



# City Of Merced Wastewater Collection System Master Plan

## DRAFT ENVIRONMENTAL IMPACT REPORT

CHAPTER 3.10 LAND USE AND PLANNING  
September 2020



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**CITY OF MERCED WASTEWATER COLLECTION SYSTEM MASTER PLAN UPDATE DRAFT ENVIRONMENTAL  
IMPACT REPORT**

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**CITY OF MERCED WASTEWATER COLLECTION SYSTEM MASTER PLAN UPDATE DRAFT ENVIRONMENTAL IMPACT REPORT**

Environmental Impact Analysis — Land Use and Planning  
September 2020

**Table of Contents**

3.10 LAND USE AND PLANNING ..... 3.10.1  
3.10.1 Basis for Analysis ..... 3.10.1  
3.10.2 Regulatory Framework ..... 3.10.1  
3.10.3 Environmental Setting ..... 3.10.3  
3.10.4 Environmental Impacts ..... 3.10.3  
3.10.5 Land Use and Planning Mitigation ..... 3.10.15  
3.10.6 Abbreviations ..... 3.10.15  
3.10.7 References ..... 3.10.16

**LIST OF TABLES**

Table 3.10-1: Consistency with the Merced Vision 2030 General Plan Goal and Policies ... 3.10.4

**LIST OF FIGURES**

Figure 3.10-1: Zoning ..... 3.10.1  
Figure 3.10-2: Merced Vision 2030 General Plan Land Use Designations ..... 3.10.2

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## **3.10 LAND USE AND PLANNING**

### **3.10.1 Basis for Analysis**

The California Environmental Quality Act (CEQA) Guidelines' Appendix G Environmental Checklist was used during the Notice of Preparation (NOP) scoping process (included in Appendix A) to identify the Program components that have the potential to cause a significant impact. The following potential impacts were determined to warrant further evaluation within this Environmental Impact Report (EIR):

- Physically divide an established community.
- Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

The remainder of this section describes the regulatory and environmental setting to support the evaluation of the potential impacts and describes the potential impacts to land use and planning that may result from implementation of the Program, identifying mitigation for potentially significant impacts, where feasible.

### **3.10.2 Regulatory Framework**

This section discusses the federal and state regulations and local policies and objectives relating to land use and planning that are relevant to the Program.

#### **3.10.2.1 Federal and State**

There are no federal or state requirements related to land use and planning that are applicable to the Program.

#### **3.10.2.2 Local**

Merced Vision 2030 General Plan

The City of Merced (City) 2030 General Plan, adopted January 3, 2012 (City of Merced 2012), contains several policies that directly or indirectly pertain to land use and planning and the Program, including the following:

##### **Goal Area L-3: Urban Growth and Design**

- **Policy L-3.7.** Implement policies and principals to conform to the intent of the San Joaquin Valley Regional Blueprint.

##### **Goal Area P-1: Public Facilities and Services**

- **Policy P-1.1.** Provide adequate public infrastructure and services to meet the needs of future development.
- **Policy P-1.2.** Utilize existing infrastructure and public service capacities to the maximum extent possible and provide for the logical, timely and economically efficient extension of infrastructure and services where necessary.

# CITY OF MERCED WASTEWATER COLLECTION SYSTEM MASTER PLAN UPDATE DRAFT ENVIRONMENTAL IMPACT REPORT

Environmental Impact Analysis — Land Use and Planning  
September 2020

## Goal Area P-4: Wastewater

- **Policy P-4.1.** Provide adequate wastewater collection, treatment and disposal capacity for existing and projected future needs.

### San Joaquin Valley Blueprint

The San Joaquin Valley Blueprint (SJVB) is an association of local governments in the eight-county San Joaquin region. Its members include the Fresno Council of Governments, the Kern Council of Governments, the Kings County Association of Governments, the Madera County Transportation Commission, the Merced County Association of Governments, the San Joaquin Council of Governments, the Stanislaus Council of Governments, and the Tulare County Association of Governments.

The SJVB is not a policy document and does not approve or prohibit growth in the region, but suggests general land uses and locations for growth. The SJVB analyzes transportation and land use and provides suggestions for how cities and counties should grow based on 12 Smart Growth Principles. The principles that relate to the Program with respect to land use include the following:

- Make development decisions predictable, fair, and cost-effective;
- Preserve open space, farmland, natural beauty, and critical environmental areas; and
- Support actions that encourage environmental resource management.

### City of Merced Municipal Code

The City's zoning ordinance includes eleven residential classifications, seven commercial zones, two industrial zones, four reserve zones, one public/government zone, and open space/park zones. The purpose of these zones is to translate the broad 2030 General Plan land use categories into detailed land use classifications that are applied to properties with much greater precision than the 2030 General Plan. Additionally, the zoning ordinance includes a number of special districts that have been established to provide areas for special uses and require special consideration by the Planning Commission and City Council.

### Merced County Local Agency Formation Commission

The City's Specific Urban Development Plan/Sphere of Influence (SUDP/SOI) is a boundary surrounding the City that is intended to represent the ultimate area into which the City may expand and extend public services. The 2017 Wastewater Collection System Master Plan (2017 WCSMP) considered the reasonable build-out conditions within the SUDP/SOI and the 2017 WCSMP Plan Area is aligned with these planning boundaries. The Merced County Local Agency Formation Commission (LAFCO) must approve the adoption of a sphere of influence boundary and changes to the existing sphere boundaries.

The policies of LAFCO require a development plan and a plan for the extension of services to be submitted with every application for a boundary change, and that would be submitted with any application for annexation. Other policies discourage the annexation of prime agricultural land when significant areas of non-prime agricultural land are already available, and encourage the development of vacant/infill areas within cities before the annexation and development of fringe areas. Additional policies encourage city annexations that reflect a planned, logical, and orderly progression of urban expansion and promote efficient delivery of urban services (City of Merced 2010).

# CITY OF MERCED WASTEWATER COLLECTION SYSTEM MASTER PLAN UPDATE DRAFT ENVIRONMENTAL IMPACT REPORT

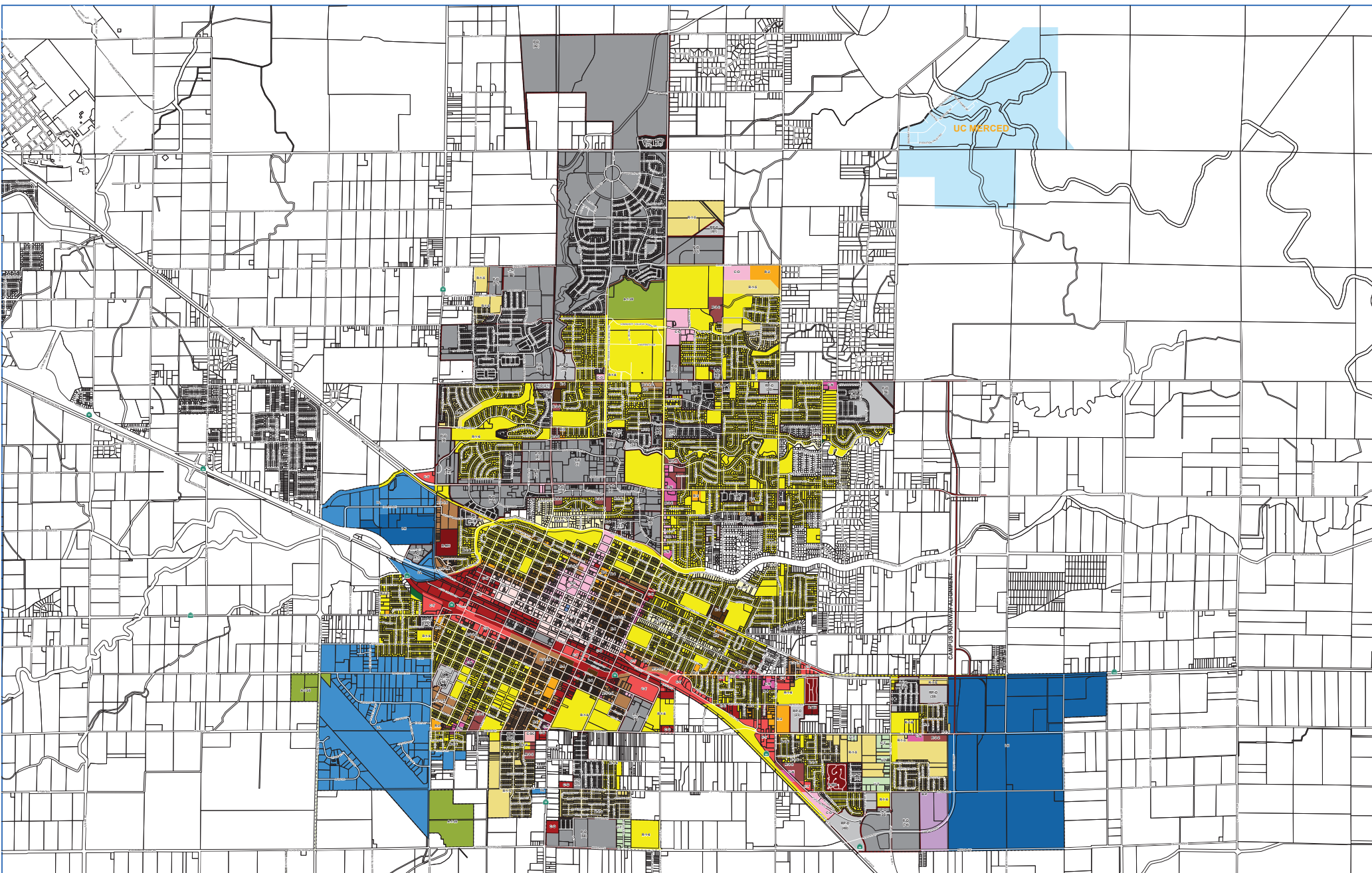
Environmental Impact Analysis — Land Use and Planning  
September 2020

## 3.10.3 Environmental Setting

The Program Study Area is located within Merced County within the larger Central Valley region of California. The City was incorporated in 1889, and the Program Study Area consists of a mix of residential, commercial, industrial, and public land uses. The City is largely centered around Main Street, which runs northwest to southeast through the City. Agricultural land surrounds much of the Program Study Area around the City limits, with a large portion of open space just to the northeast of the UC Merced Campus. Newer development occurs mostly within the northern portion of the City and Program Study Area, while older, more established neighborhoods dominate much of the southern City limits.

The topography of the Program Study Area is characterized by flat land, approximately 155 to 180 feet above mean sea level (amsl) while the climate is typical of the Central Valley with average daily temperatures of 48 degrees Fahrenheit (°F) in January to 95°F in July. Average annual rainfall is approximately 12 inches, with January being the wettest month of year (City of Merced 2010).

Zoning designations within the City include agricultural, residential, planned development, commercial, public parking, manufacturing, and urban transition (Figure 3.10-1). Land use designations within the City include agriculture, residential, industrial, commercial, public, school, and open space (Figure 3.10-2).



CITY LIMITS  
 1,200 600 0 1,200 Feet  
 10/15/2019

- |   |   |   |   |   |
|---|---|---|---|---|
| <ul style="list-style-type: none"> <li> R-1-20 LOW DENSITY RESIDENTIAL</li> <li> R-1-10 LOW DENSITY RESIDENTIAL</li> <li> R-1-6 LOW DENSITY RESIDENTIAL</li> <li> R-1-5 LOW DENSITY RESIDENTIAL</li> <li> R-2 LOW MEDIUM DENSITY RESIDENTIAL</li> </ul> | <ul style="list-style-type: none"> <li> R-3-2 MEDIUM DENSITY RESIDENTIAL</li> <li> R-3-15 HIGH MEDIUM DENSITY RESIDENTIAL</li> <li> R-5 HIGH DENSITY RESIDENTIAL</li> <li> R-6 MOBILE HOME DISTRICT</li> <li> R-15 LIMITED RESIDENTIAL</li> <li> B-P BUSINESS PARK</li> </ul> | <ul style="list-style-type: none"> <li> C-C GENERAL COMMERCIAL DISTRICT</li> <li> C-N NEIGHBORHOOD COMMERCIAL DISTRICT</li> <li> C-T THOROUGHFARE COMMERCIAL DISTRICT</li> <li> C-O OFFICE COMMERCIAL DISTRICT</li> <li> C-C CENTRAL COMMERCIAL DISTRICT</li> <li> C-SC COMMERCIAL SHOPPING CENTER</li> </ul> | <ul style="list-style-type: none"> <li> RP-D RESIDENTIAL PLANNED DEVELOPMENT</li> <li> P-D PLANNED DEVELOPMENT</li> <li> I-R INDUSTRIAL ADMIN &amp; RESEARCH DISTRICT</li> <li> I-L LIGHT INDUSTRIAL DISTRICT</li> <li> I-H HEAVY INDUSTRIAL DISTRICT</li> <li> P-PD PUBLIC PARKING DISTRICT</li> </ul> | <ul style="list-style-type: none"> <li> A-1-20 RESTRICTED AGRICULTURAL</li> <li> A-T AGRICULTURAL TRANSITION ZONE</li> <li> U-T URBAN TRANSITION</li> </ul> |
|---|---|---|---|---|

Figure 3.10-1  
Zoning



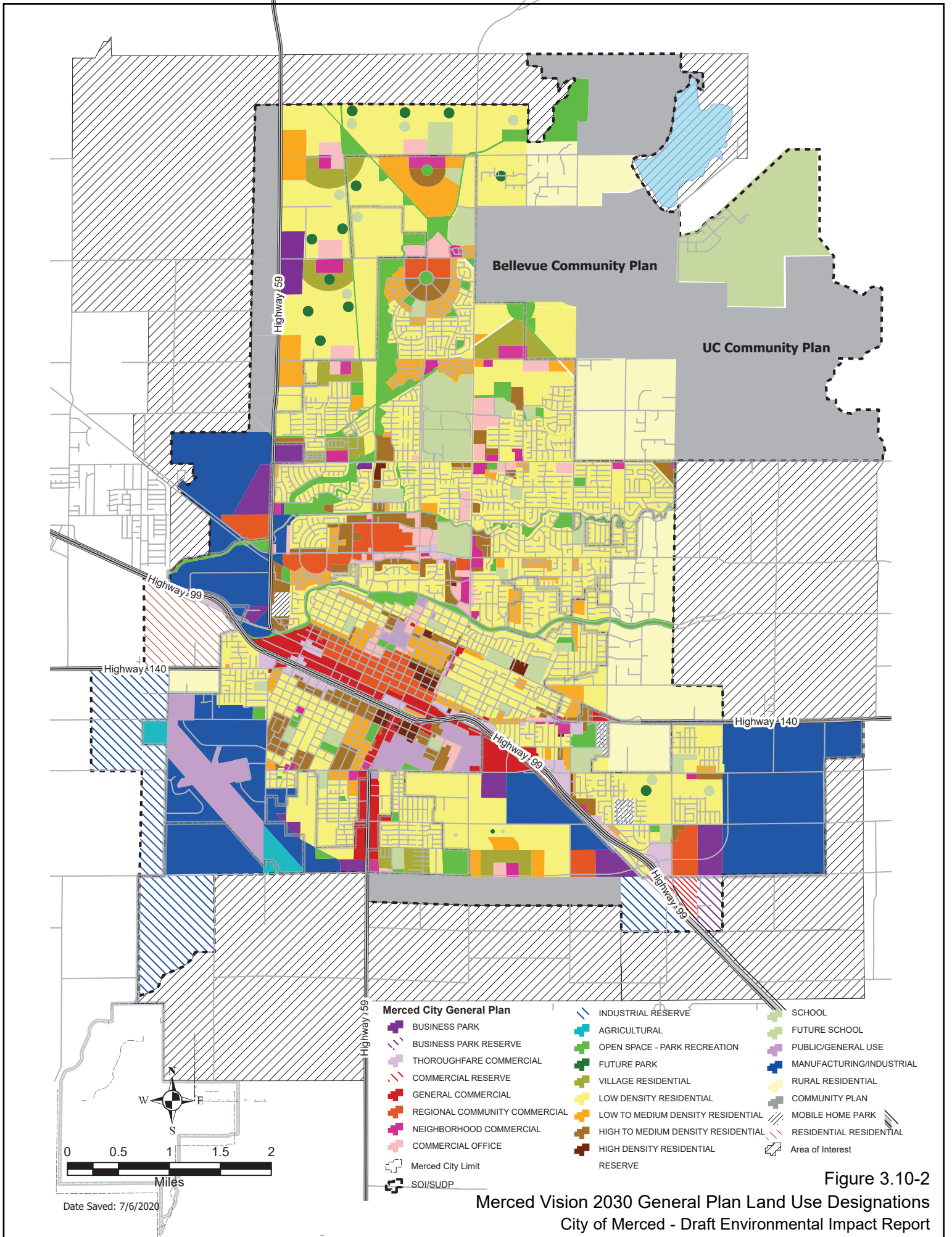


Figure 3.10-2  
 Merced Vision 2030 General Plan Land Use Designations  
 City of Merced - Draft Environmental Impact Report

### **3.10.4 Environmental Impacts**

This section analyzes the Program’s potential to result in significant impacts to land use and planning. When a potential impact was determined to be potentially significant, feasible mitigation measures (MMs) were identified to reduce or avoid that impact.

#### **3.10.4.1 Impact Analysis**

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##### **Impact LAND-1 Potential to physically divide an established community.**

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###### Impact LAND-1 Analysis *Combined Program/Proposed Project Impacts*

###### Construction and Operation

Construction and operation of the wastewater sewer and treatment infrastructure under the Program would not require above ground facilities with the potential to divide an existing or proposed community. Indirectly, the growth-accommodating nature of the Program has the potential to support the planned development of the City’s SUDP/SOI which would involve development of new roadways and communities that if not planned for could potentially physically divide an established community; however, this growth and development was previously analyzed in the 2030 General Plan and found not to be significant. At reasonable build-out, most of the Program components would be located underground and would have little to no affect effect on aboveground communities or roadways. The few aboveground facilities, such as the Northern Trunk Pump Station or other potential pump stations or air release valves, would have limited footprints (approximately 2,000 square feet or less) and would be located on undeveloped sites at locations that would not physically divide any established communities. The existing communities within the City would continue to be served by improvements identified within the Program and would maintain City services. Therefore, implementation and operation of the Program would have no potential to physically divide and established community. There would be no impact.

**Level of Significance Prior to Mitigation:** No Impact

**Mitigation Required:** None Required

**Level of Significance After Mitigation:** No Impact

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###### Impact LAND-1 Findings

**Impact LAND-1 Overall Level of Significance Prior to Mitigation:** No Impact

**Impact LAND-1 Mitigation Required:** None Required

**Impact LAND-1 Overall Level of Significance After Mitigation:** No Impact

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**CITY OF MERCED WASTEWATER COLLECTION SYSTEM MASTER PLAN UPDATE DRAFT ENVIRONMENTAL IMPACT REPORT**

Environmental Impact Analysis — Land Use and Planning  
September 2020

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**Impact LAND-2 Potential to 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.**

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Impact LAND-2 Analysis  
*Combined Program/Proposed Project Impacts*

Construction and Operation

The following analysis considers the Program’s potential to conflict with applicable land use plans and policies and regulatory compatibility.

**Consistency with the Merced Vision 2030 General Plan**

The 2030 General Plan outlines a plan for land use development within the SUDP/SOI that the Program is designed to serve. This planning is done by a series of land use and zoning designations set forth by the City as shown on Figures 3.10-1 and 3.10-2 (See Section 3.10.3, Environmental Setting). The 2017 WCSMP was developed to identify a plan of implementation to meet the wastewater collection system needs of these land uses proscribed by the 2030 General Plan for reasonable build-out conditions. Given that the Program was developed to accommodate implementation of the 2030 General Plan it is generally consistent with the overall intent.

Additionally, Table 3.10-1 provides a cursory review of applicable 2030 General Plan goals and policies and provides a brief evaluation of the Program’s consistency with the goal or policy. Resource specific goals and policies are reviewed and analyzed in more detail, where necessary, in their respective chapters throughout this Draft EIR (as referenced within the table). As shown in Table 3.10-1, the Program would be consistent with all applicable goals and policies; therefore, impacts would be less than significant.

**Table 3.10-1: Consistency with the Merced Vision 2030 General Plan Goal and Policies**

Policies	Would the Program be Consistent with the Policy?
<b>Goal Area UE-1: Urban Expansion</b>	
<ul style="list-style-type: none"> <li>• A Compact Urban Form</li> <li>• Preservation of Agriculturally Significant Areas</li> <li>• Efficient Urban Expansion</li> </ul>	
UE-1.1. Designate areas for new urban development that recognize the physical characteristics and environmental constraints of the planning area. <ul style="list-style-type: none"> <li>• The City of Merced is situated in an area which contains physical characteristics and environmental constraints that would be adversely impacted by a poor urban expansion policy. It is in the long-term interest of the City to promote urban expansion policies which protect and promote avoidance of sensitive environmental and resource areas.</li> </ul>	<b>Yes.</b> The Program was developed based on the growth projections identified in the Merced Vision 2030 General Plan and is therefore consistent with this policy. No indirect effects related to unplanned development as a result of implementation of the Program would occur.
UE-1.2. Foster compact and efficient development patterns to maintain a compact urban form.	<b>Yes.</b> The Program was developed based on growth projections identified in the Merced Vision 2030 General Plan and is therefore consistent with this policy. No indirect effects

**CITY OF MERCED WASTEWATER COLLECTION SYSTEM MASTER PLAN UPDATE DRAFT ENVIRONMENTAL IMPACT REPORT**

Environmental Impact Analysis — Land Use and Planning  
September 2020

Policies	Would the Program be Consistent with the Policy?
<ul style="list-style-type: none"> <li>Through the promotion of compact urban form, the City of Merced can achieve several important environmental and community planning goals. Through the concentration of urban development within the City's SUDP/SOI, impacts on surrounding agricultural resource lands can be reduced and important prime soils preserved. Additionally, through compact urban development, efficient public transit systems can operate to protect the region's air quality and pedestrian and bicycle use is encouraged. Compact urban development also reduces public infrastructure development and maintenance costs to the City and its residents.</li> </ul>	<p>related to unplanned development as a result of implementation of the Program would occur.</p>
<p>UE-1.3. Control the annexation, timing, density, and location of new land uses within the City's urban expansion boundaries.</p>	<p><b>Yes.</b> The Program was developed based on the growth projections identified in the Merced Vision 2030 General Plan and is therefore consistent with this policy. No indirect effects related to unplanned development as a result of implementation of the Program would occur.</p>
<p>UE-1.4. Continue joint planning efforts on the UC Merced and University Community plans.</p> <ul style="list-style-type: none"> <li>The University Community Plan area is planned as an urban area requiring urban services. Consideration has been given to making this area part of the incorporated City of Merced. Cooperative planning efforts will be necessary to ensure the effective development of this area for all interested and affected parties.</li> </ul>	<p><b>Yes.</b> The Program was developed based on the growth projections identified in the Merced Vision 2030 General Plan and is therefore consistent with this policy. The Program includes the UC Merced planning documents in the growth projections. No indirect effects related to unplanned development as a result of implementation of the Program would occur.</p>
<p>UE-1.5. Promote annexation of developed areas within the City's SUDP/SOI during the planning period.</p> <ul style="list-style-type: none"> <li>Unincorporated suburban development within the City's SUDP/SOI has resulted in problems of public protection (police and fire) service delivery to residents in addition to posing potential long-term problems to residents with respect to maintenance of on-site water systems and wastewater disposal (septic) systems. Such problems could also threaten the City's future water quality. Also, residents of these areas, while directly impacted by the City's planning decision making process, have no direct voice in municipal affairs. In the long-term interest of both the City and the residents, these unincorporated suburban areas should be annexed to the City of Merced.</li> </ul>	<p><b>Yes.</b> The Program was developed based on the growth projections identified in the Merced Vision 2030 General Plan and evaluated the SUDP/SOI limits within its Program Study Area for areas to provide wastewater services to. The Program is therefore consistent with this policy. No indirect effects related to unplanned development as a result of implementation of the Program would occur.</p>
<p>UE-1.6. Consider expansion of the City's SUDP/SOI boundary for areas within the Area of Interest when certain conditions are met.</p> <ul style="list-style-type: none"> <li>Some of the original General Plan Study Areas were found to have constraints which limited their development potential within the current plan timeline. In the interest of flexibility, and to provide interested property owners with some options, certain study areas have been designated as being within the Area of Interest. This area is of interest to the City, as it is likely going to be the location of City expansion in the next general plan update, 20-40 years hence.</li> </ul>	<p><b>Yes.</b> The Program was developed based on the growth projections identified in the Merced Vision 2030 General Plan and is therefore consistent with this policy. No indirect effects related to unplanned development as a result of implementation of the Program would occur.</p>

**CITY OF MERCED WASTEWATER COLLECTION SYSTEM MASTER PLAN UPDATE DRAFT ENVIRONMENTAL IMPACT REPORT**

Environmental Impact Analysis — Land Use and Planning  
September 2020

Policies	Would the Program be Consistent with the Policy?
<p><b>Goal Area L-3: Urban Growth and Design</b></p> <ul style="list-style-type: none"> <li>• Living Environments which Encourage People to Use a Variety of Transportation Alternatives</li> <li>• A Compact Urban Village Design for New Growth Areas</li> <li>• Self-Sustaining, Mixed-Use, Pedestrian-Friendly Neighborhoods</li> <li>• Transit-Oriented Development Adjacent to the High-Speed Rail Station</li> </ul>	
<p>L-3.7. Implement policies and principles to conform to the intent of the San Joaquin Valley Regional Blueprint.</p> <ul style="list-style-type: none"> <li>• In 2006, the eight Councils of Governments in the San Joaquin Valley (representing the counties of San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, Tulare, and Kern) came together to develop a coordinated valley vision, the San Joaquin Valley Regional Blueprint. In April 2009, the San Joaquin Valley Regional Policy Council adopted a Preferred Blueprint Growth Scenario and a list of Smart Growth principles to be used by local jurisdictions in updating their General Plans. Conformity to Regional Blueprint plans are likely to be required per California Senate Bill (SB) 375 in the future.</li> </ul>	<p><b>Yes.</b> The Program would conform to the policies and principals identified in the SJVB as discussed below under the respective heading in this Impact LAND-1 analysis.</p>
<p><b>Goal Area T-1: Streets and Roads</b></p> <ul style="list-style-type: none"> <li>• An Integrated Road System that is Safe and Efficient for Motorized and Non-Motorized Uses</li> <li>• A Circulation System that is Accessible, Convenient and Flexible</li> <li>• A Circulation System that Minimizes Adverse Impacts upon the Community</li> <li>• A Comprehensive System of “Complete Streets” Which Address All Modes of Transportation</li> </ul>	
<p>T-1.4. Promote traffic safety for all modes of transportation</p> <ul style="list-style-type: none"> <li>• As traffic levels on a street approach the street’s effective capacity, and as various factors affect how a roadway functions, safety is also affected. This interrelationship lends itself to some repetition among implementing actions relating to safety.</li> </ul>	<p><b>Yes.</b> As discussed in Section 3.15, Transportation, implementation of the Program would not substantially affect transportation during construction or operation. The Program would, therefore, be consistent with this policy.</p>
<p>T-1.8. Use a minimum peak hour Level of Service (LOS) “D” as design objectives for all new streets in new growth areas and for most existing City street except under special circumstances.</p> <ul style="list-style-type: none"> <li>• As the City grows, traffic volumes will increase significantly. In designing the City’s future circulation system, the City has required sufficient rights-of-way be preserved to maintain an adequate level-of-service, a minimum of LOS “D” but typically LOS “C” or better. On some existing roadways, such a standard will most likely not be able to be maintained without widening these roadways and causing great disruption to adjacent properties. The City will strive to maintain the minimum LOS throughout the system, but some exceptions may need to be made.</li> </ul>	<p><b>Yes.</b> As discussed in Section 3.15, Transportation, implementation of the Program would not substantially affect transportation during construction or operation. The Program would, therefore, be consistent with this policy.</p>

**CITY OF MERCED WASTEWATER COLLECTION SYSTEM MASTER PLAN UPDATE DRAFT ENVIRONMENTAL IMPACT REPORT**

Environmental Impact Analysis — Land Use and Planning  
September 2020

Policies	Would the Program be Consistent with the Policy?
<p><b>Goal Area P-1: Public Facilities and Services</b></p> <ul style="list-style-type: none"> <li>Maintenance and Improvement of Merced’s Existing Infrastructure</li> <li>New development Which Includes a Full Complement of Infrastructure and Municipal Public Facilities</li> <li>Efficient and Cost-Effective Public Service Delivery</li> </ul>	
<p>P-1.1. Provide adequate public infrastructure and municipal services to meet the needs of future development.</p> <ul style="list-style-type: none"> <li>One of the key elements to promoting a healthy local economy in Merced is the quality of life enjoyed by the City’s residents. The quality and availability of urban services and infrastructure is found to be an important measure of urban quality of life. It is understood that facilities and infrastructure not provided by the City is the planning and funding responsibility of other governmental, quasipublic, or private entities.</li> </ul>	<p><b>Yes.</b> The Program was developed based on the growth projections identified in the Merced Vision 2030 General Plan and would provide needed wastewater infrastructure to serve these growth projections.</p>
<p>P-1.2. Utilize existing infrastructure and public service capacities to the maximum extent possible and provide for the logical, timely and economically efficient extension of municipal infrastructure and services where necessary.</p> <ul style="list-style-type: none"> <li>It is in the community’s interest to maintain an efficient and cost-effective public service delivery system. To this end, the City supports development that utilizes and improves existing infrastructure and service delivery systems as much as possible.</li> </ul>	<p><b>Yes.</b> The Program would expand this existing infrastructure, as needed to meet the growth projections identified in the Merced Vision 2030 General Plan which would be utilized by both existing and projected development within the City. The Program is, therefore, consistent with this policy.</p>
<p>P-1.3. Require new development to provide or pay for its fair share of public facility and infrastructure improvements.</p> <ul style="list-style-type: none"> <li>New growth and development within the City is accommodated to assure that adequate space is provided to meet future population growth needs. The City will endeavor to provide for cost-effective new infrastructure and public service expansion to serve that growth. It is the City’s policy, however, that new development should not create a financial burden for existing City residents and that all new development should be more self-supporting with respect to infrastructure availability, maintenance, and future municipal service provision.</li> </ul>	<p><b>Yes.</b> As a part of the current 2017 WCSMP planning process the City has been in the process of evaluating financing options for implementation of Program infrastructure to new development. The City is currently in the process of establishing an assessment district which would provide a mechanism for new developments benefiting from new infrastructure to support the financial costs of its development.</p>
<p><b>Goal Area P-2: Police and Fire Protection Services</b></p> <ul style="list-style-type: none"> <li>Maximum Crime and Fire Protection Services</li> </ul>	
<p>P-2.1. Maintain and enhance public protection facilities, equipment, and personnel to the maximum extent feasible within the resource constraints of the City to serve the City’s needs.</p> <ul style="list-style-type: none"> <li>Public protection services and facilities are to be maintained in the City of Merced at a level that promotes the health and welfare of the City’s residents. The City is committed to assuring that facilities, equipment and staffing levels of its fire and police service units meet the highest standard that can be accommodated within the resource constraints of the City.</li> </ul>	<p><b>Yes.</b> The Program would have a less than significant impact on police and protection services, as discussed in Section 3.13, Public Services and Utilities.</p>

**CITY OF MERCED WASTEWATER COLLECTION SYSTEM MASTER PLAN UPDATE DRAFT ENVIRONMENTAL IMPACT REPORT**

Environmental Impact Analysis — Land Use and Planning  
September 2020

Policies	Would the Program be Consistent with the Policy?
<p><b>Goal Area P-3: Water</b></p> <ul style="list-style-type: none"> <li>An Adequate Water Source, Distribution and Treatment Infrastructure System in Merced</li> </ul>	
<p>P-3.1. Ensure that adequate water supply can be provided within the City's service area, concurrent with service expansion and population growth.</p> <ul style="list-style-type: none"> <li>According to the Merced Water Supply Plan and the Urban Water Management Plan, the City of Merced currently has adequate water resources and will continue to do so if they are properly managed to meet its future growth needs. The City must continue to work closely with the Merced Irrigation District (MID) in order to ensure that these resources remain stable. The City of Merced is committed to a program of cooperating in the long-term management of the area's water resources and utilizing policies and programs which conserve and manage water use in such a manner as to maintain the potable quality of the City's system and reduce treatment costs on applications which do not require the use of treated water.</li> </ul>	<p><b>Yes.</b> The Program would have a less than significant impact on water supply as discussed in Section 3.9, Hydrology and Water Quality, and Section 3.13, Public Services and Utilities.</p>
<p><b>Goal Area P-4: Wastewater</b></p> <ul style="list-style-type: none"> <li>An Adequate Wastewater Collection, Treatment and Disposal System in Merced</li> </ul>	
<p>P-4.1. Provide adequate wastewater collection, treatment and disposal capacity for existing and projected future needs.</p> <ul style="list-style-type: none"> <li>Future growth and development will depend on the availability of wastewater system capacity. The City is committed to keeping the City's system current with respect to present and projected future needs of the growing urban area.</li> </ul>	<p><b>Yes.</b> The Program was developed based on the growth projections identified in the Merced Vision 2030 General Plan and is therefore consistent with this policy. No indirect effects related to unplanned development as a result of implementation of the Program would occur.</p>
<p>P-4.2. Consider the use of reclaimed water to reduce non-potable water demands whenever practical.</p> <ul style="list-style-type: none"> <li>In future years, the urban expansion area of Merced may require the development of expanded wastewater treatment systems as part of a long-term comprehensive wastewater treatment plan. In their design should incorporate beneficial use of treated wastewater. It is necessary that other development components also be planned to incorporate the potential to utilize reclaimed water as a primary or secondary disposal process.</li> </ul>	<p><b>Yes.</b> While the 2017 WCSMP evaluated the wastewater collection system and does not consider the treatment or disposal of treated effluent, the 2017 WCSMP does conceptually outline potential effluent disposal methods available to the City. These methods provide options that would allow the use of reclaimed water which could directly or indirectly reduce non-potable water demands. The Program is consistent with this policy.</p>
<p><b>Goal Area P-6: Solid Waste</b></p> <ul style="list-style-type: none"> <li>Solid Waste Management Services That Accommodate the Local Population Without Causing Significant Damage to Environmental Resources</li> </ul>	
<p>P-6.2. Minimize the potential impacts of waste collection, transportation and disposal facilities upon the residents of Merced.</p> <ul style="list-style-type: none"> <li>The Merced County Regional Waste Management Authority landfill is located on the western side of the City's expansion area along Highway 59. This facility will most likely be in operation well into the next century and will impact development and growth on the City's northwestern edge. It is in the City's interest to work closely with Merced County Regional Waste Management Authority on solid waste reduction programs and to develop strategies for protecting the existing landfill site from encroachment by non-compatible uses.</li> </ul>	<p><b>Yes.</b> Impacts associated with solid waste are less than significant for the Program as identified in Section 3.13, Public Service and Utilities, and therefore, the Program is consistent with this policy.</p>

**CITY OF MERCED WASTEWATER COLLECTION SYSTEM MASTER PLAN UPDATE DRAFT ENVIRONMENTAL IMPACT REPORT**

Environmental Impact Analysis — Land Use and Planning  
September 2020

Policies	Would the Program be Consistent with the Policy?
<p><b>Goal Area OS-1: Open Space for the Preservation of Natural Resources</b></p> <ul style="list-style-type: none"> <li>Maintenance of Merced’s Biological Resources</li> <li>A High-Quality, Expanding Urban Forest</li> <li>Preservation of Scenic Corridors and Resources</li> <li>Improvement and Enhancement of Water Quality</li> </ul>	
<p>OS-1.1. Identify and mitigate impacts to wildlife habitats which support rare, endangered, or threatened species.</p> <ul style="list-style-type: none"> <li>The Merced SUDP/SOI is known to contain potential habitat for several sensitive wildlife species. Much of this potential habitat is located along riparian corridors of the community’s creek system in vernal pools found in the northern part of the City’s SUDP/SOI area, and on some agricultural lands throughout the planning area. As a matter of law, the City is required to review development proposals that threaten to impact known sensitive species. As a matter of policy, the City is committed to integrating potential wildlife habitat into the regional park and recreation system to enhance community awareness of the region’s wildlife resources and to provide shelter for native plant and animal life of the area.</li> </ul>	<p><b>Yes.</b> As discussed in Section 3.4 (Biological Resources) of this Draft EIR, all impacts related to biological resources resulting from construction of the Program would be less than significant with mitigation incorporated. Therefore, the Program is consistent with this policy.</p>
<p>OS-1.2. Preserve and enhance creeks in their natural state throughout the planning area.</p> <ul style="list-style-type: none"> <li>The urban creek system of Merced provides an important open space element within the City and provides important wildlife habitat. This creek system is also an integral part of the City’s drainage system. The City is committed to a policy of preserving and protecting these important open space resources and assuring their continued viability as open space and drainage corridors.</li> </ul>	<p><b>Yes.</b> As discussed in Section 3.4, Biological Resources, impacts to creeks and riparian areas are less than significant with mitigation incorporated. Therefore, the Program is consistent with this policy.</p>
<p>OS-1.3. Promote the protection and enhancement of designated scenic routes.</p> <ul style="list-style-type: none"> <li>Historically, the City of Merced has developed along routes and corridors which have come to be part of the City’s identity. The City has designated many of these scenic routes for special development review regulation in the past. This practice has served the City well and will be continued into the future.</li> </ul>	<p><b>Yes.</b> As discussed in Section 3.1, Aesthetics and Visual Resources, impacts related to scenic resources are considered less than significant. Therefore, the Program is consistent with this policy.</p>
<p>OS-1.4. Improve and expand the City’s urban forest.</p> <ul style="list-style-type: none"> <li>Early in the development of Merced, trees were planted to provide shelter from wind and summer heat. As a result, the City has a large number of mature trees along its streets, in public places and in private yards and has been designated a “Tree City USA” for over 30 years. The City’s urban forest provides valuable wildlife habitat and creates an attractive atmosphere for residents and visitors alike. Additionally, the City’s trees have substantially reduced summer heat and glare around paved areas, thereby helping the City maintain a cooler summer average temperature and reduce energy usage. In continuing this tradition, the City of Merced has established policies and programs to protect, maintain and expand its urban forests.</li> </ul>	<p><b>Yes.</b> As discussed in Section 3.4, Biological Resources, impacts to trees resulting from the Program would be less than significant. Therefore, the Program is consistent with this policy.</p>



**CITY OF MERCED WASTEWATER COLLECTION SYSTEM MASTER PLAN UPDATE DRAFT ENVIRONMENTAL IMPACT REPORT**

Environmental Impact Analysis — Land Use and Planning  
September 2020

Policies	Would the Program be Consistent with the Policy?
<p>OS-1.5. Preserve and enhance water quality.</p> <ul style="list-style-type: none"> <li>Water has become one of the most important resources for determining a region’s ability to grow and prosper. California has enacted several major laws which require local communities to address the complicated issue of resources. The City of Merced has adopted policies addressing the conservation of urban water use and a development strategy to meet future water needs (see Section 5.2.3 [of the 2030 General Plan]). The final element in the City’s comprehensive water strategy is the preservation of water quality. It should be noted that these policies are directed towards enhancing or implementing the many existing water quality regulations which affect the City and its residents.</li> </ul>	<p><b>Yes.</b> As discussed in Section 3.9, Hydrology and Water Quality, impacts related to water quality resulting from the Program would be less than significant with mitigation incorporated. Therefore, the Program is consistent with this policy.</p>
<p><b>Goal Area OS-2: Open Space for the Managed Production of Resources</b></p> <ul style="list-style-type: none"> <li>Protection of Regional Agricultural Resources</li> </ul>	
<p>OS-2.1. Protect agricultural areas outside the City’s SUDP/SOI from urban impacts.</p> <ul style="list-style-type: none"> <li>Regional agricultural cropland provides an economic base for the City of Merced, and the long-term economic health of the City is directly linked to conserving the productive capacity of regional farmland. To this degree, the City has established urban expansion policies directing urban growth away from “prime” agricultural soils. Policies are also needed to protect farmland along the urban perimeter and to promote open space policies which protect farmland and the farming industry.</li> </ul>	<p><b>Yes.</b> As discussed in Section 3.2, Agricultural and Forestry Resources, impacts related to agricultural areas resulting from the Program would be less than significant. Therefore, the Program is consistent with this policy.</p>
<p><b>Goal Area OS-4: Open Space for Public Health and Safety</b></p> <ul style="list-style-type: none"> <li>A Safe Environment for Merced’s Citizens</li> </ul>	
<p>OS-4.1. Preserve open space areas which are necessary to maintaining public health and safety.</p> <ul style="list-style-type: none"> <li>Areas within the City which may represent a substantial risk to public health and safety have historically been designated for open space uses which may permit limited public or private use but generally reduce potential exposure of the public to potential health hazards. The City is committed to continuing to protect public health, where practical, by limiting the potential for public exposure through the sound application of open space practices and policies.</li> </ul>	<p><b>Yes.</b> As discussed in Section 3.14, Recreation, impacts to recreational resources, including open space, resulting from the Program are less than significant. Therefore, the Program is consistent with this policy.</p>
<p><b>Goal Area OS-5: Conservation of Resources</b></p> <ul style="list-style-type: none"> <li>Conservation of Water Resources</li> <li>Preservation and Protection of Soil Resources</li> </ul>	
<p>OS-5.1. Promote water conservation throughout the planning area.</p> <ul style="list-style-type: none"> <li>Water is a finite resource in the Central San Joaquin Valley and is an essential ingredient to the region’s continued agricultural production capacity as well as a vital element in the continued growth of the Merced Metropolitan Area. The City, in conjunction with the Merced Irrigation District, has studied the long-term needs for water and concluded that water conservation must be part of any successful long-term water development strategy. For this reason, the City is committed to continue its water conservation efforts and expand on those efforts where necessary.</li> </ul>	<p><b>Yes.</b> As discussed in Section 3.9, Hydrology and Water Quality, water required during construction would be minimal and no water would be required for operations of the wastewater collection system post-construction. Therefore, the Program is consistent with this policy.</p>

**CITY OF MERCED WASTEWATER COLLECTION SYSTEM MASTER PLAN UPDATE DRAFT ENVIRONMENTAL IMPACT REPORT**

Environmental Impact Analysis — Land Use and Planning  
September 2020

Policies	Would the Program be Consistent with the Policy?
<p>OS-5.2. Protect soil resources from the erosive forces of wind and water.</p> <ul style="list-style-type: none"> <li>Merced is situated on some of the finest soil resources found in the Central San Joaquin Valley. Some of these soils are of a silty-loam texture and highly vulnerable to erosion from wind and water. Wind erosion contributes to the region's PM10 and PM 2.5 air quality problems, as discussed in the Sustainable Development Chapter (8) of this General Plan, and water erosion can contribute to sedimentation of the region's surface water drainage system. In all cases, the loss of soil through erosive forces of nature degrades the productive capacity of the land and contributes to regional environmental problems.</li> </ul>	<p><b>Yes.</b> As discussed in Section 3.7, Geology, Soils and Mineral Resources, impacts related to soil erosion, both during and post-construction for the Program would be less than significant with mitigation incorporated. Therefore, the Program is consistent with this policy.</p>
<p><b>Goal Area SD:- Air Quality and Climate Change</b></p> <ul style="list-style-type: none"> <li>Clean Air with Minimal Toxic Substances and Odor</li> <li>Clean Air with Minimal Particulate Content</li> <li>Effective and Efficient Transportation Infrastructure</li> <li>Coordinated and Cooperative Inter-Governmental Air Quality Programs</li> <li>Reduction in the Generation of Greenhouse Gases (GHG) from New Development</li> </ul>	
<p>SD-1.1. Accurately determine and fairly mitigate the local and regional air quality impacts of projects proposed in the City of Merced.</p> <ul style="list-style-type: none"> <li>The environmental assessment process required under the [CEQA] is by far the most important tool for local government to communicate with other agencies and the public on the air quality impacts of development within a community. CEQA, however, has only limited applicability with respect to development review and approval. The law focuses on "Discretionary" projects, as opposed to "administrative" development proposals. As a result, large scale developments, which typically require "discretionary" permits are often subjected to CEQA mitigation that is not required of "administrative" projects. While consistent application of CEQA can make a difference in project-level air quality impacts, uniform air quality standards for all projects could make a significant contribution toward limiting regional, cumulative air quality impacts.</li> </ul>	<p><b>Yes.</b> As discussed in Section 3.3, Air Quality and Greenhouse Gases, impacts related to air quality resulting from the Program would be less than significant with mitigation incorporated. Therefore, the Program is consistent with this policy.</p>
<p>SD-1.5. Provide public facilities and operations which can serve as a model for the private sector in implementation of air quality programs.</p> <ul style="list-style-type: none"> <li>City and county governments are often the largest employers in a jurisdiction and operate large vehicle fleets. While it is recognized that the City of Merced has very limited resources with which it can play any meaningful role in supporting private sector energy conservation efforts, the City can pursue policies and programs which may have private sector applicability. In this respect, the City may take a leadership role in implementing employer-based trip reduction programs and fleet operator programs to reduce the City's emissions, demonstrate cost effective energy management techniques, and save public money.</li> </ul>	<p><b>Yes.</b> As discussed in Section 3.3, Air Quality and Greenhouse Gases, impacts related to air quality resulting from the Program would be less than significant with mitigation incorporated. Therefore, the Program is consistent with this policy.</p>

**CITY OF MERCED WASTEWATER COLLECTION SYSTEM MASTER PLAN UPDATE DRAFT ENVIRONMENTAL IMPACT REPORT**

Environmental Impact Analysis — Land Use and Planning  
September 2020

Policies	Would the Program be Consistent with the Policy?
<p>SD-1.6. Reduce emissions of PM<sub>10</sub> and other particulates with local control potential.</p> <ul style="list-style-type: none"> <li>The levels of PM<sub>10</sub> and PM<sub>2.5</sub> (particulate matter less than 10 and 2.5 microns in diameter) exceed state and federal health-based standards. The San Joaquin Valley is classified as a serious non-attainment area for PM<sub>10</sub> under the federal criteria. Because of this classification, the Air District is subject to a series of federal mandates aimed at achieving federal ambient air quality standards. Control efforts for sources under the jurisdiction of cities and counties can significantly reduce these emissions.</li> </ul>	<p><b>Yes.</b> As discussed in Section 3.3, Air Quality and Greenhouse Gases, impacts related to air quality, and specifically emissions of PM<sub>10</sub>, resulting from the Program would be less than significant with mitigation incorporated. Therefore, the Program is consistent with this policy.</p>
<p><b>Goal Area SD-2: Cultural Resources</b></p> <ul style="list-style-type: none"> <li>A Diverse and Rich Historic and Cultural Resource Environment</li> <li>A Long-Term Community Historic Preservation/Improvement Program</li> </ul>	
<p>SD-2.1. Identify and preserve the City's archaeological resources.</p> <ul style="list-style-type: none"> <li>It is thought that the San Joaquin Valley was inhabited in the late Pleistocene and early Holocene period, dating from perhaps as early as 12,000 years before the present. Prior to EuroAmerican arrival, the San Joaquin Valley was occupied by Yokuts Indian populations. The Yokuts settlement system was characterized by principal villages on terraced areas adjacent to watercourses. Knowledge of these early inhabitants is limited. It is likely that the streams traversing the Merced Planning Area served as settlements for Yokuts and it is a State policy to preserve and protect the archaeological resources of the region.</li> </ul>	<p><b>Yes.</b> As discussed in Section 3.5, Cultural Resources and Tribal Cultural Resources, impacts related to archaeological resources resulting from the Program would be less than significant with mitigation incorporated. Therefore, the Program is consistent with this policy.</p>
<p>SD-2.2. Identify and preserve the City's historic and cultural resources.</p> <ul style="list-style-type: none"> <li>The City of Merced contains many fine examples of its early development. Historic buildings, tree plantings, and other improvements serve to give the City a special character which is unique in the San Joaquin Valley. The City of Merced is dedicated to preserving, protecting and enhancing its historic and cultural resources.</li> </ul>	<p><b>Yes.</b> As discussed in Section 3.5, Cultural Resources and Tribal Cultural Resources, impacts related to archaeological resources resulting from the Program would be less than significant with mitigation incorporated. Therefore, the Program is consistent with this policy.</p>
<p><b>Goal Area SD-3: Energy Resources</b></p> <ul style="list-style-type: none"> <li>Sustainable Energy Resource Use in the City of Merced</li> </ul>	
<p>SD-3.1. Promote the use of solar energy technology and other alternative energy resources.</p> <ul style="list-style-type: none"> <li>Merced is located in an area that can benefit from the use of solar energy technology and other alternative energy resources to lower household heating and cooling costs.</li> </ul>	<p><b>Yes.</b> The Program doesn't prevent or directly require the use of solar technology or other alternative energy resources; however, the energy demands of the infrastructure identified in the Program (i.e. the WWTRF expansion and new pump stations) could be powered by renewable energy resources. Additionally, the WWTRF currently has the ability to use methane gas from the biosolids drying process.</p>

**CITY OF MERCED WASTEWATER COLLECTION SYSTEM MASTER PLAN UPDATE DRAFT ENVIRONMENTAL IMPACT REPORT**

Environmental Impact Analysis — Land Use and Planning  
September 2020

Policies	Would the Program be Consistent with the Policy?
<p><b>Goal Area N-1: Noise</b></p> <ul style="list-style-type: none"> <li>• Protection of City residents from the harmful and Annoying Effects of Exposure to Excessive Noise</li> <li>• Protection of the Economic Base of the City by Preventing Incompatible Land Uses from Encroaching upon Existing or Planned Noise-Producing Uses</li> <li>• The Application of State or the Art Land Use Planning Methodologies in Areas of Potential Noise Conflicts.</li> </ul>	
<p>N-1.3. Reduce equipment noise levels.</p>	<p><b>Yes.</b> As discussed in Section 3.11, Noise and Vibrations, impacts related to noise from construction and operations of the Program would be less than significant with mitigation incorporated. Therefore, the Program would be consistent with this policy.</p>
<p>N-1.6. Mitigate all significant noise impacts as a condition of project approval for sensitive land uses.</p>	<p><b>Yes.</b> As discussed in Section 3.11, Noise and Vibrations, impacts related to noise from construction and operations of the Program would be less than significant with mitigation incorporated. Therefore, the Program would be consistent with this policy.</p>
<p><b>Goal Area S-2: Seismic Safety</b></p> <ul style="list-style-type: none"> <li>• Reasonable Safety for City Residents from the Hazards of Earthquake and Other Geologic Activity</li> </ul>	
<p>S-2.1. Reduce the potential danger from earthquake and seismic-related activity from existing buildings where necessary.</p>	<p><b>Yes.</b> As discussed in Section 3.7 , Geology, Soils, and Mineral Resources, impacts related to earthquakes and seismic-related activity resulting from the Program would be less than significant. All current California Building Code (CBC) specifications related to structural stability would be used in the design of the Program components. Therefore, this policy is consistent with this policy.</p>
<p>S-2.2. Encourage the improvement of all public facilities and infrastructure such as natural gas, fuel, sewer, water, electricity, and railroad lines and equipment with up-to-date seismic safety features.</p>	<p><b>Yes.</b> As discussed in Section 3.7, Geology, Soils, and Mineral Resources, impacts related to earthquakes and seismic-related activity resulting from the Program would be less than significant. All current CBC specifications related to structural stability would be used in the design of the Program components. Therefore, this policy is consistent with this policy.</p>
<p><b>Goal Area S-3: Flooding</b></p> <ul style="list-style-type: none"> <li>• Protect People and Property for Flood Risk</li> </ul>	
<p>S-3.3. Maintain essential City services in the event of flooding or dam failure.</p>	<p><b>Yes.</b> As discussed in Section 3.9, Hydrology and Water Quality, impacts related to flooding resulting from the Program would be less than significant. Therefore, the Program would be consistent with this policy.</p>
<p>S-3.4. Locate and design essential facilities to minimize flood risk</p>	<p><b>Yes.</b> As discussed in Section 3.9, Hydrology and Water Quality, impacts related to flooding resulting from the Program would be less than significant. Therefore, the Program would be consistent with this policy.</p>

**CITY OF MERCED WASTEWATER COLLECTION SYSTEM MASTER PLAN UPDATE DRAFT ENVIRONMENTAL IMPACT REPORT**

Environmental Impact Analysis — Land Use and Planning  
September 2020

Policies	Would the Program be Consistent with the Policy?
<b>Goal Area S-4: Fire Protection</b> <ul style="list-style-type: none"> <li>Fire and Hazardous Material Safety for the Residents of the City and For Those Working in Fire Suppression</li> </ul>	
S-4.2. Maintain a reasonable level of accessibility and infrastructure support for fire suppression, disaster, and other emergency services.	<b>Yes.</b> As discussed in Section 3.8, Hazards, Hazardous Materials, and Wildfires, and Section 3.13, Public Services and Utilities, impacts related to emergency services and infrastructure would be less than significant. Therefore, the Program would be consistent with this policy.
<b>Goal Area S-5: Airport Safety</b> <ul style="list-style-type: none"> <li>A Safe Airport Environment Both Above and On the Ground</li> </ul>	
S-5.2. Prevent the encroachment of potential hazards to flight within the Airport's airspace.	<b>Yes.</b> As discussed in Section 3.8, Hazards, Hazardous Materials, and Wildfires, impacts related interference with airport operations would be less than significant with mitigation incorporated. Therefore, the Program would be consistent with this policy.

Notes:

- CBC = California Building Code
- CEQA = California Environmental Quality Act
- EIR = Environmental Impact Report
- GHG = greenhouse gas
- PM<sub>2.5</sub> = particulate matter less than 2.5 microns in diameter
- PM<sub>10</sub> = particulate matter less than 10 microns in diameter
- SUDP/SOI = Specific Urban Development Plan/Sphere of Influence
- 2017 WCSMP = 2017 Water Collection System Master Plan
- WWTRF = wastewater treatment and reclamation facility

**Consistency with City of Merced Zoning Ordinance**

The City's Zoning Ordinance requires that a zoning designation applied to a project site must be consistent with the General Plan and the anticipated used of the project site. Because this Program consists of public infrastructure improvement and upgrades to achieve the reasonable build-out projections identified in the 2030 General Plan, the Program would be compatible with the designated land uses within the City's SUDP/SOI. Therefore, there would be no impact.

**Consistency with the San Joaquin Valley Blueprint**

Implementation of the Program would not include housing or commercial buildings so key principals related to housing within the SJVB do not apply to the Program. However, the Program would not conflict or prevent the implementation of the following principals in this document:

- Preserve open space, farmland, natural beauty, and critical environmental areas; and
- Support actions that encourage environmental resource management.

Therefore, the Program would be consistent with the SJVB, and there would be no impact.

# CITY OF MERCED WASTEWATER COLLECTION SYSTEM MASTER PLAN UPDATE DRAFT ENVIRONMENTAL IMPACT REPORT

Environmental Impact Analysis — Land Use and Planning  
September 2020

## **Overall Consistency**

An overall review of applicable plans and policies found the Program is consistent and would have no impact. Additionally, consistency analyses were completed in the respective resource's sections, where applicable, throughout Chapter 3.0, Environmental Impact Assessment as referenced in Table 3.10-1. The Program was found to be consistent with these resource-specific plans as well, and therefore, would have no impact.

**Level of Significance Prior to Mitigation:** No Impact

**Mitigation Required:** None Required

**Level of Significance After Mitigation:** No Impact

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## Impact LAND-2 Findings

**Impact LAND-2 Overall Level of Significance Prior to Mitigation:** No Impact

**Impact LAND-2 Mitigation Required:** None Required

**Impact LAND-2 Overall Level of Significance After Mitigation:** No Impact

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## **3.10.5 Land Use and Planning Mitigation**

No mitigation required.

## **3.10.6 Abbreviations**

AMSL	Above Mean Sea Level
CBC	California Building Code
CEQA	California Environmental Quality Act
City	City of Merced
EIR	Environmental Impact Report
GHG	Greenhouse Gases
LAFCO	Local Agency Formation Commission
LOS	Level of Service
MMs	Mitigation Measures
MID	Merced Irrigation District
NOP	Notice of Preparation
SJVB	San Joaquin Valley Blueprint
SUDP/SOI	Specific Urban Development Plan/Sphere of Influence
WWTRF	Wastewater Treatment and Reclamation Facility
2017 WCSMP	2017 Wastewater Collection System Master Plan

# CITY OF MERCED WASTEWATER COLLECTION SYSTEM MASTER PLAN UPDATE DRAFT ENVIRONMENTAL IMPACT REPORT

Environmental Impact Analysis — Land Use and Planning  
September 2020

## 3.10.7 References

- City of Merced. 2010. Merced Vision 2030 General Plan Draft Program Environmental Impact Report. <https://www.cityofmerced.org/civicax/filebank/blobdload.aspx?BlobID=9183>. Accessed June 2018.
- \_\_\_\_\_. 2012. Merced Vision 2030 General Plan. <https://www.cityofmerced.org/departments/development-services/planning-division/merced-vision-2030-general-plan#:~:text=The%20Merced%20Vision%202030%20General%20Plan%20was%20adopted%20on%20January,which%20can%20be%20downloaded%20below>. Accessed June 2018.
- Harnish, Mintier. September 2010. San Joaquin Valley Blueprint Planning Process Summary Report. [http://valleyblueprintorg.alias.strangecloud.com/files/SJVBR\\_Summary\\_Final\\_2010-09-22.pdf](http://valleyblueprintorg.alias.strangecloud.com/files/SJVBR_Summary_Final_2010-09-22.pdf). Accessed October 2018.

**CITY OF MERCED WASTEWATER COLLECTION SYSTEM MASTER PLAN UPDATE DRAFT ENVIRONMENTAL  
IMPACT REPORT**

Environmental Impact Analysis — Land Use and Planning  
September 2020

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