

# CHAPTER VIII

ENVIRONMENTAL  
DOCUMENT

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## **CHAPTER VIII. INITIAL STUDY AND ENVIRONMENTAL DISCUSSION**

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### **ENVIRONMENTAL DOCUMENT - INITIAL STUDY REVIEW OF THE UPDATED MERCED COUNTY GENERAL PLAN**

This initial study and environmental discussion, was prepared as part of the Merced County General Plan. The purpose of the updated plan is to address certain deficiencies identified by the Merced County Superior Court in the case of El Nido Community Association, et.al., versus Merced County, et.al.. Identified deficiencies in the General Plan included: the Land Use Element's intensity and density standards, the Circulation and Land Use Elements' absence of correlation, an inadequate Noise Element, an inadequate inventory of open space resources, and the absence of dam inundation areas in the Safety Element.

Under the direction of the Merced County Board of Supervisors, these deficiencies have been addressed in this General Plan update. The updated General Plan does not propose changes in the land use patterns in the County, nor does it promote additional entitlements. The Update is a reformatted document using existing policies with clarification and new policies where necessary to address the State Government Code requirements and Guidelines for the Preparation of General Plans.

### **PROJECT DESCRIPTION**

A description of the Plan, a discussion of the legal requirements for a General Plan and the organization of the Plan is presented in the Land Use Chapter (I). The introduction section of each subsequent Chapter provides an overview of the Government Code requirements as they apply to that Chapter. A general description of the County's environmental setting can be found in the Safety Chapter (V), page V-1, as well as in other Chapters.

### **CEQA APPLICABILITY**

This Initial Study has been prepared in conformance with Section 65759 of the California Government Code. Because this update is being prepared in response to an order of the Superior Court, the Plan is not subject to the California Environmental Quality Act. The following are excerpts from that government code section:

- (1) The provisions of the California Environmental Quality Act, Division 13 (commencing with Section 21000) of the Public Resources Code, shall not apply to any action necessary to bring its General Plan or relevant mandatory elements thereof into compliance with any court order or judgment under this section.

The local agency shall, however, prepare an initial study, within the time limitations specified in Section 65754, to determine the environmental effects of the proposed action necessary to comply with the court order. The initial study shall contain substantially the same information as is required for an initial study pursuant to subdivision (c) of Section 15080 of Title 14 of the California Administrative Code.

If as a result of the initial study, the local agency determines that the action may have a significant effect on the environment, the local agency shall prepare, within the time limitations specified in Section 65754, an environmental assessment, the content of which substantially conforms to the required content for a draft environmental impact report set forth in Article 9 (commencing with Section 15140) of Title 14 of the California Administrative Code. The local agency shall include notice of the preparation of the environmental assessment in all notices provided for the amendments to the General Plan proposed to comply with the court order.

The environmental assessment shall be deemed to be a part of the General Plan and shall be "reviewable" as provided in this article.

In accordance with the above provisions the County has conducted an Initial Study of the updated Plan. Based on this Initial Study, the County has determined there will be no significant environmental impact. The Initial Study checklist form and the following discussion serve as the basis for this determination.

#### COMMENTS ON THE UPDATES RELATIONSHIP TO IDENTIFIED TOPICS IN THE INITIAL STUDY CHECKLIST

1. Earth

The pre-1989 General Plan was not found to be deficient concerning policies and discussions related to geotechnical and most safety element issues and concerns. The reformatted General Plan continues existing policies and discussions. The geotechnically related policies are designed to: define hazardous areas, maintain and periodically update an information base for hazardous areas, encourage land use designations that minimize the exposure of people to hazards, and encourage the elimination of hazards where feasible. In addition, policies encourage better understanding of emergency response procedures. The County has determined the result of the General Plan update is there is a net benefit to the public due to the public protection update inventory that has occurred and incorporated as part of this Plan.

2, 9  
& 15. Air, Natural Resources and Energy

The central land use focus of the Plan is described as an "urban centered concept." The pre-1989 Plan's central focus was also this "urban centered concept," with no fundamental change. The "urban centered concept" promotes the concentration of urban uses within existing urban designated areas. The efficient use of services is encouraged, thereby reducing energy use. Air quality is promoted through the concentration of urban uses to reduce the need for use of fossil fuels, especially for motor vehicles. The correlation that has been completed between circulation and land use has demonstrated benefits of the "urban centered concept", to air quality, natural resources and energy. The Land Use Chapter provides a discussion of the "urban centered concept".

3, 14  
& 16. Water, Public Services and Utilities

The updated General Plan has more comprehensively identified water resources, groundwater recharge areas, and has recognized groundwater problem areas. This information will be incorporated in future project review and approval considerations. Concerning flooding, policies encourage the continuation of existing policies which discourage development in areas of special flood hazards outside of existing urban designated areas. Provisions also encourage the mitigation of problems through the flood damage prevention provisions in the County Zoning Code. Basic to the Plan is a policy program for maintenance of an up-to-date information base and its periodic review. Concerning water supply, the overall policy direction is to ensure adequate water supplies that meet the needs of designated urban areas. This is accomplished through policies that: encourage new development to either connect with existing small public systems or use wells rather than surface water sources; support methods to improve the storage and transmission capabilities of water systems; encourage the development of small agricultural water supplies through conservation and reclamation techniques. Related to wastewater, discussions propose closer coordination of wastewater generation and treatment, and land use planning. One objective is to assure adequate wastewater capacity for development in unincorporated urban areas. Other objectives promote the phasing of wastewater facilities in areas designated for growth; and public education and monitoring for areas using septic systems.

4, 5  
& 7. Plant, Animal Life and Light and Glare

The General Plan update has benefitted from an extensive inventory of rare and endangered species, wildlife, wetland and aquatic resources in the County. The inventory was used to identify sensitive resources in areas which deserve special attention. As part of this process, a valuation system

was also established. The wildlife, vegetation and aquatic resources section of the Open Space/Conservation Chapter (VI), discusses issues and policies which establish priorities for resource protection and management. The proposed policies focus on the protection of sensitive habitats. The policies also seek the protection of resources such as agricultural lands from activities which would inhibit long-term productivity (see Agricultural Chapter, VII). The net result of the update is a better information base allowing for a more sensitive review of individual projects, even those projects requiring only a building permit "across the counter". This sensitive review process implements the policies of the Open Space and Conservation Chapter and may cause a project, zone change or other development proposal to be subject to special environmental assessment and field investigations to determine the effect of the project on sensitive habitats.

6. Noise

Community noise surveys have been conducted which provide contours that exhibit the ambient noise character for various communities in the County. In addition, different uses were also surveyed for their noise characteristics to use as the model during the review of future development projects. Noise contours have also been established for major noise sources including: roadways, airports and rail systems. The net result of the noise policies in the General Plan is to establish interior noise level standards that must be met for residential structures, as well as recognizing noise sensitive uses and areas. The result of the update is greater understanding of the noise environment of the County and a greater sensitivity to the relationships of noise and land use compatibility which will enable the County to identify existing noise/land use conflicts and to prevent the occurrence of such conflicts in the future.

8. Land Use and Light

The General Plan Land Use Chapter contains policies which define and designate urban and rural areas. The Plan establishes land use objectives for each designation existing on the pre-1989 General Plan Land Use Map. The principle objective continues discouraging urban sprawl and maximizing the efficiency of public services, facilities and utilities. The objectives for rural areas call for preserving and managing natural resources, the avoidance of hazards and the encouragement of more concentrated development in and near existing urban areas. The rural land use policies continue to set forth a set of conversion criteria to guide land use decisions when area plans are amended or future plans are prepared. Policies strongly encourage the County to maintain and periodically review its land use information base to monitor conversion rates of open space lands. For urban areas and

designations associated with the "urban centered concept," the policies provide a framework to determine appropriate land uses. The adopted community plans and their designated land uses are part of the General Plan, and no changes to these community plans are part of this update. The net effect of the Update is the clarification of density and intensity standards for the urban and rural areas. This clarification, by its nature, strengthens the existing policy. The updated General Plan does not provide policies which will result in any significant changes to lighting in the County except when such lighting could degrade a sensitive wildlife habitat, which is discouraged.

10 &  
17. Risk of Upset and Human Health

In addition to the comments provided in the #1 (earth) response, the Safety Chapter of the Plan provides orientation for emergency response. The Open Space/Conservation Chapter recognizes there are specific risks in the County that require special attention. The General Plan recognizes there are accessory plan documents that also deal with the exposure of the public to hazards which include the Solid Waste Management Plan, the County Hazardous Waste Management Plan and Hazardous Materials Area Plan. The Safety Chapter (V) provides policies to promote public protection and avoidance of land uses that may create a risk to the public. The net result of this update is a more coordinated information base concerning the hazardous areas and uses in the County. The Plan promotes public protection and the health, safety and welfare of the public. The accessory documents have been subjected to separate CEQA certification.

11. Population

Both the previous Plan and the new updated Plan rely on the same basic source for population projections, the State Department of Finance. The document recognizes that the population growth expected through the year 2000 will be an increase of 43% to 238,000. There is not a significant difference between the pre-1989 and the update in terms of population projections. This growth will result in pressures on the County to more efficiently use land and other resources. Both the pre-1989 and the updated General Plan utilize the "urban centered concept." No fundamental alteration in land use policy or expansion of urban areas, has occurred. Objectives have not significantly changed from the earlier plan except to clearly recognize the need to protect rare and endangered wildlife and vegetative resources. The net result from the update is to confirm that adequate services and public protection functions will be required during review for project approvals to manage growth.

12. Housing

Environmental analysis for the Housing Chapter (III) was completed with a Certification of a Negative Declaration in May of 1985; no substantial amendments have occurred in the update other than internal consistency adjustments in the use of terms and organization. Merced county will be required by the State to update its Housing Chapter by late 1990. As has been stated earlier, no urban boundary map changes have occurred and there have been no changes in land use patterns. The effect of new noise standards and Open Space policies may be minor increases in existing housing improvement cost. This increase is judged to be insignificant.

13. Transportation and Circulation

As part of the update process, the County used a principle and registered traffic engineer with the firm of Abrams and Associates. The consultant assisted the County in correlating the relationship between present and future land use with roadways in the County. A study paper on that topic was developed as part of the General Plan update process which is provided in the Technical Appendices. The Circulation Chapter proposes a Level of Service management systems approach toward meeting the future demand. Roadways have been reclassified to recognize their functional classification with corresponding circulation map changes. Policies promote more efficient use of existing roadways and transportation systems, and the upgrading of street and highway improvements where serious congestion or safety problems exist. The net result of the General Plan update is promoting the increased efficiency of the County's roadway system in meeting existing and future demands.

18 &  
19. Aesthetics and Recreation

The overall policy direction recommended for aesthetics and recreation in the Open Space/Conservation Chapter (VI) of the plan for rural areas is the preservation of the appearance of the environment. This will be accomplished through sensitive site planning review that encourages development to conform to the landscape rather than altering the landscape to conform to the development. For developments located within scenic corridors, more detailed site planning and design review may be necessary. Areas designated for urban land use are encouraged to maintain attractive areas and improve upon the visual quality of less attractive areas.

The Land Use and Open Space/Conservation Chapters (I and VI respectively), encourage all providers of park and recreation facilities to provide facilities to meet recreational needs. Policies require consideration of

the constraints that may be necessary due to sensitive habitat and competing land uses, as well as fiscal and organizational issues. Policies recognize there are both public and private recreation facilities. The County proposes a two-pronged approach: in rural areas policies encourage facilities providing low-intensity use; in urban areas policies encourage facilities to support recreation. All providers are encourage to prepare development plans that use proper site techniques, to employ sensitive architectural designs and to conform to zoning development standards.

20. Cultural Resources

The overall policy direction of the plan is to identify and protect significant historical and archaeological resources. This will be accomplished by identifying high priority historical resources and encouraging new development in areas near historical structures to be sensitive to the design and character of those resources.

21. Mandatory Findings of Significance

In summary the county has determined the following:

1. That as the result of this General Plan update, no significant map changes, or changes in the land use designations has occurred.
2. No change or alteration has occurred in the County's land use pattern.
3. That as the result of this plan, the "Urban Centered Concept" has not been altered, only clarified from that which existed in the General Plan and other County policies prior to this update.
4. That the primary result of the General Plan update, besides the clarification of density/intensity standards and the correlation between circulation and land use, has been the establishment of a better information base concerning the following:
  - a. Sensitive resource areas have been identified including rare and endangered species habitat, areas with potential mineral resources and important watersheds.
  - b. Hazardous areas in the County deserving public protection considerations to reduce public risk.
  - c. An inventory of transportation systems and infrastructure, and establishment of a correlated relation between land use and roadways in the County.

- d. The identification of noise sensitive land uses and description of the noise environment.
5. Merced County has determined that as a result of this update, provisions for recognizing the value of various open-space resources have been made. Policy has been developed promoting environmental sensitivity, as illustrated in the Open Space Action Plan and noise standards for sensitive land uses.

**ENVIRONMENTAL CHECKLIST FORM**  
(To Be Completed By Lead Agency)

**I. Background**

1. Name of Proponent Merced County
2. Address and Phone Number of Proponent 2222 "M" Street  
Merced, CA 95340
3. Date of Checklist Submitted April 14, 1989
4. Agency Requiring Checklist Merced County
5. Name of Proposal, if applicable Merced County General Plan Update

**II. Environmental Impacts**

(Explanations of all "yes" and "maybe" answers are required on attached sheets.)

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
1. Earth. Will the proposal result in:			
a. Unstable earth conditions or in changes in geologic substructures?	___	___	XX
b. Disruptions, displacements, compaction or overcovering of the soil?	___	___	XX
c. Change in topography or ground surface relief features?	___	___	XX
d. The destruction, covering or modification of any unique geologic or physical features?	___	___	XX
e. Any increase in wind or water erosion of soils, either on or off the site?	___	___	XX
f. Changes in deposition or erosion of beach sands, or changes in siltation, deposition or erosion which may modify the channel of a river or stream or the bed of the ocean or any bay, inlet or lake?	___	___	XX
g. Exposure of people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards?	___	___	XX

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
2. Air. Will the proposal result in:			
a. Substantial air emissions or deterioration of ambient air quality?	—	—	<u>XX</u>
b. The creation of objectionable odors?	—	—	<u>XX</u>
c. Alteration of air movement, moisture, or temperature, or any change in climate, either locally or regionally?	—	—	<u>XX</u>
3. Water. Will the proposal result in:			
a. Changes in currents, or the course of direction of water movements, in either marine or fresh waters?	—	—	<u>XX</u>
b. Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?	—	—	<u>XX</u>
c. Alterations to the course or low of flood waters?	—	—	<u>XX</u>
d. Change in the amount of surface water in any water body?	—	—	<u>XX</u>
e. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?	—	—	<u>XX</u>
f. Alteration of the direction or rate of flow of ground waters?	—	—	<u>XX</u>
g. Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?	—	—	<u>XX</u>
h. Substantial reduction in the amount of water otherwise available for public water supplies?	—	—	<u>XX</u>
i. Exposure of people or property to water related hazards such as flooding or tidal waves?	—	—	<u>XX</u>
4. Plant Life. Will the proposal result in:			
a. Change in the diversity of species, or number of any species of plants (including trees, shrubs, grass, crops, and aquatic plants)?	—	—	<u>XX</u>

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
b. Reduction of the numbers of any unique, rare or endangered species of plants?	—	—	<u>XX</u>
c. Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species?	—	—	<u>XX</u>
d. Reduction in acreage of any agricultural crop?	—	—	<u>XX</u>
5. <b>Animal Life.</b> Will the proposal result in:			
a. Change in the diversity of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms or insects)?	—	—	<u>XX</u>
b. Reduction of the numbers of any unique, rare or endangered species of animals?	—	—	<u>XX</u>
c. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?	—	—	<u>XX</u>
d. Deterioration to existing fish or wildlife habitat?	—	—	<u>XX</u>
6. <b>Noise.</b> Will the proposal result in:			
a. Increases in existing noise levels?	—	—	<u>XX</u>
b. Exposure of people to severe noise levels?	—	—	<u>XX</u>
7. <b>Light and Glare.</b> Will the proposal produce new light or glare?	—	—	<u>XX</u>
8. <b>Land Use.</b> Will the proposal result in a substantial alteration of the present or planned land use of an area?	—	—	<u>XX</u>
9. <b>Natural Resources.</b> Will the proposal result in:			
a. Increase in the rate of use of any natural resources?	—	—	<u>XX</u>
10. <b>Risk of Upset.</b> Will the proposal involve:			
a. A risk of an explosion or the release of hazardous substances (including, but not limited to, oil, pesticides, chemicals or radiation) in the event of an accident or upset conditions?	—	—	<u>XX</u>

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
b. Possible interference with an emergency response plan or an emergency evacuation plan?	—	—	<u>XX</u>
11. Population. Will the proposal alter the location, distribution, density, or growth rate of the human population of an area?	—	—	<u>XX</u>
12. Housing. Will the proposal affect existing housing, or create a demand for additional housing?	—	—	<u>XX</u>
13. Transportation/Circulation. Will the proposal result in:			
a. Generation of substantial additional vehicular movement?	—	—	<u>XX</u>
b. Effects on existing parking facilities, or demand for new parking?	—	—	<u>XX</u>
c. Substantial impact upon existing transportation systems?	—	—	<u>XX</u>
d. Alterations to present patterns of circulation or movement of people and/or goods?	—	—	<u>XX</u>
e. Alterations to waterborne, rail or air traffic?	—	—	<u>XX</u>
f. Increase in traffic hazards to motor vehicles, bicyclists or pedestrians?	—	—	<u>XX</u>
14. Public Services. Will the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas:			
a. Fire protection?	—	—	<u>XX</u>
b. Police protection?	—	—	<u>XX</u>
c. Schools?	—	—	<u>XX</u>
d. Parks or other recreational facilities?	—	—	<u>XX</u>
e. Maintenance of public facilities, including roads?	—	—	<u>XX</u>
f. Other governmental services?	—	—	<u>XX</u>
15. Energy. Will the proposal result in:			
a. Use of substantial amounts of fuel or energy?	—	—	<u>XX</u>

- |   | <u>Yes</u> | <u>Maybe</u> | <u>No</u> |
|---|------------|--------------|-----------|
| b. Substantial increase in demand upon existing sources or energy, or require the development of new sources of energy?   | —          | —            | XX        |
| 16. Utilities. Will the proposal result in a need for new systems, or substantial alterations to the following utilities:   | —          | —            | XX        |
| 17. Human Health. Will the proposal result in:  |            |              |           |
| a. Creation of any health hazard or potential health hazard (excluding mental health)?  | —          | —            | XX        |
| b. Exposure of people to potential health hazards?  | —          | —            | XX        |
| 18. Aesthetics. Will the proposal result in the obstruction of any scenic vista or view open to the public, or will the proposal result in the creation of an aesthetically offensive site open to public view?   | —          | —            | XX        |
| 19. Recreation. Will the proposal result in an impact upon the quality or quantity of existing recreational opportunities?  | —          | —            | XX        |
| 20. Cultural Resources.   |            |              |           |
| a. Will the proposal result in the alteration of or the destruction of a prehistoric or historic archaeological site?   | —          | —            | XX        |
| b. Will the proposal result in adverse physical or aesthetic effects to a prehistoric or historic building, structure, or object?   | —          | —            | XX        |
| c. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values?  | —          | —            | XX        |
| d. Will the proposal restrict existing religious or sacred uses within the potential impact area?   | —          | —            | XX        |
| 21. Mandatory Findings of Significance.   |            |              |           |
| a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate |            |              |           |

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
important examples of the major periods of California history or prehistory?	_____	_____	XX
b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time while long-term impacts will endure well into the future.)	_____	_____	XX
c. Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environment is significant.)	_____	_____	XX
d. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	_____	_____	XX

III. Discussion of Environmental Evaluation  
(Narrative description of environmental impacts.)

IV. Determination  
(To be completed by the Lead Agency.)

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 the mitigation measures described on an attached sheet have been added to the project. A NEGATIVE DECLARATION WILL BE PREPARED.

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

Date APRIL 14, 1989

Signature William R. Nielsen

For MERCED COUNTY

(Note: This is only a suggested form. Public agencies are free to devise their own format for initial studies.)