

The logo for the San Joaquin Water Conservation Agency (SWCA) is positioned vertically on the left side of the page. It consists of the letters 'S', 'W', 'C', and 'A' in a large, stylized, light blue font, stacked one above the other.

Initial Study for the Double Diamond Dairy Expansion Project, El Nido, Merced County, California

JUNE 2026

PREPARED FOR
County of Merced

PREPARED BY
SWCA Environmental Consultants

**INITIAL STUDY FOR THE
DOUBLE DIAMOND DAIRY EXPANSION PROJECT,
EL NIDO, MERCED COUNTY, CALIFORNIA**

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SWCA Project No. 100261

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CONTENTS

1	Introduction	1
1.1	Project Location	2
1.2	Existing Conditions	2
1.3	Environmental Setting	4
1.4	Project Description	5
1.5	Dairy Permitting and History	6
1.6	Required Discretionary Approvals	7
1.7	Intended Uses of this Document	9
2	Environmental Checklist and Environmental Evaluation.....	12
I.	Aesthetics	13
II.	Agriculture and Forestry Resources	15
III.	Air Quality.....	19
IV.	Biological Resources	24
V.	Cultural Resources	27
VI.	Energy	29
VII.	Geology and Soils	33
VIII.	Greenhouse Gas Emissions	38
IX.	Hazards and Hazardous Materials	41
X.	Hydrology and Water Quality	45
XI.	Land Use and Planning.....	51
XII.	Mineral Resources	53
XIII.	Noise.....	55
XIV.	Population and Housing	57
XV.	Public Services	59
XVI.	Recreation.....	61
XVII.	Transportation	62
XVIII.	Tribal Cultural Resources.....	64
XIX.	Utilities and Service Systems	66
XX.	Wildfire	68
XXI.	Mandatory Findings of Significance	70
3	References	72

Figures

Figure 1. Vicinity Map.....	10
Figure 2. Project Site Plan	11

Tables

Table 1. Surrounding Land Uses at the Double Diamond Dairy Facility	4
Table 2. Proposed Development	6
Table 3. Discretionary Agency Permit Requirements.....	9
Table 4. SJVAPCD Criteria Pollutants Thresholds of Significance	20

1 INTRODUCTION

Double Diamond Dairy (Applicant) proposes an expansion of an existing dairy facility in unincorporated Merced County, California. The proposed project involves a request for Conditional Use Permit (CUP) No. CUP25 007 to expand dairy operations through the construction of new dairy facilities and a substantial increase in herd size. Proposed improvements include the construction of a new free-stall barn, a double free-stall barn, a maternity barn, and a milking parlor.

The project site is located at 505 East Washington Road, at the southeast corner of State Route (SR) 59 (Los Banos Highway) and East Washington Road, approximately 1 mile south-southeast of the unincorporated community of El Nido. The project site encompasses the Double Diamond Dairy, an approximately 188-acre area located within a portion of Assessor's Parcel Number 075 074 001, a 640-acre parcel. The project site is zoned General Agricultural (A-1) in the Merced County (County) municipal code and designated General Agricultural (A) in the *2030 Merced County General Plan* (General Plan) (County of Merced 2013a). Additional lands controlled by the Applicant and used for farming operations associated with the dairy are to the south and northwest of the project site.

The Double Diamond Dairy has operated at this location since 1999, following approval by the County under Plot Plan Review No. 98011, with a subsequent expansion approved in 2006 under Administrative Application No. AA04 008. A dairy digester was added to the facility as approved by Minor Modification No. MM19 010 in 2019. Existing facilities include free-stall barns, corrals, a milking parlor, hay and commodity storage pads, wastewater storage lagoons and settling ponds, and an anaerobic covered lagoon digester with associated operational equipment.

The proposed expansion would increase the number of milking cows from 4,800 to 8,200, dry cows from 720 to 1,150, and baby calves from 770 to 2,500; however, the numbers of bred heifers (1,340) and young heifers (700) would remain unchanged. The project would result in an increase of 5,560 animal head, bringing the total animal population at the facility to approximately 15,430 animals. Waste management would continue through the existing on-site system, which includes settling ponds, mechanical manure separators, wastewater storage lagoons, and irrigation infrastructure used to apply treated wastewater to agricultural fields. Approximately 1,990 acres of Applicant-owned agricultural land, both contiguous and noncontiguous and located outside the project site, would continue to be used for the land application of dairy wastewater and dry manure. Operational activities are anticipated to remain generally consistent with existing conditions, although minor increases in truck traffic associated with feed delivery and product shipment may occur, with up to four additional truck trips per day anticipated.

The Merced County Community and Economic Development Department has determined that the proposed project may result in significant environmental effects and that preparation of an environmental impact report (EIR) is the appropriate level of environmental review under the California Environmental Quality Act (CEQA).

Pursuant to State CEQA Guidelines Section 15124, this chapter provides the information required of an EIR project description, including a description of the project's precise location and boundaries; a statement of the project's objectives; a description of the project's technical, economic, and environmental characteristics; a description of the intended uses of this EIR (including a list of the public agencies expected to rely on it in their decision-making processes); a list of the permits and approvals required to implement the project; and a summary of related environmental review and consultation requirements.

1.1 Project Location

Merced County encompasses a large agricultural area in California's Central Valley and includes extensive rural and unincorporated communities. The project site is within the unincorporated El Nido area of Merced County, as shown in Figures 1 and 2. The project site is at the southeast corner of SR 59 (Los Banos Highway) and East Washington Road, approximately 1 mile south-southeast of the unincorporated community of El Nido.

The project site is surrounded by agricultural and rural residential land uses. The project site is zoned General Agricultural (A-1) in the County's municipal code and designated General Agricultural (A) in the General Plan (County of Merced 2013a). The land surrounding the project site has also been designated as General Agricultural in the General Plan. SR 59 forms the western boundary of the project site, and East Washington Road borders the site to the north. The Merced-Madera County boundary is approximately 0.15 mile south of the project site, and the incorporated city of Merced is approximately 11 miles to the north.

1.2 Existing Conditions

The existing Double Diamond Dairy animal confinement facility (facility) and project site occupies approximately 188 acres of the approximately 640-acre parcel. The primary dairy facilities are in the north-central portion of the property, and wastewater storage lagoons are near the southeastern boundary of the site. The existing dairy facilities include the following: 10 free-stall barns and corrals

- milking parlor
- hospital and maternity areas
- hay and commodity storage pads
- manure storage and drying areas
- settling ponds
- wastewater storage lagoons
- mechanical manure separators and associated pits
- sand lane and concrete slab
- anaerobic covered lagoon digester system, including a biogas blower building and secondary dual-screen manure separator

As established for the existing operation, the dairy herd consists of approximately 9,870 animals, including approximately 4,800 milking cows, 720 dry cows, 1,340 bred heifers, 700 young heifers, 1,540 calves 3 to 12 months old, and 770 baby calves.

The facility operates using flush-and-scrape systems to collect and manage wastewater and solid manure generated from dairy operations. Animal wastes from free-stall barns and other concrete-surfaced areas are flushed to an on-site waste management system consisting of a transfer pit, mechanical manure separators, settling ponds, and wastewater storage lagoons. Wastewater generated from flushing operations is conveyed to the transfer pit and routed through mechanical separators that remove a portion of the solids before the liquid waste is directed to settling ponds and subsequently to wastewater storage lagoons for storage prior to land application. Wastewater from the process pit is reused for lane flushing within the facility. The dairy production area has been graded to direct runoff from corrals and other operational areas toward the wastewater management system.

The facility includes three settling ponds and three wastewater storage lagoons. Each settling pond measures approximately 430 × 100 feet and is approximately 25 feet deep with 1:1 side slopes. The three storage lagoons measure approximately 100 × 40 feet, 650 × 160 feet, and 616 × 300 feet, with depths ranging from approximately 25 to 40 feet. The lagoons were constructed in accordance with California Code of Regulations (CCR) Title 27 requirements and provide a total storage capacity of approximately 10,332,534 cubic feet, allowing for 2 feet of freeboard. The system is designed to retain wastewater and runoff generated during the winter storage period, including stormwater associated with a 25-year, 24-hour storm event.

Domestic and operational water for the dairy is supplied by on-site wells. The property includes approximately 29 agricultural supply wells and six domestic wells. Clean water from these wells is used for dairy operations, including washing milking parlor floors, holding pens, and equipment, as well as rinsing cows. Approximately 110,040 gallons per day of freshwater is used for these purposes, with an additional approximately 20,000 gallons per week used for washing calf holding areas. Wastewater generated from these activities, along with stormwater runoff that comes into contact with manure, feed materials, or other wastes, is conveyed to the wastewater management system.

Wastewater stored in the lagoons is subsequently land-applied to agricultural fields at agronomic rates. Liquid wastewater is applied to cropland owned and operated by the dairy, and solid manure generated at the facility is either used as bedding or applied to cropland as fertilizer. Crops grown on the associated farmland include alfalfa, corn silage, wheat, sudan grass, and other forage crops used for dairy operations. Land application areas are equipped with tailwater recovery systems that capture runoff from irrigated fields and return it to the irrigation system to prevent off-site discharge. Fields receiving wastewater or manure are graded to direct excess irrigation or stormwater runoff to the tailwater recovery system.

The Applicant owns approximately 2,277 acres in the vicinity and leases 40 acres where the dairy facility, for a total of 2,317 acres, including the 188-acre project site. Approximately 2,129 acres are used for agricultural production. Cropland includes approximately 1,011 acres planted in alfalfa, 1,078 acres double-cropped with wheat and corn silage, and 40 acres triple-cropped with sudan grass, wheat, and corn silage. Of this cropland, approximately 1,990 acres receive lagoon wastewater, and all cropland receives manure solids through land application.

Sewer service is provided by existing on-site septic systems. Operations at the dairy are 24 hours per day, 365 days per year, with most operations concentrated during daylight hours. The dairy currently employs a staff of approximately 50 to 60 workers. As many as 40 employees may be present on-site at any given time, but that number typically ranges from 30 to 35. Night lighting at the facility includes LED lighting on cow housing and the milking parlor. The milking parlor uses commercial milking equipment, piping,

storage tanks, and cooling equipment to prepare milk for multiple daily tanker truck pickups. Other equipment used on-site includes tractors and trucks used to prepare and distribute feed to the herd. Stationary equipment includes pumps used for water supply, wastewater management, and irrigation distribution.

The site is served by heavy trucks, including milk tankers and commodity delivery vehicles, as well as other operational vehicles. Existing traffic generated by the dairy is estimated at approximately 105 average daily trips, including approximately eight to 10 heavy-truck trips. Regional access to the facility is provided by SR 59. Most of the project site is outside a mapped flood zone (Federal Emergency Management Agency [FEMA] 2026). The southwest corner of the property lies outside area of disturbance, within FEMA Flood Zone A, which is defined as an area without a base flood elevation; therefore, most of the project site is outside the 100-year floodplain.

The Double Diamond Dairy is a member of the Central Valley Dairy Representative Monitoring Program. This program implements a regional groundwater monitoring plan for participating dairies to track groundwater quality and assess potential impacts associated with current management practices.

The project Applicant has prepared an Odor Control Plan and Vector Control Plan in accordance with Animal Confinement Ordinance Chapter 18.64.060(C)(8). As part of the Odor Control Plan, the dairy operator will provide a point of contact to residents within the wind shed of the dairy—which is defined as an area extending approximately 1,320 feet upwind to 2,640 feet downwind from the periphery of the animal confinement facilities—should nuisance odors occur. The dairy operator will respond to neighbors who are adversely affected by odors and take corrective action.

1.3 Environmental Setting

SWCA Environmental Consultants (SWCA) conducted a site visit on March 26, 2026, to document existing conditions in the project vicinity. Based on observations from this site visit, along with application materials provided by the Applicant in the August 1, 2025 Request for Proposal and parcel-level land use and ownership information obtained from Merced County’s website (County of Merced 2026), surrounding land uses in the vicinity of the Double Diamond Dairy are primarily agricultural. Off-site single-family residences associated with nearby agricultural operations are on parcels to the north, south, east, and west of the project site. Multiple residential dwellings are owned or used by the Applicant and other various dairy employees. One residence is approximately 2,350 feet northeast of the project site. Three residences to the east are approximately 1,000 feet from the site, and three additional residences approximately 2,400 feet to the south. In addition, three privately owned residences are immediately east of the project site within the wind shed. Table 1 lists the surrounding land uses and the corresponding General Plan and zoning designations in the immediate vicinity of the active animal confinement facilities.

Table 1. Surrounding Land Uses at the Double Diamond Dairy Facility

Location	Land Use	General Plan	Zoning
On-Site	Dairy/Irrigated agriculture	Agricultural	General Agricultural
North	Agriculture/rural residences	Agricultural	General Agricultural
East	Agriculture/Los Banos Highway	Agricultural	General Agricultural
South	Agriculture/rural residences	Agricultural	General Agricultural
West	Agriculture/rural residences	Agricultural	General Agricultural

Land uses surrounding the Double Diamond Dairy facility area are predominantly agricultural, consisting primarily of cultivated cropland and dairy-related operations. Additional farmland owned or controlled by the Applicant and used for agricultural production associated with the dairy operation is to the south and northwest of the project site. Nearby lands are used for the cultivation of forage crops and other agricultural activities typical of the region.

Project details, such as adjacent agricultural operations and cropping patterns, may change over time from conditions existing at the time this EIR was prepared; however, such changes would be expected to remain consistent with agricultural uses allowed under the General Plan and applicable zoning designations and would not substantially alter the environmental analysis contained in this EIR.

1.4 Project Description

The Applicant seeks entitlements for the approximately 188-acre project site to allow for the expansion and continued operation of an existing dairy facility in unincorporated Merced County. Specifically, the Applicant is requesting approval of CUP No. CUP25-007 to allow for the construction and operation of additional dairy facilities and a substantial increase in herd size at the existing Double Diamond Dairy. No General Plan Amendment, Zone Change, or subdivision approvals are proposed as part of the project.

The proposed project includes the construction of a new free-stall barn, a double free-stall barn, a maternity barn, and a milking parlor, along with associated infrastructure necessary to support expanded dairy operations (Table 2). The project would not involve the demolition of major existing dairy facilities and would be implemented within the existing dairy footprint on previously disturbed land. Existing on-site improvements—including free-stall barns, corrals, hay and commodity storage pads, wastewater storage lagoons and settling ponds, and infrastructure associated with manure handling and digestion, including the anaerobic covered lagoon digester—would continue to be used as part of ongoing operations.

The proposed expansion would increase the number of milking cows from 4,800 to 8,200, dry cows from 720 to 1,150, and baby calves from 770 to 2,500; however, the numbers of bred heifers (1,340) and young heifers (700) would remain unchanged (see Table 2). The project would result in an increase of 5,560 animal head, bringing the total animal population at the facility to approximately 15,430 animals.

Waste management would continue through the existing on-site waste management system, which includes settling ponds, mechanical manure separators for solids removal, a wastewater storage lagoon, and associated pipelines and irrigation infrastructure. Treated wastewater would continue to be applied to irrigated crops such as alfalfa, corn, oats, wheat, and other forage crops on the remainder of the project site and on additional Applicant-owned agricultural lands with contractual agreements to receive dairy wastewater or dry manure. Approximately 1,990 acres would continue to be used for the land application of dairy wastewater and dry manure, with receiving fields graded to convey excess applied wastewater to an existing tailwater recovery system.

Operation of the dairy facility following project implementation is anticipated to remain generally consistent with existing conditions. Minor increases in truck traffic associated with feed delivery and product shipment may occur, with up to four additional truck trips per day anticipated. The facility would continue to be accessed from SR 59 and East Washington Road, and no new off-site infrastructure improvements are proposed as part of the project.

Future discretionary approvals, if any, would be limited to permits or approvals required to implement improvements that are within the scope of the approved CUP and evaluated in this EIR.

Table 2. Proposed Development

Project Component	Size/Capacity
Existing Facilities (Baseline)	
Existing free-stall barns	10 barns (existing)
Existing milking parlor	Existing
Corrals	Existing
Hay and commodity storage pads	Existing
Wastewater storage lagoons and settling ponds	Existing
Anaerobic covered lagoon digester and associated equipment	Existing
Proposed Expansion Components	
New free-stall barn	184,680 square feet
New double free-stall barn	120,400 square feet
New maternity barn	108,000 square feet
New milking parlor	44,000 square feet
Herd Capacity (Post-Expansion)	
Milking cows	Increase from 4,800 to 8,200
Dry cows	Increase from 720 to 1,150
Baby calves	Increase from 770 to 2,500
Bred heifers	1,340 (no change)
Young heifers	700 (no change)
Total herd size	15,430 animal head

Animal waste from free-stall barns and other operational areas would continue to be conveyed to the existing on-site waste management system. The system consists of a series of settling ponds and mechanical manure separators that remove solids prior to directing liquid waste to a wastewater storage lagoon. Stored wastewater would continue to be conveyed through existing pipelines and irrigation infrastructure for application to irrigated crops, such as alfalfa, corn, oats, wheat, and other forage crops, on the remainder of the project site and on other properties under contractual agreements to receive wastewater or dry manure. Approximately 1,990 acres of land would continue to be used for the land application of dairy wastewater and dry manure. Receiving fields are graded to direct excess applied wastewater to an existing tailwater recovery system.

1.5 Dairy Permitting and History

The project site has been used for agricultural and dairy operations for several decades. The Double Diamond Dairy facility has operated at the site since 1999, following approval by the County under Plot Plan Review No. 98011, pursuant to zoning provisions in effect prior to adoption of the County's updated Animal Confinement Ordinance. The dairy facility was subsequently expanded in 2006, with the approval of Administrative Application No. AA04-008.

In addition to the original dairy facilities, the site has undergone incremental improvements to support ongoing operations. A dairy digester and associated equipment were added to the facility later with approval of Minor Modification No. MM19-010, allowing for operation of an anaerobic covered lagoon digester. There is a Williamson Act contract on file for the dairy site contract (California Department of Conservation [DOC] 2026a).

The Central Valley Regional Water Quality Control Board (CVRWQCB) regulates the existing dairy under the Individual Waste Discharge Requirements (WDRs) (Order R5-2009-0011). As established by the Report of Waste Discharge and adopted by the CVRWQCB in January 2004, the State-permitted herd size for the facility is 4,800 milk cows, 720 dry cows, 1,340 bred heifers, 700 heifers age 1 year to breeding, 1,540 calves age 3 to 12 months old, and 770 baby calves, for a total herd size of 9,870 Holstein animals.

The San Joaquin Valley Air Pollution Control District (SJVAPCD) regulates the existing dairy primarily through its Authority to Construct and Permit to Operate processes. The Permit to Operate on file for the existing dairy facility (expiration date December 31, 2023) issued by the SJVAPCD allows 4,000 milk cows (not to exceed a combined total of 4,750 mature cows) and 3,300 support stock.

1.6 Required Discretionary Approvals

To facilitate the proposed expansion of the dairy operation, the Applicant has applied to the County for a new CUP (CUP25-007). Approval of this permit constitutes the primary action evaluated in this EIR. The existing dairy is regulated by both the CVRWQCB and SJVAPCD. As responsible agencies under CEQA, these entities will rely on the County's EIR when reviewing the proposed expansion. Following certification of the EIR and approval of the CUP by Merced County and prior to any construction activities associated with the expansion, the SJVAPCD and CVRWQCB must issue the necessary permits for the project, including the Authority to Construct, Permit to Operate, and the applicable Individual WDRs. The permits and approvals required to implement the proposed project are summarized and briefly described below. This environmental document evaluates the potential environmental impacts related to each of these anticipated agency actions and approvals.

1.6.1 Applicable Plans and Policies

The following plans and policies are applicable to the proposed project and are described in the following sections:

- 2030 Merced County General Plan (County of Merced 2013a)
- Merced County Animal Confinement Ordinance and Zoning Code

A preliminary consistency analysis with local plans and policies is provided in Section 4.9, *Land Use and Planning*, while more detailed analyses of specific environmental topics and related plan consistency are presented in Chapter 4, Environmental Impacts Analysis, of this EIR. For example, Section 4.3, *Air Quality and Greenhouse Gas Emissions*, includes an assessment of the project's consistency with the California Air Resources Board (CARB) California's 2017 Climate Change Scoping Plan (CARB 2017) and SJVAPCD's *Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA* (SJVAPCD 2009). Any adverse physical effects resulting from potential inconsistencies are discussed in the relevant environmental analysis sections throughout Chapter 4 of this EIR.

1.6.1.1 COUNTY OF MERCED GENERAL PLAN

The primary planning document guiding development in the project site is the Merced County 2030 General Plan, which establishes policies related to land use, agriculture, economic development, transportation, public services, natural resources, recreation, health and safety, air quality, and water resources (County of Merced 2013a). Merced County certified the *2030 Merced County General Plan Update Final Program Environmental Impact Report* (General Plan EIR) and adopted the plan in

December 2013 (County of Merced 2013b). A background report describing existing environmental conditions in the county was prepared in conjunction with the EIR and functions as the environmental setting for the General Plan analysis. The General Plan EIR and background report are used, along with other sources, to establish the environmental setting for the proposed project and serve as the first tier of environmental review pursuant to State CEQA Guidelines Section 15150. Copies of these documents are available from the Merced County Department of Community and Economic Development.

1.6.1.2 MERCED COUNTY ANIMAL CONFINEMENT ORDINANCE AND ZONING CODE

Animal confinement facilities in Merced County are regulated by the County’s Animal Confinement Ordinance, which is included within Title 18 (Zoning) of the Merced County Code. The Animal Confinement Ordinance establishes standards governing the design, construction, and operation of animal confinement facilities to protect public health, safety, and environmental resources. The ordinance was originally revised and adopted by the County on October 22, 2002, with additional revisions adopted on February 8, 2005. A comprehensive update to Title 18 of the County Code was adopted on October 22, 2019, although no substantive changes were made to the Animal Confinement Ordinance at that time. The Animal Confinement Ordinance applies to both existing and proposed animal confinement facilities and requires compliance with provisions related to manure management, wastewater handling, facility setbacks, and odor and vector control. As part of these requirements, facilities must prepare and implement nutrient and waste management plans to ensure proper management of manure and wastewater and to minimize potential impacts to groundwater and surface water resources. The proposed project would be required to comply with all applicable provisions of the Merced County Animal Confinement Ordinance.

1.6.1.3 TIERING FROM BOTH THE 2030 MERCED COUNTY GENERAL PLAN EIR AND THE MERCED COUNTY ANIMAL CONFINEMENT ORDINANCE EIR

“Tiering” describes the process of using a broader, previously prepared environmental review—such as a program-level EIR—as the foundation for subsequent environmental analyses of smaller, related projects. The earlier programmatic document typically evaluates long-term or cumulative environmental effects associated with a larger plan or program. Later environmental documents, prepared pursuant to Section 15168 of the State CEQA Guidelines, build upon that analysis and concentrate on impacts that are specific to the individual project or that were not examined in detail in the earlier review. By relying on the program-level analysis, tiering allows the environmental review to focus on project-specific issues that may result in significant effects or that could be reduced or avoided through project modifications, conditions of approval (COAs), or other mitigation measures. This approach helps streamline environmental review while ensuring that site-specific impacts are appropriately evaluated.

For the proposed project, environmental analysis will rely on and incorporate prior environmental reviews prepared for broader County planning efforts. Specifically, the analysis will tier from the General Plan EIR as well as the *Final Program Environmental Impact Report for the Merced County Animal Confinement Ordinance Revision* (Animal Confinement Ordinance EIR) (County of Merced 2002). Although the Animal Confinement Ordinance EIR was completed in 2002, the General Plan EIR provides more recent evaluation of cumulative conditions associated with countywide development, including the expansion or establishment of dairy facilities (County of Merced 2013b). The role of these documents and the application of tiering will be described in greater detail in the EIR.

1.7 Intended Uses of this Document

Required Agency Actions and Permits

Various permitting requirements would need to be met prior to implementation of the proposed project. Table 3 summarizes federal, state, and local permits that may be required for the project and the agencies that are expected to use the EIR in their decision-making and permitting processes. The County, as the CEQA lead agency, is responsible for administering the preparation of this EIR and will be responsible for certifying the Final EIR. Lead agency decision-makers (i.e., the County Planning Commission and Board of Supervisors) will use the EIR as an informational document to assist in the decision-making process, ultimately resulting in the approval, denial, or assignment of conditions to the project. The Merced County Community and Economic Development Department will be responsible for ensuring compliance with the mitigation measures certified in the Final EIR.

Table 3. Discretionary Agency Permit Requirements

Agency	Approval/Permit Required
County of Merced (Lead Agency)	EIR CUP Building Permit Hazardous Material Business Plan
CVRWQCB (Responsible Agency)	Section 401 Permit (Water Quality Certification for wetland impacts)
State Water Resources Control Board	General Construction Activity Storm Water Permit Public Water System Permit
SJVAPCD (Responsible Agency)	Permit to Operate Conservation Management Practices Plan

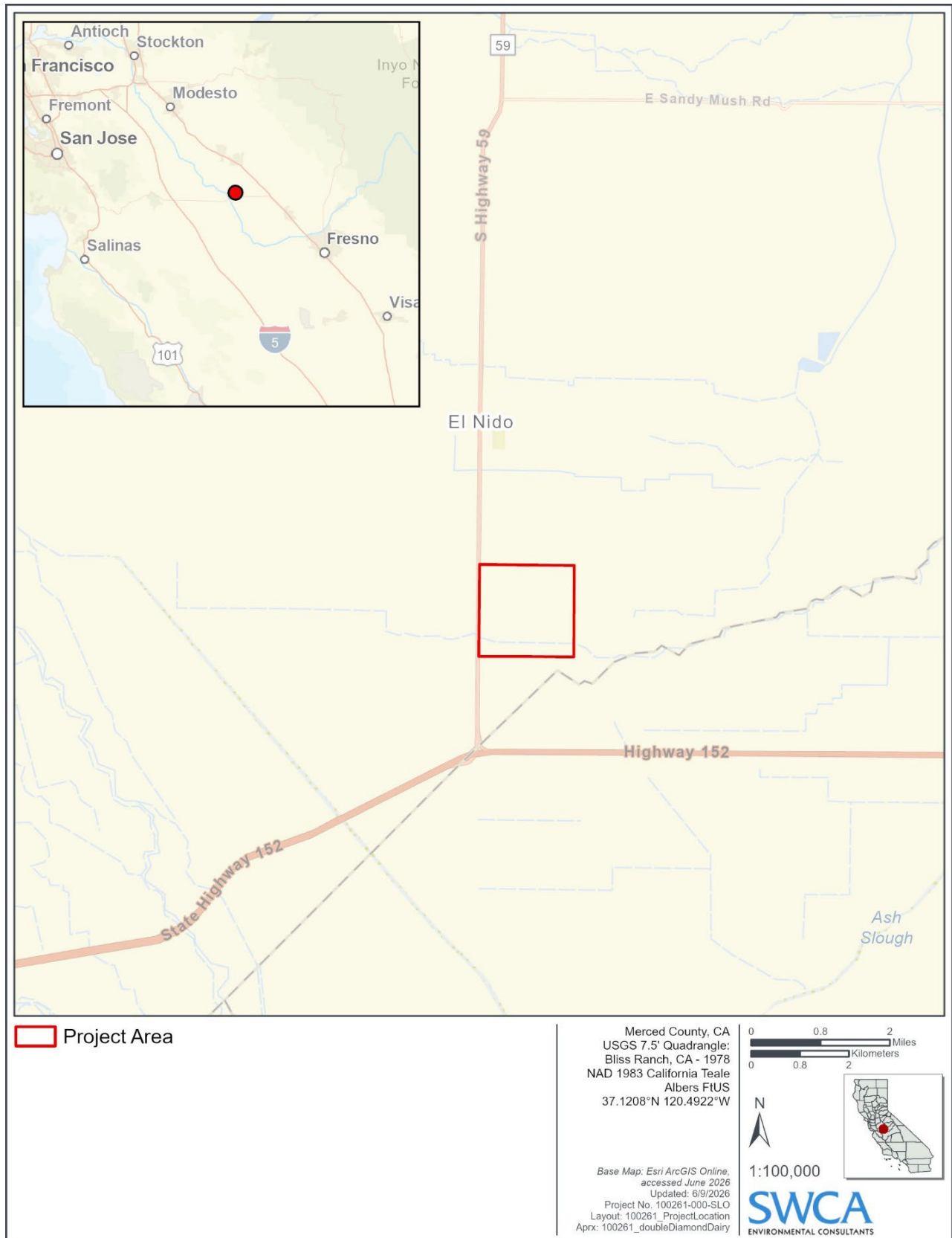


Figure 1. Vicinity Map

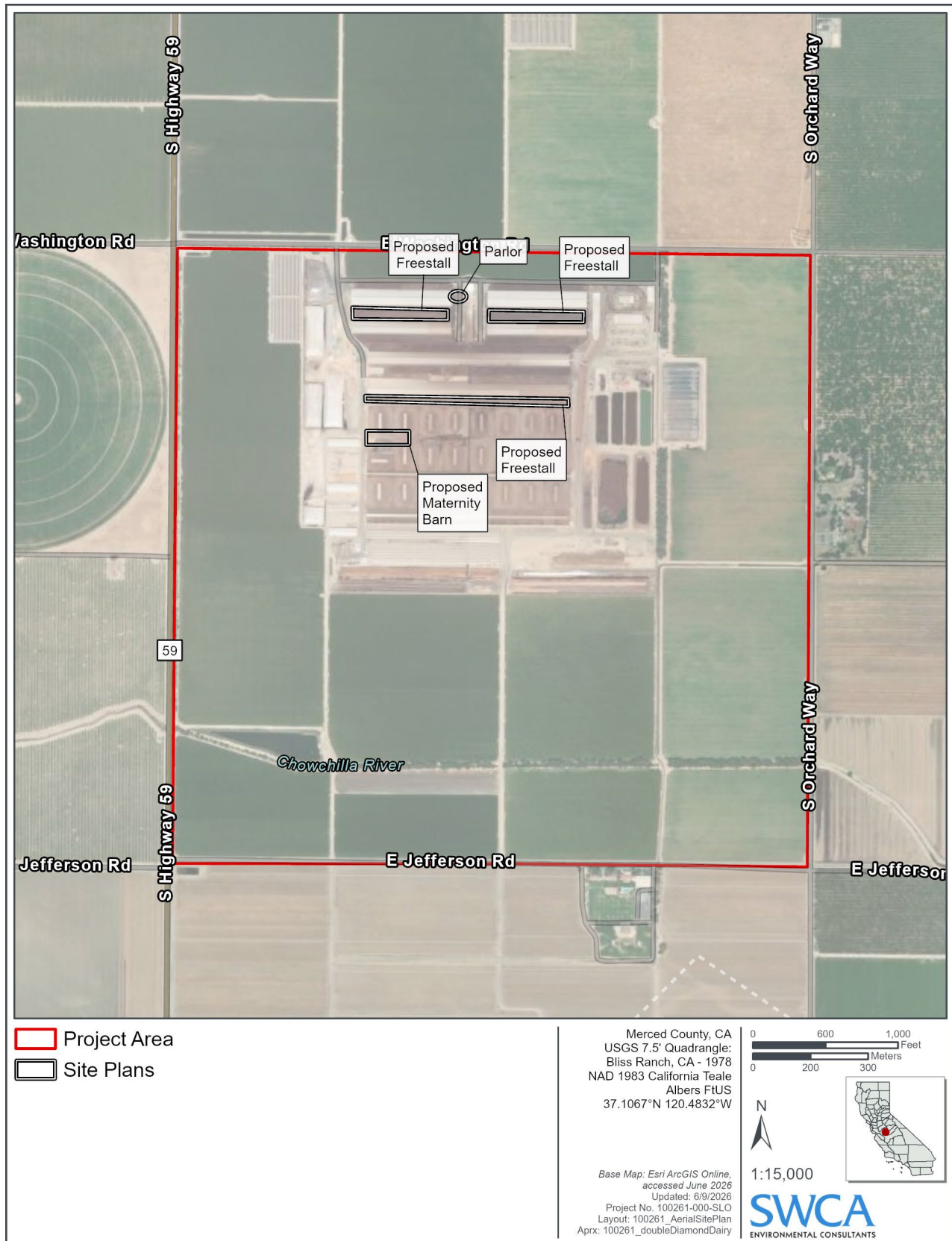


Figure 2. Project Site Plan

2 ENVIRONMENTAL CHECKLIST AND ENVIRONMENTAL EVALUATION

Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact,” as indicated by the environmental resource area evaluations in this Initial Study.

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

Environmental Determination

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☒ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measure 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.

Date: 06/17/2026

Signed: _____

Mark E. Hamilton

I. Aesthetics

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

Setting

The dominant scenic resource in Merced County is the rural and agricultural character of its non-urbanized areas. The project site is used for agricultural purposes, including an existing dairy operation. Surrounding land uses are agricultural and rural residential. Because the terrain is relatively flat, views at short and moderate distances are generally limited to nearby agricultural features, such as row crops. More distant views within the county include the Sierra Nevada and Coast Ranges, which are most visible during favorable weather conditions (County of Merced 2013b).

The project site is characterized by developed animal confinement facilities within a rural agricultural landscape. Potential views of the project site are primarily from motorists traveling along nearby roadways and residents associated with surrounding agricultural operations and facilities. Neither the project site nor the views to or from the project site have been designated as an important scenic resource by the County. California SR 152 is officially designated as a Statewide Scenic Highway by the California Department of Transportation (Caltrans) (Caltrans 2018). The highway is approximately 1.5 miles south of the project site. Because the surrounding terrain is relatively flat, the site may be visible from portions of the highway; however, the distance between the highway and the project site limits visibility, and individual features of the project are not readily distinguishable.

Environmental Evaluation

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

Less-Than-Significant Impact. The project site and surrounding area lacks notable topographic features and is not within or adjacent to the viewshed of a recognized scenic vista. The surrounding landscape is characterized by agricultural operations and related rural residences that are typical of Merced County's non-urbanized areas. The existing dairy facility and associated agricultural uses are consistent with the established rural character of the area. No designated scenic vistas occur on or near the project site, and the site is not visible from any identified scenic viewpoint. Although SR 152, a designated State Scenic

Highway, is approximately 1.5 miles south of the project site, the distance and relatively flat terrain limit visibility such that specific site features are not readily distinguishable. The proposed project would expand the existing dairy operation within an already agricultural setting and would not affect scenic vistas or designated scenic resources. Therefore, implementation of the project would result in less-than-significant impacts to scenic vistas.

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

Less-Than-Significant Impact. SR 152, which is designated as a State Scenic Highway, is approximately 1.5 miles south of the project site. Due to the relatively flat terrain, the project site may be visible from portions of the highway; however, the distance limits visibility, and individual site features are not readily distinguishable. The project site is generally flat and does not contain notable natural features, such as prominent trees and rock outcroppings, or historic structures that would be considered scenic resources visible from SR 152. The project would not damage scenic resources, such as trees and rock outcroppings, or historic buildings within a designated scenic highway. Therefore, implementation of the project would result in less-than-significant impacts to scenic resources.

c) In non-urbanized areas, would the project 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?

Potentially Significant Impact. The Animal Confinement Ordinance EIR determined that the construction and operation of new and expanded dairies would have less-than-significant impacts on the visual environment, and no mitigation was required (County of Merced 2002). The project site is in a non-urbanized area of Merced County. The General Plan EIR concluded that agricultural structures such as barns, corrals, and dairy facilities are common features of the rural landscape and do not substantially degrade visual character in agricultural areas (County of Merced 2013b). Although the existing dairy facilities can be seen from nearby roads, such structures are typical within the rural landscape of Merced County, where multiple dairies operate in the surrounding area. The presence of animal confinement facilities is consistent with and expected under the County's Agricultural land use designation. The proposed dairy expansion would occur within the boundaries of the current dairy operation and would be similar in appearance and function to existing facilities on the site and in the surrounding area. As a result, the expanded facilities would remain compatible with the agricultural setting and would not noticeably alter the visual character of the project site or its surroundings. Therefore, the project would result in a less-than-significant impacts to the existing visual character and public views.

d) Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Less-Than-Significant Impact with Existing Mitigation Incorporated. The Animal Confinement Ordinance EIR determined that the construction and operation of new and expanded dairies could result in the generation of substantial light and glare, but that impacts would be less than significant with implementation of Section 18.41.06 of the Merced County Code (County of Merced 2002).

Conclusion

The project site is within an existing dairy operation in a rural agricultural area of Merced County. Surrounding land uses consist primarily of agricultural operations and rural residences typical of the county's non-urbanized landscape. Although SR 152, a designated State Scenic Highway, is approximately 1.5 miles south of the project site, the distance and relatively flat terrain limit visibility of the project site. The proposed project would expand the existing dairy within an established agricultural setting and would not substantially alter the visual character of the area. Therefore, the project would not result in significant impacts related to visual resources. This environmental issue will not be analyzed further in the EIR.

Mitigation

Implement Animal Confinement Ordinance EIR Mitigation Measure AES-2.

II. Agriculture and Forestry Resources

Environmental Issues	Potentially Significant Impact	Less Than Significant with Existing Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:</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?	☐	☐	☐	☒
(b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
(c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
(d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
(e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

Setting

2.1.1.1 AGRICULTURAL LAND USE DESIGNATION AND ZONING

The existing Double Diamond Dairy facility consists of an active dairy operation surrounded by similar agricultural uses and associated rural residences. The project site and surrounding area are designated Agricultural by the General Plan and are zoned A-1 (General Agricultural). The A-1 zoning district is intended to preserve agricultural lands for farming, livestock production, and other compatible agricultural uses. The project site parcel is currently under a Williamson Act contract (DOC 2026a). Construction of the proposed facilities would occur within an existing dairy operation and would not result in the conversion of cropland to dairy facilities.

FARMLAND DESIGNATIONS

The DOC Farmland Mapping and Monitoring Program (FMMP) produces maps and statistical data used to analyze impacts on California's agricultural resources (DOC 2022). Agricultural land is classified according to soil quality and current land use. For environmental review purposes under CEQA, the FMMP categories of Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance, and Grazing Land are considered "agricultural land." Other nonagricultural categories include Urban and Built-up Land, Other Land, Water, and Confined Animal Agriculture.

According to the DOC Important Farmlands Map of Merced County, the portion of the project site containing the existing dairy facilities is designated Confined Animal Agriculture, which includes poultry facilities, feedlots, dairy facilities, and fish farms (DOC 2022).

ON-SITE SOILS

The U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) provides agricultural soil types for the project site with soil data and information produced by the National Cooperative Soil Survey. According to the NRCS Web Soil Survey, the project site is underlain by the following soil types (NRCS 2026):

- Fresno loam, slightly saline-sodic, 0 to 1 percent slopes (Not Prime Farmland)
- Fresno loam, moderately saline-sodic, 0 to 1 percent slopes (Not Prime Farmland)
- Hanford sandy loam, 0 to 1 percent slopes (Prime Farmland if Irrigated)
- Pachappa fine sandy loam, deep over hardpan, 0 to 1 percent slopes (Prime Farmland if Irrigated)
- Pachappa sandy loam, 0 to 1 percent slopes (Prime Farmland if Irrigated)
- Pachappa sandy loam, slightly saline-alkali, 0 to 1 percent slopes (Prime Farmland if Irrigated)
- Pachappa sandy loam, deep over hardpan, slightly saline-alkali, 0 to 1 percent slopes (Prime Farmland if Irrigated)
- Pachappa sandy loam, deep over hardpan, 0 to 1 percent slopes (Prime Farmland if Irrigated)
- Traver fine sandy loam, moderately saline-alkali, 0 to 1 percent slopes (Farmland of Statewide Importance)

2.1.1.1.1 Williamson Act

The Land Conservation Act of 1965, commonly referred to as the Williamson Act, enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agriculture or related open space use. In return, landowners receive property tax assessments that are much lower than normal because they are based on farming and open space uses as opposed to full market value. The project site parcel is currently under an active Williamson Act contract (DOC 2026a).

2.1.1.1.2 Forestland and Timberland

According to California Public Resources (PRC) Section 12220(g), forest land is defined as land that can support 10% native tree cover of any species, including hardwoods, under natural conditions and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. Timberland is defined as land, other than land owned by the federal government and land designated by the State Board of Forestry and Fire Protection as experimental forest land, which is available for and capable of growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees. There are no forest lands, timberland, or timberland zoned Timberland Production in Merced County (California Department of Fish and Wildlife [CDFW] 2015).

2.1.1.1.3 Right-to-Farm Ordinance

Merced County Code Section 18.60.080 includes the County's Right-to-Farm Ordinance, which contains provisions intended to support and protect agricultural operations within the county. The purpose of this policy is to reduce conflicts between agricultural and nonagricultural land uses by notifying prospective residents of development near agricultural areas that normal farming activities may generate noise, dust, odors, and other inconveniences and that established agricultural operations conducted in a lawful manner will not be considered a nuisance. These provisions also regulate the development of additional residential units in rural residential and agricultural zones to help maintain the viability of commercial agriculture and reduce land use conflicts. Requirements include limits on the number and size of additional residential units, occupancy restrictions prioritizing farmers, agricultural workers, or immediate family members, and environmental health approval for wells and on-site septic systems. Property owners are also required to record deed restrictions, including a Right-to-Farm certificate, to notify future occupants of the potential inconveniences associated with nearby agricultural operations.

Environmental Evaluation

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

No Impact. The Animal Confinement Ordinance EIR determined that construction and operation of new or expanded dairies would have a less-than-significant impact on the conversion of valuable agricultural soils and resources, and no mitigation was required (County of Merced 2002). The General Plan EIR found that continued agricultural operations, including confined animal facilities, would not significantly convert farmland when occurring within existing agricultural designations (County of Merced 2013b). The project site is underlain by land designated as Confined Animal Agriculture by the DOC FMMP (DOC 2022) and does not contain Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Therefore, the proposed project would not result in the conversion of important farmland to nonagricultural use, and no impacts would occur.

b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

No Impact. According to the General Plan, the project site and surrounding parcels are designated Agricultural land use (County of Merced 2013a). The project site is zoned General Agricultural, which is intended to preserve land for agricultural production, livestock operations, and other compatible agricultural uses. The project site currently operates as the Double Diamond Dairy and is surrounded by similar agricultural uses and associated rural residences. The parcel encompassing the project site is currently subject to an active Williamson Act contract, which restricts the land to agricultural or related open space uses in exchange for reduced property tax assessments (DOC 2026a). The proposed project would occur within the existing dairy facility and would remain consistent with the project site's agricultural land use designation, zoning, and Williamson Act status. Therefore, no impacts would occur.

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

No Impact. The project site is not within forest land, timberland, or timberland production land use or zoning designations. Therefore, the proposed project would not conflict with the zoning or cause rezoning of designated forest land, timberland, or timberland production, and no impacts would occur.

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

No Impact. The project site currently supports trees and shrubs lining the East Washington Road right-of-way and a private driveway. Based on the low density of existing native trees, the project site does not meet the definition of forest land. As such, the project site does not support forest land or timberland and would not result in the loss or conversion of these lands to non-forest use. Therefore, no impacts would occur.

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

No Impact. The project site is within an existing dairy operation and is surrounded by agricultural land uses designated Agricultural by the General Plan and zoned A-1 General Agricultural. The project consists of improvements and new facilities within the existing Double Diamond Dairy and would not introduce new nonagricultural land uses. Although soils on the site are designated primarily as Prime Farmland if Irrigated, with a small portion of Farmland of Statewide Importance, the project would occur within the footprint of the existing dairy facility and would not convert farmland to nonagricultural uses. In addition, the project site does not contain forest land or timberland. Therefore, the proposed project would not involve changes in the existing environment that could result in the conversion of Farmland to nonagricultural use or conversion of forest land to non-forest use, and no impacts would occur.

Conclusion

The project site is within an existing dairy operation and is surrounded by agricultural land uses. The proposed project would occur within the footprint of the existing Double Diamond Dairy and would not result in physical changes to the environment that would convert Farmland to nonagricultural use or convert forest land to non-forest use. Therefore, the project would not result in significant impacts related to agriculture and forestry resources. This environmental issue will not be analyzed further in the EIR.

Mitigation

No mitigation is required.

III. Air Quality

Environmental Issues	Potentially Significant Impact	Less Than Significant with Existing Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:</i>				
(a) Conflict with or obstruct implementation of the applicable air quality plan?	☒	☐	☐	☐
(b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☒	☐	☐	☐
(c) Expose sensitive receptors to substantial pollutant concentrations?	☒	☐	☐	☐
(d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☒	☐	☐	☐

Setting

The federal Clean Air Act required the U.S. Environmental Protection Agency (EPA) to establish National Ambient Air Quality Standards (NAAQS) for pollutants considered harmful to public health and the environment and to set deadlines for their attainment. The EPA has established NAAQS for six criteria pollutants: carbon monoxide (CO), lead, nitrogen dioxide, ozone, particulate matter 10 micrometers and smaller in diameter (PM₁₀), particulate matter 2.5 micrometers and smaller in diameter (PM_{2.5}), and sulfur dioxide.

The California Department of Public Health established California Ambient Air Quality Standards (CAAQS) in 1962 to define the maximum amount of a pollutant (averaged over a specified period of time) that can be present without any harmful effects on people or the environment. CARB adopted the CAAQS developed by the Department of Public Health in 1969, which had established CAAQS for 10 criteria pollutants: particulate matter (PM₁₀ and PM_{2.5}), ozone, nitrogen dioxide, sulfate, CO, sulfur dioxide, visibility reducing particles, lead, hydrogen sulfide, and vinyl chloride.

The county is within the San Joaquin Valley Air Basin. The San Joaquin Valley Air Basin is under the jurisdiction of the SJVAPCD, which regulates air quality in the southern portion of the Central Valley. On October 26, 2015, the EPA revised the NAAQS for ground level ozone, lowering the 8-hour standard

to 70 parts per billion to better protect public health. On June 4, 2018 (effective date August 3, 2018), EPA designated the San Joaquin Valley Air Basin as a nonattainment area for the 2015 8-hour ozone standard and classified the region as Extreme, with an attainment deadline of 2037 (SJVAPCD 2022).

In compliance with regulations, due to the nonattainment designations of the area, the SJVAPCD periodically prepares and updates air quality plans that provide emission reduction strategies to achieve attainment of the NAAQS, including control strategies to reduce air pollutant emissions through regulations, incentive programs, public education, and partnerships with other agencies. The most recent ozone plan is the *2022 Ozone Plan for 2015 8-Hour Ozone Standard (2022 Ozone Plan)* (SJVAPCD 2022). The 2022 Ozone Plan was adopted by the SJVAPCD on December 15, 2022.

The EPA established the 2012 annual PM_{2.5} NAAQS of 12 micrograms per cubic meter on January 13, 2013. In 2015, EPA designated the San Joaquin Valley Air Basin as a Moderate nonattainment area for the 2012 PM_{2.5} standard. The SJVAPCD subsequently prepared the *2016 Moderate Area Plan for the 2012 PM_{2.5} Standard* to address moderate area requirements and requested reclassification to Serious nonattainment (SJVAPCD 2016). EPA approved the plan and reclassified the basin to Serious nonattainment, effective December 2021.

To address federal Clean Air Act requirements for Serious PM_{2.5} nonattainment areas, the SJVAPCD adopted the Initial State Implementation Plan (SIP) Requirements for the 2012 Annual PM_{2.5} Standard on October 19, 2023, which included updates to the emissions inventory, precursor demonstrations, and Best Available Control Measures evaluations. The SJVAPCD later adopted the 2024 Plan for the 2012 Annual PM_{2.5} Standard on June 20, 2024, which establishes the attainment strategy, emission reduction commitments, and contingency measures needed to demonstrate attainment of the 2012 PM_{2.5} standard by 2030 (SJVAPCD 2024).

The SJVAPCD has established thresholds of significance for criteria pollutant emissions, which are based on New Source Review offset requirements for stationary sources. The SJVAPCD's current adopted thresholds of significance for criteria pollutant emissions are provided in Table 4.

Table 4. SJVAPCD Criteria Pollutants Thresholds of Significance

Pollutant/Precursor	Construction Emissions	Operational Emissions	
		Permitted Equipment and Activities	Non-Permitted Equipment and Activities
	Emissions (tpy)	Emissions (tpy)	Emissions (tpy)
Carbon monoxide (CO)	100	100	100
Nitrogen oxides (NO _x)	10	10	10
Reactive organic gases (ROG)	10	10	10
Sulfur oxides (SO _x)	27	27	27
Particulate matter 10 microns in diameter or less (PM ₁₀)	15	15	15
Particulate matter 2.5 microns in diameter or less (PM _{2.5})	15	15	15

Source: SJVAPCD (2015).

Note:

tpy = tons per year.

Only small pockets in the northwestern and southwestern areas of Merced County show naturally occurring asbestos (NOA), and with a lack of near-surface metamorphic rocks, the likelihood of additional areas containing concentrations of NOA great enough to pose a health risk is very low (County of Merced 2013b). The CARB has identified NOA as a toxic air contaminant. Any ground disturbance proposed in an area identified as having the potential to contain NOA must comply with the CARB Airborne Toxics Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations (17 CCR Section 93105).

The General Plan Land Use Element (County of Merced 2013a) identifies several goals, policies, and implementation measures associated with new development projects and air quality, including the following:

- **Goal AQ-1:** Reduce air pollutants and greenhouse gas emissions and anticipate adaptation due to future consequences of global and local climate change.
 - **Policy AQ-1.3: Agricultural Operations Emission Reduction Strategies.** Promote greenhouse gas emission reductions by encouraging agricultural operators to use carbon efficient farming methods (e.g., no-till farming, crop rotation, cover cropping); install renewable energy technologies; protect grasslands, open space, oak woodlands, riparian forest and farmlands from conversion to other uses; and develop energy-efficient structures.
 - **Policy AQ-1.4: Methane Digesters.** Encourage large dairies to capture methane through use of manure digester systems to generate an alternative source of energy, reduce greenhouse gas emissions, and serve as a source of profit for agricultural operations.
- **Goal AQ-2:** Mitigate significant local and regional air quality impacts of projects through the CEQA process.
 - **Policy AQ-2.1: Air Quality Plan Compliance.** Require all development projects to comply with applicable regional air quality plans and policies.
 - **Policy AQ-2.2: Development Review Process.** Use the development review process to achieve measurable reductions in criteria pollutant, toxic air contaminants, and greenhouse gas emissions
 - **Policy AQ-2.7: Air District Best Performance Standards.** Require the County to use the Best Performance Standards adopted by SJVAPCD during the development review and decision-making process to ensure new projects meet the targets set by the district.
- **Goal AQ-6:** Improve air quality in Merced County by reducing emissions of PM₁₀, PM_{2.5}, and other particulates from mobile and non-mobile sources.
 - **Policy AQ-6.1: Particulate Emissions from Construction.** Support the San Joaquin Valley Air Pollution Control District's efforts to reduce particulate emissions from construction, grading, excavation, and demolition to the maximum extent feasible and consistent with State and Federal regulations.
 - **Policy AQ-6.4: Agricultural Best Management Practices.** Encourage agricultural operations to incorporate Best Management Practices, such as paving roads, screening cropland with windbreaks, limiting tilling and grading on highwind days, and changing harvesting equipment, to reduce particulate emissions consistent with State and Federal regulations.

Environmental Evaluation

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

Potentially Significant Impact. The Animal Confinement Ordinance EIR (County of Merced 2002) identified the following air quality impacts:

- Construction activities associated with the development of dairies could result in a significant and unavoidable impact related to short-term dust emissions, including PM₁₀, even with mitigation requiring implementation of SJVAPCD Rules 8020, 8021, and Section 7.13.040 U, HH, and OO of the Merced County Code (Impact AQ-1).
- Construction activities associated with the development of dairies could result short-term exhaust emissions, including ROG, NO_x, CO, and PM₁₀, which would be less than significant with implementation of mitigation that limits construction equipment emissions (Impact AQ-2).
- Operation of equipment used in dairies would result in less than significant impacts related to carbon dioxide emissions, and no mitigation was required (Impact AQ-3).
- Emissions of ROG and NO_x from operations, farm equipment, and increased traffic at new or expanded dairies would exceed SJVAPCD emissions criteria, even with mitigation requiring compliance with Section 7.13.040 U and OO of the Merced County Code, and impacts would be significant and unavoidable (Impact AQ-4).
- Dairies would result in significant and unavoidable impacts related to fugitive dust emissions (PM₁₀ and PM_{2.5}) from animal movement in unpaved corrals, vehicle use along unpaved driveways and access roads, and equipment operations, even with compliance with Section 7.13.040 U and OO of the Merced County Code (Impact AQ-5).
- Manure from animals at new or expanded dairies would result in significant and unavoidable ammonia and hydrogen sulfide emissions, even with compliance with Section 7.13.040 U, H, and OO of the Merced County Code (Impact AQ-6).
- Animal digestion, manure, and cultivation activities and new or expanded dairies would result in significant and unavoidable greenhouse gas emissions, even with compliance with Section 7.13.040 U and OO of the Merced County Zoning Code (Impact AQ-7).
- New or expanded dairies facilities would result in significant and unavoidable nuisance odor emissions, even with compliance with Section 7.13.045 C.8.a, 17.12.070, 18.02.02, 18.02.03, and 18.184.050 of the Merced County Code (Impact AQ-8).

The proposed dairy expansion is anticipated to have potentially significant air quality and greenhouse gas (GHG) impacts that will be evaluated further in the EIR.

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

Potentially Significant Impact. The Animal Confinement Ordinance EIR identified the following air quality impacts related to criteria pollutants for which the region is in nonattainment (ozone, PM_{2.5}, and PM₁₀):

- Construction activities associated with the development of dairies could result in a significant and unavoidable impact related to short-term dust emissions, including PM₁₀, even with mitigation

requiring implementation of SJVAPCD Rules 8020, 8021, and Section 7.13.040 U, HH, and OO of the Merced County Code (Impact AQ-1).

- Construction activities associated with the development of dairies could result short-term exhaust emissions, including ROG, NO_x, CO, and PM₁₀, which would be less than significant with implementation of mitigation that limits construction equipment emissions (Impact AQ-2).
- Emissions of ROG and NO_x from operations, farm equipment, and increased traffic at new or expanded dairies would exceed SJVAPCD emissions criteria, even with mitigation requiring compliance with Section 7.13.040 U and OO of the Merced County Code, and impacts would be significant and unavoidable (Impact AQ-4)
- Dairies would result in significant and unavoidable impacts related to fugitive dust emissions (PM₁₀ and PM_{2.5}) from animal movement in unpaved corrals, vehicle use along unpaved driveways and access roads, and equipment operations, even with compliance with Section 7.13.040 U and OO of the Merced County Code (Impact AQ-5).

The General Plan EIR identifies the San Joaquin Valley Air Basin's nonattainment status for ozone and PM_{2.5} as a significant and unavoidable cumulative impact, to which agricultural operations, including dairies, contribute (County of Merced 2013b).

The proposed dairy expansion is anticipated to have potentially significant air quality and GHG impacts that will be evaluated further in the EIR.

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

Potentially Significant Impact. The Animal Confinement Ordinance EIR identified the following air quality impacts that could affect sensitive receptors:

- Construction activities associated with the development of dairies could result in a significant and unavoidable impact related to short-term dust emissions, including PM₁₀, even with mitigation requiring implementation of SJVAPCD Rules 8020, 8021, and Section 7.13.040 U, HH, and OO of the Merced County Code (Impact AQ-1).
- Construction activities associated with the development of dairies could result short-term exhaust emissions, including ROG, NO_x, CO, and PM₁₀, which would be less than significant with implementation of mitigation that limits construction equipment emissions (Impact AQ-2).
- Operation of equipment used in dairies would result in less than significant impacts related to carbon dioxide emissions, and no mitigation was required (Impact AQ-3).
- Emissions of ROG and NO_x from operations, farm equipment, and increased traffic at new or expanded dairies would exceed SJVAPCD emissions criteria, even with mitigation requiring compliance with Section 7.13.040 U and OO of the Merced County Code, and impacts would be significant and unavoidable (Impact AQ-4)
- Dairies would result in significant and unavoidable impacts related to fugitive dust emissions (PM₁₀ and PM_{2.5}) from animal movement in unpaved corrals, vehicle use along unpaved driveways and access roads, and equipment operations, even with compliance with Section 7.13.040 U and OO of the Merced County Code (Impact AQ-5).
- Animal digestion, manure, and cultivation activities and new or expanded dairies would result in significant and unavoidable greenhouse gas emissions, even with compliance with Section 7.13.040 U and OO of the Merced County Zoning Code (Impact AQ-7).

The proposed dairy expansion is anticipated to have potentially significant air quality and GHG impacts that will be evaluated further in the EIR.

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

Potentially Significant Impact. The Animal Confinement Ordinance EIR identified the following air quality impacts related to other emissions:

- Manure from animals at new or expanded dairies would result in significant and unavoidable ammonia and hydrogen sulfide emissions, even with compliance with Section 7.13.040 U, H, and OO of the Merced County Code (Impact AQ-6).
- New or expanded dairies facilities would result in significant and unavoidable nuisance odor emissions, even with compliance with Section 7.13.045 C.8.a, 17.12.070, 18.02.02, 18.02.03, and 18.184.050 of the Merced County Code (Impact AQ-8).

The proposed dairy expansion is anticipated to have potentially significant air quality and GHG impacts that will be evaluated further in the EIR.

Conclusion

The proposed project may result in potentially significant air quality emissions. This environmental area will be analyzed further in the EIR.

Mitigation

Mitigation measures will be identified in the EIR.

IV. Biological Resources

Environmental Issues	Potentially Significant Impact	Less Than Significant with Existing Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</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?	☐	☒	☐	☐
(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 U.S. Fish and Wildlife Service?	☐	☐	☐	☒
(c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒

Environmental Issues	Potentially Significant Impact	Less Than Significant with Existing Mitigation Incorporated	Less Than Significant Impact	No Impact
(d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐
(e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
(f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

Setting

The project site lies within the San Joaquin Valley, a region historically dominated by grassland, alkali scrub, and riparian habitats associated with the Merced, Chowchilla, and San Joaquin River systems. Over the past century, the region has undergone extensive agricultural conversion, resulting in widespread loss and fragmentation of native habitats. The General Plan EIR identifies that most remaining natural communities occur along major waterways, in the Grasslands Ecological Area, and in foothill regions to the east and west (County of Merced 2013b). The project site is not near any of these resource areas and does not contain remnant native habitat.

The project site consists of an existing dairy facility and associated agricultural fields that have been in continuous agricultural production for decades. The dairy footprint includes free-stall barns, corrals, lagoons, settling ponds, manure management infrastructure, and associated access roads. Surrounding lands are planted in forage crops such as alfalfa, corn silage, wheat, and sudan grass. These lands are routinely disked, irrigated, harvested, and otherwise disturbed, resulting in little to no remaining native vegetation. The proposed new dairy facilities are in areas of active dairy operations subject to frequent disturbance such as scraping.

Environmental Evaluation

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

Less-Than-Significant Impact With Existing Mitigation Incorporated. The Animal Confinement Ordinance EIR determined that the construction activities at dairies could result in substantial adverse effects and habitat modifications, resulting in take, of special status plant and animal species, but impacts would be less than significant with mitigation (Impacts BIO-2, BIO-4, and BIO-5) (County of Merced 2002). The General Plan EIR identifies loss of habitat from agricultural expansion as a significant cumulative impact but notes that existing dairies on disturbed land generally have low biological resource value (County of Merced 2013b). The project site contains no native vegetation, wetlands, or riparian habitat. Agricultural fields are intensively managed for forage crops, and the dairy footprint is fully

developed with barns, corrals, lagoons, and manure management infrastructure. These conditions provide minimal habitat for special-status species. Impacts would be less than significant with inclusion of Animal Confinement Ordinance EIR Mitigation Measures BIO-2 through BIO-6.

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

No Impact. The Animal Confinement Ordinance EIR determined that the construction and operation of new dairies could result in a significant and unavoidable impact on riparian habitat, even with mitigation that requires erosion and sedimentation control, agency permits, and replacement habitat at a 1:1 ratio for lost habitat (Impact BIO-1) (County of Merced 2002). The project site does not contain any riparian habitat; therefore, there would be no impact.

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

No Impact. The Animal Confinement Ordinance EIR determined that the construction and operation of new dairies could result in potentially significant impacts on wetlands and vernal pools, but mitigation would reduce impacts to less than significant (Impact BIO-4) (County of Merced 2002). The project site does not contain wetlands, including vernal pools; therefore, there would be no impact.

d) Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Less-Than-Significant Impact. The Animal Confinement Ordinance EIR determined that the construction and operation of new or expanded dairies could block or constrict daily and seasonal wildlife movement corridors, but impacts were determined to be less than significant with mitigation for protective measures to facilitate San Joaquin kit fox travel and dispersion (Impact BIO-6) (County of Merced 2002). The proposed facilities would be constructed entirely within the existing active dairy footprint, an area already characterized by long-term disturbance and continuous human activity. Because no new development would occur in undeveloped areas that could function as movement pathways, the project would not block or restrict potential San Joaquin kit fox movement. Surrounding agricultural lands would remain available for wildlife movement, and no additional barriers would be introduced. Therefore, impacts would be less than significant, and Animal Confinement Ordinance EIR Mitigation Measure BIO-6 is not necessary.

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

No Impact. Merced County does not have a tree preservation ordinance or other local biological resource protection policies that apply to agricultural lands or animal confinement facilities. The project site and surrounding cropland are designated General Agricultural (A) in the General Plan and zoned General Agricultural (A-1), where dairy operations and associated agricultural activities are permitted uses.

No native trees, riparian vegetation, or other protected biological resources occur within the project footprint, and no removal of protected vegetation is proposed.

The project is required to comply with the Merced County Animal Confinement Ordinance (Chapter 18.64), which includes operational standards for manure management, wastewater handling, and vector and odor control. These standards function as the County's primary biological and environmental protection framework for dairies. The proposed dairy expansion would continue to operate under these requirements and would not conflict with any provisions of the ordinance. Therefore, there would be no impact.

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

No Impact. There are no adopted habitat or community conservation plans applicable to the project site. Therefore, there would be no impact.

Conclusion

With implementation of existing Animal Confinement Ordinance EIR mitigation measures, impacts to biological resources would be less than significant. No new mitigation measures are needed.

Mitigation Measures

Implement Animal Confinement Ordinance EIR Mitigation Measures BIO-2 through BIO-6.

V. Cultural Resources

Environmental Issues	Potentially Significant Impact	Less Than Significant with Existing Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	☐	☐	☐	☒
(b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	☐	☒	☐	☐
(c) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☒	☐	☐

Setting

The project site is within the traditional territory of the Northern Valley Yokuts, who historically occupied much of the San Joaquin Valley. Archaeological evidence indicates that Native American groups occupied the region for thousands of years, relying on the rich riparian, wetland, and grassland resources associated with the San Joaquin River system (County of Merced 2013b). Prehistoric archaeological sites in the county typically occur near:

- major waterways
- natural lakes and wetlands
- elevated landforms adjacent to floodplains
- areas with intact native vegetation

The General Plan EIR notes that the San Joaquin Valley contains deeply buried archaeological deposits due to repeated episodes of alluvial deposition (County of Merced 2013b). As a result, archaeological resources may be present even in areas that have been disturbed by agriculture.

Euro-American settlement of the region began in the mid-1800s with cattle ranching, grain farming, and later, irrigated agriculture. The establishment of irrigation districts and expansion of dairy operations in the early twentieth century transformed the landscape into the intensive agricultural region seen today (County of Merced 2013b). Historic-era cultural resources in Merced County commonly include:

- farmsteads and ranch complexes
- irrigation canals and ditches
- agricultural outbuildings
- transportation corridors

The project site has been used for agricultural production for several decades and has operated as a dairy since 1999. These facilities were constructed on previously disturbed agricultural land. The surrounding cropland is routinely disked, irrigated, and harvested, resulting in extensive ground disturbance across the entire project site. Because of this long-term disturbance, the project site does not contain any known archaeological sites, historic structures, or paleontological resources.

Environmental Evaluation

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

No Impact. The project site contains no historical buildings and no known historical resources. All new construction occurs within the existing dairy footprint and does not require demolition. Therefore, there would be no impact.

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

Less-Than-Significant Impact With Existing Mitigation Incorporated. The Animal Confinement Ordinance EIR determined that construction and operation of new or expanded dairies could result in the disturbance of known and unknown prehistoric and/or historic resources, but that impacts would be less than significant with implementation of mitigation that requires the County to consult with Tribes and halt work if archaeological resources are encountered (Impact CUL-1) (County of Merced 2002). The General Plan EIR notes that the San Joaquin Valley contains deeply buried archaeological resources due to alluvial deposition, and ground-disturbing activities may encounter such resources even in previously disturbed areas (County of Merced 2013b). Although the project site is heavily disturbed agricultural land with no known cultural sites, the project has the potential to encounter previously unknown archaeological resources. Impacts would be less than significant with implementation of existing Animal

Confinement Ordinance EIR Mitigation Measure CUL-1, which requires stopping work if resources are encountered and ensuring appropriate evaluation and treatment of those resource.

c) Would the project disturb any human remains, including those interred outside of dedicated cemeteries?

Less-Than-Significant Impact With Existing Mitigation Incorporated. The Animal Confinement Ordinance EIR determined that construction and operation of new or expanded dairies could result in the disturbance of known and unknown prehistoric and/or historic resources, but that impacts would be less than significant with implementation of mitigation that requires the County to consult with Tribes and halt work if archaeological resources are encountered (County of Merced 2002). The General Plan EIR notes that many burial sites have been documented near major waterways; however, the likelihood for encountering human remains is generally low in areas that have been undergone extensive agricultural disturbance (County of Merced 2013b). Although the project site consists of heavily disturbed agricultural where human remains have previously been encountered, compliance with Health and Safety Code Section 7050.5, PRC Section 5097.98, and existing Animal Confinement Ordinance EIR Mitigation Measure CUL-1 would ensure impacts remain less than significant.

Conclusion

With compliance with Health and Safety Code Section 7050.5 and PRC Section 5097.98 and implementation of existing Animal Confinement Ordinance EIR mitigation measures, impacts to cultural resources would be less than significant. No new mitigation measures are needed.

Mitigation Measures

Implement Animal Confinement Ordinance EIR Mitigation Measure CUL-1 (B, C, E).

VI. Energy

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

Setting

2.1.1.1.4 Local Utilities

Electric service in Merced County is provided primarily by Pacific Gas and Electric Company (PG&E), Merced Irrigation District, and Turlock Irrigation District, and PG&E provides natural gas service throughout the county (County of Merced 2013a). Energy generated within Merced County includes hydroelectric, wind, and biomass facilities. Hydroelectric power is produced through irrigation and water

conveyance systems associated with regional water infrastructure, and wind energy is generated primarily in the Pacheco Pass area. Biomass energy is produced through the combustion or processing of organic materials such as agricultural waste. In addition, anaerobic digestion systems at agricultural facilities, including dairies, can generate biogas from livestock manure that may be used to produce electricity or heat (County of Merced 2013b).

2.1.1.1.5 Local Energy Plans and Policies

Energy conservation and efficiency within Merced County are guided by federal, state, and regional regulatory programs. State CEQA Guidelines Appendix F requires EIRs to consider the energy implications of proposed projects and to identify measures that reduce inefficient, wasteful, and unnecessary consumption of energy while promoting the use of renewable energy resources (County of Merced 2013b). The California Public Utilities Commission regulates privately owned electric and natural gas utilities to ensure reliable and cost-effective service, whereas the California Independent System Operator manages most of the state's electricity transmission system and balances electricity supply with demand. State policy also promotes increased renewable energy generation through programs such as the renewable portfolio standard, which requires electric utilities to procure increasing amounts of electricity from renewable resources.

Merced County has not adopted a stand-alone climate action plan; however, the General Plan includes goals and policies intended to promote energy efficiency and sustainable development. The Land Use Element supports energy conservation through innovative building design, sustainable building practices, and land use patterns that enhance natural lighting and solar access (County of Merced 2013a). These policies encourage both new development and retrofits of existing structures to incorporate energy- and water-efficient technologies.

The General Plan identifies policies and objectives to support energy efficiency through building design, orientation, and the use of sustainable construction practices. Applicable energy policies include, but are not limited to:

- **Policy LU-9.1:** Require new residential subdivision lots and new commercial, office, industrial, and public buildings to be oriented and landscaped to enhance natural lighting and solar access in order to maximize energy efficiency.
- **Policy LU-9.2:** Promote sustainable building practices, including the requirements of Title 24 of the California Administrative Code.
- **Policy LU-9.3:** Promote the retrofitting of existing buildings with new and innovative energy and water efficiency technologies.
- **Policy LU-9.4:** Require all new County buildings be constructed to green building standards and all existing County buildings to be retrofitted with energy-efficient technologies.
- **Policy LU-9.5:** Cooperate with the local building industry, utilities, and the local air district to promote enhanced energy conservation standards for new construction.

Together, these policies are intended to reduce overall energy consumption, encourage efficient land use patterns, and support the incorporation of sustainable and energy-efficient technologies in both public and private development within Merced County.

2.1.1.1.6 State Building Code Requirements

The California Building Code (CBC) contains standards that regulate the method of use, properties, performance, or types of materials used in the construction, alteration, improvement, repair, or

rehabilitation of a building or other improvement to real property. The CBC includes mandatory green building standards for residential and nonresidential structures, the most recent version of which are referred to as the 2025 Building Energy Efficiency Standards (effective January 1, 2026). Although the CBC has strict energy and green building standards, U-occupancy structures (such as free-stall barns used for agricultural activities) are typically not regulated by these standards.

2.1.1.1.7 Vehicle Fuel Economy Standards

Vehicle fuel economy and emissions are regulated at both the federal and state levels to reduce fuel consumption, air pollution, and GHG emissions from the transportation sector. At the federal level, the EPA and National Highway Traffic Safety Administration (NHTSA), under the U.S. Department of Transportation, establish fuel economy and GHG emission standards for motor vehicles through the Corporate Average Fuel Economy (CAFE) program and associated federal regulations. In June 2024, NHTSA finalized updated CAFE standards that increase fuel economy requirements for passenger cars and light-duty trucks for model years 2027 through 2031 (NHTSA 2024). Under these rules, passenger car fuel economy standards will increase by approximately 2% annually from 2027 through 2031. For light-duty trucks, standards remain constant from 2027 through 2028 and then increase by approximately 2% annually from 2029 through 2031. For heavy-duty pickup trucks and vans, fuel efficiency requirements will increase by approximately 10% per year for model years 2030 through 2032 and by approximately 8% per year for model years 2033 through 2035.

California has adopted additional vehicle emissions and fuel programs administered by CARB. CARB has established standards for cleaner gasoline and diesel fuels and programs designed to reduce the carbon intensity of transportation fuels, including the Low Carbon Fuel Standard (LCFS), which promotes the development and use of low-carbon and renewable fuels pursuant to Assembly Bill (AB) 32 and related state climate policies (CARB 2026a). In addition, CARB adopted the Advanced Clean Cars II Program in 2022, which establishes increasingly stringent GHG emission standards and zero-emission vehicle (ZEV) requirements for light-duty vehicles. The program requires that ZEVs—including battery-electric, plug-in hybrid, and fuel-cell vehicles—represent an increasing share of new vehicle sales beginning in model year 2026, ultimately reaching 100% zero-emission new vehicle sales by 2035 (CARB 2026b).

CARB also regulates emissions from off-road diesel equipment through the In-Use Off-Road Diesel-Fueled Fleets Regulation, which applies to most self-propelled off-road diesel vehicles with engines rated at 25 horsepower or greater operating in California. The purpose of this regulation is to reduce emissions of nitrogen oxides (NO_x) and PM through requirements such as limits on equipment idling, fleet reporting and labeling, restrictions on older engines, and performance standards for diesel fleets (CARB 2026c). These federal and state regulations collectively reduce fuel consumption and emissions from both on- and off-road vehicles operating in California.

2.1.1.1.8 Electricity And Energy Use in California Dairies

Electric energy use in dairy operations is associated with several primary activities that support daily milk production and facility management, including milk harvesting, milk cooling, lighting, ventilation and air circulation, manure and waste handling, water supply systems, and compressed air systems. Among these categories, milk harvesting and milk cooling typically represent the largest share of total electricity demand, as milking equipment, vacuum pumps, and refrigeration systems operate continuously to maintain milk quality and storage temperatures (California Energy Commission [CEC] 2023).

Energy use on dairies is often evaluated using the Energy Utilization Index (EUI), which represents the amount of electricity required to support dairy operations relative to herd size or production levels.

The EUI provides a useful metric for evaluating overall dairy energy efficiency and identifying opportunities for energy conservation through improved equipment or operational practices. Energy use on dairies can vary substantially depending on factors such as herd size, milking system type, housing configuration, use of energy-efficient technologies, and the level of mechanization associated with ventilation, lighting, and manure management systems. Studies of dairy energy consumption in California and the western United States indicate that electricity use can range from approximately 300 to more than 1,500 kilowatt-hours per cow per year, with lower values typically associated with larger free-stall dairies that use efficient milking parlors, modern refrigeration systems, and high-efficiency equipment (CEC 2023).

Lower EUI values are typically achieved using energy-efficient technologies and management practices, such as high-efficiency milk cooling systems, variable-speed vacuum and milk pumps, heat recovery systems, energy-efficient lighting, optimized ventilation systems, and efficient water heating equipment. Conversely, higher EUI values are generally associated with smaller facilities, older equipment, or less efficient operational practices. Implementation of energy-efficient equipment and operational improvements can help dairy operators reduce electricity consumption, lower operating costs, and improve overall energy efficiency (CEC 2023).

Environmental Evaluation

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

Less-Than-Significant Impact. The General Plan EIR identifies agricultural operations, including dairies, as major energy users in the County due to irrigation pumping, equipment operation, and livestock facility energy demands (County of Merced 2013b). Construction of the proposed dairy expansion would require the use of fossil fuels, electricity, and other energy resources to power construction vehicles, heavy equipment, and supporting construction activities. Energy use during construction would primarily consist of diesel and gasoline consumption by trucks and construction equipment, as well as limited electricity use for temporary construction-related activities. This energy demand would be temporary and typical of construction activities associated with agricultural facility development in Merced County.

Federal and state regulations govern vehicle fuel efficiency and emissions and are designed to reduce fuel consumption and wasteful energy use. Construction vehicles and equipment operating in California are subject to regulations administered by the EPA, NHTSA, and CARB, including vehicle fuel economy standards and the In-Use Off-Road Diesel Fueled Fleets Regulation (13 CCR Section 2449). These regulations require improved fuel efficiency, limit engine idling, and reduce emissions from diesel-powered construction equipment, thereby minimizing unnecessary fuel consumption.

Construction contractors also typically seek to minimize fuel and energy costs through efficient construction practices and proper equipment maintenance. As a result, wasteful or unnecessary fuel and energy use during construction would not be expected.

Operational energy use would be associated with routine dairy operations such as milking, milk cooling, lighting, ventilation, water supply, and manure management. The project would continue to use existing on-site infrastructure, including the existing solar installation to the west of the barns and the anaerobic covered lagoon digester that generates biogas from manure, supporting the use of renewable energy associated with dairy operations. In addition, the project would result in only minor increases in truck trips related to feed delivery and product transport and would not substantially increase fossil fuel

consumption. Therefore, energy consumption associated with the proposed project would not represent a wasteful, inefficient, or unnecessary use of energy resources and impacts would be less than significant.

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

Less-Than-Significant Impact. The General Plan EIR identifies renewable energy systems, including methane digesters, as key strategies for improving energy efficiency in agricultural operations (County of Merced 2013b). As evaluated in Section VI(a) above, the energy consumed during construction and operation of the proposed dairy expansion would not represent a substantial or wasteful demand on available energy resources and would be consistent with applicable federal, state, and local energy efficiency objectives. Construction energy use would be temporary and typical of similar agricultural development activities, and operational energy use would be associated with routine dairy operations, such as milking, milk cooling, lighting, ventilation, water supply, and manure management. The project would continue to use existing on-site infrastructure, including the anaerobic covered lagoon digester that generates biogas from manure and the existing solar installation to the west of the barns, which support compliance with state renewable energy goals. In addition, the project would result in only minor increases in truck trips related to feed delivery and product transport and would not substantially increase fossil fuel consumption. Therefore, the proposed project would not conflict with applicable energy conservation plans or policies, including regional efforts to promote renewable energy and energy efficiency, and impacts would be less than significant.

Conclusion

The proposed project would increase energy use associated with construction activities and ongoing dairy operations, including fuel for construction equipment and electricity for milking, milk cooling, lighting, ventilation, water supply, and manure management systems; however, construction energy use would be temporary, and operational energy demand would be consistent with typical dairy operations and subject to applicable federal, state, and local energy efficiency regulations and policies. Therefore, the project would not result in significant impacts related to energy consumption. This environmental issue will not be analyzed further in the EIR.

Mitigation

No mitigation measures are required.

VII. Geology and Soils

Environmental Issues	Potentially Significant Impact	Less Than Significant with Existing Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				

Environmental Issues	Potentially Significant Impact	Less Than Significant with Existing Mitigation Incorporated	Less Than Significant Impact	No Impact
(i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
(ii) Strong seismic ground shaking?	☐	☒	☐	☐
(iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
(iv) Landslides?	☐	☐	☒	☐
(b) Result in substantial soil erosion or the loss of topsoil?	☐	☒	☐	☐
(c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
(d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
(e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☒	☐
(f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐

Setting

Merced County is characterized largely by sandy, alluvial soils, with more than 60% of the county situated in low-lying areas underlain by alluvial deposits. The project site is at an elevation of approximately 148 feet above mean sea level. Project site topography is generally flat, with minor variations in agricultural field elevations and gentle slopes designed to facilitate drainage and water movement.

According to the USDA NRCS Web Soil Survey, the project site is underlain by the following soil types (NRCS 2026):

- Fresno loam, slightly saline-sodic, 0 to 1 percent slopes
- Fresno loam, moderately saline-sodic, 0 to 1 percent slopes
- Hanford sandy loam, 0 to 1 percent slopes
- Pachappa fine sandy loam, deep over hardpan, 0 to 1 percent slopes
- Pachappa sandy loam, 0 to 1 percent slopes
- Pachappa sandy loam, slightly saline-alkali, 0 to 1 percent slopes
- Pachappa sandy loam, deep over hardpan, slightly saline-alkali, 0 to 1 percent slopes

- Pachappa sandy loam, deep over hardpan, 0 to 1 percent slopes
- Traver fine sandy loam, moderately saline-alkali, 0 to 1 percent slopes

There are currently no landslide inventory maps available for Merced County; however, because most of the county lies within the relatively flat, low-lying terrain of the Central Valley basin, the potential for landslides is considered low (County of Merced 2013b). The Alquist-Priolo Earthquake Fault Zoning Act identifies only one active fault in the county: the Ortigalita Fault. The project site is approximately 35 miles east of the Ortigalita Fault, which is in the western portion of Merced County in the Coast Ranges; however, the fault has not been active during the past approximately 1,800 years (County of Merced 2013b).

Environmental Evaluation

a) Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

a-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.

No Impact. The project site is not within the Alquist-Priolo Earthquake Fault Zone. The only active fault identified in Merced County under the Alquist-Priolo Earthquake Fault Zoning Act is the Ortigalita Fault, which is in the Coast Ranges in the western portion of the county. The project site is approximately 35 miles east of the Ortigalita Fault, and the fault has not been active during the past approximately 1,800 years (County of Merced 2013b). Therefore, there would be no impact related to rupture of a known earthquake fault.

a-ii) Strong seismic ground shaking?

Less-Than-Significant Impact with Existing Mitigation Incorporated. The Animal Confinement Ordinance EIR determined that new or expanded dairies could be exposed to potential damage during seismic ground shaking, but that impacts would be less than significant with mitigation requiring implementation of the Uniform Building Code (now CBC) and standard County COAs (Impact GEO-3) (County of Merced 2002). The project site could experience seismic ground shaking from earthquakes occurring on regional fault systems. According to the California Geological Survey (CGS) Probabilistic Seismic Hazard Assessment, the primary fault system in Merced County that may contribute to seismic shaking is the Great Valley Fault System along the foothills of the Coast Ranges, and the county has historically experienced shaking from earthquakes originating outside the region (County of Merced 2013b). The nearest mapped fault to the project site is the Ortigalita Fault, approximately 35 miles to the west. Although seismic shaking could occur, the proposed dairy expansion would be required to comply with the CBC and applicable engineering standards that reduce risks associated with seismic hazards, and Animal Confinement Ordinance EIR Mitigation Measure GEO-3, which requires compliance with the Uniform Building Code (now CBC) and standard County conditions. Therefore, impacts related to strong seismic ground shaking would be less than significant.

a-iii) Seismic-related ground failure, including liquefaction?

Less-Than-Significant Impact. The project site is in a region that may experience seismic activity but is not traversed by or adjacent to any known active fault lines. Seismic ground shaking can result in soil

settlement or liquefaction when saturated soils lose their supporting capacity during an earthquake. Although specific liquefaction hazard areas have not been mapped in Merced County, the potential for liquefaction generally occurs in areas with unconsolidated sediments and high groundwater levels, particularly near wetlands adjacent to the San Joaquin River. Engineering design measures and land use practices can reduce the likelihood and severity of these effects. In addition, construction associated with the proposed dairy expansion would be required to comply with the seismic design standards of the CBC and other applicable engineering requirements intended to address geotechnical hazards, including liquefaction. Compliance with these standards would minimize the risk of structural damage or safety hazards related to liquefaction; therefore, impacts would be less than significant.

a-iv) Landslides?

Less-Than-Significant Impact. Landslides typically occur in areas with steep slopes or unstable terrain. Currently, there are no landslide inventory maps available for Merced County; however, because most of the county is within the relatively flat, low-lying terrain of the Central Valley basin, the overall risk of landslides is considered low (County of Merced 2013b). The project site is generally flat and would not require substantial grading, deep cuts, or major alterations to existing topography that could increase the potential for slope instability. In addition, construction associated with the proposed dairy expansion would be required to comply with applicable provisions of CBC and standard engineering practices intended to minimize geologic hazards. Therefore, potential impacts related to landslides would be less than significant.

b) Result in substantial soil erosion or the loss of topsoil?

Less-Than-Significant Impact with Existing Mitigation Incorporated. The Animal Confinement Ordinance EIR determined that construction activities at new or expanded dairies could result in degradation of water quality due to polluted stormwater runoff, including from erosion, but impacts would be less than significant with implementation of mitigation that requires compliance with the National Pollutant Discharge Elimination System and standard County conditions (Impact GEO-1) (County of Merced 2013b). Construction of the proposed dairy expansion would result in ground disturbance that could expose soils to erosion during construction activities; however, projects that disturb 1 acre or more of soil are required to comply with the State Water Resources Control Board (SWRCB) Construction General Permit, including preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) that identifies best management practices (BMPs) to control erosion and sedimentation during construction. Additionally, projects involving soil disturbance are required to comply with Merced County Municipal Code Section 9.53.030, which requires implementation of measures to reduce stormwater runoff and associated pollutants. Prior to disturbing soil, project operators must prepare and submit a Sediment Control Plan (SCP) to the Merced County Department of Public Works identifying BMPs consistent with the California Storm Water Quality Association (CASQA) BMP handbooks (CASQA 2026). The SCP must be prepared by a Qualified SWPPP Developer and incorporated into project construction plans. In addition, the project would be required to obtain applicable permits associated with soil-disturbing activities, including coverage under the SWRCB Construction General Permit, and implement a SWPPP, which may substitute for the SCP if approved by the County. Construction of the free-stall barns and milking parlor would result in new impervious surfaces, which would reduce future erosion and loss of topsoil during dairy operation.

Animal Confinement Ordinance EIR Mitigation Measure GEO-1 and compliance with these regulatory requirements would reduce the potential for substantial soil erosion or loss of topsoil; therefore, impacts would be less than significant.

- c) Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?**

Less-Than-Significant Impact. The project site is within the relatively flat, low-lying terrain of the San Joaquin Valley, where the potential for landslides is low due to the absence of steep slopes or unstable topography (County of Merced 2013b). The site is not in an area identified as having landslide hazards, and the project would not involve grading or activities that would induce slope instability.

The site is underlain by alluvial soils typical of the region. Although such soils can be susceptible to liquefaction or lateral spreading under certain conditions, the CGS has not mapped the site within a designated Seismic Hazard Zone for liquefaction, indicating low regulatory concern. Although subsidence has occurred in portions of the Central Valley due to groundwater extraction (U.S. Geological Survey [USGS] 2026), the proposed project would not alter subsurface conditions or introduce extraction practices beyond ongoing agricultural operations that would increase subsidence risk. The project would not involve excavation or conditions that could result in soil collapse.

All proposed improvements would be constructed in accordance with the CBC and standard engineering practices, which minimize risks related to unstable soils and seismic hazards. Therefore, impacts related to unstable geologic units or soils, including landslides, lateral spreading, subsidence, liquefaction, or collapse, would be less than significant.

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

Less-Than-Significant Impact. Soils at the project site consist primarily of sandy and loamy alluvial soils, including Fresno loam, Hanford sandy loam, Pachappa sandy loam, Pachappa fine sandy loam, and Traver fine sandy loam (NRCS 2026). Although these soils generally contain relatively low clay content compared to highly expansive soils, some minor expansion could occur, depending on moisture conditions. Construction associated with the proposed dairy expansion would be required to comply with the most recent CBC, which requires geotechnical investigations to be conducted by a qualified engineer prior to development to determine soil conditions at the site and provide design recommendations to be incorporated into final design and construction plans. Based on required compliance with the CBC, development within the annexation area would not result in risk to life or property related to expansive soils; therefore, impacts would be less than significant.

- e) Would the project 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?**

Less-Than-Significant Impact. The proposed dairy expansion would result in increased volumes of animal wastewater associated with the larger herd size. Animal waste from free-stall barns and other operational areas would continue to be conveyed to the existing on-site waste management system, which includes settling ponds, mechanical manure separators, a wastewater storage lagoon, and associated pipelines and irrigation infrastructure. Operation of the waste management system would be required to comply with CBC and County environmental health standards governing dairy wastewater management and land application practices to ensure that wastewater is properly contained, treated, and applied. Therefore, impacts would be less than significant.

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

Less-Than-Significant Impact. The General Plan EIR notes that alluvial deposits in the San Joaquin Valley may contain paleontological resources and that ground-disturbing activities could encounter such materials, although the likelihood of finding intact significant or unique materials is generally low in disturbed agricultural areas (County of Merced 2013b). The project site is within the San Joaquin Valley and is underlain by relatively young Quaternary alluvial deposits, including alluvium associated with Holocene and late Pleistocene deposition (CGS 2002; USGS 2010). These deposits typically consist of unconsolidated sands, silts, and clays derived from Sierra Nevada and Coast Range sources.

Paleontological resources are generally associated with older geologic formations, particularly those of Pleistocene age or older, where fossil remains may be preserved in semi-consolidated sediments (Society of Vertebrate Paleontology [SVP] 2010); however, Holocene alluvium, which is common across much of the Central Valley, is typically considered to have low paleontological sensitivity due to its relatively recent origin and limited fossil content (SVP 2010).

The project site has been subject to extensive and long-term disturbance related to agricultural and dairy operations, including grading, excavation, installation of lagoons and infrastructure, and ongoing soil management. These activities have likely disturbed or removed any shallow subsurface materials that could contain paleontological resources.

No known paleontological resource localities or unique geologic features have been identified on or immediately adjacent to the project site, based on available regional geologic mapping and database reviews (CGS 2002; USGS 2010). Additionally, the project site is not within a designated paleontological resource sensitivity zone or an area known to contain significant fossil-bearing formations.

Therefore, the project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature, and impacts would be less than significant.

Conclusion

With implementation of existing Animal Confinement Ordinance EIR mitigation measures, impacts to biological resources would be less than significant. No new mitigation measures are needed.

Mitigation Measures

Implement Animal Confinement Ordinance EIR Mitigation Measure GEO-1 and GEO-3

VIII. Greenhouse Gas Emissions

Environmental Issues	Potentially Significant Impact	Less Than Significant with Existing Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☒	☐	☐	☐

Environmental Issues	Potentially Significant Impact	Less Than Significant with Existing Mitigation Incorporated	Less Than Significant Impact	No Impact
(b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☒	☐	☐	☐

Setting

GHGs are any gases that absorb infrared radiation in the atmosphere. The primary GHGs that are emitted into the atmosphere as a result of human activities are carbon dioxide (CO₂), methane (CH₄), NO_x, and fluorinated gases. These are most commonly emitted through the burning of fossil fuels (oil, natural gas, and coal), agricultural practices, decay of organic waste in landfills, and a variety of other chemical reactions and industrial processes (e.g., the manufacturing of cement). CO₂ is the most abundant GHG and is estimated to represent approximately 80% to 90% of the principal GHGs that are currently affecting the earth's climate. According to the CARB, transportation (vehicle exhaust) and electricity generation are the main sources of GHGs in the state.

In October 2008, the CARB published the *Climate Change Proposed Scoping Plan* (Scoping Plan), which is the state's plan to achieve GHG reductions in California required by AB 32 (CARB 2008). The Scoping Plan included CARB-recommended GHG reductions for each emissions sector of the state's GHG inventory. The largest proposed GHG-reduction recommendations were associated with improving emissions standards for light-duty vehicles, implementing the LCFS program, implementation of energy efficiency measures in buildings and appliances, the widespread development of combined heat and power systems, and developing a renewable portfolio standard for electricity production.

Senate Bill (SB) 32 and Executive Order (EO) S-3-05 extended the state's GHG-reduction goals and require the CARB to regulate sources of GHGs to meet the following goals:

- Reduce GHG emissions to 1990 levels by 2020;
- Reduce GHG emissions to 40% below 1990 levels by 2030; and
- Reduce GHG emissions to 80% below 1990 levels by 2050.

The initial Scoping Plan was approved by the CARB on December 11, 2008, and is updated every 5 years (CARB 2008). The first update of the Scoping Plan was approved by the CARB on May 22, 2014, which looked past 2020 to set mid-term goals (2030–2035) toward reaching the 2050 goals (CARB 2013). The CARB released the 2017 Climate Change Scoping Plan in November 2017 (CARB 2017), which The 2017 Climate Change Scoping Plan incorporates strategies for achieving the 2030 GHG-reduction target established in SB 32 and EO S-3-05. The CARB's most recent update is the 2022 Scoping Plan for Achieving Carbon Neutrality, dated November 16, 2022, which identifies a plan to reach carbon neutrality by 2045 or earlier (CARB 2022b). The 2022 Scoping Plan is the first plan that adds carbon neutrality as a science-based guide beyond established emission reduction targets. It identifies a feasible path to achieve carbon neutrality by 2045 or earlier, while also assessing the progress the state is making toward reducing its GHG emissions by at least 40% below 1990 levels by 2030, as called for in SB 32 and laid out in the 2017 Climate Change Scoping Plan (CARB 2017). Specifically, this plan:

- Identifies a path to keep California on track to meet its SB 32 GHG-reduction target of at least 40% below 1990 emissions by 2030.

- Identifies a technologically feasible, cost-effective path to achieve carbon neutrality by 2045 or earlier.
- Focuses on strategies for reducing California's dependency on petroleum to provide consumers with clean energy options that address climate change, improve air quality, and support economic growth and clean sector jobs.
- Integrates equity and protecting California's most impacted communities as a driving principle throughout the document.
- Incorporates the contribution of natural and working lands to the state's GHG emissions, as well as its role in achieving carbon neutrality.
- Relies on the most up to date science, including the need to deploy all viable tools to address the existential threat that climate change presents, including carbon capture and sequestration as well as direct air capture.
- Evaluates multiple options for achieving our GHG and carbon neutrality targets, as well as the public health benefits and economic impacts associated with each.

When assessing the significance of potential impacts for CEQA compliance, an individual project's GHG emissions will not generally result in direct significant impacts because the climate change issue is global in nature; however, an individual project could be found to contribute to a potentially significant cumulative impact. Projects that have GHG emissions above the noted thresholds may be considered cumulatively considerable and require mitigation.

In accordance with the SJVAPCD guidance for addressing GHG emissions under CEQA, a project would be considered to have a less-than-significant impact on global climate change if it implements Best Performance Standards (BPS) or otherwise demonstrates that project-specific GHG emissions are reduced by at least 29% compared to Business-as-Usual (BAU) conditions, consistent with the reduction targets established in the CARB 2022 Scoping Plan for Achieving Carbon Neutrality BPS consist of achieved-in-practice technologies, design features, and operational measures that reduce GHG emissions, including improvements in energy efficiency and reductions in vehicle miles traveled. Projects implementing BPS or achieving the required 29% reduction in GHG emissions compared to BAU conditions would be considered to have less-than-significant individual and cumulative impacts on global climate change under CEQA (SJVAPCD 2009).

Environmental Evaluation

a) Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Potentially Significant Impact. The Animal Confinement Ordinance EIR identified the following GHG impacts (County of Merced 2002):

- Animal digestion, manure, and cultivation activities and new or expanded dairies would result in significant and unavoidable greenhouse gas emissions, even with compliance with Section 7.13.040 U and OO of the Merced County Zoning Code (Impact AQ-7).

The proposed dairy expansion is anticipated to generate potentially significant GHG emissions that will be evaluated further in the EIR.

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

Potentially Significant Impact. The Animal Confinement Ordinance EIR identified the following GHG impacts (County of Merced 2002):

- Animal digestion, manure, and cultivation activities and new or expanded dairies would result in significant and unavoidable greenhouse gas emissions, even with compliance with Section 7.13.040 U and OO of the Merced County Zoning Code (Impact AQ-7).

The proposed dairy expansion is anticipated to generate potentially significant GHG emissions that will be evaluated further in the EIR.

Conclusion

The proposed project may generate potentially significant GHG emissions during construction and operation of the expanded dairy facilities. This environmental area will be analyzed further in the EIR.

IX. Hazards and Hazardous Materials

Environmental Issues	Potentially Significant Impact	Less Than Significant with Existing Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
(b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
(c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
(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?	☐	☐	☐	☒
(e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
(f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
(g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☒	☐
(h) Result in other hazards to human health?	☐	☒	☐	☐

Setting

The Hazardous Waste and Substances Site (Cortese) List is a planning document used by state and local government agencies and developers to comply with CEQA requirements related to the disclosure of information about the location of hazardous materials release sites (California Environmental Protection Agency [CalEPA] 2026). Government Code Section 65962.5 requires the CalEPA to develop an updated Cortese List at least annually. Various state and local government agencies are required to track and document hazardous material release information for the Cortese List. The California Department of Toxic Substance Control (DTSC) EnviroStor database tracks DTSC cleanup, permitting, enforcement and investigation efforts at hazardous waste facilities and sites with known contamination, such as federal superfund sites, state response sites, voluntary cleanup sites, school cleanup sites, school investigation sites, and military evaluation sites. The SWRCB GeoTracker database contains records for sites that impact or have the potential to impact water in California, such as Leaking Underground Storage Tank sites, Department of Defense sites, and Cleanup Program Sites. The remaining data regarding facilities or sites identified as meeting the Cortese List requirements are available on the CalEPA website (CalEPA 2026).

The California Health and Safety Code provides regulations pertaining to the abatement of fire-related hazards and requires that local jurisdictions enforce the CBC, which provides standards for fire-resistant building and roofing materials and other fire-related construction methods. The General Plan Health and Safety Element provides a Fire Hazard Zones Map that indicates unincorporated areas in the county within moderate, high, and very high fire hazard severity zones (FHSZ) (County of Merced 2013a). According to the California Department of Forestry and Fire Protection (CAL FIRE) FHSZ viewer, the project site is within Local Responsibility Area – Unzoned (CAL FIRE 2026). For more information about fire-related hazards and risk assessment, see Section XX, Wildfire.

Environmental Evaluation

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

Less-Than-Significant Impact. The Animal Confinement Ordinance EIR identifies that dairies store and use small quantities of hazardous materials typical of agricultural operations, including fuels, lubricants, cleaning agents, and veterinary supplies, and concludes that these materials do not pose a significant hazard with compliance with existing regulations (County of Merced 2002). The General Plan EIR similarly notes that agricultural chemical use is regulated under federal and state law and does not result in significant hazards (County of Merced 2013b). The project would involve the routine use and transport of limited quantities of hazardous materials typical of dairy and agricultural operations, including fuels (e.g., gasoline and diesel), oils, lubricants, hydraulic fluids, fertilizers, pesticides, and cleaning agents used for equipment maintenance, crop production, and facility sanitation. Improper handling of these materials could potentially result in accidental spills; however, construction contractors would be required to comply with applicable federal and state environmental and workplace safety laws for the handling, transport, and storage of hazardous materials, including 22 CCR Division 4.5. Operation of the expanded dairy would remain generally consistent with existing conditions, with only minor increases in truck traffic (up to four additional truck trips per day) associated with feed delivery and product shipment, and waste would continue to be managed through the existing on-site manure and wastewater management system in accordance with regulatory requirements. Therefore, the project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, and impacts would be less than significant.

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

Less-Than-Significant Impact. As previously discussed, temporary construction activities associated with the project would include the use of construction equipment, vehicles, and commonly used hazardous substances, including paint, solvents, oils, fuel, and gasoline. Commonly used hazardous substances within the project site would be transported, stored, and used according to regulatory requirements and existing procedures for the handling of hazardous materials.

During operation, the expanded dairy facility would continue to handle materials typical of agricultural operations, including fuels, fertilizers, pesticides, and cleaning agents, and would maintain the existing manure and wastewater management system consisting of mechanical separators, settling ponds, and wastewater storage lagoons. Minor increases in traffic, including up to four additional truck trips per day for feed delivery and product shipment, would occur but would not substantially increase the potential for hazardous materials incidents. All transport, storage, and use of hazardous materials associated with dairy operations would be conducted in compliance with applicable regulatory requirements, including California hazardous materials management regulations and applicable provisions of CCR Title 22. With adherence to these regulatory standards and existing operational practices, the project would not create a significant hazard to the public or the environment through reasonably foreseeable upset or accident conditions involving the release of hazardous materials, and impacts would be less than significant.

c) Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

No Impact. The nearest school, El Nido Elementary School, is in El Nido, approximately 2 miles north of the project site. Therefore, the proposed dairy expansion would not result in hazardous emissions or handle hazardous waste within 0.25 mile of an existing or proposed school, and no impact would result.

d) Would the project 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?

No Impact. According to queries of the GeoTracker and EnviroStor data management systems, the dairy expansion project site would not be on a site identified on a list of hazardous materials sites compiled pursuant to California Government Code Section 65962.5 (DTSC 2026; SWRCB 2026). Therefore, implementation of the project would not create a significant hazard to the public or the environment and no impacts would occur.

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?

No Impact. There are no existing public or private airports within 2 miles of the proposed project site; the Chowchilla Municipal Airport is the closest public airport, approximately 15 miles east of the project site, within Madera County. There are no private airstrips in the vicinity of the proposed project. The project

site is not within any Airport Influence Area as indicated in the Merced County Airport Land Use Compatibility Plan (County of Merced 2012). Because the project site is not within an area regulated by an airport land use plan, and there are no public or private airports within 2 miles of the project site, the project would not result in a safety hazard or excessive noise for people residing or working in the project site due to aircraft over-flight. There would be no impact, and no mitigation would be required. For an analysis of the potential noise effects related to construction and operation of the proposed project, see Section XIII, Noise.

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

Less-Than-Significant Impact. The Double Diamond Dairy facility is at the southeast corner of SR 59 (Los Banos Highway) and East Washington Road. These two roads provide regional access to the site. Los Banos Highway is designated as a principal arterial and East Washington Road is classified as a minor collector road west of Los Banos Highway and a major collector east of Los Banos Highway by Merced County's Circulation Diagram (County of Merced 2013a). They would be used as primary evacuation routes in the event of emergency. The proposed project does not include any modification of existing area roadways or intersections, and the project would not add significant amounts of traffic that would interfere with emergency response or evacuation. Therefore, impacts would be less than significant.

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

Less-Than-Significant Impact. The FHSZ map for Merced County indicates that the project site and surrounding area is designated as a Local Responsibility Area – Unzoned, in an area not considered a fire risk (CAL FIRE 2026). The project site consists of irrigated cropland and existing dairy facilities, neither of which are considered susceptible to wildland fire. The surrounding landscape is characterized by active agriculture and other disturbed lands that do not support wildland vegetation capable of sustaining a wildfire. The proposed expansion would occur entirely within the existing developed dairy footprint and would not introduce new ignition sources or place additional people or structures in proximity to wildland fuels. Because the project is not near wildland areas and would not increase the potential for wildfire ignition or spread, the project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires. Impacts would be less than significant.

h) Would the project result in other hazards to human health?

Less-Than-Significant Impact With Existing Mitigation Incorporated. The Animal Confinement Ordinance EIR determined that dairies could be a sources of mosquitoes, flies, manure pathogens, and elevated methane and nitrate levels from residual manure (Impact HAZ-1, HAZ-2, HAZ-3, HAZ-4) but that these impacts would be less than significant with mitigation that requires compliance with Merced County Code which requires comprehensive manure and wastewater management practices, vector control measures, and compliance with Regional Water Board WDRs (County of Merced 2002). These existing regulatory requirements apply to all new or expanded dairies and are already in place at the Double Diamond Dairy. The proposed expansion would not introduce new sources of vectors or pathogens beyond those evaluated in the Animal Confinement Ordinance EIR and would continue to operate under the same management and monitoring requirements. With continued compliance with the Animal Confinement Ordinance and Animal Confinement Ordinance EIR Mitigation Measure HAZ-1, HAZ-2, and HAZ-3 and existing vector-management measures, the project would not result in other hazards to human health. Impacts would therefore be less than significant with existing mitigation incorporated.

Conclusion

The proposed project would involve the routine use and transport of limited quantities of hazardous materials typical of dairy and agricultural operations, including fuels, oils, lubricants, hydraulic fluids, fertilizers, pesticides, and cleaning agents used during construction and ongoing dairy operations. Although the use and handling of these materials could result in accidental spills or releases under upset conditions, construction and operation of the expanded dairy would be required to comply with applicable federal, state, and local regulations governing the transport, storage, handling, and disposal of hazardous materials. The project site is not identified on the Cortese List, is not within 0.25 mile of a school, and is not within an airport land use plan or within 2 miles of a public airport. In addition, the project would not substantially interfere with emergency response or evacuation routes and would not expose people or structures to significant risks associated with wildland fire. The Animal Confinement Ordinance EIR also identifies that dairies can generate other potential human-health hazards, including vectors such as flies and mosquitoes and pathogens associated with manure and wastewater. These hazards are addressed through existing regulatory requirements, including the Merced County Animal Confinement Ordinance and Regional Water Board WDRs, which mandate proper manure management, wastewater handling, and vector control practices. The proposed expansion would continue to operate under these requirements and would not introduce new or more severe vector-related hazards. Therefore, the project would not result in significant impacts related to hazards and hazardous materials. This environmental issue will not be analyzed further in the EIR.

Mitigation

Implement Animal Confinement Ordinance EIR Mitigation Measure HAZ-1, HAZ-2, HAZ-3, HAZ-4.

X. Hydrology and Water Quality

Environmental Issues	Potentially Significant Impact	Less Than Significant with Existing Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☒	☐	☐	☐
(b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☒	☐	☐	☐
(c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
(i) Result in substantial erosion or siltation on- or off-site;	☒	☐	☐	☐
(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	☒	☐	☐	☐

Environmental Issues	Potentially Significant Impact	Less Than Significant with Existing Mitigation Incorporated	Less Than Significant Impact	No Impact
(iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☒	☐	☐	☐
(iv) Impede or redirect flood flows?	☒	☐	☐	☐
(d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☒	☐
(e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☒	☐	☐	☐

Setting

Merced County's water resources consist of both surface water and groundwater systems within the larger San Joaquin River drainage basin. Major surface water features in the county include the San Joaquin River and its tributaries, such as the Merced, Chowchilla, Bear, Owens, Mariposa, and Deadman Creeks, which generally flow from the Sierra Nevada westward across the valley floor before joining the San Joaquin River. Surface water flows in the region are influenced by precipitation, snowmelt from the Sierra Nevada, and the operation of dams, reservoirs, canals, and other water management infrastructure associated with federal and state water projects, including the California Aqueduct and Delta-Mendota Canal. These systems regulate flows for municipal, agricultural, and industrial water supply, with agricultural use representing the largest demand in the county.

Groundwater resources in Merced County occur within four subbasins of the San Joaquin Valley Groundwater Basin: the Merced, Turlock, Chowchilla, and Delta-Mendota Subbasins. The project site is within the Chowchilla Subbasin. Groundwater generally flows toward the Central Valley trough, moving westward from the Sierra Nevada and eastward from the Diablo Range toward the San Joaquin River. These aquifers provide an important source of water for municipal, domestic, industrial, and agricultural uses, with private agricultural pumping accounting for most groundwater extraction. Some areas of the county have experienced long-term groundwater level declines due to pumping exceeding recharge, particularly during drought periods. As a result, water agencies and irrigation districts have increasingly implemented groundwater management strategies, including groundwater recharge projects, the use of supplemental surface water supplies, and conservation practices.

Surface water quality in the county varies geographically, with higher-quality water typically originating in the Sierra Nevada and declining as flows move through the valley, where they are affected by agricultural runoff, municipal and industrial discharges, and other land uses. Several waterways in the county, including portions of the San Joaquin River and Mud Slough, are listed as impaired under Section 303(d) of the Clean Water Act due to pollutants such as pesticides, nutrients, sediment toxicity, and pathogens associated primarily with agricultural activities. Groundwater quality similarly varies across the county, with localized areas affected by elevated levels of nitrate, salts, pesticides, volatile organic compounds (VOCs), and naturally occurring minerals.

Stormwater drainage and flood management in Merced County are influenced by the region's flat valley topography and extensive river floodplains. Large portions of the county lie within the floodplains of the San Joaquin and Merced Rivers and are therefore susceptible to periodic flooding during heavy rainfall or

rapid snowmelt events. Flood management infrastructure includes levees, reservoirs, bypass channels, and other facilities constructed as part of regional flood control projects. Despite these systems, periodic flooding events have historically occurred in the county due to levee failures, reduced channel capacity, and localized drainage constraints.

For planning purposes, the 100-year flood event is most often used to delineate areas subject to flooding. The General Plan Health and Safety Element establishes policies to reduce flood hazards and reduce flood damage, including prohibition of development in areas of high flood hazard potential, discouragement of single-road access into remote areas that could be closed during floods, and review of plans for construction in low-lying areas (County of Merced 2013a). According to FEMA Flood Insurance Rate Map (FIRM) 06047C0925G (effective date December 2, 2008), the project site is within Zone X, an area with minimal flood hazard (FEMA 2024).

Environmental Evaluation

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

Potentially Significant Impact. Dairy facilities pose a number of potential risks to water quality, primarily related to the large quantities of manure and process water generated by dairy operations. Manure and dairy wastewater can contain pollutants such as nutrients (particularly nitrogen), ammonia, organic matter, sediments, pathogens, and salts that, if not properly managed, could degrade both surface water and groundwater quality. The proposed Double Diamond Dairy Expansion project would substantially increase the number of animals at the existing dairy facility in unincorporated Merced County, resulting in a corresponding increase in the volume of manure and wastewater generated on-site. The project site is within the Chowchilla Subbasin of the San Joaquin Valley Groundwater Basin, an important regional aquifer used for municipal and agricultural supply, and surface waters in the broader region—including portions of the San Joaquin River system—are already listed as impaired for pollutants associated with agricultural activities. Although the project would continue to use existing waste management systems, including settling ponds, manure separation, wastewater storage lagoons, and land application of treated wastewater and manure to approximately 1,990 acres of agricultural land, the increased scale of operations could result in potential degradation of groundwater resources and adverse effects to surface water quality if not properly managed. These potentially significant impacts will be evaluated further in the EIR for the proposed project, which will include a detailed water quality characterization and impact analysis based on available regional water quality data and information from nearby groundwater resources.

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

Potentially Significant Impact. The Animal Confinement Ordinance EIR identified nitrate loading to groundwater as a significant and unavoidable cumulative impact of dairy operations (County of Merced 2002). The General Plan EIR identifies groundwater overdraft and nitrate contamination as significant cumulative impacts associated with agricultural operations, including dairies (County of Merced 2013b). The proposed Double Diamond Dairy Expansion project would increase the number of animals and associated dairy operations on the approximately 188-acre project site in unincorporated Merced County, which is within the Chowchilla Subbasin of the San Joaquin Valley Groundwater Basin. Groundwater in this subbasin serves as an important source of water for agricultural, municipal, and domestic uses, and

portions of Merced County have experienced long-term groundwater level declines where pumping has exceeded natural recharge, particularly during drought periods. The expanded dairy operation would require water for livestock consumption, facility operations, and irrigation of forage crops used in the land application of treated wastewater and manure. Although irrigation and wastewater land application may contribute some recharge to underlying groundwater, the increased herd size associated with the proposed project could result in increased groundwater demand to support dairy operations and associated agricultural activities. Because groundwater resources in the region are already subject to management efforts aimed at achieving sustainable yield under the Sustainable Groundwater Management Act (SGMA), the additional water demand associated with the project could potentially contribute to increased groundwater extraction within the Chowchilla Subbasin. These potentially significant impacts related to groundwater supply and sustainable groundwater management will be evaluated further in the EIR for the proposed project. The EIR will include an assessment of the project's anticipated water demand, existing groundwater conditions in the subbasin, and applicable groundwater management requirements.

c) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

c-i) Result in substantial erosion or siltation on- or off-site?

Potentially Significant Impact. The proposed Double Diamond Dairy Expansion project would involve the construction of additional dairy facilities, including free-stall barns, a maternity barn, and a milking parlor, within the existing dairy footprint on previously disturbed agricultural land. Development of these facilities could introduce additional impervious surfaces and minor grading to accommodate new structures and associated infrastructure. Alterations to site drainage patterns associated with these improvements could potentially increase the rate or volume of surface runoff and contribute to localized erosion or sediment transport if not properly managed; however, the project site is on relatively flat terrain typical of the San Joaquin Valley and is not adjacent to a natural stream or river channel that would be directly altered by the project. Existing drainage patterns associated with agricultural operations and wastewater management infrastructure would generally be maintained. Although the addition of structures and paved or compacted areas could incrementally modify on-site drainage conditions, the project is not expected to substantially alter the course of any stream or river. Nonetheless, because construction activities and changes in site surfaces may create the potential for erosion or siltation during site preparation and facility development, these potentially significant impacts will be evaluated further in the EIR for the proposed project. The EIR will include an assessment of existing drainage conditions, anticipated grading and surface improvements, and appropriate erosion and sediment control measures to minimize potential impacts.

c-ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;

Potentially Significant Impact. The proposed Double Diamond Dairy Expansion project would involve construction of additional dairy facilities within the existing dairy footprint on previously disturbed agricultural land. Development of new barns, a milking parlor, and associated infrastructure would introduce additional impervious and compacted surfaces that could incrementally alter existing on-site drainage patterns and increase the rate or volume of surface runoff during storm events; however, the project site is on relatively flat terrain in the San Joaquin Valley where drainage is generally slow and dispersed, and the site is mapped within FEMA FIRM Zone X, indicating an area of minimal flood hazard (FEMA 2024). Existing agricultural drainage features and wastewater management infrastructure would

continue to manage on-site flows, and the project does not propose alterations to the course of any stream or river. Although the addition of structures and paved or compacted areas could slightly increase surface runoff, the project is not expected to substantially increase runoff in a manner that would result in flooding on- or off-site. Nevertheless, potential changes to site drainage and runoff patterns associated with the expanded facilities will be evaluated further in the EIR for the proposed project, including consideration of site design features and stormwater management practices intended to minimize flooding risks.

c-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?

Potentially Significant Impact. The proposed Double Diamond Dairy Expansion project would involve construction of additional dairy facilities within the existing dairy footprint on previously disturbed agricultural land. Development of new barns, a milking parlor, and associated operational areas would introduce additional impervious and compacted surfaces that could increase the amount of stormwater runoff generated on-site during precipitation events. In agricultural and dairy operations, stormwater runoff may also mobilize pollutants such as nutrients, organic matter, sediments, and pathogens associated with manure handling and livestock areas, which could contribute to degraded water quality if not properly managed; however, the project site is in a rural agricultural area where stormwater is generally managed through on-site drainage features, infiltration, and agricultural field drainage rather than through large municipal stormwater conveyance systems. Existing wastewater management infrastructure, including settling ponds, lagoons, and tailwater recovery systems, would continue to operate as part of the facility's waste management practices. Although the project is not expected to exceed the capacity of existing drainage infrastructure, the increased scale of dairy operations and associated impervious or compacted surfaces could contribute to additional sources of polluted runoff if not adequately controlled. These potentially significant impacts will be evaluated further in the EIR for the proposed project, which will assess existing drainage conditions, stormwater management practices, and measures to minimize runoff and protect water quality.

c-iv) Impede or redirect flood flows?

Potentially Significant Impact. The proposed Double Diamond Dairy Expansion project would involve the construction of additional dairy facilities within the existing dairy footprint on previously disturbed agricultural land. Development of new barns, a maternity facility, and a milking parlor could introduce additional structures and compacted surfaces that may slightly modify local drainage patterns across the site; however, the project site is in an area of relatively flat terrain in Merced County and is mapped within FEMA FIRM Zone X, which indicates a minimal flood hazard area (FEMA 2024). The project would not involve the alteration of any natural stream or river channels, and no major flood control facilities, levees, or waterways would be modified as part of the proposed development. Because the new structures would be constructed within an already developed agricultural facility and outside of designated flood hazard areas, the project is not expected to substantially impede or redirect flood flows. Nevertheless, the potential for the placement of new structures and site improvements to influence localized drainage or flood conveyance will be evaluated further in the EIR for the proposed project to ensure that the expanded dairy operations do not create or exacerbate flood hazards on- or off-site.

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

Less-Than-Significant Impact. Due to its distance from the ocean and any large lakes or reservoirs, the proposed Double Diamond Dairy Expansion project would not be subject to inundation hazards from

seiche or tsunami. FEMA FIRM 06047C0925G, effective December 2, 2008, indicates that the project site is within Zone X, an area with minimal flood hazard and outside of the 100-year flood zone (FEMA 2024). Because the project would not be sited within a designated floodway or an area subject to significant flood risk, implementation of the proposed project would not risk the release of pollutants due to inundation by flood, seiche, or tsunami. Therefore, no adverse effects from flooding and pollutant release would occur, and impacts would be less than significant.

e) Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Potentially Significant Impact. The proposed Double Diamond Dairy Expansion project would involve the continued operation and expansion of an existing dairy facility within the approximately 188-acre project site in unincorporated Merced County. The project would increase the number of animals on-site and construct additional dairy facilities, including free-stall barns, a maternity barn, and a milking parlor, and would continue to use the existing on-site waste management system, which consists of settling ponds, mechanical manure separators, wastewater storage lagoons, and land application areas. Water quality and groundwater resources in the region are regulated by the CVRWQCB through the Basin Plan for the Sacramento and San Joaquin River Basins and applicable WDRs for dairy operations (CVRWQCB 2019), as well as by groundwater management efforts implemented under the SGMA for the Chowchilla Subbasin. Because the proposed project would be required to operate in compliance with these existing regulatory programs and groundwater management plans, it is not expected to conflict with or obstruct implementation of an applicable water quality control plan or sustainable groundwater management plan. Nevertheless, the project's wastewater management practices, land application activities, and water demand associated with the expanded herd size will be evaluated further in the EIR for the proposed project to ensure consistency with applicable water quality and groundwater management requirements.

Conclusion

The proposed project may result in potentially significant impacts related to hydrology and water quality associated with the expansion and operation of the dairy facilities. These impacts could include degradation of surface water and groundwater quality from nutrients, organic matter, sediments, pathogens, and other pollutants associated with manure and dairy wastewater, as well as increased groundwater demand to support the expanded herd and related agricultural activities. In addition, construction of new dairy facilities could introduce additional impervious or compacted surfaces that may incrementally alter on-site drainage patterns and increase stormwater runoff. Although the project site is within FEMA Zone X—an area of minimal flood hazard—and existing wastewater management and drainage systems would continue to operate, the increased scale of operations could result in potential effects on regional water resources if not properly managed. Therefore, the project could result in potentially significant impacts related to hydrology and water quality. This environmental area will be analyzed further in the EIR.

Mitigation

Mitigation measures will be identified in the EIR.

XI. Land Use and Planning

Environmental Issues	Potentially Significant Impact	Less Than Significant with Existing Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Physically divide an established community?	☐	☐	☐	☒
(b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☒	☐	☐

Setting

Merced County encompasses a large portion of California’s central San Joaquin Valley and contains extensive agricultural lands and rural communities. Unincorporated land within the county accounts for slightly over 1.2 million acres, or approximately 96.7% of all land in the county, whereas the six incorporated cities account for approximately 24,138 acres, or about 1.9% of the county’s land area. Agricultural uses represent the predominant land use in the county, totaling approximately 1.16 to 1.17 million acres, or roughly 92% of the unincorporated county.

The purpose of the Merced County Zoning Code is to regulate land uses and development to promote the orderly growth of the county while protecting the public health, safety, and general welfare. The zoning code establishes several zoning districts, including agricultural, residential, commercial, industrial, and special purpose zones. These zoning districts translate the broader land use designations established in the General Plan into more detailed land use classifications that are applied to individual properties. All buildings, land uses, and physical development within the unincorporated areas of the county must comply with the regulations established for the applicable zoning district.

The General Plan is the County’s fundamental land use policy document guiding long-term decisions regarding land use and development within the unincorporated areas of the county (County of Merced 2013a). The General Plan contains several elements, including Land Use, Circulation, Housing, Noise, Health and Safety, Open Space and Conservation, and Agriculture. The physical development patterns envisioned by the General Plan are described primarily in the Land Use and Circulation Elements, whereas the remaining elements provide policies intended to guide development in a manner that protects environmental resources and public health and safety. The Land Use Element establishes a planned land use pattern and long-range policies intended to guide growth within the unincorporated areas of the county.

A central policy of the Merced County General Plan is the “Urban Centered Concept,” which directs new urban development toward existing incorporated cities and designated community centers while discouraging the expansion of urban uses into rural agricultural areas. The project site is designated General Agricultural (A) in the Merced County General Plan and zoned General Agricultural (A-1), which provides a land use category intended to support agricultural production and related uses.

Environmental Evaluation

a) Would the project physically divide an established community?

No Impact. The land surrounding the project site and its vicinity is primarily developed for agriculture. Rural residences are scattered throughout the general area of the project, and most are associated with agricultural operations. The unincorporated community of El Nido is approximately 1 mile to the north-northwest of the project site, and the city of Merced is approximately 11 miles to the north. Other than the scattered rural residences and agricultural operations, there is no established community immediately adjacent to the project site. Because the proposed project would involve the expansion of an existing dairy facility within an established agricultural area and would not divide an existing community, no impacts would occur.

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

Less-Than-Significant Impact with Existing Mitigation Incorporated. The Animal Confinement Ordinance EIR identified potentially significant impacts related to conflicts with rural residences and sensitive land uses (Impact LU-2 and LU-3) (County of Merced 2002). Even with mitigation requiring compliance with Merced County Code, impacts to adjacent rural residences were considered significant and unavoidable. The General Plan EIR confirms that dairy operations are consistent with the Agricultural land use designation and anticipated under the County's Urban Centered Concept (County of Merced 2013b). Existing land uses include the Double Diamond Dairy facility, associated animal confinement areas, wastewater storage lagoons and settling ponds, commodity and hay storage areas, and irrigated cropland used for forage production within the overall approximately 640-acre parcel that encompasses the project site. Surrounding land uses are primarily agricultural, consisting of cultivated cropland, dairy operations, and scattered rural residences typically associated with agricultural activities. Several off-site residences are near the project site, including three residences approximately 1,000 feet east of the dairy facilities, three residences approximately 2,400 feet to the south, and one residence approximately 2,350 feet from the project site, with additional residences located within the wind shed of the dairy facility. Although the agricultural character of the surrounding area tends to minimize land use incompatibilities, implementation of the proposed dairy expansion would continue to comply with the General Plan, zoning regulations, and the Animal Confinement Ordinance. With adherence to these applicable land use plans, policies, and regulatory requirements, the project would not result in a significant land use compatibility impact, and impacts under this threshold would be less than significant.

Conclusion

The proposed project would not result significant impacts related to land use and planning associated with the expansion and operation of the dairy facilities. Therefore, this environmental issue will not be analyzed further in the EIR.

Mitigation

Implement existing Animal Confinement Ordinance Mitigation Measure LU-2 and LU-3.

XII. Mineral Resources

Environmental Issues	Potentially Significant Impact	Less Than Significant with Existing Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</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?	☐	☐	☐	☒
(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?	☐	☐	☐	☒

Setting

The California Surface Mining and Reclamation Act (SMARA) of 1975 requires that the State Geologist classify land into mineral resource zones (MRZs) according to the known or inferred mineral potential of the land (PRC Sections 2710–2796).

The three MRZs used in the SMARA classification-designation process in the Merced County are defined below (DOC 2021):

- **MRZ-1:** Areas where available geologic information indicates that little likelihood exists for the presence of significant concrete aggregate resources.
- **MRZ-2:** Areas where geologic information indicates the presence of significant concrete aggregate resources.
- **MRZ-3 cs:** Areas containing known or inferred concrete aggregate resources of undetermined mineral resource significance (crushed stone).
- **MRZ-3 sg:** Areas containing known or inferred concrete aggregate resources of undetermined mineral resource significance (sand and gravel).
- **MRZ-4:** Areas where available geologic information is inadequate to assign to any other mineral resource zone category.

The county’s primary mineral resources are sand and gravel mining operations, with significant aggregate deposits concentrated along the San Joaquin River and its tributaries, including the Merced River, within the Los Banos Alluvium, Modesto Formation, and San Luis Ranch, Patterson and Dos Palos Alluviums (County of Merced 2013b) There are no known areas with a high likelihood of known significant sand and gravel resources in the vicinity of the proposed project.

No significant MRZs or mineral resource production areas are in or adjacent to the project site. The eastern portion of Merced County includes the following aggregate resource areas: Merced River, Bear Creek, and Mariposa Creek. The project site is not within one of these areas (County of Merced 2013b). The General Plan Natural Resources Element identifies goals and policies related to soil and mineral resources within the county. These policies recognize that Merced County contains abundant nonfuel mineral resources—primarily sand and gravel—and aim to facilitate the orderly development and extraction of these resources while preserving open space, natural resources, and soil productivity. The General Plan includes policies to protect soil resources from erosion and contamination, minimize vegetation disturbance during construction, and encourage land management practices that improve soil

stability and productivity. The County also seeks to ensure that new development is compatible with existing and potential mining operations by requiring buffers, notification to mining operators, and evaluation of potential land use conflicts in areas identified as containing mineral resources on State Mine Land Classification Maps. Additional policies promote protection of mineral deposits for future extraction, require reclamation of mining sites concurrent with extraction activities, and ensure that surface mining operations minimize impacts to sensitive habitats, agricultural lands, and water resources (County of Merced 2013a).

Environmental Evaluation

a) Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

No Impact. The project site and surrounding area do not contain known mineral deposits, designated MRZs, or active or historical mining operations. Because no known mineral resources or resource protection zones occur in the vicinity of the site, the project would not result in the loss of availability of a mineral resource of value to the region or the residents of the state. Therefore, no impact would occur.

b) Would the project result in the loss of availability of a locally- important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

No Impact. The project site and surrounding area do not contain any locally important mineral resource recovery sites identified or delineated on an applicable local general plan, specific plan, or other land use plan. Because no such resources occur in the vicinity of the project site, the project would not result in the loss of availability of a locally important mineral resource recovery site. Therefore, no impact would occur.

Conclusion

No significant MRZs or mineral resource production areas are within or adjacent to the project site, and the site is not within the aggregate resource areas identified in the eastern portion of Merced County. Because the project site does not contain known mineral resources or locally important mineral resource recovery sites identified in applicable land use plans, the proposed project would not result in the loss of availability of mineral resources of value to the region or the state. Therefore, the project would not result in significant impacts related to mineral resources, and this environmental issue will not be analyzed further in the EIR.

Mitigation

No mitigation measures are required.

XIII. Noise

Environmental Issues	Potentially Significant Impact	Less Than Significant with Existing Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project result in:</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?	☒	☐	☐	☐
(b) Generation of excessive groundborne vibration or groundborne noise levels?	☒	☐	☐	☐
(c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

Setting

Noise varies with time, geographic location, proximity to the source, and duration of the noise event. The effects of noise are considered in several ways: how a proposed project may increase existing noise levels, how those noise levels would affect surrounding land uses, and how a proposed land use may be affected by noise from existing and surrounding land uses. Certain land uses are considered more sensitive to ambient noise levels than others, due to the amount of noise exposure and the types of activities involved. In general, noise-sensitive land uses typically include:

- residential development
- schools/daycare
- public assembly and entertainment
- commercial/retail
- industrial
- restaurants, and eateries
- offices

The nearest noise-sensitive receptors to the project site include rural single-family residences approximately 2,400 feet to the south and 1,000 feet to the east.

The General Plan Health and Safety Element provides goals, policies, and action items for noise compatible land uses within the county (County of Merced 2013a). Noise Element Policy HS-7.1 requires new development projects to meet the standards shown in Tables HS-1 and HS2 of the Health and Safety Element, at the property line of the proposed use, through either project design or other noise mitigation technique. The County has also adopted noise standards for non-transportation sources. The noise standards are applied at the property line of the receiving land use.

Environmental Evaluation

- a) **Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?**

Potentially Significant Impact. The proposed project may result in temporary construction and long-term operational noise impacts that will be evaluated further in the EIR.

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

Potentially Significant Impact. The proposed project may result in temporary construction and long-term operational noise impacts that will be evaluated further in the EIR.

- 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?**

No Impact. The Chowchilla Municipal Airport is the closest public airport, approximately 15 miles east of the project site, within Madera County. There are no private airstrips in the vicinity of the proposed project. The project site is not within any Airport Influence Area as indicated in the Merced County Airport Land Use Compatibility Plan (County of Merced 2012). Because the project site is not within any Airport Influence Area, and agricultural uses are considered compatible uses with private airfield operations, workers at the proposed project site would not be exposed to excessive noise levels. Therefore, no impacts would occur.

Conclusion

The proposed project may result in potentially significant noise and ground-borne vibration impacts associated with construction and operation of the proposed facilities. These impacts could include increased noise levels from construction equipment and vehicle trips, as well as ground-borne vibration from heavy machinery and other ground-disturbing activities that may affect nearby sensitive receptors. Operational activities could also generate ongoing noise and vibration that may affect surrounding land uses. Therefore, the project could result in potentially significant impacts related to noise and ground-borne vibration. Noise thresholds a) and b) will be analyzed further in the EIR; Noise threshold c) will not be analyzed further in the EIR.

Mitigation

Mitigation measures will be identified in the EIR.

XIV. Population and Housing

Environmental Issues	Potentially Significant Impact	Less Than Significant with Existing Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</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)?	☐	☐	☒	☐
(b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Setting

The General Plan Housing Element Update completed in 2015 describes housing and population characteristics and projections for unincorporated Merced County (County of Merced 2016). Household composition data indicate that approximately 81.0% of households in the unincorporated county were family households in 2013, compared to 68.6% statewide, and this proportion remained relatively stable from 2000 to 2013. Housing vacancy rates in the unincorporated county increased by 2.9% between 2000 and 2013, reaching approximately 11% in 2013, which is higher than the statewide vacancy rate of 8.6% and the 9.4% vacancy rate in cities within the county. The increase in vacant housing units is largely attributed to foreclosures during the recession of the late 2000s. Additionally, the proportion of residents living in group quarters increased in the unincorporated county during this period, largely due to dormitory development associated with the establishment of the University of California, Merced in 2005.

Population projections prepared by the Merced County Association of Governments (MCAG) for the 2022 Regional Transportation Plan estimate continued growth in the unincorporated county. The population is projected to increase from approximately 95,377 persons in 2019 to 122,663 persons in 2046, an increase of about 27,286 people (MCAG 2022a). Housing growth in the county between 2000 and 2014 totaled approximately 15,925 new units, of which 3,137 were constructed in unincorporated areas, and 12,788 were built within incorporated cities, indicating that most recent housing development has occurred within city limits (County of Merced 2016).

Merced County adopted an updated Housing Element for the 2016–2024 planning period (County of Merced 2016). The Housing Element is a required component of the General Plan and is intended to identify and analyze existing and projected housing needs to preserve, improve, and develop housing for all economic segments of the community. The Housing Element consists of two primary components: the Background Report and Policy Document. The Background Report evaluates the nature and extent of housing needs within the county, which provides the basis for the policies and programs identified in the Policy Document to address those needs.

State law also requires each jurisdiction to plan for its share of the region’s housing need through the Regional Housing Needs Allocation process. Under this process, the California Department of Housing and Community Development determines the overall housing need for each region, and the regional council of governments—in this case the MCAG—allocates that need among local jurisdictions. The MCAG Board adopted the 2023-2032 Regional Housing Needs Plan on November 17, 2022, which established the housing allocation requirements that local jurisdictions must address in their Housing Element (MCAG 2022b).

Environmental Evaluation

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

Less-Than-Significant Impact. The project site is in a region developed with agricultural cropland and other animal confinement operations, including other dairies. It would not result in a new or different type of use for the area, nor would the project create or improve any infrastructure serving the larger project area or region, such as new roads or utility mainline extensions. The proposed project is consistent with Merced County land use plans, and no modification of land use and development policies would be necessary to accommodate the proposed dairy expansion project. With implementation of the proposed project, the number of employees would increase from approximately 50 to approximately 56 workers.

In April 2026, the labor force in Merced County totaled 123,000 persons, with an official unemployment rate of 09.6% (or 11,800 unemployed persons) (California Employment Development Department [EDD] 2026). Any future increased labor needs of the project could be accommodated by this existing workforce within Merced County and would not require the importation of workers. Similarly, any additional housing demands caused by future project employees could be accommodated by existing and planned housing resources within Merced County. The proposed project would not result in any meaningful increase in the County's population; implementation of the project would not result in the exceedance of population projections or result in any significant growth inducing effects. The proposed dairy expansion project would not be expected to result in substantial new growth in the project vicinity. Therefore, the proposed project would not result in substantial unplanned population growth, and impacts would be less than significant.

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

No Impact. Multiple residential dwellings are owned and used by the Applicant and other dairy employees. Scattered rural residences are in the general area of the project. The proposed project does not include new housing and does not propose to demolish housing that would displace people. There would be no significant impact to available housing units in Merced County. In July 2024, the last year for which data are available, there were 5,315 vacant housing units (U.S. Census Bureau 2025). Implementation of the project would not displace substantial numbers of people or existing housing units. Therefore, no impacts would occur.

Conclusion

Implementation of the project would result in a minor increase in employment, which could be accommodated by the existing Merced County labor force. Any associated housing demand could be accommodated within the county's existing and planned housing supply. The project would not displace residents or remove existing housing units. Consistent with population trends and projections identified in the Merced County Housing Element and MCAG population forecasts, the project would not result in meaningful population increases or growth-inducing effects. Therefore, the project would not result in significant impacts related to population and housing, and this environmental issue will not be analyzed further in the EIR.

Mitigation

No mitigation measures are required.

XV. Public Services

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

Setting

Public services provided in the general area of the project site include fire, police, hospital, school, library, and park services. The Merced County Fire Department (MCFD) serves the unincorporated areas of Merced County. Merced County Fire Station 83 is at the southeast corner of Los Banos Highway and El Nido Road in El Nido, approximately 2 miles north of the proposed project site. The Merced County Sheriff's Department provides police protection in the unincorporated areas of Merced County. The nearest police station is located at 700 West 22nd Street in the city of Merced, approximately 14.5 miles north of the project site. Three hospitals provide medical services to county residents; Mercy Medical Center in the city of Merced is nearest to the project site. The nearest school, El Nido Elementary School, is in El Nido, approximately 2 miles north of the project site. The library system operates 16 facilities throughout the county, the nearest of which to the project site is Merced County Library in the city of Merced. O'Banion Park in Dos Palos is nearest park to the project site, approximately 14 miles southwest. Park services are discussed in more detail in Section XVI, Recreation. Utility services are discussed in more detail in Section XIX, Utilities and Service Systems.

Environmental Evaluation

- 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, police protection, schools, parks, or other public facilities?

Less-Than-Significant Impact. Implementation of the proposed dairy expansion would result in construction of additional operational facilities. The project site is in an area with rural levels/standards of fire protection. In response to this common condition in agricultural areas of the county, the MCFD generally imposes requirements for on-site water storage for fire protection, and compliance with the following California Fire Code (CFC) measures:

1. **Fuel Storage:** The applicant shall provide information on on-site fuel storage, amounts, types of fuel and oil, storage container sizes, mobile/stationary, dispensing equipment, and Spill Prevention Control and Countermeasure (SPCC) documents. The on-site gasoline storage tank requires an operational permit from Fire Department.
2. **On-Site Water:** The applicant shall describe on-site water storage containment, amounts of water, whether Fire Department connections are in place, apparatus access to flush tank, or other onsite water. [California Fire Code (CFC) Sec. 507.1]
3. **Fire Department Access:** All driveways accessing the parcel shall be surfaced with an approved all weather driving surfacing material. The roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all weather driving capabilities. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet except for approved security gates in accordance with Section 503.6 and an unobstructed vertical clearance of not less than 13 feet 6 inches. (CFC 503.2.1)
4. **Address Identification:** New and existing buildings shall have approved address numbers, building numbers, or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. (CFC 505.1)
5. **Emergency Building Access:** Knox Box appliance shall be required for emergency building access; Knox padlocks shall be required for gates, or electric key override for electric gates. Compliance with above standard measures would be required as conditions of approval and would reduce fire risk and hazard to levels found acceptable by the Merced County Fire Department.

There would be no increase or change in the demand for fire service that would require the provision of new or physically altered fire facilities. No feature of the project would result in the need for new or altered facilities for police protection, schools, parks, libraries, or health services. As discussed in Section XIV, Population and Housing, the project would not result in substantial population growth and, therefore, would not generate an increase in demand for public services typically associated with residential growth. Consequently, there would be no significant increase in the demand for public services such as police facilities, schools, parks, libraries, or health services that would require the construction of new or physically altered facilities, and impacts would be less than significant.

Conclusion

Implementation of the proposed dairy expansion would involve construction of additional operational facilities in a rural area served by the MCFD. Consistent with standard practice in agricultural areas, the project would be required to comply with applicable CFC requirements, including provisions related to on-site fuel storage, on-site water supply for fire protection, fire apparatus access, address identification, and emergency building access. Compliance with these requirements would be imposed as COAs and would reduce potential fire hazards to levels acceptable to the MCFD. Therefore, the project would not result in increased demand for new or physically altered fire protection facilities, and impacts related to fire protection services would be less than significant. This issue will not be analyzed further in the EIR.

Mitigation

No mitigation measures are required.

XVI. Recreation

Environmental Issues	Potentially Significant Impact	Less Than Significant with Existing Mitigation Incorporated	Less Than Significant Impact	No Impact
(a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
(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?	☐	☐	☐	☒

Setting

Merced County contains several federal, state, and county parks and recreation areas. Aside from parks in the county, there are many public open space areas as well.

- There are three National Wildlife Refuges in Merced County: the Merced National Wildlife Refuge, San Luis National Wildlife Refuge, and San Joaquin River National Wildlife Refuge. The closest of the three includes the San Luis National Wildlife Refuge, which is approximately 12.5 miles northeast of the dairy facility (County of Merced 2013b).
- The State of California Department of Parks and Recreation and Department of Fish and Game (now CDFW) operate 13 public recreation sites in whole or in part of Merced County. The closest of these is the Los Banos Wildlife Area, operated by the Department of Fish and Game (now CDFW), approximately 24 miles to the west of the project site (County of Merced 2013b).
- Merced County owns and operates 21 parks. There are several County parks in the community of Dos Palos, approximately 14 miles southwest of the project site (County of Merced 2013b).

Environmental Evaluation

- 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?**

No Impact. The project would not substantially increase the use of existing neighborhood or regional parks or other recreational facilities. As discussed in Section XIV, Population and Housing, the project would not result in substantial population growth and would not generate an increase in demand for public services typically associated with residential growth. Therefore, implementation of the project would not result in increased use that could cause or accelerate the physical deterioration of existing recreational facilities, and no impacts would occur.

- 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?**

No Impact. The project does not include recreational facilities and would not require the construction or expansion of such facilities. Implementation of the project would not introduce new recreational uses or increase demand for recreation infrastructure. Therefore, the project would not result in adverse physical effects on the environment related to recreational facilities, and no impacts would occur.

Conclusion

The project would not introduce recreational uses or substantially increase employment or population that would generate additional demand for these recreational resources. In addition, the project does not include the development or expansion of recreational facilities. Therefore, the proposed project would not increase the use of existing recreational facilities such that deterioration would occur, nor would it require the construction or expansion of recreational facilities that could result in adverse environmental effects. Impacts related to recreation would be less than significant, and this issue will not be analyzed further in the EIR.

Mitigation

No mitigation measures are required.

XVII. Transportation

Environmental Issues	Potentially Significant Impact	Less Than Significant with Existing Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☒	☐	☐	☐
(b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☒	☐	☐	☐

Environmental Issues	Potentially Significant Impact	Less Than Significant with Existing Mitigation Incorporated	Less Than Significant Impact	No Impact
(c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☒	☐	☐	☐
(d) Result in inadequate emergency access?	☒	☐	☐	☐

Setting

The project site is in a rural agricultural area of Merced County served by a network of two-lane County roadways that primarily accommodate agricultural equipment, heavy-duty trucks, and local rural traffic. Roadways in the vicinity of the project site are characterized by low traffic volumes, limited shoulders, and typical rural design features. Existing vehicle trips associated with the Double Diamond Dairy include employee travel, milk hauling, feed delivery, veterinary services, manure export, and other routine operational traffic. These trips occur intermittently throughout the day and are typical of dairy and agricultural operations in the region.

Environmental Evaluation

- a) **Would the project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?**
- b) **Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?**
- c) **Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?**
- d) **Would the project result in inadequate emergency access?**

Potentially Significant Impact. The Animal Confinement Ordinance EIR evaluated transportation impacts associated with dairy operations and concluded that although individual dairies generally generate a relatively low volume of daily trips, the cumulative increase in heavy-duty truck traffic associated with regional dairy expansion could result in significant and unavoidable cumulative impacts on County roadways (County of Merced 2002). The Animal Confinement Ordinance EIR identified feed delivery, milk hauling, manure export, and employee trips as the primary transportation components of dairy operations.

The proposed project would incrementally increase truck and employee trips associated with feed delivery, milk transport, manure handling, and other routine dairy activities. Although the project site is served by rural roadways that currently accommodate agricultural traffic, the Animal Confinement Ordinance EIR's conclusion regarding cumulative transportation impacts indicates that additional project-level and cumulative analysis is warranted. The General Plan EIR similarly identifies that agricultural operations contribute to cumulative roadway wear and long-term increases in heavy-vehicle traffic on rural roads (County of Merced 2013b).

Because the project would contribute to regional dairy-related traffic and because the Animal Confinement Ordinance EIR found cumulative transportation impacts to be significant and unavoidable, a detailed evaluation of project-level and cumulative transportation effects will be included in the EIR.

Conclusion

The proposed project may result in potentially significant transportation impacts. This environmental area will be analyzed further in the EIR.

Mitigation

Mitigation measures will be identified in the EIR.

XVIII. Tribal Cultural Resources

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

Setting

The project site is in a rural agricultural area of eastern Merced County that has been extensively disturbed by long-term farming and existing dairy operations. The surrounding region is part of the traditional territory of several Native American groups, including the Northern Valley Yokuts and Plains Miwok peoples, who occupied and traveled through the San Joaquin Valley prior to Euro-American settlement. The General Plan EIR notes that although much of the County has been altered by agriculture, Tribal cultural resources may still be present in undisturbed soils or along historic waterways (County of Merced 2013b). Merced County has established procedures for Tribal consultation consistent with AB 52, and local Tribes with traditional or cultural affiliation to the area have been notified of the project and invited to consult. No Tribal cultural resources have been previously recorded on the project site, and the site's long history of agricultural use has substantially reduced the potential for intact Tribal cultural resources to be present.

Environmental Evaluation

- 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:**
- a-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)?***

No Impact. The project site does not contain known resources that are listed or eligible for listing in the California Register of Historical Resources or a local register. Therefore, there would be no impact.

- a-ii) ***A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.***

Less-Than-Significant Impact with Existing Mitigation Incorporated. The Animal Confinement Ordinance EIR determined that construction and operation of new or expanded dairies could result in the disturbance of known and unknown prehistoric and/or historic resources, but that impacts would be less than significant with implementation of mitigation that requires the County to consult with Tribes and halt work if archaeological resources are encountered (Impact CUL-1) (County of Merced 2002). The General Plan EIR notes that the San Joaquin Valley contains deeply buried archaeological resources due to alluvial deposition, and ground-disturbing activities may encounter such resources even in previously disturbed areas (County of Merced 2013b). Although the project site is heavily disturbed agricultural land with no known cultural sites, the project has the potential to encounter previously unknown Tribal cultural resources. The County sent letters inviting Tribes to consult on the project on June 9, 2026. To date, no Tribes have requested consultation. Impacts would be less than significant with implementation of existing Animal Confinement Ordinance EIR Mitigation Measure CUL-1, which requires that work stop in the event of encountered resources, and appropriate evaluation and treatment of the resource.

Conclusion

Although the project site is heavily disturbed agricultural land with no known cultural sites, the project has the potential to encounter previously unknown Tribal cultural resources. Implementation of existing Animal Confinement Ordinance EIR Mitigation Measure CUL-1 would reduce impacts to less than significant.

Mitigation Measures

Implement existing Animal Confinement Ordinance EIR Mitigation Measure CUL-1.

XIX. Utilities and Service Systems

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

Setting

The dairy facility includes a wastewater management system consisting of three settling ponds and three wastewater storage lagoons designed to collect and store wastewater and runoff generated from dairy operations. Domestic and operational water for the dairy is supplied by approximately 29 agricultural supply wells and six domestic wells on-site. Freshwater is used for activities such as washing milking parlor floors, holding pens, equipment, and rinsing cows. The resulting wastewater, along with stormwater that contacts manure or feed materials, is conveyed to the wastewater management system. The proposed dairy expansion would rely on existing utilities, including domestic water, septic systems, stormwater, electrical, gas, and telecommunication services.

Environmental Evaluation

- a) **Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?**

Less-Than-Significant Impact. The proposed project would not require the relocation or construction of new or expanded water, wastewater treatment, stormwater drainage, electric power, natural gas, or telecommunications facilities. Water for the dairy would continue to be supplied by existing on-site wells, and no new water infrastructure is proposed. Existing on-site septic systems would continue to serve the facility, and no new septic systems are included in the project. Stormwater runoff from impervious and

roofed areas would continue to be collected and conveyed to the existing wastewater management system, which has adequate storage capacity to manage additional wastewater and runoff associated with the expanded herd and facilities. Wastewater would continue to be land applied to agricultural fields in accordance with the facility's Nutrient Management Plan. Because the project would rely on existing utility systems and would not require new or expanded off-site infrastructure, impacts related to utilities and service systems would be less than significant.

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

Less-Than-Significant Impact. Water for the Double Diamond Dairy facility is supplied by existing on-site groundwater wells that provide both domestic and operational water for dairy activities. The property includes approximately 29 agricultural supply wells and six domestic wells that provide water for operations such as washing milking parlor floors, holding pens, and equipment, as well as rinsing cows and maintaining animal housing areas. The proposed expansion would continue to rely on these existing wells and would not require the development of new water supply infrastructure. Groundwater is widely used for agricultural and dairy operations in the surrounding area, which is characterized by irrigated farmland and agricultural land uses. Based on the continued use of existing groundwater wells and the agricultural setting of the project site, sufficient water supplies are expected to be available to serve the proposed project during normal, dry, and multiple dry years. Therefore, impacts related to water supply would be less than significant.

c) Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Less-Than-Significant Impact. The proposed project would not require service from a municipal or regional wastewater treatment provider. Wastewater generated by dairy operations would continue to be managed through the existing on-site wastewater management system, which includes settling ponds, mechanical manure separators, and wastewater storage lagoons constructed in accordance with CCR Title 27 requirements. The system provides approximately 10,332,534 cubic feet of storage capacity and is designed to retain wastewater and stormwater generated during winter storage periods, including runoff associated with a 25-year, 24-hour storm event. Wastewater would continue to be applied to agricultural fields at agronomic rates in accordance with the facility's Nutrient Management Plan, and solid manure would continue to be reused as bedding or applied to cropland as fertilizer. Because the project would rely on the existing on-site wastewater management system and would not require treatment from an off-site wastewater provider, no determination of treatment capacity from a wastewater treatment provider would be required, and impacts would be less than significant.

d) Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Less-Than-Significant Impact. The proposed project consists of the expansion of an existing dairy facility through the construction of additional barns and a milking parlor. Solid waste generated by the facility would continue to be managed through existing private waste collection and disposal services. The provision of solid waste collection services would be subject to the normal requirements of the service provider and would not require new or expanded waste management infrastructure. The project

would not generate solid waste in excess of state or local standards, exceed the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. There would be no change to existing conditions that would result in noncompliance with federal, state, or local statutes and regulations related to solid waste management. Therefore, impacts would be less than significant.

e) Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Less-Than-Significant Impact. The proposed project would comply with applicable federal, state, and local statutes and regulations related to solid waste management and reduction. Solid waste generated by the dairy facility would continue to be collected and disposed of through existing private waste collection services in accordance with applicable regulatory requirements. Manure generated by the dairy would continue to be managed through the facility's established waste management practices, including reuse as bedding and land application to cropland as fertilizer in accordance with the facility's Nutrient Management Plan and regulatory oversight by the CVRWQCB. Implementation of the proposed project would not alter compliance with existing solid waste management requirements. Therefore, the project would comply with applicable solid waste management and reduction statutes and regulations, and impacts would be less than significant.

Conclusion

The proposed project would rely on existing utility systems and infrastructure, including on-site groundwater wells, septic systems, and the existing wastewater management system consisting of settling ponds and wastewater storage lagoons. Wastewater and stormwater generated from dairy operations would continue to be managed through the established system and applied to agricultural fields in accordance with the facility's Nutrient Management Plan. Solid waste generated by the facility would continue to be managed through existing private waste collection services, and manure would continue to be beneficially reused as bedding or fertilizer on agricultural lands. Because the project would not require new or expanded utility infrastructure, would have sufficient water supply from existing wells, and would continue to comply with applicable solid waste management regulations, the project would not result in significant impacts related to utilities and service systems. Therefore, impacts would be less than significant, and this issue will not be analyzed further in the EIR.

Mitigation

No mitigation measures are required.

XX. Wildfire

Environmental Issues	Potentially Significant Impact	Less Than Significant with Existing Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</i>				
(a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
(b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☐	☒

Environmental Issues	Potentially Significant Impact	Less Than Significant with Existing Mitigation Incorporated	Less Than Significant Impact	No Impact
(c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☒	☒
(d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	☒

Setting

According to California Fire and Resource Management Program FHSZ map, the proposed project site is within the Local Responsibility Area, with an Unzoned designation. The threat of wildfire hazard in that area is determined to be unlikely (CAL FIRE 2024).

Environmental Evaluation

- a) **If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project substantially impair an adopted emergency response plan or emergency evacuation plan?**
- b) **Due to slope, prevailing winds, and other factors, if located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?**
- c) **If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?**
- d) **If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?**

No Impact. The project site is not in or near State Responsibility Areas or lands classified as very high FHSZs. It is in an existing low-density agricultural area, and the threat of wildland fire has been determined to be unlikely (CAL FIRE 2024). Because the proposed project is not in or near a State Responsibility Area nor is it on lands classified as very high FHSZs, this resource area does not apply, and no impacts would occur.

Conclusion

The project site is within a Local Responsibility Area and is designated as Unzoned on the California Fire and Resource Management Program FHSZ map, indicating that wildfire hazard in the area is considered unlikely (CAL FIRE 2024). The site is situated in a predominantly agricultural area and is not within or near State Responsibility Areas or lands classified as very high FHSZs. Because of this designation, the proposed project would not impair an adopted emergency response or evacuation plan, exacerbate wildfire risks, require the installation of infrastructure that could increase fire hazards, or expose people or structures to risks associated with post-fire flooding or slope instability. Therefore, the project would not result in impacts related to wildfire hazards, and this issue will not be analyzed further in the EIR.

XXI. Mandatory Findings of Significance

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

Environmental Evaluation

- 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?**

Less-Than-Significant Impact with Existing Mitigation Incorporated. The project site has been extensively disturbed by long-term agricultural use and existing dairy operations, and no sensitive biological resources or special-status species habitat occurs within the developed dairy footprint. Cultural and Tribal cultural resource sensitivity is low due to prior disturbance, and both the Animal Confinement Ordinance EIR and General Plan EIR identify that agricultural lands generally have limited potential to contain intact cultural or Tribal resources (County of Merced 2002, 2013b). Standard inadvertent

discovery procedures and existing regulatory requirements would continue to apply. With continued compliance with applicable regulations and existing mitigation measures identified in the Animal Confinement Ordinance EIR, the project would not significantly degrade the quality of the environment or eliminate important biological or cultural resources.

- 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)?**

Potentially Significant Impact. The Animal Confinement Ordinance EIR determined that certain dairy-related impacts, particularly transportation, air quality, GHG emissions, and groundwater quality, may be cumulatively considerable when combined with other regional dairy operations. Although many project impacts are less than significant or less than significant with existing mitigation, the proposed expansion would incrementally contribute to cumulative conditions previously identified as significant and unavoidable in the Animal Confinement Ordinance EIR. Therefore, cumulative impacts will be evaluated in detail in the EIR.

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

Potentially Significant Impact. The project would continue to operate under the Animal Confinement Ordinance, Regional Water Board WDRs, Nutrient Management Plan, County noise standards, and vector-control requirements, all of which are designed to protect public health. The Animal Confinement Ordinance EIR identifies potential human-health hazards from vectors, pathogens, and manure management but concludes these impacts are less than significant with mitigation, which remains in effect for this project; however, the Animal Confinement Ordinance EIR also determined that air quality impacts from dairy operations are cumulatively considerable and significant and unavoidable, particularly with respect to ammonia, VOCs, PM emissions, and associated regional ozone formation. Because the proposed expansion would incrementally contribute to these air emissions, the project may result in environmental effects that could adversely affect human beings. Therefore, this issue will be evaluated further in the EIR.

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