

INTRODUCTION

The County of Merced is the lead agency, pursuant to the State Guidelines for the California Environmental Quality Act (CEQA Guidelines Section 15050), for the preparation of an Environmental Impact Report (EIR) for the proposed Winton Community Plan (Proposed Project).

LOCATION

Winton is an unincorporated community located in Merced County, immediately north of the City of Atwater (see Figure 3-1, Regional Location, in Chapter 3, Project Description) and approximately 8 miles northwest of the City of Merced. The closest highway is Highway 99, approximately 2 miles to the west of Winton. The Burlington Northern-Santa Fe Railroad (BNSF) bisects the Plan Area in a northwest to southeast direction, parallel to Santa Fe Avenue.

ENVIRONMENTAL REVIEW

CEQA requires the preparation of an EIR when there is substantial evidence that a project could have a significant effect on the environment. The purpose of an EIR is to provide decision makers, public agencies, and the general public with an objective and informational document that fully discloses the potential environmental effects of the proposed Community Plan. The EIR process is specifically designed to describe the objective evaluation of potentially significant direct, indirect, and cumulative impacts of the proposed Community Plan, to identify alternatives that reduce or eliminate the project's significant effects, and to identify feasible measures that mitigate significant effects of the project. In addition, CEQA requires that an EIR identify those adverse impacts determined to remain significant after mitigation.

The Winton Community Plan EIR is a program EIR as defined in CEQA Guidelines Section 15168, which is one type of EIR that can be prepared for planning projects. A program EIR evaluates the impacts of a series of actions that can be characterized as one large project and are related either:

- 1) geographically;
- 2) as logical parts in a chain of contemplated actions;
- 3) are connected with issuances of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program; or
- 4) as individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways.

The proposed Community Plan is a plan that will govern future development within the Winton community. Specific development projects are not proposed at this time, but will be subject to the policies, standards and guidelines set forth in the Community Plan and analyzed in the EIR. Although specific projects are not addressed in the EIR, it does analyze development of the plan area as a whole. Therefore, for future projects that are consistent with the Community Plan and EIR assumptions, cumulative impacts will have been addressed. Any environmental review of subsequent projects would therefore focus on aspects specific to the project under

consideration. When subsequent activities in the plan area are proposed, the County will determine whether the environmental effects of those activities were adequately addressed in the program EIR and/or whether additional environmental documents must be prepared prior to approval of any entitlements. Those actions or entitlements will be reviewed to determine if they are within the scope of the program EIR, or if additional environmental analysis is needed prior to consideration. If a later activity would have effects that were not examined in the program EIR, a project-specific CEQA document must be prepared.

In accordance with CEQA regulations, a Notice of Preparation (NOP) was prepared and distributed to responsible agencies, interested parties and organizations, as well as private organizations and individuals that may have an interest in the project. The NOP was circulated for a 30-day public comment period from September 27, 2018 through October 29, 2018. The purpose of the NOP was to provide notification that an EIR was being prepared for the project and to solicit guidance on the scope and content of the document. Responses were received from one agency and two individuals (on a single comment card. The NOP and responses are included in Appendices A and B, respectively, of this Draft EIR (DEIR).

The proposed Community Plan has been revised since the publication of the Notice of Preparation. The changes to the land use plan and table include the following:

- **Increase in Residential Uses:** The total number of dwelling units has increased from 4,187 in the NOP to 4,652 units assumed in this Draft EIR, an increase of approximately 11 percent. There are several reasons for this change. First, the amount of acreage designated for residential uses has increased by 62 acres, due to a correction to the amount of Low-Density Residential (LDR acreage shown in the NOP land use table (the NOP LDR was understated by 30 acres and roads/other was overstated by 30 acres), redesignation of some park acreage to LDR (discussed below), a correction to the designation of an area adjacent to the Winton Middle School (discussed below), and additional minor corrections and refinements to the mapping assumptions for the Plan Area. There was also a math error in the NOP land use table that understated the number of LDR units by 147.
- **Reduction in Non-Residential Square Footage:** The acreages and square footages for non-commercial uses have changed due to corrections to acreages and refinements to assumptions regarding the amount of development anticipated to occur within the life of the Community Plan. The amount of Neighborhood Commercial (NC) acreage increased from 4 to 8 acres, while the amount of General Commercial (GC) and Business Park (BP) were reduced from 43 to 38 acres and 93 to 78 acres, respectively. Total non-residential square footage (General Commercial, Neighborhood Commercial, Commercial Transition, Business Park and Industrial combined) has been reduced by approximately 445,000 square feet, an approximately 21 percent reduction over the assumptions provided in the NOP. Even with this reduction, the revised land use table provides for an increase of approximately 1.2 million square feet in non-residential space, which is almost a 200 percent increase over existing levels.
- **Reduction in Recreational Acreage:** The parkland assumptions were overstated in the NOP land use table. The County standard is 3 acres of parkland per 1,000 residents. The NOP assumed 5 acres of parkland per resident. With this correction, the land use plan and table have been revised to reduce the parkland acreage, including 22.5 acres that are now designated LDR or Medium Density Residential. In addition, because the ultimate locations of new parks are not shown in site-specific locations at this time, the land use plan has been revised to show conceptually where parks might be located in relation to residential land uses.

- **Correction to Middle School site:** The NOP land use plan shows an area adjacent to the Winton Middle School site designated Institutional. However, this 3.8-acre site is not part of the school. The designation has been corrected to Low Density Residential.

The above changes and corrections would not substantially alter the effects of the project, because proposed boundaries have not changed since the NOP was released, the portion of the Plan Area to be developed is similar, and the type of uses to be developed are the same. For many impacts, the increase in residential units would be offset by the reduction in commercial square footage. For example, total daily vehicle trips would be reduced by approximately 13,700, so impacts related to traffic would be slightly lower than under the NOP land uses. For these reasons, the County has determined that the NOP need not be revised and/or recirculated. Finally, the changes described above have been incorporated into the Project Description (Chapter 3) and the analyses prepared for the EIR (see Chapters 4 and 5).

An Initial Study was prepared to focus the EIR analysis on those issue areas where significant impacts could occur, or where there is particular public concern. Based on the Initial Study (see Chapter 5), this Draft EIR focuses on the following topics:

- Agricultural Resources,
- Air Quality,
- Biological Resources,
- Cultural Resources,
- Greenhouse Gas Emissions and Climate Change,
- Land Use,
- Noise,
- Transportation and Circulation, and
- Utilities (including water, wastewater, drainage, and solid waste).

The DEIR is being circulated for public review and comment for a period of 45 days. During this period, comments from the general public, as well as organizations and agencies on the DEIR's accuracy and completeness may be submitted to the lead agency.

Upon completion of the public review period, a Final EIR (FEIR) will be prepared, which will include the comments on the DEIR received during the public review period, responses to those comments, and any revisions to the DEIR made in response to public comments. This FEIR together with the DEIR, will comprise the EIR for the proposed Winton Community Plan.

Prior to adopting a project, the lead agency is required to certify that the EIR has been completed in compliance with CEQA, that the decision-making body has reviewed and considered the information in the EIR, and that the EIR reflects the independent judgment of the lead agency.

Pursuant to State law, a Community Plan may only be amended four times per calendar year in the same manner as the County General Plan, as long as the integrity of the Community Plan is maintained. Each amendment shall include all sections or elements of the Community Plan that are affected by the change. As community plans are portions of the Land Use element of the County's General Plan, amendments shall be processed as a General Plan Amendment subject to the same restrictions imposed by State Law.

Amendments to the Land Use Plan, including General Plan Amendments and those that do not expand the Plan Area boundary, shall complete environmental review that is needed to satisfy requirements of CEQA deemed necessary by Merced County Community and Economic Development staff. As discussed above, specific development projects that are consistent with the

Community Plan and this EIR would not require additional CEQA review unless the project would result in a new, or a more severe impact than identified in this EIR.

HOW TO USE THIS REPORT

This report includes six principal parts: Summary, Project Description, Environmental Analysis (Setting, Impacts, and Mitigation Measures), Environmental Checklist, Alternatives Analysis, and CEQA Considerations.

The **Summary** presents an overview of the results and conclusions of the environmental evaluation. This section identifies impacts of the proposed Community Plan and available mitigation measures.

The **Project Description** describes the location, size and design of the proposed Community Plan, and includes project objectives and a list of anticipated approvals needed to adopt the proposed Community Plan.

The **Environmental Analysis** includes a topic-by-topic analysis of impacts that would or could result from implementation (i.e., build-out) of the proposed Community Plan. Topics discussed are those identified in the Initial Study Checklist as requiring further analysis (see Chapter 5). The analysis is organized in nine topical sections. Each section is organized into two major subsections: Setting (existing conditions and regulatory context), and Impacts and Mitigation Measures, including cumulative impacts and mitigation measures. The results of field visits, data collected and reviewed, and agency contacts are presented in the text.

The **Alternatives Analysis** includes an assessment of alternative methods for accomplishing the basic objectives of the project. This assessment, required under CEQA, must provide adequate information for decision makers to make a reasonable choice between alternatives based on the environmental aspects of the proposed Community Plan and alternatives.

The **CEQA Considerations** section includes a discussion of issues required by CEQA, which includes unavoidable adverse impacts, growth inducement, significant irreversible environmental effects, and a summary of cumulative impacts.

The **Appendices** contain a number of reference items providing support and documentation of the analyses performed for this report.