibilleja campestris</i> var. <i>succulenta</i> succulent owl's-clover	G4?T2T3 S2S3	Threatened Endangered	Rare Plant Rank - 1B.2	175 700	99 S:44	7	11	0	2	0	24	33	11	44	0	0



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						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extirp.	Extirp.
<i>Circus hudsonius</i> northern harrier	G5 S3	None None	CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern USFWS_BCC-Birds of Conservation Concern	217 217	82 S:1	0	1	0	0	0	0	0	1	1	0	0
<i>Clarkia rostrata</i> beaked clarkia	G2G3 S2S3	None None	Rare Plant Rank - 1B.3 BLM_S-Sensitive SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden SB_UCBG-UC Botanical Garden at Berkeley	290 375	74 S:4	1	1	0	0	0	2	4	0	4	0	0
<i>Delphinium recurvatum</i> recurved larkspur	G2? S2	None None	Rare Plant Rank - 1B.2 BLM_S-Sensitive SB_SBBG-Santa Barbara Botanic Garden	120 120	119 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Dipodomys heermanni dixonii</i> Merced kangaroo rat	G4T2 S2	None None		280 435	21 S:7	0	0	0	0	0	7	7	0	7	0	0
<i>Downingia pusilla</i> dwarf downingia	GU S2	None None	Rare Plant Rank - 2B.2	273 630	132 S:3	0	2	0	0	0	1	3	0	3	0	0
<i>Eryngium racemosum</i> Delta button-celery	G1 S1	None Endangered	Rare Plant Rank - 1B.1	100 100	26 S:1	0	1	0	0	0	0	0	1	1	0	0
<i>Eryngium spinosepalum</i> spiny-sepaled button-celery	G2 S2	None None	Rare Plant Rank - 1B.2 BLM_S-Sensitive SB_SBBG-Santa Barbara Botanic Garden	200 325	108 S:9	2	0	0	0	0	7	8	1	9	0	0
<i>Eumops perotis californicus</i> western mastiff bat	G4G5T4 S3S4	None None	BLM_S-Sensitive CDFW_SSC-Species of Special Concern	180 200	296 S:4	0	0	0	0	0	4	4	0	4	0	0
<i>Falco columbarius</i> merlin	G5 S3S4	None None	CDFW_WL-Watch List IUCN_LC-Least Concern	410 410	38 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Gambelia sila</i> blunt-nosed leopard lizard	G1 S2	Endangered Endangered	CDFW_FP-Fully Protected IUCN_EN-Endangered	120 120	475 S:1	0	0	0	0	1	0	1	0	0	1	0



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						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extirp.	Extirp.
<i>Gratiola heterosepala</i> Boggs Lake hedge-hyssop	G2 S2	None Endangered	Rare Plant Rank - 1B.2 BLM_S-Sensitive	305 305	110 S:1	1	0	0	0	0	0	1	0	1	0	0
<i>Haliaeetus leucocephalus</i> bald eagle	G5 S3	Delisted Endangered	BLM_S-Sensitive CDF_S-Sensitive CDFW_FP-Fully Protected IUCN_LC-Least Concern USFS_S-Sensitive	270 270	334 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Legophylla dichotoma</i> forked hare-leaf	G1 S1	None None	Rare Plant Rank - 1B.1		7 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Lasiorus cinereus</i> hoary bat	G3G4 S4	None None	IUCN_LC-Least Concern	200 200	238 S:5	0	0	0	0	0	5	5	0	5	0	0
<i>Lasiorus frantzii</i> western red bat	G4 S3	None None	CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern	200 200	128 S:3	0	0	0	0	0	3	3	0	3	0	0
<i>Lasthenia chrysantha</i> alkali-sink goldfields	G2 S2	None None	Rare Plant Rank - 1B.1	140 150	55 S:2	0	0	0	0	0	2	2	0	2	0	0
<i>Lepidurus packardii</i> vernal pool tadpole shrimp	G3 S3	Endangered None	IUCN_EN-Endangered	130 340	336 S:27	5	8	0	1	0	13	18	9	27	0	0
<i>Linderiella occidentalis</i> California linderiella	G2G3 S2S3	None None	IUCN_NT-Near Threatened	136 590	509 S:52	5	6	2	0	0	39	45	7	52	0	0
<i>Lytta molesta</i> molestan blister beetle	G2 S2	None None		230 230	17 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Mytopharodon conocephalus</i> hardhead	G3 S3	None None	CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern USFS_S-Sensitive	150 220	33 S:3	0	0	0	0	0	3	1	2	3	0	0
<i>Myotis yumanensis</i> Yuma myotis	G5 S4	None None	BLM_S-Sensitive IUCN_LC-Least Concern	200 233	265 S:5	0	2	0	0	0	3	5	0	5	0	0
<i>Navarretia myersii ssp. myersii</i> pincushion navarretia	G2T2 S2	None None	Rare Plant Rank - 1B.1	300 310	16 S:3	1	0	0	0	0	2	2	1	3	0	0



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<i>Navarretia nigelliformis ssp. radians</i> shining navarretia	G4T2T3 S2S3	None None	Rare Plant Rank - 1B.2 BLM_S-Sensitive	200 380	102 S:27	3	9	2	0	0	13	21	6	27	0	0
<i>Neostaplia colusana</i> Colusa grass	G1 S1	Threatened Endangered	Rare Plant Rank - 1B.1	110 410	66 S:29	2	9	10	0	3	5	17	12	26	2	1
<i>Northern Claypan Vernal Pool</i> Northern Claypan Vernal Pool	G1 S1.1	None None		108 135	21 S:3	0	0	0	0	0	3	3	0	3	0	0
<i>Northern Hardpan Vernal Pool</i> Northern Hardpan Vernal Pool	G3 S3.1	None None		200 675	126 S:7	0	1	0	0	0	6	7	0	7	0	0
<i>Oncorhynchus mykiss irideus pop. 11</i> steelhead - Central Valley DPS	G5T2Q S2	Threatened None	AFS_TH-Threatened CDFW_SSC-Species of Special Concern		31 S:1	0	0	0	0	0	1	0	1	1	0	0
<i>Orcuttia inaequalis</i> San Joaquin Valley Orcutt grass	G1 S1	Threatened Endangered	Rare Plant Rank - 1B.1	200 358	47 S:16	2	4	4	0	1	5	11	5	16	0	1
<i>Orcuttia pilosa</i> hairy Orcutt grass	G1 S1	Endangered Endangered	Rare Plant Rank - 1B.1 SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden	175 309	35 S:2	0	0	0	0	2	0	2	0	0	1	1
<i>Perognathus inornatus</i> San Joaquin pocket mouse	G3 S2S3	None None	BLM_S-Sensitive IUCN_LC-Least Concern	310 490	140 S:3	0	0	0	0	0	3	3	0	3	0	0
<i>Phacelia ciliata var. opaca</i> Merced phacelia	G5TH SH	None None	Rare Plant Rank - 3.2	200 270	7 S:6	0	0	0	0	1	5	6	0	5	1	0
<i>Pseudobahia bahifolia</i> Hartweg's golden sunburst	G1 S1	Endangered Endangered	Rare Plant Rank - 1B.1 SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden	450 550	27 S:2	0	2	0	0	0	0	0	2	2	0	0
<i>Puccinellia simplex</i> California alkali grass	G2 S2	None None	Rare Plant Rank - 1B.2 BLM_S-Sensitive	200 200	80 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Sagittaria sanfordii</i> Sanford's arrowhead	G3 S3	None None	Rare Plant Rank - 1B.2 BLM_S-Sensitive	150 350	143 S:3	0	2	0	0	0	1	1	2	3	0	0



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<i>Sidalcea keckii</i> Keck's checkerbloom	G2 S2	Endangered None	Rare Plant Rank - 1B.1 SB_CalBG/RSABG- California/Rancho Santa Ana Botanic Garden	233 280	50 S:2	0	0	0	1	0	1	1	1	2	0	0
<i>Spea hammondi</i> western spadefoot	G2G3 S3S4	Proposed Threatened None	BLM_S-Sensitive CDFW_SSC-Species of Special Concern IUCN_NT-Near Threatened	102 455	1445 S:11	4	1	1	0	0	5	2	9	11	0	0
<i>Taxidea taxus</i> American badger	G5 S3	None None	CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern	145 184	648 S:2	1	0	0	0	0	1	1	1	2	0	0
<i>Thamnophis gigas</i> giant gartersnake	G2 S2	Threatened Threatened	IUCN_VU-Vulnerable	170 170	381 S:1	0	0	0	0	1	0	1	0	0	1	0
<i>Tuctoria greenei</i> Greene's tucloria	G1 S1	Endangered Rare	Rare Plant Rank - 1B.1	250 290	50 S:5	0	0	1	2	1	1	3	2	4	0	1
<i>Vulpes macrotis mutica</i> San Joaquin kit fox	G4T2 S3	Endangered Threatened		100 255	1026 S:8	1	2	3	1	0	1	8	0	8	0	0



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Sacramento Fish And Wildlife Office
Federal Building
2800 Cottage Way, Room W-2605
Sacramento, CA 95825-1846
Phone: (916) 414-6600 Fax: (916) 414-6713



In Reply Refer To:
Project Code: 2026-0005641
Project Name: Merced Park Project

10/16/2025 18:20:42 UTC

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2))

Project code: 2026-0005641

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(c). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf>

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts, see <https://www.fws.gov/program/migratory-bird-permit/what-we-do>.

It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see <https://www.fws.gov/library/collections/threats-birds>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/partner/council-conservation-migratory-birds>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

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Attachment(s):

- Official Species List

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Sacramento Fish And Wildlife Office

Federal Building

2800 Cottage Way, Room W-2605

Sacramento, CA 95825-1846

(916) 414-6600

Project code: 2026-0005641

10/16/2025 18:20:42 UTC

PROJECT SUMMARY

Project Code: 2026-0005641

Project Name: Merced Park Project

Project Type: Recreation - New Construction

Project Description: The Proposed Project is an expansion of Community Park – 42, which is a city-owned Sports Park currently under construction immediately south of the Project site. The Proposed Project includes the installation of park irrigation facilities and the placement of grass turf within the Project site. Future phases of the park could include additional park and recreational development including park structures, lighting, etc., however, there are not any current plans for such development and no future uses are assumed at this time. The current proposal is limited to irrigation and turf installation only.

The expansion of the Sports Park is intended to provide accessible recreational amenities for surrounding neighborhoods while maintaining compatibility with adjacent uses. Primary vehicular access will be provided from South Tyler Road to the east, East Gerard Avenue to the north, Barroso Avenue to the west, and the existing (under construction) Sports Park to the south.

The Proposed Project consists of a General Plan Amendment (GPA) and Annexation request for approximately 34.81 acres located immediately north and east of the existing city limits. The Project site is currently designated for Low Density Residential (LDR) land uses per the City's Vision 2030 General Plan, dated January 2021. The proposed Project would amend the Vision 2030 Land Use Element to change the land use designation from LDR to Open Space/Park (OS-PK). The purpose of the GPA is to allow for consistency between the City's Vision 2030 General Plan and development of the Project site as an extension of Community Park – 42, which is under development to the immediate south of the Project site.

In addition to the GPA, the entitlements requested include an Annexation and Prezone request to the Merced Local Agency Formation Commission (LAFCo). The proposed Prezone is (P-OS), Parks and Open Space under the City's Zoning Ordinance. The P-OS zone district is consistent with the Open Space/Park land use designation.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@37.278774350000006,-120.4721312438239,14z>

Project Code: 2026-0005AW

10/16/2025 18:20:42 UTC



Counties: Merced County, California

Project code: 2026-0005641

10/16/2025 18:20:42 UTC

ENDANGERED SPECIES ACT SPECIES

There is a total of 13 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Project code: 2026-0005641

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MAMMALS

NAME	STATUS
San Joaquin Kit Fox <i>Vulpes macrotis mutica</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/2873	Endangered

REPTILES

NAME	STATUS
Northwestern Pond Turtle <i>Actinemys marmorata</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1111	Proposed Threatened

AMPHIBIANS

NAME	STATUS
California Tiger Salamander <i>Ambystoma californiense</i> Population: U.S.A. (Central CA DPS) There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/2076	Threatened
Western Spadefoot <i>Spea hammondi</i> Population: Northern DPS No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/5425	Proposed Threatened

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> There is proposed critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/9743	Proposed Threatened
Valley Elderberry Longhorn Beetle <i>Desmocerus californicus dimorphus</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/7850	Threatened

CRUSTACEANS

NAME	STATUS
Conservancy Fairy Shrimp <i>Branchinecta conservatio</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/8246	Endangered
Vernal Pool Fairy Shrimp <i>Branchinecta lynchi</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/498	Threatened

Project code: 2026-0005641

10/16/2025 18:20:42 UTC

NAME	STATUS
Vernal Pool Tadpole Shrimp <i>Lepidurus packardii</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/2246	Endangered

FLOWERING PLANTS

NAME	STATUS
Colusa Grass <i>Neostapfia colusana</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5690	Threatened
Fleshy Owl's-clover <i>Castilleja campestris ssp. succulenta</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/8095	Threatened
Hairy Orcutt Grass <i>Orcuttia pilosa</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/2262	Endangered
San Joaquin Valley Orcutt Grass <i>Orcuttia inaequalis</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5506	Threatened

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

Project code: 2026-0005641

10/16/2025 18:20:42 UTC

IPAC USER CONTACT INFORMATION

Agency: Merced city
Name: Steve McMurtry
Address: 1020 Suncast Lane, Suite 106
City: El Dorado Hills
State: CA
Zip: 95762
Email: smcmurtry@denovoplanning.com
Phone: 9165809818

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Merced city

APPENDIX B: CULTURAL RESOURCE ANALYSIS

**CULTURAL RESOURCE ASSESSMENT OF THE
MERCED PARK PROJECT,
CITY OF MERCED,
MERCED COUNTY, CALIFORNIA**

Prepared by

Peak & Associates, Inc.
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Prepared for

De Novo Planning Group
1020 Suncast Lane, Suite 106
El Dorado Hills, CA 95762

October 8, 2025
(Job #24-091)

INTRODUCTION

Project Location and Setting

The Project site consists of two parcels (APNs: 259-130-010, and -016) consisting of approximately 34.81 acres of undeveloped land located along South Tyler Road and East Gerard Avenue in unincorporated Merced. One parcel is 33.82 acres of agricultural land owned by the Merced Union High School District (APN: 259-130-010). The second parcel is 0.99 acres of vacant land that has remnants of a residence that no longer exists on the parcel. The site is relatively flat, with an elevation range of approximately 22 to 25 feet above sea level. There is a small irrigation ditch along the eastern boundary of the Project site. Figure 1 provides a regional location, and Figure 2 provides an aerial view of the Project site.

Surrounding land uses include rural residences to the north, low density residential neighborhoods to the west, agricultural fields to the east, and a 37.19-acre Sports Park under construction by the City of Merced to the south. The Project site is in the unincorporated limits of Merced County, but the city limits are located along the southern and western parcel boundary.

Project Description

The Proposed Project is an expansion of Community Park – 42, which is a city-owned Sports Park currently under construction immediately south of the Project site. The Proposed Project includes the installation of park irrigation facilities and the placement of grass turf within the Project site. Future phases of the park could include additional park and recreational development including park structures, lighting, etc., however, there are not any current plans for such development. The current proposal is limited to irrigation and turf installation only.

The expansion of the Sports Park is intended to provide accessible recreational amenities for surrounding neighborhoods while maintaining compatibility with adjacent uses. Primary vehicular access will be provided from South Tyler Road to the east, East Gerard Avenue to the north, Barroso Avenue to the west, and the existing (under construction) Sports Park to the south.

The Proposed Project consists of a General Plan Amendment (GPA) and Annexation request for approximately 34.81 acres located immediately north and east of the existing city limits. The Project site is currently designated for Low Density Residential (LDR) land uses per the City's Vision 2030 General Plan, dated January 2021. The proposed Project would amend the Vision 2030 Land Use Element to change the land use designation from LDR to Open Space/Park (OS-PK). The purpose of the GPA is to allow for consistency between the City's Vision 2030 General Plan and development of the Project site as an extension of Community Park – 42, which is under development to the immediate south of the Project site.

In addition to the GPA, the entitlements requested include an Annexation and Prezone request to the Merced Local Agency Formation Commission (LAFCo). The proposed Prezone is (P-OS), Parks and Open Space under the City's Zoning Ordinance. The P-OS zone district is consistent with the Open Space/Park land use designation.

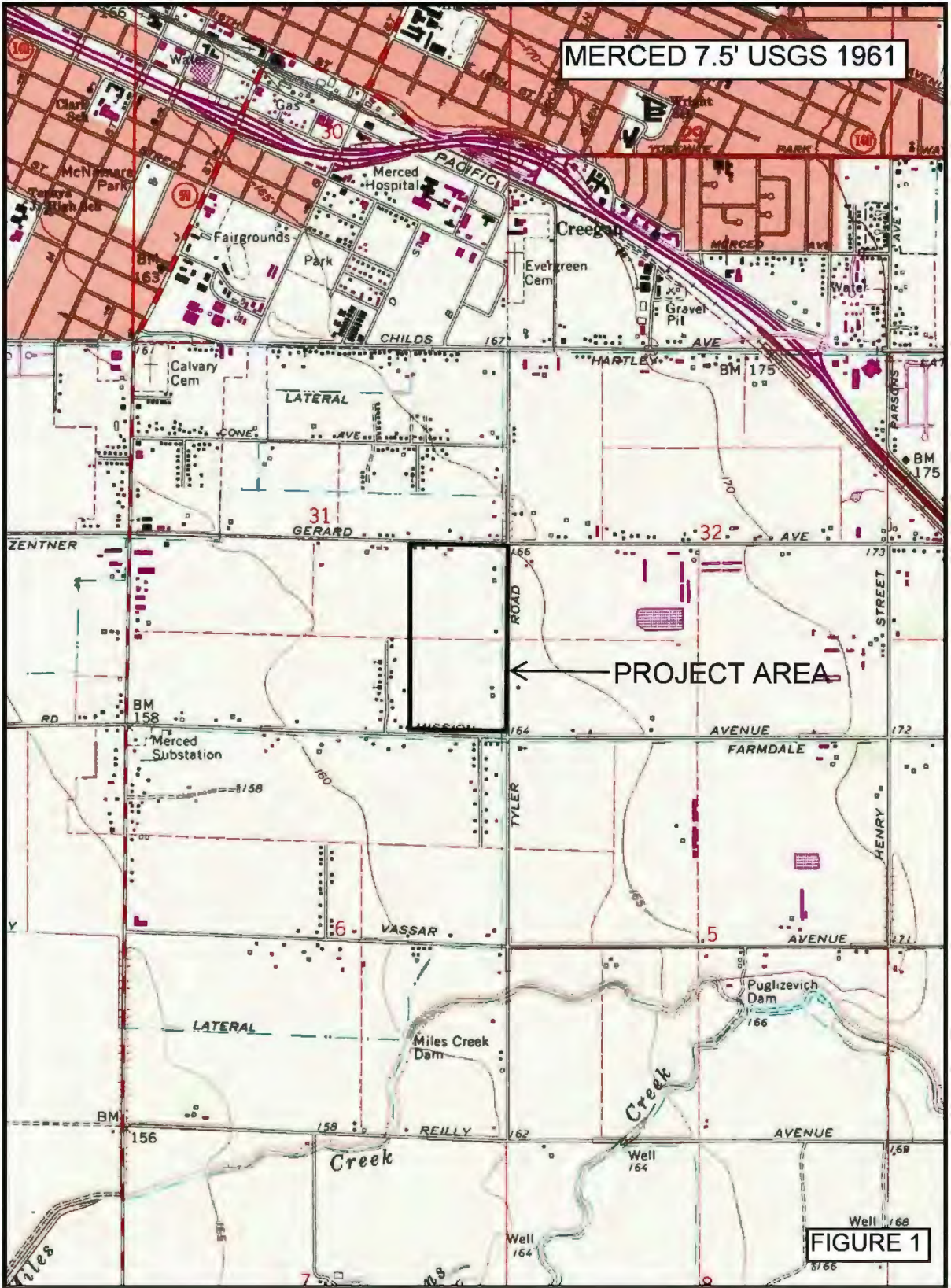


FIGURE 1

MERCED PARK STUDY AREA

Pedestrian Survey in Areas 5, 6, 7



#1 – Size: 0.32 acres / 14298.1 SF
 Site Address 528 E Gerard Ave
 Property Owner: DEVI RENU RANJITA &
 GILL GURPREET SINGH
 Mailing: 1407 W 16TH ST MERCED, CA
 95340
 APN - 259-130-011

#2 – Size: 1.14 Acres APN - 259-130-012
 Site Address: 546 E GERARD AVE
 Property Owner: MOUA JUPAH & KATHY
 Mailing Address: 546 E GERARD AVE
 MERCED, CA 95341

#3 – Size: 1.45 Acres APN - 259-130-013
 Site Address: 570 E GERARD AVE
 Property Owner: VERA MIGEL ANGEL
 Mailing Address: 570 E GERARD AVE
 MERCED, CA 95341

#4 – Size: 1.45 acres APN - 259-130-014
 Site Address: 600 E GERARD AVE
 Property Owner: GONZALES BARBARA R
 Mailing Address: 600 E GERARD AVE
 MERCED, CA 95341

#5 – Size: 33.82 APN - 259-130-010
 Property Owner: MUHSD

#6 – Size: 0.99 acre APN - 259-130-016
 Site Address: 739 S TYLER RD
 Property Owner: SLATON TONY T
 Mailing Address: 1344 GRIFFIN ST
 MERCED, CA 95341

#7 - Size: 37.19 acres APN - 259-130-035
 Property Owner: City of Merced

FIGURE 2

Annexation

The Project site is within the City of Merced's Sphere of Influence but located outside the city limits and will require annexation approval by the City of Merced and Merced County Local Agency Formation Commission (LAFCo). The annexation request will not require adjustment to the Sphere of Influence.

REQUESTED ENTITLEMENTS AND OTHER APPROVALS

The City of Merced is the Lead Agency for the proposed Project, pursuant to the State CEQA Guidelines, Section 15050.

This document will be used by the City of Merced to take the following actions:

- Adoption of the Mitigated Negative Declaration (MND);
- Adoption of the Mitigation Monitoring and Reporting Program;
- Adoption of a General Plan Amendment;
- Approval of the Prezone to R-1; and
- Approval of a recommendation for LAFCo to approve the Annexation;
- City review and approval of the proposed Grading and Improvement Plans.

The following agencies may be required to issue permits or approve certain aspects of the proposed Project:

- Regional Water Quality Control Board (RWQCB) – Construction activities would be required to be covered under the National Pollution Discharge Elimination System (NPDES);
- RWQCB – The Storm Water Pollution Prevention Plan (SWPPP) would be required to be approved prior to construction activities pursuant to the Clean Water Act;
- San Joaquin Valley Air Pollution Control District (SJVAPCD) – Approval of construction-related air quality permits;

Melinda Peak served as principal investigator for the cultural resource studies for the project (resume, Appendix 1).

STATE REGULATIONS

State historic preservation regulations affecting this project include the statutes and guidelines contained in the California Environmental Quality Act (CEQA; Public Resources Code sections 21083.2 and 21084.1 and sections 15064.5 and 15126.4 (b) of the CEQA Guidelines). CEQA Section 15064.5 requires that lead agencies determine whether projects may have a significant

effect on archaeological and historical resources. Public Resources Code Section 21098.1 further cites: A project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment.

An “historical resource” includes, but is not limited to, any object, building, structure, site, area, place, record or manuscript that is historically or archaeologically significant (Public Resources Code section 5020.1).

Advice on procedures to identify such resources, evaluate their importance, and estimate potential effects is given in several agency publications such as the series produced by the Governor’s Office of Planning and Research (OPR), *CEQA and Archaeological Resources*, 1994. The technical advice series produced by OPR strongly recommends that Native American concerns and the concerns of other interested persons and corporate entities, including, but not limited to, museums, historical commissions, associations and societies be solicited as part of the process of cultural resources inventory. In addition, California law protects Native American burials, skeletal remains, and associated grave goods regardless of the antiquity and provides for the sensitive treatment and disposition of those remains (California Health and Safety Code Section 7050.5, California Public Resources Codes Sections 5097.94 et al).

The California Register of Historical Resources (Public Resources Code Section 5020 et seq.)

The State Historic Preservation Office (SHPO) maintains the California Register of Historical Resources (CRHR). Properties listed, or formally designated as eligible for listing, on the National Register of Historic Places are automatically listed on the CRHR, as are State Landmarks and Points of Interest. The CRHR also includes properties designated under local ordinances or identified through local historical resource surveys.

For the purposes of CEQA, a historical resource is a resource listed in or determined eligible for listing in the California Register of Historical Resources. When a project will impact a site, it needs to be determined whether the site is a historical resource. The criteria are set forth in Section 15064.5(a) (3) of the CEQA Guidelines, and are defined as any resource that does any of the following:

- A. Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage;
- B. Is associated with the lives of persons important in our past;

- C. 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
- D. Has yielded, or may be likely to yield, information important in prehistory or history.

In addition, the CEQA Guidelines, Section 15064.5(a) (4) states:

The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources (pursuant to section 5020.1(k) of the Public Resources Code), or identified in an historical resources survey (meeting the criteria in section 5024.1(g) of the Public Resources Code) does not preclude a lead agency from determining that the resource may be an historical resource as defined in Public Resources Code section 5020.1(j) or 5024.1.

California Health and Safety Code Sections 7050.5, 7051, And 7054

These sections collectively address the illegality of interference with human burial remains, as well as the disposition of Native American burials in archaeological sites. The law protects such remains from disturbance, vandalism, or inadvertent destruction, and establishes procedures to be implemented if Native American skeletal remains are discovered during construction of a project, including the treatment of remains prior to, during, and after evaluation, and reburial procedures (**California Public Resources Code Section 15064.5(e)**)

This law addresses the disposition of Native American burials in archaeological sites and protects such remains from disturbance, vandalism, or inadvertent destruction. The section establishes procedures to be implemented if Native American skeletal remains are discovered during construction of a project and establishes the Native American Heritage Commission as the entity responsible to resolve disputes regarding the disposition of such remains.

Senate Bill 18

Senate Bill (SB) 18, requires local (city and county) governments to consult with California Native American tribes to aid in the protection of traditional tribal cultural places (“cultural places”) through local land use planning. This legislation, which amended §65040.2, §65092, §65351, §65352, and §65560, and added §65352.3, §653524, and §65562.5 to the Government Code; also requires the Governor’s Office of Planning and Research (OPR) to include in the General Plan Guidelines advice to local governments on how to conduct these consultations. The intent of SB 18 is to provide California Native American tribes an opportunity to participate in local land use

decisions at an early planning stage, for the purpose of protecting, or mitigating impacts to, cultural places. These consultation and notice requirements apply to adoption and amendment of both general plans (defined in Government Code §65300 et seq.) and specific plans (defined in Government Code §65450 et seq.).

Assembly Bill 52

Assembly Bill (AB) 52 establishes a formal consultation process for California tribes as part of CEQA and equates significant impacts on tribal cultural resources with significant environmental impacts. AB 52 defines a “California Native American Tribe” as a Native American tribe located in California that is on the contact list maintained by the Native American Heritage Commission. AB 52 requires formal consultation with California Native American Tribes prior to determining the level of environmental document if a tribe has requested to be informed by the lead agency of proposed projects. AB 52 also requires that consultation address project alternatives, mitigation measures, for significant effects, if requested by the California Native American Tribe, and that consultation be considered concluded when either the parties agree to measures to mitigate or avoid a significant effect, or the agency concludes that mutual agreement cannot be reached. Under AB 52, such measures shall be recommended for inclusion in the environmental document and adopted mitigation monitoring program if determined to avoid or lessen a significant impact on a tribal cultural resource.

CULTURAL SETTING

Prehistory

The Central Valley region was among the first in the state to attract intensive fieldwork, and research has continued to the present day. This has resulted in a substantial accumulation of data.

In the early decades of the 1900s, E.J. Dawson explored numerous sites near Stockton and Lodi, later collaborating with W.E. Schenck (Schenck and Dawson 1929). By 1933, the focus of work was directed to the Cosumnes locality, where survey and excavation studies were conducted by the Sacramento Junior College (Lillard and Purves 1936). Excavation data, in particular from the stratified Windmill site (CA-Sac-107), suggested two temporally distinct cultural traditions. Later work at other mounds by Sacramento Junior College and the University of California, Berkeley, enabled the investigators to identify a third cultural tradition, intermediate between the previously postulated Early and Late Horizons. The three-horizon sequence, based on discrete

changes in ornamental artifacts and mortuary practices, as well as on observed differences in soils within sites (Lillard, Heizer and Fenenga 1939), was later refined by Beardsley (1954). An expanded definition of artifacts diagnostic of each time period was developed, and its application extended to parts of the central California coast. Traits held in common allow the application of this system within certain limits of time and space to other areas of prehistoric central California.

The Windmill Culture (Early Horizon) is characterized by ventrally-extended burials (some dorsal extensions are known), with westerly orientation of heads; a high percentage of burials with grave goods; frequent presence of red ocher in graves; large projectile points, of which 60 percent are of materials other than obsidian; rectangular *Haliotis* beads; *Olivella* shell beads (types A1a and L); rare use of bone; some use of baked clay objects; and well-fashioned charm stones, usually perforated.

The Cosumnes Culture (Middle Horizon) displays considerable changes from the preceding cultural expression. The burial mode is predominately flexed, with variable cardinal orientation and some cremations present. There are a lower percentage of burials with grave goods, and ocher staining is common in graves. *Olivella* beads of types C1, F and G predominate, and there is abundant use of green *Haliotis sp.* rather than red *Haliotis sp.* Other characteristic artifacts include perforated and canid teeth; asymmetrical and “fishtail” charm stones, usually unperforated; cobble mortars and evidence of wooden mortars; extensive use of bone for tools and ornaments; large projectile points, with considerable use of rock other than obsidian; and use of baked clay.

Hotchkiss Culture (Late Horizon) -- The burial pattern retains the use of the flexed mode, and there is wide spread evidence of cremation, lesser use of red ocher, heavy use of baked clay, *Olivella* beads of Types E and M, extensive use of *Haliotis* ornaments of many elaborate shapes and forms, shaped mortars and cylindrical pestles, bird-bone tubes with elaborate geometric designs, clam shell disc beads, small projectile points indicative of the introduction of the bow and arrow, flanged tubular pipes of steatite and schist, and use of magnesite (Moratto 1984:181-183). The characteristics noted are not all-inclusive but cover the more important traits.

Schulz (1981), in an extensive examination of the central California evidence for the use of acorns, used the terms Early, Middle and Late Complexes, but the traits attributed to them remain generally the same. While it is not altogether clear, Schulz seemingly uses the term “Complex” to refer to the particular archeological entities (above called “Horizons”) as defined in this region. Ragir's (1972) cultures are the same as Schulz's complexes.

Bennyhoff and Hughes (1984) have presented alternative dating schemes for the Central California Archeological Sequence. The primary emphasis is a more elaborate division of the horizons to reflect what is seen as cultural/temporal changes within the three horizons and a compression of the temporal span.

There have been other chronologies proposed, including Fredrickson (1973), and since it is correlated with Bennyhoff's (1977) work, it does merit discussion. The particular archeological cultural entities Fredrickson has defined, based upon the work of Bennyhoff, are patterns, phases and aspects. Bennyhoff's (1977) work in the Plains Miwok area is the best definition of the Cosumnes District, which likely conforms to Fredrickson's pattern. Fredrickson also proposed periods of time associated heavily with economic modes, which provides a temporal term for comparing contemporary cultural entities. It corresponds with Willey and Phillips' (1958) earlier "tradition", although it is tied more specifically to the archeological record in California.

Ethnohistory

The Project site lies within the northern portion of the ethnographic territory of the Yokuts people. The Yokuts were members of the Penutian language family which held all of the Central Valley, San Francisco Bay Area, and the Pacific Coast from Marin County to near Point Sur. The Yokuts

differed from other ethnographic groups in California as they had true tribal divisions with group names (Kroeber 1925; Latta 1949). Each tribe spoke a particular dialect, common to its members, but similar enough to other Yokuts that they were mutually intelligible (Kroeber 1925).

The Yokuts held portions of the San Joaquin Valley from the Tehachapi mountains in the south to Stockton in the north. On the north they were bordered by the Plains Miwok, and on the west by the Saclan or Bay Miwok and Costanoan peoples. Although neighbors were often from distinct language families, differences between the people appear to have been more influenced by environmental factors as opposed to linguistic affinities. Thus, the Plains Miwok were more similar to the nearby Yokuts than to foothill members of their own language group. Similarities in cultural inventory co-varied with distance from other groups and proximity to culturally diverse people. The material culture of the southern San Joaquin Yokuts was therefore more closely related to that of their non-Yokuts neighbors than to that of Delta members of their own language group.

Trade was well developed, with mutually beneficial interchange of needed or desired goods. Obsidian, rare in the San Joaquin Valley, was obtained by trade with Paiute and Shoshoni groups on the eastern side of the Sierra Nevada, where numerous sources of this material are located, and to some extent from the Napa Valley to the north. Shell beads, obtained by the Yokuts from coastal people, and acorns, rare in the Great Basin, were among many items exported to the east by Yokuts traders (Davis 1961).

Economic subsistence was based on the acorn, with substantial dependency on gathering and processing of wild seeds and other vegetable foods. The rivers, streams, and sloughs that formed a maze within the valley provided abundant food resources such as fish, shellfish, and turtles.

Game, wild fowl, and small mammals were trapped and hunted to provide protein augmentation of the diet. In general, the eastern portion of the San Joaquin Valley provided a lush environment of varied food resources, with the estimated large population centers reflecting this abundance (Cook 1955; Baumhoff 1963).

Settlements were oriented along the water ways, with their village sites normally placed adjacent to these features for their nearby water and food resources. House structures varied in size and shape (Latta 1949; Kroeber 1925), with most constructed from the readily available tules found in the extensive marshes of the low-lying valley areas. The housepit depressions for the structures ranged in diameter from 3 meters to 18 meters (Wallace 1978:470).

Historical Background

Little was known of the great interior valleys of the of the San Joaquin and the Sacramento until about 1800. Active exploration of the interior was designed to check the Natives who were becoming troublesome. A number of minor expeditions were conducted in 1805 and 1806 by Gabriel Moraga. The party proceeded through very dry lands as they travelled north and northwest, until they reached the Merced River. Moraga further explored the River in 1808 and proposed the area for a mission.

After irrigation systems were developed, the large tracts of land formerly cultivated by dry land crops such as grain could be converted to use for orchards, alfalfa, diversified crops and large-scale dairying.

Industries in the area were agricultural in nature for many years, with stockyards, dairy farms, row crops, pumpkins and sugar beets being important economically.

RESEARCH

Records of previously recorded cultural resources and cultural resource investigations were examined by the Central California Information Center of the California Historical Resources Information System on for the Project site and a ¼-mile radius (CCIC File # 134011 Appendix 2) on June 26, 2025.

There are no resources formally recorded at the CCIC in the Project Area or in the ¼-mile radius search area, except for the omni-present Merced Irrigation District features (P-24-20-2909). This is a huge district covering thousands of square miles in the County. The district is not static, with changes

to the system due to the growth of housing and industry in the region. Specific features are not significant.

Several other surveys have been undertaken within the record search radius (complete citations in the Report List in Appendix 2).

NATIVE AMERICAN HERITAGE COMMISSION

A check has been made of the Sacred Land files for the Project site through the Native American Heritage Commission. The NAHC responded on June 19, 2025, indicating there are no Sacred Lands identified within the Project site (Appendix 3). A list is provided with potential contacts for the region (Appendix 2).

FIELD INVESTIGATIONS

Survey

This survey covered approximately 40 acres located at the corner of Tyler Avenue and East Gerard Avenue, encompassing multiple parcels. Parcels 1 through 4 were photographed but not surveyed (See Photos 3-7). Parcels 5 and 6 were both surveyed and photographed (See Photos 1-2).

Parcel 5 includes an actively flooded corn field, which significantly limited the extent of the survey. Some portions were still accessible, particularly along access roads and dry patches within the field. In these areas, survey transects were conducted at 15-meter intervals where possible. Parcel 6 was fully surveyed without obstruction using E-W transects at 15-meter intervals.

The accessible portions of the surveyed area exhibited native vegetation and semi-arid grassland or shrubland characteristics, including species such as Prickly Lettuce (*Lactuca serriola*), Horsetweed (*Erigeron canadensis*), Shortpod Mustard (*Hirschfeldia incana*), and Yellow Star Thistle (*Centaurea solstitialis*). Ground visibility was generally good (~70%), though dense vegetation occasionally obscured the surface near the property line fences. The underlying sediment consisted of dark reddish-brown clay loam.

During the survey, two historic-era residential sites were documented: AMP-01 and AMP-02.

AMP-01

AMP-01 is a historic-era residential foundation constructed with board-formed concrete found in parcel 6 at 10S 724279 mE 4128621 mN. The foundation measures approximately 41 feet east-west, 56 feet north-south, and stands 1.5 feet tall. Entrances are present on both the eastern and western facades, and remnants of the original wooden flooring are still intact, although signs of scorching are visible. The concrete forms were made using 4½-inch wooden panels. There are modern cement driveways on the property.

The property contains a variety of imported and fruiting trees—including Mulberry (*Morus alba*), Lemon (*Citrus limon*), London Plane (*Platanus acerifolia*), and Pecan (*Carya illinoensis*)—as well as native vegetation such as Valley Oak (*Quercus lobata*). The presence of board-formed concrete, combined with tree species and historical map data, suggests the structure dates between 1956 and 1961. The foundation appears on the 1961 topographic map but is absent from the 1956 edition.

AMP-02

AMP-02 consists of the partial remains of another historic residence, now mostly destroyed 10S 724281mE 4128884mN. Scattered remnants of concrete foundation slabs with aggregate sizes greater than 2 inches are visible throughout the area, particularly in a pushed pile on the southern side of the site mixed with tree limbs. A drainage channel runs along Tyler Road on the eastern side of the parcel, where remnants of an old bridge are still present, indicating access to the former residence.

The site appears on the 1914 topographic map, confirming the historical presence of a structure at this location. A large, non-native London Plane tree remains on the east side of the former residence, further suggesting a deliberate, landscaped environment consistent with a domestic site from the early 20th century.

Photos





Photo 3. Overview of Parcel 4 from Parcel 5, facing northwest.



Photo 4. Overview of Parcel 3 from Parcel 5, facing northwest.



Photo 5. Overview of Parcel 2 from Parcel 5, facing northwest.



Photo 6. Overview of parcel 1 from the corner of E Gerard Ave and Barroso Ave, facing east.



Photo 6. View of area unsurveyed due to active agricultural flooding, facing east.

RESOURCE EVALUATIONS

The two resources are not associated with important people or events in history. The buildings associated with these features have both been torn down. There are thousands of similar features that date to the post World War II and post Korean-Conflict in rural areas of the Central Valley. There is no further research value to these features. They are not important under the criteria of the California Register.

RECOMMENDATIONS

Although no prehistoric sites were found during the survey, there is a slight possibility that a site may exist and be totally obscured by vegetation, fill, or other historic activities, leaving no surface evidence. Should artifacts or unusual amounts of stone, bone, or shell be uncovered during construction activities, an archeologist should be consulted for on-the-spot evaluation of the finding.

Discovery of Human Remains

In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area suspected to overlie adjacent remains until the Merced County Coroner has determined that the remains are not subject to any provisions of law concerning investigation of the circumstances,

manner and cause of death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative. The coroner shall make his or her determination within two working days from the time the person responsible for the excavation, or his or her authorized representative, notifies the coroner of the discovery or recognition of the human remains.

If the San Joaquin County Coroner determines that the remains are not subject to his or her authority and if the County Coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, he or she shall contact, by telephone, the Native American Heritage Commission (NAHC).

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- 1879 *History of San Joaquin County, California, with Illustrations*. Reprinted in 1968 by Howell-North Books, Berkeley.

Tinkham, George H.

- 1923 *History of San Joaquin County, California*. The Historic Record Company, Los Angeles.

Wallace, William J.

- 1978 Northern Valley Yokuts. In *California*, edited by Robert F. Heizer, pp. 462-470. *Handbook of North American Indians*, vol. 8, William G. Sturtevant, general editor. Smithsonian Institution, Washington, D.C.

Willey, Gordon R. and Phillip Phillips

- 1958 *Method and Theory in American Archaeology*. The University of Chicago Press, Chicago.

APPENDIX 1

Resumes

PEAK & ASSOCIATES, INC.**RESUME****MELINDA A. PEAK****January 2025****Senior Historian/Archeologist**

3941 Park Drive, Suite 20 #329
El Dorado Hills, CA 95762
(916) 939-2405

PROFESSIONAL EXPERIENCE

Ms. Peak has served as the principal investigator on a wide range of prehistoric and historic excavations throughout California. She has directed laboratory analyses of archeological materials, including the historic period. She has also conducted a wide variety of cultural resource assessments in California, including documentary research, field survey, Native American coordination, and report preparation.

In addition, Ms. Peak has developed a second field of expertise in applied history, specializing in site-specific research for historic period resources. She has completed many historical research projects for a wide variety of site types.

Through her education and experience, Ms. Peak meets the Secretary of Interior Standards for historian, architectural historian, prehistoric archeologist, and historic archeologist.

EDUCATION

M.A. - History - California State University, Sacramento, 1989

Thesis: *The Bellevue Mine: A Historical Resources Management Site Study in Plumas and Sierra Counties, California*

B.A. - Anthropology - University of California, Berkeley

PROJECTS

In recent months, Ms. Peak has completed several determinations of eligibility and effect documents in coordination with the Corps of Engineers for projects requiring federal permits, assessing the eligibility of many sites for the National Register of Historic Places.

She has also completed historical research projects on a wide variety of topics for many California projects including the development of navigation and landings on the Napa River, wineries, farmhouses dating to the 1860s, bridges, an early roadhouse, Folsom Dam, and a section of an electric railway line.

In recent years, Ms. Peak has prepared numbers of cultural resource overviews and predictive models for blocks of land proposed for future development for general and specific plans. She has been able to direct many surveys of these areas, allowing the model to be tested.

She served as principal investigator for the multi-phase Twelve Bridges Golf Club project in Placer County. She served as liaison with the various agencies, helped prepare the historic properties treatment plan, managed the various phases of test and data recovery excavations, and completed the final report on the analysis of the test phase excavations of many prehistoric sites. She is currently involved as the principal investigator for the Teichert Quarry project adjacent to Twelve Bridges in the City of Rocklin, coordinating contacts with Native Americans, the Army Corps of Engineers, and the Office of Historic Preservation.

Ms. Peak has served as project manager for many major survey and excavation projects in recent years, including the many surveys and site definition excavations for the 172-mile-long Pacific Pipeline proposed for construction in Santa Barbara, Ventura, and Los Angeles counties. She also completed an archival study in the City of Los Angeles for the project. She also served as principal investigator for a major coaxial cable removal project for AT&T.

Additionally, she has completed hundreds of small surveys, served as a construction monitor at several urban sites, and conducted emergency recovery excavations for sites found during monitoring. She has directed the excavations of several historic complexes in Sacramento, Placer, and El Dorado Counties.

Ms. Peak is the author of a chapter and two sections of a published history (1999) of Sacramento County, *Sacramento: Gold Rush Legacy, Metropolitan Destiny*. She served as the consultant for a children's book on California, published by Capstone Press in 2003 in the Land of Liberty series.

Additionally, she completed a number of small surveys, served as a construction monitor at several urban sites, and conducted emergency recovery excavations for sites found during monitoring.

APPENDIX 2

Record Search



CENTRAL CALIFORNIA INFORMATION CENTER
California Historical Resources Information System
 Department of Anthropology – California State University, Stanislaus
 One University Circle, Turlock, California 95382
 (209) 667-3307

Alpine, Calaveras, Mariposa, Merced, Mono, San Joaquin, Stanislaus & Tuolumne Counties

Date: 6/26/2025

Records Search File No.: 134011

Project: Merced Park

Robert Gerry
 Peak & Associates, Inc.
 3941 Park Drive, Suite 30-329
 El Dorado Hills, CA 95762
 916-939-2405

Invoice phone: 916-283-5238

robertgerry482@gmail.com

The Central California Information Center received your record search request for the project area referenced above, located on the Merced 7.5' quadrangle in Merced County. The following reflects the results of the records search for the project study area and radius:

As per data currently available at the CCalC, the locations of resources/reports are provided in the following format: Custom GIS maps GIS Data/shape files

Summary Data:

Resources within the project area:	1: P-24-001909*
Resources within the 1/4-mile radius:	None other than the extension of the above-referenced district into the radius area
Reports within the project area:	None formally reported to the Information Center.
Reports within the 1/4-mile radius:	1: ME-08273

* No charge for PDF previously received for search request CCalC 132261

Resource Database Printout (list): enclosed not requested nothing listed

Resource Database Printout (details): enclosed not requested nothing listed

Resource Digital Database Records: enclosed not requested nothing listed

Report Database Printout (list): enclosed not requested nothing listed

Report Database Printout (details): enclosed not requested nothing listed

Report Digital Database Records: enclosed not requested nothing listed

Resource Record Copies: enclosed not requested nothing listed

Report Copies: enclosed not requested nothing listed

OHP Historic Properties Directory: New Excel File: Built Environment Resource Directory (BERD)

Dated 9/23/2022: NOTE: Not all resources listed in the BERD are mapped in GIS, nor do we have records on file for; if you identify additional resources in the BERD that you need copies of, contact the IC.

P-24-001909 enclosed not requested nothing listed

Archaeological Resource Directory (ARD excerpt): enclosed not requested nothing listed

CA Inventory of Historic Resources (1976): enclosed not requested nothing listed

Caltrans Bridge Survey: enclosed not requested nothing listed

Ethnographic Information: enclosed not requested nothing listed

Historical Literature: enclosed not requested nothing listed

Historical Maps: enclosed not requested nothing listed

See also: <http://ngmdb.usgs.gov>topoview>

Local Inventories: enclosed not requested nothing listed

GLO and/or Rancho Plat Maps: enclosed not requested nothing listed

See also: <https://glorerecords.blm.gov>

Shipwreck Inventory: not available at CaCIC; please go to

http://shipwrecks.sl.ca.gov/ShipwrecksDatabase/Shipwrecks_Database.asp

Soil Survey Maps: not available at CCalC; please go to

<http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>

Please forward a copy of any resulting reports from this project to the office as soon as possible. Due to the sensitive nature of archaeological site location data, we ask that you do not include resource location maps and resource location descriptions in your report if the report is for public distribution. If you have any questions regarding the results presented herein, please contact the office at the phone number listed above.

The provision of CHRIS Data via this records search response does not in any way constitute public disclosure of records otherwise exempt from disclosure under the California Public Records Act or any other law, including, but not limited to, records related to archeological site information maintained by or on behalf of, or in the possession of, the State of California, Department of Parks and Recreation, State Historic Preservation Officer, Office of Historic Preservation, or the State Historical Resources Commission.

Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area. Additionally, Native American tribes have historical resource information not in the CHRIS Inventory, and you should contact the California Native American Heritage Commission for information on local/regional tribal contacts.

Should you require any additional information for the above referenced project, reference the record search number listed above when making inquiries. Requests made after initial invoicing will result in the preparation of a separate invoice.

Thank you for using the California Historical Resources Information System (CHRIS). **Note:** Billing will be transmitted separately via email by our Financial Services office* (\$175.45), payable within 60 days of receipt of the invoice.

If you wish to include payment by Credit Card, you must wait to receive the official invoice from Financial Services so that you can reference the CMP # (Invoice Number), and then contact the link below:

<https://commerce.cashnet.com/ANTHROPOLOGY>

Sincerely,

E. A. Greathouse

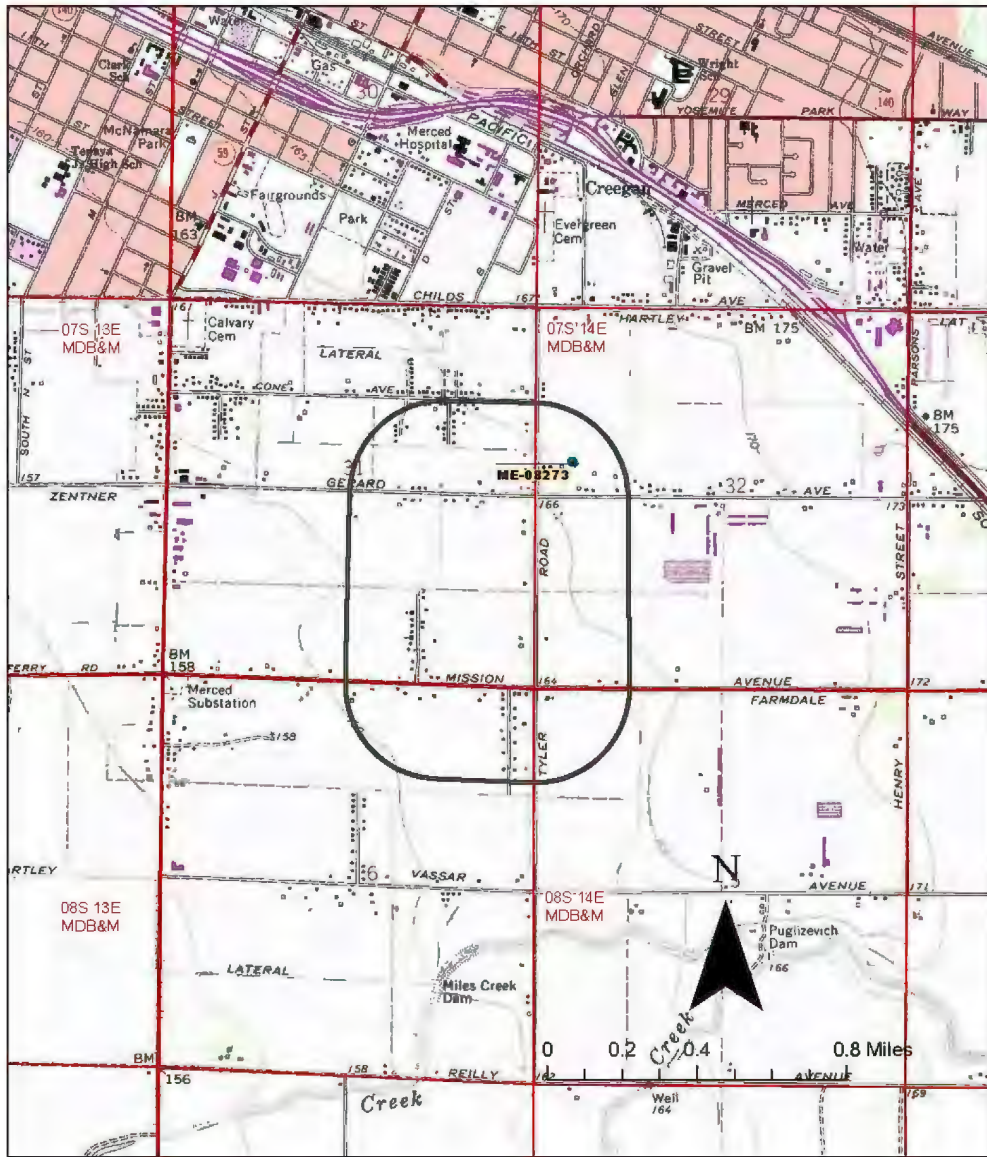
E. A. Greathouse, Coordinator
Central California Information Center
California Historical Resources Information System

* Invoice Request sent to: ARBilling@csustan.edu, CSU Stanislaus Financial Services

Report List

Report No.	Other IDs	Year	Author(s)	Title	Affiliation	Resources
ME-08273		2015	Hutchins-Keim, K.	Cultural Resources Survey, Mission and Barros/Ensite #24845 (296390), 428 Tyler Road, Merced, Merced County, California 95341, EBI Project No. 6115001703	EnviroBusiness, Inc. (EBI Consulting) for Verizon Wireless Merced	
ME-08273A		2015	Robinson, H.	Letter Report: Addendum to FCC Form 620, Ensite #24845 (296390)/Mission and Barros, 438 Tyler Road, Merced, County, CA 95341 (previously 428 Tyler Road), EBI Project Number: 6115001703/E-106 File Number: 0006859433, CA OHP Reference: FCC_2015_0703_001	EBI Consulting	

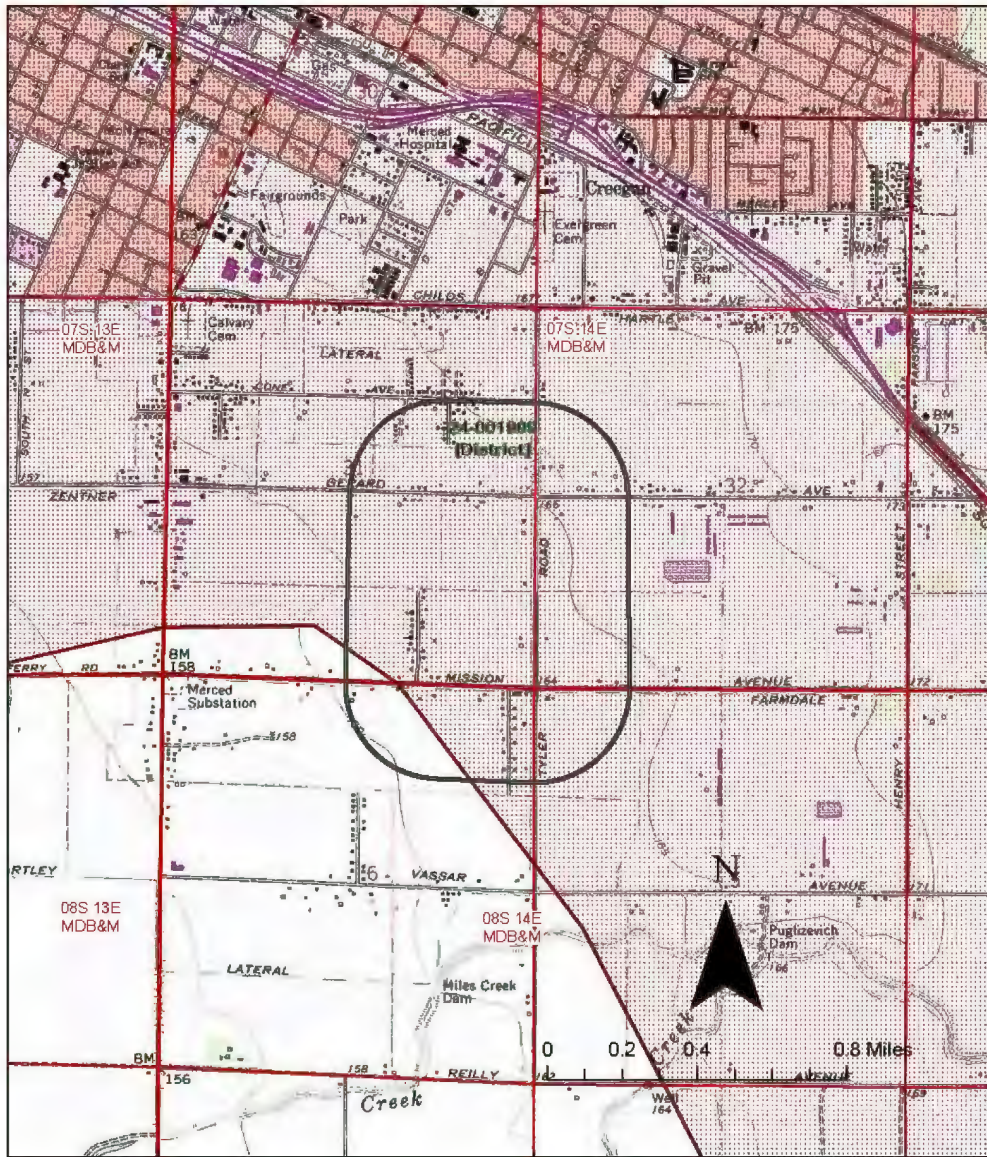
CCaIC 13401I Merced Park
Reports 1/4-mile radius 1:24,000-scale
Merced USGS 7.5' Quadrangle



Resource List

Primary No.	Trinomial	Other IDs	Type	Age	Attribute codes	Recorded by	Reports
P-24-001909		Resource Name - Merced Irrigation District (proposed historic district)	Structure, District, Element of district	Historic	HP11; HP20; HP21; HP22	2007 (M. Bunse, S. J. Melvin, JRP Historical Consulting); 2010 (Michael H. Dice, Michael Brandman Associates); 2010 (Michael H. Dice, Michael Brandman Associates); 2011 (Shannon L. Loftus, ACE Environmental); 2021 (Zack Starke, Nick Lucatorto, Kleinfelder)	ME-06468, ME-07488, ME-07704, ME-07959, ME-08192, ME-08444, ME-08548, ME-08598, ME-08624, ME-08678, ME-09003, ME-09006, ME-09007, ME-09008, ME-09257, ME-09280, ME-09706

CCaIC 134011 Merced Park
Resources 1/4-mile radius 1:24,000-scale
Merced USGS 7.5' Quadrangle



APPENDIX 3

Native American Heritage Commission



STATE OF CALIFORNIA

Gavin Newsom, Governor

NATIVE AMERICAN HERITAGE COMMISSION

August 18, 2025

Robert Gerry
Peak & Associates, Inc.Submitted via Electronic
Via Email to: robertgerry482@gmail.com

Re: Merced Park Project, Merced County

To Whom It May Concern:

As requested, a search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed based on information submitted for the above referenced project. The results were negative. Be aware that tribes do not always record their sacred sites in the SLF, nor are they required to do so. As such, an SLF search is not a substitute for consultation with all tribes that are traditionally and culturally affiliated with a project's geographic area.

Attached is a list of Native American tribes that are traditionally and culturally affiliated with the project's geographic area. Please contact all of the listed tribes as they may have information about sacred sites within the project area that is not listed with the NAHC.

If within two weeks of notification, a response has not been received, the Commission requests that you follow up with a telephone call or email to ensure that the project information was received.

If you receive notification of a change of address or phone number from a tribe, please inform the NAHC so that we can assure that our lists contain current information.

In addition to engaging in tribal consultation, you should consult the appropriate regional California Historical Research Information System (CHRIS) information center to determine whether it has information regarding the presence of recorded archaeological sites within the project area.

If you have any questions or need additional information, please contact me at: Pricilla.Torres-Fuentes@nahc.ca.gov.

Sincerely,

Pricilla Torres-Fuentes
Cultural Resources Analyst

Attachment

CHAIRPERSON
REGINALD PAGALING
CHUMASHVICE-CHAIRPERSON
BUFFY McQUILLEN
YOKAYO POMO, YUKI,
NOMLAKISECRETARY
ISAAC BOJORQUEZ
OHLONE-COSTANOANPARLIAMENTARIAN
WAYNE NELSON
LUISEÑOCOMMISSIONER
SARA DUISCHKE
MIWOKCOMMISSIONER
STANLEY RODRIGUEZ
KUMEYAYCOMMISSIONER
BENNAE CALAC
PAUMA-YUJIMA BAND OF
LUISEÑO INDIANSCOMMISSIONER
VACANTCOMMISSIONER
VACANTACTING EXECUTIVE
SECRETARY
MICHELLE CARRNAHC HEADQUARTERS
1550 HARBOR BOULEVARD
SUITE 100
WEST SACRAMENTO,
CALIFORNIA 95691
(916) 373-3710
NAHC@NAHC.CA.GOV