# ENVIRONMENTAL IMPACT REPORT

# Stockton General Plan 2035

Land Use

Housing

Economic Development

Community Design

Districts and Villages

Transportation and Circulation

Public Facilities and Services

Recreation and Waterways

Health and Safety

Youth and Education

Natural and Cultural Resources

Final - August 2007

# TABLE OF CONTENTS

## City of Stockton General Plan Update
## Final Environmental Impact Report


| | | Page |
|---|---|---|
| | **Executive Summary** | **ES-1** |
| | Introduction | ES-1 |
| | Project Overview | ES-1 |
| | Summary of Environmental Impacts and Mitigation Measures | ES-4 |
| **1.** | **Introduction and Reader's Guide** | **1-1** |
| | Introduction | 1-1 |
| | Project Overview | 1-1 |
| | California Environmental Quality Act Compliance | 1-9 |
| | Organization of the Document | 1-12 |
| **2.** | **Comments on the Draft EIR** | **2-1** |
| | Introduction | 2-1 |
| | Summary of Comment Letters | 2-1 |
| | Comment Letters | 2-3 |
| **3.** | **Response to Comments on the Draft EIR** | **3-1** |
| | Introduction | 3-1 |
| | Response to Comments | 3-1 |
| **4.** | **Modifications to the Draft EIR** | **4-1** |
| | Introduction | 4-1 |
| | Chapter 2.0 Project Description | 4-1 |
| | Chapter 3.0 Land Use | 4-1 |
| | Chapter 8.0 Transportation and Circulation | 4-5 |
| | Chapter 9.0 Public Facilities and Services | 4-21 |
| | Chapter 11.0 Health & Safety | 4-22 |
| | Chapter 13.0 Natural and Cultural Resources | 4-30 |
| **5.** | **Report Preparation** | **5-1** |


### List of Figures


| | | |
|---|---|---|
| 1-1 | Existing and Proposed Jurisdictional Boundaries | 1-5 |
| 1-2 | Study Area and Draft Land Use Diagram | 1-7 |
| 3-1 | Residential Trip Generation Rates | 3-132 |
| 8-1 | Revised Draft 2035 GP Roadway System | 4-7 |
| 8-3 | Revised 2035 Bicycle System | 4-9 |
| 8-9 | Revised LOS Policy Exception Areas, 2035 Preferred Alternative | 4-19 |

Page

## List of Tables


| | | |
|---|---|---|
| ES-1 | Summary of the General Plan Objectives | ES-2 |
| ES-2 | Designated Land Uses Proposed under the Preferred Land Use Alternative for both the Planning Area and the USB/SOI | ES-4 |
| ES-3 | Summary of Impacts and Mitigation Measures | ES-5 |
| 1-1 | Summary of the General Plan Objectives | 1-2 |
| 1-2 | Designated Land Uses Proposed Under the Preferred Land Use Alternatives for Both the Planning Area and the USB/SOI | 1-9 |
| 1-3 | Example of Biological Resource Impacts and Proposed Mitigation from the Draft EIR for the Proposed Project | 1-10 |
| 2-1 | Comment Letters Received on the EIR | 2-1 |
| 8-3 | Roadway Segment Level of Service Results | 4-11 |

# EXECUTIVE SUMMARY

## Introduction

Since the City of Stockton's proposed Stockton 2035 General Plan Update (General Plan or Proposed Project) and draft Environmental Impact Report (EIR) were published (December 1, 2006), the City has received a number of written comments from public agencies, organizations, and individuals concerning these documents and the recommendations and findings they contain. During the public review period for these documents, the City also held a public meeting on the draft General Plan/EIR documents (January 10, 2007).

The purpose of this final EIR is twofold. First, this document provides copies of the comments made on the draft General Plan and EIR and provides written responses to all significant environmental issues raised in these comments on the draft EIR. (See Public Resources Code, Section 21091(d)(2)(B); CEQA Guidelines, Section 15088(c).) Second, this document is designed to function as the final EIR for the General Plan, and as such has been designed to meet the content requirements of a final program EIR as specified in the California Environmental Quality Act (CEQA). (Public Resources Code, Section 21000 et seq. and the CEQA Guidelines [California Code of Regulations, title 14, Section 15000 et seq.])

The information in this document will be presented to the City of Stockton Planning Commission and City Council and will be used as part of their review, consideration, and approval of the General Plan.

## Project Overview

### Project Objectives

The General Plan was designed to meet several key objectives that were identified and considered by the General Plan Action Team (GPAT), Planning Commission, and City Council, based on input by key stakeholders and City staff. Using these objectives, four key General Plan themes (i.e., Community Development, Districts and Villages, Interconnected Infrastructure, and Community Services/Resources) were identified, which, set the foundation for the goals, policies, and implementation measures that comprise the various elements of the proposed General Plan. A summary of these key objectives (by General Plan theme) is provided below in Table ES-1.

## TABLE ES-1
## SUMMARY OF THE GENERAL PLAN OBJECTIVES

**Community Development**

- Manage foreseeable population and job growth by identifying 2035 City boundaries calculated to reflect realistic market conditions and growth assumptions, with the objective that, to the extent feasible, new development will proceed in an orderly fashion within City boundaries rather than in the unincorporated area, and be subject to land use principles and concepts intended to discourage development in areas with sensitive resources, critical habitats, and important scenic resources.
- Discourage "leapfrog" expansion over "problem areas".
- Encourage infill development and orderly expansion of the city.
- Focus industrial uses and similar types of compatible land uses around the Stockton Airport.
- All future development will be designed to support transit and pedestrian modes of travel.
- Utilize a system of villages as the framework for planning and expanding the city.
- Design public places as the focus for social and economic centers for the community.
- Provide for the orderly development of the City with a 2035 planning horizon and to accommodate a target population of 580,000.
- Maximize infill development (100%) within the existing portions of the City.
- Provide new and expanded employment opportunities that focus on manufacturing, office development, transportation and wholesale distribution activities.

**District and Villages**

- Connect each district and village to the city's overall circulation and open space systems to contribute to the design of the entire city.
- Create a mix of housing and supporting uses in every district and village.
- Provide a scale and pattern that is conducive to walking and using transit.
- Connect districts and villages and their neighborhoods through future parkways and civic corridors.
- Provide commercial and institutional services that support the local population.
- Maintain a cohesive City development pattern that focuses new urban development in a "Village" pattern, while encouraging existing neighborhood revitalization and 100% infill development.
- Make new parks and open space an integral part of new development using Quimby Act maximum park standards for new development and through the establishment of open space buffers along both the northern and eastern boundaries of the City.

**Interconnected Infrastructure**

- Support a mixed-mode community through multi modal corridors and transit options in infill development in districts and new development in villages.
- Provide multi-modal loop roads connecting the districts and villages to Central Stockton and to each other.
- Connect villages by multi-modal loop roads that are not intended to be freeways, but landscaped boulevards.
- Provide incremental expansion through a single regional sewage facility and have a clear development nexus for financing.
- Secure a reliable water supply coupled with an urban conservation program to maximize the use of reclaimed water.
- Provide "best practice" engineering solutions at a village- and project-level for drainage designs that protect water quality.

**TABLE ES-1**
**SUMMARY OF THE GENERAL PLAN OBJECTIVES**

- Provide open space through parks connected via streets and waterways, with waterways intended to be an integral part of the open space system.
- Improve the existing City circulation system by expanding existing north-south and east-west arterials and regional roadways (i.e., Interstate 5, etc.), as feasible.

**Community Services/Resources**

- Locate site-sensitive land uses (e.g., residential) to avoid major noise generators, such as railroads, roadways, the Stockton Municipal Airport, and industrialized portions of the city.
- Improve air quality through readily available transit services to serve the existing community and developing areas.
- Expand police and fire services to cover all areas of the community with an equal level of service.
- Continue to assess the recreational, educational, health care, and day care needs of Stockton's youth and provide the programs necessary to fulfill those needs.
- Ensure that development occurs in a manner in which impacts to natural and cultural resources are avoided or minimized through proper site planning and design techniques.

# Project Description

The Proposed Project is intended to address several changes in the City since preparation of the existing 1990 General Plan as amended. Consequently, the Proposed Project, which establishes a planning framework and policies for a 30-year planning period, will replace the current General Plan.

State law requires each county and city to prepare and adopt a comprehensive and long-range general plan for its physical development (Government Code Section 65300). Each general plan must address the seven topics (referred to as "elements") of land use, circulation, housing, open-space, conservation, safety, and noise as identified in State law (Government Code Section 65302), to the extent that the topics are locally relevant. It may also include other topics of local interest, as chosen by the City (Government Code Section 65303). The City has chosen to adopt a general plan that includes the mandatory elements as well as five optional elements (Economic Development, Community Identity, Youth and Education, Recreation and Waterways, and a Public Facilities element).

# Buildout under the Draft General Plan

Full development under the project is referred to as "buildout". This section describes the implications of General Plan buildout in terms of future population and housing units proposed for the City. Under the Preferred Land Use Alternative, adequate land is provided by this General Plan to accommodate anticipated housing and employment needs through 2035.

Table ES-2 provides a list of the designated land uses proposed for the Preferred Land Use Alternative along with an estimate of acreage attributed to each land use category. As shown in the table, non "Village" residential land use accounts for the majority of acreage, with approximately 31,850 acres. Low density residential accounts for the primary residential use (26,260 acres). Commercial land uses account for 4,780 acres and Industrial land uses account for 17,070 acres.

The Preferred Land Use Alternative would also include an estimated 2,340 acres of open space/agricultural land. An additional 37,040 acres of open space/agricultural land would be located in the City's planning area. Urban infill development would account for an estimated 100% of the total development proposed under the Preferred Land Use Alternative.

**TABLE ES-2**
**DESIGNATED LAND USES PROPOSED UNDER THE PREFERRED LAND USE ALTERNATIVE FOR BOTH THE PLANNING AREA AND THE USB/SOI.**

| Designated Land Use | Planning Area Acreage* | USB/SOI Acreage (percent of total)* |
|---|---|---|
| Residential Estate | 2,460 acres | 2,460 acres (3%) |
| Low Density Residential | 26,260 acres | 26,260 acres (31%) |
| Medium Density Residential | 1,980 acres | 1,980 acres (2%) |
| High Density Residential | 1,150 acres | 1,150 acres (1%) |
| Village | 17,500 acres | 17,500 acres (21%) |
| Administrative Professional | 1,030 acres | 1,030 acres (1%) |
| Commercial | 4,780 acres | 4,780 acres (6%) |
| Mixed Use | 1,420 acres | 1,420 acres (2%) |
| Industrial | 17,070 acres | 17,070 acres (20%) |
| Institutional | 7,160 acres | 7,160 acres (8%) |
| Parks and Recreation | 1,800 acres | 1,800 acres (2%) |
| Open Space/Agriculture | 39,380 acres | 2,340 acres (3%) |
| **Total:** | **121,990 acres** | **84,950 acres (100%)** |

*Does not include waterways, rights-of-ways, or other non designated areas that can't be developed

Under the project, the Preferred Land Use Alternative (including its assumptions related to building densities) defines new development areas as a series of interconnected villages, which will predominately be comprised of a mix of residential, commercial, and open space uses. The individual designs of the villages are intended to embody many features that encourage transit and pedestrian use. These village areas would account for an estimated 17,500 acres.

# Summary of Environmental Impacts and Mitigation Measures

Table ES-3 presents a summary of impacts and proposed mitigation measures (General Plan policies) that would further avoid or minimize potential impacts. It is organized to correspond with the environmental issues discussed throughout the EIR. The table is arranged in four columns: 1) environmental impacts; 2) mitigation measure; 3) significance before mitigation; and 4) significance after mitigation. In addition, any revisions to the mitigation measures are shown in underline (added text) and strikethrough (deleted text). Chapter 4.0 "Modifications to the Draft EIR" of this final EIR provides additional information.

## TABLE ES-3
## SUMMARY OF IMPACTS AND MITIGATION MEASURES

| Environmental Impact | | Mitigation Measure | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|
| Less than Significant = LS<br>Beneficial = B<br>Significant = S<br>Cumulative Significant = CS<br>Significant and Unavoidable = SU<br>Potentially Significant = PS | | | | N/A = Not Applicable |
| **CHAPTER 3** | **LAND USE** | | | |
| Impact LU-1 | The Proposed Project would not divide the physical arrangement of an established community. | Implement policies designed to minimize any potential impact of dividing the physical arrangement of an established community by ensuring that growth occurs in an organized manner, including the following:<br>LU-1.1 Land Use Diagram<br>LU-1.6 Building Intensity and Population Density<br>LU-1.9 City/County Uniform Land Use Policy<br>LU-1.10 Regional Planning<br>Implementation Measure #2<br>CD-4.1 Creating Central Places<br>CD-4.2 Clear Organizational Structure<br>CD-4.4 Integration of Village Centers<br>CD-7.1 Design Review Process<br>DV-1.1 Overall Civic Framework<br>DV-1.2 Mixed-Use and Mixed Density<br>DV-1.3 Pedestrian and Transit Accessible<br>DV-1.4 Part of Citywide Open Space System<br>DV-1.5 Commercial and Community Facilities<br>Implement policies designed to minimize this impact through the protection of the City's traditional neighborhoods and historic districts include the following:<br>CD-1.1 Urban Design Plans<br>CD-2.1 Protect and Enhance Cultural Resources<br>CD-2.2 New Infrastructure<br>CD-2.3 Incorporate Historic Features<br>CD-2.4 Respect Historic Neighborhood Patterns<br>CD-3.3 Site Planning<br>CD-4.4 Integration of Village Centers<br>CD-7.1 Design Review Process<br>DV-3.6 Neighborhood Preservation<br>DV-3.7 Historic Resources<br>DV-3.8 Infrastructure Design<br>DV-3.9 Code Enforcement<br>DV-3.10 Compatible Scale and Character<br>Implementation Measure #1<br>Implementation Measure #2 | LS | |

## TABLE ES-3
## SUMMARY OF IMPACTS AND MITIGATION MEASURES

| Environmental Impact | | | | Mitigation Measure | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | N/A = Not Applicable |
| | | | | Implement policies designed to promote compatible development within areas that minimize impacts to surrounding land uses include the following:<br>LU-1.7 Land Use Conflicts<br>LU-1.3 Expanding the Urban Service Area<br>LU-3.7 Incompatible Uses<br>LU-3.9 Conflicting Uses<br>LU-4.3 Commercial-Residential Integration<br>LU-5.2 Clustering of Uses<br>LU-5.4 Adjacent Uses and Access<br>LU-5.5 Compatible Land Use<br>LU-5.7 Adjacent Major Transit Uses<br>TC-1.2 Integrated Transportation System<br>TC-7.4 Airport Related Land Uses<br>~~TC-7.6 Consistency with Airport Land Use Commission Policies~~<br>TC-8.1 Port-Related Land Uses | | |
| Impact LU-2 | Development proposed under the General Plan would conflict with an adopted applicable land use plan, policy or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect. | | | Implement policies designed to minimize potential conflicts with adopted applicable land use plans, policies or regulations of an agency with jurisdiction over the project, including the following:<br>LU-1.6 Building Intensity and Population Density<br>LU-1.7 Land Use Conflicts<br>LU-1.9 City/County Uniform Land Use Policy<br>LU-1.10 Regional Planning<br>Implementation Measure #2<br>TC-1.2 Integrated Transportation System<br>TC-1.5 Other Funding<br>TC-1.6 New Funding Sources<br>~~TC-7.6 Consistency with Airport Land Use Commission Policies~~<br>Implement policies designed to minimize this impact through the continued coordination with federal, State, and other local agencies (regulatory and non-regulatory) responsible for addressing regional environmental issues include the following:<br>HS-3.6 Development within the Primary Zone of the Delta<br>HS-4.1 Cooperation with Local and Regional Agencies | PS | SU |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | | | | Mitigation Measure | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | | Potentially Significant = PS | N/A = Not Applicable |
| | | | | | HS-4.2 Regional Agency Review<br>HS-4.4 Support Regional Air Quality Attainment Plans<br>HS-4.8 Transportation Demand Management Programs<br>NCR-2.5 SJCOG Multi Species Habitat Conservation and Open Space Plan<br>NCR-2.17 Development within the Primary Zone of the Delta | | |
| | | | | | **Policy LU-6.1 Airport Influence Area**<br>The City of Stockton will utilize the AIA adopted by the County ~~Stockton Metropolitan Airport's~~ Airport Land Use Commission for Stockton Metropolitan Airport ~~as part of an update performed after 20076~~. In general, the AIA should be defined to encompass:<br><br>All lands that, due to their proximity to the airport, are subject to a materially greater level of safety risk and/or adverse environmental effect (e.g. noise) from present or foreseeable future airport operations than lands more distant from the airport, and all lands in the vicinity of the airport on which certain land uses (e.g., residential or educational) could inhibit present or foreseeable airport operations due to the increased safety risks or adverse environmental effects (e.g., noise) on sensitive receptors that could result from such land uses.<br><br>~~Prior to the adoption of a new AIA, the AIA will be defined as all properties within two miles of the airport boundary, as illustrated on Figure 3-2~~. *[New Policy, City/Consultants]* | | |
| | | | | | **Policy LU-6.2 Consistency with Airport Land Use Commission Policies**<br>The City will protect the Airport and related aviation facilities from encroachment by potentially incompatible land uses. The City shall ensure that the General Plan and all future development within the AIA will be consistent with the policies adopted by the San Joaquin County Airport Land Use Commission (ALUC), except where, pursuant to Public Utilities Code Sections 21676 and 21676.5, the City Council, pursuant to a two thirds vote, exercises its option to conclude that, notwithstanding a negative recommendation from the ALUC, | | |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | | Mitigation Measure | | | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | | N/A = Not Applicable |
| | | | | | the Council's proposed action is consistent with the purposes of providing for the orderly development of the Airport and the areas surrounding the airport while protecting the public health, safety, and welfare by minimizing the public's exposure to excessive and safety hazards. *[Source: Section 3, Air and Water Transportation; Goal 2, Policy 4 and input from Airport Staff, Previously Policy TC-6.5]* | | |
| | | | ~~**Policy LU-6.3**~~ | | ~~**Interim Land Use Compatibility**~~<br>~~Prior to adoption of a new Airport Land Use Compatibility Plan (ALUCP) to reflect current facility/operational parameters, the City shall utilize the following criteria for evaluation of land use applications within the AIA:~~<br>~~1. All project submittals shall be circulated to the ALUC for review and comment.~~<br>~~2. Land use regulations in the existing ALUCP will apply for areas defined as being in the following Airport Land Use Zones (as defined in the existing ALUCP): Inner Approach Zone, Outer Approach Zone, Primary Surface Zone, Runway Protection Zone, and Transitional Zone.~~<br>~~3.For areas outside of the zones defined in Item #2 but within the AIA, applications for the following land uses will not be allowed until an updated ALUCP is prepared that demonstrates the suitability of the proposed land use or, in the meantime, an Aviation Safety Study is provided with the application, for review by the City and the ALUC,~~<br>~~that demonstrates the suitability of the use in the proposed location/configuration:~~<br>~~• Residential~~<br>~~• Schools (except flight schools), libraries, hospitals, nursing homes, hotels, motels, dormitories, and other similar uses~~<br>~~• Noise sensitive uses, such as outdoor theaters.~~<br>~~• Uses that pose hazards to aviation safety~~<br>~~• Facilities with a height of over 70 feet~~ | | |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | | | | | Mitigation Measure | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | | | N/A = Not Applicable |

~~4. If the City decides to allow any of the uses identified in Item 3 such uses shall be required to have interior noise levels (attributable to exterior sources) that shall not exceed 45 dB in any habitable structure. *[New Policy – Draft EIR Analysis]*~~

**Policy LU-6.3** **Obstructions**
The City will ensure the height of new structures complies with Federal Aviation Administration (FAA) Part 77 requirements. *[New Policy – Draft EIR Analysis].*

**Policy LU-6.4** **Infill within Adopted AIA**
Where substantial incompatible development already exists, additional infill development of similar land uses may be allowed to occur even if such land uses are to be prohibited elsewhere in the zone, consistent with Public Utilities Code Sections 21676 and 21676.5. ~~This exception does not apply in areas within the zones defined in Item 2 of LU-6.3.~~ Projects can be considered infill if they meet all of the following criteria:

- The project site is bounded on at least three sides by uses similar to those proposed.
- The proposed project would not extend the perimeter of the area developed with incompatible uses.
- The proposed project does not otherwise increase the intensity and/or incompatibility of use through use permits, density transfers or other strategies. *[New Policy – Draft EIR Analysis]*

**Policy LU-6.5** **Avigation Easements within AIA**
New development, or expansion of an existing use that requires a building permit, within the AIA defined at the time of application, will be required to file an avigation easement with the City. *[New Policy – Draft EIR Analysis].*

## TABLE ES-3
## SUMMARY OF IMPACTS AND MITIGATION MEASURES

| Environmental Impact | | | Mitigation Measure | | | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | N/A = Not Applicable | |
| | | | **Policy LU-6.6** | **Adjacent Major Transit Uses**<br>The City shall direct industrial uses to areas in or near the Stockton Metropolitan Airport, the Port of Stockton, and the BNSF Intermodal Facility consistent with the policies of the Airport Land Use Commission, the Port of Stockton Master Development Plan, and BNSF respectively. *[Source: Section 1, Industrial Land Use; Goal 2, Policy 3, Staff/ Consultants, Old LU-5.7].* | | | |
| | | | ~~**Policy LU-6.7**~~ | ~~**Noise Analysis**~~<br>~~As deemed necessary by the City, the environmental review for discretionary development proposals located near the airport shall include, single event noise analyses.~~ ~~*[New Policy – Draft EIR Analysis].*~~ | | | |
| | | | **Policy LU-6.7** | **Interior Noise Within Adopted AIA**<br>Sound attenuation shall be included in the requirements of new projects to provide interior noise levels (attributable to exterior sources) that do not exceed 45 dB in any habitable structure. *[New Policy – Draft EIR Analysis].* | | | |
| | | | **Implementation Measure #~~5~~12.** | The City will prepare and adopt modifications to the General Plan needed to bring the General Plan into compliance with any ALUCP adopted after 2006. *[New Implementation Measure – Draft EIR Analysis].* | | | |
| Impact LU-3 | Development proposed under the General Plan would not conflict with an adopted Habitat Conservation Plan (HCP) or Natural Community Conservation Plan (NCCP). | | | Implement policies designed to minimize this impact through the continued coordination with federal, State, and other local agencies (regulatory and non-regulatory) responsible for addressing regional environmental issues include the following:<br>NCR-2.5 SJCOG Multi Species Habitat Conservation and Open Space Plan<br>NCR-2.17 Development within the Primary Zone of the Delta | PS | LS |
| | | | **Policy NCR-2.5** | **SJCOG Multi Species Habitat Conservation and Open Space Plan**<br>The City shall continue to coordinate with the San Joaquin Council of Governments and comply with the terms of the Multi Species Habitat Conservation and Open Space Plan to protect critical habitat areas that support endangered species and other special-status species. *[New Policy – Draft EIR Analysis].* | | | |

## TABLE ES-3
## SUMMARY OF IMPACTS AND MITIGATION MEASURES

| Environmental Impact | | Mitigation Measure | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|
| Less than Significant = LS<br>Beneficial = B<br>Significant = S<br>Cumulative Significant = CS<br>Significant and Unavoidable = SU | | | Potentially Significant = PS | N/A = Not Applicable |
| **CHAPTER 8** | **TRANSPORATION AND CIRCULATION** | | | |
| Impact TC-1 | The Proposed Project would result in a substantial increase in vehicular traffic. | Implement policies designed to minimize transportation impacts through the establishment of design and LOS standards for a variety of circulation, traffic, transit, and non-motorized transportation modes, include the following:<br>TC-1.1 Circulation Diagram<br>TC-1.2 Integrated Transportation System<br>TC-1.3 Multi-Modal Network<br>TC-1.4 Transportation Improvement Financing<br>TC-1.5 Other Funding<br>TC-1.6 New Funding Sources<br>TC-1.7 Road Improvements<br>TC-1.8 Improvement of Existing Roadways<br>TC-1.9 Demand Reduction and Capacity Expansion<br>TC-1.10 Provision of Transportation Infrastructure and Cost Sharing<br>TC-2.1 Level-of-Service Standards<br>TC-2.2 Existing Service Levels<br>TC-2.3 Roadway Standards<br>TC-2.5 Multiple Transportation Modes<br>TC-2.7 Efficient Traffic Flow<br>TC-2.6 Priority for Street and Highway Improvements<br>TC-2.8 Traffic Signal Management<br>TC-2.9 Arterial Streets<br>TC-2.10 Freeway Interchanges<br>TC-2.12 Neighborhood Street Design<br>TC-2.13 Environmental Impacts of Roadway Projects<br>TC-2.14 Roadway Dedications<br>TC-2.15 Precise Road Plans<br>TC-2.16 Precise Road Plan Coordination<br>TC-2.17 VMT Reduction<br>TC-2.18 Maintenance of Existing Facilities<br>TC-2.20 Parking Supply<br>TC-2.21 Shared Parking<br>TC-2.22 Speed Reduction<br>TC-3.1 Park and Ride Lots<br>TC-3.2 Carpooling and Vanpooling<br>TC-3.3 Flextime | PS | SU |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | | | Mitigation Measure | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | N/A = Not Applicable |
| | | | | TC-3.4 Subscription Bus Service<br>TC-3.5 Preferential Employee Parking<br>TC-3.6 Travel Demand Management<br>TC-3.7 Other TDM Programs<br>TC-3.8 Downtown Transit Facilities/Services<br>TC-3.9 Programs for Smart Growth/Transit-Oriented-Development<br>TC-4.1 Support and Plan for Bus and Rail Transit<br>TC-4.2 Transit-Related Public Improvements<br>TC-4.3 Clustering of Land Uses in Transit-Served Areas<br>TC-4.4 Transit-Related Design Features<br>TC-4.5 Extension and Integration of Transit Services<br>TC-4.6 Interregional Transit<br>TC-4.7 Transit Right-of-Way Plans<br>TC-4.8 Bus Rapid Transit<br>TC-4.9 High-Speed Rail<br>TC-4.10 Trolley Service<br>TC-4.11 Abandoned Rail Lines<br>TC-4.12 Light Rail<br>TC-4.13 Support Heavy Rail Passenger Connections<br>TC-5.1 Pedestrian and Bicycle Facilities<br>TC-5.3 Pedestrian Walkways for New Residential Developments<br>TC-5.4 Pedestrian Walkways for Commercial Developments<br>TC-5.6 Right-of-Way Dedications<br>TC-5.10 Major Employment Centers<br>TC-5.13 Street Projects<br>TC-6.1 Grade Separations<br>Implementation Measures 1 through 9, and 13<br>Implement policies designed to integrate land use and circulation concepts during the early planning and design phases of Citywide development to minimize land use conflicts include the following:<br>LU-1.12 Commuting Distance<br>LU-1.13 Growth Phasing<br>LU-4.4 Commercial Area Access<br>DV-1.2 Mixed-use and Mixed Density<br>DV-1.3 Pedestrian and Transit Accessible | | |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | Mitigation Measure | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|
| Less than Significant = LS<br>Beneficial = B<br>Significant = S<br>Cumulative Significant = CS<br>Significant and Unavoidable = SU | | | Potentially Significant = PS | N/A = Not Applicable |
| | | DV-2.2 High Density Residential Development<br>DV-2.5 Downtown Residential Development<br>DV-2.6 High Employment Commercial Development<br>DV-2.7 Government Use<br>DV-2.10 Downtown Service Clusters<br>DV-2.15 Transit Hubs<br>DV-3.3 Adequate Services<br>DV-4.2 Revitalized Corridors<br>DV-4.3 Infrastructure<br>DV-5.1 Village Specific Plans/General Plan Amendment<br>DV-5.3 Village Components<br>DV-5.4 Village Housing Units<br>DV-5.6 Connection to Citywide Transit System<br>DV-5.8 Roads to Support Adjacent Land Use | | |
| Impact TC-2 | The Proposed Project would result in a substantial increase in public transit usage. | Policies designed to minimize transportation impacts through the establishment of design and LOS standards for a variety of circulation, traffic, transit, and non-motorized transportation modes, include the following:<br>TC-1.1 Circulation Diagram<br>TC-1.2 Integrated Transportation System<br>TC-1.3 Multi-Modal Network<br>TC-1.4 Transportation Improvement Financing<br>TC-1.5 Other Funding<br>TC-1.6 New Funding Sources<br>TC-1.7 Road Improvements<br>TC-1.8 Improvement of Existing Roadways<br>TC-1.9 Demand Reduction and Capacity Expansion<br>TC-1.10 Provision of Transportation Infrastructure and Cost Sharing<br>TC-2.3 Roadway Standards<br>TC-2.5 Multiple Transportation Modes<br>TC-2.6 Priority for Street and Highway Improvements<br>TC-2.7 Efficient Traffic Flow<br>TC-2.12 Neighborhood Street Design<br>TC-2.15 Precise Road Plans<br>TC-2.16 Precise Road Plan Coordination<br>TC-2.18 Maintenance of Existing Facilities<br>TC-2.20 Parking Supply | PS | SU |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | | | Mitigation Measure | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | N/A = Not Applicable |

TC-2.21 Shared Parking
TC-2.22 Speed Reduction
TC-8.3 Water Taxi/Ferry
TC-3.1 Park and Ride Lots
TC-3.4 Subscription Bus Service
TC-3.8 Downtown Transit Facilities/Services TC-4.1 Support and Plan for Bus and Rail Transit
TC-4.2 Transit-Related Public Improvements
TC-4.3 Clustering of Land Uses in Transit-Served Areas
TC-4.4 Transit-Related Design Features
TC-4.5 Extension and Integration of Transit Services
TC-4.6 Interregional Transit
TC-4.7 Transit Right-of-Way Plans
TC-4.8 Bus Rapid Transit
TC-4.9 High-Speed Rail
TC-4.10 Trolley Service
TC-4.11 Abandoned Rail Lines
TC-4.12 Light Rail
TC-4.13 Support Heavy Rail Passenger Connections
TC-7.2 Van, Bus, or Limousine Service to Airports
Policies designed to integrate land use and circulation concepts during the early planning and design phases of Citywide development to minimize land use conflicts include the following:

- LU-1.12 Commuting Distances
- LU-1.13 Growth Phasing
- LU-5.7 Adjacent Major Transit Uses
- DV-2.2 High Density Residential Development
- DV-2.5 Downtown Residential Development
- DV-2.6 High Employment Commercial Development
- DV-2.7 Government Use
- DV-2.10 Downtown Service Clusters
- DV-2.15 Transit Hubs
- DV-3.3 Adequate Services
- DV-4.2 Revitalized Corridors
- DV-4.3 Infrastructure
- DV-5.1 Village Specific Plans/General Plan Amendment
- DV-5.3 Village Components

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | | | Mitigation Measure | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | N/A = Not Applicable |
| | | | | DV-5.4 Village Housing Units<br>DV-5.6 Connection to Citywide Transit System<br>DV-5.8 Roads to Support Adjacent Land Use<br>DV-5.12 Community Center | | |
| Impact TC-3 | The Proposed Project would result in a substantial increase in bicycle and pedestrian activity. | | | Implement policies designed to minimize transportation impacts through the establishment of design and LOS standards for a variety of circulation, traffic, transit, and non-motorized transportation modes, include the following:<br>TC-1.1 Circulation Diagram<br>TC-1.2 Integrated Transportation System<br>TC-1.3 Multi-Modal Network<br>TC-1.4 Transportation Improvement Financing<br>TC-1.5 Other Funding<br>TC-1.6 New Funding Sources<br>TC-1.7 Road Improvements<br>TC-1.8 Improvement of Existing Roadways<br>TC-1.9 Demand Reduction and Capacity Expansion<br>TC-1.10 Provision of Transportation Infrastructure and Cost Sharing<br>TC-2.3 Roadway Standards<br>TC-2.6 Priority for Street and Highway Improvements<br>TC-2.11Inter-Neighborhood Traffic<br>TC-2.12 Neighborhood Street Design<br>TC-2.15 Precise Road Plans<br>TC-2.16 Precise Road Plan Coordination<br>TC-2.21 Shared Parking<br>TC-2.22 Speed Reduction<br>TC-3.1 Park and Ride Lots<br>TC-3.8 Downtown Transit Facilities/Services<br>TC-4.4 Transit-Related Design Features<br>TC-5.1 Pedestrian and Bicycle Facilities<br>TC-5.2 Pedestrian Facility Standards<br>TC-5.3 Pedestrian Walkways for New Residential Developments<br>TC-5.4 Pedestrian Walkways for Commercial Developments<br>TC-5.5 Recreational Bikeways on Separate Rights-of-Way | PS | SU |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | | | Mitigation Measure | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | N/A = Not Applicable |
| | | | | TC-5.6 Right-of-Way Dedications<br>TC-5.7 Bicycle Parking<br>TC-5.8 Priority Gap Closure<br>TC-5.9 Intergovernmental Coordination<br>TC-5.10 Major Employment Centers<br>TC-5.11 Bikeway Maintenance<br>TC-5.12 Bicycle and Pedestrian Safety<br>TC-5.13 Street Projects<br>TC-8.3 Water Taxi/Ferry<br>Implement policies designed to integrate land use and circulation concepts during the early planning and design phases of Citywide development to minimize land use conflicts include the following:<br>DV-1.2 Mixed-use and Mixed Density<br>DV-1.3 Pedestrian and Transit Accessible<br>DV-2.2 High Density Residential Development<br>DV-2.5 Downtown Residential Development<br>DV-2.6 High Employment Commercial Development<br>DV-2.7 Government Use<br>DV-2.10 Downtown Service Clusters<br>DV-2.15 Transit Hubs<br>DV-3.3 Adequate Services<br>DV-4.2 Revitalized Corridors<br>DV-4.3 Infrastructure<br>DV-5.1 Village Specific Plans/General Plan Amendment<br>DV-5.3 Village Components<br>DV-5.4 Village Housing Units<br>DV-5.6 Connection to Citywide Transit System<br>DV-5.8 Roads to Support Adjacent Land Use<br>DV-5.12 Community Center | | |
| Impact TC-4 | The Proposed Project would result in substantial changes in accessibility to Stockton-area railroad terminals and cargo transfer points. | | | Implement policies designed to minimize transportation impacts through the establishment of design and LOS standards for a variety of circulation, traffic, transit, and non-motorized transportation modes, include the following:<br>TC-1.1 Circulation Diagram<br>TC-1.2 Integrated Transportation System<br>TC-1.3 Multi-Modal Network<br>TC-1.4 Transportation Improvement Financing | PS | SU |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | Mitigation Measure | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|
| Less than Significant = LS<br>Beneficial = B<br>Significant = S<br>Cumulative Significant = CS<br>Significant and Unavoidable = SU<br>Potentially Significant = PS | | | | N/A = Not Applicable |
| | | TC-1.9 Demand Reduction and Capacity Expansion<br>TC-2.7 Efficient Traffic Flow<br>TC-2.19 Truck Routes<br>TC-6.1 Grade Separations<br>TC-6.2 Rail Facilities and Existing Development<br>TC-6.3 Rail Service and Economic Development | | |
| Impact TC-5 | The Proposed Project would result in substantial changes in accessibility to the Port of Stockton. | Implement policies designed to minimize transportation impacts through the establishment of design and LOS standards for a variety of circulation, traffic, transit, and non-motorized transportation modes, include the following:<br>TC-1.1 Circulation Diagram<br>TC-1.2 Integrated Transportation System<br>TC-1.3 Multi-Modal Network<br>TC-1.9 Demand Reduction and Capacity Expansion<br>TC-2.5 Multiple Transportation Modes<br>TC-2.7 Efficient Traffic Flow<br>TC-2.19 Truck Routes<br>TC-8.1 Port-Related Land Uses<br>TC-8.2 Port Access | PS | SU |
| Impact TC-6 | The Proposed Project would result in substantial changes in accessibility to the Stockton Municipal Airport. | Implement policies designed to minimize transportation impacts through the establishment of design and LOS standards for a variety of circulation, traffic, transit, and non-motorized transportation modes, include the following:<br>TC-1.1 Circulation Diagram<br>TC-1.2 Integrated Transportation System<br>TC-1.3 Multi-Modal Network<br>TC-2.5 Multiple Transportation Modes<br>TC-2.7 Efficient Traffic Flow<br>TC-2.19 Truck Routes<br>TC-7.1 Aviation Services<br>~~TC-7.6 Consistency with Airport Land Use Commission Policies~~ | PS | SU |
| **CHAPTER 9** | **PUBLIC FACILITIES AND SERVICES** | | | |
| Impact PFS-1 | The Proposed Project would require or result in the construction of new water treatment facilities or expansion of existing facilities the construction of which could cause significant environmental effects. | Implement Policies designed to minimize this impact through the early identification of required infrastructure and the orderly construction and rehabilitation of the facilities needed to serve existing and planned urban areas include the following: | PS | SU |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | | | Mitigation Measure | | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | | Potentially Significant = PS | N/A = Not Applicable |
| | | | | | PFS-1.10 Utility Master Planning<br>PFS-2.3 Water Treatment Capacity<br>PFS-2.4 Growth Trends<br>PFS-2.6 Level of Service<br>PFS-2.7 Water Supply for New Development<br>PFS-2.8 Delta Water Supply<br>PFS-2.9 Water Facility Sizing<br>Implementation Measures #2, #5 through #10, and #21<br>LU-1.13 Growth Phasing<br>Policy HE-3.2 Public Improvements<br>Implementation Measure #20<br>Implement additional policies designed to minimize this impact through the provision and conservation of water resources and service include the following:<br>PFS-2.1 Water Conservation<br>PFS-2.2 Water Supply<br>PFS-2.10 Sustainability of Surface Water<br>PFS-2.11 Sustainability of Groundwater<br>PFS-2.12 Water for Irrigation | | |
| | | | | **PFS-2.13** | **Timing of Future Development.** Prior to approval of any tentative small lot subdivision map for a proposed residential project of more than 500 dwelling units, the City shall comply with Government Code Section 66473.7. Prior to approval of any tentative small lot subdivision map for a proposed residential project of 500 or fewer units, the City need not comply with Section 66473.7 or formally consult with the public water system that would provide water to a proposed subdivision, but shall nevertheless make a factual showing or impose conditions similar to those required by Section 66473.7 in order to ensure an adequate water supply for development authorized by the map. Prior to recordation of any final small lot subdivision map, or prior to City approval of any project-specific discretionary approval or entitlement required for nonresidential land uses, the City or the project applicant shall demonstrate, based on substantial evidence, the availability of a long-term, reliable water supply from a public water system for the amount of development that would be authorized by the final subdivision map or project-specific | | |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | | | Mitigation Measure | | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | | Potentially Significant = PS | N/A = Not Applicable |
| | | | | | discretionary nonresidential approval or entitlement. Such a demonstration shall consist of a written verification that existing sources are or will be available and that needed physical improvements for treating and delivering water to the project site will be in place prior to occupancy. *[New Policy – Draft EIR Analysis].* | | |
| | | | | **PFS-2.2** | **Water Supply.** The City shall evaluate long-term water supply strategies, including acquiring or developing additional water supplies that would be available during drought periods, to offset the shortages anticipated from existing supplies, and improved water conservation and re-use. For new development, the City will require the use of non-potable water for irrigation of large landscaped areas where feasible and cost effective. *[Source: Section 4, Water Facilities; Goal 1, Policy 1 and modified per GPAT]. [Draft EIR Analysis].* | | |
| | | | | **PFS-2.8** | **Delta Water Supply.** The City shall not approve new development that relies on water from the Delta Water Supply Project until this Delta water is allocated through a water right to the City by the State Water Resources Control Board or a replacement water supply is secured. *[PC]. [Draft EIR Analysis].* | | |
| | | | | **PFS-2.11** | **Sustainability of Groundwater Supplies.** The City shall work in concert with other water purveyors in the region to achieve the target yield (0.6 AF/year) of the drinking water aquifer, and shall limit its long-term average groundwater withdrawals to this target yield. *[New Policy. Consultant team recommendation]. [Draft EIR Analysis].* | | |
| | | | | **Implementation Measure #21** | The City shall conduct an assessment of proposed expansion areas, including Village areas, to determine where fees need to be levied for new and expanded public service and utility infrastructure including, but not limited to, fire stations and equipment, police stations and equipment, utility infrastructure, recreation, and library facilities. Fees should be based on initial facility and equipment costs as well as operations and long-term maintenance and replacement. (These new fee areas would be in addition to Public Facilities Program Fee Areas 1, 2, and 6 where fire facilities fees are | | |

## TABLE ES-3
## SUMMARY OF IMPACTS AND MITIGATION MEASURES

| Environmental Impact | | | Mitigation Measure | | | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | | N/A = Not Applicable |
| | | | | | already levied.). *[New Implementation].* | | |
| Impact PFS-2 The Proposed Project would require new or expanded water supply entitlements. | | | | | Implement policies designed to minimize this impact through the early identification of required infrastructure and the orderly construction and rehabilitation of the facilities needed to serve existing and planned urban areas include the following:<br>PFS-1.10 Utility Master Planning<br>PFS-2.3 Water Treatment Capacity<br>PFS-2.4 Growth Trends<br>PFS-2.6 Level of Service<br>PFS-2.7 Water Supply for New Development<br>PFS-2.8 Delta Water Supply<br>PFS-2.9 Water Facility Sizing<br>Implementation Measures #2, #5 through #10, and #21.<br>LU-1.13 Growth Phasing<br>Policy HE-3.2 Public Improvements<br>Implementation Measure #20<br>Implement additional policies designed to minimize this impact through the provision and conservation of water resources and service include the following:<br>PFS-2.1 Water Conservation<br>PFS-2.2 Water Supply<br>PFS-2.10 Sustainability of Surface Water<br>PFS-2.11 Sustainability of Groundwater<br>PFS-2.12 Water for Irrigation | PS | LS |
| | | | PFS-2.13 | | **Timing of Future Development.** Prior to approval of any tentative small lot subdivision map for a proposed residential project of more than 500 dwelling units, the City shall comply with Government Code Section 66473.7. Prior to approval of any tentative small lot subdivision map for a proposed residential project of 500 or fewer units, the City need not comply with Section 66473.7 or formally consult with the public water system that would provide water to a proposed subdivision, but shall nevertheless make a factual showing or impose conditions similar to those required by Section 66473.7 in order to ensure an adequate water supply for development authorized by the map. Prior to recordation of any final small lot subdivision map, or prior to City approval of | | |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | | Mitigation Measure | | | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | | N/A = Not Applicable |
| | | | | | any project-specific discretionary approval or entitlement required for nonresidential land uses, the City or the project applicant shall demonstrate, based on substantial evidence, the availability of a long-term, reliable water supply from a public water system for the amount of development that would be authorized by the final subdivision map or project-specific discretionary nonresidential approval or entitlement. Such a demonstration shall consist of a written verification that existing sources are or will be available and that needed physical improvements for treating and delivering water to the project site will be in place prior to occupancy. *[New Policy – Draft EIR Analysis].* | | |
| | | | | | **PFS-2.2** **Water Supply.** The City shall evaluate long-term water supply strategies, including acquiring or developing additional water supplies that would be available during drought periods, to offset the shortages anticipated from existing supplies, and improved water conservation and re-use. For new development, the City will require the use of non-potable water for irrigation of large landscaped areas where feasible and cost effective. *[Source: Section 4, Water Facilities; Goal 1, Policy 1 and modified per GPAT]. [Draft EIR Analysis].* | | |
| | | | | | **PFS-2.8** **Delta Water Supply.** The City shall not approve new development that relies on water from the Delta Water Supply Project until this Delta water is allocated through a water right to the City by the State Water Resources Control Board or a replacement water supply is secured. *[PC]. [Draft EIR Analysis].* | | |
| | | | | | **PFS-2.11** **Sustainability of Groundwater Supplies.** The City shall work in concert with other water purveyors in the region to achieve the target yield (0.6 AF/year) of the drinking water aquifer, and shall limit its long-term average groundwater withdrawals to this target yield. *[New Policy. Consultant team recommendation]. [Draft EIR Analysis].* | | |
| | | | | | **Implementation Measure #21** The City shall conduct an assessment of proposed expansion areas, including Village areas, to determine where fees need to be levied for new and expanded public service and utility infrastructure including, but not limited to, fire stations and | | |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | | Mitigation Measure | | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | N/A = Not Applicable |
| | | | | equipment, police stations and equipment, utility infrastructure, recreation, and library facilities. Fees should be based on initial facility and equipment costs as well as operations and long-term maintenance and replacement. (These new fee areas would be in addition to Public Facilities Program Fee Areas 1, 2, and 6 where fire facilities fees are already levied.). *[New Implementation].* | | |
| Impact PFS-3 | The Proposed Project would have the potential in the long-term to deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table. | | | Implement policies designed to minimize groundwater impacts through the early identification of required infrastructure and the orderly construction and rehabilitation of the facilities needed to serve existing and planned urban areas include the following:<br>PFS-1.10 Utility Master Planning<br>PFS-2.3 Water Treatment Capacity<br>PFS-2.4 Growth Trends<br>PFS-2.6 Level of Service<br>PFS-2.7 Water Supply for New Development<br>PFS-2.8 Delta Water Supply<br>PFS-2.9 Water Facility Sizing<br>Implementation Measures #2, #5 through #10, and #21.<br>LU-1.13 Growth Phasing<br>Policy HE-3.2 Public Improvements<br>Implementation Measure #20<br>Implement additional policies designed to minimize this impact through the provision and conservation of water resources and service include the following:<br>PFS-2.1 Water Conservation<br>PFS-2.2 Water Supply<br>PFS-2.10 Sustainability of Surface Water<br>PFS-2.11 Sustainability of Groundwater<br>PFS-2.12 Water for Irrigation | PS | LS/B |
| | | | **PFS-2.13** | **Timing of Future Development.** Prior to approval of any tentative small lot subdivision map for a proposed residential project of more than 500 dwelling units, the City shall comply with Government Code Section 66473.7. Prior to approval of any tentative small lot subdivision map for a proposed residential project of 500 or fewer units, the City need not comply with Section 66473.7 or formally consult with the public water system | | | |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | | Mitigation Measure | | | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | | N/A = Not Applicable |
| | | | | | that would provide water to a proposed subdivision, but shall nevertheless make a factual showing or impose conditions similar to those required by Section 66473.7 in order to ensure an adequate water supply for development authorized by the map. Prior to recordation of any final small lot subdivision map, or prior to City approval of any project-specific discretionary approval or entitlement required for nonresidential land uses, the City or the project applicant shall demonstrate, based on substantial evidence, the availability of a long-term, reliable water supply from a public water system for the amount of development that would be authorized by the final subdivision map or project-specific discretionary nonresidential approval or entitlement. Such a demonstration shall consist of a written verification that existing sources are or will be available and that needed physical improvements for treating and delivering water to the project site will be in place prior to occupancy. *[New Policy – Draft EIR Analysis].* | | |
| | | | | **PFS-2.2** | **Water Supply.** The City shall evaluate long-term water supply strategies, including acquiring or developing additional water supplies that would be available during drought periods, to offset the shortages anticipated from existing supplies, and improved water conservation and re-use. For new development, the City will require the use of non-potable water for irrigation of large landscaped areas where feasible and cost effective. *[Source: Section 4, Water Facilities; Goal 1, Policy 1 and modified per GPAT]. [Draft EIR Analysis].* | | |
| | | | | **PFS-2.8** | **Delta Water Supply.** The City shall not approve new development that relies on water from the Delta Water Supply Project until this Delta water is allocated through a water right to the City by the State Water Resources Control Board or a replacement water supply is secured. *[PC]. [Draft EIR Analysis].* | | |
| | | | | **PFS-2.11** | **Sustainability of Groundwater Supplies.** The City shall work in concert with other water purveyors in the region to achieve the target yield (0.6 AF/year) of the drinking water aquifer, and shall limit its long-term average groundwater withdrawals to this target yield. *[New Policy. Consultant team recommendation]. [Draft EIR Analysis].* | | |

## TABLE ES-3
## SUMMARY OF IMPACTS AND MITIGATION MEASURES

| Environmental Impact | | | Mitigation Measure | | | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | | N/A = Not Applicable |
| | | | **Implementation Measure #21** | The City shall conduct an assessment of proposed expansion areas, including Village areas, to determine where fees need to be levied for new and expanded public service and utility infrastructure including, but not limited to, fire stations and equipment, police stations and equipment, utility infrastructure, recreation, and library facilities. Fees should be based on initial facility and equipment costs as well as operations and long-term maintenance and replacement. (These new fee areas would be in addition to Public Facilities Program Fee Areas 1, 2, and 6 where fire facilities fees are already levied.). *[New Implementation].* | | | |
| Impact PFS-4 The Proposed Project would not result in the exceedance of wastewater treatment requirements of the CVRWQCB. | | | | Implement policies designed to minimize water quality impacts associated with wastewater treatment facilities and operations needed to serve existing and planned urban areas include the following:<br>PFS-3.2 Wastewater Treatment Standards<br>PFS-3.3 Compliance with Federal Standards for Surface Water Protection<br>Implementation Measure #10<br>Implementation Measure #12<br>Implementation Measure #13<br>Implementation Measure #20 | | LS | |
| Impact PFS-5 The Proposed Project would require or result in the construction of new wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. | | | | Implement policies designed to minimize this impact through adherence to appropriate levels of wastewater infrastructure planning, financing and construction include the following:<br>PFS-1.1 Maintain Existing Levels of Services<br>PFS-1.4 Development Impacts to Existing Infrastructure<br>PFS-1.5 Funding for Public Facilities<br>PFS-1.8 Impact Mitigation<br>PFS-1.9 Conditions of Approval<br>PFS-1.10 Utility Master Planning<br>PFS-3.4 Wastewater Facility Sizing<br>PFS-3.5 Wastewater Collection System<br>Implementation Measure #14<br>Implementation Measure #21<br>Policy HE-3.2<br>Implementation Measure #20. | | PS | SU |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | | Mitigation Measure | | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | N/A = Not Applicable |
| | | | **PFS-3.8** | **Timing of Future Development.** Prior to approval of any tentative subdivision map for a proposed residential project, the City shall formally consult with the wastewater system provider that would serve the proposed subdivision to make a factual showing or impose conditions in order to ensure an adequate wastewater removal system necessary for the proposed development. Prior to recordation of any final small lot subdivision map, or prior to City approval of any project-specific discretionary approval or entitlement required for nonresidential land uses, the City or the project applicant shall demonstrate, based on substantial evidence, the availability of a long-term, reliable wastewater collection system for the amount of development that would be authorized by the final subdivision map or project-specific discretionary nonresidential approval or entitlement. Such a demonstration shall consist of a written verification that existing treatment capacity is or will be available and that needed physical improvements for treating wastewater from the project site will be in place prior to occupancy. *[New Policy – Draft EIR Analysis].* | | |
| | | | **PFS-1.9** | **Conditions of Approval.** During the development review process, the City shall not approve new development unless the following conditions are met:<br>• The applicant provides acceptable documentation demonstrating infrastructure capacity is available to serve the project;<br>• The applicant can demonstrate that all necessary infrastructure to serve the project is adequately financed and will be installed prior to occupancy;<br>• Infrastructure improvements are consistent with City or other service provider's infrastructure master plans; and<br>• Infrastructure improvements incorporate a range of feasible measures that can be implemented to reduce all public safety and/or environmental impacts associated with the construction, operation, or maintenance of any required improvement. *[New policy – Draft EIR Analysis].* | | |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | | Mitigation Measure | | | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | | N/A = Not Applicable |
| | | | **Implementation Measure #21** | The City shall conduct an assessment of proposed expansion areas, including Village areas, to determine where fees need to be levied for new and expanded public service and utility infrastructure including, but not limited to, fire stations and equipment, police stations and equipment, utility infrastructure, recreation, and library facilities. Fees should be based on initial facility and equipment costs as well as operations and long-term maintenance and replacement. (These new fee areas would be in addition to Public Facilities Program Fee Areas 1, 2, and 6 where fire facilities fees are already levied.). *[New Implementation].* | | | |
| Impact PFS-6 The Proposed Project would require additional capacity to serve the Project's projected demand in addition to existing commitments. | | | | Implement policies designed to minimize this impact through adherence to appropriate levels of wastewater infrastructure planning, financing and construction include the following:<br>PFS-1.1 Maintain Existing Levels of Services<br>PFS-1.4 Development Impacts to Existing Infrastructure<br>PFS-1.5 Funding for Public Facilities<br>PFS-1.8 Impact Mitigation<br>PFS-1.9 Conditions of Approval<br>PFS-1.10 Utility Master Planning<br>PFS-3.4 Wastewater Facility Sizing<br>PFS-3.5 Wastewater Collection System<br>Implementation Measure #14<br>Implementation Measure #21<br>Policy HE-3.2<br>Implementation Measure #20. | | PS | LS |
| | | | **PFS-3.8** | **Timing of Future Development.** Prior to approval of any tentative subdivision map for a proposed residential project, the City shall formally consult with the wastewater system provider that would serve the proposed subdivision to make a factual showing or impose conditions in order to ensure an adequate wastewater removal system necessary for the proposed development. Prior to recordation of any final small lot subdivision map, or prior to City approval of any project-specific discretionary approval or entitlement required for nonresidential land uses, the City or the project applicant shall demonstrate, based on substantial evidence, the availability of a long-term, reliable wastewater collection system for | | | |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | | Mitigation Measure | | | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | | N/A = Not Applicable |
| | | | | | the amount of development that would be authorized by the final subdivision map or project-specific discretionary nonresidential approval or entitlement. Such a demonstration shall consist of a written verification that existing treatment capacity is or will be available and that needed physical improvements for treating wastewater from the project site will be in place prior to occupancy. *[New Policy – Draft EIR Analysis].* | | |
| | | | | | **PFS-1.9** **Conditions of Approval.** During the development review process, the City shall not approve new development unless the following conditions are met:<br>• The applicant provides acceptable documentation demonstrating infrastructure capacity is available to serve the project;<br>• The applicant can demonstrate that all necessary infrastructure to serve the project is adequately financed and will be installed prior to occupancy;<br>• Infrastructure improvements are consistent with City or other service provider's infrastructure master plans; and<br>• Infrastructure improvements incorporate a range of feasible measures that can be implemented to reduce all public safety and/or environmental impacts associated with the construction, operation, or maintenance of any required improvement. *[New policy – Draft EIR Analysis].* | | |
| | | | | | **Implementation Measure #21** The City shall conduct an assessment of proposed expansion areas, including Village areas, to determine where fees need to be levied for new and expanded public service and utility infrastructure including, but not limited to, fire stations and equipment, police stations and equipment, utility infrastructure, recreation, and library facilities. Fees should be based on initial facility and equipment costs as well as operations and long-term maintenance and replacement. (These new fee areas would be in addition to Public Facilities Program Fee Areas 1, 2, and 6 where fire facilities fees are already levied.). *[New Implementation].* | | |

## TABLE ES-3
## SUMMARY OF IMPACTS AND MITIGATION MEASURES

| Environmental Impact | | | Mitigation Measure | | | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | | N/A = Not Applicable |
| Impact PFS-7 The Proposed Project would require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. | | | | Implement policies designed to minimize this impact through adherence to appropriate levels of stormwater infrastructure planning, financing and construction include the following:<br>PFS-1.1 Maintain Existing Levels of Services<br>PFS-1.2 Urban Service Area Expansion<br>PFS-1.4 Development Impacts to Existing Infrastructure<br>PFS-1.5 Funding for Public Facilities<br>PFS-1.8 Impact Mitigation<br>PFS-1.9 Conditions of Approval<br>PFS-1.10 Utility Master Planning<br>PFS-4.1 Creek and Slough Capacity<br>PFS-4.2 Watershed Drainage Plans<br>PFS-4.4 Regional Basins<br>PFS-4.5 Public Facilities Fees<br>PFS-4.6 Stormwater Facility Sizing<br>PFS-4.7 Stormwater Discharge<br>Implementation Measure #1<br>Implementation Measure #17<br>Implementation Measure #21<br>Policy HE-3.2<br>Implementation Measure #20. | | PS | SU |
| | | | **PFS-1.9** | **Conditions of Approval.** During the development review process, the City shall not approve new development unless the following conditions are met:<br>• The applicant can demonstrate that all necessary infrastructure will be installed or adequately financed;<br>• Infrastructure improvements are consistent with City infrastructure plans; and<br>Infrastructure improvements incorporate a range of feasible measures that can be implemented to reduce all public safety and/or environmental impacts associated with the construction, operation, or maintenance of any required improvement. *[New policy – Draft EIR Analysis].* | | | |
| | | | **PFS-4.2** | **Watershed Drainage Plans.** The City shall require the preparation of watershed drainage plans for proposed developments within the urban services boundary. These | | | |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | | Mitigation Measure | | | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | | N/A = Not Applicable |
| | | | | plans shall define needed drainage improvements and estimate construction costs for these improvements. The plans will also identify a range of feasible measures that can be implemented to reduce all public safety and/or environmental impacts associated with the construction, operation, or maintenance of any required drainage improvements (i.e., drainage basins, etc.). (*[Source: Section 4, Water Facilities; Goal 1, Policy 10].[Draft EIR Analysis]* | | |
| | | | **Implementation Measure #21.** | The City shall conduct an assessment of proposed expansion areas, including Village areas, to determine where fees need to be levied for new and expanded public service and utility infrastructure including, but not limited to, fire stations and equipment, police stations and equipment, utility infrastructure, recreation, and library facilities. Fees should be based on initial facility and equipment costs as well as operations and long-term maintenance and replacement. (These new fee areas would be in addition to Public Facilities Program Fee Areas 1, 2, and 6 where fire facilities fees are already levied.). *[New Implementation].* | | | |
| Impact PFS-8 | The Proposed Project would violate water quality standards or waste discharge requirements, or otherwise degrade water quality. | | | Implement policies designed to minimize this impact through adherence to appropriate levels of water, wastewater, and storm drainage infrastructure planning, financing and construction include the following:<br>PFS-1.1 Maintain Existing Levels of Services<br>PFS-1.4 Development Impacts to Existing Infrastructure<br>PFS-1.5 Funding for Public Facilities<br>PFS-1.8 Impact Mitigation<br>PFS-1.9 Conditions of Approval<br>PFS-1.10 Utility Master Planning<br>Implementation Measure #1<br>Implementation Measure #3<br>Implementation Measure #17<br>Implementation Measure #21<br>Implement policies designed to minimize water quality impacts associated with stormwater, water, and wastewater utility infrastructure needed to serve existing and planned urban areas include the following:<br>PFS-2.5 Water Quality | PS | LS |

## TABLE ES-3
## SUMMARY OF IMPACTS AND MITIGATION MEASURES

| Environmental Impact | | | Mitigation Measure | | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | N/A = Not Applicable |
| | | | | PFS-3.2 Wastewater Treatment Standards<br>PFS-3.3 Compliance with Federal Standards for Surface Water Protection<br>PFS-4.3 Best Management Practices<br>Implementation Measure #16<br>Implementation Measure #21 | | |
| | | | **Implementation Measure #21.** | The City shall conduct an assessment of proposed expansion areas, including Village areas, to determine where fees need to be levied for new and expanded public service and utility infrastructure including, but not limited to, fire stations and equipment, police stations and equipment, utility infrastructure, recreation, and library facilities. Fees should be based on initial facility and equipment costs as well as operations and long-term maintenance and replacement. (These new fee areas would be in addition to Public Facilities Program Fee Areas 1, 2, and 6 where fire facilities fees are already levied.). *[New Implementation].* | | |
| Impact PFS-9 The Proposed Project would substantially alter the existing drainage pattern of the area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on-or off-site or substantially increase the rate or amount of surface runoff in a manner which would result in on- or off-site flooding. | | | | Implement policies designed to minimize this impact through adherence to appropriate levels of stormwater infrastructure planning, financing and construction include the following:<br>PFS-1.1 Maintain Existing Levels of Services<br>PFS-1.4 Development Impacts to Existing Infrastructure<br>PFS-1.5 Funding for Public Facilities<br>PFS-1.8 Impact Mitigation<br>PFS-1.9 Conditions of Approval<br>PFS-1.10 Utility Master Planning<br>PFS-4.1 Creek and Slough Capacity<br>PFS-4.2 Watershed Drainage Plans<br>PFS-4.4 Regional Basins<br>PFS-4.5 Public Facilities Fees<br>PFS-4.6 Stormwater Facility Sizing<br>PFS-4.7 Stormwater Discharge<br>Implementation Measure #1<br>Implementation Measure #3<br>Implementation Measure #17<br>Implementation Measure #21 | PS | LS |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | | Mitigation Measure | | | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | | N/A = Not Applicable |
| | | | | Policies designed to minimize this water quality impact through adherence to appropriate best management practices designed to address soil erosion include the following:<br>PFS-4.3 Best Management Practices<br>Implementation Measure #15<br>Implementation Measure #21<br>NCR-5.3 Soil Erosion | | | |
| | | | **NCR-5.3** | **Soil Erosion.** The City shall require new development to implement measures that minimize soil erosion from wind and water related to construction. Measures may include, but not be limited to the following:<br>• Grading requirements that limit grading to the amount necessary to provide stable areas for structural foundations, street rights-of-way, parking facilities, or other intended uses; and/or<br>• Construction techniques that utilize site preparation, grading, and best management practices that provide erosion and sediment control to prevent construction-related contaminants from leaving development sites and polluting local waterways. *[Draft EIR Analysis].* | | | |
| | | | **PFS-4.2** | **Watershed Drainage Plans.** The City shall require the preparation of watershed drainage plans for proposed developments within the urban services boundary. These plans shall define needed drainage improvements and estimate construction costs for these improvements. The plans will also identify a range of feasible measures that can be implemented to reduce all public safety and/or environmental impacts associated with the construction, operation, or maintenance of any required drainage improvements (i.e., drainage basins, etc.). (*[Source: Section 4, Water Facilities; Goal 1, Policy 10][Draft EIR Analysis].* | | | |
| | | | **Implementation Measure #21** | The City shall conduct an assessment of proposed expansion areas, including Village areas, to determine where fees need to be levied for new and expanded public service and utility infrastructure including, but not limited to, fire stations and equipment, police stations and equipment, utility infrastructure, | | | |

## TABLE ES-3
## SUMMARY OF IMPACTS AND MITIGATION MEASURES

| Environmental Impact | | | Mitigation Measure | | | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | | N/A = Not Applicable |
| | | | | | recreation, and library facilities. Fees should be based on initial facility and equipment costs as well as operations and long-term maintenance and replacement. (These new fee areas would be in addition to Public Facilities Program Fee Areas 1, 2, and 6 where fire facilities fees are already levied.). *[New Implementation].* | | |
| Impact PFS-10 | The Proposed Project would create or contribute runoff water which would exceed the capacity of existing stormwater drainage systems or provide substantial additional sources of polluted runoff. | | | | Implement policies designed to minimize this impact through adherence to appropriate levels of stormwater infrastructure planning, financing and construction include the following:<br>PFS-1.1 Maintain Existing Levels of Services<br>PFS-1.4 Development Impacts to Existing Infrastructure<br>PFS-1.5 Funding for Public Facilities<br>PFS-1.8 Impact Mitigation<br>PFS-1.9 Conditions of Approval<br>PFS-1.10 Utility Master Planning<br>PFS-4.1 Creek and Slough Capacity<br>PFS-4.2 Watershed Drainage Plans<br>PFS-4.4 Regional Basins<br>PFS-4.5 Public Facilities Fees<br>PFS-4.6 Stormwater Facility Sizing<br>PFS-4.7 Stormwater Discharge<br>Implementation Measure #<br>Implementation Measure #3<br>Implementation Measure #17<br>Implementation Measure #21<br>Policies designed to minimize this water quality impact through adherence to appropriate best management practices designed to address soil erosion include the following:<br>PFS-4.3 Best Management Practices<br>Implementation Measure #15<br>Implementation Measure #21<br>NCR-5.3 Soil Erosion | PS | LS |
| | | | **NCR-5.3** | | **Soil Erosion.** The City shall require new development to implement measures that minimize soil erosion from wind and water related to construction. Measures may include, but not be limited to the following: | | |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | | Mitigation Measure | | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | N/A = Not Applicable |
| | | | | • Grading requirements that limit grading to the amount necessary to provide stable areas for structural foundations, street rights-of-way, parking facilities, or other intended uses; and/or<br>• Construction techniques that utilize site preparation, grading, and best management practices that provide erosion and sediment control to prevent construction-related contaminants from leaving development sites and polluting local waterways. *[Draft EIR Analysis].* | | |
| | | | | **PFS-4.2** **Watershed Drainage Plans.** The City shall require the preparation of watershed drainage plans for proposed developments within the urban services boundary. These plans shall define needed drainage improvements and estimate construction costs for these improvements. The plans will also identify a range of feasible measures that can be implemented to reduce all public safety and/or environmental impacts associated with the construction, operation, or maintenance of any required drainage improvements (i.e., drainage basins, etc.). (*[Source: Section 4, Water Facilities; Goal 1, Policy 10][Draft EIR Analysis].* | | |
| | | | | **Implementation Measure #21** The City shall conduct an assessment of proposed expansion areas, including Village areas, to determine where fees need to be levied for new and expanded public service and utility infrastructure including, but not limited to, fire stations and equipment, police stations and equipment, utility infrastructure, recreation, and library facilities. Fees should be based on initial facility and equipment costs as well as operations and long-term maintenance and replacement. (These new fee areas would be in addition to Public Facilities Program Fee Areas 1, 2, and 6 where fire facilities fees are already levied.). *[New Implementation].* | | |
| Impact PFS-11 | The Proposed Project would place housing within a 100-year flood hazard area, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map or place within a 100-year flood hazard area structures which would impede or | | | Implement policies designed to minimize this impact through the preservation of floodplain areas and the management of new development in hazardous areas include the following:<br>HS-1.1 Development Constraints<br>HS-1.3 Continue to Update Building and Fire Codes | PS | LS |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | | | Mitigation Measure | | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | | Potentially Significant = PS | N/A = Not Applicable |
| redirect flood flows. | | | | | HS-6.1 New Urban Development<br>HS-6.2 Existing Urban Development<br>HS-6.3 Preservation of Floodway and Floodplains<br>HS-6.6 Flood Insurance Program<br>HS-6.8 Prohibited Uses Within a 100-Year Floodplain<br>Implement policies designed to minimize this impact through the continued coordination with emergency response plans and service providers include the following:<br>HS-1.2 Maintain Emergency Public Services<br>HS-1.4 Promote Hazard Awareness<br>HS-1.6 Coordinate Disaster Planning Activities<br>HS-6.4 Emergency Evacuation Plans<br>HS-6.7 Roadway System<br>Implementation Measure #17<br>Implement policies designed to minimize this impact through adherence to appropriate levels of stormwater infrastructure planning, financing and construction include the following:<br>PFS-1.1 Maintain Existing Levels of Services<br>PFS-1.4 Development Impacts to Existing Infrastructure<br>PFS-1.5 Funding for Public Facilities<br>PFS-1.8 Impact Mitigation<br>PFS-1.9 Conditions of Approval<br>PFS-1.10 Utility Master Planning<br>PFS-4.1 Creek and Slough Capacity<br>PFS-4.2 Watershed Drainage Plans<br>PFS-4.4 Regional Basins<br>PFS-4.5 Public Facilities Fees<br>PFS-4.6 Stormwater Facility Sizing<br>PFS-4.7 Stormwater Discharge<br>Implementation Measure #1<br>Implementation Measure #3<br>Implementation Measure #17<br>Implementation Measure #21 | | |
| | | | | **Implementation Measure #21** | The City shall conduct an assessment of proposed expansion areas, including Village areas, to determine where fees need to be levied for new and expanded public service and utility infrastructure including, but not limited to, fire stations and equipment, police stations and equipment, utility infrastructure, | | |

## TABLE ES-3
## SUMMARY OF IMPACTS AND MITIGATION MEASURES

| Environmental Impact | | | | | Mitigation Measure | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | | Potentially Significant = PS | N/A = Not Applicable |
| | | | | | recreation, and library facilities. Fees should be based on initial facility and equipment costs as well as operations and long-term maintenance and replacement. (These new fee areas would be in addition to Public Facilities Program Fee Areas 1, 2, and 6 where fire facilities fees are already levied.). *[New Implementation].* | | |
| Impact PFS-12 | The Proposed Project would expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam. | | | | Implement policies designed to minimize this impact through the preservation of floodplain areas and the management of new development in hazardous areas include the following:<br>HS-1.1 Development Constraints<br>HS-1.3 Continue to Update Building and Fire Codes<br>HS-6.1 New Urban Development<br>HS-6.2 Existing Urban Development<br>HS-6.3 Preservation of Floodway and Floodplains<br>HS-6.5 Levee Maintenance<br>HS-6.8 Prohibited Uses Within a 100-Year Floodplain<br>Implement policies designed to minimize this impact through the continued coordination with emergency response plans and service providers include the following:<br>HS-1.2 Maintain Emergency Public Services<br>HS-1.4 Promote Hazard Awareness<br>HS-1.6 Coordinate Disaster Planning Activities<br>HS-6.4 Emergency Evacuation Plans<br>HS-6.7 Roadway System<br>Implementation Measure #17<br>Implement policies designed to minimize this impact through adherence to appropriate levels of stormwater infrastructure planning, financing and construction include the following:<br>PFS-1.1 Maintain Existing Levels of Services<br>PFS-1.4 Development Impacts to Existing Infrastructure<br>PFS-1.5 Funding for Public Facilities<br>PFS-1.8 Impact Mitigation<br>PFS-1.9 Conditions of Approval<br>PFS-1.10 Utility Master Planning<br>PFS-4.1 Creek and Slough Capacity<br>PFS-4.2 Watershed Drainage Plans<br>PFS-4.4 Regional Basins<br>PFS-4.5 Public Facilities Fees | PS | SU |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | | Mitigation Measure | | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | N/A = Not Applicable |
| | | | | PFS-4.6 Stormwater Facility Sizing<br>PFS-4.7 Stormwater Discharge<br>Implementation Measure #1<br>Implementation Measure #3<br>Implementation Measure #17<br>Implementation Measure #21 | | |
| | | | **Implementation Measure #21.** | The City shall conduct an assessment of proposed expansion areas, including Village areas, to determine where fees need to be levied for new and expanded public service and utility infrastructure including, but not limited to, fire stations and equipment, police stations and equipment, utility infrastructure, recreation, and library facilities. Fees should be based on initial facility and equipment costs as well as operations and long-term maintenance and replacement. (These new fee areas would be in addition to Public Facilities Program Fee Areas 1, 2, and 6 where fire facilities fees are already levied.). *[New Implementation].* | | |
| Impact PFS-13 | The Proposed Project would produce substantial amounts of solid waste that could exceed the permitted capacity of a landfill serving the Study Area. | | | Implement policies designed to minimize this impact through the continued provision of solid waste services and recycling activities include the following:<br>PFS-5.1 Solid Waste Reduction<br>PFS-5.2 Recycling Program<br>PFS-5.3 City Usage of Recycled Materials and Products<br>PFS-5.4 Private Usage of Recycled Products<br>PFS-5.5 Recycling of Hazardous Materials<br>PFS-5.6 Recycling of Construction Debris<br>PFS-5.7 Development Requirements<br>Implementation Measure #18<br>Implementation Measure #19 | PS | SU |
| Impact PFS-14 | The Proposed Project complies with all federal, State, and Local Statutes and Regulations related to solid waste. | | | Implement policies designed to minimize this impact through the continued provision of solid waste services and recycling activities include the following:<br>PFS-5.1 Solid Waste Reduction<br>PFS-5.2 Recycling Program<br>PFS-5.3 City Usage of Recycled Materials and Products<br>PFS-5.4 Private Usage of Recycled Products<br>PFS-5.5 Recycling of Hazardous Materials | LS | |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | | | | Mitigation Measure | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | | Potentially Significant = PS | N/A = Not Applicable |
| | | | | | PFS-5.6 Recycling of Construction Debris<br>PFS-5.7 Development Requirements<br>Implementation Measure #18<br>Implementation Measure #19 | | |
| Impact PFS-15 | The Proposed Project would not result in the wasteful, inefficient, or unnecessary consumption of energy by residential, commercial, industrial, or public uses. | | | | Policies designed to minimize this impact through the conservation of existing energy supplies and the continued provision of public utilities include the following:<br>PFS-6.1 Expansion of Gas and Electricity Facilities.<br>NCR-8.1 Energy Conservation for New Development.<br>NCR-8.2 Landscape Improvements.<br>NCR-8.3 Promote Energy Conservation Awareness.<br>NCR-8.4 Local and State Programs.<br>NCR-8.5 City Facilities and City Motor Fleets.<br>NCR-8.6 Incentives | LS | |
| Impact PFS-16 | The Proposed Project may require the construction or expansion of additional energy infrastructure facilities, the construction of which could cause significant environmental effects. | | | | Implement policies designed to minimize this impact through the development of new facilities that address public safety and environmental concerns include the following:<br>LU-2.1 Agriculture Land Preservation<br>TC-2.13 Environmental Impacts of Roadway Projects<br>NCR-1.1 Protect Natural Resources<br>NCR-1.4 Environmental Review Process<br>HS-2.3 Noise Analysis<br>HS-4.5 City Review of Development Proposals<br>HS-4.6 CEQA Compliance and Air Quality Mitigation | PS | SU |
| Impact PFS-17 | The Proposed Project would not result in a substantial adverse physical impact to the continued provision of law enforcement services in the Study Area. | | | | Implement policies designed to minimize this impact through the continued provision of law enforcement services and emergency response planning include the following:<br>PFS-1.1 Maintain Existing Levels of Services<br>PFS-1.4 Development Impacts to Existing Infrastructure<br>PFS-1.5 Funding for Public Facilities<br>PFS-1.8 Impact Mitigation<br>PFS-1.9 Conditions of Approval<br>PFS-7.1 Police Response Times<br>PFS-7.2 Staffing Ratios<br>PFS-7.3 Siting of Police Stations<br>PFS-7.4 Public Safety Programs<br>PFS 7.5 Design Features for Crime Prevention and Reduction | PS | LS |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | | Mitigation Measure | | | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | | N/A = Not Applicable |
| | | | | HS-1.2 Maintain Emergency Public Services<br>HS-7.1 Coordinated Emergency Response System<br>HS-7.2 Update of Emergency Operations Plan<br>HS-7.3 Access and Evacuation Corridors<br>HS-7.4 Coordinated GIS Planning for Emergency Response<br>HS-7.5 Siting of Critical Emergency Response Facilities<br>HS-7.6 Security | | | |
| | | | | **Implementation Measure #21** The City shall conduct an assessment of proposed expansion areas, including Village areas, to determine where fees need to be levied for new and expanded public service and utility infrastructure including, but not limited to, fire stations and equipment, police stations and equipment, utility infrastructure, recreation, and library facilities. Fees should be based on initial facility and equipment costs as well as operations and long-term maintenance and replacement. (These new fee areas would be in addition to Public Facilities Program Fee Areas 1, 2, and 6 where fire facilities fees are already levied.). *[New Implementation].* | | | |
| Impact PFS-18 | The Proposed Project would include law enforcement facilities or require the construction or expansion of facilities which could have an adverse physical effect on the environment. | | | Implement policies designed to minimize this impact through the development of new facilities that address public safety and environmental concerns include the following:<br>LU-2.1 Agriculture Land Preservation<br>TC-2.13 Environmental Impacts of Roadway Projects<br>NCR-1.1 Protect Natural Resources<br>NCR-1.4 Environmental Review Process<br>HS-2.3 Noise Analysis<br>HS-4.5 City Review of Development Proposals<br>HS-4.6 CEQA Compliance and Air Quality Mitigation | PS | SU |
| Impact PFS-19 | The Proposed Project would not result in a substantial adverse physical impact to the continued provision of fire protection services in the Study Area. | | | Implement policies designed to minimize this impact through the continued provision of fire protection services and emergency response planning include the following:<br>PFS-1.1 Maintain Existing Levels of Services<br>PFS-1.4 Development Impacts to Existing Infrastructure<br>PFS-1.5 Funding for Public Facilities<br>PFS-1.8 Impact Mitigation<br>PFS-1.9 Conditions of Approval | PS | LS |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | | Mitigation Measure | | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | N/A = Not Applicable |
| | | | | PFS-8.1 Fire Response Times<br>PFS-8.2 Insurance Service Organization Rating<br>PFS-8.3 Provision of Station Facilities and Equipment<br>PFS-8.4 Cost Sharing<br>PFS-8.5 Cooperation with Adjacent Fire Districts<br>PFS-8.6 Adequate Emergency Access and Routes<br>PFS-8.8 Fire Flow Requirements<br>PFS-8.9 Fire Hazards Protection for City Programs<br>PFS-8.10 Public Awareness of Fire Hazards and Prevention<br>HS-1.2 Maintain Emergency Public Services<br>HS-1.3 Continue to Update Building and Fire Codes<br>HS-7.1 Coordinated Emergency Response System<br>HS-7.2 Update of Emergency Operations Plan<br>HS-7.3 Access and Evacuation Corridors<br>HS-7.4 Coordinated GIS Planning for Emergency Response<br>HS-7.5 Siting of Critical Emergency Response Facilities<br>HS-7.6 Security<br>Implementation Measure #20 | | |
| | | | **Implementation Measure #21** | The City shall conduct an assessment of proposed expansion areas, including Village areas, to determine where fees need to be levied for new and expanded public service and utility infrastructure including, but not limited to, fire stations and equipment, police stations and equipment, utility infrastructure, recreation, and library facilities. Fees should be based on initial facility and equipment costs as well as operations and long-term maintenance and replacement. (These new fee areas would be in addition to Public Facilities Program Fee Areas 1, 2, and 6 where fire facilities fees are already levied.). *[New Implementation].* | | |
| Impact PFS-20 | The Proposed Project would include fire protection facilities or require the construction or expansion of facilities which could have an adverse physical effect on the environment. | | | Implement policies designed to minimize this impact through the development of new facilities that address public safety and environmental concerns include the following:<br>LU-2.1 Agriculture Land Preservation<br>TC-2.13 Environmental Impacts of Roadway Projects<br>NCR-1.1 Protect Natural Resources<br>NCR-1.4 Environmental Review Process | PS | SU |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | | Mitigation Measure | | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | N/A = Not Applicable |
| | | | | HS-2.3 Noise Analysis<br>HS-4.5 City Review of Development Proposals<br>HS-4.6 CEQA Compliance and Air Quality Mitigation | | |
| Impact PFS-21 | The Proposed Project would not result in a substantial adverse physical impact to the continued provision of school services in the Study Area. | | | Implement policies designed to minimize this impact through the continued provision of school services include the following:<br>PFS-1.1 Maintain Existing Levels of Services<br>PFS-1.4 Development Impacts to Existing Infrastructure<br>PFS-1.5 Funding for Public Facilities<br>PFS-1.8 Impact Mitigation<br>PFS-1.9 Conditions of Approval<br>PFS-9.1 Appropriate Siting of Schools<br>PFS-9.2 Funding for New School Construction<br>PFS-9.3 Monitor Enrollment Needs<br>PFS-9.4 Elementary School Sites<br>PFS-9.5 School Funding<br>PFS-9.6 School Alternatives<br>Implementation Measure #4<br>Implementation Measure #21<br>DV-5.13 Joint Locations of Facilities<br>DV-5.17 Joint Locations of Schools and Parks<br>YE-3.1 Education Programs<br>YE-3.2 Schools and Neighborhoods<br>YE-3.3 Private Educational Facilities<br>YE-3.4 Child Care<br>YE-3.5 Educational and Child Care Facilities<br>YE-3.6 Law Enforcement and Education<br>YE-3.7 After School Programs | PS | LS |
| | | | **PFS-9.5** | **School Funding.** To the extent allowed by State law, the City will require new projects to mitigate impacts on school facilities, which could occur through the use of developer fees. The City will also work with school districts, developers, and the public to evaluate alternatives to funding/providing adequate school facilities. *[Public Comment – Draft EIR Analysis].* | | |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | | Mitigation Measure | | | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | | N/A = Not Applicable |
| | | | **Implementation Measure #21** | The City shall conduct an assessment of proposed expansion areas, including Village areas, to determine where fees need to be levied for new and expanded public service and utility infrastructure including, but not limited to, fire stations and equipment, police stations and equipment, utility infrastructure, recreation, and library facilities. Fees should be based on initial facility and equipment costs as well as operations and long-term maintenance and replacement. (These new fee areas would be in addition to Public Facilities Program Fee Areas 1, 2, and 6 where fire facilities fees are already levied.). *[New Implementation].* | | | |
| Impact PFS-22 | The Proposed Project would not result in a substantial adverse physical impact to the continued provision of library services in the Study Area. | | | Implement policies designed to minimize this impact through the continued provision of library services include the following:<br>PFS-1.1 Maintain Existing Levels of Services<br>PFS-1.4 Development Impacts to Existing Infrastructure<br>PFS-1.5 Funding for Public Facilities<br>PFS-1.8 Impact Mitigation<br>PFS-1.9 Conditions of Approval<br>PFS-11.1 Library Standards<br>PFS-11.2 Branch Library Locations: Siting of Libraries<br>PFS-11.3 Support for Community Center Uses<br>PFS-11.4 Information Technology<br>Implementation Measure #4<br>Implementation Measure #21 | | PS | LS |
| | | | **Implementation Measure #21** | The City shall conduct an assessment of proposed expansion areas, including Village areas, to determine where fees need to be levied for new and expanded public service and utility infrastructure including, but not limited to, fire stations and equipment, police stations and equipment, utility infrastructure, recreation, and library facilities. Fees should be based on initial facility and equipment costs as well as operations and long-term maintenance and replacement. (These new fee areas would be in addition to Public Facilities Program Fee Areas 1, 2, and 6 where fire facilities fees are already levied.). *[New Implementation].* | | | |

## TABLE ES-3
## SUMMARY OF IMPACTS AND MITIGATION MEASURES

| Environmental Impact | | Mitigation Measure | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B / Significant = S / Cumulative Significant = CS / Significant and Unavoidable = SU / Potentially Significant = PS | | | N/A = Not Applicable |
| Impact PFS-23 | The Proposed Project would include library facilities or require the construction or expansion of facilities which could have an adverse physical effect on the environment. | Implement policies designed to minimize this impact through the development of new facilities that address public safety and environmental concerns include the following:<br>LU-2.1 Agriculture Land Preservation<br>TC-2.13 Environmental Impacts of Roadway Projects<br>NCR-1.1 Protect Natural Resources<br>NCR-1.4 Environmental Review Process<br>HS-2.3 Noise Analysis<br>HS-4.5 City Review of Development Proposals<br>HS-4.6 CEQA Compliance and Air Quality Mitigation | LS | SU |
| **CHAPTER 10** | **RECREATION AND WATERWAYS** | | | |
| Impact RW-1 | The Proposed Project would result in the substantial physical deterioration of existing neighborhood and regional parks or other recreational facilities through increased use. | Implement policies designed to minimize this impact through the continued funding and development of park and recreation facilities include the following:<br>PFS-1.1 Maintain Existing Levels of Services<br>PFS-1.4 Development Impacts to Existing Infrastructure<br>PFS-1.5 Funding for Public Facilities<br>PFS-1.8 Impact Mitigation<br>PFS-1.9 Conditions of Approval<br>Implementation Measure #21<br>RW-1.1 Recreational Needs<br>RW-1.2 Maintenance of Recreational Facilities<br>RW-2.1 City Park and Recreation Standards<br>RW-2.2 Funding for Recreational Areas and Facilities<br>RW-2.3 Siting to Maximize Security<br>RW-2.7 Design of Community Parks<br>RW-2.8 Design of Neighborhoods Parks<br>RW-2.11 Renovation of Downtown Parks<br>RW-2.12 Citywide Park Maintenance District<br>RW-2.13 Public Property for Parks<br>RW-3.1 Community Center Standards<br>RW-3.4 Development of Regional Parks<br>RW-3.5 Acquisition of Open Space<br>RW-3.6 Development of Utility Easements for Open Space<br>Implementation Measure #2<br>Implementation Measure #3 | PS | LS |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | | Mitigation Measure | | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | N/A = Not Applicable |
| | | | | Implementation Measure #4<br>Implementation Measure #5<br>Implementation Measure #10<br>Implement policies designed to minimize this impact through the continued funding and development of joint use recreation facilities include the following:<br>RW-2.4 Joint Park and School Facilities<br>RW-2.5 Stormwater Detention Basins for Recreation Uses<br>RW-2.6 Developer Credit for Stormwater Drainage Basins<br>RW-3.2 Joint School and Community Facilities<br>RW-3.3 Development of Bikeways and Trails<br>Implement policies designed to minimize this impact through the continued funding and development of existing and new recreation programs include the following:<br>RW-4.1 Promote Childcare/Youth and Family Programs<br>RW-4.2 Sponsor Specialized Recreation Programs<br>RW-4.3 Recreational Opportunities for Lower-Income Families<br>RW-4.4 Commercial Recreation / Non-Profit Facilities<br>RW-4.5 Youth Programs and Services<br>RW-4.6 Recreational Services and Programs Reflecting Cultural Diversity | | |
| | | | | **Implementation Measure #21** The City shall conduct an assessment of proposed expansion areas, including Village areas, to determine where fees need to be levied for new and expanded public service and utility infrastructure including, but not limited to, fire stations and equipment, police stations and equipment, utility infrastructure, recreation, and library facilities. Fees should be based on initial facility and equipment costs as well as operations and long-term maintenance and replacement. (These new fee areas would be in addition to Public Facilities Program Fee Areas 1, 2, and 6 where fire facilities fees are already levied.). *[New Implementation].* | | |
| Impact RW-2 | The Proposed Project would include recreational facilities or require the construction or expansion of recreational facilities which would have an adverse physical effect on | | | Policies designed to minimize this impact through the development of new facilities that address all applicable public safety and environmental concerns include the following: | PS | SU |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | | Mitigation Measure | | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | N/A = Not Applicable |
| | the environment. | | | RW-1.1 Recreational Needs<br>RW-3.4 Development of Regional Parks<br>RW-3.5 Acquisition of Open Space<br>RW-3.6 Development of Utility Easements for Open Space | | |
| | | | **RW-1.1** | **Recreational Needs.** The City shall develop and provide facilities and programs to address the diverse recreation needs of Stockton residents, including various age groups, and income levels. Facilities shall be developed in compliance with all applicable regulations designed to address public safety and environmental impacts that may result through the construction, operation, and maintenance of these facilities. *[New Policy – Draft EIR Analysis].* | | |
| | | | **PFS-4.2** | **Watershed Drainage Plans.** The City shall require the preparation of watershed drainage plans for proposed developments within the urban services boundary. These plans shall define needed drainage improvements and estimate construction costs for these improvements. The plans will also identify a range of feasible measures that can be implemented to reduce all public safety and/or environmental impacts associated with the construction, operation, or maintenance of any required drainage improvements (i.e., drainage basins, etc.). (*[Source: Section 4, Water Facilities; Goal 1, Policy 10] [Draft EIR Analysis].* | | |
| Impact RW-3 | The Proposed Project would increase the potential risk of fire hazards along open space corridors or other recreational facilities through increased use. | | | Implement policies designed to minimize this impact through appropriate recreation facility management include the following:<br>RW-1.1 Recreational Needs<br>RW-1.2 Maintenance of Recreational Facilities<br>RW-2.3 Siting to Maximize Security<br>RW-5.1 Incorporate Waterways Into Design of Parks and Trails<br>RW-5.2 Improve Riparian Corridors<br>RW-5.3 Funding Waterway Access<br>Implementation Measure #8<br>Implementation Measure #9<br>Implementation Measure #10<br>Implementation Measure #12 | PS | LS |

## TABLE ES-3
## SUMMARY OF IMPACTS AND MITIGATION MEASURES

| Environmental Impact | | | Mitigation Measure | | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | N/A = Not Applicable |
| | | | **RW-5.4** | **Design of Waterway and Trail Corridors.** The City shall design waterway and trail corridors to meet the recreational needs of the community, while maximizing public safety and access concerns. This includes locating trail corridors to ensure visibility along public roadways, where appropriate. *[New Policy – Draft EIR Analysis].* | | |
| | | | **RW-5.5** | **Maintenance of Waterway and Trail Corridors.** The City shall ensure that existing park maintenance activities incorporate applicable trail maintenance activities necessary to address public safety issues along City-owned trail areas. Trail maintenance activities shall be conducted in a manner consistent with all applicable environmental regulations and shall ensure emergency vehicle access along portions of the trail corridor where appropriate. Trail maintenance measures shall include, but not be limited to, vegetation or brush clearing and signage prohibiting inappropriate uses. *[New Policy – Draft EIR Analysis].* | | |
| Impact RW-4 | The Proposed Project would increase the potential for crime to occur within and adjacent to open space corridors or other recreational facilities through increased use. | | | Implement policies designed to minimize this impact through appropriate recreation facility management include the following:<br>RW-1.2 Maintenance of Recreational Facilities<br>RW-2.3 Siting to Maximize Security<br>Implementation Measure #8<br>Implementation Measure #9<br>Implementation Measure #10<br>Implementation Measure #12 | PS | LS |
| | | | **RW-5.4** | **Design of Waterway and Trail Corridors.** The City shall design waterway and trail corridors to meet the recreational needs of the community. Trail corridors should be designed to maximize public safety and access. This includes locating trail corridors to ensure visibility along public roadways, where appropriate. *[New Policy – Draft EIR Analysis]* | | |
| | | | **RW-5.6** | **Security along Waterway and Trail Corridors.** The City shall implement a variety of public safety measures to address crime-related issues along City-owned trail areas. Public safety measures shall include, but not be limited to, active policing using pedestrian, bicycling, or equestrian patrols. | | |

## TABLE ES-3
## SUMMARY OF IMPACTS AND MITIGATION MEASURES

| Environmental Impact | | | | Mitigation Measure | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | N/A = Not Applicable |
| | | | | Emergency call boxes or solar-powered telephones shall also be placed in appropriate places along trail corridors to provide prompt access to emergency services. *[New Policy – Draft EIR Analysis].* | | |
| **CHAPTER 11** | **HEALTH AND SAFETY** | | | | | |
| Impact HS-1 | The Proposed Project would result in the exposure of persons to or generation of nose levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; or would result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project; or would result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project. | | | Implement policies designed to provide guidance on the analysis, mitigation and monitoring of a variety of noise-related impacts that could occur within the Study Area include the following:<br>HS-2.1 Sensitive Receptors<br>HS-2.2 Noise Compatibility Guidelines<br>HS-2.3 Noise Analysis<br>HS-2.4 Conduct Noise Monitoring<br>HS-2.12 Sound Attenuation Features<br>HS-2.13 Noise Buffering<br>HS-2.14 State Noise Insulation Standards<br>HS-2.15 California Vehicle Code Standards<br>HS-2.16 City vehicle and Equipment Implementation Measure #3<br>Implement policies designed to minimize construction-related noise impacts in the Study Area include the following:<br>HS-2.10 Construction Noise<br>HS-2.11 Limiting Construction Activities<br>Implement policies designed to minimize mobile or transportation-related noise impacts in the Study Area include the following:<br>HS-2.5 Mitigating Highway Noise<br>HS-2.6 Controlling Truck Traffic Noise<br>HS-2.7 Coordinate with Caltrans<br>Implement policies designed to promote compatible development within areas that minimize impacts (including noise) to surrounding land uses include the following:<br>HS-1.1 Development Constraints<br>HS-2.17 Commercial Uses<br>HS-2.18 Industrial Uses<br>HS-2.18 Noise Easements<br>TC-8.1 Port-Related Land Uses | PS | SU |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | | Mitigation Measure | | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | N/A = Not Applicable |
| | | | | LU-1.7 Land Use Conflicts<br>LU-3.7 Incompatible Uses<br>LU-3.9 Conflicting Uses<br>LU-5.2 Clustering of Uses<br>LU-5.4 Adjacent Uses and Access<br>LU-5.5 Compatible Land Uses<br>LU-5.7 Adjacent Major Transit Uses | | |
| | | | **HS-2.19** | **Setback of Habitable Structures.** The City shall require that all new habitable structures be setback at least 85 feet from the nearest railroad track. These setback areas shall be measured from the edge of the outermost railroad track. *[New Policy – Draft EIR Analysis].* | | |
| Impact HS-2 | The Proposed Project will result in the exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels. | | | Implement policies designed to provide guidance on the analysis, mitigation and monitoring of a variety of noise-related impacts that could occur within the Study Area include the following:<br>HS-2.1 Sensitive Receptors<br>HS-2.2 Noise Compatibility Guidelines<br>HS-2.3 Noise Analysis<br>HS-2.4 Conduct Noise Monitoring<br>HS-2.12 Sound Attenuation Features<br>HS-2.13 Noise Buffering<br>HS-2.14 State Noise Insulation Standards<br>HS-2.15 California Vehicle Code Standards<br>HS-2.16 City vehicle and Equipment Implementation Measure #3<br>Implement policies designed to minimize construction-related noise impacts in the Study Area include the following:<br>HS-2.10 Construction Noise<br>HS-2.11 Limiting Construction Activities<br>Implement policies designed to minimize mobile or transportation-related noise impacts in the Study Area include the following:<br>HS-2.5 Mitigating Highway Noise<br>HS-2.6 Controlling Truck Traffic Noise<br>HS-2.7 Coordinate with Caltrans | PS | SU |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | | | Mitigation Measure | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | N/A = Not Applicable |
| | | | | Implement policies designed to promote compatible development within areas that minimize impacts (including noise) to surrounding land uses include the following:<br>HS-1.1 Development Constraints<br>HS-2.17 Commercial Uses<br>HS-2.18 Industrial Uses<br>HS-2.18 Noise Easements<br>TC-8.1 Port-Related Land Uses<br>LU-1.7 Land Use Conflicts<br>LU-3.7 Incompatible Uses<br>LU-3.9 Conflicting Uses<br>LU-5.2 Clustering of Uses<br>LU-5.4 Adjacent Uses and Access<br>LU-5.5 Compatible Land Uses<br>LU-5.7 Adjacent Major Transit Uses | | |
| Impact HS-3 | The Proposed Project will be located within an airport land use plan area or within the vicinity of a private airstrip and could expose people residing or working with the project area to excessive noise levels. | | | Implement policies designed to minimize the risk to City residents or local workers of exposure to excessive airport related noise levels include the following:<br><br>LU-1.7 Land Use Conflicts<br>LU-3.7 Incompatible Uses<br>LU-5.7 Adjacent Major Transit Uses<br>HS-2.8 Development Surrounding Airport<br>HS-2.9 Update Airport Master Plan<br>TC-7.4 Airport Related Land Uses<br>~~TC-7.6 Consistency with Airport Land Use Commission Policies~~<br><br>Implement policies designed to provide guidance on the analysis, mitigation and monitoring of a variety of noise-related impacts that could occur within the Study Area include the following:<br><br>HS-2.1 Sensitive Receptors<br>HS-2.2 Noise Compatibility Guidelines<br>HS-2.3 Noise Analysis<br>HS-2.4 Conduct Noise Monitoring<br>HS-2.12 Sound Attenuation Features | PS | SU |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | | | | Mitigation Measure | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | | Potentially Significant = PS | N/A = Not Applicable |
| | | | | | HS-2.13 Noise Buffering<br>HS-2.14 State Noise Insulation Standards<br>HS-2.15 California Vehicle Code Standards<br>HS-2.16 City vehicle and Equipment<br>Implementation Measure #3 | | |
| | | | | | **LU-6.1 Airport Influence Area**<br>The City of Stockton will utilize the AIA adopted by the County ~~Stockton Metropolitan Airport's~~ Airport Land Use Commission for Stockton Metropolitan Airport ~~as part of an update performed after 20076~~. In general, the AIA should be defined to encompass:<br><br>All lands that, due to their proximity to the airport, are subject to a materially greater level of safety risk and/or adverse environmental effect (e.g. noise) from present or foreseeable future airport operations than lands more distant from the airport, and all lands in the vicinity of the airport on which certain land uses (e.g., residential or educational) could inhibit present or foreseeable airport operations due to the increased safety risks or adverse environmental effects (e.g., noise) on sensitive receptors that could result from such land uses.<br><br>~~Prior to the adoption of a new AIA, the AIA will be defined as all properties within two miles of the airport boundary, as illustrated on Figure 3-2~~. *[New Policy, City/Consultants]* | | |
| | | | | | **LU-6.2 Consistency with Airport Land Use Commission Policies**<br>The City will protect the Airport and related aviation facilities from encroachment by potentially incompatible land uses. The City shall ensure that the General Plan and all future development within the AIA will be consistent with the policies adopted by the San Joaquin County Airport Land Use Commission (ALUC), except where, pursuant to Public Utilities Code Sections 21676 and 21676.5, the City Council, pursuant to a two thirds vote, exercises its option to conclude that, notwithstanding a negative recommendation from the ALUC, the Council's proposed action is consistent with the purposes of providing for the orderly development of the Airport and the areas surrounding the airport while protecting the public health, safety, and welfare by minimizing the public's exposure | | |

## TABLE ES-3
## SUMMARY OF IMPACTS AND MITIGATION MEASURES

| Environmental Impact | | | Mitigation Measure | | | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | | N/A = Not Applicable |

to excessive and safety hazards. *[Source: Section 3, Air and Water Transportation; Goal 2, Policy 4 and input from Airport Staff, Previously Policy TC-6.5]*

~~**LU-6.3**~~ ~~**Interim Land Use Compatibility.** Prior to adoption of a new Airport Land Use Compatibility Plan (ALUCP) to reflect current facility/operational parameters, the City shall utilize the following criteria for evaluation of land use applications within the AIA:~~

- ~~All project submittals shall be circulated to the ALUC for review and comment.~~
- ~~Land use regulations in the existing ALUCP will apply for areas defined as being in the following Airport Land Use Zones (as defined in the existing ALUCP): Inner Approach Zone, Outer Approach Zone, Primary Surface Zone, Runway Protection Zone, and Transitional Zone.~~
- ~~For areas outside of the zones defined in Item #2 but within the AIA, applications for the following land uses will not be allowed until an updated ALUCP is prepared that demonstrates the suitability of the proposed land use or, in the meantime, an Aviation Safety Study is provided with the application, for review by the City and the ALUC, that demonstrates the suitability of the use in the proposed location/configuration:~~
  - ~~Residential~~
  - ~~Schools (except flight schools), libraries, hospitals, nursing homes, hotels, motels, dormitories, and other similar uses~~
  - ~~Noise sensitive uses, such as outdoor theaters.~~
  - ~~Uses that pose hazards to aviation safety~~
  - ~~Facilities with a height of over 70 feet~~
- ~~If the City decides to allow any of the uses identified in Item 3 such uses shall be required to have interior noise levels (attributable to exterior sources) that shall not exceed 45 dB in any habitable structure.~~ ~~*[New Policy – Draft EIR Analysis]*~~

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | | Mitigation Measure | | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | N/A = Not Applicable |
| | | | **Policy LU-6.3** | **Obstructions**<br>The City will ensure the height of new structures complies with Federal Aviation Administration (FAA) Part 77 requirements. *[New Policy – Draft EIR Analysis].* | | |
| | | | **LU-6.4** | **Infill within Adopted AIA**<br>Where substantial incompatible development already exists, additional infill development of similar land uses may be allowed to occur even if such land uses are to be prohibited elsewhere in the zone, consistent with Public Utilities Code Sections 21676 and 21676.5. ~~This exception does not apply in areas within the zones defined in Item 2 of LU-6.3.~~ Projects can be considered infill if they meet all of the following criteria:<br>• The project site is bounded on at least three sides by uses similar to those proposed.<br>• The proposed project would not extend the perimeter of the area developed with incompatible uses.<br>• The proposed project does not otherwise increase the intensity and/or incompatibility of use through use permits, density transfers or other strategies. *[New Policy – Draft EIR Analysis].* | | |
| | | | **LU-6.5** | **Avigation Easements within AIA.** New development, or expansion of an existing use that requires a building permit, within the AIA defined at the time of application, will be required to file an avigation easement with the City. *[New Policy – Draft EIR Analysis].* | | |
| | | | **LU-6.6** | **Adjacent Major Transportation Hubs.** The City shall direct industrial uses to areas in or near the Stockton Metropolitan Airport, the Port of Stockton, and the BNSF Intermodal Facility consistent with the policies of the Airport Land Use Commission, the Port of Stockton Master Development Plan, and BNSF respectively. [Source: Section 1, Industrial Land Use; Goal 2, Policy 3, Staff/ Consultants, Old LU-5.7]. | | |

## TABLE ES-3
## SUMMARY OF IMPACTS AND MITIGATION MEASURES

| Environmental Impact | | | Mitigation Measure | | | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | | N/A = Not Applicable |
| | | | ~~LU-6.7~~ | ~~**Noise Analysis.** As deemed necessary by the City, the environmental review for discretionary development proposals located near the airport shall include, single event noise analyses. *[New Policy – Draft EIR Analysis].*~~ | | | |
| | | | **Policy LU-6.7** | **Interior Noise Within Adopted AIA** Sound attenuation shall be included in the requirements of new projects to provide interior noise levels (attributable to exterior sources) that do not exceed 45 dB in any habitable structure. *[New Policy – Draft EIR Analysis].* | | | |
| | | | **Implementation Measure #~~5~~12.** | The City will prepare and adopt modifications to the General Plan needed to bring the General Plan into compliance with any ALUCP adopted after 2006. *[New Implementation Measure – Draft EIR Analysis].* | | | |
| | | | ~~**HS-2.20**~~ | ~~**Conformity with Current AELUP.** The City shall require that property owners/developers use the most current available AELUP as a planning resource for evaluating airport operations in addition to land use compatibility for development in the proximity of the Stockton Metropolitan Airport. Each project within the AIA shall conduct an appropriate noise and safety analysis (including, but not limited to: single event noise and accident risk) as part of the CEQA documentation. *[New Policy – Draft EIR Analysis].*~~ | | | |
| Impact HS-4 | The Proposed Project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: 1) rupture of a known earthquake, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map, issued by the State Geologist for the area or based on other substantial evidence of a known fault; 2) strong seismic groundshaking; 3) seismic-related ground failure, including liquefaction; or 4) landslides. | | | Implement policies designed to minimize geologic hazard impacts to people and structures in the Study Area include the following:<br><br>HS-1.1 Development Constraints<br>HS-1.3 Continue to Update Building and Fire Codes<br>~~HS-1.4~~ Promote Hazard Awareness<br>~~HS-3.1~~ Seismic Safety of Structures and Public Facilities<br>~~HS-3.2~~ Development in Areas Subject to Geologic Hazards<br>HS-3.4 Uniform Building Code<br>HS-3.5 Seismic Retrofitting<br>HS-3.6 Development within the Primary Zone of the Delta<br>HS-3.8 Alquist-Priolo Act Compliance<br>Implementation Measure #5<br>Implementation measure #6 | | LS | |

## TABLE ES-3
## SUMMARY OF IMPACTS AND MITIGATION MEASURES

| | Environmental Impact | Mitigation Measure | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|
| | Less than Significant = LS; Beneficial = B; Significant = S; Cumulative Significant = CS; Significant and Unavoidable = SU; Potentially Significant = PS | | | N/A = Not Applicable |
| Impact HS-5 | The Proposed Project would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse. | Implement policies designed to minimize geologic hazard impacts to people and structures in the Study Area include the following:<br>HS-1.1 Development Constraints<br>HS-1.3 Continue to Update Building and Fire Codes<br>HS-1.4 Promote Hazard Awareness<br>HS-3.1 Seismic Safety of Structures and Public Facilities<br>HS-3.2 Development in Areas Subject to Geologic Hazards<br>HS-3.4 Uniform Building Code<br>HS-3.5 Seismic Retrofitting<br>HS-3.6 Development within the Primary Zone of the Delta<br>HS-3.8 Alquist-Priolo Act Compliance<br>Implementation Measure #5<br>Implementation measure #6 | LS | |
| Impact HS-6 | The Proposed Project could be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code ~~(1994)~~ (1997), but would not create substantial risks to life or property. | Implement policies designed to minimize geologic hazard impacts to people and structures in the Study Area include the following:<br>HS-1.1 Development Constraints<br>HS-1.3 Continue to Update Building and Fire Codes<br>HS-1.4 Promote Hazard Awareness<br>HS-3.1 Seismic Safety of Structures and Public Facilities<br>HS-3.2 Development in Areas Subject to Geologic Hazards<br>HS-3.4 Uniform Building Code<br>HS-3.5 Seismic Retrofitting<br>HS-3.6 Development within the Primary Zone of the Delta<br>HS-3.8 Alquist-Priolo Act Compliance<br>Implementation Measure #5<br>Implementation measure #6 | LS | |
| Impact HS-7 | The Proposed Project would result in a cumulatively considerable net increase of criteria pollutants. Future growth in accordance with the Proposed Project would exceed the daily SJVAPCD thresholds for NOx and ROG. | Implement policies designed to minimize construction-related air quality impacts in the Study Area include the following:<br>HS-4.7 Air Quality Mitigation<br>HS-4.9 Dust Suppression Measures | PS | SU |

## TABLE ES-3
## SUMMARY OF IMPACTS AND MITIGATION MEASURES

| Environmental Impact | | | | Mitigation Measure | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | N/A = Not Applicable |
| | | | | Implement policies designed to reduce the use of single-occupant vehicle trips to help reduce operational air quality impacts in the Study Area include the following:<br>LU-1.12 Commuting Distances<br>HS-4.10 Travel Demand Measures<br>HS-4.13 Location of Support Services<br>HS-4.14 Parking Controls<br>HS-4.15 Infill Near Employment<br>Implement policies designed to support the use of alternatives methods of transportation and improve the efficiency and ridership of public transit and rail within the City include the following:<br>HS-4.8 Transportation Demand Management Programs<br>HS-4.12 Employment-Intensive Development<br>HS-4.17 Street Design<br>HS-4.18 Design for Transportation Alternatives Implementation Measure #13<br>TC-3.9 Programs for Smart Growth/Transit-Oriented-Development<br>TC-4.1 Support and Plan for Bus and Rail Transit<br>TC-4.3 Clustering of Land Uses in Transit-Serving Areas<br>TC-4.13 Support Heavy Rail Passenger Connections<br>Implement policies designed to support the increased use of electric and alternative fuel vehicles include the following:<br>Implementation Measure #9<br>Implementation Measure #10<br>Implementation Measure #11<br>Implement policies designed to encourage continued support of regional air quality planning efforts include the following:<br>HS-4.1 Cooperation with Local and Regional Agencies<br>HS-4.2 Regional Agency Review<br>HS-4.3 Regional Air Quality Project Review<br>HS-4.4 Support Regional Air Quality Attainment Plans<br>HS-4.16 Planning Programs<br>Implementation Measure #7<br>Implement policies designed to minimize air quality emissions associated with future development in the Study Area include the following: | | |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | Mitigation Measure | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|
| Less than Significant = LS<br>Beneficial = B<br>Significant = S<br>Cumulative Significant = CS<br>Significant and Unavoidable = SU<br>Potentially Significant = PS | | | | N/A = Not Applicable |
| | | HS-4.5 City Review of Development Proposals<br>HS-4.6 CEQA Compliance<br>HS-4.7 Air Quality Mitigation<br>HS-4.11 Woodburning<br>HS-4.19 Transportation Management Associations<br>Implementation Measure #8<br>Implementation Measure #12 | | |
| Impact HS-8 | The Proposed Project would not conflict with or obstruct implementation of an applicable air quality plan. | Implement policies designed to minimize construction-related air quality impacts in the Study Area include the following:<br>HS-4.7 Air Quality Mitigation<br>HS-4.9 Dust Suppression Measures<br>Implement policies designed to reduce the use of single-occupant vehicle trips to help reduce operational air quality impacts in the Study Area include the following:<br>LU-1.12 Commuting Distances<br>HS-4.10 Travel Demand Measures<br>HS-4.13 Location of Support Services<br>HS-4.14 Parking Controls<br>HS-4.15 Infill Near Employment<br>Implement policies designed to support the use of alternatives methods of transportation and improve the efficiency and ridership of public transit and rail within the City include the following:<br>HS-4.8 Transportation Demand Management Programs<br>HS-4.12 Employment-Intensive Development<br>HS-4.17 Street Design<br>HS-4.18 Design for Transportation Alternatives<br>Implementation Measure #13<br>TC-3.9 Programs for Smart Growth/Transit-Oriented-Development<br>TC-4.1 Support and Plan for Bus and Rail Transit<br>TC-4.3 Clustering of Land Uses in Transit-Serving Areas<br>TC-4.13 Support Heavy Rail Passenger Connections<br>Implement policies designed to support the increased use of electric and alternative fuel vehicles include the following:<br>Implementation Measure #9<br>Implementation Measure #10<br>Implementation Measure #11 | PS | SU |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| | Environmental Impact | | | | Mitigation Measure | | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|---|---|
| Less than Significant = LS | | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | | N/A = Not Applicable |
| | | | | | Implement policies designed to encourage continued support of regional air quality planning efforts include the following:<br>HS-4.1 Cooperation with Local and Regional Agencies<br>HS-4.2 Regional Agency Review<br>HS-4.3 Regional Air Quality Project Review<br>HS-4.4 Support Regional Air Quality Attainment Plans<br>HS-4.16 Planning Programs<br>Implementation Measure #7<br>Implement policies designed to minimize air quality emissions associated with future development in the Study Area include the following:<br>HS-4.5 City Review of Development Proposals<br>HS-4.6 CEQA Compliance<br>HS-4.7 Air Quality Mitigation<br>HS-4.11 Woodburning<br>HS-4.19 Transportation Management Associations<br>Implementation Measure #8<br>Implementation Measure #12 | | |
| Impact HS-9 | Buildout of the Proposed Project would generate emissions above the daily SJVAPCD significance thresholds for NOx and ROG, primarily due to emissions related to increased traffic. | | | | Implement policies designed to minimize construction-related air quality impacts in the Study Area include the following:<br>HS-4.7 Air Quality Mitigation<br>HS-4.9 Dust Suppression Measures<br>Implement policies designed to reduce the use of single-occupant vehicle trips to help reduce operational air quality impacts in the Study Area include the following:<br>LU-1.12 Commuting Distances<br>HS-4.10 Travel Demand Measures<br>HS-4.13 Location of Support Services<br>HS-4.14 Parking Controls<br>HS-4.15 Infill Near Employment<br>Implement policies designed to support the use of alternatives methods of transportation and improve the efficiency and ridership of public transit and rail within the City include the following:<br>HS-4.8 Transportation Demand Management Programs<br>HS-4.12 Employment-Intensive Development<br>HS-4.17 Street Design | PS | SU |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | | | Mitigation Measure | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | N/A = Not Applicable |
| | | | | HS-4.18 Design for Transportation Alternatives Implementation Measure #13<br>TC-3.9 Programs for Smart Growth/Transit-Oriented-Development<br>TC-4.1 Support and Plan for Bus and Rail Transit<br>TC-4.3 Clustering of Land Uses in Transit-Serving Areas<br>TC-4.13 Support Heavy Rail Passenger Connections<br>Implement policies designed to support the increased use of electric and alternative fuel vehicles include the following:<br>Implementation Measure #9<br>Implementation Measure #10<br>Implementation Measure #11<br>Implement policies designed to encourage continued support of regional air quality planning efforts include the following:<br>HS-4.1 Cooperation with Local and Regional Agencies<br>HS-4.2 Regional Agency Review<br>HS-4.3 Regional Air Quality Project Review<br>HS-4.4 Support Regional Air Quality Attainment Plans<br>HS-4.16 Planning Programs<br>Implementation Measure #7<br>Implement policies designed to minimize air quality emissions associated with future development in the Study Area include the following:<br>HS-4.5 City Review of Development Proposals<br>HS-4.6 CEQA Compliance<br>HS-4.7 Air Quality Mitigation<br>HS-4.11 Woodburning<br>HS-4.19 Transportation Management Associations<br>Implementation Measure #8<br>Implementation Measure #12 | | |
| Impact HS-10 The Proposed Project would expose sensitive receptors to substantial pollutant concentrations. | | | | Implement policies designed to reduce the use of single-occupant vehicle trips to help reduce operational air quality impacts in the Study Area include the following:<br>LU-1.12 Commuting Distances<br>HS-4.10 Travel Demand Measures<br>HS-4.13 Location of Support Services<br>HS-4.14 Parking Controls<br>HS-4.15 Infill Near Employment | PS | SU |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | | | Mitigation Measure | | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | | Potentially Significant = PS | N/A = Not Applicable |
| | | | | | Implement policies designed to support the use of alternatives methods of transportation and improve the efficiency and ridership of public transit and rail within the City include the following:<br>HS-4.8 Transportation Demand Management Programs<br>HS-4.12 Employment-Intensive Development<br>HS-4.17 Street Design<br>HS-4.18 Design for Transportation Alternatives<br>Implementation Measure #13<br>TC-3.9 Programs for Smart Growth/Transit-Oriented-Development<br>TC-4.1 Support and Plan for Bus and Rail Transit<br>TC-4.3 Clustering of Land Uses in Transit-Serving Areas<br>TC-4.13 Support Heavy Rail Passenger Connections<br>Implement policies designed to support the increased use of electric and alternative fuel vehicles include the following:<br>Implementation Measure #9<br>Implementation Measure #10<br>Implementation Measure #11<br>Implement policies designed to encourage continued support of regional air quality planning efforts include the following:<br>HS-4.1 Cooperation with Local and Regional Agencies<br>HS-4.2 Regional Agency Review<br>HS-4.3 Regional Air Quality Project Review<br>HS-4.4 Support Regional Air Quality Attainment Plans<br>HS-4.16 Planning Programs<br>Implementation Measure #7<br>Implement policies designed to minimize air quality emissions associated with future development in the Study Area include the following:<br>HS-4.5 City Review of Development Proposals<br>HS-4.6 CEQA Compliance<br>HS-4.7 Air Quality Mitigation<br>HS-4.11 Woodburning<br>HS-4.19 Transportation Management Associations<br>Implementation Measure #12 | | |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | | | Mitigation Measure | | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | | Potentially Significant = PS | N/A = Not Applicable |
| | | | | | Implement policies designed to promote compatible development within areas that minimize impacts to surrounding land uses include the following:<br>LU-1.7 Land Use Conflicts<br>LU-3.7 Incompatible Uses<br>LU-3.9 Conflicting Uses<br>LU-5.2 Clustering of Uses<br>LU-5.4 Adjacent Uses and Access<br>LU-5.5 Compatible Land Use<br>LU-5.7 Adjacent Major Transit Uses | | |
| Impact HS-11 The Proposed Project would not create objectionable odors affecting a substantial number of people. | | | | | Implement policies designed to minimize construction-related air quality impacts in the Study Area include the following:<br>HS-4.7 Air Quality Mitigation<br>HS-4.9 Dust Suppression Measures<br>Implement policies designed to encourage continued support of regional air quality planning efforts include the following:<br>HS-4.1 Cooperation with Local and Regional Agencies<br>HS-4.2 Regional Agency Review<br>HS-4.3 Regional Air Quality Project Review<br>HS-4.4 Support Regional Air Quality Attainment Plans<br>HS-4.16 Planning Programs<br>Implementation Measure #7<br>Implement policies designed to minimize air quality emissions associated with future development in the Study Area include the following:<br>LU-1.12 Commuting Distances<br>HS-4.5 City Review of Development Proposals<br>HS-4.6 CEQA Compliance<br>HS-4.7 Air Quality Mitigation<br>HS-4.11 Woodburning<br>HS-4.19 Transportation Management Associations<br>Implementation Measure #12<br>Implement policies designed to promote compatible development within areas that minimize impacts to surrounding land uses include the following:<br>LU-1.7 Land Use Conflicts<br>LU-3.7 Incompatible Uses<br>LU-3.9 Conflicting Uses | LS | |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | | | Mitigation Measure | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | N/A = Not Applicable |
| | | | | LU-5.2 Clustering of Uses<br>LU-5.4 Adjacent Uses and Access<br>LU-5.5 Compatible Land Use<br>LU-5.7 Adjacent Major Transit Uses | | |
| Impact HS-12 | The Proposed Project would result in a cumulatively considerable net increase of greenhouse gas emissions that would contribute to global warming conditions | | | Implement policies designed to reduce the use of single-occupant vehicle trips to help reduce operational air quality impacts in the Study Area include the following:<br>LU-1.12 Commuting Distances<br>HS-4.10 Travel Demand Measures<br>HS-4.13 Location of Support Services<br>HS-4.14 Parking Controls<br>HS-4.15 Infill Near Employment<br>Implement policies designed to support the use of alternatives methods of transportation and improve the efficiency and ridership of public transit and rail within the City include the following:<br>HS-4.8 Transportation Demand Management Programs<br>HS-4.12 Employment-Intensive Development<br>HS-4.17 Street Design<br>HS-4.18 Design for Transportation Alternatives<br>Implementation Measure #13<br>TC-3.9 Programs for Smart Growth/Transit-Oriented-Development<br>TC-4.1 Support and Plan for Bus and Rail Transit<br>TC-4.3 Clustering of Land Uses in Transit-Serving Areas<br>TC-4.13 Support Heavy Rail Passenger Connections<br>Implement policies designed to support the increased use of electric and alternative fuel vehicles include the following:<br>Implementation Measure #9<br>Implementation Measure #10<br>Implementation Measure #11<br>Implement policies designed to encourage continued support of regional air quality planning efforts include the following:<br>HS-4.1 Cooperation with Local and Regional Agencies<br>HS-4.2 Regional Agency Review<br>HS-4.3 Regional Air Quality Project Review<br>HS-4.4 Support Regional Air Quality Attainment Plans<br>HS-4.16 Planning Programs | PS | SU |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | | Mitigation Measure | | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | N/A = Not Applicable |
| | | | | Implementation Measure #7<br>Implement policies designed to minimize air quality emissions associated with future development in the Study Area include the following:<br>HS-4.5 City Review of Development Proposals<br>HS-4.6 CEQA Compliance<br>HS-4.7 Air Quality Mitigation<br>HS-4.19 Transportation Management Associations<br>Implementation Measure #8<br>Implementation Measure #12 | | |
| | | | **HS-4.20** | **Support Statewide Global Warming Solutions.** The City shall monitor and support the efforts of the California Air Resources Board, under AB 32, to formulate mitigation strategies, if any, that may be implemented by local government. If and when any such strategies become available, the City shall consider whether to implement them in some form, such as, for example, by imposing new mitigation measures on new development. If the City Council, after seeking public input on the subject, chooses to implement any such measures it considers to be feasible and desirable, the City's commitment may take the form of a new ordinance, resolution, or other type of policy document. *[New Policy – Draft EIR Analysis].* | | |
| Impact HS-13 | The Proposed Project could create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials or create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials to the environment. | | | Implement policies designed to minimize the risk of City residents and property associated with the transport, distribution, use, and storage of hazardous materials include the following:<br>HS-5.1 Attraction/Retention of Clean Industries<br>HS-5.2 Hazardous Materials<br>HS-5.3 Designated Routes for Hazardous Materials Transport<br>HS-5.4 Hazardous Materials Management<br>HS-5.5 Hazardous Materials Inventory<br>HS-5.6 Household Hazardous Waste Collection System<br>HS-5.7 Increase Public Awareness<br>HS-5.8 Compatibility with Surrounding Land Uses | PS | LS |

## TABLE ES-3
## SUMMARY OF IMPACTS AND MITIGATION MEASURES

| Environmental Impact | | | Mitigation Measure | | | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | | N/A = Not Applicable |
| | | | **HS-5.9** | **Hazardous Materials Studies.** The City shall ensure that the proponents of new development projects address hazardous materials concerns through the preparation of Phase I or Phase II hazardous materials studies for each identified site as part of the design phase for each project. Recommendations required to satisfy federal or State cleanup standards outlined in the studies will be implemented as part of the construction phase for each project. *[New Policy – Draft EIR Analysis].]*. | | | |
| Impact HS-14 The Proposed Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. | | | | Implement policies designed to minimize the risk of City residents and property associated with the transport, distribution, use, and storage of hazardous materials include the following:<br>HS-5.1 Attraction/Retention of Clean Industries<br>HS-5.2 Hazardous Materials<br>HS-5.3 Designated Routes for Hazardous Materials Transport<br>HS-5.4 Hazardous Materials Management<br>HS-5.5 Hazardous Materials Inventory<br>HS-5.6 Household Hazardous Waste Collection System<br>HS-5.7 Increase Public Awareness<br>HS-5.8 Compatibility with Surrounding Land Uses | | LS | |
| Impact HS-15 Development under the Proposed Project could be located on a site which is included on a list of hazardous materials sites compiled pursuant to government code section PS65962.5 and, as a result, could create a significant haLAzard to the public or the environment.NA | | | | Implement policies designed to minimize the risk of City residents and property associated with their placement on or near a contaminated site include the following:<br>HS-1.1 Development Constraints<br>HS-5.1 Hazardous Materials<br>HS-5.4 Hazardous Materials Management<br>HS-5.5 Hazardous Materials Inventory<br>HS-5.8 Compatibility with Surrounding Land Uses | | PS | LS |
| | | | **HS-5.9** | **Hazardous Materials Studies.** The City shall ensure that the proponents of new development projects address hazardous materials concerns through the preparation of Phase I or Phase II hazardous materials studies for each identified site as part of the design phase for each project. Recommendations required to satisfy federal or State cleanup standards outlined in the studies will be implemented as part of the construction phase for each project. *[New Policy – Draft EIR Analysis].]*. | | | |

## TABLE ES-3
## SUMMARY OF IMPACTS AND MITIGATION MEASURES

| Environmental Impact | | Mitigation Measure | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B / Significant = S / Cumulative Significant = CS / Significant and Unavoidable = SU | | Potentially Significant = PS | N/A = Not Applicable |
| Impact ~~HS~~-16 | The Proposed Project will result in development located within an airport land use plan area or and could result in a safety hazard for people residing or working in the project area. | Implement policies designed to minimize the risk of airport related hazards to City residents and property include the following:<br>LU-1.7 Land Use Conflicts<br>LU-3.7 Incompatible Uses<br>LU-3.9 Conflicting Uses<br>LU-5.2 Clustering of Uses<br>LU-5.4 Adjacent Uses and Access<br>LU-5.5 Compatible Land Use<br>LU-5.7 Adjacent Major Transit Uses<br>TC-7.4 Airport Related Land Uses<br>~~TC-7.6 Consistency with Airport Land Use Commission Policies~~ | PS | SU |
| | | **LU-6.1 Airport Influence Area**<br>The City of Stockton will utilize the AIA adopted by the County ~~Stockton Metropolitan Airport's~~ Airport Land Use Commission for Stockton Metropolitan Airport ~~as part of an update performed after 20076~~. In general, the AIA should be defined to encompass:<br><br>All lands that, due to their proximity to the airport, are subject to a materially greater level of safety risk and/or adverse environmental effect (e.g. noise) from present or foreseeable future airport operations than lands more distant from the airport, and all lands in the vicinity of the airport on which certain land uses (e.g., residential or educational) could inhibit present or foreseeable airport operations due to the increased safety risks or adverse environmental effects (e.g., noise) on sensitive receptors that could result from such land uses.<br><br>~~Prior to the adoption of a new AIA, the AIA will be defined as all properties within two miles of the airport boundary, as illustrated on Figure 3-2~~. *[New Policy, City/Consultants]* | | |
| | | **LU-6.2 Consistency with Airport Land Use Commission Policies**<br>The City will protect the Airport and related aviation facilities from encroachment by potentially incompatible land uses. The City shall ensure that the General Plan and all future development within the AIA will be consistent with the policies | | |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | | Mitigation Measure | | | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | | N/A = Not Applicable |
| | | | | | adopted by the San Joaquin County Airport Land Use Commission (ALUC), except where, pursuant to Public Utilities Code Sections 21676 and 21676.5, the City Council, pursuant to a two thirds vote, exercises its option to conclude that, notwithstanding a negative recommendation from the ALUC, the Council's proposed action is consistent with the purposes of providing for the orderly development of the Airport and the areas surrounding the airport while protecting the public health, safety, and welfare by minimizing the public's exposure to excessive and safety hazards. *[Source: Section 3, Air and Water Transportation; Goal 2, Policy 4 and input from Airport Staff, Previously Policy TC-6.5]* | | |
| | | | ~~LU-6.3~~ | | ~~**Interim Land Use Compatibility.** Prior to adoption of a new Airport Land Use Compatibility Plan (ALUCP) to reflect current facility/operational parameters, the City shall utilize the following criteria for evaluation of land use applications within the AIA:~~<br>~~• All project submittals shall be circulated to the ALUC for review and comment.~~<br>~~• Land use regulations in the existing ALUCP will apply for areas defined as being in the following Airport Land Use Zones (as defined in the existing ALUCP): Inner Approach Zone, Outer Approach Zone, Primary Surface Zone, Runway Protection Zone, and Transitional Zone.~~<br>~~• For areas outside of the zones defined in Item #2 but within the AIA, applications for the following land uses will not be allowed until an updated ALUCP is prepared that demonstrates the suitability of the proposed land use or, in the meantime, an Aviation Safety Study is provided with the application, for review by the City and the ALUC, that demonstrates the suitability of the use in the proposed location/configuration:~~<br>~~o Residential~~<br>~~o Schools (except flight schools), libraries, hospitals, nursing homes, hotels, motels, dormitories, and other similar uses~~ | | |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | | | Mitigation Measure | | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | | Potentially Significant = PS | N/A = Not Applicable |

~~o Noise sensitive uses, such as outdoor theaters.~~
~~o Uses that pose hazards to aviation safety~~
~~o Facilities with a height of over 70 feet~~
~~• If the City decides to allow any of the uses identified in Item 3 such uses shall be required to have interior noise levels (attributable to exterior sources) that shall not exceed 45 dB in any habitable structure.~~ *~~[New Policy – Draft EIR Analysis]~~*

**Policy LU-6.3** **Obstructions**
The City will ensure the height of new structures complies with Federal Aviation Administration (FAA) Part 77 requirements. *[New Policy – Draft EIR Analysis].*

**Policy LU-6.4** **Infill within Adopted AIA**
Where substantial incompatible development already exists, additional infill development of similar land uses may be allowed to occur even if such land uses are to be prohibited elsewhere in the zone, consistent with Public Utilities Code Sections 21676 and 21676.5. ~~This exception does not apply in areas within the zones defined in Item 2 of LU-6.3.~~ Projects can be considered infill if they meet all of the following criteria:

- The project site is bounded on at least three sides by uses similar to those proposed.
- The proposed project would not extend the perimeter of the area developed with incompatible uses.
- The proposed project does not otherwise increase the intensity and/or incompatibility of use through use permits, density transfers or other strategies. *[New Policy – Draft EIR Analysis].*

**LU-6.5** **Avigation Easements within AIA.** New development, or expansion of an existing use that requires a building permit, within the AIA defined at the time of application, will be required to file an avigation easement with the City. *[New Policy – Draft EIR Analysis].*

## TABLE ES-3
## SUMMARY OF IMPACTS AND MITIGATION MEASURES

| Environmental Impact | | | Mitigation Measure | | | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | | N/A = Not Applicable |
| | | | **LU-6.6** | **Adjacent Major Transportation Hubs.** The City shall direct industrial uses to areas in or near the Stockton Metropolitan Airport, the Port of Stockton, and the BNSF Intermodal Facility consistent with the policies of the Airport Land Use Commission, the Port of Stockton Master Development Plan, and BNSF respectively. [Source: Section 1, Industrial Land Use; Goal 2, Policy 3, Staff/ Consultants, Old LU-5.7]. | | | |
| | | | ~~**LU-6.7**~~ | ~~**Noise Analysis.** As deemed necessary by the City, the environmental review for discretionary development proposals located near the airport shall include, single event noise analyses. *[New Policy – Draft EIR Analysis].*~~ | | | |
| | | | **Policy LU-6.7** | **Interior Noise Within Adopted AIA**<br>Sound attenuation shall be included in the requirements of new projects to provide interior noise levels (attributable to exterior sources) that do not exceed 45 dB in any habitable structure. *[New Policy – Draft EIR Analysis].* | | | |
| | | | **Implementation Measure #~~5~~12.** | The City will prepare and adopt modifications to the General Plan needed to bring the General Plan into compliance with any ALUCP adopted after 2006. *[New Implementation Measure – Draft EIR Analysis].* | | | |
| Impact HS-17 | The Proposed Project could impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. | | | Implement policies designed to ensure a coordinated approach to emergency response and evacuation planning include the following:<br>HS-7.1 Coordinated Emergency Response System<br>HS-7.2 Update of Emergency Operations Plan<br>HS-7.3 Access and Evacuation Corridors<br>HS-7.4 Coordinated GIS Planning for Emergency Response<br>HS-7.5 Siting of Critical Emergency Response Facilities | | PS | SU |
| Impact HS-18 | The Proposed Project could expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands. | | | Implement policies designed to minimize this impact through the continued provision of fire protection services and emergency response planning include the following:<br>PFS-1.1 Maintain Existing Levels of Services<br>PFS-1.5 Funding for Public Facilities<br>PFS-1.8 Impact Mitigation<br>PFS-1.9 Conditions of Approval<br>PFS-8.1 Fire Response Times | | PS | LS |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | | | Mitigation Measure | | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | | Potentially Significant = PS | N/A = Not Applicable |
| | | | | | PFS-8.2 Insurance Service Organization Rating<br>PFS-8.3 Provision of Station Facilities and Equipment<br>PFS-8.4 Cost Sharing<br>PFS-8.5 Cooperation with Adjacent Fire Districts<br>PFS-8.6 Adequate Emergency Access and Routes<br>PFS-8.8 Fire Flow Requirements<br>PFS-8.9 Fire Hazards Protection for City Programs<br>PFS-8.10 Public Awareness of Fire Hazards and Prevention<br>Implementation Measure #4<br>Implementation Measure #11<br>Implementation Measure #21<br>Implement policies designed to ensure a coordinated approach to emergency response and evacuation planning include the following:<br>HS-7.1 Coordinated Emergency Response System<br>HS-7.3 Access and Evacuation Corridors<br>HS-7.5 Siting of Critical Emergency Response Facilities | | |
| | | | | **PFS-8.11** | **Buffer Zones for Fire Protection.** The City shall require new development to incorporate additional greenbelts, fuel breaks, fuel reduction and buffer zones around communities to minimize potential fire losses. *[New Policy – Environmental Analysis].* | | |
| | | | | **PFS-8.12** | **Weed Abatement.** The City shall maintain a weed abatement program to ensure clearing of dry brush areas. Weed abatement activities shall be conducted in a manner consistent with all applicable environmental regulations. *[New Policy - Environmental Analysis].* | | |
| | | | | **Implementation Measure #21** | The City shall conduct an assessment of proposed expansion areas, including Village areas, to determine where fees need to be levied for new and expanded public service and utility infrastructure including, but not limited to, fire stations and equipment, police stations and equipment, utility infrastructure, recreation, and library facilities. Fees should be based on initial facility and equipment costs as well as operations and long-term maintenance and replacement. (These new fee areas would be in addition to Public Facilities | | |

## TABLE ES-3
## SUMMARY OF IMPACTS AND MITIGATION MEASURES

| Environmental Impact | | | | Mitigation Measure | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | N/A = Not Applicable |
| | | | | Program Fee Areas 1, 2, and 6 where fire facilities fees are already levied.). *[New Implementation].* | | |
| **CHAPTER 13 NATURAL AND CULTURAL RESOURCES** | | | | | | |
| Impact NCR-1 The Proposed Project would have a substantial adverse effect, either directly or through habitat modifications, on any officially designated species identified as an endangered, threatened, candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. | | | | Implement policies designed to protect and preserve sensitive habitats and address biological resource impacts include the following:<br>NCR-1.1 Protect Natural Resources<br>NCR-1.3 Preserve Open Space<br>NCR-2.1 Protect Sensitive Habitats<br>NCR-2.2 Management of Wetlands<br>NCR-2.3 Management of Sensitive Habitats<br>NCR-2.11 Maintain Biological Resources Database Implementation measure #2<br>RW-5.2 Improve Riparian Corridors<br>Implement policies designed to protect and preserve the unique habitats of the Delta include the following:<br>NCR-2.14 Protect Delta Habitats<br>NCR-2.16 Fisheries and Riparian Habitat<br>NCR-2.17 Development within the Primary Zone of the Delta<br>RW-5.2 Improve Riparian Corridors<br>Implement policies designed to mitigate the impact of development on key biological resources include the following:<br>NCR-2.4 Impacts to Sensitive Habitats<br>NCR-2.5 SJCOG Multi Species Habitat Conservation and Open Space Plan<br>NCR-2.6 New Development in Sensitive Areas<br>NCR-2.7 Development Review<br>NCR-2.8 Development Review<br>NCR-2.9 Appropriate Mitigation Measures<br>NCR-2.10 Wetland Resources<br>NCR-2.12 Requirements for Biological Studies<br>NCR-2.13 Encourage Planting of Native Vegetation Implementation Measure #1<br>Implementation Measure #3<br>Implementation Measure #4 | PS | SU |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | | | Mitigation Measure | | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | | Potentially Significant = PS | N/A = Not Applicable |
| | | | | **NCR-2.18** | **Minimize Lighting Impacts.** The City shall ensure that lighting associated with new development or facilities (including street lighting, recreational facilities, and parking) shall be designed to prevent artificial lighting from illuminating adjacent natural areas at a level greater than one foot candle above ambient conditions. *[New Policy – Draft EIR Analysis].* | | |
| Impact NCR-2 The Proposed Project would have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. | | | | | Implement policies designed to protect and preserve sensitive habitats and address biological resource impacts include the following:<br>NCR-1.1 Protect Natural Resources<br>NCR-1.3 Preserve Open Space<br>NCR-2.1 Protect Sensitive Habitats<br>NCR-2.2 Management of Wetlands<br>NCR-2.3 Management of Sensitive Habitats<br>NCR-2.11 Maintain Biological Resources Database Implementation measure #2<br>RW-5.2 Improve Riparian Corridors<br><br>Implement policies designed to protect and preserve the unique habitats of the Delta include the following:<br>NCR-2.14 Protect Delta Habitats<br>NCR-2.16 Fisheries and Riparian Habitat<br>NCR-2.17 Development within the Primary Zone of the Delta<br>RW-5.2 Improve Riparian Corridors<br>Implement policies designed to mitigate the impact of development on key biological resources include the following:<br>NCR-2.4 Impacts to Sensitive Habitats<br>NCR-2.5 SJCOG Multi Species Habitat Conservation and Open Space Plan<br>NCR-2.6 New Development in Sensitive Areas<br>NCR-2.7 Development Review<br>NCR-2.8 Development Review<br>NCR-2.9 Appropriate Mitigation Measures<br>NCR-2.10 Wetland Resources<br>NCR-2.12 Requirements for Biological Studies<br>NCR-2.13 Encourage Planting of Native Vegetation Implementation Measure #1 | PS | SU |

## TABLE ES-3
## SUMMARY OF IMPACTS AND MITIGATION MEASURES

| Environmental Impact | | | Mitigation Measure | | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | N/A = Not Applicable |
| | | | | Implementation Measure #3<br>Implementation Measure #4 | | |
| | | | **NCR-2.18** | **Minimize Lighting Impacts.** The City shall ensure that lighting associated with new development or facilities (including street lighting, recreational facilities, and parking) shall be designed to prevent artificial lighting from illuminating adjacent natural areas at a level greater than one foot candle above ambient conditions. *[New Policy – Draft EIR Analysis].* | | |
| Impact NCR-3 The Proposed Project would have a substantial adverse effect on "federally protected" wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, etc.) through direct removal, filling, hydrological interruption, or other means. | | | | Implement policies designed to protect and preserve sensitive habitats and address biological resource impacts include the following:<br>NCR-1.1 Protect Natural Resources<br>NCR-1.3 Preserve Open Space<br>NCR-2.1 Protect Sensitive Habitats<br>NCR-2.2 Management of Wetlands<br>NCR-2.3 Management of Sensitive Habitats<br>NCR-2.11 Maintain Biological Resources Database<br>Implementation measure #2<br>RW-5.2 Improve Riparian Corridors<br>Implement policies designed to protect and preserve the unique habitats of the Delta include the following:<br>NCR-2.14 Protect Delta Habitats<br>NCR-2.16 Fisheries and Riparian Habitat<br>NCR-2.17 Development within the Primary Zone of the Delta<br>RW-5.2 Improve Riparian Corridors<br>Implement policies designed to mitigate the impact of development on key biological resources include the following:<br>NCR-2.4 Impacts to Sensitive Habitats<br>NCR-2.5 SJCOG Multi Species Habitat Conservation and Open Space Plan<br>NCR-2.6 New Development in Sensitive Areas<br>NCR-2.7 Development Review<br>NCR-2.8 Development Review<br>NCR-2.9 Appropriate Mitigation Measures<br>NCR-2.10 Wetland Resources<br>NCR-2.12 Requirements for Biological Studies<br>NCR-2.13 Encourage Planting of Native Vegetation | PS | SU |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | | Mitigation Measure | | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | N/A = Not Applicable |
| | | | | Implementation Measure #1<br>Implementation Measure #3<br>Implementation Measure #4 | | |
| | | | **NCR-2.18** | **Minimize Lighting Impacts.** The City shall ensure that lighting associated with new development or facilities (including street lighting, recreational facilities, and parking) shall be designed to prevent artificial lighting from illuminating adjacent natural areas at a level greater than one foot candle above ambient conditions. *[New Policy – Draft EIR Analysis].* | | |
| Impact NCR-4 The Proposed Project would interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. | | | | Implement policies designed to protect and preserve sensitive habitats and address biological resource impacts include the following:<br>NCR-1.1 Protect Natural Resources<br>NCR-1.3 Preserve Open Space<br>NCR-2.1 Protect Sensitive Habitats<br>NCR-2.2 Management of Wetlands<br>NCR-2.3 Management of Sensitive Habitats<br>NCR-2.11 Maintain Biological Resources Database Implementation measure #2<br>RW-5.2 Improve Riparian Corridors<br>Implement policies designed to protect and preserve the unique habitats of the Delta include the following:<br>NCR-2.14 Protect Delta Habitats<br>NCR-2.16 Fisheries and Riparian Habitat<br>NCR-2.17 Development within the Primary Zone of the Delta<br>RW-5.2 Improve Riparian Corridors<br>Implement policies designed to mitigate the impact of development on key biological resources include the following:<br>NCR-2.4 Impacts to Sensitive Habitats<br>NCR-2.5 SJCOG Multi Species Habitat Conservation and Open Space Plan<br>NCR-2.6 New Development in Sensitive Areas<br>NCR-2.7 Development Review<br>NCR-2.8 Development Review<br>NCR-2.9 Appropriate Mitigation Measures<br>NCR-2.10 Wetland Resources<br>NCR-2.12 Requirements for Biological Studies | PS | SU |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | | Mitigation Measure | | | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | | N/A = Not Applicable |
| | | | | NCR-2.13 Encourage Planting of Native Vegetation<br>Implementation Measure #1<br>Implementation Measure #3<br>Implementation Measure #4 | | | |
| | | | **NCR-2.18** | **Minimize Lighting Impacts.** The City shall ensure that lighting associated with new development or facilities (including street lighting, recreational facilities, and parking) shall be designed to prevent artificial lighting from illuminating adjacent natural areas at a level greater than one foot candle above ambient conditions. *[New Policy – Draft EIR Analysis].* | | | |
| Impact NCR-5 The Proposed Project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. | | | | Implement policies designed to protect and preserve sensitive habitats and address biological resource impacts include the following:<br>NCR-1.1 Protect Natural Resources<br>NCR-1.3 Preserve Open Space<br>NCR-2.1 Protect Sensitive Habitats<br>NCR-2.2 Management of Wetlands<br>NCR-2.3 Management of Sensitive Habitats<br>NCR-2.11 Maintain Biological Resources Database<br>Implementation measure #2<br>RW-5.2 Improve Riparian Corridors<br>Implement policies designed to protect and preserve the unique habitats of the Delta include the following:<br>NCR-2.14 Protect Delta Habitats<br>NCR-2.16 Fisheries and Riparian Habitat<br>NCR-2.17 Development within the Primary Zone of the Delta<br>RW-5.2 Improve Riparian Corridors<br>Implement policies designed to mitigate the impact of development on key biological resources include the following:<br>NCR-2.4 Impacts to Sensitive Habitats<br>NCR-2.5 SJCOG Multi Species Habitat Conservation and Open Space Plan<br>NCR-2.6 New Development in Sensitive Areas<br>NCR-2.7 Development Review<br>NCR-2.8 Development Review<br>NCR-2.9 Appropriate Mitigation Measures<br>NCR-2.10 Wetland Resources | | LS | |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | Mitigation Measure | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|
| Less than Significant = LS; Beneficial = B; Significant = S; Cumulative Significant = CS; Significant and Unavoidable = SU; Potentially Significant = PS | | | N/A = Not Applicable |
| | NCR-2.12 Requirements for Biological Studies<br>NCR-2.13 Encourage Planting of Native Vegetation<br>Implementation Measure #1<br>Implementation Measure #3<br>Implementation Measure #4 | | |
| Impact NCR-6 The Proposed Project would not conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan. | Implement policies designed to protect and preserve sensitive habitats and address biological resource impacts include the following:<br>NCR-1.1 Protect Natural Resources<br>NCR-1.3 Preserve Open Space<br>NCR-2.1 Protect Sensitive Habitats<br>NCR-2.2 Management of Wetlands<br>NCR-2.3 Management of Sensitive Habitats<br>NCR-2.11 Maintain Biological Resources Database<br>Implementation measure #2<br>RW-5.2 Improve Riparian Corridors<br>Implement policies designed to protect and preserve the unique habitats of the Delta include the following:<br>NCR-2.14 Protect Delta Habitats<br>NCR-2.16 Fisheries and Riparian Habitat<br>NCR-2.17 Development within the Primary Zone of the Delta<br>RW-5.2 Improve Riparian Corridors<br>Implement policies designed to mitigate the impact of development on key biological resources include the following:<br>NCR-2.4 Impacts to Sensitive Habitats<br>NCR-2.5 SJCOG Multi Species Habitat Conservation and Open Space Plan<br>NCR-2.6 New Development in Sensitive Areas<br>NCR-2.7 Development Review<br>NCR-2.8 Development Review<br>NCR-2.9 Appropriate Mitigation Measures<br>NCR-2.10 Wetland Resources<br>NCR-2.12 Requirements for Biological Studies<br>NCR-2.13 Encourage Planting of Native Vegetation<br>Implementation Measure #1<br>Implementation Measure #3<br>Implementation Measure #4 | LS | |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | | Mitigation Measure | | | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | | N/A = Not Applicable |
| Impact NCR-7 The Proposed Project would cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5. | | | | Implement policies designed to preserve and maintain City historic resources include the following:<br>CD-2.1 Protect and Enhance Cultural Resources<br>CD-2.2 New Infrastructure<br>CD-2.3 Incorporate Historic Features<br>CD-2.4 Respect Historic Neighborhood Patterns<br>DV-3.5 Older Neighborhoods<br>DV-3.10 Compatible Scale and Character<br>NCR-3.1 Evaluation of Historic Resources<br>NCR-3.2 Historic Structures and Sites<br>NCR-3.3 Historical/Cultural Resources Inventory<br>NCR-3.4 State Historic Building Code<br>Implementation Measure #1<br>Implementation Measure #4<br>Implementation Measure #5 | | PS | SU |
| | | | **NCR-3.2** | **Historic Structures and Sites.** The City shall support public and private efforts to preserve, rehabilitate, and continue the use of historic structures, sites, and districts. Where applicable, preservation efforts shall conform to the current Secretary of the Interior's Standards for the Treatment of Historic Properties and Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Building. *[New Policy – Draft EIR Analysis].* | | | |
| Impact NCR-8 The Proposed Project would cause a substantial adverse change in the significance of a unique archaeological resource as defined in Section 15064.5, directly or indirectly destroy a unique paleontological resource or site or unique geologic feature, or disturb any human remains, including those interred outside of formal cemeteries. | | | | Implement policies designed to preserve and maintain archaeological resources include the following:<br>NCR-3.3 Historical/Cultural Resources Inventory<br>NCR-3.5 Archaeological Resource Surveys<br>NCR-3.6 Discovery of Archaeological Resources<br>NCR-3.7 Native American Resources<br>Implementation Measure #1<br>Implementation Measure #4<br>Implementation Measure #5<br>Implementation Measure #6 | | PS | *"Historical Resources" : SU*<br>*"Archaeological Resources and Human Remains": LS* |
| | | | **NCR-3.6** | **Discovery of Archaeological Resources**. Consistent with Stockton Municipal Code Section 16-310.050 - Cultural Resources, in the event that archaeological/paleontological resources are discovered during site excavation, the City | | | |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | | | Mitigation Measure | | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | | Potentially Significant = PS | N/A = Not Applicable |
| | | | | | shall required that grading and construction work on the project site be suspended until the significance of the features can be determined by a qualified archeologist/paleontologist. The City will require that a qualified archeologist/paleontologist make recommendations for measures necessary to protect any site determined to contain or constitute an historical resource, a unique archaeological resource, or a unique paleontological resource or to undertake data recovery, excavation, analysis, and curation of archaeological/paleontological materials. City staff shall consider such recommendations and implement them where they are feasible in light of project design as previously approved by the City. *[Revised New Policy – Draft EIR Analysis].* | | |
| | | | | | **NCR-3.8** **Discovery of Human Remains.** Consistent with Stockton Municipal Code Section 16-310.050 - Cultural Resources and the CEQA Guidelines (Section 15064.5), if human remains of Native American origin are discovered during project construction, it is necessary to comply with state laws relating to the disposition of Native American burials, which fall within the jurisdiction of the Native American Heritage Commission (Public Resources Code Sec. 5097). If any human remains are discovered or recognized in any location on the project site, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:<br>-The San Joaquin County Coroner/Sheriff has been informed and has determined that no investigation of the cause of death is required; and<br>-if the remains are of Native American origin,<br>-The descendants of the deceased Native Americans have made a timely recommendation to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98,<br>-The Native American Heritage Commission was unable to identify a descendant or the descendant failed to make a recommendation within 24 hours | | |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | | | Mitigation Measure | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | N/A = Not Applicable |
| | | | | after being notified by the commission, or<br>-The landowner or his or her authorized representative rejects any timely recommendations of the descendent, and mediation conducted by the Native American Heritage Commission has failed to provide measures acceptable to the landowner.<br>*[New Policy – Draft EIR Analysis].* | | |
| Impact NCR-9 | The Proposed Project would result in the substantial conversion of important farmland to non-agricultural uses. | | | Implement policies designed to conserve agricultural resources within the Study Area include the following:<br>NCR-4.1 Continued Agricultural Use<br>NCR-4.2 Right to Farm Ordinance<br>NCR-4.3 Coordinate with County Agricultural Objectives<br>NCR-4.4 Agricultural Conservation Program (ACP)<br>NCR-4.5 Farmland Trust and Funding Sources<br>NCR-4.6 Regional Cooperation<br>NCR-4.7 Community Gardens and Agricultural Education Programs<br>Implementation Measure #2<br>Implementation Measure #3<br>LU-1.9 City/County Uniform Land Use Policy<br>LU-2.1 Agriculture Land Preservation<br>LU-2.2 Northern Agriculture Buffer<br>LU-2.3 Land Conversion within the Urban Service Area<br>LU-2.4 Community Gardens and Agricultural Education Programs.<br>DV-4.8 Limit New Village Development on Prime Agricultural Lands | PS | SU |
| Impact NCR-10 | The Proposed Project could conflict with existing zoning for agricultural use, or conflict with existing Williamson Act contracts. | | | | LS | |
| Impact NCR-11 | The Proposed project would involve other changes in the existing environment that, due to their location or nature, could result in conversion of Important Farmland, to non-agricultural uses. | | | Implement policies designed to conserve agricultural resources in the Study Area include the following:<br>NCR-4.1 Continued Agricultural Use<br>NCR-4.2 Right to Farm Ordinance<br>NCR-4.3 Coordinate with County Agricultural Objectives<br>NCR-4.4 Agricultural Conservation Program (ACP)<br>NCR-4.5 Farmland Trust and Funding Sources | PS | LS |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | | Mitigation Measure | | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | N/A = Not Applicable |
| | | | | NCR-4.6 Regional Cooperation<br>NCR-4.7 Community Gardens and Agricultural Education Programs<br>Implementation Measure #2<br>Implementation Measure #3<br>LU-1.9 City/County Uniform Land Use Policy<br>LU-2.1 Agriculture Land Preservation<br>LU-2.2 Northern Agriculture Buffer<br>LU-2.3 Land Conversion within the Urban Service Area<br>LU-2.4 Community Gardens and Agricultural Education Programs<br>DV-4.8 Limit New Village Development on Prime Agricultural Lands | | |
| | | | **LU-2.2** | **Agriculture Buffer.** The City shall support the establishment of a permanent agricultural/open space buffer along the ultimate northern and eastern edge of the Urban Service Area. Buffer or setback areas would follow along parcel boundary lines and be established with a minimum width of 200 feet. *[New Policy – Draft EIR Analysis].* | | |
| Impact NCR-12 | The Proposed Project would result in substantial soil erosion or the loss of topsoil. | | | Implement policies designed to address soil erosion impacts include the following:<br>NCR-5.2 Agricultural Impacts to Soil<br>NCR-5.3 Soil Erosion | PS | LS |
| | | | **NCR-5.3** | **Soil Erosion.** The City shall require new development to implement measures that minimize soil erosion from wind and water related to construction. Measures shall include, but not be limited to the following:<br>• Grading requirements that limit grading to the amount necessary to provide stable areas for structural foundations, street rights-of-way, parking facilities, or other intended uses; and/or<br>• Construction techniques that utilize site preparation, grading, and best management practices that provide erosion and sediment control to prevent construction-related contaminants from leaving development sites and polluting local waterways.*[Revised New Policy – Draft EIR* | | |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | Mitigation Measure | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B / Significant = S / Cumulative Significant = CS / Significant and Unavoidable = SU | | Potentially Significant = PS | N/A = Not Applicable |
| | | *Analysis]* | | |
| Impact NCR-13 | The Proposed Project would substantially degrade the existing visual character or quality of the site and its surroundings. | Implement policies designed to improve the overall visual quality of the urban environment and reduce visual impacts include the following:<br>CD-1.1 Urban Design Plans<br>CD-1.2 Contrast Between Urban and Rural<br>CD-1.3 Travel Experience<br>CD-1.4 Transition to Rural Landscapes<br>CD-1.5 Gateways<br>CD-1.6 Open Space Features<br>DV-1.1 Overall Civic Framework<br>DV-1.4 Part of Citywide Open Space System<br>NCR-6.1 Community Design<br>Implement policies designed to protect the City's traditional neighborhoods/historic districts and reduce visual impacts include the following:<br>CD-2.1 Protect and Enhance Cultural Resources<br>CD-2.2 New Infrastructure<br>CD-2.3 Incorporate Historic Features<br>CD-2.4 Respect Historic Neighborhood Patterns<br>DV-2.1 Revitalize Downtown Stockton<br>DV-2.11 Environmental Quality<br>DV-2.13 Building Rehabilitation<br>DV-3.6 Neighborhood Preservation<br>DV-3.7 Historic Resources<br>DV-3.10 Compatible Scale and Character<br>Implement policies designed to improve the image of the City's existing strip districts and corridors and reduce visual impacts include the following:<br>CD-3.1 Implementation of Design Objectives<br>CD-3.2 Each Project Contributes<br>CD-3.3 Site Planning<br>CD-3.4 Enhanced Frontage<br>CD-3.5 Parking and Setbacks<br>CD-3.6 Support District Open Space Concepts<br>CD-3.7 Signage<br>DV-4.2 Revitalized Corridors<br>DV-4.4 Streetscapes and Identification | PS | SU |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | | | Mitigation Measure | | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | | Potentially Significant = PS | N/A = Not Applicable |
| | | | | | Implement policies designed to create new districts and neighborhoods with a sense of place that help to reduce visual impacts include the following:<br>CD-4.1 Creating Central Places<br>CD-4.2 Clear Organizational Structure<br>CD-4.3 District Gateways<br>CD-4.4 Integration of Village Centers<br>DV-5.1 Village Specific Plans or Master Development Plans / General Plan Amendment<br>DV-5.5 Aesthetic Urban Development<br>DV-5.14 Interconnected/Usable Open Space<br>DV-5.19 Trail and Open Space Connections<br>Implement policies designed to support roadway and other infrastructure projects that enhance the City's image and help to reduce visual impacts include the following:<br>CD-6.1 Supporting Urban Design Objectives<br>CD-6.2 Streetscape<br>CD-6.3 Roadway and Public Works Projects<br>CD-6.4 Buildings<br>CD-6.5 Storm Water Design<br>DV-3.8 Infrastructure Design<br>NCR-6.2 Landscaped Corridors<br>Implement policies designed to convey and enforce expectations for higher quality design and help to reduce visual impacts include the following:<br>CD-7.1 Design Review Process<br>CD-7.2 Public Investment<br>CD-7.3 Coordination and Cooperation with Special Districts<br>Implementation Measure #1<br>Implementation Measure #2<br>Implementation Measure #3<br>DV-3.9 Code Enforcement<br>Implementation Measure #4<br>Implementation Measure #5<br>Implementation Measure #9<br>Implementation Measure #10<br>Implementation Measure #5 | | |

## TABLE ES-3
## SUMMARY OF IMPACTS AND MITIGATION MEASURES

| Environmental Impact | | Mitigation Measure | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B / Significant = S / Cumulative Significant = CS / Significant and Unavoidable = SU | | Potentially Significant = PS | N/A = Not Applicable |
| Impact NCR-14 | The Proposed Project would have a substantial adverse effect on a scenic vista or substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. | Implement policies designed to improve the overall visual quality of the urban environment and reduce visual impacts include the following:<br>CD-1.1 Urban Design Plans<br>CD-1.2 Contrast Between Urban and Rural<br>CD-1.3 Travel Experience<br>CD-1.4 Transition to Rural Landscapes<br>CD-1.5 Gateways<br>CD-1.6 Open Space Features<br>DV-1.1 Overall Civic Framework<br>DV-1.4 Part of Citywide Open Space System<br>NCR-6.1 Community Design<br>Implement policies designed to protect the City's traditional neighborhoods/historic districts and reduce visual impacts include the following:<br>CD-2.1 Protect and Enhance Cultural Resources<br>CD-2.2 New Infrastructure<br>CD-2.3 Incorporate Historic Features<br>CD-2.4 Respect Historic Neighborhood Patterns<br>DV-2.1 Revitalize Downtown Stockton<br>DV-2.11 Environmental Quality<br>DV-2.13 Building Rehabilitation<br>DV-3.6 Neighborhood Preservation<br>DV-3.7 Historic Resources<br>DV-3.10 Compatible Scale and Character<br>Implement policies designed to improve the image of the City's existing strip districts and corridors and reduce visual impacts include the following:<br>CD-3.1 Implementation of Design Objectives<br>CD-3.2 Each Project Contributes<br>CD-3.3 Site Planning<br>CD-3.4 Enhanced Frontage<br>CD-3.5 Parking and Setbacks<br>CD-3.6 Support District Open Space Concepts<br>CD-3.7 Signage<br>DV-4.2 Revitalized Corridors<br>DV-4.4 Streetscapes and Identification | PS | SU |

**TABLE ES-3**
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

| Environmental Impact | | | | Mitigation Measure | | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | | Potentially Significant = PS | N/A = Not Applicable |
| | | | | | Implement policies designed to create new districts and neighborhoods with a sense of place that help to reduce visual impacts include the following:<br>CD-4.1 Creating Central Places<br>CD-4.2 Clear Organizational Structure<br>CD-4.3 District Gateways<br>CD-4.4 Integration of Village Centers<br>DV-5.1 Village Specific Plans or Master Development Plans / General Plan Amendment<br>DV-5.5 Aesthetic Urban Development<br>DV-5.14 Interconnected/Usable Open Space<br>DV-5.19 Trail and Open Space Connections<br>Implement policies designed to support roadway and other infrastructure projects that enhance the City's image and help to reduce visual impacts include the following:<br>CD-6.1 Supporting Urban Design Objectives<br>CD-6.2 Streetscape<br>CD-6.3 Roadway and Public Works Projects<br>CD-6.4 Buildings<br>CD-6.5 Storm Water Design<br>DV-3.8 Infrastructure Design<br>NCR-6.2 Landscaped Corridors<br>Implement policies designed to convey and enforce expectations for higher quality design and help to reduce visual impacts include the following:<br>CD-7.1 Design Review Process<br>CD-7.2 Public Investment<br>CD-7.3 Coordination and Cooperation with Special Districts<br>Implementation Measure #1<br>Implementation Measure #2<br>Implementation Measure #3<br>DV-3.9 Code Enforcement<br>Implementation Measure #4<br>Implementation Measure #5<br>Implementation Measure #9<br>Implementation Measure #10<br>Implementation Measure #5 | | |

## TABLE ES-3
## SUMMARY OF IMPACTS AND MITIGATION MEASURES

| Environmental Impact | | Mitigation Measure | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B / Significant = S / Cumulative Significant = CS / Significant and Unavoidable = SU | | Potentially Significant = PS | N/A = Not Applicable |
| Impact NCR-15 | The Proposed Project would create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. | Implement policies designed to improve the overall visual quality of the urban environment and reduce visual impacts include the following:<br>CD-1.1 Urban Design Plans<br>CD-1.2 Contrast Between Urban and Rural<br>CD-1.3 Travel Experience<br>CD-1.4 Transition to Rural Landscapes<br>CD-1.5 Gateways<br>CD-1.6 Open Space Features<br>DV-1.1 Overall Civic Framework<br>DV-1.4 Part of Citywide Open Space System<br>NCR-6.1 Community Design<br>Implement policies designed to improve the image of the City's existing strip districts and corridors and reduce visual impacts include the following:<br>CD-3.1 Implementation of Design Objectives<br>CD-3.2 Each Project Contributes<br>CD-3.3 Site Planning<br>CD-3.4 Enhanced Frontage<br>CD-3.5 Parking and Setbacks<br>CD-3.6 Support District Open Space Concepts<br>CD-3.7 Signage<br>DV-4.2 Revitalized Corridors<br>DV-4.4 Streetscapes and Identification<br>Implement policies designed to support roadway and other infrastructure projects that enhance the City's image and help to reduce visual impacts include the following:<br>CD-6.1 Supporting Urban Design Objectives<br>CD-6.2 Streetscape<br>CD-6.3 Roadway and Public Works Projects<br>CD-6.4 Buildings<br>CD-6.5 Storm Water Design<br>DV-3.8 Infrastructure Design<br>NCR-6.2 Landscaped Corridors<br>Implement policies designed to convey and enforce expectations for higher quality design and help to reduce visual impacts include the following:<br>CD-7.1 Design Review Process | PS | SU |

## TABLE ES-3
## SUMMARY OF IMPACTS AND MITIGATION MEASURES

| Environmental Impact | | | Mitigation Measure | | Level of Significance Before Mitigation | Level of Significance After Mitigation |
|---|---|---|---|---|---|---|
| Less than Significant = LS | Beneficial = B | Significant = S | Cumulative Significant = CS | Significant and Unavoidable = SU | Potentially Significant = PS | N/A = Not Applicable |
| | | | | CD-7.2 Public Investment<br>CD-7.3 Coordination and Cooperation with Special Districts<br>Implementation Measure #1<br>Implementation Measure #2<br>Implementation Measure #3<br>DV-3.9 Code Enforcement<br>Implementation Measure #1<br>Implementation Measure #2<br>Implementation Measure #3<br>Implementation Measure #4<br>Implementation Measure #5 | | |
| | | | **CD-6.6** | **Lighting.** The City shall continue to improve and maintain proper lighting in park facilities and fields without undue nuisance light and glare spillage on adjoining residential areas. *[New Policy – Draft EIR Analysis].* | | |
| | | | **NCR-2.18** | **Minimize Lighting Impacts.** The City shall ensure that lighting in residential areas and along roadways shall be designed to prevent artificial lighting from reflecting into adjacent natural or open space areas. *[New Policy – Draft EIR Analysis].* | | |
| Impact NCR-16 | The Proposed Project would result in the loss of availability of a known mineral resource that would be of a value to the region and the residents of the state or result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. | | | Implement policies designed to minimize land use conflicts between incompatible land uses include the following:<br>NCR-1.1 Protect Natural Resources<br>NCR-1.2 Establish Buffer Areas<br>NCR-2.17 Development within the Primary Zone of the Delta<br>NCR-7.1 Minimize Land Conflicts<br>HS-1.1 Development Constraints | LS | |

# CHAPTER 1
# Introduction and Reader's Guide

## Introduction

Since the City of Stockton's proposed Stockton 2035 General Plan Update (General Plan or Proposed Project) and draft Environmental Impact Report (EIR) were published (December 1, 2006), the City has received a number of written comments from public agencies, organizations, and individuals concerning these documents and the recommendations and findings they contain. During the public review period for these documents, the City also held a public meeting on the draft General Plan/EIR documents (January 10, 2007).

The purpose of this final EIR is twofold. First, this document provides copies of the comments made on the draft General Plan and EIR and provides written responses to all significant environmental issues raised in these comments on the draft EIR. (See Public Resources Code, Section 21091(d)(2)(B); CEQA Guidelines, Section 15088(c).) Second, this document is designed to function as the final EIR for the General Plan, and as such has been designed to meet the content requirements of a final program EIR as specified in the California Environmental Quality Act (CEQA). (Public Resources Code, Section 21000 et seq. and the CEQA Guidelines [California Code of Regulations, title 14, Section 15000 et seq.])

The information in this document will be presented to the City of Stockton Planning Commission and City Council and will be used as part of their review, consideration, and approval of the General Plan.

## Project Overview

The Proposed Project is intended to address several changes in the City since preparation of the existing 1990 General Plan, which was originally adopted in January of 1990. Consequently, the Proposed Project, which establishes a planning framework and policies for a 30-year planning period, will replace the current General Plan.

State law requires each county and city to prepare and adopt a comprehensive and long-range general plan for its physical development (Government Code Section 65300). Each general plan must address the seven topics (referred to as "elements") of land use, circulation, housing, open-space, conservation, safety, and noise as identified in State law (Government Code Section 65302), to the extent that the topics are locally relevant. The general plan may also include other topics of local interest, as chosen by the City (Government Code Section 65303). The City has

chosen to adopt a general plan that includes the mandatory elements as well as five optional elements (Economic Development, Community Identify, Youth and Education, Recreation and Waterways, and a Public Facilities and Services Elements).

The Proposed Project was designed to meet several key objectives that were identified and considered by the General Plan Action Team (GPAT), Planning Commission, and City Council, based on input by key stakeholders and City staff. Using these objectives, four key General Plan themes (i.e., Community Development, Districts and Villages, Interconnected Infrastructure, and Community Services/Resources) were identified, which set the foundation for the goals, policies, and implementation measures that comprise the various elements of the proposed General Plan. A summary of these key objectives (by General Plan theme) is provided below in the following section "Project Objectives" of this chapter.

# Project Objectives

The General Plan was designed to meet several key objectives that were identified and considered by the GPAT, Planning Commission, and City Council, based on input by key stakeholders and City staff. A summary of these key objectives (by General Plan theme) is provided below in Table 1-1.

**TABLE 1-1**
**SUMMARY OF THE GENERAL PLAN OBJECTIVES**

**Community Development**

- Manage foreseeable population and job growth by identifying 2035 City boundaries calculated to reflect realistic market conditions and growth assumptions, with the objective that, to the extent feasible, new development will proceed in an orderly fashion within City boundaries rather than in the unincorporated area, and be subject to land use principles and concepts intended to discourage development in areas with sensitive resources, critical habitats, and important scenic resources.
- Discourage "leapfrog" expansion over "problem areas".
- Encourage infill development and orderly expansion of the city.
- Focus industrial uses and similar types of compatible land uses around the Stockton Airport.
- All future development will be designed to support transit and pedestrian modes of travel.
- Utilize a system of villages as the framework for planning and expanding the city.
- Design public places as the focus for social and economic centers for the community.
- Provide for the orderly development of the City with a 2035 planning horizon and to accommodate a target population of 580,000.
- Maximize infill development (100%) within the existing portions of the City.
- Provide new and expanded employment opportunities that focus on manufacturing, office development, transportation and wholesale distribution activities.

## TABLE 1-1
## SUMMARY OF THE GENERAL PLAN OBJECTIVES

**District and Villages**

- Connect each district and village to the city's overall circulation and open space systems to contribute to the design of the entire city.
- Create a mix of housing and supporting uses in every district and village.
- Provide a scale and pattern that is conducive to walking and using transit.
- Connect districts and villages and their neighborhoods through future parkways and civic corridors.
- Provide commercial and institutional services that support the local population.
- Maintain a cohesive City development pattern that focuses new urban development in a "Village" pattern, while encouraging existing neighborhood revitalization and 100% infill development.
- Make new parks and open space an integral part of new development using Quimby Act maximum park standards for new development and through the establishment of open space buffers along both the northern and eastern boundaries of the City.

**Interconnected Infrastructure**

- Support a mixed-mode community through multi modal corridors and transit options in infill development in districts and new development in villages.
- Provide multi-modal loop roads connecting the districts and villages to Central Stockton and to each other.
- Connect villages by multi-modal loop roads that are not intended to be freeways, but landscaped boulevards.
- Provide incremental expansion through a single regional sewage facility and have a clear development nexus for financing.
- Secure a reliable water supply coupled with an urban conservation program to maximize the use of reclaimed water.
- Provide "best practice" engineering solutions at a village- and project-level for drainage designs that protect water quality.
- Provide open space through parks connected via streets and waterways, with waterways intended to be an integral part of the open space system.
- Improve the existing City circulation system by expanding existing north-south and east-west arterials and regional roadways (i.e., Interstate 5, etc.), as feasible.

**Community Services/Resources**

- Locate site-sensitive land uses (e.g., residential) to avoid major noise generators, such as railroads, roadways, the Stockton Municipal Airport, and industrialized portions of the city.
- Improve air quality through readily available transit services to serve the existing community and developing areas.
- Expand police and fire services to cover all areas of the community with an equal level of service.
- Continue to assess the recreational, educational, health care, and day care needs of Stockton's youth and provide the programs necessary to fulfill those needs.
- Ensure that development occurs in a manner in which impacts to natural and cultural resources are avoided or minimized through proper site planning and design techniques.

## Planning Boundaries

According to State law, a city must consider a planning area that consists of land within the city and "any land outside its boundaries which, in the planning agency's judgment, bears relation to its planning." As currently proposed, the project's planning area encompasses all of the land inside the City Limits, the existing sphere of influence (SOI) Area, and additional unincorporated land areas that may influence future planning efforts. These proposed planning boundaries extend to Armstrong Road and Live Oak Road on the north; portions of State Route 99, the Stockton Diverting Canal, and Jack Tone Road to the east; and Bowman and Roth Roads on the south (see Figure 1-1). The western boundary of the Preferred Land Use Alternative is formed by several features, including a portion of the San Joaquin River, State Route 4, Burns Cutoff and Bishop Cut (Figure 1-1).

In developing the Preferred Land Use Alternative, the City was guided by several key objectives, including the need to encourage both infill development and provide guidance for the orderly expansion of the city. The City's existing limits along with the proposed Urban Services Boundary (USB) and the SOI are also identified in Figure 1-1. Both the City's proposed USB and SOI encompass approximately 84,950 acres. Land within the proposed USB and SOI comprise the Preferred Land Use Alternative and the impact study area (Study Area) of this EIR.

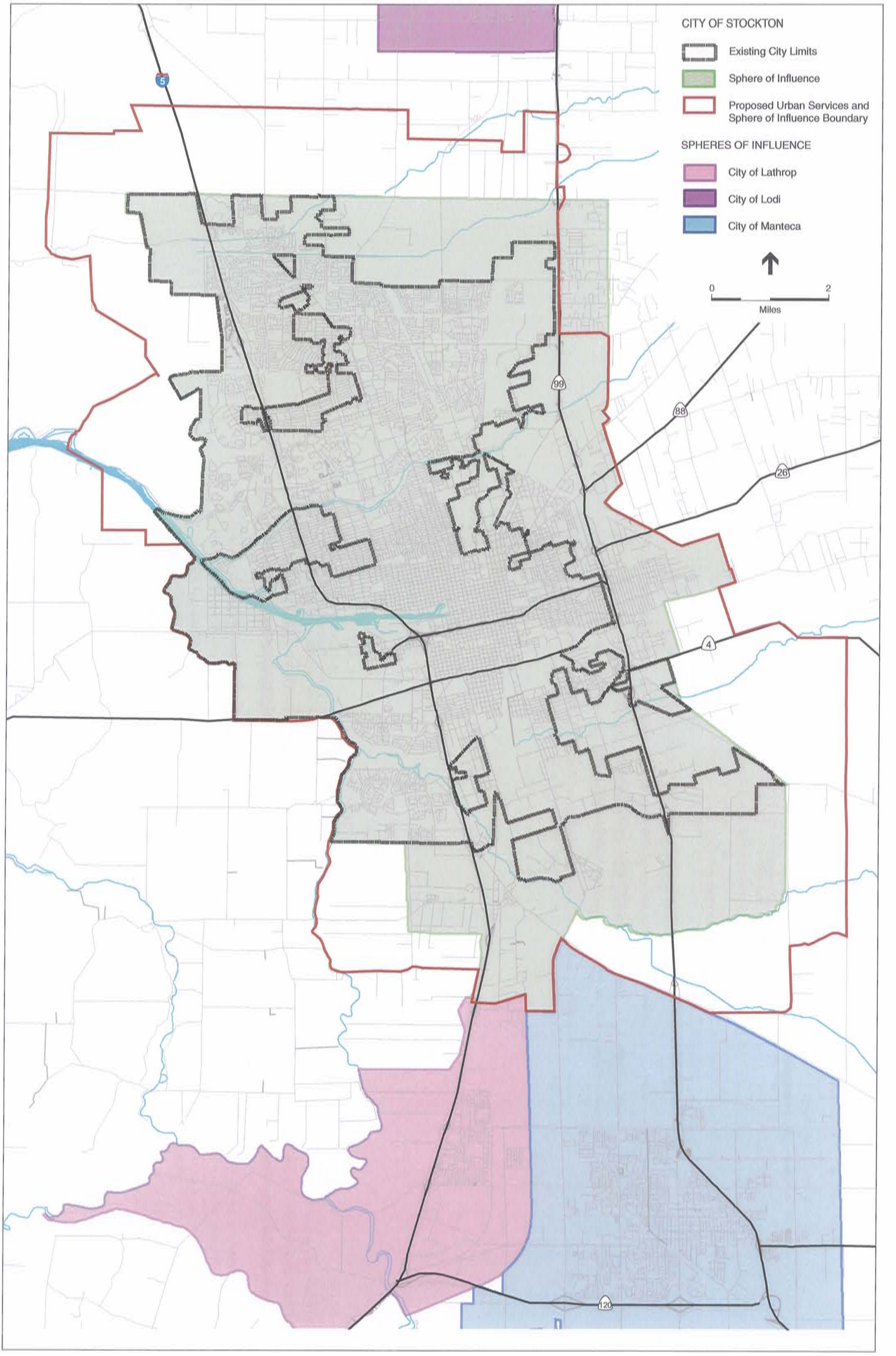
## General Plan Land Use Diagram

The land use diagram for the project's Preferred Land Use Alternative is provided as Figure 1-2. The diagram also includes several potential school site locations, several potential transportation improvements (e.g., proposed interchanges, transit hubs, and multi modal corridors, etc.) and designates the proposed general location, distribution, and extent of land uses through buildout (2035) of the General Plan. As required by State law, land use classifications, shown in specific color patterns, letter designations, or labels on the land use diagram, specify a range of housing density and building intensity for each land use type. These standards also allow for various circulation and utility infrastructure needs to be determined.

## Buildout under the Draft General Plan

Full development under the Proposed Project is referred to as "buildout". Table 1-2 provides a list of the designated land uses proposed for the Preferred Land Use Alternative along with an estimate of acreage attributed to each land use category. As shown in the table, non "Village" residential land use accounts for the majority of acreage, with approximately 31,850 acres. Low density residential accounts for the primary residential use (26,260 acres). Commercial land uses account for 4,780 acres and Industrial land uses account for 17,070 acres. Although, it is assumed that only an estimated 3,970 acres or 49% of the total land designated as Industrial within the USB/SOI is developed by 2035.

The Preferred Land Use Alternative would also include an estimated 2,340 acres of open space/agricultural land. An additional 37,040 acres of open space/agricultural land would be located in the City's planning area (land adjacent to the City's proposed USB/SOI). Urban infill development would account for an estimated 100% of the total development proposed under the Preferred Land Use Alternative.

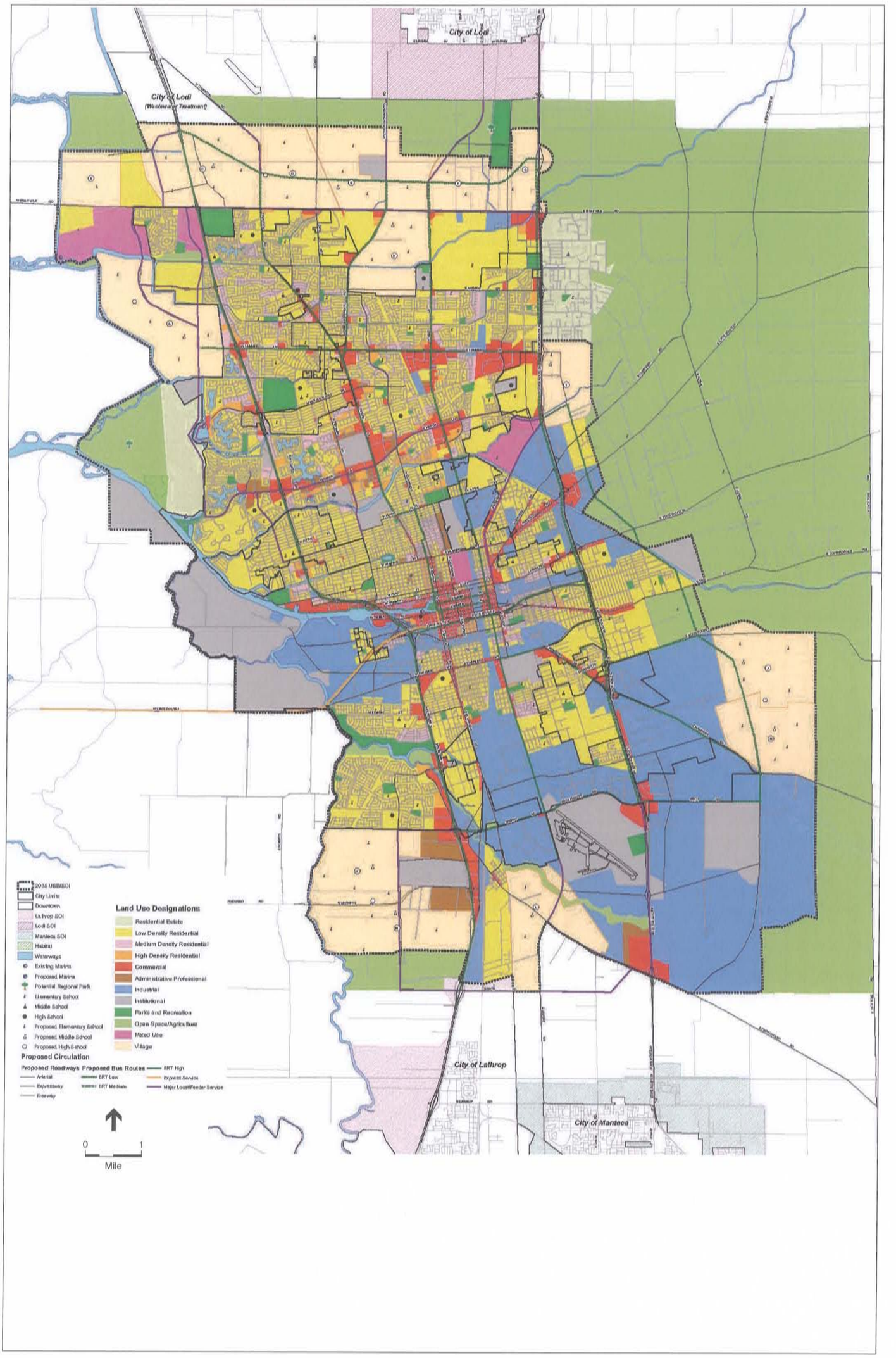



SOURCE: Mintier & Associates, 2005; URS, 2005; and ESA, 2005

City of Stockton General Plan Update EIR . 202593

**Figure 1-1**

Existing and Proposed Jurisdictional Boundaries




SOURCE: Mintier & Associates, 2006; URS, 2006; and ESA, 2006

City of Stockton General Plan Update EIR . 202593

**Figure 1-2**

Study Area and Draft Land Use Diagram

**TABLE 1-2**
**DESIGNATED LAND USES PROPOSED UNDER THE PREFERRED LAND USE ALTERNATIVES FOR BOTH THE PLANNING AREA AND THE USB/SOI.**

| Designated Land Use | Planning Area Acreage* | USB/SOI Acreage (percent of total)* |
|---|---|---|
| Residential Estate | 2,460 acres | 2,460 acres (3%) |
| Low Density Residential | 26,260 acres | 26,260 acres (31%) |
| Medium Density Residential | 1,980 acres | 1,980 acres (2%) |
| High Density Residential | 1,150 acres | 1,150 acres (1%) |
| Village | 17,500 acres | 17,500 acres (21%) |
| Administrative Professional | 1,030 acres | 1,030 acres (1%) |
| Commercial | 4,780 acres | 4,780 acres (6%) |
| Mixed Use | 1,420 acres | 1,420 acres (2%) |
| Industrial | 17,070 acres | 17,070 acres (20%) |
| Institutional | 7,160 acres | 7,160 acres (8%) |
| Parks and Recreation | 1,800 acres | 1,800 acres (2%) |
| Open Space/Agriculture | 39,380 acres | 2,340 acres (3%) |
| **Total:** | **121,990 acres** | **84,950 acres (100%)** |

*Does not include waterways, rights-of-ways, or other non designated areas that can't be developed

Under the project, the Preferred Land Use Alternative (including its assumptions related to building densities) defines new development areas as a series of interconnected villages, which will predominately be comprised of a mix of residential, commercial, and open space uses. The individual designs of the villages are intended to embody many features that encourage transit and pedestrian use. These village areas would account for an estimated 17,500 acres.

# California Environmental Quality Act Compliance

This final program EIR for the Proposed Project has been prepared in accordance with the guidelines for implementation of CEQA. Specifically, Section 15132 of the State CEQA Guidelines requires that a final EIR consist of the following:

- The draft program EIR or a revision of the draft;
- Comments and recommendations received on the draft EIR;
- A list of persons, organizations, and public agencies commenting on the draft EIR;
- The responses of the lead agency to significant environmental concerns raised in the review and consultation process; and
- Any other information added by the lead agency.

The draft EIR for the Proposed Project was prepared in compliance with CEQA and the CEQA Guidelines. As described in the CEQA Guidelines, Section 15121(a), an EIR is a public information document that assesses the potential environmental effects of a proposed project, as well as identifies mitigation measures and alternatives to the project that could substantially lessen or avoid significant adverse environmental impacts. CEQA guidelines require that state and local government agencies consider the environmental consequences of projects over which they have discretionary authority. Consequently, the EIR is an information document used in the planning and decision-making process. It is not the purpose of an EIR to recommend either approval or denial of a project.

The procedures required by CEQA "are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects (Public Resources Code Section 21002)." In the case of this program level EIR for the City's Draft 2035 General Plan, the proposed mitigation measures for these significant effects take the form of general plan policies that would be incorporated into the final General Plan. For example, to help address the severity of impacts to biological resources that may occur through implementation of the Proposed Project, the following policies (shown in Table 1-3.) were identified through preparation of the draft EIR to help reduce the severity of these impacts

**TABLE 1-3**
**EXAMPLE OF BIOLOGICAL RESOURCE IMPACTS AND PROPOSED MITIGATION FROM THE DRAFT EIR FOR THE PROPOSED PROJECT**

Impact NCR-1: The Proposed Project would have a substantial adverse effect, either directly or through habitat modifications, on any fish or wildlife species including those officially designated species identified as an endangered, threatened, candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.

Proposed Mitigation Measures:

- **NCR-2.18 Minimize Lighting Impacts.** The City shall ensure that lighting associated with new development or facilities (including street lighting, recreational facilities, and parking) shall be designed to prevent artificial lighting from illuminating adjacent natural areas at a level greater than one foot candle above ambient conditions. *[New Policy – Draft EIR Analysis].*

As a general rule, "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects". However, in the event specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof (ibid)". The lead agency must "certify" the final EIR. According to the "CEQA Guidelines", "certification"

consists of three separate steps. Prior to approving a project, the lead agency (in this case the City of Stockton) shall certify that: (1) the final EIR has been completed in compliance with CEQA; (2) the final EIR was presented to the decision-making body of the lead agency and the body has reviewed and considered the information contained in the final EIR prior to approving the project; and (3) that the final EIR reflects the lead agency's independent judgment and analysis [CEQA Guidelines, Section 15090(a); see also Public Resources Code, Section 21082.1 (c)(3)].

Under CEQA, a lead agency must make certain determinations before it can approve or carry out a project if the EIR reveals that the project will result in one or more significant environmental impacts. First, before approving a project for which a certified final EIR has identified significant environmental effects, the lead agency must make one or more specific written findings for each of the identified significant impacts. These findings [see CEQA Guidelines, Section 15091(a)] include and are limited to the following:

(1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

(2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

(3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

Second, if there remain significant environmental effects even with the adoption of feasible mitigation measures or alternatives, the agency must adopt a "statement of overriding considerations" before it can proceed with the project. The statement of overriding consideration must be supported by substantial evidence in the record (CEQA Guidelines, Sections 15092 and 15093).

These overriding considerations include the economic, legal, social, technological, or other benefits of the proposed project. The lead agency must balance these potential benefits against the project's unavoidable significant environmental effects when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable significant environmental effects, the lead agency may consider the adverse environmental impacts to be "acceptable" [CEQA Guidelines, Section 15093(a)]. These benefits should be set forth in the statement of overriding considerations, and may be based on the Final EIR and/or other information in the record of proceedings [CEQA Guidelines, Section 15093(b)].

Notably, the California Supreme Court, reflecting on this multi-step process for considering project impacts and benefits, has stated that, "[t]he wisdom of approving...any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced." [See *Citizens of Goleta Valley v. Board of Supervisors* (1990)52 Cal.3d 553,576)

## CEQA Final EIR Process

The draft EIR for the Proposed Project was submitted to the State Clearinghouse (SCH#2004082066) and released for public and agency review on December 1, 2006. The public review and comment period for the draft EIR closed on January 29, 2007. The City of Stockton also held a public meeting on the draft General Plan/EIR documents on January 10, 2007. Additionally, the draft EIR and General Plan were made available for public review at several locations including local libraries, city offices, and on a website.

Upon additional review of the Proposed Project and the draft EIR, the City Planning Commission, at a public hearing, will recommend to the City of Stockton City Council whether to approve or deny the project. The City Council will then review the final proposed General Plan, final EIR, the City of Stockton Community Development Department's recommendations, and public testimony to decide whether to certify the final EIR and whether to approve or deny the project or to adopt a feasible alternative.

## Organization of the Document

This final EIR comprises five chapters that meet the requirements of the State CEQA Guidelines, as outlined above. The five chapters that make up this final program EIR are as follows:

- **"Executive Summary"** provides a brief project description and presents a summary table of the Proposed Project's environmental effects.

- **Chapter 1, "Introduction and Reader's Guide"** provides a brief overview of the Proposed Project, environmental compliance activities conducted to date, and outlines the contents and organization of the final program EIR

- **Chapter 2, "Comments on the Draft EIR"** provides a list of commentors and copies of written comments (coded for reference).

- **Chapter 3, "Response to Comments on the Draft EIR"** provides the lead agency responses to the comments identified in Chapter 2.

- **Chapter 4, "Minor Changes and Edits to the Draft EIR"** includes any corrections and/or additions to the draft EIR text as a result of comments made on the draft EIR. These changes to the draft EIR are indicated by revision marks (underline for new text and strikeout for deleted text.

- **Chapter 5, "Report Preparation"** provides a list of the individuals involved in the preparation of the final EIR.

In reference to Section 15132(a) of the State CEQA Guidelines, the draft program EIR for the Proposed Project has been incorporated by reference into this final EIR. A copy of the draft EIR is on file at the City of Stockton Community Development Department located 345 N. El Dorado Street Stockton, CA. A copy can also be viewed by visiting the City's web site at http://www.stocktongov.com/cd/PlanningDivision.cfm.

# CHAPTER 2
# Comments on the Draft EIR

## Introduction

This chapter provides a list of all the written comments received during the public review period. A summary of all the oral comments received during the public hearing for the draft EIR held on January 10, 2007 is provided in Chapter 3 of this final EIR. Responses to these oral comments are also provided in Chapter 3.

## Summary of Comment Letters

The public agencies, organizations, and individuals that submitted comments on the draft EIR are listed below in Table 2-1. As shown in the table, each comment letter has been designated by a letter and number that will be used to refer to particular comments and responses. Public agency comment letters are grouped by federal, state or local public agency.

TABLE 2-1
COMMENT LETTERS RECEIVED ON THE EIR

| Letter Number | Responsible Party | Date |
|---|---|---|
| | **Public Agencies – Federal, State and Local (County, City, etc.)** | |
| | **Agency – Federal** | |
| A1 | U.S. Department of Energy, Western Area Power Administration | 01/24/2007 |
| A2 | U.S. Department of Homeland Security, FEMA Region IX | 01/12/2007 |
| | **Agency – State** | |
| A3 | Department of California Highway Patrol | 12/26/2006 |
| A4 | State of California, Department of Conservation Division of Land Resource Protection | 02/02/2007 |
| A5a & A5b | State of California, Department of Fish and Game | 02/13/2007 |
| A6 | State of California, Department of Transportation | 01/03/2007 |
| A7 | State of California, Department of Transportation | 01/25/2007 |
| A8 | State of California, Department of Transportation | 01/30/2007 |
| A9 | State of California, Department of Water Resources | 01/16/2007 |
| A10 | State of California, Department of Water Resources | 01/25/2007 |
| A11 | State of California, Governor's Office of Planning and Research, State Clearinghouse | 01/30/2007 |
| A12 | State of California, Public Utilities Commission | 01/19/2007 |
| A13 | California Regional Water Quality Control Board, Central Valley Region | 01/23/2007 |
| | **Agency – Regional** | |
| A14 | East Bay Municipal Utility District | 01/19/2007 |
| A15 | San Joaquin Valley Unified Air Pollution Control District | 01/31/2007 |
| A16 | Calaveras County Water District | 01/26/2007 |

TABLE 2-1
COMMENT LETTERS RECEIVED ON THE EIR

| Letter Number | Responsible Party | Date |
|---|---|---|
| A17 | Manteca Unified School District | 01/26/2007 |
| A18 | San Joaquin Council of Governments | 01/18/2007 |
| A19 | San Joaquin Council of Governments | 01/29/2007 |
| A20 | San Joaquin County Office of Education | 01/26/2007 |
| A21 | San Joaquin County of Public Works | 01/29/2007 |
| | **Organizations** | |
| O1 | Building Industry Association of the Delta | 01/29/2007 |
| O2 | Pacific Gas and Electricity Company | 01/29/2007 |
| O3 | San Joaquin Farm Bureau Federation | 01/10/2007 |
| O4 | San Joaquin Farm Bureau Federation | 01/29/2007 |
| O5 | Sierra Club Mother Lode Chapter | 01/29/2007 |
| | **Individuals** | |
| I1 | Mary Ellen Dunbar | 01/16/2007 |
| I2 | Mathilda Buhrkuhl | 01/17/2007 |
| I3 | Sally Galiste | 01/17/2007 |
| I4 | Kurt W. Cooper | 01/19/2007 |
| I5 | Kurt W. Cooper | 01/20/2007 |
| I6 | Morrison Foerster | 01/23/2007 |
| I7 | Kurt W. Cooper | 01/25/2007 |
| I8 | Kurt W. Cooper | 01/26/2007 |
| I9 | Hefner, Stark and Marois, LLP | 01/26/2007 |
| I10 | Law Office of J. William Yeates | 01/26/2007 |
| I11 | Sharon D. Stewart | 01/27/2007 |
| I12 | William Van Amber Fields | 01/27/2007 |
| I13 | Kurt W. Cooper | 01/28/2007 |
| I14 | Lorne & Janet Truscott | 01/28/2007 |
| I15 | Woody Alspaugh – 1 | 01/29/2007 |
| I16 | Woody Alspaugh – 2 | 01/29/2007 |
| I17 | Arnaiz Companies | 01/29/2007 |
| I18 | Ann Cerney | 01/29/2007 |
| I19 | Kristin Holtberg | 01/29/2007 |
| I20 | Larry Moorman – 1 | 01/29/2007 |
| I21 | Larry Moorman – 2 | 01/29/2007 |
| I22 | Morrison Foerster | 01/29/2007 |
| I23 | Joy Neas | 01/29/2007 |
| I24 | Byron R. Roberts | 01/29/2007 |
| I25 | Richard Shaffer | 01/29/2007 |
| I26 | Richard Shaffer | 01/29/2007 |
| I27 | Richard Shaffer | 01/29/2007 |
| I28 | Richard Shaffer | 01/29/2007 |
| I29 | Richard Shaffer | 01/29/2007 |
| I30 | Richard Shaffer | 01/29/2007 |

# Comment Letters

Each of the comment letters identified above are provided on the following pages, with individual responses to each of the comment letters provided in Chapter 3 "Responses to Comments on the Draft EIR". With the exception of the courtesy statements, introductions, and closings, the content of each letter has been divided into individual comments. To assist in referencing comments and responses, each comment letter has been assigned a letter and number combination and each individual comment within the letter a corresponding number. Letters received from public agencies have been assigned the letter "A", followed by a number indicating the sequence in which the letter was received. For example, the first agency letter received is identified as "A1", the second as "A2", and so forth. Letters received from organizations have been assigned the letter "O", and letters from individuals have been assigned the letter "I". Both of these categories follow the same numbering assignment as described previously (O1, O2, O3; I1, I2, I3, etc.). The responses to each comment are formatted in a similar fashion.

Where changes to the draft EIR text result from these responses to comments, those changes are presented in Chapter 4 "Minor Changes and Edits to the Draft EIR" of this document, with changes shown by underlying new text (e.g., new text) and strike out text to be deleted (e.g., ~~deleted text~~). Comments which present opinions about the project unrelated to environmental issues or which raise issues not directly related either to the substance of the draft EIR or to environmental issues are noted without a detailed response.

After careful consideration of all of the letters received on the draft EIR and the responses to the comments in the letters, City staff has concluded that none of the information received or generated since the publication of the draft EIR constitutes "significant new information" within the meaning of Public Resources Code Section 21092.1 and CEQA Guidelines Section 15088.5. For this reason, the City need not "recirculate" for additional public comment either a full or a partial revision to the draft EIR and the preparation of a final EIR is appropriate.

PJS A1

**Department of Energy**
Western Area Power Administration
Sierra Nevada Customer Service Region
114 Parkshore Drive
Folsom, California 95630-4710

JAN 24 2007

RECEIVED
CITY OF STOCKTON
JAN 25 2007
PERMIT CENTER
PLANNING DIVISION

Ms. Christine Tien
Interim Director
City of Stockton
Community Development Department
Planning Division
345 North El Dorado Street
Stockton, CA 95202

Dear Ms. Tien:

Thank you for the opportunity to comment on the Draft Environmental Impact Report for the Stockton 2035 General Plan Update and Infrastructure Master Plans Project (EIR4-05). The United States Department of Energy, Western Area Power Administration (Western), does not have any objections to the proposed General Plan update where it crosses Western's Hurley-Tracy Number 1 and Number 2, 230-kilovolt transmission line easements, but Western will need to review and approve any future infrastructure improvements and local development projects. The Developers will need to submit project specific improvement plans to Western for review and approval and for the issuance of a license agreement prior to construction. A1-1

Enclosed is a copy of Western's general guidelines for the use of the easement area. If you have any questions, please contact Susan Sinclair at (916) 353-4600.

Sincerely,

Heidi R. Miller

Heidi R. Miller
Realty Officer

Enclosure

**WESTERN AREA POWER ADMINISTRATION**
**GENERAL GUIDELINES CONCERNING THE USE OF**
**ELECTRIC TRANSMISSION LINE RIGHTS-OF-WAY**

**RE: Hurley-Tracy No. 1 and No. 2 230-kV Transmission Line**

Western Area Power Administration (Western) owns two 125-foot easements along the length of the referenced transmission lines. Western's rights within the easement include the right to construct, reconstruct, operate, maintain, and patrol the transmission line.

Rights usually reserved to the landowner include the right to cultivate, occupy, and use the land for any purpose that does not conflict with Western's use of its easement. To avoid potential conflicts, it is Western's policy to review all proposed uses within the transmission line easement. We consider (1) Safety of the public, (2) Safety of our Employees, (3) Restrictions covered in the easement, (4) Western's maintenance requirements, and (5) Protection of the transmission line structures and (6) Road or street crossings.

The outline below lists the considerations covered in the review. Please note that some items may overlap. This outline has been prepared only as a guide; each right-of-way encroachment is evaluated on an individual basis.

1. Safety Of The Public

   A. Approval depends, to a large extent, on the type and purpose of the development. Western takes our obligation to public safety very seriously. To insure our obligation, any use of the easement that will endanger the public will not be allowed or strongly discouraged (e.g., kite flying is prohibited).

   B. Metal fences must be grounded in accordance with applicable safety codes.

   C. Lighting standards shall not exceed a maximum height of 15 feet and not placed directly under the conductors. All lighting standards must be grounded.

   D. All vegetation on the easement shall not exceed a maximum height of 12 feet at maturity.

   E. Structures are not allowed on the easement. Structures include, but are not limited to, buildings, sheds, swimming pools, basketball courts, tennis courts, gazebos, etc.

   F. No ground elevation changes are allowed which would reduce the ground to conductor clearance below 30 feet.

2. Safety Of Our Employees

Vegetation and encroachments into our right-of-way requires our crews to take action, which places them at risk. Therefore, any vegetation or encroachments that present a risk to our employees will not be allowed.

3. Restrictions Covered In The Easement

The easement prohibits the following: (1) any use that will interfere with or damage the equipment of the United States, (2) digging or drilling of a well, (3) erecting buildings or structures, (4) placing or piling up material within the easement boundaries. The easement gives Western the right to remove trees, brush or other objects interfering with the safe operation and maintenance of the line.

4. Maintenance Requirements

A. Berms shall not be placed next to the base of the transmission line tower.

B. Any proposed improvements to the easement (including grading, parking lot, lighting, landscaping, fences, etc.), must be reviewed by Western to assure that they will not interfere with the safe operation and maintenance of the transmission line.

C. A 14-foot gate is required in any fences that cut off access along our easement.

D. Thirty (30) feet of unobstructed access is to be maintained around towers.

5. Protection Of The Transmission Line Structure (Towers, Guy Wires, etc.)

A. If the proposed use increases the possibility of a motor vehicle hitting the transmission line structure, an appropriate guard rail shall be installed to protect the structure (e.g., parking lots or roads).

B. Trench digging, which would weaken or damage the structure, is prohibited.

C. No ground elevation changes are allowed within 20 feet of the structure, and in no case shall the conductor to ground clearance be reduced below code limitation.

6. Roads Or Street Crossings

Western's policy is to have roads or streets cross the easement at right angles, or as nearly at right angles as possible, so that a minimum area of the road or street lies within the transmission line easement.

Requests for permission to use the transmission line right-of-way should be submitted to: Western Area Power Administration, Sierra Nevada Regional Office, Attn: Realty Officer, 114 Parkshore Drive, Folsom, CA 95630.

DJS

A2

U.S. Department of Homeland Security
FEMA Region IX
1111 Broadway, Suite 1200
Oakland, CA. 94607-4052

FEMA

January 12, 2007

David Stagnaro, AICP
Senior Planner
Community Development Department
Planning Division
345 North El Dorado Street
Stockton, California 95202

JAN 1 ? 2007

Dear Mr. Stagnaro:

This is in response to your request for comments on the Draft Environmental Impact Report for Stockton 2035 General Plan Update and Infrastructure Master Plans Project (EIR4-05).

Please review the current effective Flood Insurance Rate Maps (FIRMs) for the City of Stockton, (Community Number 060302), Map revised April 2, 2002. Please note that the City of Stockton, State of California is a participant in the National Flood Insurance Program (NFIP). The minimum, basic NFIP floodplain management building requirements are described in Vol. 44 Code of Federal Regulations (44 CFR), Sections 59 through 65.

A2-1

A summary of these NFIP floodplain management building requirements are as follows:

- All buildings constructed within a riverine floodplain, (i.e., Flood Zones A, AO, AH, AE, and A1 through A30 as delineated on the FIRM), must be elevated so that the lowest floor is at or above the Base Flood Elevation level in accordance with the effective Flood Insurance Rate Map.

- If the area of construction is located within a Regulatory Floodway as delineated on the FIRM, any ***development*** must not increase base flood elevation levels. **The term *development* means any man-made change to improved or unimproved real estate, including but not limited to buildings, other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, and storage of equipment or materials.** A hydrologic and hydraulic analysis must be performed *prior* to the start of development, and must demonstrate that the development would not cause any rise in base flood levels. No rise is permitted within regulatory floodways.

- All buildings constructed within a coastal high hazard area, (any of the "V" Flood Zones as delineated on the FIRM), must be elevated on pilings and columns, so that the lowest horizontal structural member, (excluding the pilings and columns), is elevated to or above the base flood elevation level. In addition, the posts and pilings foundation and the structure attached thereto, is anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components.

- Upon completion of any development that changes existing Special Flood Hazard Areas, the NFIP directs all participating communities to submit the appropriate hydrologic and hydraulic data to FEMA for a FIRM revision. In accordance with 44 CFR, Section as soon as practicable, but not later than six months after such data becomes available, a community shall notify FEMA of the changes by submitting technical data for a flood map revision. To obtain copies of FEMA's Flood Map Revision Application Packages, please refer to the FEMA website at http://www.fema.gov/business/nfip/forms.shtm.

A2-1 continued

**Please Note:**

Many NFIP participating communities have adopted floodplain management building requirements which are more restrictive than the minimum federal standards described in 44 CFR. Please contact the local community's floodplain manager for more information on local floodplain management building requirements. The City of Stockton floodplain manager can be reached by calling James B. Giottonini, Director of Public Works at (209) 937-8411. The San Joaquin County floodplain manager can be reached by calling Charles F. Kelley, Senior Civil Engineer, at (209) 468-3060.

If you have any questions or concerns, please do not hesitate to call Ed Copeland of my staff at (510) 627-7207.

Sincerely,

FOR Michael Shore
Branch Chief
Community Mitigation Programs

cc:
James B. Giottonini, Director of Public Works, City of Stockton
Charles F. Kelley, Senior Civil Engineer, San Joaquin County
Ray Lee, State of California, Department of Water Resources, Central District
Ed Copeland, Floodplanner, DHS/FEMA, Region IX
Alessandro Amaglio, Environmental Officer, DHS/FEMA, Region IX

A3 DJS

State of California—Business, Transportation and Housing Agency ARNOLD SCHWARZENEGGER, Governor

**DEPARTMENT OF CALIFORNIA HIGHWAY PATROL**
**3330 Ad Art Road**
**Stockton, CA 95208**
**(209) 943-8666**
**(800) 735-2929 (TT/TDD)**
**(800) 735-2922 (Voice)**

December 26, 2006

File No.: 265.11045.11485.2035GENPLAN

Mr. David Stagnaro
City of Stockton
Community Development Department
345 North El Dorado Street
Stockton, CA 95202

Dear Mr. Stagnaro:

Thank you for the opportunity to review the 2035 Stockton General Plan Infrastructure Project (SCH# 2004082066). While the plan addresses the anticipated needs within the City of Stockton and its sphere over the coming decades, many aspects of the general plan will have significant impacts on surrounding county roads, State Routes, and Interstate freeways. As you know, the California Highway Patrol (CHP) has the primary responsibility for traffic enforcement on county roads as well as state highways and freeways. A3-1

Clearly, the population projections for Stockton and San Joaquin County are significant and will have an impact of vehicular traffic and the CHP's ability to maintain an appropriate level of service. The CHP will continue to provide its input on the respective projects that result in a likely impact on traffic. Additionally, the CHP strongly believes it is important the City of Stockton continues to work closely with the Department of Transportation (Caltrans), the San Joaquin County Department of Public Works, and CHP in developing long range plans that are beneficial to all the citizens utilizing the highway system. Should you have any questions, please feel free to call me or Lieutenant Craig Oliver of my staff at (209) 943-8666.

Sincerely,

S. M. COUTTS, Captain
Commander
Stockton Area

cc: Special Projects Section

A4

STATE OF CALIFORNIA, RESOURCES AGENCY ARNOLD SCHWARZENEGGER, GOVERNOR

DEPARTMENT OF CONSERVATION

DIVISION OF LAND RESOURCE PROTECTION

801 K STREET • MS 18-01 • SACRAMENTO, CALIFORNIA 95814

PHONE 916 / 324-0850 • FAX 916 / 327-3430 • TDD 916 / 324-2555 • WEBSITE conservation.ca.gov

February 2, 2007

**VIA FACSIMILE (209) 937-8893**
Mr. David Stagnaro, AICP, Senior Planner
City of Stockton
Community Development Department
Planning Division
345 North El Dorado Street
Stockton, CA 95202

Subject: City of Stockton General Plan Update 2035 and Infrastructure Studies Draft Environmental Impact Report (DEIR) - SCH# 2004082066, San Joaquin County

Dear Mr. Stagnaro:

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the DEIR for the referenced project. The Division monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act and other agricultural land conservation programs. We offer the following comments and recommendations with respect to the project's impacts on agricultural land and resources. A4-1

Project Description

The project is an update of the City of Stockton's (City) 1990 General Plan (GP), including expansion of its Sphere of Influence and Urban Services Boundary. The City is located near the center of San Joaquin County (County), one of the top 10 agricultural producing counties in California. A4-2

Project Impacts on Agricultural Land and Resources

Upon build-out of the GP's Preferred Land Use Alternative, 32,520 acres of important farmland (Prime Farmland, Unique Farmland and Farmland of Statewide Importance as designated on the Important Farmland Map for the County by the Department's Farmland Mapping and Monitoring Program) will be converted to urban and other uses. This is considered to be a significant impact, as are indirect conflicts from urban expansion into agricultural areas and the project's contribution to the cumulative loss of agricultural land in the County. A4-3

In addition to implementation of policies to support continued agriculture, reduce conflicts between agriculture and urban uses, and preserve farmland as development occurs, in order to mitigate the GP's agricultural land conversion, the DEIR proposes that the City will participate in the County's Agricultural Conservation Program (ACP). The ACP requires a mitigation fee for conversion of agricultural land to urban use outside the Enterprise Zone, Free Trade Zone or

Redevelopment Area. Fees will fund agricultural conservation easements, fee title acquisition, research, education and local marketing programs and other capital projects benefiting agriculture, as well as administrative fees. Conservation land will be of statewide significance or sensitive and necessary to preserve agricultural land. The fees will be transferred to the Central Valley Farmland Trust or other similar entity.

The DEIR also proposes a permanent agricultural/open space buffer of 200 feet minimum along the northern and eastern edge of the Urban Service Area to reduce indirect impacts of conflicting agricultural/urban uses. A4-3 cont

The Department highlights its support of the City's participation in the ACP to mitigate conversion of agricultural land under GP build-out, among the City's various policies to support agriculture in the City and County. We recommend that required mitigation fees represent the value of a minimum 1:1 ratio of same quality easement land to land converted plus administrative costs. We recommend that this be addressed in the Final EIR (FEIR).

Williamson Act Lands

The DEIR has determined that GP build-out conflicts with Williamson Act contracted lands are less than significant because it cannot be determined at the GP level which parcels will be affected and when. In addition, it assumes that provisions in the Act will be followed and that City policies encourage orderly development consistent with the Act. A4-4

The Department recommends that GP orderly development include the use of Nonrenewal, the accepted method of contract termination, in the development of contracted lands. If premature termination is involved, we recommend that it be mitigated by requiring an augmentation of the ACP fee. We recommend that this be addressed in the FEIR.

Thank you for the opportunity to comment on this DEIR. Pursuant to Public Resources Code §21092.5(a), the Department looks forward to receiving your response, including a copy of the FEIR. If you have questions on our comments or require technical assistance or information on agricultural land conservation, please contact Bob Blanford at 801 K Street, MS 18-01, Sacramento, California 95814; or, phone (916) 327-2145. A4-5

Sincerely,

Brian Leahy
Assistant Director

Cc: State Clearinghouse

San Joaquin County Resource Conservation District
3422 West Hammer Lane, Ste. A
Stockton, CA 95219

State of California - The Resources Agency ARNOLD SCHWARZENEGGER, Governor
DEPARTMENT OF FISH AND GAME
http://www.dfg.ca.gov
North Central Region
1701 Nimbus Road, Suite A
Rancho Cordova, CA 95670
(916) 358-2900

A5a

February 13, 2007

Mr. David Stagnaro, AICP
City of Stockton
345 North El Dorado Street
Stockton, CA 95202

Dear Mr. Stagnaro:

The Department of Fish and Game (DFG) has reviewed the Draft Environmental Impact Report (DEIR) for the City of Stockton's, General Plan 2035 (SCH# 2004082066). The project consists of an update of Stockton's 1990 General Plan. The City is proposing expansion of its Urban Services Boundary (USB) and its Sphere of Influence (SOI). The project is located in Stockton, San Joaquin County.

Wildlife habitat resources of the Plan area consist of a variety of habitat types including: agricultural land, riparian wetlands, streams, sloughs, and other wetland habitats. Significant natural resources within the area include habitats for sensitive species including state and federal-listed threatened or endangered species. The mix of agricultural land, riparian, and wetland habitat in the northwest portion of the Plan area provides habitat for the giant garter snake (*Thamnophis gigas*), sandhill crane (*Grus canadensis tabida*), California black rail (*Laterrallus jamaicensis corturniculus*), and Swainson's hawk (*Buteo swainsonii*), as well as, large numbers of migrant waterfowl, shorebirds, and passerines. The southwestern portion of the area provides habitat for riparian brush rabbit (*Sylvilagus bachmani riparius*), Swainson's hawk, valley elderberry long-horned beetle (*Desmocerus californiacus dimorphus*), pond turtle (*Clemmys marmorata*), and burrowing owl (*Athene cunicularia*). Agricultural lands along the east side are habitat for Swainson's hawks and burrowing owls.

A5a-1

In 2001, Stockton adopted the San Joaquin County Multi-Species Habitat Conservation Plan (SJMSCP). The SJMSCP provides for conservation of wildlife through a comprehensive program that includes take-avoidance, mitigation, and establishment of habitat preserves. As a participant in the SJMSCP, Stockton was granted take authority under both the State and Federal Endangered Species Acts. Take authority was granted over an area that covered Stockton's city limits and its sphere of influence for the next 50 years (2051). The proposed General Plan update establishes a planning framework for the City of Stockton for the next 30 years (2036);

however, the proposed SOI/USB is considerably larger than the area currently covered by the SJMSCP.

The DFG is aware that the City of Stockton, along with the other participant members, is seeking a Major Amendment to the SJMSCP. A Major Amendment of the SJMSCP could conceivably extend take authority to Stockton's proposed SOI/USB Plan area and thereby provide comprehensive mitigation. However, in the absence of a Major Amendment, we must rely on the DEIR to discuss the proposed project's impacts on wildlife and propose adequate mitigation to off-set those impacts. Following are our concerns:

1. The DEIR fails to discuss the project's impact on wildlife resources. The DEIR contains very little information regarding the distribution of wildlife resources on the project site.

   We recommend that the DEIR be revised to contain information about the location of important wildlife resources like unique habitat areas, sensitive species habitats, etc. The information should be in the form of maps or overlays that allow the analysis of each alternative's impact on important wildlife resources.

A5a-1
cont

2. The DEIR fails to provide a means of reducing impacts to wildlife, including species that are listed as threatened or endangered by the State or Federal Government. Impact NCR-1 of the DEIR states that the proposed project will result in the loss of 3,270 acres of natural land, 34,400 acres of agricultural land, and 500 acres of vernal Pools. While we believe the vernal pool acreage has been misidentified, the conversion of over 38,000 acres of open land to urban use will have a significant affect on wildlife. To mitigate the direct and indirect impacts to wildlife associated with this conversion, the DEIR proposes a combination of General Plan policies, and a proposal to restrict the amount of artificial lighting allowed to shine on habitat areas. The General Plan policies do not require that impacts to wildlife be avoided or their severity reduced below a level that is significant. Taken together, the measures contained in the DEIR do not mitigate the project impacts on wildlife.

   We recommend that the DEIR be revised to include the details of a mitigation proposal that off-sets the project's impact on wildlife. In addition to the policies contained in the Natural and Cultural Resource Element, the DEIR should provide a means of protecting habitat by avoiding or mitigating the direct and indirect impacts resulting from individual

development projects that are approved subsequent to the adoption of the proposed General Plan. We recommend that this mitigation be equal to or greater than that provided in SJMSCP.

3. The DEIR fails to address the project's potential for impacts to the SJMSCP. Specifically, the DEIR fails to identify areas where conversion of land to urban uses would impact the habitat value of either existing preserves, or the potential for future preserves set-up under the SJMSCP.

   We recommend that the DEIR be revised to include a discussion of the project's potential for impacts to the SJMSCP.

A5a-1
cont

This project will have an impact to fish and/or wildlife habitat. Assessment of fees under Public Resources Code Section 21089 and as defined by Fish and Game Code Section 711.4 is necessary. Fees are payable by the project applicant upon filing of the Notice of Determination by the lead agency.

Pursuant to Public Resources Code Sections 21092 and 21092.2, the DFG requests written notification of proposed actions and pending decisions regarding this project. Written notifications should be directed to this office.

Thank you for the opportunity to review this project. If the DFG can be of further assistance, please contact Mr. Dan Gifford, Senior Wildlife Biologist, at (209) 369-8851 or, Mr. Kent Smith, Acting Assistant Regional Manager, at (916) 358-2382.

Sincerely,

Sandra Morey
Regional Manager

cc: Ms. Susan Jones
U.S. Fish and Wildlife Service
2800 Cottage Way, Room W2605
Sacramento, CA 95825-1888

cc: Ms. Janna Milliken
U.S. Fish and Wildlife Service
2800 Cottage Way, Room W2605
Sacramento, CA 95825-1888

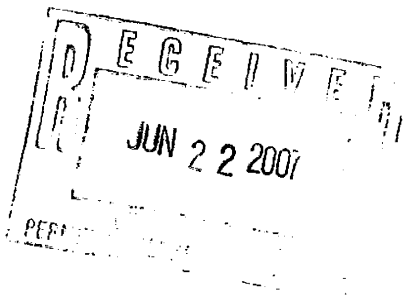
Mr. Kent Smith
Mr. Dan Gifford
Department of Fish and Game
North Central Region
1701 Nimbus Road, Suite A
Rancho Cordova, CA 95670

State of California - The Resources Agency
DEPARTMENT OF FISH AND GAME
http://www.dfg.ca.gov
North Central Region
1701 Nimbus Road, Suite A
Rancho Cordova, CA 95670
(916) 358-2900

ARNOLD SCHWARZENEGGER, Governor

A5b

June 12, 2007




Mr. David Stagnaro, AICP
City of Stockton
345 North El Dorado Street
Stockton, CA 95202

Dear Mr. Stagnaro:

The Department of Fish and Game (DFG) provided the City of Stockton with comments on the draft Environmental Impact Report (DEIR) for Stockton's, 2035 General Plan update in a letter dated February 13, 2007. The 2035 General Plan update proposes to increase the size of the City of Stockton plan area by an additional 38,000 acres.

The proposed plan area is not currently covered by the take authorization granted to the City of Stockton under the San Joaquin Multi-Species Conservation Plan (SJMSCP), and despite the City of Stockton's clear intention to seek coverage for the increased plan area under a Major Amendment to the SJMSCP to off-set impacts to wildlife resulting from the 2035 General Plan update, the amount and timing of additional coverage cannot be determined. Therefore, our letter expressed the concern that the DEIR did not provide the means to mitigate and reduce the project's impacts on wildlife below a level of significance. A5b-1

Following receipt of our letter, City of Stockton and DFG staff met in March of 2007 and agreed on an approach that would resolve DFG concern regarding the DEIR's treatment of impacts to wildlife. The approach consists of addressing the impacts of individual development projects by mirroring the terms and conditions of the SJMSCP. That agreement resulted in the following General Plan Policy drafted by the City of Stockton:

> *Policy Natural & Cultural Resource-2.19 (NCR) Interim SJMSCP Compliance for Biological Resources.*
>
> *Until a Major Amendment to the existing SJMSCP is adopted to incorporate all areas of the City's proposed Sphere of Influence (SOI) into the SJMSCP coverage area, the City shall use the requirements of the SJMSCP to ensure effective protection of natural resources and compliance with applicable federal, state, and city policies and regulations. This process is intended to mirror exactly, the existing SJMSCP requirements for all areas proposed to be included within the*

*City of Stockton SOI, but not currently located in the SJMSCP coverage area. For impacts to biological resources outside the SJMSCP's current coverage area, the City shall require mitigation of these impacts in a manner fully consistent with the current SJMSCP requirements. These requirements would include: 1) the collection of fees (to be used for the acquisition of habitat preserves) equivalent to those specified in the current SJMSCP, 2) the imposition of SJMSCP Incidental Take Minimization Measures (ITMMs), and 3) consultation with resource agencies regarding incidental take coverage.*

A5b-1
cont

By adopting and enacting Policy NCR-2.19 the City of Stockton will have addressed the issues raised in our February 2007 letter and removed our concerns. We look forward to working with the City of Stockton in the future to establish comprehensive conservation of its natural resources.

If the DFG can be of further assistance, please contact Mr. Dan Gifford, Staff Environmental Scientist, at (209) 369-8851 or myself at (916) 358-2382.

Sincerely,

Kent Smith
Habitat Conservation Program Manager

cc: Ms. Susan Jones
U.S. Fish and Wildlife Service
2800 Cottage Way, Room W2605
Sacramento, CA 95825-1888

Mr. Dan Gifford
North Central Region
Department of Fish and Game
1701 Nimbus Road, Suite A
Rancho Cordova, CA 95670

STATE OF CALIFORNIA
**FACSIMILE COVER**
10-2A-0049 (NEW 10/92)

| ATTENTION: | FROM: | |
|---|---|---|
| **David Stagnaro** | **Dan Brewer**<br><br>**Department of Transportation**<br>**1976 East Charter Way**<br>**Stockton, CA 95205** | |
| UNIT/COMPANY:<br><br>City of Stockton<br>Community Development Department<br>Planning Division<br>425 North El Dorado Street<br>Stockton, CA 95202-1997 | DATE:<br><br>**January 3, 2007**<br><br>FAX # (Include Area Code)<br><br>(209) 948-7194 | TOTAL PAGES (Including Cover Page)<br><br>**3**<br><br>ATSS FAX<br><br>8-423-7194 |
| DISTRICT/CITY<br><br>PHONE # (& Area Code)<br><br>(209) 937-8266 FAX # (& Area Code) **(209) 937-8893** | PHONE # (& Area Code)<br><br>(209) 948-7142<br><br>ORIGINAL DISPOSITION: Destroy ☐ Return ☐ Call for Pickup ☐ | ATSS<br><br>8-423-7142 |

**COMMENTS:**

**10-SJ-Various**
**SCH 2004082066 (DEIR)**
**Stockton General Plan 2035**

RECEIVED
JAN 03 2007
CITY OF STOCKTON
PERMIT CENTER/PLANNING DIVISION

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY ARNOLD SCHWARZENEGGER, Governor

**DEPARTMENT OF TRANSPORTATION**
P.O. BOX 2048 STOCKTON, CA 95201
(1976 E. CHARTER WAY/1976 E. DR. MARTIN LUTHER KING JR. BLVD. 95205)
TTY: California Relay Service (800) 735-2929
PHONE (209) 941-1921
FAX (209) 948-7194

A6

*Flex your power!*
*Be energy efficient!*

January 3, 2007

**10-SJ-Various**
**SCH 2004082066 (DEIR)**
**Stockton General Plan 2035**

David Stagnaro
City of Stockton
Community Development Department
Planning Division
425 North El Dorado Street
Stockton, CA 95202-1997

Dear Mr. Stagnaro:

The California Department of Transportation (Department) appreciates the opportunity to has received the Draft Environmental Impact Report (DEIR) for the proposed General Plan 2035. The Department has the following comments: A6-1

- Please submit an electronic copy of the travel demand forecast model files used to conduct the traffic analysis summarized within this document. The Department **requires** this information in order to complete the review of the work conducted for the traffic analysis. Without the model information requested, the Department will not be able to perform it's assessment as responsible agency to provide professional opinion regarding the adequacy of the mitigation measures that are recommended within the DEIR. A6-2

- Please extend the time allowed to the Department for review of this DEIR for at least 4 weeks after the receipt of the requested electronic files. An electronic copy of the travel demand model used to perform the traffic analysis that is summarized within this document was not provided upon submission of the DEIR. The travel model files, as well as the time to review that information is **required** by the Department to provide a provide a professional assessment of the work performed to determine the adequacy of the mitigation measures that are recommended within the DEIR. A6-3

If you have any questions or would like to discuss our comments in more detail, please contact Dan Brewer at (209) 948-7142 (e-mail: dan.brewer@dot.ca.gov) or me at (209) 941-1921. A6-4

Sincerely,

**TOM DUMAS, Chief**
**Office of Intermodal Planning**

c: SMorgan CA Office of Planning & Research

STATE OF CALIFORNIA
**FACSIMILE COVER**
10-2A-0049 (NEW 10/92)

RECEIVED
CITY OF STOCKTON
JAN 26 2007
PERMIT CENTER
PLANNING DIVISION

| ATTENTION: | FROM: |
|---|---|
| **David Stagnaro** | **Dan Brewer**<br>**Department of Transportation**<br>**1976 East Charter Way**<br>**Stockton, CA 95205** |

| UNIT/COMPANY: | DATE: | TOTAL PAGES (Including Cover Page) |
|---|---|---|
| City of Stockton<br>Community Development Department<br>Planning Division<br>425 North El Dorado Street<br>Stockton, CA 95202-1997 | **January 26, 2007** | 6 |
| | FAX # (Include Area Code)<br>(209) 948-7194 | ATSS FAX<br>8-423-7194 |
| DISTRICT/CITY | PHONE # (& Area Code)<br>(209) 948-7142 | ATSS<br>8-423-7142 |
| PHONE # (& Area Code)<br>(209) 937-8266 | FAX # (& Area Code)<br>**(209) 937-8893** | ORIGINAL DISPOSITION: Destroy ☐ Return ☐ Call for Pickup ☐ |

**COMMENTS:**

**10-SJ-Various**
**SCH 2004082066 (DEIR)**
**Stockton General Plan 2035**

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY ARNOLD SCHWARZENEGGER, Governor

**DEPARTMENT OF TRANSPORTATION**
P.O. BOX 2048 STOCKTON, CA 95201
(1976 E. CHARTER WAY/1976 E. DR. MARTIN LUTHER KING JR. BLVD. 95205)
TTY: California Relay Service (800) 735-2929
PHONE (209) 941-1921
FAX (209) 948-7194

A7

RECEIVED
CITY OF STOCKTON
JAN 26 2007
PERMIT CENTER
PLANNING DIVISION

*power!*
*Be energy efficient!*

January 25, 2007

**10-SJ-Various**
**SCH 2004082066 (DEIR)**
**Stockton General Plan 2035**

David Stagnaro
City of Stockton
Community Development Department
Planning Division
425 North El Dorado Street
Stockton, CA 95202-1997

Dear Mr. Stagnaro:

The California Department of Transportation (Department) appreciates the opportunity to have reviewed the Draft Environmental Impact Report (DEIR) for the proposed General Plan 2035 (GP), and the GP's supporting documentation. The Department has the following comments: A7-1

**San Joaquin Valley Land Development and Transportation Coordination**

1. The Department supports the land use principles, goals, and policies of the Stockton GP as they do provide a foundation for smart land use growth. These principles, goals, and policies are consistent with the values found in Governor Swartzenegger's Strategic Growth Plan and the San Joaquin Valley Blueprint Process (an effort to coordinate infrastructure plans with local community goals throughout the San Joaquin Valley). The Stockton GP, in conjunction with the GPs of the other local jurisdictions found in the San Joaquin Valley, is also a key component for the success of the Department's Corridor Management approach to help sustain current and future transportation investments. The success of the Stockton GP is critical as local jurisdictions demonstrate an increased regional presence with a unified purpose in addressing the San Joaquin Valley's growth challenges. It is these challenges in growth management that makes it imperative for the Department to continue to coordinate closely with the City of Stockton (City) in monitoring the progress and status of implementing the GP. A7-2

**Travel Demand Modeling**

2. The complex process of planning for future growth in a large metropolitan area contains many variables that impact travelers work commute patterns. Those patterns are greatly influenced by the availability of higher wages in one region and lower housing prices in another and the willingness of commuters to endure long commutes in frequently congested conditions. This trend is stated in the GP Goals and Policies Report (GPR) page 8-1, bullet 2, "Increasing demand for regional and interregional travel." Considering that, the Department notes several differences in the variables, or assumptions used to develop the Stockton GP Travel Demand Model (TDM) and the San Joaquin Council of Government (SJCOG) TDM in respect to the geographic size, amount of development, level of trip generation, and regional travel. It is also noted that one of the assumptions creating the differences, is the GPR, principal, with which the Department supports, that "Land use and Transportation are inextricably connected ... (and) ... must be coordinated so that future development and transportation services will be balanced with each other." A7-3

**Risk Assessment and Monitoring Plan**

3. Another GPR theme is that "Future improvements to transportation must be consistent with and support the other goals and policies of this General Plan" such as the above mentioned principal of balancing land use and transportation needs. The Department also supports the above mentioned theme, but requests, that a risk assessment and monitoring plan be in place in the event that these expectations do not materialize. This risk assessment and monitoring plan needs to indicate what transportation and other planning policies need to be revised. A7-4

**RTP & Air Quality Conformity**

4. The Department recommends that if the City intends to use its TDM for any transportation related projects requiring Regional Transportation Plan and Air Quality Conformity, that they first meet with SJCOG to obtain and document that SJCOG acknowledges and agrees that no problems will arise from using this methodology that may lead to project delays. A7-5

**City Road Network and Transit Services**

5. The Department is pleased to see GPR, TC-2.7, to "... ensure that highways and arterial streets ... provide for the efficient flow of traffic" and GPR, TC-4.1, to "... work cooperatively with ... Caltrans ... to provide rail and bus service at a level that offers and alternative to the automobile for both the short and long distance commuter ..." The Department expects the trend of widening periods of congestion on the State highway and freeway systems to continue into the future, even after the implementation of all currently planned capacity increasing projects for these State facilities. City road network and transit service improvements that parallel the State systems, offer City residents a choice to using the State highways and freeways. When implemented with city wide travel efficiency in mind, these kinds of improvements reduce the amount of City residents who currently find the overburdened highway and freeway systems a more efficient option than the City road network and transit system. These types of improvements will benefit the efficiency of the entire transportation network as a whole. A7-6

6. The Department also notes the addition of several new arterial roadways as documented in the GP. The TDM network files indicate that continuity may not be maintained in at least one location, the New Road G and existing Austin Road connections with Mariposa Road. The Department encourages the City to develop a linear arterial network that maintains arterial continuity rather than allowing misaligned connections which reduce the operational efficiency of the network. A7-7

**Highway and Freeway Design Standards**

7. The Department is pleased to see GPR, TC-2.10, "... to improve freeway interchanges ... to current design standards." The highway and freeway system within the City has reached or exceeded its initial 20 year design life. During that time many design, operational and safety standards have been updated due to the availability of improved information, analysis and technology. One related area of reoccurring concern for both the City and Department is poor operational performance due to interchange and intersection spacing. The Department welcomes the support of the City to improve this situation for the traveling public. A7-8

**Roadway Dedications**

8. The Department is pleased to see GPR, TC-2.14, "... to require ... highway right of way dedications, highway interchanges, and improvements ... at the initial stage of development." Given all the variables in future transportation planning, generous set back and right of way should be acquired whenever possible, to reduce highway and freeway project delay, impact, complication and cost, as future projects are needed. A7-9

9. To meet this end, the Department recommends that the City map all dedications at the initial stage of development. These dedications should be made as irrevocable offers of dedication (IOD), to be held in reserve until such time the improvements are ready for construction. A7-10

**Initial Department Requirements for Development Project Impact Analysis Review**

10. When a traffic impact study (TIS) is necessary to determine a proposed project's near-term and long-term impacts to State facilities the Department recommends that the City encourage the developer to submit a scope of work for conducting the TIS prior to circulating the local development application for comment in order to expedite the Department's review. The Department is available to discuss assumptions, data requirements, study scenarios, and analysis methodologies prior to beginning the TIS to help insure that a quality TIS is prepared. A7-11

11. When a TIS is required by the City, the Department requires a copy of the TIS as well, to complete the review of any project documents submitted to the Department.

12. If a TIS is necessary, the Department recommends that the study be prepared in accordance with the *Caltrans Guide for the Preparation of Traffic Impact Studies*, dated December 2002 (Guide). The Guide is available online at: www.dot.ca.gov/hq/tpp/planning_tools/tools.htm. The minimum contents of the TIS are listed in Appendix "A" of the guide. Additional information may be required.

13. If a TIS is necessary, the Department requires, in an electronic format, the traffic microsimulation software files (both input and output) that are used to develop the TIS, to complete the review of any project documents submitted to the Department for review.

14. When a project is determined to contribute <u>100 or more daily trips or 10 or more peak hour trips to the State highway and/or freeway systems</u>, the Department requires that a select zone analysis, in both the Stockton TDM and the SJCOG TDM, to complete the review of any project documents submitted to the Department for review. A7-12

15. When a project requires the use of commercial vehicles for the delivery of goods to or from the project location, the Department requires that developer submit a map of all routes that commercial haulers will be advised to use to reach State facilities, the lengths of all vehicles that will be used, and a copy of the City Truck Route Map. A7-13

16. To reduce the time needed to develop and complete a State highway or freeway project, the City should insure that all appropriate transportation mitigations are collected and/or agreed to when land development is approved by the City. A7-14

If you have any questions or would like to discuss our comments in more detail, please contact Dan Brewer at (209) 948-7142 (e-mail: dan.brewer@dot.ca.gov) or me at (209) 941-1921. A7-15

Sincerely,

**TOM DUMAS, Chief**
**Office of Intermodal Planning**

c: SMorgan CA Office of Planning & Research

Donna Kelsay
San Joaquin Regional Transit District
1533 East Lindsey Street
Stockton, CA

Andrew Chesney
San Joaquin Council of Governments
555 East Weber Ave
Stockton, CA 95202

STATE OF CALIFORNIA
**FACSIMILE COVER**
10-2A-0049 (NEW 10/92)

| ATTENTION: | FROM: | |
|---|---|---|
| **David Stagnaro** | **Dan Brewer**<br>**Department of Transportation**<br>**1976 East Charter Way**<br>**Stockton, CA 95205** | |
| UNIT/COMPANY:<br>City of Stockton<br>Community Development Department<br>Planning Division<br>425 North El Dorado Street<br>Stockton, CA 95202-1997 | DATE:<br>**January 30, 2007**<br>FAX # (Include Area Code)<br>(209) 948-7194 | TOTAL PAGES (Including Cover Page)<br>**6**<br>ATSS FAX<br>8-423-7194 |
| DISTRICT/CITY | PHONE # (& Area Code)<br>(209) 948-7142 | ATSS<br>8-423-7142 |
| PHONE # (& Area Code) (209) 937-8266 FAX # (& Area Code) **(209) 937-8893** | ORIGINAL DISPOSITION: Destroy ☐ Return ☐ Call for Pickup ☐ | |

**COMMENTS:**

RECEIVED
CITY OF STOCKTON

JAN 30 2007

PERMIT CENTER
PLANNING DIVISION

**10-Various**
**SCH 2004082066 (DEIR)**
**Stockton General Plan 2035**
**Revised Comment Letter – Item 14 in bold**

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY ARNOLD SCHWARZENEGGER, Governor

**DEPARTMENT OF TRANSPORTATION**
P.O. BOX 2048 STOCKTON, CA 95201
(1976 E. CHARTER WAY/1976 E. DR. MARTIN LUTHER KING JR. BLVD. 95205)
TTY: California Relay Service (800) 735-2929
PHONE (209) 941-1921
FAX (209) 948-7194

A8

*Flex your power!*
*Be energy efficient!*

January 30, 2007

**10-SJ-Various**
**SCH 2004082066 (DEIR)**
**Stockton General Plan 2035**
**(Revised)**

David Stagnaro
City of Stockton
Community Development Department
Planning Division
425 North El Dorado Street
Stockton, CA 95202-1997

Dear Mr. Stagnaro:

The California Department of Transportation (Department) would like to revise the letter previously sent to you dated January 25, 2007. There was a typographical error on comment 14. Please note the revisions have been bolded to highlight the modification. All other comments remain as previously submitted. A8-1

San Joaquin Valley Land Development and Transportation Coordination

1. The Department supports the land use principles, goals, and policies of the Stockton GP as they do provide a foundation for smart land use growth. These principles, goals, and policies are consistent with the values found in Governor Swartzenegger's Strategic Growth Plan and the San Joaquin Valley Blueprint Process (an effort to coordinate infrastructure plans with local community goals throughout the San Joaquin Valley). The Stockton GP, in conjunction with the GPs of the other local jurisdictions found in the San Joaquin Valley, is also a key component for the success of the Department's Corridor Management approach to help sustain current and future transportation investments. The success of the Stockton GP is critical as local jurisdictions demonstrate an increased regional presence with a unified purpose in addressing the San Joaquin Valley's growth challenges. It is these challenges in growth management that makes it imperative for the Department to continue to coordinate closely with the City of Stockton (City) in monitoring the progress and status of implementing the GP. A8-2

Travel Demand Modeling

2. The complex process of planning for future growth in a large metropolitan area contains many variables that impact travelers work commute patterns. Those patterns are greatly influenced by the availability of higher wages in one region and lower housing prices in another and the willingness of commuters to endure long commutes in frequently congested conditions. This trend is stated in the GP Goals and Policies Report (GPR) page 8-1, bullet 2, "Increasing demand for regional and interregional travel." Considering that, the Department notes several differences in the variables, or assumptions used to develop the Stockton GP Travel Demand Model (TDM) and the San Joaquin Council of Government (SJCOG) TDM in respect to the geographic size, amount of development, level of trip generation, and regional travel. It is also noted that one of the assumptions creating the differences, is the GPR, principal, with which the Department supports, that "Land use and Transportation are inextricably connected ... (and) ... must be coordinated so that future development and transportation services will be balanced with each other." A8-2 cont.

Risk Assessment and Monitoring Plan

3. Another GPR theme is that "Future improvements to transportation must be consistent with and support the other goals and policies of this General Plan" such as the above mentioned principal of balancing land use and transportation needs. The Department also supports the above mentioned theme, but requests, that a risk assessment and monitoring plan be in place in the event that these expectations do not materialize. This risk assessment and monitoring plan needs to indicate what transportation and other planning policies need to be revised. A8-3

RTP & Air Quality Conformity

4. The Department recommends that if the City intends to use its TDM for any transportation related projects requiring Regional Transportation Plan and Air Quality Conformity, that they first meet with SJCOG to obtain and document that SJCOG acknowledges and agrees that no problems will arise from using this methodology that may lead to project delays. A8-4

City Road Network and Transit Services

5. The Department is pleased to see GPR, TC-2.7, to "... ensure that highways and arterial streets ... provide for the efficient flow of traffic" and GPR, TC-4.1, to "... work cooperatively with ... Caltrans ... to provide rail and bus service at a level that offers and alternative to the automobile for both the short and long distance commuter ..." The Department expects the trend of widening periods of congestion on the State highway and freeway systems to continue into the future, even after the implementation of all currently planned capacity increasing projects for these State facilities. City road network and transit service improvements that parallel the State systems, offer City residents a choice to using the State highways and freeways. When implemented with city wide travel efficiency in mind, these kinds of improvements reduce the amount of City residents who currently find the overburdened highway and freeway systems a more efficient option than the City road network and transit system. These types of improvements will benefit the efficiency of the entire transportation network as a whole. A8-5

6. The Department also notes the addition of several new arterial roadways as documented in the GP. The TDM network files indicate that continuity may not be maintained in at least one location, the New Road G and existing Austin Road connections with Mariposa Road. The Department encourages the City to develop a linear arterial network that maintains arterial continuity rather than allowing misaligned connections which reduce the operational efficiency of the network. A8-6

Highway and Freeway Design Standards

7. The Department is pleased to see GPR, TC-2.10, "... to improve freeway interchanges ... to current design standards." The highway and freeway system within the City has reached or exceeded its initial 20 year design life. During that time many design, operational and safety standards have been updated due to the availability of improved information, analysis and technology. One related area of reoccurring concern for both the City and Department is poor operational performance due to interchange and intersection spacing. The Department welcomes the support of the City to improve this situation for the traveling public. A8-7

Roadway Dedications

8. The Department is pleased to see GPR, TC-2.14, "... to require ... highway right of way dedications, highway interchanges, and improvements ... at the initial stage of development." Given all the variables in future transportation planning, generous set back and right of way should be acquired whenever possible, to reduce highway and freeway project delay, impact, complication and cost, as future projects are needed. A8-8

9. To meet this end, the Department recommends that the City map all dedications at the initial stage of development. These dedications should be made as irrevocable offers of dedication (IOD), to be held in reserve until such time the improvements are ready for construction.

Initial Department Requirements for Development Project Impact Analysis Review

10. When a traffic impact study (TIS) is necessary to determine a proposed project's near-term and long-term impacts to State facilities the Department recommends that the City encourage the developer to submit a scope of work for conducting the TIS prior to circulating the local development application for comment in order to expedite the Department's review. The Department is available to discuss assumptions, data requirements, study scenarios, and analysis methodologies prior to beginning the TIS to help insure that a quality TIS is prepared. A8-9

11. When a TIS is required by the City, the Department requires a copy of the TIS as well, to complete the review of any project documents submitted to the Department.

12. If a TIS is necessary, the Department recommends that the study be prepared in accordance with the *Caltrans Guide for the Preparation of Traffic Impact Studies*, dated December 2002 (Guide). The Guide is available online at: www.dot.ca.gov/hq/tpp/planning_tools/tools.htm. The minimum contents of the TIS are listed in Appendix "A" of the guide. Additional information may be required.

13. If a TIS is necessary, the Department requires, in an electronic format, the traffic microsimulation software files (both input and output) that are used to develop the TIS, to complete the review of any project documents submitted to the Department for review.

14. When a project is determined to contribute **1000** or more daily trips or **100** or more peak hour trips to the State highway and/or freeway systems, the Department requires that a select zone analysis, in both the Stockton TDM and the SJCOG TDM, to A8-10

complete the review of any project documents submitted to the Department for review. A8-10 cont

15. When a project requires the use of commercial vehicles for the delivery of goods to or from the project location, the Department requires that developer submit a map of all routes that commercial haulers will be advised to use to reach State facilities, the lengths of all vehicles that will be used, and a copy of the City Truck Route Map. A8-11

16. To reduce the time needed to develop and complete a State highway or freeway project, the City should insure that all appropriate transportation mitigations are collected and/or agreed to when land development is approved by the City. A8-12

If you have any questions or would like to discuss our comments in more detail, please contact Dan Brewer at (209) 948-7142 (e-mail: dan.brewer@dot.ca.gov) or me at (209) 941-1921. A8-13

Sincerely,

TOM DUMAS, Chief
Office of Intermodal Planning

c: SMorgan CA Office of Planning & Research

Donna Kelsay
San Joaquin Regional Transit District
1533 East Lindsey Street
Stockton, CA

Andrew Chesney
San Joaquin Council of Governments
555 East Weber Ave
Stockton, CA 95202

DJS

STATE OF CALIFORNIA -- THE RESOURCES AGENCY

ARNOLD SCHWARZENEGGER, Governor

**DEPARTMENT OF WATER RESOURCES**
1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 942360001
(916) 653-5791

A9

RECEIVED
JAN 22 2007

January 16, 2007

David Stagnaro, AICP
City of Stockton
345 North El Dorado Street
Stockton, California 95202

2035 Stockton General Plan and Infrastructure Studies Project
State Clearinghouse (SCH) Number: 2004082066

The project corresponding to the subject SCH identification number has come to our attention. The limited project description suggests your project may be an encroachment on the State Adopted Plan of Flood Control. You may refer to the California Code of Regulations, Title 23 and Designated Floodway maps at http://recbd.ca.gov/. Please be advised that your county office also has copies of the Board's designated floodways for your review. If indeed your project encroaches on an adopted food control plan, you will need to obtain an encroachment permit from the Reclamation Board prior to initiating any activities. The attached Fact Sheet explains the permitting process. Please note that the permitting process may take as much as 45 to 60 days to process. Also note that a condition of the permit requires the securing all of the appropriate additional permits before initiating work. This information is provided so that you may plan accordingly. A9-1

If after careful evaluation, it is your assessment that your project is not within the authority of the Reclamation Board, you may disregard this notice. For further information, please contact me at (916) 574-1249.

Sincerely,

Christopher Huitt
Staff Environmental Scientist
Floodway Protection Section

cc: Governor's Office of Planning and Research
State Clearinghouse
1400 Tenth Street, Room 121
Sacramento, CA 95814

# Encroachment Permits Fact Sheet

## Basis for Authority

State law (Water Code Sections 8534, 8608, 8609, and 8710 – 8723) tasks the Reclamation Board with enforcing appropriate standards for the construction, maintenance, and protection of adopted flood control plans. Regulations implementing these directives are found in California Code of Regulations (CCR) Title 23, Division 1.

## Area of Reclamation Board Jurisdiction

The adopted plan of flood control under the jurisdiction and authority of the Reclamation Board includes the Sacramento and San Joaquin Rivers and their tributaries and distributaries and the designated floodways.

Streams regulated by the Reclamation Board can be found in Title 23 Section 112. Information on designated floodways can be found on the Reclamation Board's website at http://recbd.ca.gov/designated_floodway/ and CCR Title 23 Sections 101 - 107.

## Regulatory Process

The Reclamation Board ensures the integrity of the flood control system through a permit process (Water Code Section 8710). A permit must be obtained prior to initiating any activity, including excavation and construction, removal or planting of landscaping within floodways, levees, and 10 feet landward of the landside levee toes. Additionally, activities located outside of the adopted plan of flood control but which may foreseeable interfere with the functioning or operation of the plan of flood control is also subject to a permit of the Reclamation Board.

Details regarding the permitting process and the regulations can be found on the Reclamation Board's website at http://recbd.ca.gov/ under "Frequently Asked Questions" and "Regulations," respectively. The application form and the accompanying environmental questionnaire can be found on the Reclamation Board's website at http://recbd.ca.gov/forms.cfm.

## Application Review Process

Applications when deemed complete will undergo technical and environmental review by Reclamation Board and/or Department of Water Resources staff.

### Technical Review

A technical review is conducted of the application to ensure consistency with the regulatory standards designed to ensure the function and structural integrity of the adopted plan of flood control for the protection of public welfare and safety. Standards and permitted uses of designated floodways are found in CCR Title 23 Sections 107 and Article 8 (Sections 111 to 137). The permit contains 12 standard conditions and additional special conditions may be placed on the permit as the situation warrants. Special conditions, for example, may include mitigation for the hydraulic impacts of the project by reducing or eliminating the additional flood risk to third parties that may caused by the project.

Additional information may be requested in support of the technical review of

your application pursuant to CCR Title 23 Section 8(b)(4). This information may include but not limited to geotechnical exploration, soil testing, hydraulic or sediment transport studies, and other analyses may be required at any time prior to a determination on the application.

Environmental Review

A determination on an encroachment application is a discretionary action by the Reclamation Board and its staff and subject to the provisions of the California Environmental Quality Act (CEQA) (Public Resources Code 21000 et seq.). Additional environmental considerations are placed on the issuance of the encroachment permit by Water Code Section 8608 and the corresponding implementing regulations (California Code of Regulations – CCR Title 23 Sections 10 and 16).

In most cases, the Reclamation Board will be assuming the role of a "responsible agency" within the meaning of CEQA. In these situations, the application must include a certified CEQA document by the "lead agency" [CCR Title 23 Section 8(b)(2)]. We emphasize that such a document must include within its project description and environmental assessment of the activities for which are being considered under the permit.

Encroachment applications will also undergo a review by an interagency Environmental Review Committee (ERC) pursuant to CCR Title 23 Section 10. Review of your application will be facilitated by providing as much additional environmental information as pertinent and available to the applicant at the time of submission of the encroachment application.

These additional documentations may include the following documentation:

- California Department of Fish and Game Streambed Alteration Notification (http://www.dfg.ca.gov/1600/),
- Clean Water Act Section 404 applications, and Rivers and Harbors Section 10 application (US Army Corp of Engineers),
- Clean Water Act Section 401 Water Quality Certification, and
- corresponding determinations by the respective regulatory agencies to the aforementioned applications, including Biological Opinions, if available at the time of submission of your application.

The submission of this information, if pertinent to your application, will expedite review and prevent overlapping requirements. This information should be made available as a supplement to your application as it becomes available. Transmittal information should reference the application number provided by the Reclamation Board.

In some limited situations, such as for minor projects, there may be no other agency with approval authority over the project, other than the encroachment permit by Reclamation Board. In these limited instances, the Reclamation Board

may choose to serve as the "lead agency" within the meaning of CEQA and in most cases the projects are of such a nature that a categorical or statutory exemption will apply. The Reclamation Board cannot invest staff resources to prepare complex environmental documentation.

Additional information may be requested in support of the environmental review of your application pursuant to CCR Title 23 Section 8(b)(4). This information may include biological surveys or other environmental surveys and may be required at anytime prior to a determination on the application.

STATE OF CALIFORNIA – THE RESOURCES AGENCY ARNOLD SCHWARZENEGGER, Governor

**DEPARTMENT OF WATER RESOURCES**
1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 942360001
(916) 653-5791

JAN 2 5 2007

A10

Mr. David Stagnaro, AICP
City of Stockton
345 N. El Dorado Street
Stockton, California 95202

2035 Stockton General Plan and Infrastructure Studies Project
State Clearinghouse (SCH) Number: 2004082066

Dear Mr. Stagnaro:

Thank you for the opportunity to review and comment on the Draft Environmental Impact Report (EIR) for the subject project. California Department of Water Resources (DWR) staff has reviewed the environmental document and provide the following comments. A10-1

**General Comments**

The area described in the Project Description is protected by federal levees that have been incorporated into the state plan of flood control. The effective operation of federal flood control levees along the Sacramento and San Joaquin River systems is essential for the protection of public safety and property located in the floodplain protected by those levees. In California, The Reclamation Board is responsible for operations and maintenance of the Federal Flood Control Project Levees in the Central Valley. DWR is the floodplain manager for the State and also coordinate its activities with the Federal Emergency Management Agency (FEMA) in administrating the federal Flood Insurance Program. A10-2

A Reclamation Board permit will be required for any plan of work that encroaches on an adopted plan of flood control. Your project may be encroaching on an adopted plan of flood control and thus, an encroachment permit may be required for your project. A permit will also be required for activities outside of the adopted flood control plan if those activities could be injurious to or interfere with the successful execution, functioning or operation of any facilities of an adopted plan of flood control. The attached Fact Sheet provides information on the permitting process. A10-3

The EIR should describe in appropriate detail how the regulatory concerns of the Reclamation Board will be addressed. The regulations of the Reclamation Board are found in the California Code of Regulations (CCR) Title 23, Division 1. These regulations are designed to protect the integrity and function of the flood control system. Any activity that interferes with the operation, integrity, and function of the adopted plan of flood control is of concern to the Reclamation Board.

State officials, more than ever, are emphasizing public safety and in particular the flood hazard in California. The conditions of the levees that protect many areas are a major concern. Existing levees were constructed decades ago; most of these levees were intended primarily to maintain river flow for navigation and to reclaim overflow land for agricultural production. Non-residential land uses such as agricultural production are compatible with the state plan of flood control for which the levees were constructed.

Detailed knowledge of the physical condition of a given reach of levees is limited. Although the state performs levee inspections, those inspections are conducted to ascertain whether maintenance is being performed according to certain minimum standards and not to evaluate the structural integrity of the levee. Unless obvious, problems with levee integrity may not be identified during the course of state inspections. A10-4

In many cases, the lack of information regarding the integrity of the levee system does not allow the Reclamation Board and/or DWR to assure the communities that there is an adequate level of protection for additional urbanization. Levees sufficient to protect urbanization should be certified as having the minimum protection required for Federal Emergency Management Agency (FEMA) certification.

The consequences of urban development in a floodplain protected by levees can be significant in terms of not only public safety and protection of property but to the State in terms of financial resources. When it accepts a federal flood control project, the state agrees to indemnify the federal government. Flooding that result from a failure of a portion of the state plan of flood control exposes both the state and the local maintaining agency to significant liability.

Recently, local and national media outlets have been presenting claims the world scientific community recognizes global warming and the effects of these phenomenon. Scientific studies have confirmed the average high tide levels are increasing throughout the world. There are several aspects of climate change that pertain to levees in the SF Bay-Delta. From the sea direction sea level is expected to rise both from the thermal expansion of sea water at increased temperature and an increase of water from land ice melting. The rate of the sea level rise is not clear at present. From the land direction, there is an expected increased proportion of precipitation in the form of rain and an earlier melt of the snow that does fall all of which would change the hydrology from that which the current CA reservoirs were designed and which pose challenges for water managers to control pressure on downstream levees. One of the greatest challenges comes in an expected increase of storm intensity related to changing sea temperatures and resulting atmospheric circulation changes and perhaps unexpected stream flows. As concerns of levee stability and safety comes to light after the disastrous effects of A10-5

hurricane Katrina and the levee failures in New Orleans, public safety is an urgent and immediate concern. These concerns appear to bolster the scientific community and regulatory agencies, which need to be considered for the general plan for the City of Stockton.

Development in areas within a federal and state recognized floodplain should be strongly discouraged. The Reclamation Board recognizes the scientific community concerns and the urgent need to improve and maintain the 100-year flood control levee system. Future development should strongly consider the consequences of building in areas with potentially disastrous effects of levee failure compounded by the rising seas and effects of the high tides on these levees. A10-5 cont

The Reclamation Board recommends the general plan for the City of Stockton address the problem of rising average high tide levels and problems with regard to global warming will have on the surrounding flood control projects in the final EIR. The Reclamation Board also recommends the final EIR address the concerns for the long-term planning and public safety of the aforementioned topics as the focus in the final EIR.

**Specific Comments**

**Level of flood protection adequate to protect human habitation**

The Reclamation recommends the following

- Provide project proponent with information regarding status of FEMA certifications of levees in 1990.
- Will the Re-evaluation of the 100-year hydrology be based on the 1997 storms or other storm event?
- Recommend re-certification of levees by FEMA in light of the more current hydrologic database and development of more stringent levee seepage and stability criteria. A10-6
- Discuss implications of change in use

**Internal drainage impacts and changes in peak storm water flows.**

- What is the fate of storm water runoff generated by the project as a result of converting permeable material to impermeable (hardscape)?
- Has an adequate analysis been conducted of the additional runoff volume?
- If so, how will this runoff be managed?

- What other surface water removal considerations were considered before a surface water retention basin system was chosen? Will this runoff contained in detention basins be adequate for the proposed development?
- If so, what are design parameters for the detention basin (100-year storm and retention time)? Will the 24-hour and 48-hour pump-out time frame be adequate for areas with less natural drainage and greater density of development?
- Will the detention basins hold the drainage for an adequate amount of time to allow the peak discharge in the receiving waters to pass? (The Reclamation Board will not permit discharges from detention basin to regulated streams during peak discharge).

A10-6 cont

Thank you once again for the opportunity to comment on the Draft EIR. If you have any questions or need additional information, please contact Mr. Stephen Bradley, Chief Engineer for the Reclamation Board at (916) 574-0680.

A10-7

Sincerely,

Christopher Huitt
Floodway Protection Section
Division of Flood Management

cc: Governors Office of Planning and Research, State Clearinghouse
Nadell Gayou, DWR
Jay Punia, Reclamation Board
Board Staff

Attachment

# Fact Sheet

## Reclamation Board Encroachment Permit Application Process

### Authority

State law (Water Code Sections 8534, 8608, 8609, and 8710 – 8723) tasks the Reclamation Board with enforcing appropriate standards for the construction, maintenance, and protection of adopted flood control plans. Regulations implementing these directives are found in California Code of Regulations (CCR) Title 23, Division 1.

### Reclamation Board Jurisdiction

The adopted plan of flood control under the jurisdiction and authority of the Reclamation Board includes the Sacramento and San Joaquin Rivers and their tributaries and distributaries and the designated floodways.

Streams regulated by the Reclamation Board can be found in Title 23 Section 112. Information on designated floodways can be found on the Reclamation Board's website at http://recbd.ca.gov/designated_floodway/ and CCR Title 23 Sections 101 - 107.

### Regulatory Process

The Reclamation Board ensures the integrity of the flood control system through a permit process (Water Code Section 8710). A permit must be obtained prior to initiating any activity, including excavation and construction, removal or planting of landscaping within floodways, levees, and 10 feet landward of the landside levee toes. Additionally, activities located outside of the adopted plan of flood control but which may foreseeable interfere with the functioning or operation of the plan of flood control is also subject to a permit of the Reclamation Board [CCR Title 23 Section 6(c)].

Details regarding the permitting process and the regulations can be found on the Reclamation Board's website at http://recbd.ca.gov/ under "Frequently Asked Questions" and "Regulations," respectively. The application form and the accompanying environmental questionnaire can be found on the Reclamation Board's website at http://recbd.ca.gov/forms.cfm.

### Application Review Process

Applications when deemed complete will undergo technical and environmental review by Reclamation Board and/or Department of Water Resources staff.

Technical Review

A technical review is conducted of the application to ensure consistency with the regulatory standards designed to ensure the function and structural integrity of the adopted plan of flood control for the protection of public welfare and safety. Standards and permitted uses of designated floodways are found in CCR Title 23 Sections 107 and Article 8 (Sections 111 to 137). The permit contains 12 standard conditions and additional special conditions may be placed on the permit as the situation warrants. Special conditions, for example, may include mitigation for the hydraulic impacts of the project by reducing or eliminating the

additional flood risk to third parties that may caused by the project.

Additional information may be requested in support of the technical review of your application pursuant to CCR Title 23 Section 8(b)(4). This information may include but not limited to geotechnical exploration, soil testing, hydraulic or sediment transport studies, and other analyses may be required at any time prior to a determination on the application.

Environmental Review

A determination on an encroachment application is a discretionary action by the Reclamation Board and its staff and subject to the provisions of the California Environmental Quality Act (CEQA) (Public Resources Code 21000 et seq.). Additional environmental considerations are placed on the issuance of the encroachment permit by Water Code Section 8608 and the corresponding implementing regulations (California Code of Regulations – CCR Title 23 Sections 10 and 16).

In most cases, the Reclamation Board will be assuming the role of a "responsible agency" within the meaning of CEQA. In these situations, the application must include a certified CEQA document by the "lead agency" [CCR Title 23 Section 8(b)(2)]. We emphasize that such a document must include within its project description and environmental assessment the activities for which are being considered under the permit.

Encroachment applications will also undergo a review by an interagency Environmental Review Committee (ERC) pursuant to CCR Title 23 Section 10. Review of your application will be facilitated by providing as much additional environmental information as pertinent and available to the applicant at the time of submission of the encroachment application.

These additional documentations may include the following documentation:

- California Department of Fish and Game Streambed Alteration Notification (http://www.dfg.ca.gov/1600/),
- Clean Water Act Section 404 applications, and Rivers and Harbors Section 10 application (US Army Corp of Engineers),
- Clean Water Act Section 401 Water Quality Certification, and
- corresponding determinations by the respective regulatory agencies to the aforementioned applications, including Biological Opinions, if available at the time of submission of your application.

The submission of this information, if pertinent to your application, will expedite review and prevent overlapping requirements. This information should be made available as a supplement to your application as it becomes available. Transmittal information should reference the application number provided by the Reclamation Board.

In some limited situations, such as for minor projects, there may be no other agency with approval authority over the project, other than the encroachment permit by Reclamation Board. In these limited instances, the Reclamation Board may choose to serve as the "lead agency" within the meaning of CEQA and in most cases the projects are of such a nature that a categorical or statutory exemption will apply. The Reclamation Board cannot invest staff resources to prepare complex environmental documentation.

Additional information may be requested in support of the environmental review of your application pursuant to CCR Title 23 Section 8(b)(4). This information may include biological surveys or other environmental surveys and may be required at anytime prior to a determination on the application.

DJS

STATE OF CALIFORNIA

Governor's Office of Planning and Research

State Clearinghouse and Planning Unit

Arnold Schwarzenegger
Governor

Cynthia Bryant
Director

A11

January 30, 2007

David Stagnaro
City of Stockton
345 N. El Dorado Street
Stockton, CA 95202

Subject: 2035 Stockton General Plan and Infrastructure Studies Project
SCH#: 2004082066

Dear David Stagnaro:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on January 29, 2007, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

A11-1

> "A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Terry Roberts

Terry Roberts
Director, State Clearinghouse

Enclosures
cc: Resources Agency

# Document Details Report
# State Clearinghouse Data Base

**SCH#** 2004082066
**Project Title** 2035 Stockton General Plan and Infrastructure Studies Project
**Lead Agency** Stockton, City of

**Type** **EIR** Draft EIR

**Description** The proposed project represents an update to the City's existing General Plan (1990) and the land use designations identified under the Preferred Land Use Alternative. The City is considering expansions to both its existing Urban Services Boundary (USB) and Sphere of Influence (SOI) boundary in order to accommodate future population growth anticipated under the Preferred Land Use Alternative. In addition, water, wastewater and storm drainage utility master plans are being prepared to identify the necessary infrastructure requirements needed to support growth and development proposed under the Preferred Land Use Alternative. The Draft General Plan Land Use Diagram (Preferred Land Use Alternative) boundaries generally extend to Armstrong Road and Live Oak Road on the north, Jack Tone Road on the east, Roth Road on the south and the San Joaquin River, Burns Cutoff, Stockton Deep Water Channel, Fourteen Mile Slough, and Bishop Cut on the west.

## Lead Agency Contact


**Name** David Stagnaro
**Agency** City of Stockton
**Phone** (209) 937-8598 **Fax**
**email**
**Address** 345 N. El Dorado Street
**City** Stockton **State** CA **Zip** 95202


## Project Location

**County** San Joaquin
**City** Stockton
**Region**
**Cross Streets** Various
**Parcel No.** Various
**Township** **Range** **Section** **Base**

## Proximity to:

**Highways** I-5,SR 99,SR 88,SR 12,SR 4,SR 26
**Airports** Stockton Metro, Kingdon, Lodi Ai
**Railways** UPRR, BNSF
**Waterways** San Joaquin River, Calaveras River, San Joaquin Delta
**Schools** Various
**Land Use** Various land uses and designations currently identified within the City's existing General Plan boundary.

**Project Issues** Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Cumulative Effects; Drainage/Absorption; Economics/Jobs; Fiscal Impacts; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Growth Inducing; Landuse; Minerals; Noise; Other Issues; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife

**Reviewing Agencies** Resources Agency; Regional Water Quality Control Bd., Region 5 (Sacramento); Department of Parks and Recreation; Native American Heritage Commission; Office of Emergency Services; Department of Health Services; Department of Forestry and Fire Protection; Department of Fish and Game, Region 2; Department of Water Resources; California Highway Patrol; Caltrans, District 10; Caltrans, Division of Aeronautics; Department of Toxic Substances Control; State Lands Commission

Note: Blanks in data fields result from insufficient information provided by lead agency.

# Document Details Report
# State Clearinghouse Data Base

*Date Received* 12/01/2006 *Start of Review* 12/01/2006 *End of Review* 01/29/2007

Note: Blanks in data fields result from insufficient information provided by lead agency.

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY ARNOLD SCHWARZENEGGER, Governor

**DEPARTMENT OF TRANSPORTATION**
P.O. BOX 2048 STOCKTON, CA 95201
(1976 E. CHARTER WAY/1976 E. DR. MARTIN
LUTHER KING JR. BLVD. 95205)
TTY: California Relay Service (800) 735-2929
PHONE (209) 941-1921
FAX (209) 948-7194

*Flex your power!*
*Be energy efficient!*

RECEIVED
JAN 26 2007
STATE CLEARING HOUSE

January 25, 2007

**10-SJ-Various**
**SCH 2004082066 (DEIR)**
**Stockton General Plan 2035**

David Stagnaro
City of Stockton
Community Development Department
Planning Division
425 North El Dorado Street
Stockton, CA 95202-1997

Clear
1-29-07

Dear Mr. Stagnaro:

The California Department of Transportation (Department) appreciates the opportunity to have reviewed the Draft Environmental Impact Report (DEIR) for the proposed General Plan 2035 (GP), and the GP's supporting documentation. The Department has the following comments:

**San Joaquin Valley Land Development and Transportation Coordination**

1. The Department supports the land use principles, goals, and policies of the Stockton GP as they do provide a foundation for smart land use growth. These principles, goals, and policies are consistent with the values found in Governor Swartzenegger's Strategic Growth Plan and the San Joaquin Valley Blueprint Process (an effort to coordinate infrastructure plans with local community goals throughout the San Joaquin Valley). The Stockton GP, in conjunction with the GPs of the other local jurisdictions found in the San Joaquin Valley, is also a key component for the success of the Department's Corridor Management approach to help sustain current and future transportation investments. The success of the Stockton GP is critical as local jurisdictions demonstrate an increased regional presence with a unified purpose in addressing the San Joaquin Valley's growth challenges. It is these challenges in growth management that makes it imperative for the Department to continue to coordinate closely with the City of Stockton (City) in monitoring the progress and status of implementing the GP.

**Travel Demand Modeling**

2. The complex process of planning for future growth in a large metropolitan area contains many variables that impact travelers work commute patterns. Those patterns are greatly influenced by the availability of higher wages in one region and lower housing prices in another and the willingness of commuters to endure long commutes in frequently congested conditions. This trend is stated in the GP Goals and Policies Report (GPR) page 8-1, bullet 2, "Increasing demand for regional and interregional travel." Considering that, the Department notes several differences in the variables, or assumptions used to develop the Stockton GP Travel Demand Model (TDM) and the San Joaquin Council of Government (SJCOG) TDM in respect to the geographic size, amount of development, level of trip generation, and regional travel. It is also noted that one of the assumptions creating the differences, is the GPR, principal, with which the Department supports, that "Land use and Transportation are inextricably connected ... (and) ... must be coordinated so that future development and transportation services will be balanced with each other."

**Risk Assessment and Monitoring Plan**

3. Another GPR theme is that "Future improvements to transportation must be consistent with and support the other goals and policies of this General Plan" such as the above mentioned principal of balancing land use and transportation needs. The Department also supports the above mentioned theme, but requests, that a risk assessment and monitoring plan be in place in the event that these expectations do not materialize. This risk assessment and monitoring plan needs to indicate what transportation and other planning policies need to be revised.

**RTP & Air Quality Conformity**

4. The Department recommends that if the City intends to use its TDM for any transportation related projects requiring Regional Transportation Plan and Air Quality Conformity, that they first meet with SJCOG to obtain and document that SJCOG acknowledges and agrees that no problems will arise from using this methodology that may lead to project delays.

**City Road Network and Transit Services**

5. The Department is pleased to see GPR, TC-2.7, to "... ensure that highways and arterial streets ... provide for the efficient flow of traffic" and GPR, TC-4.1, to "... work cooperatively with ... Caltrans ... to provide rail and bus service at a level that offers and alternative to the automobile for both the short and long distance commuter ..." The Department expects the trend of widening periods of congestion on the State highway and freeway systems to continue into the future, even after the implementation of all currently planned capacity increasing projects for these State facilities. City road network and transit service improvements that parallel the State systems, offer City residents a choice to using the State highways and freeways. When implemented with city wide travel efficiency in mind, these kinds of improvements reduce the amount of City residents who currently find the overburdened highway and freeway systems a more efficient option than the City road network and transit system. These types of improvements will benefit the efficiency of the entire transportation network as a whole.

6. The Department also notes the addition of several new arterial roadways as documented in the GP. The TDM network files indicate that continuity may not be maintained in at least one location, the New Road G and existing Austin Road connections with Mariposa Road. The Department encourages the City to develop a linear arterial network that maintains arterial continuity rather than allowing misaligned connections which reduce the operational efficiency of the network.

**Highway and Freeway Design Standards**

7. The Department is pleased to see GPR, TC-2.10, "... to improve freeway interchanges ... to current design standards." The highway and freeway system within the City has reached or exceeded its initial 20 year design life. During that time many design, operational and safety standards have been updated due to the availability of improved information, analysis and technology. One related area of reoccurring concern for both the City and Department is poor operational performance due to interchange and intersection spacing. The Department welcomes the support of the City to improve this situation for the traveling public.

**Roadway Dedications**

8. The Department is pleased to see GPR, TC-2.14, "... to require ... highway right of way dedications, highway interchanges, and improvements ... at the initial stage of development." Given all the variables in future transportation planning, generous set back and right of way should be acquired whenever possible, to reduce highway and freeway project delay, impact, complication and cost, as future projects are needed.

9. To meet this end, the Department recommends that the City map all dedications at the initial stage of development. These dedications should be made as irrevocable offers of dedication (IOD), to be held in reserve until such time the improvements are ready for construction.

**Initial Department Requirements for Development Project Impact Analysis Review**

10. When a traffic impact study (TIS) is necessary to determine a proposed project's near-term and long-term impacts to State facilities the Department recommends that the City encourage the developer to submit a scope of work for conducting the TIS prior to circulating the local development application for comment in order to expedite the Department's review. The Department is available to discuss assumptions, data requirements, study scenarios, and analysis methodologies prior to beginning the TIS to help insure that a quality TIS is prepared.

11. When a TIS is required by the City, the Department requires a copy of the TIS as well, to complete the review of any project documents submitted to the Department.

12. If a TIS is necessary, the Department recommends that the study be prepared in accordance with the *Caltrans Guide for the Preparation of Traffic Impact Studies*, dated December 2002 (Guide). The Guide is available online at: www.dot.ca.gov/hq/tpp/planning_tools/tools.htm. The minimum contents of the TIS are listed in Appendix "A" of the guide. Additional information may be required.

13. If a TIS is necessary, the Department requires, in an electronic format, the traffic microsimulation software files (both input and output) that are used to develop the TIS, to complete the review of any project documents submitted to the Department for review.

14. When a project is determined to contribute 100 or more daily trips or 10 or more peak hour trips to the State highway and/or freeway systems, the Department requires that a select zone analysis, in both the Stockton TDM and the SJCOG TDM, to complete the review of any project documents submitted to the Department for review.

15. When a project requires the use of commercial vehicles for the delivery of goods to or from the project location, the Department requires that developer submit a map of all routes that commercial haulers will be advised to use to reach State facilities, the lengths of all vehicles that will be used, and a copy of the City Truck Route Map.

16. To reduce the time needed to develop and complete a State highway or freeway project, the City should insure that all appropriate transportation mitigations are collected and/or agreed to when land development is approved by the City.

If you have any questions or would like to discuss our comments in more detail, please contact Dan Brewer at (209) 948-7142 (e-mail: dan.brewer@dot.ca.gov) or me at (209) 941-1921.

Sincerely,

**TOM DUMAS, Chief**
**Office of Intermodal Planning**

c: SMorgan CA Office of Planning & Research

Donna Kelsay
San Joaquin Regional Transit District
1533 East Lindsey Street
Stockton, CA

Andrew Chesney
San Joaquin Council of Governments
555 East Weber Ave
Stockton, CA 95202

STATE OF CALIFORNIA – THE RESOURCES AGENCY

ARNOLD SCHWARZENEGGER, *Governor*

**DEPARTMENT OF WATER RESOURCES**
1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 942360001
(916) 653-5791

January 16, 2007

David Stagnaro, AICP
City of Stockton
345 North El Dorado Street
Stockton, California 95202

clear
1·29·07
C

2035 Stockton General Plan and Infrastructure Studies Project
State Clearinghouse (SCH) Number: 2004082066

The project corresponding to the subject SCH identification number has come to our attention. The limited project description suggests your project may be an encroachment on the State Adopted Plan of Flood Control. You may refer to the California Code of Regulations, Title 23 and Designated Floodway maps at http://recbd.ca.gov/. Please be advised that your county office also has copies of the Board's designated floodways for your review. If indeed your project encroaches on an adopted food control plan, you will need to obtain an encroachment permit from the Reclamation Board prior to initiating any activities. The attached Fact Sheet explains the permitting process. Please note that the permitting process may take as much as 45 to 60 days to process. Also note that a condition of the permit requires the securing all of the appropriate additional permits before initiating work. This information is provided so that you may plan accordingly.

If after careful evaluation, it is your assessment that your project is not within the authority of the Reclamation Board, you may disregard this notice. For further information, please contact me at (916) 574-1249.

Sincerely,

Christopher Huitt
Staff Environmental Scientist
Floodway Protection Section

cc: Governor's Office of Planning and Research
State Clearinghouse
1400 Tenth Street, Room 121
Sacramento, CA 95814

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY ARNOLD SCHWARZENEGGER, Governor

**DEPARTMENT OF TRANSPORTATION**
P.O. BOX 2048 STOCKTON, CA 95201
(1976 E. CHARTER WAY/1976 E. DR. MARTIN LUTHER KING JR. BLVD. 95205)
TTY: California Relay Service (800) 735-2929
PHONE (209) 941-1921
FAX (209) 948-7194

RECEIVED
JAN 0 3 2007
STATE CLEARING HOUSE

*Flex your power!*
*Be energy efficient!*

January 3, 2007

**10-SJ-Various**
**SCH 2004082066 (DEIR)**
**Stockton General Plan 2035**

David Stagnaro
City of Stockton
Community Development Department
Planning Division
425 North El Dorado Street
Stockton, CA 95202-1997

Dear Mr. Stagnaro:

The California Department of Transportation (Department) appreciates the opportunity to has received the Draft Environmental Impact Report (DEIR) for the proposed General Plan 2035. The Department has the following comments:

- Please submit an electronic copy of the travel demand forecast model files used to conduct the traffic analysis summarized within this document. The Department **requires** this information in order to complete the review of the work conducted for the traffic analysis. Without the model information requested, the Department will not be able to perform it's assessment as responsible agency to provide professional opinion regarding the adequacy of the mitigation measures that are recommended within the DEIR.

- Please extend the time allowed to the Department for review of this DEIR for at least 4 weeks after the receipt of the requested electronic files. An electronic copy of the travel demand model used to perform the traffic analysis that is summarized within this document was not provided upon submission of the DEIR. The travel model files, as well as the time to review that information is **required** by the Department to provide a provide a professional assessment of the work performed to determine the adequacy of the mitigation measures that are recommended within the DEIR.

If you have any questions or would like to discuss our comments in more detail, please contact Dan Brewer at (209) 948-7142 (e-mail: dan.brewer@dot.ca.gov) or me at (209) 941-1921.

Sincerely,

for

**TOM DUMAS, Chief**
**Office of Intermodal Planning**

c: SMorgan CA Office of Planning & Research

DJS

STATE OF CALIFORNIA — Arnold Schwarzenegger, *Governor*

PUBLIC UTILITIES COMMISSION
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298

A12

January 19, 2007

David Stagnaro AICP
City of Stockton
345 N. El Dorado Street
Stockton, CA 95202

RE: 2035 Stockton General Plan and Infrastructure Studies Project, SCH# 2004082066

Dear Mr. Stagnaro:

As the state agency responsible for rail safety within California, we recommend that any development projects planned adjacent to or near the rail corridor in the County be planned with the safety of the rail corridor in mind. New developments may increase traffic volumes not only on streets and at intersections, but also at at-grade highway-rail crossings. This includes considering pedestrian circulation patterns/destinations with respect to railroad right-of-way.

Safety factors to consider include, but are not limited to:

- The planning for grade separations for major thoroughfares; this includes limiting any development within the "footprint" of land needed for future grade separations.
- Improvements to existing at-grade highway-rail crossings due to increase in traffic volumes and a funding mechanism to pay for the improvements. A development mitigation fee specifically for rail safety improvements should be included as part of the project.
- Appropriate fencing to limit the access of trespassers onto the railroad right-of-way. Vandal-resistant fencing should be an absolute requirement for any development adjacent to a railroad right-of-way.

A12-1

Any project that includes a modification to an exiting crossing or proposes a new crossing is legally required to obtain authority to construct from the Commission. If the project includes a proposed new crossing, the Commission will be a responsible party under CEQA and the impacts of the crossing must be discussed within the environmental documents.

A12-2

The above-mentioned safety improvements should be considered when approval is sought for the new development. Working with Commission staff early in the conceptual design phase will help improve the safety to motorists and pedestrians in the County.

A12-3

If you have any questions in this matter, please call me at (415) 703-2795.

A12-4

Very truly yours,

Kevin Boles
Environmental Specialist
Rail Crossings Engineering Section
Consumer Protection and Safety Division

cc: Terrel Anderson, Un ion Pacific Railroad

DJS

# California Regional Water Quality Control Board
## Central Valley Region


Linda S. Adams
*Secretary for Environmental Protection*

**Sacramento Main Office**
11020 Sun Center Drive #200, Rancho Cordova, California 95670-6114
Phone (916) 464-3291 • FAX (916) 464-4645
http://www.waterboards.ca.gov/centralvalley

Arnold Schwarzenegger
*Governor*


A13

23 January 2007

David Stagnaro, AICP, Senior Planner
City of Stockton
C/o Community Development Department
Planning Division
345 North El Dorado Street
Stockton, CA 95202

**DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) FOR THE STOCKTON 2035 GENERAL PLAN UPDATE AND INFRASTRUCTURE MASTER PLANS PROJECT (EIR4-05), SCH#2004082066**

We have reviewed the subject document as a Responsible Agency under CEQA. The documents reviewed included the DEIR, which comprised an Appendix B. Background Report and Appendix C. Goals and Policies Report. The proposed project is an update to the City of Stockton's (City) existing General Plan (1990) and the land use designations identified under the Preferred Land Use Alternative. The City is considering expansions to both its existing Urban Services boundary and Sphere of Influence boundary in order to accommodate future population growth anticipated under the Preferred Land Use Alternative. In addition, water, waste water and storm drainage utility infrastructure studies are being prepared to identify the necessary infrastructure requirements needed to support growth and development proposed under the Preferred Land Use Alternative. A13-1

The following are issues that must be addressed in the General Plan Update and Infrastructure Master Plans Project:

1. *Appendix B. Background Report, page 9-83 and Appendix C. Goals and Policies, page 9-3, both define Low Impact Development. The documents state:*

   ***Low Impact Development.*** *Development that incorporates a combination of drainage design features and pollution reduction measures to reduce development impacts on hydrology (peak runoff flow rates) and water quality.* A13-2

   Low-impact development (LID) is a different approach to conventional storm water management. LID represents a significant advancement in the state of the art in storm water management. LID enhances our ability to protect surface and ground water quality, maintain the integrity of aquatic living resources and ecosystems, and preserve the physical integrity of receiving streams. LID is a new, comprehensive land planning and engineering design approach with a goal of maintaining and enhancing the pre-

development hydrologic regime of urban and developing watersheds. This design approach incorporates strategic planning with micro-management techniques to achieve superior environmental protection, while allowing for development or infrastructure rehabilitation to occur.

LID can achieve storm water control through the creation of a hydrologically functional landscape that mimics the natural hydrologic regime. This objective is accomplished by:

- Minimizing storm water impacts to the maximum extent practicable (MEP). Techniques include reducing imperviousness, conserving natural resources and ecosystems, maintaining natural drainage courses, reducing use of pipes, and minimizing clearing and grading.
- Providing runoff storage measures dispersed uniformly throughout a site's landscape with the use of a variety of detention, retention, and runoff practices.
- Maintaining predevelopment time of concentration by strategically routing flows to maintain travel time and control the discharge.
- Implementing effective public education programs to encourage property owners to use pollution prevention measures and maintain the on-lot hydrologically functional landscape management practices.

A13-2 cont

LID offers an innovative approach to urban storm water management that does not rely on the conventional end-of-pipe or in the-pipe structural methods but instead uniformly or strategically integrates storm water controls throughout the urban landscape.

Information on the importance and effectiveness of incorporating LID into the planning process may be found at: http://www.lowimpactdevelopment.org/home.htm

The DEIR defines this concept, but does not go into any detail on how it will be integrated within the scope of the General Plan. We recommend adding a *New Policy* in the *Public Facilities and Services* section under *9.4 Storm Water*, which incorporates Low Impact Development concepts.

2. *Appendix B. Background Report: On page 9-94, Section 9.4 Storm Water Drainage,* ***Water Quality*** *it states that several streams within the Stockton area have been identified as "toxic hot spots" by the State because of the presence of diazinon and chlorpyrifos. The designation of these streams triggers the requirement for an urban storm water cleanup plan for these "hot spots."*

A13-3

*Appendix C. Goals and Policies Report: On page 9-9, Section 9.4* ***Storm Water*** *(Goal PFS-4), states that several streams within the Stockton Area have been identified as "toxic hot spots" by the State because of the presence of diazinon and chlorpyrifos.*

We refer you to the Stockton Municipal Separate Storm Water Sewer System (MS4) Permit, Order No. R5-2002-0181, NPDES No. CAS083470, Provision D.18. a., b., and c. **Water Quality Based Programs,** which requires the permittees to develop and implement a Pesticide Plan, Pathogen Plan, and dissolved oxygen (DO) Plan. These requirements are also in the permittee's Storm Water Management Plan (SWMP), dated September 2003. The Stockton MS4 permit may be found on the State Water Resources Control Board's web site at:

http://www.waterboards.ca.gov/stormwtr/docs/stockton_r5_2002_0181.pdf

We recommend the DEIR, Background and Goals and Policies reports include more specific information with regards to the Pesticide Plan, Pathogen Plan and DO Plan. More detailed information will provide the public with a better understanding of the pollutants, impacted waterways, and the requirement to clean them up using best management practices (BMPs) to the maximum extent practicable (MEP). A13-3 cont

3. *Appendix C, Goals and Policies Report, Section 9.12 Implementation Measures, page 9-18 shows the timing of when policies will be implemented.*

   *Implementation 5, Policy = All policies under goal PFS-2, states the City shall maintain and periodically update the water master plan. This activity is ON-Going by MUD.*

   *Implementation 17, Policy = PFS-4.1, 4.2, 4.3, 4.4, and 4.5, states the City shall maintain and periodically update the Stormwater Master Plan and that this plan will be used as a guidance document for the preparation of detailed watershed drainage plans (prepared by developers). This activity is On-Going by MUD.* A13-4

   We recommend Implementation Measure 5 and 17 include the *date* of the current Water Master Plan and Stormwater Master Plan, respectively. Implementation Measures 5 and 17 should include additional information regarding a specific timeline or schedule when each plan will be updated; if there will be periodic updates (e.g., every 5 years); and describe the public review process.

4. The City's Phase I Storm Water NPDES permit Order No. R5-2002-0181 will expire October 2007. In this regard, the City is required to submit a Report of Waste Discharge describing updates to the permit and associated Storm Water Management Plan (SWMP) to the Board by 1 April 2007. Once the Tentative Waste Discharge Requirements (WDRs) are drafted, we will make it available for public review prior to consideration for adoption by our Board. A13-5

Board staff appreciates the opportunity to comment on the DEIR. Please include our agency on the review list for subsequent documents related to this project. A13-6

If you have any questions, please contact Kim A. Schwab at 916.464.4606 or email her at kschwab@waterboards.ca.gov. A13-6 cont

William J. Marshall

WILLIAM J. MARSHALL, Chief
Storm Water Section

cc: Courtney Vasquez, Storm Water/Water Conservation Manager, City of Stockton

DJS

A14

EAST BAY
MUNICIPAL UTILITY DISTRICT

January 19, 2007

RECEIVED
JAN 22 2007
CITY OF STOCKTON
PERMIT CENTER - ENGINEERING DIVISION

David Stagnaro, Senior Planner
City of Stockton
c/o Community Development Department
345 North El Dorado Street
Stockton, CA 95202

Re: Notice of Completion of a Draft Environmental Impact Report –
Stockton 2035 General Plan Update and Infrastructure Master Plans Project

Dear Mr. Stagnaro:

East Bay Municipal Utility District (EBMUD) appreciates the opportunity to comment on the Draft Environmental Impact Report (EIR) for the Stockton 2035 General Plan Update and Infrastructure Master Plans Project. EBMUD has the following comments. A14-1

**MOKELUMNE AQUEDUCTS**

Portions of EBMUD's Mokelumne Aqueducts (Aqueduct) are located within the City of Stockton through the Brookside Country Club in the west and along March Lane east to Camanche Lane within an EBMUD right-of-way (owned in fee). EBMUD understands that no specific projects are proposed at this time for the Stockton 2035 General Plan Update. However, all specific development projects subsequently proposed in the vicinity of EBMUD's Aqueduct right-of-way must adhere to EBMUD's Requirements for use of the right-of-way. A copy of these requirements is enclosed for your reference. A14-2

If you have any questions concerning this response, please contact David J. Rehnstrom, Senior Civil Engineer, Water Service Planning at (510) 287-1365. A14-3

Sincerely,

for William R. Kirkpatrick
Manager of Water Distribution Planning

WRK:DVC:sb
sb07_005.doc

Enclosure



Recycled Paper

# REQUIREMENTS FOR ENTRY OR USE OF MOKELUMNE, LAFAYETTE & MORAGA AQUEDUCT RIGHTS-OF-WAY

## SUPPLEMENT NO. 1 TO PROCEDURE 718

East Bay Municipal Utility District
P. O. Box 228, Stockton, CA 95201
(209) 946-8000

Requests for encroachment rights or for other uses of the District's aqueduct properties shall be directed to the Manager of Water Supply Division, P.O. Box 228, Stockton, California 95201. Property uses shall only be permitted subject to appropriate written permit, license, easement, or lease agreement.

2. Requests for property uses shall be in writing and accompanied by a completed application, plan and profile drawings, in triplicate, of the area and work involved. District aqueduct stationing and adjacent above ground structures must be shown. Applicant's horizontal and vertical control must be correlated to the District's.

3. The applicant must agree to indemnify and hold harmless the District from any loss, claim, or liability which may arise by reason of applicant's use of District property and may be required to provide insurance coverage.

4. District land and facilities shall be restored to a condition as good as that which existed before applicant's entry on the right-of-way.

5. Applicant's use of property shall not increase District costs or interfere with District access, operations, maintenance, or repair of its facilities.

6. The applicant must pay the District the appraised value of the easement or lease, if appropriate, for the rights granted to him. Appropriate environmental documentation must be completed in accordance with the California Environmental Quality Act before the rights can be granted.

7. The applicant must pay the District for:

    a. Design of fences or other structures
    b. Structural protective measures
    c. Corrosion control protective measures
    d. District engineering, plan review, and inspection of activities
    e. Environmental documentation
    f. Application, permit or license fees.

8. The plan for the execution of the work must be approved by the District.

9. The type and weight of equipment working over the aqueduct must be approved by the District. The use of vibratory compaction equipment is prohibited on the aqueduct right-of-way.

10. A minimum of 48 hours notice must be given to the District before work commences. To contact the District by telephone, call: The Aqueduct Section Stockton Office at (209) 946-8000.

11. A preconstruction meeting is required prior to start of work.

12. No building or portions of buildings shall be constructed on the property. No other types of structures shall be constructed unless specific approval is given by the District.

13. No longitudinal encroachments such as drainage ditches; gas, phone, or electrical lines; pipelines, or roads will be permitted. All property line fences must be located completely outside the aqueduct property lines.

14. No pile driving will be allowed within 50 feet of the aqueducts.

15. Railroad, freeway and highway crossings of the aqueduct right-of-way shall be on permanent bridges with a minimum vertical clearance of 14 feet 6 inches between the finished ground surface and the underside of the bridge. Crossings on grade will be over structurally-encased aqueducts with a sleeve for a fourth aqueduct.

16. Street and road crossings constructed on grade shall incorporate protection of the aqueducts. Based on the load carrying capability of the aqueduct, protective measures will be designed by the District or by applicant's licensed engineer to District standards with specific District approval of each design.

17. Traffic control fences or approved barriers shall be installed along each side of the street, road or trail before opening to the public.

18. Temporary construction fences and barricades shall be installed by contractor as directed by the District.

19. Any changes in finished grade must be approved by the Aqueduct section. Earthfills or cuts on adjacent property shall not encroach onto District property except where authorized for vehicular crossings on grade and except where the District determines that there will be no detrimental effect on the aqueducts or their maintenance.

20. Pipeline crossings shall be perpendicular to the aqueducts and on a constant grade across District property. Sanitary sewers, water lines or petroleum product lines crossing above the aqueducts must be encased in a steel or PVC conduit or reinforced concrete with a minimum vertical clearance of one foot between the pipeline and the top of District aqueducts.

21. All pipelines crossing below the aqueducts must be encased in a steel or reinforced concrete conduit and provide a minimum of two feet of clearance between the casing and the bottom of the District aqueducts.

22. On pressurized pipe crossings, shutoff valves shall be provided outside and adjacent to both sides of District property.

23. At the point of crossing, steel pipeline crossings and steel casings shall incorporate electrolysis test leads, bond leads, and leads necessary for interference testing. Corrosion control devices, when required, must be approved by the District.

24. Cathodic protection for steel encasements must be installed as follows:

    Provide a dielectric coating to the exterior surface of the steel casing within the EBMUD right-of-way, 16 mil epoxy or equivalent.

    Provide galvanic protection to the portion of the steel casing within the EBMUD right-of-way in accordance with the National Association of Corrosion Engineers (NACE) RP-01-69.

    If the carrier pipe is constructed of DIP or steel, provide electrical isolation between the carrier and casing using casing insulators; redwood skids are not permitted.

Provide test results to EBMUD demonstrating the adequacy of the cathodic protection system, and the adequacy of the electrical isolation of the carrier (if metallic) from the casing. EBMUD reserves the right to witness any such tests.

25. Gravity drainage of District property shall be maintained. Open channels constructed across the right-of-way shall be paved with reinforced concrete. Headwalls, inlets, and other appurtenances shall be located outside EBMUD property. Drainage facilities shall be provided outside the District's property at the top and/or toe of fill slopes or cuts constructed adjacent to District property to assure adequate drainage.

26. Overhead electrical power conductors across the property shall be a minimum of 30 feet above ground. Communication and cable TV crossings shall be a minimum of 20 feet above the ground. Supporting poles or towers shall be located outside the aqueduct right-of-way.

27. Buried electrical cables passing over the aqueducts shall be installed in conduit and encased in red concrete across the entire width of the right-of-way. All other buried cables shall be installed in conduit and marked in the appropriate Underground Service Alert (USA) colored marking materials across the entire width of the aqueduct right-of-way. The minimum vertical clearance between the conduit and the top of the District's aqueducts is one foot.

28. Electrical or telecommunications cables passing under the aqueducts shall be encased in conduit and marked at both edges of the aqueduct right-of-way with the appropriate USA color coded markers. The minimum vertical clearance between the conduit and the bottom of the District's aqueducts is two feet. For directional bored conduits the minimum vertical clearance is five feet.

29. Vehicular parking and storage of equipment or material on aqueduct property are specifically prohibited.

30. Extraction of oil and gas from aqueduct properties may be permitted under appropriate lease agreements.

31. All EBMUD survey monuments and markers shall be undisturbed. If any EBMUD survey markers or monuments must be disturbed, they will be replaced or relocated by EBMUD at applicant's expense prior to the start of any ground disturbing work.

32. All aqueduct crossings involving mechanical excavation on the right-of-way require potholing of all three aqueducts at the site of the proposed crossing. Visible reference markings showing the aqueduct alignments and depths to top of pipe shall be maintained for the duration of any mechanical excavation on EBMUD property. Entry permits are required for pothole work.

33. All grading or excavating of the right-of-way requires Underground Service Alert (USA) notification and the maintenance of a current inquiry identification number.

34. Certified six-sack mix is the minimum acceptable concrete batch to be used on the aqueduct right-of-way. Concrete compression strength shall be 3000 PSI or better at 28 days. If samples do not reach 3000 PSI at 28 days, entire section of slab or encasement related to that sample must be removed and replaced at applicant's expense.

35. Each truckload of concrete to be placed on the aqueduct right-of-way may be sampled by the District. No water may be added to the mix after sampling.

36. Maximum allowable slump is three inches. All concrete exceeding three inches will be rejected and cannot be used on the aqueduct right-of-way.

37. No traffic will be allowed over protective slabs until 3000 PSI is reached.

38. All work areas shall be inspected by EBMUD for final approval.

DJS

# San Joaquin Valley
## AIR POLLUTION CONTROL DISTRICT

A15

January 31, 2007

RECEIVED
2007

Dave Stagnaro
City of Stockton
Community Development Dept.
Planning Division
345 North El Dorado Street
Stockton, CA 95202

**Project:** Stockton 2035 General Plan Update and Infrastructure Master Plans Project (EIR4-05)

**Subject:** CEQA comments regarding the Draft Environmental Impact Report for the Stockton 2035 General Plan Update

**District Reference No: C200602685**

Dear Mr. Stagnaro:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the Draft Environmental Impact Report (DEIR) for the City of Stockton 2035 General Plan Update (Project). In response to the Notice of Preparation, the District requested the DIER include discussions regarding the issues below: A15-1

**1. Description of the regulatory environment and existing air quality conditions impacting the area** – The DEIR appropriately addresses the regulatory environment, including local, state and federal agencies and the regulations in place to regulate air quality and control new sources of air pollution. The DEIR also appropriately addresses the existing air quality conditions impacting the City of Stockton. A15-2

**2. Existing emissions and projected pollutant emissions related to the increase in project source emissions and vehicle use, along with an analysis of the effects of these increases (to include ozone precursors, toxic air pollutants, carbon monoxide hotspot analysis, and odor analysis)** – The DEIR appropriately addresses the project's potential impact on Air Quality. Development as a result of this project will be subject to District rules, regulations, and permitting requirements as specific A15-3


**Seyed Sadredin**
Executive Director/Air Pollution Control Officer

**Northern Region**
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

**Central Region (Main Office)**
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

**Southern Region**
2700 M Street, Suite 275
Bakersfield, CA 93301-2373
Tel: (661) 326-6900 FAX: (661) 326-6985

www.valleyair.org


Printed on recycled paper.

development occurs. This project would contribute to the overall decline in air quality due to construction activities in preparation of the site, increases in motor vehicle traffic and other operational emissions associated with new development such as space heating, fireplaces, and the use of landscape maintenance equipment. The build-out of the general plan will make it more difficult to meet mandated emission reductions and air quality standards.

A15-3 continued

The District concurs with the DEIR that the project may have a significant impact on air quality. As noted in the DEIR, despite describing all mitigation efforts to reduce air quality impacts, the document correctly specifies that such efforts may not reduce impacts to levels of insignificance. All mitigations included in the DEIR should be implemented to the extent specified to reduce air quality impacts.

**3. Identification of all existing District regulations that apply to the project –** The DEIR identifies compliance with District rules as compliance. HS-4.9 Dust Suppression Measures are requirements of District Regulation VIII (Fugitive PM10 Prohibitions). Please note that Rules 8011-8081 were last updated in August and September 2004. HS-4.11 Woodburning measures are requirements of District Rule 4901 (Wood Burning Fireplaces and Wood Burning Heaters). The District does not consider compliance with District regulations to be mitigation. Mitigation measures are those measures taken to lower emissions above and beyond what is required by compliance with District rules. The District believes this distinction is important because mitigation measures will require the preparation of a mitigation monitoring program that provides the schedule for implementation and the enforcement mechanism.

A15-4

As individual projects are developed, further review may be necessary. In addition to Regulation VIII and Rule 4901 requirements, future projects will be subject to the District rules identified below. The projects may also be subject to additional District Rules not enumerated below. To identify additional rules or regulations, project proponents are strongly encouraged to contact the District's Small Business Assistance Office at (209) 557-6446. Current District rules can be found at www.valleyair.org/rules/1ruleslist.htm.

- **Rule 2010** (Permits Required) This rule applies to any person who plans to or does operate, construct, alter, or replace any source operation, which may emit air contaminants or may reduce the emission of air contaminants. This project may be subject to District permitting requirements. If District permits are required, permit applications should be submitted to the District as soon as possible to avoid delays in the project. For further information or assistance regarding permitting, the District's Small Business Assistance Office can be reached at (209) 557-6446.

- **Rule 4002** (National Emission Standards for Hazardous Air Pollutants) In the event that any portion of an existing building will be renovated, partially demolished or removed, the project will be subject to District Rule 4002. Prior to any demolition activity, an asbestos survey of existing structures on the project site may be required to identify the presence of any asbestos containing building material (ACBM). In accordance with CAL-OSHA requirements, a certified asbestos contractor must

remove any identified ACBM having the potential for disturbance. If you have any questions concerning asbestos related requirements, please contact the District's Compliance Division at (209) 557-6400 or contact CAL-OSHA at (559) 454-1295. The District's Asbestos Requirements Bulletin can be found online at http://valleyair.org/busind/comply/asbestosbultn.htm.

- **Rule 4102** (Nuisance) This rule applies to any source operation that emits or may emit air contaminants or other materials. In the event that the project or construction of the project creates a public nuisance, it could be in violation and be subject to District enforcement action.

- **Rule 4103** (Open Burning) This rule regulates the use of open burning and specifies the types of materials that may be open burned. Agricultural material shall not be burned when the land use is converting from agriculture to non-agricultural purposes (e.g., commercial, industrial, institutional, or residential uses). Section 5.1 of this rule prohibits the burning of trees and other vegetative (non-agricultural) material whenever the land is being developed for non-agricultural purposes. In the event that the project applicant burned or burns agricultural material, it would be in violation of Rule 4103 and be subject to District enforcement action.

A15-4
continued

- **Rule 4601** (Architectural Coatings) This rule limits volatile organic compounds from architectural coatings by specifying architectural coatings storage, clean up and labeling requirements and applies to any person who supplies, sells, offers for sale, applies, or solicits the application of any architectural coating.

- **Rule 4641** (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations) If asphalt paving will be used, then paving operations of this project will be subject to Rule 4641. This rule applies to the manufacture and use of cutback asphalt, slow cure asphalt and emulsified asphalt for paving and maintenance operations.

- **Rule 9510** (Indirect Source Review) This rule was adopted to reduce the impacts of growth in emissions from all new development in the San Joaquin Valley. Rule 9510 requires applicants subject to the rule to provide information that enables the District to quantify construction, area and operational PM10 and NOx emissions, and potentially mitigate a portion of those emissions. Rule 9510 requires construction exhaust emissions to be reduced by 20 percent for NOx and 45 percent for PM10 and operational emissions to be reduced by 33.3% for NOx and 50% for PM10 when compared to the statewide fleet average. An application must be filed with the District no later than concurrent with application with a local agency for the final discretionary approval. For more information and instruction, please contact the District's ISR staff by phone at (559) 230-6000 or by email at ISR@valleyair.org.

**4. Identification of all feasible measures that will reduce air quality impacts generated by the project** – As the General Plan is the blueprint for future growth in Stockton, it correctly provides a broad, generalized approach to the city's development.

A15-5

However, as individual projects are developed, further environmental review may be necessary. There are emission-reducing options, not identified in the DEIR, available to project proponents to reduce the impact on air quality. One such option is a voluntary Air Quality Mitigation Agreement (Mitigation Agreement) between the project proponent and the District. District staff is available to meet with project proponents to discuss Mitigation Agreements for specific projects. For more information, or questions concerning this topic, please call Mr. Arnaud Marjollet, Permit Services Manager, at (559) 230-6000.

A15-5 continued

District staff is available to meet with you and/or the applicant to further discuss the regulatory requirements that are associated with this project. If you have any questions or require further information, please call Jessica Willis at (559) 230-5818 and provide the reference number at the top of this letter.

A15-6

Sincerely,

David Warner
Director of Permits Services

Jessica R. Willis

for Arnaud Marjollet
Permit Services Manager

DW:jrw

cc: file

# Calaveras County Water District

423 E. St. Charles Street, P.O. Box 846, San Andreas, CA 95249
209-754-3543 fax 209-754-9620

RECEIVED
CITY OF STOCKTON
JAN 26 2007
PERMIT CENTER
PLANNING DIVISION

## Fax

Date: 1/26/07

Number of pages including cover sheet: 5

**To: Planning Division**
**Community Development Dept**
**City of Stockton**

**Re: Comments on Draft Env. Impact Report, City's 2035 General Plan & Infrastructure Studies Project**

**Fax phone:** 209 937-8893

Phone:

From:
David Andres
General Manager

Phone: 209/754-3543 ext. 41

**Fax phone: 209/754-1120**

**REMARKS:** ☐ Urgent ☒ For your review ☐ Reply ASAP ☐ Please comment

The original of this letter is being sent Priority Mail, certified.

A16

# CALAVERAS COUNTY WATER DISTRICT

**BUSINESS OFFICE**
423 East St Charles Street
Post Office Box 846
San Andreas, California 95249
(209) 754-3543
Fax (209) 754-1069

RECEIVED
CITY OF STOCKTON
JAN 26 2007
PERMIT CENTER
PLANNING DIVISION

VIA U.S. MAIL AND FAX (209) 937-8893

January 26, 2007

City of Stockton
c/o Community Development Department
Planning Division
345 N. El Dorado Street
Stockton, CA 95202

Re: Calaveras County Water District Comments on Draft Environmental Impact Report, City of Stockton 2035 General Plan and Infrastructure Studies Project.

To Whom It May Concern:

Calaveras County Water District ("CCWD") appreciates the opportunity to comment on the Draft Environmental Impact Report for the City of Stockton's 2035 General Plan and Infrastructure Studies Project ("Draft EIR"). On March 22, 2006 CCWD submitted a request to be included on the distribution list for the Draft EIR (copy attached), but was inadvertently left out of the distribution. Please add CCWD to the distribution list for future documents related to the General Plan. A16-1

The Draft EIR, Appendix E, attaches a Water Supply Evaluation ("WSE"),[1] which is presented as meeting the requirements for "water supply assessments" as set forth in the California Water Code, §§10910 *et seq.* The WSE is circulated with the Draft EIR pursuant to Water Code §10911. This provision also requires the City to determine whether projected water supplies will be sufficient to satisfy the demands of the project, in addition to existing and planned future uses; if the City determines that water supplies will not be sufficient, the City must include that determination in its findings for the project. A16-2

**Availability of New Hogan Water Supplies**

CCWD would like to take this opportunity to correct substantial inaccuracies contained in the WSE discussion of CCWD's water supplies and the availability thereof to Stockton East Water A16-3

[1] Exhibits to the WSE are identified in the table of contents for the WSE, but are not available in the on-line document reviewed by CCWD.

District ("SEWD"), and thence to City of Stockton municipal area users. Specifically, at p. 15 and Table 3 the WSE alludes to two types of CCWD-related water supplies:

> (1) water available to SEWD under contracts with the U.S. Bureau of Reclamation and Calaveras County Water District for water developed through the New Hogan project (identified in the WSE at a year 2035 quantity of 12,000 acre-feet); and
>
> (2) water available to SEWD under Calaveras County Water District "appropriative rights," called "unused CACWD rights" (identified in the WSE at p. 15, Table 3 at a year 2035 quantity of 10,000 acre-feet; at p. 56, Table 12 at a year 2035 quantity of 3,000 acre-feet).

There are at least two major problems with this discussion: First, SEWD does not have access to any CCWD appropriative rights. At present, the only water supply agreement between SEWD and CCWD pertains to contractual entitlements to New Hogan supplies for which the appropriative water rights are presently held by the U. S. Bureau of Reclamation ("Reclamation"). Second, although it is true that CCWD is not currently using its full New Hogan entitlement, and that SEWD may use some of this water on a temporary, year-to-year basis, CCWD may require that water at any time, and will use its full New Hogan entitlement in the future. Accordingly, as described in more detail below, it is inappropriate for the City to rely on CCWD's New Hogan supplies for water supply planning purposes. A16-3 cont.

On August 25, 1970, Reclamation, SEWD and CCWD entered into a water supply contract that entitles CCWD and SEWD to the entire yield of New Hogan Reservoir (Contract No. 14-06-200-5057A) ("New Hogan Contract"). The New Hogan Contract is a repayment contract requiring SEWD and CCWD to pay for the cost of conservation storage. CCWD also pays for a proportionate share of annual operation and maintenance costs of the New Hogan Project. In return, CCWD and SEWD are allocated the entire yield of the New Hogan Project for the authorized purposes of use. Under the New Hogan Contract, Reclamation holds the appropriative water right permits issued by the State Water Resources Control Board.

Simultaneous with execution of the New Hogan Contract, CCWD and SEWD entered into a second, separate contract that governs payment for the New Hogan Project and allocation of New Hogan water between the two districts ("CCWD-SEWD Contract"). Among other things, the CCWD-SEWD Contract allocates 43.5% of New Hogan Project yield to CCWD and the remaining 56.5% to SEWD. As noted, the CCWD-SEWD Contract does provide that at such times that CCWD does not request its full 43.5% entitlement, SEWD may use CCWD water[2] — but only until CCWD requires that water. Each year, CCWD notifies SEWD of how much water CCWD requires during that year and, in any given year, CCWD can require up to its full 43.5%. That amount must be made available to CCWD on request. In other words, if SEWD uses CCWD water, SEWD must terminate this use upon CCWD's request for increased supplies, in the same year that CCWD requests the increased supplies. SEWD has no continuing right to this water, and therefore SEWD customers cannot rely on this water. CCWD intends to use its full 43.5% allocation in the future. Accordingly, the WSE should be revised to delete any reference to so-called "unused" CCWD New Hogan water for purposes of water supply planning for the

[2] SEWD's right to use the water is limited by the specific terms of the contract between SEWD and CCWD.

City of Stockton municipal area.

**Page-Specific Comments**

WSE, Page 15 states that "[e]xisting firm surface water contracts held by SEWD include a Bureau of Reclamation (Reclamation) contract (New Hogan Reservoir) and a Calaveras County Water District (CACWD) contract on the Calaveras River based on appropriative water rights held by CACWD . . . " This statement is incorrect. The New Hogan Contract and the CCWD-SEWD Contract are relevant to the same supply of water, and both contracts are based on appropriative water rights held by Reclamation.[3] A16-4

WSE, Page 15, Table 3, just below the line item describing New Hogan water supplies there is another item entitled "CACWD Appropriative Water Rights."[4] This second item purports to identify up to 10,000 afy from "unused CACWD rights" that will be permanently available to the City of Stockton at the City's build-out. This 10,000 afy does not exist. As noted above, if this line item is intended to refer to New Hogan water, it is inaccurate because CCWD will use all of its 43.5% entitlement in the future, and neither SEWD nor the City can rely on that water for long-term planning. If this item is intended to refer to any other CCWD water right, then it is simply in error: beyond the limited availability provided by the SEWD-CCWD contract, there is no other scenario under which SEWD has access to CCWD water supplies. A16-5

WSE, Page 16 states that ". . .as development continues in Calaveras County, less of the CACWD water will be available to SEWD and its customers. This contract currently yields 24 TAF and will ultimately be decreased to 10 TAF at build-out." Again, this 10,000 afy does not exist; the full amount of CCWD's entitlement can be requested by CCWD in any given year. Moreover, CCWD will use its full entitlement in the future. There is no scenario under which the City can rely on unused CCWD entitlement for purposes of water supply planning. A16-6

WSE, Page 51 refers to a "transfer" of CCWD's rights to New Hogan water. Similarly, page 57 of the WSE states "Table 3 also shows that the senior water rights of the Calaveras County Appropriative Water Rights Transfer will yield some 'critical' year supply to increase the minimum of 12,000 AF/year used in the Feasibility Report." It is inaccurate to characterize the interim, temporary, year-to-year availability of water to SEWD from CCWD's New Hogan entitlement as a "transfer." This water may not be available to SEWD in any given year, and will not be available in the long-term. A16-7

WSE, Page 56, Table 12. In contrast to the information presented in Table 3, the second line item in WSE, Table 12 (row 2) suggests declining availability of the so-called "unused" CCWD entitlement to New Hogan water. This Table indicates an availability of such "unused" water of 8,000 afy in 2010, 6,000 afy in 2020, and 3,000 afy in 2035 to 0 afy availability in 2050. Because CCWD can call on its full 43.5% in any given year, and because CCWD intends to do so in the future, even this less draconian assumption is inappropriate. The City of Stockton A16-8

[3] There is a complex history that informs interpretation of the New Hogan contracts, but which is not relevant here because the City cannot rely on "unused" CCWD supplies.

[4] As indicated herein, at present the appropriative rights for New Hogan are held by the U.S. Bureau of Reclamation, and not CCWD or SEWD.

cannot rely on the CCWD New Hogan water for water supply planning.

**The New Hogan Project Is Not A CVP Facility.**

WSE, Page 25 states that the WSE modeling assumed that New Hogan supplies are subject to Central Valley Project ("CVP") deficiencies. However, the New Hogan contract is not a CVP contract and is not subject to CVP deficiencies. A16-9

**Water Code § 11460**

WSE, Pages 41-42 include a discussion of so-called "area of origin" rights. This discussion refers to Water Code § 11460, which provides that "a watershed or area wherein water originates, or an area immediately adjacent thereto which can be conveniently supplied with water therefrom, shall not be deprived by the department directly or indirectly of the prior right to all of the water reasonably required to adequately supply the beneficial needs of the watershed, area, or any of the inhabitants or property owners therein." Under this provision, "department" refers to the State Water Project ("SWP") and, by separate provision, the Central Valley Project ("CVP"). (Water Code § 11128.) A16-10

Contrary to the implication in the WSE, Water Code § 11460 does not confer an independent right of appropriation, nor does it provide priority of right over all water users. Where it applies and is granted, a priority under Section 11460 provides for a priority over SWP and CVP water use only. CCWD rights would be entitled to priority over an application by the City of Stockton municipal area purveyors, regardless of whether Section 11460 applies to such application.

**Conclusion**

I would be happy to make available members of my staff to work with representatives of the City of Stockton to assist with future water supply planning as it relates to CCWD water supplies. I look forward to receiving notices of document availability and public hearings on these topics in the future. In the meantime, please also feel free to contact me on a more informal basis to discuss any questions or concerns. A16-11

Sincerely,

David Andres, General Manager
Calaveras County Water District

Attachment

cc: Larry Diamond, CCWD
Ed Pattison, CCWD
Kevin Kauffman, SEWD

MUSD
French Camp Lathrop Manteca Weston Ranch
Manteca Unified School District
*Sandy Dwyer, Director of Facilities Planning*

January 26, 2007

RECEIVED
JAN 26 2007
CITY OF STOCKTON
PERMIT CENTER ANNEX DIVISION

Mr. David Stagnaro, City of Stockton
c/o Community Development Dept. Planning Division
345 North El Dorado Street
Stockton, CA 95202

Subject: Draft EIR for the Stockton 2035 General Plan Update

Dear Mr. Stagnaro,

Manteca Unified School District is in receipt and has reviewed the Draft Environmental Impact Report and the Background Report for the Stockton 2035 General Plan Update. The following provides updated information relative to the Manteca Unified School District: A17-1

- Manteca Unified has completed the construction of the Alternative Education Center which consists of a Continuation High School, an Adult School and a Joint-Use Library in Weston Ranch.
- The addition of one K-8 Elementary School will be needed to eliminate the Year Round Education currently in effect in the Weston Ranch area.
- Due to the development South of French Camp Road and West of I-5, the impact will require that three (3) additional elementary schools (K-8) and one high school (9-12) be built.
- The most recent needs analysis completed by the School District supports justification for increasing developer fees for Level Two fees to $4.86 per square foot and Level Three fees to $9.76 per square foot. A17-2
- The estimated number of dwelling units projected for the school District is approximately 5,552 and student generation rates for elementary school is .540 and for high school is .199, a total of .739.
- In the City of Manteca an additional Elementary School Annex was completed along with a Joint-Use Gym.
- In the City of Lathrop Manteca Unified has just completed one K-8 Elementary School and will start construction of a (9-12) High School.

Manteca Unified is confident the information provided above will assist you in completing the Final Environmental Impact Report for the Stockton 2035 General Plan. Should you require additional information I can be contacted at (209) 825-3200, extension 765, or you may contact May Karim, Facilities Planning Supervisor at (209) 825-3200, extension 763. A17-3

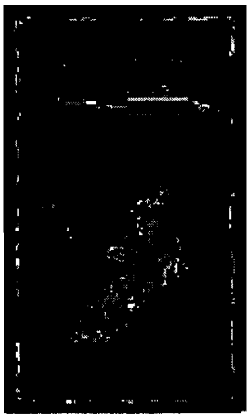
Sincerely,

Sandy Dwyer

Sandy Dwyer,
Director of Facilities Planning

P.O. Box 32
Manteca, CA 95336
2901 East Louise Avenue, Lathrop

Phone (209) 825-3200
Fax (209) 825-3295
www.mantecausd.net




# S J C O G, Inc.

555 East Weber Avenue • Stockton, CA 95202 • (209) 468-3913 • FAX (209) 468-1084


*San Joaquin County Multi-Species Habitat Conservation & Open Space Plan (SJMSCP)*

## SJMSCP RESPONSE TO LEAD AGENCY ADVISORY AGENCY NOTICE TO SJCOG, Inc.

**To:** Dave Stagnaro, City of Stockton Community Development Department

**From:** Steve Mayo, SJCOG, Inc.

**Date:** January 18, 2007

**Re:** **Lead Agency Project Title:** Draft EIR for Stockton 2035 General Plan

**Lead Agency Project Number:** EIR4-05

**Habitat Types to be Disturbed:** Urban/Multi-purpose/Agricultural/Natural

---

Dear Mr. Stagnaro:

The City of Stockton is a signatory to the the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). Participation in the SJMSCP satisfies requirements of both the state and federal endangered species acts, and ensures that the impacts are mitigated below a level of significance in compliance with the California Environmental Quality Act (CEQA). A18-1

SJCOG, Inc. has reviewed the draft EIR for the Stockton 2035 General Plan Update and Infrastructure Master Plans Project (EIR4-05). This draft EIR involves expanding the potential of development area beyond the City of Stockton's Compensation Map boundaries under the SJMSCP. Any areas of development or annexed land beyond the current SJMSCP Stockton Compensation Map would not be covered under the plan unless a major amendment is conducted and approved by both United States Fish and Wildlife Service (USFWS) and California Department of Fish and Game (CFDG). Those activities not be covered under the SJMSCP will be required to contact USFWS and CDFG for review of the projects for both the state and federal endangered species acts. A18-2

If you have any questions, please call (209) 468-3913.

SAN JOAQUIN COUNCIL OF GOVERNMENTS

*555 E. Weber Avenue • Stockton, California 95202*

*209.468.3913 • 209.468.1084 (fax)*
*www.sjcog.org*

HAND DELD.

PERMIT CENTER
PLANNING DIVISION

JAN 29 2007

CITY OF STOCKTON
RECEIVED

*John Harris*
CHAIR

*Victor Mow*
VICE CHAIR

*Andrew T. Chesley*
EXECUTIVE DIRECTOR

*Member Agencies*
CITIES OF
ESCALON,
LATHROP,
LODI,
MANTECA,
RIPON,
STOCKTON,
TRACY,
AND
THE COUNTY OF
SAN JOAQUIN

January 29, 2007

Mr. Mike Niblock
Community Development Director
City of Stockton
345 N. El Dorado Street
Stockton, CA 95204

Re: Draft Stockton General Plan 2035 Environmental Impact Report

Dear Mr. Niblock:

On behalf of the San Joaquin Council of Governments (SJCOG) I would like to thank you for the opportunity to participate in the City of Stockton's 2035 General Plan development process. As the regional transportation planning and programming agency for San Joaquin County, SJCOG is responsible for long range transportation planning that balances the collective mobility needs of the San Joaquin County community with ongoing funding and environmental constraints. Upon review of the City's Draft Stockton General Plan 2035 Environmental Impact Report, SJCOG staff has identified several points of consideration.

A19-1

Transportation & Circulation Element, 8.1 General Polices

According to the General Plan Circulation Diagram (Figure 8-1, Draft 2035 GP Roadway System), additional circulation capacity will be provided through the expansion of Interstate 5, State Route 99, and the Crosstown Freeway in addition north-south and east-west arterial roadways. Please note at this time SJCOG is preparing an update to the countywide Regional Transportation Plan which will cover the period from 2007 through 2030. The plan considers all transportation funding that is reasonably available during this time period and identifies a list of transportation improvements based on this fund estimate. Specific to the 2035 General Plan, the the Draft 2007 Regional Transportation Plan identifies improvements within the Stockton General Plan boundary that would result in:

A19-2

- 8 lanes on I-5 from Eight Mile Road to Country Club Boulevard, plus auxiliary lanes;
- 8 lanes on I-5 from Country Club Boulevard to Roth Road;
- 6 lanes on SR 99 from Armstrong Road to French Camp Road;
- 6 lanes on SR 4 (Crosstown Freeway) between I-5 and SR 99;
- 2 lanes on SR 88, SR 26, and SR 4 east of SR 99; and

- major freeway to freeway interchange improvements at SR 4 (Crosstown Freeway) and I-5 as well as SR 4 (Crosstown Freeway) and SR 99

SJCOG would encourage the City to consider policies to promote the traffic operations of freeways with limited widening options as well as to preserve the circulation capacity gained by identified future widening projects. Current freeway system design alternatives to consider include:

- High Occupancy Vehicle (HOV) lanes on freeways;
- ramp metering of local interchange access to freeways;
- auxiliary lanes between interchanges; and
- Intelligent Transportation Systems (ITS) such as traffic incident detection and response

SJCOG, in cooperation with the California Department of Transportation (Caltrans) and the local jurisdictions in San Joaquin County, is currently preparing a Ramp Metering and HOV Lane Master Plan for San Joaquin County to determine if and when ramp metering and HOV lanes are appropriate. Such systems would support many of the policies identified in the 2035 General Plan including the priority of improvements that reduce the dependence of single occupant vehicles commuting (TC-2.6) and the insurance that highways within the City of Stockton provide for the efficient flow of traffic (TC-2.7). The establishment of HOV lanes on Stockton area freeways would also facilitate Bus Rapid Transit (BRT) service as identified in the Circulation Diagram (Figure 8-2, Preliminary 2035 Transit System).

A19-2 continued

SJCOG additionally supports the City's proposed development of new and expansion of existing arterial roadways parallel to the freeway system that function as local circulation alternatives to the freeway system. SJCOG would encourage the City to insure the timely implementation of such parallel arterials and to consider Jack Tone Road as a major north-south connector.

Transportation & Circulation Element, 8.2 Streets and Highways Policies

SJCOG supports the policies identified by the City for improvements to streets and highways within the General Plan boundary especially the priority to improvements increase safety, improve air quality, increase the efficiency of the street system, and reduce the dependence of single occupant vehicles commuting. The following are specific considerations.

A19-3

**1) Level-of-Service Standards and VMT Reduction**

It should be noted that per the requirements established in the Measure K Renewal Ordinance adopted by San Joaquin County voters in November 2006, SJCOG will have in place and be fully implementing an updated regional Congestion Management Plan (CMP) by January 1, 2008. The primary goals of this Plan include:

- Monitoring Vehicle Mile Traveled (VMT) as a key indicator of growth and jobs/housing targets.
- Adopting programs that strive to keep the increase in VMT to an annual rate that is equal or less than the population increase.
- Supporting and planning for improved heavy passenger rail and regional bus connections with the Bay Area and Sacramento.
- Ensuring new development contributes a fair share and provides transportation improvements at the time of new construction.

A19-3 continued

The Regional Congestion Management Plan shall consist of traffic Level of Service (LOS) standards for all regional roadway facilities, standards for the frequency and routing of public transit, a trip reduction and travel demand element that promotes alternative transportation modes, and a program to coordinate the development review process to reduce automobile trip generation from newly developed residential and employment centers. SJCOG will review all environmental documents and/or development applications for residential, commercial, retail, and industrial development in San Joaquin County generating 125 or more peak hour trips, based on Institute of Transportation Engineers (ITE) factors. SJCOG will then comment on each of these developments as to their impact on the region and recommend the appropriate mitigation to address the impacts the new development will have on the existing transportation system.

**2) Traffic Signal Management**

The City's proposed policy on traffic signal management (TC-2.8) indicates that the City shall synchronize and otherwise manage traffic signals on arterial streets to the extent possible to facilitate the movement of people and to minimize stops or delays. SJCOG would recommend that that this traffic signal synchronization include the regular retiming of signals.

A19-4

**3) Truck Routes**

Goods movement in San Joaquin County is a key component of the economic vitality and growth of the region. With the strategic position of San Joaquin County to trade markets combined with existing freight facilities including the Port of Stockton, two railroad intermodal yards, and the Stockton Metropolitan Airport, San Joaquin County will continue to be a prime location for distribution and warehousing development. Along with this form of development comes an increase in trucking activities in both existing and new development areas. In addition to the City's proposed policy to direct truck traffic to designated routes (TC-2.19), SJCOG would encourage the City to identify policies to establish designated truck routes as a part of the permitting of new development as well as within existing development to avoid the potential negative impacts of trucks on roadways not designed to accommodate them. SJCOG would also encourage the City to consider policies to address the growing need for over night

A19-5

truck parking. This could include the permitting of private truck stop facilities or allowing overnight truck parking within industrial areas of the City.

A19-5 continued

Transportation & Circulation Element, 8.3 Transportation Demand Management Policies

**1) Park-and-Ride Lots**

With the inception of the Measure K countywide transportation sales tax in 1990, an extensive program of transportation demand management services was created including a carpool rideshare program and park-and-ride lots throughout San Joaquin County to facilitate bus and carpool travel. These services have had a significant positive impact in encouraging motorists to move from single occupant vehicles to carpools, subsequently decreasing congestion on interregional freeway facilities. The continued success of such programs is dependent upon local policies to create and maintain such parking facilities. SJCOG requests that the City specifically identify the park-and-ride elements of the Transit-Related Design Features policy (TC-4.4, features i, j, k, and l) as part of the City's Park-and-Ride Lot policy (TC-3.1) which include both the requirement for major new developments to provide, operate and maintain park-and-ride facilities in addition to the City working with SJCOG, the County transit providers and existing development to provide park-and-ride facilities within existing developed areas.

A19-6

**2) Programs for Smart Growth/Transit-Oriented-Development**

SJCOG supports the City's proposed policy to capitalize on funding programs that facilitate smart growth and transit-oriented-development. Included in the Measure K Renewal program is a minimum of $65 million in state and federal transportation funding or Measure K funding that will be made available during the 30-year life of the program for smart growth incentives to local jurisdictions in San Joaquin County. These funds will be made available for infrastructure improvements and planning grants that will assist local agencies in better integrating transportation and land use, such as street calming, walkable community projects, transit amenities and alternative modes of transportation. These funds will be available to enhance infill development, neighborhood revitalization and downtown improvements. When allocating dollars for housing projects a minimum overall density of 10 units per acre with bonus points for higher densities and affordable housing will be used. Mixed use developments must have an average of 12 units per acre and be at least 50% housing. The Smart Growth Incentive Program will be available for allocation in fiscal year 2011/2012, and will be available for funding projects on a multiple year basis as prescribed by SJCOG.

A19-7

Transportation & Circulation Element, 8.7 Air Transportation Policies

SJCOG is the designated Airport Land Use Commission (ALUC) for the San Joaquin County per the authority under Public Utilities Code sections 21670. The purpose of the ALUC is to ensure that proposed development does not create a health or safety concern for residents that would live and work in proximity to local airports, or conflict with the operations of the airports. The ALUC has adopted and currently enforces the 1993 Airport Land Use Plan (ALUP) to guide orderly growth of each public airport and land adjacent to the airport within the jurisdiction of the Commission. The ALUP covers a time horizon period of 20 years and encompasses all six (6) airports within the San Joaquin County region including the Stockton Metropolitan Airport. All residential and non-residential development proposed in the City of Stockton General Plan within the Stockton Metropolitan Airport's areas of influence must comply with the 1993 ALUP. The ALUC recognizes and confers that adherence to the mitigation measures cited in the EIR (LU-6.1 through LU-6.7, Implementation Measure # 12, and HS-2.20 (Conformity with Current ALUP) will ensure compliance with the current ALUP and that the Stockton General Plan will be amended to comply with any future update of the ALUP.

A19-8

Sincerely,

ANDREW T. CHESLEY
Executive Director

cc: Donna Kelsay, San Joaquin Regional Transit District
Stacey Mortensen, San Joaquin Regional Rail Commission
Kome Ajise, Caltrans District 10
Mayor Ed Chavez, City of Stockton
Councilman John Harris, City of Manteca
Gordon Palmer, City of Stockton
Jim Giottonini, City of Stockton

A20

FREDRICK A. WENTWORTH
County Superintendent

# SAN JOAQUIN COUNTY OFFICE OF EDUCATION

January 26, 2007

City of Stockton
Community Development Department
345 North El Dorado Street
Stockton CA 95202

Attn: Mr. David Stagnaro, AICP
Senior Planner

**RE: Stockton General Plan 2035 and EIR 4-05**

A20-1

The San Joaquin County Office of Education submits the following comments on the aforementioned project.

**High Schools**

A20-2

On Draft EIR page 9-80 the projected # of additional 9-12 students results in a need for 8.6 new high schools at 2,000 students/school. It appears that there are only three future high schools denoted by symbols in Figure ES-2. High Schools are a significant and major land use, that necessitate designation at the general plan level to assure adequate infrastructure and compatible juxtaposition of land uses. At the very least, there should be sufficient symbolization on the map to minimize future "surprises" when a school district is seeking 45 to 65 acres for a high school within a village.

**Development Fees – Impact Mitigation**

A20-3

Government Code section 65995 does proscribe the maximum fees that can be levied for school facilities and prohibits denial of development approval on the basis of inadequate school facilities (re: Draft EIR pages 9-80 to 82); however, the impact of new development on school facilities is not fully mitigated by these development fees. Therefore, meeting statutorily limited mitigation does NOT reduce the Level of Significance After Mitigation to "Less-than-Significant" for Impact PFS -21 as it relates to school facilities. Simply put, the impact does not go away or lessen; it is just that under current statute the City is prohibited from fixing it. The EIR should reflect that the impact is only partially mitigated and may be potentially significant.

Gaylord A. Nelson Education Center • 2901 Arch-Airport Road
Post Office Box 213030 • Stockton, California 95213-9030
Telephone (209) 468-4800

**Background Report**

A20-4

**9-129 – Table 9-19**
Add Benjamin Holt Preparatory (Charter School) 3295 East Morada Lane

**9-134**
Lodi's Northwest Stockton Elementary School is completed and called George Lincoln Mosher, 3220 Buddy Holly Drive. High School #4 is completed and called Ronald E. McNair High School, 9550 Ronald E. McNair Way. LUSD has completed the revision to their school facilities master plan.

**9-135**
The San Joaquin County Office of Education does operate programs and schools serving students at various locations in the Stockton area.

Venture Academy (Charter School), 2829 Transworld Drive
Redwood School (Special Education), 3555 Wilmarth Road
Workstart YES/YouthBuild San Joaquin, 2707 Transworld Drive
Career Academy of Cosmetology, 8807 Thornton Road
one.Peterson and one.Camp, 535 W. Matthews
one.Achievement, 4509 Pacific Avenue
one.Biddick, 7001 W. Mary Graham Lane
one.Discover, 807 Shamrock Drive
one.Eclipse, 2200 North El Dorado
one.Ethics, 2701 E. Hammer Lane, #102 and 117
one.Explorer, 621 E. Market
one.Expressions, 1111 E. Bianchi
one.Field of Dreams and one.Kadap, 3100 Mt. Diablo
one.Odyssey, 1031 No. El Dorado
one.Pride, 4662 Precessi #200
one.TLC, 545 West Sonora
one.Acacia, 20 E. Acacia
one.Bridge, 401 South El Dorado, #A
one.Choice, 2520 Pock Lane
one.Excel, 1414 W. Park Street
one.Merit, 2707 Transworld #B
one.Orientation, 1325 No. Center Street
one.Insight-Success, 702 Yale
one.Renaissance, 620 No. Aurora
one.S.P.Y.S., 31 East Channel Street

In addition to the sites listed, there are programs at partner locations, such as Construction Technology with the Northern California Construction Trades, CalWorks, Goodwill, and other groups.

**9-136**
Apprentices Programs.
"These programs, including ROC/P programs, (~~also known as ROC/P programs~~) allow students to gain training…."

A20-5

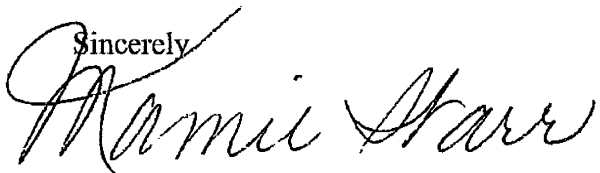
**12-5**
Additional youth Organizations/Facilities
There are a number of Little League groups serving the Stockton area. Do they all group under Western Little League? It is assumed that there are significant other groups that have not been included by name, but which could be included in an umbrella such as "soccer groups."

**12-13**
Education.
The Stockton Study Area is served by not only the six listed school districts and private schools and charter schools, but also by the San Joaquin County Office of Education.

Thank you for the opportunity to comment on this momentous project. If you have any questions, or need additional information regarding school facilities or programs. Please do not hesitate to contact me.

A20-6

Sincerely,



Mary ~~Joan~~ (Mamie) Starr
Director, Operations and Support Services

Cc: Stockton USD (Steve Breakfield), Lodi USD (Art Hand), Manteca Unified (Sandy Dwyer), Lincoln Unified (Superintendent Lowder), Linden Unified (Superintendent Estes), Escalon Unified (David Yashihara)

THOMAS R. FLINN
DIRECTOR

THOMAS M. GAU
CHIEF DEPUTY DIRECTOR

MANUEL SOLORIO
DEPUTY DIRECTOR

STEVEN WINKLER
DEPUTY DIRECTOR

ROGER JANES
BUSINESS ADMINISTRATOR

Public Works
San Joaquin County
Working for YOU

P. O. BOX 1810 - 1810 E. HAZELTON AVENUE
STOCKTON, CALIFORNIA 95201
(209) 468-3000 FAX (209) 468-2999
www.sjgov.org/pubworks

Hand Carried

January 29, 2007

RECEIVED
JAN 29 2007
CITY OF STOCKTON
PERMIT CENTER/PLANNING DIVISION

Mr. David Stagnaro
City of Stockton
Community Development Department
345 North El Dorado Street
Stockton, California 95202

SUBJECT: STOCKTON 2035 GENERAL PLAN UPDATE
DRAFT ENVIRONMENTAL IMPACT REPORT

Dear Mr. Stagnaro:

The San Joaquin County Department of Public Works has reviewed the above mentioned document and has the following comments:

From Community Infrastructure: A21-1

1) The City of Stockton shall ensure that storm, water, and sewer capacities are available to County unincorporated areas and all County Service Areas and Maintenance Districts located within and/or adjacent to the City's General Plan Area should they need to annex to the City in the future.

From Transportation Planning:

2) Pages 8-8, 8-9: Level of Service F is listed as acceptable for County segments on Benjamin Holt Drive and Swain Road. However, the County does not plan to adopt LOS F as an acceptable level even within the City Sphere of Influence. A21-2

3) Figure 8-9: LOS exception areas on Benjamin Holt Drive appear shorter than is discussed on page 8-8, which describes the limits as from Plymouth Road to Gettysburg Place. A21-3

4) Figure 8-2 in the DEIR and Figure 8-1b in Goals and Policies appear to be inconsistent. Both show the Preliminary 2035 Transit System, however the *BRT Type 1 Route* and *Major Local/Feeder Service Route* on and around Gateway and Eight Mile are switched. A21-4

5) Table 8-7: Intersection and road segment improvements should be the responsibility of the City, as all are in the City's Urban Service Area and Sphere of Influence and are needed to support planned City development. A21-5

Thank you for the opportunity to comment. Should you have any questions or need additional information, please contact me at avallejo@sjgov.org or 468-8494. A21-6

Sincerely,

ANDREA VALLEJO
Associate Planner

AV:mk
TP-7A088-M1

c: David M. Castagna, Management Analyst III
Michael C. Selling, Senior Civil Engineer
Adam Brucker, Senior Transportation Planner
Charles F. Kelley, Senior Civil Engineer
Dwayne B. Sabiniano, Engineering Assistant II

# BUILDING INDUSTRY ASSOCIATION OF THE DELTA

**BOARD OF DIRECTORS**

**John Looper**, President
Matthews Homes

**Dudley McGee**, Vice President
Kimball Hill Homes

**Mahesh Ranchhod**, Sec./Treasurer
American-USA Homes

**Ken Brown**, Imm. Past President
Kencor Development

**Debbie Armstrong**
Old Republic Title Company

**Matt Arnaiz**
H.D. Arnaiz Corporation

**Rod Attebery**
Neumiller & Beardslee

**Debi Barnett**
First American Title Company

**Dennis Bennett**
Bennett Development

**Gary Brock**
G & L Brock Construction

**Christney Callas**
Old Republic Title Company

**Rey Chavez**
Kelly-Moore Paint Company

**Bill Filios**
AKF Development, LLC

**Ryan Gerding**
Pulte Homes

**George Gibson**
FCB Homes

**Steve Herum**
Herum Crabtree Brown

**Dan Keyser**
The Grupe Company

**Wayne LeBaron**
LeBaron Ranches

**Terry Miles**
Teichert Construction

**Steve Moore**
Bennett Development

**Zandra Morris**
Old Republic Title Company

**Steve Nilssen**
Summit Funding

**Carol Ornelas**
Visionary Home Builders, Inc.

**Jim Panagopoulos**
A.G. Spanos Companies

**Jeff Ratto**
Fairway Land

**Toni Raymus**
Raymus Homes, Inc.

**Kevin A. Sharrar**
Executive Director

January 29, 2007

O1

HAND DELIVERED
RECEIVED
CITY OF STOCKTON

JAN 29 2007

PERMIT CENTER
PLANNING DIVISION

David Stagnaro, AICP
City of Stockton
c/o Community Development Dept.
345 North El Dorado Street
Stockton, Ca. 95202

**RE: City of Stockton General Plan 2035 DRAFT Environmental Impact Report**

Dear Mr. Stagnaro,

Upon review of the Stockton General Plan DRAFT E.I.R., we offer the following comments:

- Mitigation Measure "PFS – 1.9" is highly problematic to expanding housing within the City of Stockton. Moreover, the potential for unnecessary delays is almost certain. O1-1

- Mitigation Measure "PFS – 2.2" is a good example of one that lacks adequate detail. Specifically, what is the standard and criteria for the new development requirement that non-potable water be used for irrigation of large landscape areas? O1-2

- "Implementation Measure #21" would require that new development be levied with a Fee – which would actually would be a Tax - to pay for a plethora of expenses, including fire and police services. The option of increasing the Sales Tax (ala Measure W) should be utilized instead. O1-3

- Many "New Policies" – that is, compared to the documents discussed during the roughly eighteen (18) Planning Commission Workshops – are pervasive throughout the DRAFT EIR (and related documents). O1-4

- In fact, where these "New Policies" brought forward to, and discussed by, the Planning Commission PRIOR to being included in the DRAFT EIR?

Lastly, we believe that our review of the *"Goals & Policies Report"* – with its many "New Policies" - will yield a number of comments that may impact the EIR. Thank you, in advance, for thoughtful consideration of our comments and please feel free to contact me for any questions. O1-5

Sincerely,

Kevin A. Sharrar
Executive Director

**509 WEST WEBER AVENUE, SUITE 410**
**STOCKTON, CALIFORNIA 95203-3167**
**(209) 235-7831 PH**
**(209) 235-7837 FX**

Pacific Gas and Electric Company

Carol Ackerson
Land Agent

Land Services
P.O. Box 930
Stockton, Ca. 95201

Office: (209) 942-1784
Fax: (209) 942-1485
E-mail: cxak@pge.com

RECEIVED
CITY OF STOCKTON

JAN 29 2007

PERMIT CENTER
PLANNING DIVISION

January 29, 2007

David Stagnaro, AICP
City of Stockton
Community Development Department
Planning Division
345 North El Dorado Street
Stockton, CA 95202

RE: DEIR for the Stockton 2035 General Plan Update (EIR4-05)

Dear Mr. Stagnaro,

Thank you for the opportunity to comment on this Draft Environmental Impact Report (DEIR) for the Stockton 2035 General Plan Update and Infrastructure Master Plans Project. Pacific Gas and Electric Company has the following comments to offer: O2-1

As the City of Stockton expands, new electric and gas facilities will be required. It is important that the City and PG&E partner in the planning of these new facilities to meet the future needs of the public. For example, as the City expands towards the north, PG&E will need a new electric substation site located north of Eight Mile Road and between Lower Sacramento and Davis Roads in order to meet the needs of the proposed new developments. In addition, we request to be included in discussions of any new bridge structures and road widening projects as early as possible to ensure that the design of these projects take into account any needs that may be required by the utilities. O2-2

There are many energy efficiency goals throughout this document. PG&E remains committed to assisting our communities to achieve these goals. We offer our assistance in developing training sessions and presenting ideas that will assist the City in meeting those goals.

Comments pertaining to the Goals and Policies Matrix Summary of Changes:

Page 18, DV-4.X: Use of Eminent Domain - Pacific Gas and Electric endorses this policy and recommends that it be expanded beyond Opportunity Sites. It might help to define "last resort" to possibly include: eminent domain shall not be used to take over the property of an ongoing business in order to have the public operate that business.

Page 31, TC-2.1: Alternative Transportation Strategies in Project Design - PG&E supports the City's plans to participate in the air credit exchange program. PG&E recognizes that climate change is real and that the need for action is now. O2-3

Page 34, TC-3.6 (now 2.6): Priority for street and highway improvements – PG&E suggests that beautification, including undergrounding of facilities, be added as a reason to give a project priority.

Page 45, Gas and Electric Introduction (page 300 Section 9.6 of GP) - Pacific Gas and Electric Company provides electricity to customers within the current and future City of Stockton sphere of influence (Study Area). The power is delivered from PG&E owned transmission and distribution facilities which serve northern and central California customers.

Page 48, HS-1.4: Promote Hazard Awareness - PG&E would be available to offer training concerning hazards associated with gas and electric operations.

Page 49, HS-1.5: Coordinate Disaster Planning Activities – PG&E supports the City's Disaster Preparedness and Planning and looks forward to being part of those efforts.

Page 51, HS-4.20: Support Statewide Global Warming Solutions – PG&E is proud to support AB32, the Governor's Global Warming Solutions Act. Our support of AB 32 stems from a firm commitment to environmental leadership. It is clear that none of our climate change goals would be achievable without partnerships with local business and governments, and a commitment by California's citizens to make a difference. We recognize the importance of meaningful partnerships and we want you to know you have a working partner in PG&E.

O2-3 cont.

Page 56, NCR 8-8.4 Energy Efficiency programs – PG&E wholeheartedly agrees with the City of Stockton's goal to reduce energy consumption and reliance upon non-renewable energy sources. As the City of Stockton's energy provider, PG&E commits to assisting the City in meeting its energy efficient goals. In keeping with California's Energy Action Plan, before PG&E builds or purchases new power supplies for customers, we give first priority to maximizing the benefits of cost effective energy efficiency and demand reduction programs. Energy efficiency is the lowest-cost way to meet customers' energy needs.

Using energy more efficiently is the fastest, most cost-effective way to reduce greenhouse gas emissions and PG&E is a national leader in helping our customers and communities do just that, while saving them money at the same time. In 1976, PG&E became one of the first utilities in the nation to offer energy efficiency and demand-management programs for customers. Today, PG&E programs have grown to include a full suite of energy efficiency products and services, including rebates and incentives for energy-saving appliances and measures, assistance with building design, technical training, home weatherization for low-income customers, and much more.

PG&E is investing in customer energy efficiency and demand response programs. PG&E also has one of the cleanest electric generating operations in the industry. With significant hydroelectric and nuclear resources, the CO2 emissions rate for PG&E's electric generating operations is now among the lowest of any utility in the country. PG&E is committed to meeting California's requirement that 20 percent of electric sales come from qualifying renewable energy resources which emit no or minimal greenhouse gas emissions, by 2010.

Over the past 30 years, PG&E's customer energy efficiency programs have achieved significant cumulative lifecycle energy savings— preventing approximately 61 million tons of carbon dioxide (CO2) from entering the atmosphere, the equivalent of taking more than 8.6 million cars off the road for one year.

**Local Government Programs – Energy Watch**
PG&E & the Local Government Partnership (LGP) throughout the service area help Californian's lower their energy bills and enjoy a cleaner environment. Twenty-one partnerships within 27 counties have joined forces in California to extend the reach and effectiveness of energy efficiency programs. These provide information about demand response programs, renewable energy, and self-generation opportunities. Each LGP develops its own outreach plan based on the unique needs of the local area. Participating governments and associations can receive specialized energy efficiency offerings in their local communities and are responsible for informing their communities.

Specifically, PG&E is partnering with the City of Stockton via the Stockton Energy Watch Program to target small businesses within the area to encourage energy efficiency. Working with the City & PG&E, small business can receive free installed energy efficient items including lighting and other incentives to help encourage energy efficiency. In addition, PG&E will work with the City to reduce energy usage within their own cities facilities and in applying for future funding should it become allocated by the CPUC.

O2-3
cont

So far in this 3 year program we have saved residential customers more then 1,214,302 kWh of electricity and 7,630 Therms of Natural Gas. For Commercial customers we have performed energy reviews on over 450 local business and installed energy efficient equipment that has saved 4,136,128 kWh of electricity and 94,023 Therms of Natural Gas.

We have also extended these Energy Reviews to City owned facilities; police stations, city hall, civic auditorium, and local libraries saving local taxpayers on energy costs for 1,097,170 kWh of electricity, and 53,607 Therms of Natural Gas - this allows for money savings that can be utilized for important community services such as police and fire protection.

PG&E is committed to providing an additional 3 year plan that will target local non-profits, small businesses and even more city facilities with energy savings measures - allowing for a total savings of over 14 million kWh of electricity locally.

In addition local Stockton businesses have flexed their environmental leadership muscles by participating in PG&E's Self-Generation Incentive Program, which provides rebates to clean and renewable on-site distributed generation projects which offset energy usage at facilities. Through this program, we are in the process of working with or have completed 12 projects locally in which the total rebates provided by PG&E exceed $6 million.

PG&E is more focused than ever before on helping our customers and communities to achieve our common environmental goals.

**Economic Development**

For economic development, PG&E staff works with the City of Stockton and the San Joaquin Partnership to attract companies to the City of Stockton. PG&E encourages businesses to build energy efficient facilities. Through PG&E's "Non Residential New Construction program, PG&E will assist those companies with designing energy efficiency into their buildings. In addition, PG&E provides financial assistance for those companies who implement energy efficiency.

In addition, PG&E offers:

- Energy Surveys (Audits) -- On-site, phone, or on-line surveys help customers learn how their businesses use energy. For larger customers PG&E also offers an on-site Integrated Energy Audit, which identifies opportunities in demand response and self-generation as well as energy efficiency.
- Rebates for Energy-Efficient Technologies – Energy Efficiency Rebates pay customer's cash back when they buy and install energy-efficient equipment such as building envelope improvements, efficient motors and pumps, and improved lighting.
- Incentives for Customized Energy Efficiency Projects – Standard incentive rates and design assistance are available for customers and/or their project sponsors who complete customized energy efficiency projects. Total incentive payments, through the standard performance contracts, are based on actual reductions in energy usage.
- Incentives for Energy-Efficient New Construction – Cash incentives, design assistance, and education are offered to support the design and construction of energy-efficient new facilities and process system projects.
- Energy Design Resources – Educates and informs architects, engineers, lighting designers, and developers about techniques and technologies that contribute to energy-efficient new construction design. Visit *www.energydesignresources.com* for more information.
- Education and Training on Energy Efficiency – PG&E provides energy efficiency technical expertise, information, tools and educational services:

O2-3 cont

**Solar & Renewable Projects**

After optimizing gains from energy efficiency, PG&E focus on adding renewable resources. PG&E is aggressively increasing its supplies of renewable power, with new contracts for wind, solar and other generation. The company expects to meet California's requirement that 20 percent of electric sales come from qualifying renewable energy resources, which emit no or minimal greenhouse gas emissions, by 2010.

Working with the City of Stockton, PG&E will facilitate the deployment of clean distributed generation, including Rooftop Solar. PG&E supports the City's efforts to aggressively pursue and implement clean distributed generation technologies. An industry leader in facilitating distributed solar generation, PG&E has connected more customer owned solar installations to the electric grid than any utility in the country, including 51 percent of all solar facilities installed nationally in 2004. PG&E is also working with customers and communities, through our Solar Schools Program, Solar Habitat Program and Self-Generation Incentive Program, to "right size" these facilities to optimize their impact and value.

PG&E's Self-Generation Incentive Program provides financial incentives to customers who install certain kinds and sizes, up to 5 megawatts, of "clean" on-site distributed generation. These facilities must be certified to operate in parallel with the electric system grid (not back-up generation) and meet other criteria established by the California Public Utilities Commission. The program is designed primarily for business and large institutional customers. Program participants are eligible to receive incentives for installing self-generation technologies based on system size, fuel source and projected cost.

O2-3 cont

**Alternative Fuel Vehicles**

Pacific Gas and Electric Company is a national leader in clean air transportation maintaining the fourth largest alternative-fuel truck fleet in the nation. Since 1990, Pacific Gas and Electric Company's (PG&E) Clean Air Transportation Program (CAT) has concentrated on natural gas and electric drive technologies (electric and hybrid vehicles), while also exploring options to bridge these technologies to a hydrogen future.

PG&E is dedicated to leading the search for innovative solutions for their fleet and customers with clean-air transportation technologies. PG&E provides education services for customers on the safe, efficient use of natural gas and electric drive technologies along with emissions and economic analysis incentives. PG&E will continue to work with the City of Stockton to implement alternative fueled vehicles into their fleet.

Continued development consistent with City of Stockton's General Plans will have a cumulative impact on PG&E's gas and electric systems and may require on-site and off-site additions and improvements to the facilities which supply these services. Because utility facilities are operated as an integrated system, the presence of an existing gas or electric transmission or distribution facility does not necessarily mean the facility has capacity to connect new loads. In order to maintain safe, reliable service, the City of Stockton should strive to avoid duplication of electric and gas facilities.

O2-4

It is recommended that environmental documents for proposed development projects and City Capital Improvement projects include adequate evaluation of cumulative impacts of utility systems, the utility facilities necessary to serve those developments and any potential environmental issues associated with extending or relocating utility services. This will assure the project's compliance with CEQA and reduce potential delays to the project schedule.

The California Constitution vests in the California Public Utilities Commission (CPUC) exclusive power and sole authority with respect to the regulation of privately owned or investor owned public utilities such as PG&E. This exclusive power extends to all aspects of the location, design, construction, maintenance and operation of public utility facilities. Nevertheless, the CPUC has provisions for regulated utilities to work closely with local governments and give due consideration to their concerns. PG&E must balance our commitment to provide due consideration to local concerns with our obligation to provide the public with a safe, reliable, cost-effective energy supply in compliance with the rules and tariffs of the CPUC.

O2-5

Again, thank you for the opportunity to make comments on this preparation of the Draft Environmental Impact Report (DEIR) for the Stockton 2035 General Plan Update and Infrastructure Master Plans Project. It has been an honor to serve the City of Stockton for over 100 years with gas and electricity and we look forward to helping you meet your energy needs in the next 100 years. We look forward to our continued partnership. If you have any questions, please contact me at (209) 942-1784.

O2-5
cont

Sincerely,

Carol Ackerson
Land Agent

SAN JOAQUIN FARM BUREAU FEDERATION
MEETING TODAY'S CHALLENGES / PLANNING FOR TOMORROW

O3

January 10, 2007

Mr. Steve Escobar, Senior Planner
City of Stockton Community Development Department
345 N. El Dorado St.
Stockton, CA 95202

Dear Mr. Escobar,

The San Joaquin Farm Bureau Federation appreciates the opportunity to comment on the Draft EIR for the City of Stockton 2035 General Plan Update. Agriculture is a $1.75 Billion industry in San Joaquin County. Many agricultural operations including farms, production facilities, equipment dealers and the Port of Stockton lie within the current and proposed General Plan areas of the City of Stockton. Our comments today are preliminary and general in nature. We will provide additional, more specific comments in writing by January 29, 2007. O3-1

Farm Bureau does not oppose managed, contiguous growth. We do oppose growth that is considered unnecessary and that is deemed to be "leap-frog" – non-contiguous. It is imperative that cities maximize their abilities to infill their current spheres of influence prior to the annexation of other areas. We do support, when appropriate, the creation of general plan goals, objectives and policies that support and encourage continuation or initiation of agricultural uses and opportunities in urban or transitional areas. O3-2

As an organization, we believe that urban development should not be allowed to exceed infrastructure capacity, including water supply availability, wastewater disposal or drainage capacity. Urban development should not be allowed to result in the degradation of air quality, or groundwater or surface water quality. People affected by a current or proposed sphere of influence need to be given every effort to participate in the governmental processes, which may affect their property rights.

Much as counties are encouraged to do, major cities should be encouraged to adopt agricultural elements in their general plans. Agricultural elements should not be used as a tool for the preservation of open space unless the local agricultural community supports it. In Stockton, we are diligently working on the Ag Mitigation Ordinance. This document should mirror the Ordinance chaptered by San Joaquin County in which every acre of agricultural land removed for development is secured by an acre that will remain in agriculture in perpetuity. Fee-based options only streamline development. Non-farm related developments should not be deemed compatible in agricultural zones if the proposed use significantly compromises the productive capability of the parcel or the agricultural zone; displaces or impairs agricultural operations in the area; or indices non-agricultural growth or intensifies pressure for conversion of other lands from agriculture. O3-3

Local water agencies should be required to demonstrate that there is a sufficient, sustainable water supply that does not compete with agricultural water sources for a proposed urban development prior to its approval by the planning agency. The use of agricultural "credits" to justify water availability is questionable, at best. Firm supply is necessary. O3-4



P.O. BOX 8444 • 3290 NORTH AD ART ROAD • (209) 931-4931 • STOCKTON, CALIFORNIA 95208

We support the concept of urban phasing boundaries and limit lines, but there are prominent provisions that must accompany them. Water rights must be preserved in full, landowners must be compensated for any resulting property devaluation, farmers must be able to utilize the newest technology for farming purposes, loss of viability must be mitigated for operators adjacent to these lines, they are time specific and they must be serviceable by existing critical infrastructure. O3-5

Infrastructure financing assessments on agricultural land should be in direct proportion to the benefit accrued to the agricultural use of the land. Assessments on agricultural land should not subsidize development. Agriculture is in business for the long-term. The land is our greatest resource and we need to have the ability to continue to operate in an increasingly difficult global market. We look forward to a continued strong relationship with the City of Stockton. O3-6

Sincerely,

Tom Orvis
Program Director
San Joaquin Farm Bureau Federation

SAN JOAQUIN FARM BUREAU FEDERATION
*MEETING TODAY'S CHALLENGES / PLANNING FOR TOMORROW*

O4

January 29, 2007

Mr. Steve Escobar, Senior Planner
Community Development Department, Planning Division
City of Stockton
345 N. El Dorado Street
Stockton, CA 95202

**Sent via facsimile to (209) 937-8893**

**RE: City of Stockton DEIR for Stockton 2035 General Plan Update (EIR4-05)**

Dear Mr. Escobar,

On behalf of the members of the San Joaquin Farm Bureau Federation, we would like to submit the following comments to the City of Stockton Draft Environmental Impact Report for the Stockton 2035 General Plan Update and Infrastructure Master Plans Project (EIR4-05). O4-1

- The City of Stockton's Draft Environmental Impact Report ("DEIR") fails to consider fully and adequately the significant and cumulative environmental impacts, and failed to perform a legally adequate mitigation plan, under the California Environmental Quality Act of 1976 ("CEQA"). Cal. Public Resources Code §§21000, *et seq.* CEQA's Guidelines require legally sufficient consideration of direct effects to the physical environment and their significance. Code of Regs., Tit. 14, Ch. 3, §§ 15064 and 15126.2. Agricultural resources, *i.e.*, land and water, are a part of the physical environment and these physical aspects can be directly affected by environmental, economic and social factors. Thus, significant impacts upon agricultural resources must be considered under CEQA. Code of Regs., Tit. 14, Ch.3, Appx. G, Sec. I and § 15382. O4-2

- The City of Stockton's DEIR fails to consider fully and adequately the potentially significant direct, indirect and cumulative environmental impacts, failed to perform an adequate alternatives analysis, and failed to evaluate adequate mitigation or prepare a legally adequate mitigation plan under CEQA. The City has also failed to adopt a feasible alternative and mitigation that would avoid or substantially lessen potentially significant impacts on agricultural resources and related land use provisions. CEQA is concerned with the preservation of the state's agricultural resources. O4-3

- Agricultural land and water are fiber and food-producing environmental resources distinguishable from open space land, wildlife habitat, and other environmental resources with a real property component. Farmland requires certain site-specific characteristics that are essential to production, such as a minimum soil quality and water supply (characteristics widely recognized under state and federal law) that cannot be replaced by substituting other open space land. Farmland constitutes a unique and finite environmental resource. O4-4

- Cumulative impacts must be sufficiently considered under CEQA. Code of Regs., Tit. 14, Ch. 3, §§ 15130 and 15355. During the past decade, in particular, there have been massive public and private expenditures and redirection of agricultural land and water resources to enhance waterfowl and fish, especially anadromous fish. The City failed to consider the numerous state, federal and private projects currently underway or funded for future completion that would cause or are causing significant effects on agricultural resources, including farmland purchases previously funded by a variety of state and local programs, non-governmental organizations and development projects. O4-5

- Urban, commercial and industrial growth-inducing impacts must be considered under CEQA. Guidelines, App. G, § XII (a). The Proposed Alternative's proposed agricultural land and water conversions will harm the infrastructure necessary to maintain other agricultural resources and agricultural production and promote its permanent conversion to other uses. When viewed cumulatively, in light of urban, commercial, and industrial growth-inducing impacts, this proposed alternative will accelerate the pressures that would cause other farms and ranches to be converted out of production agriculture. When agriculture's infrastructure is diminished or weakened, maintaining stable production becomes impossible and agricultural parcels become even more vulnerable to development pressure, as processing plants and agricultural equipment and input dealers and related services go out of business. O4-6

- CEQA requires the adoption of legally sufficient findings when approving a project with significant environmental effects, and a statement of overriding considerations to describe and evaluate reasonable mitigation measures that could eliminate or substantially lessen the conversions of land from agricultural to other uses. Cal. Code of Regulations, Title 14, Ch. 3, §§ 15091 and 15093. The findings and statement included in the DEIR are legally insufficient in that they fail to make meaningful evaluation of specific proposals offered by the San Joaquin Farm Bureau Federation and others to avoid or minimize impacts to agriculture generally and to the many private land owners who would be directly affected by the proposed actions. O4-7

- The City has an obligation under CEQA to resolve the Project's inconsistencies with the both San Joaquin County's and the City's General Plan and zoning classifications. A proper analysis must be done to conform to the County's General Plan. San Joaquin County, in 2000 while reviewing its General Plan stated, "[a] decision to institute a program to preserve agricultural land could be San Joaquin County's most significant decision of this new century." P. 13-47-48 (internal quotations omitted). The City of Stockton has adopted a Right-to-Farm ordinance and must maintain strict adherence to the provisions within the ordinance. (Section 16-013.1 of the City's Municipal Code). P. 13-48. Further, the County has an obligation under the Planning and Zoning Law to ensure its General Plan provides a comprehensive, long-term general plan for the physical development of the area. Gov. Code § 65300. The Planning and Zoning Law requires a general plan to set forth a municipality's development policies and objectives, and include specific elements among which is land use. Gov. Code § 65302(a). Under this law, a zoning ordinance that is inconsistent with the general plan in invalid when passed and one that was originally consistent but has become inconsistent must be brought into conformity with the general plan. *Id.* at § 65860. O4-8

- An adequate, enforceable mitigation plan is required under CEQA. Code of Regs., Tit. 14, Ch. 3, §§ 15097, 15126.4 and 15370. The mitigation plan contained in the DEIR is legally insufficient and must be improved in the following ways: The City of Stockton must adopt, in full, the Agricultural Mitigation Ordinance (Ordinance 4308) as chaptered by San Joaquin County on November 21, 2006. This is imperative due to the amount of land in the study area that is classified as Farmland of Local Importance (3,190 acres); Prime Farmland (17,230 acres); Farmland of Statewide Importance (14,030 acres) and Unique Farmland (1,260 acres). These cumulative acres (35,710 acres) represent 43.78% of the 81,560 in the study area (NCR-9; Table 13-2, P.13-36). The City of Stockton is currently discussing a proposed Agricultural Mitigation Ordinance. The proposed Agricultural Mitigation Ordinance falls short in the protection of agricultural resources by allowing for a project proponent to minimize the acreage of the project to less than forty (40) acres and be required to only pay a fee. San Joaquin County Ordinance 4308 has a ratio-based ordinance and the only opportunity for fee-based mitigation is only in the event of a "good faith" attempt to mitigate that has failed as determined and approved by the San Joaquin County Board of Supervisors. The City of Stockton should also include the Primary Zone of the Sacramento-San Joaquin Delta within San Joaquin County as lands available for agricultural mitigation. The preservation of open space through habitat conservation is not the preservation of agriculture. We also recommend that the City of Stockton should not allow the stacking of habitat conservation easements on top of lands encumbered by an agricultural conservation easement and thus an agricultural conservation easement should not be allowed on lands previously encumbered by a habitat conservation easement. The adoption of existing the San Joaquin County Ordinance 4308 to the City of Stockton Ordinance Code would satisfy these requests. Any buffers required in a project between agriculture and development, must be mitigated by the project proponent. Agriculture is not creating the impact and therefore should not be liable for the mitigation up to and including restrictions placed on farmland for the purpose of completing normal farming practices. (NRC-11 LU-2-2)

O4-9

- Williamson Act Lands: According to the Section 13.5 of the DEIR, "nearly two-thirds of the acreage (approximately 102,570 acres) within the planning boundary is designated as 'Important Farmland', with an estimated 74,540 acres designated as 'Prime Farmland' according to the California Department of Conservation's Farmland Mapping and Monitoring Program. Additionally, approximately 933 parcels within the Study Area have a Williamson Act Contract."

Impact NCR-10 states: "The Proposed Project could conflict with existing zoning for agricultural use, or conflict with existing Williamson Act contracts." The DEIR describes these as impacts as "less-than-significant" and that "no mitigation" is required to address these impacts.

O4-10

Impacts to land protected by 933 Williamson Act contracts are significant. The Williamson Act was adopted, in part, to maintain the agricultural economy of California, to assure sufficient food supplies, to discourage the premature and unnecessary conversion of agricultural lands, to discourage discontinuous urban development patterns, and to preserve the open space and aesthetic values of agricultural lands. Under the Williamson Act, landowners can voluntarily enter into contracts with the county whereby in exchange for keeping their property committed to commercial agricultural production for a minimum of ten years, they receive lower property tax assessments – estimated between 20-75% lower each year.

This program is an agricultural protection act and not to be taken lightly as an inconvenient hindrance to development. This program helps farmers and ranchers keep their lands in farming and ranching. According to the California Department of Conservation, the State agency who administers the Williamson Act, approximately 16 million of California's 30 million acres of farm and ranch land are

protected by the Williamson Act and those farm families are allowed to continue farming because of the Williamson Act. As such, any impacts to lands protected by Williamson Act contracts are potentially significant and require mitigation. Therefore, it is imperative that the City Stockton vigorously enforces the 933 Williamson Act contracts as well as the purpose of the Williamson Act.

According to the DEIR, "it can be assumed that future development will occur on lands currently subject to a Williamson Act contract" and that "proper procedures, contained within the Williamson Act itself, will be followed as development within the study area occurs." Lands within the Study Area that are also protected by Williamson Act contracts should be at the very bottom of the list for development. The DEIR should describe the "proper procedures" specifically so the public can comment on them. The "proper procedures" include the *strict* requirements that must be completed for cancellation of a Williamson Act contract. Those strict requirements are embodied in Government Code Section 51282 and the law requires that the cancellation findings be supported by substantial evidence on the record. It is important to the integrity of the Williamson Act that *all* of those findings me made and supported. Therefore, any non-compliance would be an additional significant impact.

O4-10 continued

- In the DEIR, NCR-4.1 states: "The City shall promote the continuation of existing agricultural operations until such time that areas are needed for planned urban expansion." The DEIR is vague and ambiguous here and needs clarification in order for the public to make meaningful comment. Please define the term "needed" and to whom "needed" applies – the city, the development community, the public or any other entity. This term needs to be clarified. Additionally, there really shouldn't be any "planned urban expansion" for land with "existing agricultural operations" until all other land has been used. This is especially true for lands protected by Williamson Act Contracts.

O4-11

- In closing, the DEIR is deficient in a number of areas: (a) the DEIR fails to adequately describe and evaluate the significant impacts of the RMP Project on agricultural resources. Code of Regs., Tit. 14, Ch. 3, §§ 15064 and 15126.2, 15382, and App. G, Sec. I.; (b) the DEIR fails to adequately describe and evaluate the potential secondary impacts and cumulative impacts of conversion of agricultural land and water resources that will result by implementation of the RMP Project. Code of Regs., Tit. 14, Ch. 3, §§ 15130 and 15355.; (c) the DEIR fails to adequately describe and evaluate the potential direct and indirect impacts on adjacent and nearby landowners. Code of Regs., Tit. 14, Ch. 3, §§ 15126.2(a).; (d) the DEIR fails to adequately consider a reasonable range of alternatives. Code of Regs., Tit. 14, Ch. 3, § 15126.6(a).; (e) the City of Stockton failed to adopt a feasible alternative that would avoid or reduce potentially adverse significant impacts on agricultural resources and related land use provisions. Pub. Res. Code § 21061.1; Code of Regs., Tit. 14, Ch. 3, § 15126.6(b) and § 15364.; (f) the DEIR fails to describe and sufficiently evaluate reasonable mitigation measures that could eliminate or substantially lessen significant environmental impacts of the City of Stockton Draft Environmental Impact Report for the Stockton 2035 General Plan Update and Infrastructure Master Plans Project (EIR4-05), including the loss of farmland. Code of Regs., Tit. 14, Ch. 3, §§ 15097, 15126.4 and 15370.; (g) the City of Stockton failed to adopt mitigation measures that would eliminate or substantially lessen potentially significant environmental impacts on agricultural resources and related land use provisions. Code of Regs., Tit. 14, Ch. 3, §§ 15002(a)(3), 15021(a)(2), 15091(a)(1); (h) the DEIR fails to describe and sufficiently evaluate its inconsistency with San Joaquin County's General Plan, existing zoning classifications, and local ordinances.; and (i) the City of Stockton failed to adopt legally adequate findings as required by law in that there are clearly significant impacts to agricultural resources that are mitigable or avoidable.

O4-12

Each of these deficiencies must be corrected, and the revised document must be recirculated. The public must be afforded the opportunity to fully comment on the revised document before it is finalized. O4-12 continued

Thank you for the opportunity to comment on the City of Stockton Draft Environmental Impact Report for the Stockton 2035 General Plan Update and Infrastructure Master Plans Project (EIR4-05). We look forward to your response. O4-13

Sincerely,

Mike Robinson
President

CC: Ms. Nancy J. McDonough, General Counsel, CFBF, Legal Services Division
Ms. Brenda Washington Davis, Managing Counsel, CFBF, Natural Resources and Environmental Division
Mr. John Weech, Associate Counsel, CFBF, Legal Services Division
Ms. Ronda Azevedo Lucas, Associate Counsel, CFBF, Natural Resources and Environmental Division

Encl: Initial Mitigation letter to Steve Escobar dated July 21, 2006
San Joaquin County Ordinance 4308 dated November 21, 2006
Oral comments letter to Steve Escobar dated January 10, 2007

SAN JOAQUIN FARM BUREAU FEDERATION
*MEETING TODAY'S CHALLENGES / PLANNING FOR TOMORROW*

# FAX MESSAGE

| | | | |
|---|---|---|---|
| **TO:** | MR. STEVE ESCOBAR<br>SENIOR PLANNER<br>CITY OF STOCKTON | **FROM:** | TOM ORVIS |
| **FAX:** | (209) 937-8893 | **FAX:** | (209) 931-1433 |
| **PAGES:** | 1 OF | **DATE:** | 1/29/07 |
| **RE:** | DEIR COMMENTS – 2035 GP | | |

**STEVE –**

**PLEASE FIND OUR COMMENTS REGARDING THE DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE STOCKTON 2035 GENERAL PLAN UPDATE AND INFRASTRUCTURE MASTER PLANS PROJECT (EIR4-05).**

**IF YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CONTACT ME AT (209) 931-4931. THANK YOU FOR YOUR TIME AND CONSIDERATION.**

**SINCERELY,**

**TOM ORVIS**
**PROGRAM DIRECTOR**

3290 NORTH AD ART ROAD - STOCKTON, CA - 95215 - (209) 931-4931 - (209) 931-1433 Fax
WWW.SJFB.ORG

SAN JOAQUIN FARM BUREAU FEDERATION
*MEETING TODAY'S CHALLENGES / PLANNING FOR TOMORROW*

July 21, 2006

Mr. Steve Escobar, Senior Planner
City of Stockton, Community Development Department
425 N. El Dorado St.
Stockton, CA 95202

**Sent via FAX to (209) 937-8893**

Dear Mr. Escobar,

The San Joaquin Farm Bureau Federation has reviewed the proposed Agricultural Mitigation Ordinance. The following points are imperative to the success of an Agricultural Mitigation Ordinance in the City of Stockton and are considered **pre-eminent** by the San Joaquin Farm Bureau Federation and should be applied to the ordinance prior to its public release. It must always be remembered, that this is a program for agriculture, not development.

1. **An in-lieu program with a 2:1 mitigation ratio is the only acceptable course of action.** If an acre of land is removed for development, two acres of like soil and water conditions must be permanently protected within San Joaquin County. A fee program simply expedites the development process and, in fact, is much more costly to administer. A fee program also requires another level of government and has an administrative cost that is excessive. If a ratio is adopted, the administrative costs disappear. The developer is creating the need for mitigation so they should bear the responsibility of securing the conservation easement.
2. **The program is an easement, not a land acquisition program.** In no way, shall land be acquired and any ordinance allowing for the acquisition of land is unacceptable.
3. **If it is decided by a court of law that an easement can be extinguished, it must be mitigated at a ratio of 2:1, as stated above in point #2.** The extinguishment of an easement is not a tool for infill projects and must continue to preserve agricultural land.
4. **In no way shall eminent domain be used on lands encumbered with an agricultural easement.** Eminent Domain is a tool of necessity and should not be used where landowners have already given up specific rights.
5. **Any city ordinance should concur with or mirror the county agricultural mitigation program.** San Joaquin County is currently working on an Agricultural Mitigation Ordinance.



3290 NORTH AD ART ROAD • (209) 931-4931 • STOCKTON, CALIFORNIA 95215

We would also like to suggest the following ideas be considered for inclusion in the Ordinance.

1. Easements should be non-restrictive and not burdensome on the land being protected. We are protecting agriculture and its viability, not open space. Any future zoning changes to the land cannot be more restrictive than the zoning of the land at the time of the recording of the conservation easement.
2. The City should administer any monitoring program and the Williamson Act should be used as the model. Reporting should only consist of an annual inventory of acres in the program, their location and the amount of the easement purchase price.
3. Sliding scales have been proposed by other groups for development entities attaining certain density levels. The greater number of units per acre may be mitigated at lower rates, such as 1:1 for eight units on 1 acre. The mitigation ratio would increase if fewer units occupy an acre of land. At this time, the San Joaquin Farm Bureau Federation has not taken any action on the specific numbers, but does feel that the concept merits greater study by our organization, as well as the City of Stockton and San Joaquin County.

Thank you for the opportunity to participate in the initial process. We look forward to participating in the process as it enters the public hearing stage. We must never forget that this is an ordinance to protect the viability of agriculture, not to expedite development. The City of Stockton is an *"ALL-AMERICAN CITY."* We must look outside of the box for *"ALL-AMERICAN"* solutions.

Sincerely,

Mike Robinson
President

**ORDINANCE NO. 4308**

**AN ORDINANCE ADDING CHAPTER 9-1080 OF DIVISION 10 OF TITLE 9 OF THE ORDINANCE CODE OF SAN JOAQUIN COUNTY PERTAINING TO AGRICULTURAL MITIGATION.**

**The Board of Supervisors of the County of San Joaquin ordains as follows:**

**Section 1.** Chapter 9-1080 is hereby added to Division 10 of Title 9 of the Ordinance Code of San Joaquin County, to read as follows:

## CHAPTER 9-1080
## AGRICULTURAL MITIGATION

**Sections:**

**9-1080.1 Purpose and Intent**
**9-1080.2 Findings**
**9-1080.3 Mitigation Requirements**
**9-1080.4 Use of In-Lieu Fees**
**9-1080.5 Agricultural Mitigation Lands**
**9-1080.6 Mitigation Strategy**
**9-1080.7 Legal Instruments**
**9-1080.8 Agricultural Technical Advisory Committee**
**9-1080.9 Monitoring, Enforcing and Reporting**
**9-1080.10 Precedence**
**9-1080.11 Severability**

**Section 9-1080.1 Purpose and Intent.** The purpose of this Chapter is to implement the agricultural land conservation policies contained in the San Joaquin County General Plan related to permanently protecting agricultural land within the County. The intent of this Chapter is specified as follows:

a) **Intergovernmental Coordination.** It is the policy of San Joaquin County to work cooperatively with the cities within the County and to encourage them to adopt agricultural preservation policies and ordinances which are consistent with this ordinance in order to undertake an integrated, comprehensive Countywide approach to preservation. It is the ultimate goal of the County that all seven cities participate in or adopt an agricultural mitigation ordinance that is the same as or substantially similar to this ordinance.

b) **Habitat Mitigation Plan.** It is the intent of the Board of Supervisors that the program set forth in this Chapter shall be coordinated with the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan in order to achieve an optimal farmland protection system.

c) **Delta Protection Commission.** It is the intent of the Board of Supervisors that the program set forth in this Chapter be coordinated with efforts of the Delta Protection Commission in order to achieve an optimal farmland protection system.

**Section 9-1080.2 Findings.** The Board of Supervisors finds this Chapter is necessary for the following reasons:

a) San Joaquin County is losing farmland at a rapid rate;

b) San Joaquin County farmland is of exceptional productive quality;

c) The loss of farmland to development is irreparable and agriculture is an important component of the County's economy;

d) The loss of farmland will have a cumulatively negative impact on the economy of the County and the cities located within it;

e) The continuation of agricultural operations also preserves the landscape and environmental resources;

f) Permanent preservation of farmland is consistent with the policies of the San Joaquin County General Plan;

g) New development benefits from the preservation of farmlands that support the overall economy of the County; and

h) Using only zoning and other regulatory mechanisms has been a useful, but inadequate, approach to preserving farmland.

**Section 9-1080.3 Mitigation Requirements.**

a) **Mitigation Required.** The County shall require agricultural mitigation for any of the following actions:

1) A General Plan Amendment that changes the designation of any land from an agricultural to a non-agricultural use; and

2) A Zoning Reclassification that changes the permitted uses from agriculture to a nonagricultural use, regardless of the General Plan designation.

b) **Mix of Uses.** Mitigation shall only be required for that portion of the land that no longer will be designated as or zoned for agricultural land. This includes any portion of the land to be used for park and recreation purposes.

c) **Types of Mitigation.** Agricultural mitigation shall be satisfied by granting a farmland conservation easement or other farmland conservation mechanism as set forth in Subsection (d) to or for the benefit of a Qualifying Entity. The number of acres of agricultural mitigation land shall be at least equal to the number of acres that will be changed to a non-agricultural use [a 1:1 ratio].

d) **Direct Provision of Agricultural Mitigation Land.** The direct provision of agricultural mitigation land pursuant to Subsection (c) of this Section is subject to the following provisions:

1) The applicant shall pay an administrative fee equal to cover the costs of administering, monitoring and enforcing the farmland conservation easement or other instrument in an amount determined by the Board of Supervisors.

2) The location and characteristics of the agricultural mitigation land shall comply with the Mitigation Strategy adopted pursuant to Section 9-1080.6.

3) The Agricultural Technical Advisory Committee shall review each farmland conservation easement or other preservation instrument for consistency with the Mitigation Strategy adopted pursuant to Section 9-1080.6.

4) The farmland conservation easement or other preservation instrument shall be held by the Qualifying Entity. The County shall be a co- holder or backup beneficiary of the legal instrument. If the Qualifying Entity refuses to hold the easement or other preservation instrument, it shall be held by the County.

5) If the applicant for the General Plan Amendment or Zoning Reclassification makes application to the Board of Supervisors and demonstrates that the applicant has made a diligent effort to obtain a farmland conservation easement or other preservation instrument, and that the applicant has been unable to obtain such easement or other preservation instrument, the Board may grant the applicant the option to either obtain the easement or other instrument, or to pay the in-lieu fee set forth in Subsection (e). The applicant shall provide documentation he/she has met with the Qualifying Entity and San Joaquin Farm Bureau Federation and neither entity has been able to assist with the acquisition of the easement. Facts which the Board may consider in making a decision regarding applicant's request include, but are not limited to, the following:

(A) Multiple good faith offers to purchase an easement or other preservation instrument which offers have been declined by the seller or sellers.

(B) Good faith efforts to purchase an easement or other preservation instrument over an extended period of time where further efforts would make it unreasonable for the applicant to continue such efforts.

(C) Good faith efforts to purchase an easement or other preservation instrument, but where the high cost of such purchase makes it unreasonable for the applicant to continue such efforts.

e) **In-lieu Fees.** The payment of an in- lieu fee is subject to the following provisions:

1) The in- lieu fee shall include the costs of managing the property, including the costs of administering, monitoring and enforcing the farmland conservation easement or other instrument.

2) The fee shall be based on the cost of purchasing farmland conservation easements on land of comparable size and agricultural quality, plus the estimated cost of legal, appraisal and other costs, including staff time, to acquire and manage the farmland conservation easement or other agricultural mitigation instrument.

3) The Board of Supervisors shall approve by resolution the amount and other terms of the in- lieu fee.

4) The in-lieu fee shall be updated annually based on an inflator that takes into account the inflation of property values and should include a standard assumption for the time it takes to acquire property for agricultural mitigation. The inflator shall be calculated based on a three year running average of the most recent available data from the House Price Index (HPI) for the Stockton Metropolitan Statistical Area, as compiled by the Office of Federal Housing Enterprise Oversight. Other cost components shall be updated annually based on the Consumer Price Index (CPI).

5) Within sixty (60) days after collection by the County, in- lieu fees shall be transferred to a fund administered by the Qualifying Entity.

6) The annual report described in Section 9-1080.9(b), shall describe the effectiveness of the use of in-lieu fees as provided for under this ordinance. During the fifth year, the Agricultural Technical Advisory Committee shall include in the annual report recommendations to the Board of Supervisors regarding whether to maintain, amend, or remove the in-lieu fee requirement of the ordinance and to replace it with an in-kind only requirement.

f) **Final Approvals.** Final approval of any project subject to Subsection (a) of this Section is contingent upon the execution of the legal instrument to provide agricultural mitigation land and payment of the administrative fee, or approval and payment of an in-lieu fee. Submission of the required legal instrument or payment of the in-lieu fee shall occur at the time of Grading Permit or Building Permit issuance.

g) **Participation.** Participation in the Agricultural Mitigation Program shall be considered during the environmental review for projects pursuant to the California Environmental Quality Act.

**Section 9-1080.4 Use of In-Lieu Fees.** The in- lieu fees shall be administered by the Qualifying Entity in fulfillment of its programmatic responsibilities. These responsibilities cover, without exception, acquiring interests in land and administering, monitoring and enforcing the farmland conservation easement or other instrument designed to preserve the agricultural values of the land for farmland mitigation purposes.

The location and characteristics of the agricultural mitigation land shall comply with the provisions of Section 9-1080.5 and the Mitigation Strategy adopted pursuant to Section 9-1080.6. The in- lieu fees shall not be used for purposes inconsistent with this Section.

**Section 1080.5 Agricultural Mitigation Lands.**

a) **Allowable Uses.** Agricultural mitigation land must be shown on the County General Plan as Agriculture and zoned for agricultural uses. Agricultural mitigation land shall include the Delta. The type of agricultural related activity allowed on mitigation land will be specified in an agricultural easement or related legal instrument, as described in Section 9-1080.7.

b) **Soil Quality.** The agricultural mitigation land should be of comparable or better soil quality than the agricultural land whose use is being changed to nonagricultural use. Priority shall be given to lands with prime agricultural soils, which are located in areas of greatest potential development.

c) **Water Supply.** The agricultural mitigation land shall have an adequate water supply to support the agricultural use of the land. The water supply on the agricultural mitigation land shall be protected in the farmland conservation easement or other document evidencing the agricultural mitigation.

d) **Plan Consistency.** The use of the agricultural mitigation land shall be consistent with the County General Plan.

e) **Previous Encumbrances.** Land already effectively encumbered by a conservation easement of any nature is not eligible to qualify as agricultural mitigation land.

f) **Location.** The agricultural mitigation land shall be located in San Joaquin County and comply with the Mitigation Strategy adopted pursuant to Section 9-1080.6.

**Section 9-1080.6 Mitigation Strategy.**

a) **Initiation and Approval.** The Agricultural Technical Advisory Committee shall develop and recommend a Mitigation Strategy with approval by the Board of Supervisors occurring one (1) year after adoption of this Chapter. Thereafter, the Mitigation Strategy should be updated periodically with a formal update approved by the Board of Supervisors every five (5) years.

b) **Purpose and Contents.** The purpose of the Mitigation Strategy is to ensure that the acquisition of agricultural mitigation land, from both direct provision and in-lieu fees, achieves maximum benefits to the residents of San Joaquin County. The Mitigation Strategy may consist of any combination of policies, evaluation criteria, maps, and other useful decision-making tools. It shall be of sufficient specificity to provide adequate guidance on location and other factors to people reviewing the proposed encumbrance of agricultural mitigation land.

c) **Issues to be Considered.** The Mitigation Strategy shall consider the following issues:

1) The need to include contiguous parcels and areas large enough to preserve agricultural operations.

2) The qualities of high priority farmland and the type of activities allowed on agricultural mitigation lands.

3) Coordination with other public and private land conservation programs.

4) Other relevant factors that would result in the more effective provision of agricultural lands.

d) **Transmittal.** The Mitigation Strategy shall be transmitted immediately after approval to the Qualifying Entity for its use in acquiring and managing interests in agricultural mitigation land.

**Section 9-1080.7 Legal Instruments for Preservation of Agricultural Land.**

a) **Requirements.** The legal instrument encumbering agricultural mitigation land shall meet the following requirements:

1) It shall be executed by all owners of the agricultural mitigation land.

2) It shall be in form suitable for recordation.

3) It shall contain an accurate legal description setting forth the description of the agricultural mitigation land.

4) It shall prohibit any activity that substantially impairs or diminishes the agricultural productivity of the land, as determined by the Agricultural Technical Advisory Committee and approved by the Board of Supervisors. However, all activities or land uses currently allowed under the County's AG-40 zoning designation would be allowed on mitigation land.

5) It shall prohibit new residential and/or commercial development on agricultural mitigation land that is not directly needed for agricultural production, regardless of existing zoning.

6) It shall protect the existing water rights and retain them with the agricultural mitigation land.

b) **County Interests.** The County shall be named a co-holder or backup beneficiary under any instrument conveying the interest in the agricultural mitigation land to a Qualifying Entity.

c) **Disposition of Land.** Interests in agricultural mitigation land shall be held in trust by a Qualifying Entity and/or by the County in perpetuity. Except as provided in Subsection (d) of this Section, the Qualifying Entity or the County shall not sell, lease, or convey any interest in agricultural mitigation land it acquires. The legal instrument encumbering the agricultural mitigation land shall include the provisions of this Subsection.

d) **Change in Circumstances.** If judicial proceedings find that the public purpose described in Section 9-1080.1 of this Chapter can no longer reasonably be fulfilled as to an interest acquired, the Qualifying Entity's interest in the agricultural mitigation land, as secured by the legal instrument, may be extinguished through sale, and the proceeds shall be used to acquire interests in other agricultural mitigation land in San Joaquin County, pursuant to the provisions of this Chapter and subject to approval by the Board of Supervisors.

e) **Cessation of Qualifying Entity.** If any Qualifying Entity owning an interest in agricultural mitigation land ceases to exist, the duty to hold, administer, monitor and enforce the interest shall pass to the co-holder or backup beneficiary of the legal instrument. The County, acting as co- holder or backup beneficiary, may designate another Qualifying Entity to assume the responsibilities to hold, administer, monitor and enforce the interest.

**Section 9-1080.8 Agricultural Technical Advisory Committee.**

a) **Creation.** An Agricultural Technical Advisory Committee, as defined in Section 9-110.4, is hereby created to carry out the functions authorized by this Chapter.

b) **Powers.** The Agricultural Technical Advisory Committee shall exercise the following powers:

1) Adopt rules of procedure and bylaws governing the operation of the advisory committee and the conduct of its meetings.

2) Develop and recommend a Mitigation Strategy, consistent with Section 9-1080.6, which includes providing the Board of Supervisors with a report, within one year from the effective date of this Chapter, recommending conditions under which land with overlapping encumbrances could be considered as Agricultural Mitigation Land.

3) Develop a report for consideration by the Board of Supervisors within one year from the effective date of this Chapter concerning different agricultural mitigation ratios and definitions for the Delta and for Prime Agricultural land.

4) Consider and make recommendations to the Board of Supervisors regarding future consideration of the inclusion of land outside the County as allowable Agricultural Mitigation Land, and regarding agricultural mitigation strategies other than the hybrid in-lieu fee/in-kind land approach set forth in this Chapter.

5) Explore the concept of establishing a Mitigation Bank.

6) Assume other responsibilities as set forth in this Chapter.

c) **Composition.** The Agricultural Technical Advisory Committee shall consist of three (3) representatives appointed by the San Joaquin Farm Bureau Federation, three (3) representatives appointed by the Building Industry Association, and three (3) representatives appointed by the Board of Supervisors, in which the

appointees from the San Joaquin Farm Bureau Federation and the Building Industry Association are ratified by the Board of Supervisors and in which a supermajority vote (i.e., a two-thirds (2/3) vote of its members) is a requirement for, and a decision by, the Agricultural Technical Advisory Committee.

d) **Term.** The terms of the Agricultural Technical Advisory Committee shall be as follows:

1) Five (5) members shall be initially appointed for two-year terms. Said two-year terms shall be applicable to two (2) of the appointees of the Building Industry Association, two (2) of the appointees of the San Joaquin Farm Bureau Federation, and one (1) of the appointees of the Board of Supervisors.

2) Four (4) members shall be appointed for four-year terms. Said four-year terms shall be applicable to one (1) of the appointees of the Building Industry Association, one (1) of the appointees of the San Joaquin Farm Bureau Federation, and two (2) of the appointees of the Board of Supervisors.

e) **Staff.** The County shall provide the Agricultural Technical Advisory Committee with staff support.

**Section 9-1080.9 Monitoring, Enforcing, and Reporting.**

a) **Monitoring and Enforcing.** The Qualifying Entity shall monitor all lands and easements acquired under this Chapter and shall review and monitor the implementation of all management and maintenance plans for these lands and easement areas. It shall also enforce compliance with the terms of the conservation easements or other agricultural mitigation instruments.

b) **Reporting by Qualifying Entity.** Annually, beginning one year after the adoption of this Chapter, the Qualifying Entity shall provide to the Agricultural Technical Advisory Committee an annual report delineating the activities undertaken pursuant to the requirements of this Chapter and an assessment of these activities. The report(s) shall describe the status of all lands and easements acquired under this Chapter, including a summary of all enforcement actions.

c) **Reporting by Agricultural Technical Advisory Committee.** Annually, the Agricultural Technical Advisory Committee shall review the reports submitted to it by the Qualifying Entity as well as any other relevant material. It shall prepare an Annual Report that provides an independent assessment of the effectiveness of the agricultural mitigation program and its consistency with the Mitigation Strategy. The Report shall document the funds collected and or direct provision of mitigation lands pursuant to the provisions of this Chapter. It shall also document the size and location of the land that is to be converted to a non-agricultural use, which generated the mitigation requirements of this Chapter. The Committee shall forward the Report, along with other relevant material received, to the Board of Supervisors.

**Section 9-1080.10 Precedence.** This Chapter shall take precedence over all ordinances or parts of ordinances or resolutions or parts of resolutions with which it is in conflict.

**Section 9-1080.11 Severability.** If any section, subsection, sentence, clause or phrase of this Chapter is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code. The Board of Supervisors hereby declares that it would have passed this Chapter and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

**Section 2.** Section 9-110.4, Chapter 9-110 of Division 1 of Title 9 of the Ordinance Code of San Joaquin County is hereby amended by adding the following definitions, to read as follows:

**Agricultural Technical Advisory Committee.** "Agricultural Technical Advisory Committee" means a committee consisting of three (3) representatives appointed by the San Joaquin Farm Bureau Federation, three (3) representatives appointed by the Building Industry Association, and three (3) representatives appointed by the Board of Supervisors, in which the appointees from the San Joaquin Farm Bureau Federation and the Building Industry Association are ratified by the Board of Supervisors and in which a supermajority vote (i.e., a two-thirds (2/3) vote of its members) is a requirement for, and a decision by, the Agricultural Technical Advisory Committee.

**Agricultural Land or Farmland**. "Agricultural land" or "farmland" means those areas designated in the General Plan of, or zoned by, the County or any city for agricultural uses as of the effective date of this Chapter, unless a final approval for a non-agricultural use has been granted by the County or city. This includes land zoned by the County as Agricultural-Urban Reserve.

**Agricultural Mitigation Land**. "Agricultural mitigation land" means agricultural land encumbered by a farmland conservation easement or other farmland conservation mechanism acceptable to the County.

**Farmland Conservation Easement.** "Farmland conservation easement" means an easement over agricultural land for the purpose of restricting its use for the term set forth in the Chapter for primarily agricultural and agricultural-compatible uses.

**Qualifying Entity.** "Qualifying Entity" means a nonprofit public benefit 501(c)(3) corporation or other appropriate legal entity operating in San Joaquin County for the purpose of conserving and protecting land in agriculture, and approved for this purpose by the Board of Supervisors. The County may be designated as a Qualifying Entity.

**Section 3.** This ordinance shall take effect and be in force sixty (60) days after its adoption, and prior to the expiration of fifteen (15) days from the passage thereof, shall be published once (1) in The Record, a newspaper of general circulation which is published in the County of San Joaquin, State of California, with the names of the members of the Board of Supervisors voting for and against the same.

**PASSED AND ADOPTED** at a regular meeting of the Board of Supervisors of the County of San Joaquin, State of California, on this 21st day of November 2006, by the Board of Supervisors, to wit:

**AYES:** **Ornellas, Sieglock, Gutierrez, Marenco**

**NOES:** **Mow**

**ABSENT:** **None**

Dario L. Marenco
**DARIO L. MARENCO, CHAIRMAN**
Board of Supervisors
County of San Joaquin
State of California

**ATTEST: LOIS M. SAHYOUN**
Clerk of the Board of Supervisors
County of San Joaquin
State of California

By Caroline Junco
Deputy Clerk

SAN JOAQUIN FARM BUREAU FEDERATION
*MEETING TODAY'S CHALLENGES / PLANNING FOR TOMORROW*

January 10, 2007

Mr. Steve Escobar, Senior Planner
City of Stockton Community Development Department
345 N. El Dorado St.
Stockton, CA 95202

Dear Mr. Escobar,

The San Joaquin Farm Bureau Federation appreciates the opportunity to comment on the Draft EIR for the City of Stockton 2035 General Plan Update. Agriculture is a $1.75 Billion industry in San Joaquin County. Many agricultural operations including farms, production facilities, equipment dealers and the Port of Stockton lie within the current and proposed General Plan areas of the City of Stockton. Our comments today are preliminary and general in nature. We will provide additional, more specific comments in writing by January 29, 2007.

Farm Bureau does not oppose managed, contiguous growth. We do oppose growth that is considered unnecessary and that is deemed to be "leap-frog" – non-contiguous. It is imperative that cities maximize their abilities to infill their current spheres of influence prior to the annexation of other areas. We do support, when appropriate, the creation of general plan goals, objectives and policies that support and encourage continuation or initiation of agricultural uses and opportunities in urban or transitional areas.

As an organization, we believe that urban development should not be allowed to exceed infrastructure capacity, including water supply availability, wastewater disposal or drainage capacity. Urban development should not be allowed to result in the degradation of air quality, or groundwater or surface water quality. People affected by a current or proposed sphere of influence need to be given every effort to participate in the governmental processes, which may affect their property rights.

Much as counties are encouraged to do, major cities should be encouraged to adopt agricultural elements in their general plans. Agricultural elements should not be used as a tool for the preservation of open space unless the local agricultural community supports it. In Stockton, we are diligently working on the Ag Mitigation Ordinance. This document should mirror the Ordinance chaptered by San Joaquin County in which every acre of agricultural land removed for development is secured by an acre that will remain in agriculture in perpetuity. Fee-based options only streamline development. Non-farm related developments should not be deemed compatible in agricultural zones if the proposed use significantly compromises the productive capability of the parcel or the agricultural zone; displaces or impairs agricultural operations in the area; or indices non-agricultural growth or intensifies pressure for conversion of other lands from agriculture.

Local water agencies should be required to demonstrate that there is a sufficient, sustainable water supply that does not compete with agricultural water sources for a proposed urban development prior to its approval by the planning agency. The use of agricultural "credits" to justify water availability is questionable, at best. Firm supply is necessary.



P.O. BOX 8444 • 3290 NORTH AD ART ROAD • (209) 931-4931 • STOCKTON, CALIFORNIA 95208

We support the concept of urban phasing boundaries and limit lines, but there are prominent provisions that must accompany them. Water rights must be preserved in full, landowners must be compensated for any resulting property devaluation, farmers must be able to utilize the newest technology for farming purposes, loss of viability must be mitigated for operators adjacent to these lines, they are time specific and they must be serviceable by existing critical infrastructure.

Infrastructure financing assessments on agricultural land should be in direct proportion to the benefit accrued to the agricultural use of the land. Assessments on agricultural land should not subsidize development. Agriculture is in business for the long-term. The land is our greatest resource and we need to have the ability to continue to operate in an increasingly difficult global market. We look forward to a continued strong relationship with the City of Stockton.

Sincerely,

Tom Orvis
Program Director
San Joaquin Farm Bureau Federation

O5

SIERRA CLUB
FOUNDED 1892

MOTHER LODE CHAPTER
1414 K STREET, SUITE 500
SACRAMENTO, CA 95814
TEL. (916) 557-1100 x 108
Fax: (916) 557-9669
coordinator@sierraclub-sac.org
www.motherlode.sierraclub.org

Michael Niblock, Director
City of Stockton
Community Development Dept.
345 N. El Dorado Street
Stockton, CA 95202

29 January 2007

RE: Comments on 2035 General Plan Environmental Impact Report

Mr. Niblock:

The following are the comments from the Sierra Club regarding the Draft Environmental Impact Report (DEIR) on the City's 2035 General Plan (GP or Project). These written comments expand upon the oral testimony entered by Eric Parfrey at the January 10, 2007 public hearing.

As we have noted before, we believe the City's General Plan update program is an illegitimate process that started out very badly with a General Plan Action Team committee heavily stacked with developers and business interests in 2003, and which has gone steadily downhill over the last three and one half years. The draft plan that the City has issued incorporates all of the developers' requests for more sprawl at the fringes of the city and north of 8 Mile Road. The plan and this DEIR have consistently ignored the citizens' cries for more smart growth and less sprawl, not more of the same low density development. Instead, the City Council has already approved a Sphere of Influence for growth north of 8 Mile Road and is already processing applications for over half of the development called for in the new General Plan, before the first public hearing on the plan has even occurred. O5-1

Now, we have this deeply flawed Draft EIR.

## 1. 35 of 70 Impacts are Significant, Adverse and Unmitigable

The DEIR is a rather incredible document. I have been a planner in California for 25 years—I have written and participated in dozens of EIRs. I have never seen an EIR like this before.

By State law, EIRs are required to identify potentially significant issues, and then recommend and adopt mitigation measures to reduce the impacts to less than significant, or acceptable levels. Pub. Resources Code §§ 21002, 21002.1(b) ("Each public agency shall mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so."); *see also* CEQA Guidelines § 15126.4; *Citizens for Quality Growth v. City of Mt. Shasta* (1988) 198 Cal.App.3d 433, 440-41. Often, EIRs will identify 1 or 2 impacts that cannot be mitigated to a less than significant level, usually related to cumulative impacts such as air quality, traffic, or loss of ag land.

O5-2

In contrast, this EIR identifies 70 impacts and then concludes, incredibly, that one-half of these impacts (35 of 70) cannot be mitigated but remain significant, unavoidable and adverse.

We disagree strongly with this conclusion. Instead of recommending legitimate measures to reduce impacts, such as revising policies or changing proposed growth patterns in the draft GP, the City is throwing up its hands and saying there is nothing we can do about it.

This violates the basic principles of CEQA to reduce identified impacts of growth before development is approved. *Bozung v. Local Agency Formation Com.* (1975) 13 Cal.3d 263, 279, 282-85; *see also No Oil Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68, 79-80 (citing Pub. Res. Code § 21061). The City cannot abdicate their responsibility under CEQA to approve adequate mitigation or alternatives to the Project, and if the City proceeds by adopting statements of over-riding considerations for 35 of the 70 impacts we will challenge this illegal action in court.

## 2. CCG Alternative Plan Policies are Ignored

Campaign for Common Ground (CCG) submitted a Citizens Alternative General Plan to the City, which proposed dozens of new and revised policies that would make the draft General Plan a better plan, and would reduce some of these impacts. City staff rejected three-quarters of our policies. The DEIR fails to list and discuss the specific policies that CCG recommended to the City, or to justify with specific written findings why the policies were rejected. In the following comments we request once again that the City and the EIR consultants respond and explain why specific policies CCG proposed were not incorporated as mitigation measures in order to reduce identified impacts.

O5-3

### 3. Revised Draft EIR Must be Prepared and Circulated

In our opinion, the flaws of the DEIR are so fundamental as to render vulnerable any approval of the Stockton General Plan. Because the DEIR fails both to adequately analyze impacts and mitigation measures and to identify an acceptable range of alternatives to the proposed project, a revised draft EIR must be prepared and circulated for public review and comment. Only then can the public and the City be adequately informed about the environmental repercussions of the project and meaningfully consider alternatives and mitigation measures to address the GP's adverse environmental impacts. O5-4

### 4. The DEIR's Project Description is Inadequate

In order for an EIR to adequately evaluate the environmental ramifications of a project, it must first provide a comprehensive description of the project itself. "An accurate, stable and finite project description is the *sine qua non* of an informative and legally sufficient EIR." *San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.App.4th 713, 730 (quoting *County of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185, 193). As a result, courts have found that even if an EIR is adequate in all other respects, the use of a "truncated project concept" violates CEQA and mandates the conclusion that the lead agency did not proceed in a manner required by law. *San Joaquin Raptor*, 27 Cal.App.4th at 729-30. Furthermore, "[a]n accurate project description is necessary for an intelligent evaluation of the potential environmental effects of a proposed activity." *Id.* at 730 (citation omitted). Thus, an inaccurate or incomplete project description renders the analysis of significant environmental impacts inherently unreliable. The Project Description in the Stockton General Plan DEIR does not meet these clearly established legal standards.

For example, the General Plan contemplates a series of "villages" on the current outskirts of the City. The villages would be developed with a mix of residential (at varying densities) and commercial uses and would account for twenty-one percent of the Planning Area (or 17,500 acres of land). DEIR, page 2-11 and 2-20. Because the General Plan does not define the density and intensity of development allowed under the "Village" land use designation, it is not possible to evaluate the environmental impacts associated with development of these 17,500 acres. For example, residential densities in these villages will range from one dwelling unit per acre to 25 units per acre. *Id.*, page 2-19. O5-5

Environmental impacts relating to traffic, air quality, water quality, water supply, noise, biological and cultural resources will vary considerably depending on the density of development. Yet, the DEIR is silent as to specific development plans for these villages. Such an omission is especially egregious given the fact that several projects are currently being processed by the City.

The revised DEIR must identify the density factors the City used in calculating environmental impacts associated with development of this land. In addition, the revised

document must identify each land use project that currently has an application pending before the City, including their location, type of use, density of use, number of units or square footage, and status of environmental review. If the City chooses not to identify specific densities applicable to undeveloped properties at this time, it must evaluate the environmental impacts from the maximum densities allowed under the General Plan (i.e. 25 units per acre). O5-5 cont.

In addition, while the General Plan identifies 17,070 acres for industrial development (DEIR at 2-20), the document states that only 3,970 (incorrectly identified as 49%) acres of this land would be developed by 2035, and only analyzes that lower amount of industrial development. Since the General Plan designates these 17,000 acres as industrial, the DEIR is obligated to analyze the environmental impacts assuming that all 17,000 acres would be developed with industrial uses. The DEIR's failure to acknowledge the full magnitude of development allowed under the proposed General Plan undermines the analysis in the EIR. The revised DEIR must assume that all 17,070 acres will be developed with industrial uses and analyze the environmental impacts associated with that level of development. O5-6

**5. The DEIR Fails to Adequately Analyze and Mitigate the Environmental Impacts From Implementation of the 2035 General Plan.**

CEQA requires that an EIR be detailed, complete, and reflect a good faith effort at full disclosure. Guidelines § 15151. The document must provide sufficient analysis to inform the public about the proposed project's adverse environmental impacts and to allow decision-makers to make intelligent judgments. *Id.* To accomplish CEQA's informational purpose, "an EIR must contain facts *and* analysis, not just the agency's bare conclusions." *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 568 (*Goleta II*) (citations omitted) (emphasis added). "When the informational requirements of CEQA are not complied with, an agency has failed to proceed in 'a manner required by law' and has therefore abused its discretion." *Save Our Peninsula Committee v. Monterey County Bd. of Supervisors* (2001) 87 Cal.App.4th 99, 118. O5-7

As the California Supreme Court has repeatedly emphasized, "the chief goal of CEQA is mitigation or avoidance of environmental harm." *Laurel Heights I*, 47 Cal.3d at 403; *see Goleta II*, 52 Cal.3d at 564. CEQA requires public agencies such as the City to implement this goal through a three-step process. First, the City must accurately identify, analyze, and disclose the adverse impacts of a Project. *Stanislaus Natural Heritage Project v. County of Stanislaus* (1996) 48 Cal.App.4th 182, 196-97. Second, the City must "identify mitigation measures for each significant environmental effect." Guidelines § 15126.4(a)(1)(A). Finally, the City must actually adopt such mitigation measures, unless it is infeasible to do so. § 21002.1(b) ("Each public agency shall mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so."); *Citizens for Quality Growth v. City of Mt. Shasta* (1988) 198 Cal.App.3d 433, 440-41.

Here, the DEIR fails to accomplish these tasks. As will be discussed below, using the traffic, air quality, and other analyses as examples, the DEIR fails to: 1) provide an accurate and stable baseline from which to analyze impacts; 2) sufficiently describe the methodology and assumptions used for environmental analysis; and 3) identify mitigation measures capable of mitigating or avoiding the substantial environmental impacts that would result from implementation of the General Plan. O5-7 cont.

**6. Transportation and Circulation Analysis is Inadequate**

Stockton's proposed General Plan could not be more disingenuous. Although it attempts to convince the public and decision makers that the City is pursuing a smart growth/transit oriented approach to community planning, a quick review of the transportation section of the DEIR clearly shows that implementation the General Plan would achieve exactly the opposite effect.

Rather than examining every opportunity to address traffic gridlock by revising its land use patterns or substantially increasing opportunities for transit, Stockton's traffic will be noticeably worse in 2035 than it is today. In fact, according to the DEIR, traffic on the City's roads and freeways would come to a grinding halt on several major roads and freeways by 2035. Daily automobile trips would increase by at least 120 percent while daily vehicle miles traveled would increase by at least 130 percent. To put this in perspective, vehicle hours of delay would increase by 800 percent, every day. (See DEIR Table 8-2). Under this proposed General Plan, Stockton will not be a livable community in 2035. O5-8

To make matters worse, the DEIR does not even paint a realistic assessment of just how bad traffic will be in 2035. Indeed, the document understates the severity and extent of the traffic impacts that would result from implementation of the 2035 General Plan because it suffers from three overarching flaws.

*First*, the DEIR identifies roadway projects that are needed to meet the City's level of service standard upon implementation of the 2035 General Plan, but provides no evidence that these projects are funded and, therefore, reasonably certain to be constructed. As a case in point, the DEIR states that the Transportation Concept Report for SR 99 notes that 10 lanes will be needed through much of Stockton to meet the desired level of service ("LOS") in the year 2025 planning horizon; however due to right-of-way restrictions, the concept facility is an 8-lane freeway. DEIR at 8-26. However, a few paragraphs later, the DEIR states that a 10- lane SR 99 was one of the new major improvements added to the *existing* network to support the development anticipated with the Proposed Project. *Id.* (emphasis added). O5-9

The DEIR should be revised to include an evaluation of impacts against what will demonstrably be on the ground in the baseline year(s), and clearly document and justify

the planning assumptions. The revised document must specifically describe where the roadway projects listed on pages 8-26 and 8-27 stand in terms of financing and their likelihood of implementation. It is not acceptable to simply rely on the fact that the projects are considered imminent because they are in the City's Capital Improvement Plan ("CIP"), as the DEIR currently does. DEIR, page 8-24.

O5-9 cont.

Indeed, as the DEIR admits, the CIP is reviewed every five years in view of the City's needs, priorities, and capital budget process. *Id.*, page 8.3. Presumably some roadway projects that are currently in the CIP may be removed over the next 30 years for financing, environmental or other reasons. Therefore, if the projects listed under "Study Area and Road Network" are not funded, they should not be included in the analysis.

*Second*, traffic impacts from the proposed Project are understated because the DEIR relies on inappropriate methodology to evaluate traffic conditions. Specifically, the DEIR analyzes the Project's average daily traffic ("ADT") traffic, rather than peak hour traffic. LOS is typically measured for the heaviest travel time during a given day (i.e., a.m. or p.m. peak period or peak hour, during a weekday) because, as common sense dictates, traffic congestion happens during commute periods, not during the middle of the day. The DEIR's approach of calculating LOS based on average daily traffic rather than peak periods understates the true effect that the General Plan's level of development will have on the roadway system and therefore does not give decision makers or members of the public an accurate picture of how the City's roadway system will operate upon buildout of the Plan.

The flaws in the traffic analysis' methodology extend beyond the failure to evaluate peak period traffic congestion. The analysis focuses on roadway segments rather than intersections. Yet, it is a well understood by transportation engineers that intersections and not roadway segments are the choke points in a roadway network. While a roadway section may operate at a LOS D, intersections along that same roadway may operate at LOS E or F. Had the DEIR analyzed peak period intersection LOS, the Project's traffic impacts would certainly be more severe than those listed in Tables 8-3 and 8-7.

O5-10

The draft GP originally contained Policy TC-2.1 Level of Service Standards, which listed 12 roadway segments that would operate at LOS E or F and that couldn't be improved, so they were proposed for an exception to the general City LOS standard of LOS D. Incredibly, by the time this DEIR was issued, based on further analysis by the transportation consultant, this list of 12 deficient roadways had grown from 12 to 21!

Please clarify if the list included in Table 8-7 of the DEIR will grow any further adding more deficient roadways segments before the plan is adopted. Also, the revised DEIR should specifically address what steps will be taken, if any, to protect the immediate neighborhoods around the identified deficient roadways from gridlocked commute conditions.

*Third*, the analysis of traffic impacts looks only at 2035 and does not contain any interim analysis of traffic impacts. This critical oversight is especially egregious since several land use projects are in the pipeline and traffic from these projects would start impacting roadways within the next few years. Yet, based on this traffic analysis, the public and decision makers are left in the dark as to exactly how the Stockton roadway system (or transit system) will operate in 2015 or 2025. O5-11

Most important, what would be the trigger for the implementation of traffic mitigation measures so that road improvements do not lag behind project development? How will the City monitor traffic conditions? How will the City stay ahead of needed traffic improvements? Will the developers build improvements and then get reimbursed by future development? How will the City's traffic impact fee be implemented? What is the nexus between the impacts and the mitigation measures? These critical questions must be analyzed in the General Plan and the EIR. O5-12

Given the very long planning horizon and the fact that it is highly speculative to forecast projects over a 30 year period, the revised DEIR must evaluate traffic using the future baseline (2035) as well as at least one, but ideally two, interim baselines (e.g., 2015 and 2025). In addition, the revised DEIR should compare the Project to the existing environmental setting as well. O5-13

Despite the failure to accurately analyze the Project's traffic impacts, the DEIR comes to the conclusion that traffic impacts would be significant and unavoidable. Given the extensive amount and type of development contemplated in the General Plan, we certainly agree that traffic impacts will be significant.

Yet rather than identify feasible mitigation measures capable of avoiding or substantially reducing the severity of these impacts, it relies on the policies of the General Plan, apparently assuming these policies would somehow mitigate the Project's severe traffic impacts. This is not the case.

Of course, the DEIR provides no evidence, let alone analysis, that these policies would begin to mitigate the Project's impacts since the measures are vague, intangible and not enforceable. Moreover, there are countless feasible mitigation measures which the DEIR does not include. The revised DEIR should consider mitigation, including but not limited to, the following proposed goals, principles, policies and implementation programs: O5-14

a. Adoption of a concurrency policy. Rather than just adopt policies intended to specifically exempt the most congested roadway facilities from the City's LOS standards (as the General Plan does), the City should consider adoption of a concurrency policy. Standards for concurrency are intended to help a jurisdiction ensure that transportation facilities are adequate. The DEIR should include a specific mechanism for monitoring the status of development and roadway improvements to determine compliance with LOS standards.

For example, while Policy TC-1.7 calls for land use planning and transportation decisions to be correlated so that planned land uses are supported by the appropriate types of circulation service, levels of service, and the timing of transportation Improvements (Goals and Policies Report at 8-4), the policy contains no specificity as to how these decisions will be correlated. The revised DEIR should evaluate the feasibility of a policy that would result in the denial of land use projects that would cause the transportation level of service to drop below adopted standards, unless certain conditions are met. One such condition could be the payment of an in-lieu fee dedicated to transit. O5-14 cont.

Specifically, the revised DEIR must justify why the following CCG policy was modified by taking out the critical phrase "will be completed prior to or concurrently with development."

**TC-1.5 Improvement of Existing Roadways [New Policy]**
The City shall prioritize improvements to the roadway system, ensuring that allocation of funding for transportation, maintenance and improvement projects serving anticipated growth within community areas will be completed prior to or concurrently with development.

b. Adoption of a Transportation Management Plan (TMP) which would culminate in "Implementing Mechanisms" to ensure that the City is taking all available means to ensure the success of alternative modes of transportation. The TMP could be modeled on Portland's Central City Transportation Management Plan ("CCTMP") and would include the following components: O5-15

i) Commit to maintaining current employee vehicle miles traveled.

ii) Develop a traffic monitoring plan (e.g., at five year intervals, commencing upon adoption of the General Plan, the City shall conduct a city-wide evaluation of the ability of the arterial and freeway system to accommodate traffic.)

c. In addition, the revised DEIR must consider mitigation, including but not limited to, the following proposed transit-related goals, principles, policies and implementation programs from the CCG alternative plan. In some cases, the City staff has recommended a portion of the proposed CCG policy be adopted, but the DEIR must also clarify why the key underlined portions have not been accepted: O5-16

**TC-1.6 Demand Reduction and Capacity Expansion [New Policy]**
Strategies to reduce vehicle demand on City roadways shall be given higher priority than vehicle capacity expansion projects where they are demonstrated to achieve the same or similar outcome. The City shall plan and budget for Bus Rapid Transit and other non-auto circulation systems, and de-emphasize

conventional lane widenings as a way to address peak hour congestion within the City. The City shall ensure that all planned arterial and regional road capacity projects (including lane widenings) are justified based on environmental grounds and cost efficiency.

**TC-1.7 Ultimate Freeway Widening Assumptions [New Policy]**
For the purposes of traffic modeling, the City General Plan, including its Transportation and Land Use Elements, shall assume that the ultimate widening of the I-5 and the SR 99 freeways will be no more than eight through traffic lanes (not including auxillary lanes), since the addition of more lanes is not cost effective. The City shall encourage Caltrans not to plan, or budget, for lane widenings beyond eight lanes on either freeway corridor in the Stockton area.

8.2 Alternative Transportation Strategies

TC-2 To direct new development into the existing city (and carefully targeted expansion areas), to reduce traffic impacts related to that new development. In establishing this goal, the City recognizes and acknowledges that, for the foreseeable future, there will be limited funds available to construct additional arterial and regional road capacity, and that the addition of arterial and regional road capacity has been proven to be only a short term solution to reduce long term transportation problems. [New Goal]

O5-16 cont.

**TC-2.1 Alternative Transportation Strategies in Project Design [New Policy]**

The City shall compile and maintain a list of Alternative Transportation Strategies (Strategies). This list shall include project and community design standards and techniques that have been demonstrated to be effective in achieving any of the following objectives:

- Reducing commute distances and commute times;
- Reducing automobile use, especially single vehicle automobile trips;
- Encouraging and supporting the use of transit;
- Encouraging the use of bicycles and walking as an alternative mode of transportation;
- Investigating the City of Stockton's participation in the air credit exchange developed through the Chicago Climate Exchange (participants include: Oakland, Portland, Boulder, Berkeley, Chicago, and corporations such as IBM, Ford Motor Co., and DuPont Inc.).

The list of Strategies shall be updated and revised on an annual basis. All development projects within the unincorporated areas of the County shall, to the maximum extent possible, utilize and incorporate all applicable techniques from the list of Strategies. The incorporation of these strategies into the project shall be a condition of project approval. If the City Planning Commission or the City Council finds that a strategy on the list is not applicable to a particular project, that finding must be supported by one or more facts found in the administrative record.

**TC-2.2 Project Review by Transit Agencies [New Policy]**
When an application is filed for any development project, the City shall promptly provide the Council of Governments, San Joaquin Regional Transit District, ACE, and other transit providers, with a copy of the plans and specifications, and shall request that these agencies recommend changes or conditions that can achieve one or more of the following objectives:

- Reduce automobile use, especially single occupant vehicle automobile trips;
- Encourage and support the use of transit;
- Encouraging the use of bicycles and walking as an alternative mode of transportation.

Recommendations from the agencies shall be incorporated into the project, and shall be made conditions of project approval, unless, based upon substantial evidence, the City determines that the recommendations would be ineffective in achieving one or more of the above objectives, or that the benefits provided by imposing the requirement would be disproportionately small, compared to the cost or difficulty of implementing or carrying out the requirement. O5-16 cont.

**TC-2.3 Programs for Smart Growth/Transit-Oriented Development [New Policy]**
To facilitate development of transit oriented development projects, the City shall support and capitalize on existing and proposed "smart growth" or transit-oriented development (TOD) programs and funding , which award funds for transportation projects to local jurisdictions that approve building permits for compact housing and mixed use development near transit. When possible, the City shall also provide its own incentives, including fast track project approval, and fee waivers to encourage such "smart growth"/ TOD projects.

d. The revised DEIR should consider mitigation, including but not limited to, the following proposed goals, principles, policies and implementation programs, based on Portland's Central City Transportation Management Plan:

i) Commit to increasing Stockton's existing transit mode share for workers by twenty percent and overall transit mode share by ten percent by 2035.

ii) Commit to a detailed study which shall culminate in a series of Strategies and Implementation Actions addressing the following: O5-17

iii) Creation of a transit "fareless square" within the employment and retail core to expand the use of transit in the off-peak hours for non-commute trips.

iv) Study the feasibility of enacting an ordinance to collect an alternative transportation impact fee for transit and streetscape improvements.

v) A plan for enhancing streetscapes along transit corridors and redesigning bus stops so that they are attractive, welcoming, comfortable and user friendly.

O5-17 cont.

vi) Implementation of downtown shuttle service (with private sector financial contributions).

e. In addition, the revised DEIR must consider mitigation, including but not limited to, the following proposed transit-related goals, principles, policies and implementation programs from the CCG alternative plan:

**TC-5** To develop an efficient, coordinated, integrated, and attractive public transit system that provides access to major activity centers in the City, and to the San Francisco Bay Area and Sacramento.

**TC-5.1 Bus Rapid Transit [New Policy] ]**

The City shall vigorously support efforts to develop bus rapid transit (BRT) within and beyond Stockton as a major priority of this General Plan. The City shall plan for and provide BRT service running along key north-south routes in the following priority: Pacific Avenue; El Dorado Street; West Lane/Airport Way; Pershing Avenue. BRT service along key east-west corridors shall also be provided.

**TC-5.2 Light Rail [New Policy]**

O5-18

It appears that the creation of a light rail system is not feasible in the short- to middle-term of this General Plan, because there is not enough density in the City to support such as system. However, implementation of a BRT system would protect future right of way for a light rail, and plans for the transition of BRT corridors to light rail shall be investigated.

**TC-5.3 ~~Alternative to Auto Travel~~ Support and Plan for Bus and Rail Transit**

The City shall work cooperatively with the San Joaquin Regional Transit District, the Altamont Commuter Express, the San Joaquin Council of Governments, Bay Area Rapid Transit (BART), Caltrans, AMTRAK, and other public transit providers to provide rail and bus service at a level that offers an alternative to the automobile for both the short and long distance commuter, and provides basic transportation to work, shopping and other destinations, especially for the handicapped, elderly, youth and economically disadvantaged.

**TC-5.4 Support Heavy Rail Passenger Connections [formerly Policy TC-3.6]**

The City shall support the SJRTD Regional Bus Service, Altamont Commuter Express and AMTRAK's San Joaquin Intercity Rail service and work with other local, regional and State agencies to explore other public transportation facilities. The City shall work with and support ACE attempts to build tracks to bypass existing bottlenecks (e.g., the Union Pacific railyards in South Stockton). As a high priority, the City shall participate in studies to determine the feasibility of additional rail connections with the Bay Area and

Sacramento, such as connections with the BART system and proposing rail between Stockton and Sacramento along the California Traction and other rail lines.

**TC-5.5 Transit-Related Public Improvements**
The City shall ensure that larger new developments along arterial and major collector streets provide transit-related public improvements (e.g., bus pullouts, bus shelters) to encourage transit use, and contribute to transit systems.

O5-18 cont.

**TC-5.6 Clustering of Land Uses in Transit-Served Areas**
The City shall encourage clustering of land uses that generate high trip volumes in areas that are served by existing or planned transit, especially when such uses are complementary and where they can be adequately served by public transportation.

**C-7.4 Rail Freight and Passenger Service and Economic Development**
The City shall ~~encourage~~ work to resolve conflicts between railroad services for freight and passenger transport as a means to reduce automobile and truck travel on the roadway system and to support and enhance economic development.

**8.6 8 AIR TRANSPORTATION**

**TC-8.1 Aviation Services**

The City shall encourage a full range of aviation services at the Stockton Metropolitan Airport and promote airline service that meets the present and future needs of residents and the business community. In the short-term, the City shall support the continuation of airport freight service, especially tied to local agricultural imports and exports. In the longer term, passenger air service may become more feasible.

O5-19

**TC-8.X Van or Limousine Service to Airports [New Policy]**
Until adequate passenger air service is available, the City shall support regularly scheduled airport limousine or van service between Stockton, the Sacramento International Airport, and the Dublin/Pleasanton BART station, from which passengers can reach the Oakland and San Francisco airports. This service could be operated under the San Joaquin Regional Transit District or under contact to a private firm with appropriate City supervision and subsidy.

**TC-9.2 Port Access and Environmental Protection**
The City shall work to improve access to the Port while minimizing the adverse effects of Port-related traffic on surrounding neighborhoods and environmental resources such as water quality and aquatic habitats.

The General Plan should call for parking "maximums," not "minimums" and let the market take care of parking.

O5-20

f. The City should prepare a Transportation System Management ("TSM") Plan which would identify opportunities to more efficiently manage downtown Stockton's transportation system. Components of the TSM Plan shall include, but not be limited to the following:

i) Study opportunities for and implement curb extensions where there are high volumes of pedestrian/bus and auto traffic.

ii) Identify and fill in gaps in the pedestrian network.

iii) Study opportunities for and implement signal priority for transit vehicles at congested intersections.

O5-20 cont.

g. In addition, the revised DEIR must consider mitigation, including but not limited to, the following proposed Transportation Demand Management (TDM)-related goals, principles, policies and implementation programs from the CCG alternative plan:

**8.8 4 TRANSPORTATION DEMAND MANAGEMENT**

**TC-4** To minimize single-occupant vehicle demand and reduce vehicle emissions on the transportation system by encouraging use of alternative transportation modes as well as alternatives to travel. *[New Goal]*

**TC-4.1 Reduce Growth in VMT and Increase Ridesharing [New Policy]**

The City shall strive to achieve the following goals to increase roadway efficiency and reduce vehicle emissions over the duration of this General Plan:

- Reduce the projected increase in Vehicle Miles Traveled (VMT) to an annual rate that is less than the population increase.
- Increase Average Vehicle Ridership (AVR) to 1.35 by the year 2025.

O5-21

Applicable techniques to achieve these goals include, but are not limited to the following:

- Plan for housing development to be in proximity to existing and planned employment centers.
- Increase the use of alternate modes of transportation, including transit, bicycle, and pedestrian, through the creation of higher density, mixed use and walkable communities, increased transit service, development of bicycle and pedestrian trails, and other techniques.
- Utilize other demonstrated trip reduction methods.

**TC-3.1 Roadway Monitoring Program [New Policy]**

In cooperation with COG, the City shall monitor key City-maintained roadways, intersections, bikeways, and pedestrian facilities on an annual basis to observe and analyze the functioning of these roadways, as well as to identify capacity and safety issues as part of a comprehensive traffic monitoring program. Average Daily Traffic (ADT), Level of Service (LOS), Vehicle Miles Traveled (VMT), and Vehicle Hours

Traveled (VHT) shall be used to measure the effectiveness of plans and programs. Additionally, trip origin/destination studies, trends in car ownership per capita, and percentage of trips completed by mode shall be part of the monitoring program, to be submitted as an annual report to the City Council.

**TC-3.2 Performance Standards [New Policy]**

a. Average Daily Traffic (ADT) volumes representing functional capacity shall be determined for each roadway segment based on the functional classification of the road, as well as capacity analyses consistent with principles in the Highway Capacity Manual.

b. Level of Service (LOS) standards shall be used to determine acceptable levels of peak hour travel for all County roadway system segments. Level of service standards and planned improvements shall be reviewed and if appropriate, reconsidered, during the five-year General Plan review. Level of service standards must be maintained for new development and mitigation measures to retain or improve such levels of service must be implemented at the time of the construction of the first residential unit or non-residential building, using peak hour and daily traffic volumes, in a manner consistent with Policy TC-3.3.

**TC-3.3. LOS Standards for New Development [New Policy]**

O5-21 cont.

New development shall be phased per the policies of the Land Use Element to ensure adequate road capacity. The City shall require that Level of Service (LOS) D or better be maintained for both daily and peak hour conditions, with the following exceptions:

a. In the downtown area (bounded by Harding Way, the Union Pacific railroad tracks, Charter/Martin Luther King Jr. Way, Interstate 5, and Pershing Avenue), the City shall require LOS E or better. However, LOS F may be accepted after consideration of physical or environmental constraints and other City goals and policies. This policy recognizes the importance of an active and vibrant downtown to the overall health of the City, and acknowledges that economic vitality in a relatively constrained downtown area may result in greater levels of traffic congestion.

b. The LOS for roads within Infill Areas shall be LOS D, except where lower existing levels of service may be determined to be acceptable through the redevelopment and community area plan process, or where it is demonstrated that automobile trips will be reduced as a result of development of higher densities, by use of pedestrian/bicycle pathways and other techniques demonstrated to reduce trips.

**TC-3.13 Environmental Impacts of Roadway Project**

The City shall ensure that construction of new roadways and expansion of existing streets mitigates~~, to extent feasible,~~ impacts on air quality, noise, historic resources, ~~and~~ sensitive biological areas, and other resources, and is consistent with the principles and policies of this element.

**TC-3.19 VMT Reduction**

To improve air quality and reduce congestion, the City shall seek to reduce vehicle-miles-traveled per household by making efficient use of existing and planned transportation facilities; supporting policies are detailed in the City's adopted list of Alternative Transportation Strategies and Reasonably Available Control Measures. (Also see Policy 4.1 under Transportation Demand Management, below.) These measures include: O5-21 cont.

1. Promoting efficient arrangement of land uses, by planning new housing in the closest proximity to existing and future employment centers.
2. Improving public transportation and ridesharing.
3. Facilitating more direct routes for pedestrians and bicyclists and other non-polluting modes.

h. The City should implement a Bicycle and Pedestrian Plan modeled after the City of Portland. The Plan should include bicycle lanes, bicycle boulevards and off-street paths.

i. The City should look at urban design mitigation, such as: O5-22

i) Design streets to better serve walking, biking, transit, while also preserving the region's mobility needs.

ii) Design street elements such as wide sidewalks, marked crosswalks, landscape buffers, bikeways, on-street parking, street trees, pedestrian scale lighting, bus shelters, benches, and corner curb extensions.

**7. Air Quality Analysis is Inadequate**

The DEIR's analysis of the Project's air quality impacts is filled with such fundamental distortions and omissions that it subverts CEQA's core policies of public participation and agency accountability. As a case in point, although the Project would result in 5,480 tons per year of ROG (the San Joaquin Valley Air Pollution Control District's ("District") threshold of significance is 10 tons per year), the DEIR never actually discusses what exact effect this amount of air pollution would have on attainment of the region's air quality goals. In fact, the document actually implies that the General Plan would support regional air quality plans and goals. DEIR at 11-39. O5-23

Moreover, the air quality analysis itself is flawed. For example, the DEIR never identifies the methodology or assumptions behind its air emissions estimates. Instead, it merely asserts that several default land use factors in the computer model were modified. DEIR at 11-34. It is impossible to verify the accuracy of the DEIR's air quality analysis in the absence of specific information pertaining to methodology and modeling assumptions. Nor does the DEIR conduct its air quality impact analysis consistent with the District's Guide for Assessing and Mitigating Air Quality Impacts (GAMAQI). (http://www.valleyair.org/transportation/CEQA%20Rules/ %20Jan%202002%20Rev.pd) O5-24

For example, the DEIR does not analyze the Project's carbon monoxide (CO) impacts, other than noting that it would result in 21,390 tons per year of CO. Specifically, the DEIR does not contain any CO hotspot analysis even though myriad intersections in the City would operate at LOS F. Nor does the DEIR perform any screening analysis for potential toxics and hazardous materials or prepare the necessary health risk assessment. O5-24 cont.

Finally, the DEIR fails to actually analyze how 7,800 tons per year of additional $PM_{10}$, 5,480 tons per year of ROG and 1,890 tons per year of NOx would impact sensitive receptors. As the District makes extraordinarily clear: "The public deserves to understand the air quality implications of all projects approved in this air basin." GAMAQI at 41. The DEIR does not come close to fully informing the public and decision makers of the environmental (and public health) consequences of buildout of the Stockton General Plan. O5-25

In addition, the DEIR fails to analyze the Project's cumulative air quality impacts. While the DEIR asserts that the traffic model considered growth under the Proposed Project in conjunction with projected regional growth for San Joaquin County (DEIR at 15-15), we can find no evidence that such an analysis has been conducted. O5-26

Rather than grapple with the serious environmental degredation that would come with implementation of the General Plan, the DEIR identifies vague and intangible mitigation measures in a feeble attempt to convince the public and decision makers that the City would do doing everything in its power to reduce emissions. Nothing could be further from the truth. CEQA, as well as the District, requires that mitigation measures be enforceable by permit conditions, legally binding agreements, or other measures and that these measures shall be capable of being monitored and enforced. GAMAQI at 56.

Indeed, the District notes that:

> Policy will do nothing to improve air quality unless it is effectively implemented. Policies promoting land use and design measures are most effective if implemented community-wide or even at the subregional level. Issues such as allowable land use densities, mixing of land uses, street standards, parking requirements, etc. are most appropriately addressed throughout the entire community or sub-region. Implementing mechanisms such as zoning ordinances, parking standards, and design guidelines, may need to be revised to address these issues.
>
> GAMAQI at 59.

O5-27

The revised DEIR must consider the implementation of mitigation measures (both for project specific as well as cumulative air quality impacts). These include but are not limited to the following:

a. Develop and implement a plan for substantially increasing land use densities. Residential and commercial developments must be of sufficient density to support transit service and must be sufficiently compact to encourage walking and biking. While the General Plan includes a goal of promoting a variety of housing types and densities throughout the City (LU-3 at G&PR at 3-12 and page 7-1) and purports a goal of de-emphasizing the automobile by encouraging transit and land use designs that promote the use of alternative transportation (at 7-2), the General Plan clearly shows that "the land use designations with the largest amount of acreage on the diagram are low-density residential and industrial uses." (G&PR at 3-4) This is confirmed by Figure 3-1 (Land Use Diagram) which shows that the vast majority of the City's residential land use designation is "low density." (G&PR at 3-9) and DEIR page ES-9. Indeed only one percent of new development is contemplated to be high density (see page 2-20). The change in density contemplated by the General Plan is meager (i.e., densities under the proposed plan would go from 4.5 units per acre to 5.5 units per acre) (not much of a change). DEIR at 8-35 and Goals and Policy Report at 4-4, Table 4-3.

b. Develop and implement an infill development plan. While the General Plan documentation asserts that leapfrog development will be discouraged and infill development encouraged (Goals and Policies Report at B-2), we see no indication as to how the City will implement these objectives. The substantial expansion of the SOI and USB shows that the City is not seriously considering infill development. O5-27 cont.

c. Develop and implement specific plan to increase transit mode share. The current transit mode share in the City is under 2%. DEIR at 8-35.1.

d. Implement mitigation measures that are at least as stringent as those identified in the SJVAPCD's CEQA Guidelines, including but not limited to the following:

- Adopt new or improve existing Air Quality Mitigation Fee Program and require developer contributions to same;

- Fund TCM program: transit, bicycle, pedestrian, traffic flow improvements, transportation system management;

- Designate pedestrian/ transit oriented development areas on general plan land use maps;

- Adopt an ordinance limiting woodburning appliances/fireplace installations;

- Fugitive dust regulation enforcement coordinated with SJVAPCD; and

- Develop an alternative fuels programs.

The revised DEIR must quantify the expected emission reduction from its proposed mitigation measures. As the District states, the most effective method to calculate mobile source reductions would be to use a mode split traffic model to show the difference in trips, vehicle miles traveled and emissions based on projected increases in carpooling, transit, bicycling, and walking. GAMAQI at 62

O5-27 cont.

**8. Land Use Analysis is Inadequate**

The land use analysis in the DEIR fails to grapple with many of the most important issues related to achieving a denser, more compact form of physical development in the City over the next decades, and curtailing the inefficient, destructive, low density sprawl that has characterized the City's growth in recent years. The land use analysis fails to describe the trade-offs associated with allowing more sprawling "village" development at the fringe of the existing city limits, instead of limiting fringe development and encouraging more infill growth and revitalization of existing neighborhoods and the downtown.

O5-28

The revised DEIR must consider mitigation, including but not limited to, the following proposed land use-related goals, principles, policies and implementation programs from the CCG alternative plan:

**GOAL LU-1**

To ensure that Stockton's future growth will proceed in an orderly manner, encourage and provide incentives for infill development, prevent urban sprawl onto adjacent agricultural lands, and promote the efficient and equitable provision of public services.

**LU-1.X Regional Housing Needs and Growth Projections [New Policy]**
It is the policy of this plan that the City shall meet its short-term Regional Housing Needs Allocation by allowing growth at an annual average rate (approximately 2%) that is not significantly greater than the statewide, and countywide, rates. It is the intent of this plan to allow adequate housing development to meet local demand, and not to meet demand from outside the region, which would result in Stockton becoming a "bedroom" community to the Bay Area or Sacramento.

O5-29

**LU-1.3 Expanding the Urban Service Area**
The City shall expand the Urban Service Area Boundary only when a study indicates that there is less than a ten year supply of available land for infill development, applicable General Plan policies can be met and appropriate services and efficient infrastructure can be provided.

**LU-1.6 Building Intensity, and Population Density, and "Form-Based" Code**
The City shall regulate the levels of building intensity and population density according to the ~~standards~~ policies and land use designations set out in the Land Use and other Elements in this General Plan. ~~and the City's Development Code.~~ The City shall ~~provide~~

~~further~~ [prepare and implement] guidelines for development standards by adopting a new "form-based" code according to "new urbanism" principles.

**LU-1.9 City/County/Lodi/Manteca/Lathrop Buffers and Uniform Land Use Policy**
The City shall work with San Joaquin County and the Cities of Lodi, Manteca, and Lathrop to develop a uniform land use policy, including the establishment of agricultural buffers, for the ~~urbanized~~ lands in and adjacent to the city so no inconsistencies will arise should these areas eventually be annexed to the City.

**LU-1.X Community Separators/Agricultural Buffers [New Policy]**
A key concept of this plan is to establish community separators or agricultural buffers between Stockton and the adjacent cities, to ensure that the cities do not eventually grow together and lose their individual identities.

**LU-1.12 Commuting Distances**
The City shall strive to minimize the commuting distances between residential concentrations and employment centers by encouraging infill development and discouraging low density subdivisions.

**LU-1.13 Growth Phasing**
The City shall phase growth based on an acceptable annual growth rate, the availability of surface water supplies (e.g., the Delta Water Supply project), market forces, infrastructure financing capacity, and the timing of the design, approval, and construction of water supply, transportation facilities and other infrastructure.

O5-29 cont.

**LU-1.X New Urban "Villages" [New Policy]**
The City may support planning and designation of a limited number of new urban "villages" on the edges of the City, only if the villages are in the closest possible proximity to employment centers; the villages shall adhere to all principles and policies outlined in the General Plan, and the villages shall not compete with infill opportunities and with existing City resources such as the downtown.

**LU-5.8 Redesignation of Industrial Lands for Housing East of Route 99 [New Policy]**
The City shall prepare a Specific Plan to investigate the feasibility of redesignating lands east of Route 99, south of Route 4, to East French Camp Road on the south, from industrial uses to housing. The Specific Plan shall consider the constraints of existing industrial uses (e.g., the rendering plant, the BNSF intermodal rail facility, and the flight safety zones of the Stockton Airport), and the benefits of providing housing opportunities close to existing job centers (downtown and the Stockton airport).

**DV-2.4 High Employment Commercial Development**

The City shall **[develop an incentive program designed to]** encourage high-~~rise~~ **[intensity]** commercial and office uses, particularly those characterized by a large number of employees, such as office headquarters, to locate in the downtown.. The City shall discourage such uses in other commercial districts outside the downtown.

**DV-2.5 Government Uses**
The City shall encourage major governmental facilities, office buildings, and the main library to remain and expand locations in the downtown. The City shall [prepare a] plan for City government offices to expand in the downtown and shall strongly encourage the County to also expand its government operations in the downtown, with the possibility of consolidating some County offices from the County Hospital area and from East Hazelton Street.

**DV-2.6 Tourism, Lodging, and Convention Facilities**
The City shall encourage major tourism, lodging, and convention facilities to locate in the downtown, including hotels, restaurants, and related entertainment uses and shall discourage such uses in other districts.

**DV-2.7 Entertainment Center**
The City shall encourage the concentration of community and regional entertainment facilities to locate in the downtown area and shall discourage such uses in other districts. *[New Policy]*

**DV-3.1 Vacant Bypassed Parcels**
The City shall [prepare and] maintain a current inventory and encourage the development of vacant bypassed parcels to promote a compact and efficient pattern of urban development.

O5-29 cont.

**DV-3.2 Development Priority to Infill**
The City [shall develop an incentive program with the goal of giving] development priority to vacant land already served by City services over vacant, unserved land. [This program] ~~shall~~ ~~The City~~ shall provide for expedited permitting for high quality infill development that is compatible with existing neighborhoods. The ~~City~~ [program] shall establish a schedule of reduced public facilities fees for new development in already developed areas as an encouragement to develop vacant or under-utilized parcels.

**DV-3.10 Compatible Scale and Character**
New infill residential and commercial development in existing neighborhoods shall reflect the character and form of the neighborhood while striving to meet citywide density and transit objectives. The City shall develop Design Guidelines for each district or neighborhood that will guide new infill growth. Infill development shall be planned to reflect traditional scale and pattern of block and lot sizes, as well as prevailing heights, setbacks, landscaping, and location of garages on the lots. The walkable scale and pattern of existing neighborhoods shall be reflected in new infill development. *[New Policy]*

**DV-4.X Public Participation [New Policy]**
The City shall notify all residents and businesses within Opportunity Sites of these new General Plan policies that apply to their properties. The City shall include residents and business owners in all planning and decision-making, through aggressive and transparent Public Participation Programs adopted for each Opportunity Site or area.

**DV-4.X Use of Eminent Domain [New Policy]**
The City shall strive to avoid the use of eminent domain powers for Opportunity Sites, except as a last resort, and shall inform residents and business owners of this intent.

**DV-5.X Limit New Village Development on Prime Agricultural Lands [New Policy]**

The City shall encourage and plan for infill development and downtown revitalization, and discourage and limit new growth on prime agricultural lands at the fringes of the existing city (see also land Use Policies X-x and X-x). The City shall limit the number of new Villages planned over the General Plan period. The City shall monitor infill and Village growth and ensure that infill accounts for a majority of development activity in the city.

O5-29 cont.

**DV-5.X New Village Development Shall Benefit City Residents [New Policy]**

The City shall **[establish a program to provide new or upgrade existing City facilities such as libraries, senior and community centers, and regional park programs and to provide affordable housing. Developers shall contribute a fair share of the costs of these programs and services]**. ~~that all planned Village developments provide specific amenities and programs that will benefit all City residents. Amenities and programs shall be targeted to off-site populations and locations, e.g., construction of needed City facilities such as libraries, senior or community centers, and/or contributions to affordable housing and regional park programs.~~

## 9. DEIR's Housing Analysis is Inadequate

CEQA requires that an analysis of housing issues be included in an environmental document. In *Napa Citizens for Honest Government v. Napa County Bd. of Supervisors* (2001) 91 Cal.App.4th 342, 370, the Court of Appeal established the minimum level of analysis required under CEQA for review of affordable housing impacts, explaining: "[I]n order to fulfill its purpose as an informational document, the [EIR] should, at a minimum," (1) "identify the number and type of housing units that persons working in the within the Project area can be anticipated to require," (2) "identify the probable location of those units," and (3) "consider whether the identified communities have sufficient housing units and sufficient services to accommodate the anticipated increase in population." Like other impacts, any significant housing impacts identified must be mitigated where feasible. These minimum requirements apply whether the impacts will occur within or outside the Project boundaries. *Id.* at 369. However, in the event the housing effects occur within the Project area, CEQA requires a more detailed analysis. *Id.* at 370.

O5-30

Here, the DEIR does not begin to meet the minimum requirements outlined by *Napa Citizens*, much less provide the more detailed analysis required for the housing impacts occurring within the City of Stockton. CEQA requires that an analysis of housing issues be included in an environmental document. The DEIR fails entirely to discuss any significant housing issues and offer new or revised policies, yet one of the six major goals of the adopted Housing Element of the proposed Plan states "Ensure the adequate provision of housing for all economic segments of the community with special attention to encourage affordable housing." (emphasis added).

The revised DEIR must specifically address the above listed requirements and discuss why the following CCG policy calling for adoption of Inclusionary Housing Ordinance was ignored:

LU-3.X Affordable Inclusionary Housing [New Policy recommended by CCG]

The City shall adopt an Affordable Inclusionary Housing program that requires new development of a certain size (over 25 units) to provide affordable housing units within the project, or to pay an "in lieu fee" that would be used by the City or non-profit developers to construct affordable units. For single-family projects, the affordable goals for new development shall be 10% of the units devoted to low income households and 10% of the units for moderate income households. For multiple-family projects, the affordable goals for new development shall be 10% of the units devoted to very low income households and 10% of the units for low income households.

The revised DEIR must also specifically discuss why the following CCG policies and goals calling for greater protection and encouragement of housing in the downtown and elsewhere in the City were not added to the draft Plan:

**LU-3.8 Residential Conversion**
The City shall ~~approve~~ discourage proposals to convert residential properties along major streets to office or commercial uses, and approve such proposals only when there already is a substantial non-residential character to the area, the proposal is compatible with the surrounding land use, ~~and~~ adequate off-street parking can be provided, and the loss of housing units is mitigated. O5-31

**LU-4 Commercial/Mixed Use Development Goal**

To encourage commercial and mixed use commercial/housing development ~~facilities~~ at locations that provide convenient neighborhood retail and services to existing and new housing areas, and that maximize regional shopping opportunities where their economic viability can be sustained.

**LU-4.9 New Residential Uses in Commercial Areas**

The City shall encourage the redevelopment and conversion of distressed commercial strips into housing and mixed use areas. ~~provide for the integration of new residential uses in commercial areas (existing or new) subject to multi-use provisions of the Development Code.~~

**DV-2.3 Reserve Downtown High Density Residential Sites ~~Development~~**
The City shall discourage non-residential uses (i.e., commercial, office, industrial) and public/quasi-public uses (i.e., churches, schools, parks) in areas designated for high-density residential uses since such locations are limited throughout the City.

**DV-2.X Downtown Housing Goals [New Policy]**
The City shall adopt short- and long-term housing goals for the downtown area. The short-term goal shall be to construct or rehabilitate at least 1,000 housing units in the first seven years of the General Plan (by 2012). The long term goal is to create a total of 3,000 new units in the downtown by 2035.

**DV-2.X Incentives to Create Downtown Housing [New Policy]**
The City shall review and revise as necessary its redevelopment/ revitalization strategy and programs for Downtown and other redevelopment areas to ensure they adequately implement the Downtown, infill and redevelopment policies of the General Plan. The City shall establish a schedule of reduced public facilities fees for new development in the central city area as an encouragement to develop vacant or under-utilized parcels. The City shall adopt density bonus standards to encourage the intensification of housing and promote affordable housing opportunities in the downtown.

O5-31 cont.

**DV-4.2 Revitalized Corridors**
Corridors identified as Opportunity Sites shall be redeveloped and revitalized by attracting new anchor businesses, mixing in urban housing, and improving their streetscape and image. The City shall encourage the redevelopment of distressed commercial strips into housing and mixed use (also see Land Use Policy LU-4.2). *[New Policy]*

## 10. DEIR Fails to Discuss Physical Impacts of Economic Development Policy

CEQA requires that impacts directly or indirectly related to economic development policies or programs must be analyzed. *See* CEQA Guidelines § 15126.2(d). A key economic development policy that the previous City Manager inserted into the City's preferred Plan is strong support for construction of retail "power centers" at the four corners of the City, in order to capture sale tax revenues that may "leak" to other adjacent communities. Such a policy has direct and indirect physical impacts, such as encouraging more sprawl and conversion of ag lands and adverse impacts to the goal of downtown revitalization.

O5-32

The revised DEIR must specifically discuss why the following CCG policies were not included in the preferred plan:

**ED-3.12 Regional Commercial Centers [new policy recommended by CCG]**
The City shall provide for larger scale regional retail development in the downtown and at appropriate infill locations, and shall discourage any more "power retail centers" at the fringe of the city that would accelerate suburban sprawl and unnecessarily compete with downtown retail activity.

O5-33

**DV-4.7 Limit New Commercial Centers**
The City shall prepare a citywide Retail Activity Study to identify commercial corridors that are "over-zoned" with retail zoning as well as target corridors that may not have adequate retail activity or sites to serve the surrounding neighborhood or district. ~~Corridors with increased regional access, market demand, and large sites shall be redeveloped with new commercial centers.~~. *[New Policy]*

**LU-4 Commercial/Mixed Use Development Goal**

To encourage commercial and mixed use commercial/housing development ~~facilities~~ at locations that provide convenient neighborhood retail and services to existing and new housing areas, and that maximize regional shopping opportunities where their economic viability can be sustained.

---

**LU-4.10 Commercial Cluster Encouragement/Protection**
The City shall encourage the clustering of commercial uses and discourage the splitting of commercial clusters or centers by arterial roadways. The City shall work cooperatively with the County to upgrade the circulation pattern of the existing Benjamin Holt Drive which bisects the Lincoln Center shopping center.

O5-33 cont.

**LU-4.11 Medical Clusters Near Hospitals**
The City shall encourage the concentration of medical offices and support facilities near hospitals, while also protecting the existing neighborhoods. The City shall proactively plan for reasonable medical office expansion around the Dameron, St. Joseph, Kaiser, and the planned Sutter/Gould medical complexes.

**LU-4.12 Mixed Use Development**
The City shall authorize mixed use developments in most land use districts throughout the city by establishing new regulations in a "form based" code. ~~in the Mixed Use designation subject to approval of a Master Development Plan and rezoning the area to a MX zoning district. Land uses proposed for a mixed use development in the Mixed Use designation shall support each other by providing an integrated Master Development Plan that may include one or more industries, services, offices, retail uses, with residential uses for the common needs of the occupants and users of the mixed use development.~~

**11. DEIR Contains No Effective Historic Preservation Policies**

The DEIR analysis of potential impacts to historic structures states that the impact is significant and unavoidable and "no additional feasible mitigation is currently available" (page 13-25).

We disagree. The revised DEIR must specifically discuss why the following CCG policies, which would reduce impacts to historic structures, were not included in the preferred plan:

O5-34

**DV-2.11 Building Rehabilitation and Historic Preservation**
The City shall strongly encourage and assist in the rehabilitation of existing buildings in downtown and shall adopt ~~use~~ an Historic Building Preservation Program to ensure that

the remaining historic structures are considered significant resources when future development is considered.

**DV-3.7 Historic Resources**
The City shall maintain an inventory of historic neighborhood structures and adopt a priority list to protect the most important resources. New public and private investment in Stockton's traditional neighborhoods shall preserve the character and sustain reinvestment in the most important cultural and historic resources.

O5-34 cont.

**NCR 3.3 Historic Resources Inventory and Preservation**
The City shall ~~continue to maintain and update a historic resources inventory~~ inventory remaining historic buildings in the downtown area and the older neighborhoods and adopt an Historic Preservation Program which seeks to preserve historic structures.

## 12. Water Analysis Is Inadequate

The Sierra Club hereby incorporates by reference the comments regarding the flaws of the DEIR's water supply and quality analysis submitted by Jason R. Flanders on behalf of the Morada Area Association. (See letter dated January 26, 2007, pp. 15-21, 26-28).

O5-35

In addition, the DEIR analysis fails to recommend mitigation related to the timing of the two phases of the Delta Water Supply Project. The analysis discusses the application before the State Water Resources Control Board to draw the first 33,600 acre-feet per year (AFY) of water from the Delta, and notes that "the place of use is confined to the current 1990 General Plan boundary." The City will be required to prepare additional CEQA documentation before an additional water right permit can be issued on the balance of the 92,300 AFY *or to expand the place of use beyond the current 1990 General Plan boundary* (emphasis added, page 9-8).

The DEIR discussion of whether approval by the RWQCB of the second or Phase B part of the water project is needed for the proposed Plan is confusing and appears contradictory. The DEIR states on page 9-9 that "the initial phase of the DWSP does not presuppose adoption of a new General Plan and would be necessary even if the 2035 General Plan is no different, in terms of population at buildout, from the current 1990 General Plan," while on page 9-12 it states "the initial phase will meet the short-term needs and accommodate buildout of the current 1990 General Plan, and (upon approval of the 2035 General Plan Update) buildout of the Proposed Project (subject to approval of a change to the "place of use")."

O5-36

However the mitigation measure that is offered does not ensure that development in the new plan is not approved until the "place of use" is enlarged by the Board. The new Policy PFS-2.8 states only that "The City shall not approve new development that relies on water from the Delta Water Supply Project until this Delta water is allocated through a water right to the City by the State Water Resources Control Board or a replacement water supply is secured."

The revised DEIR should consider the following more explicit measure recommended by CCG to ensure that new development under the proposed Plan is not approved until the enlarged "place of use" and Phase B water supply is secured. If this measure is rejected, the DEIR must state why this measure is not appropriate.

**PFS 2.13 Phasing of Delta Water Supply Project [New Policy]**

> The City shall pursue approval and construction of "Phase A" (33,600 acre-feet) of the Delta Water Supply Project by 2009 to serve growth associated with buildout of the 1990 General Plan and to reduce groundwater withdrawal. The City will also pursue approval of "Phase B" of the Delta Water Supply Project (approximately 90,000 AF) and an enlarged "place of use", which is needed to serve growth under the new 2035 General Plan. If the enlarged "place of use" or the "Phase B" part of the project is not approved, or is delayed beyond 2009, the City shall phase or defer the approval of new growth, especially in north Stockton, until new surface water supplies are in place.

O5-36 cont.

Also, see the proposed revisions to the wastewater master plan requirements to address specific fees applied to approved projects, noted below in "Wastewater." These same policy revisions should be applied to water supply improvements.

## 13. Wastewater Impacts Analysis is Inadequate

It is rather amazing that the discussion of the wastewater treatment plant and service does not bother to mention the controversial OMI/Thames privatization contract that was approved by the City in 2003. The analysis should be augmented to discuss the contract and the specific capital projects that have been approved as part of the contract. The discussion should also note that potential impacts of these projects were not previously analyzed since the City has refused to prepare CEQA documents on them as part of the privatization contract! The impacts from these projects must be discussed to the extent feasible in a revised DEIR for the General Plan.

O5-37

The DEIR states incredulously that the project would not result in exceedance of wastewater treatment requirements of the CVRWQCB and states that no mitigation is required (page 9-21). Yet the analysis notes "advanced treatment facilities may be required for all or a portion of the RWCF's effluent if future CVRWQCB discharge requirements for total dissolved solids (TDS) and/or priority pollutants are imposed that can not be met..." Table 9-3 lists over a dozen constituent limits "that are likely to become more onerous." Please explain how the DEIR can support a conclusion that possible exceedences of future treatment requirements of the CVRWQCB (that aren't even known at this time) will be less than significant.

O5-38

Similarly, please explain how the proposed plan's additional wastewater treatment demands can be considered less than significant if there is no requirement that new development pay specific fees to fund the construction of new facilities. As with water supply and other infrastructure services, the City relies on a vague Implementation Measure (page 9-31) that the "City shall conduct an assessment of proposed expansion areas...to determine where fees need to be levied," and the "fees should be based on initial facility and equipment costs as well as operations and long term maintenance and replacement," but *there is no firm requirement that adequate fees actually get assessed on new growth to pay for services!* The Infrastructure Master Plans that are a part of this proposed plan have enough cost details to recommend approximate fees now, not later. With no fee provision in place at the time the plan is approved, the City is failing to mitigate the impacts because funds are not available to build infrastructure to serve the new growth. O5-39

To reduce potential impacts of less than adequate funding for infrastructure improvements at the time of large-scale development approval, the following revised policies should be adopted:

**PFS-1.9 Conditions of Approval**
Add this new bullet

- Updated fee programs to fund 100% of the construction of the specific infrastructure improvements identified in the applicable master plans needed to serve the appproved project have been applied to the project and the applicant has agreed to pay the identified fees.

**DV-5.9 Infrastructure Master Plans**
New development will be required to comply with the City's adopted infrastructure master plans and provide fair share contributions towards existing and future improvements necessary to serve the development. If developments vary in intensity and distribution from that assumed in the existing infrastructure master plans, the City master plans will be updated and approved by that development. Projects shall not be approved until updated fee programs to fund 100% of the construction of the specific infrastructure improvements identified in the applicable master plans needed to serve the approved project have been applied to the project and the applicant has agreed to pay the identified fees. O5-40

**DV-5.10 Area Infrastructure Master Plans**
Prior to the approval of any Village specific plan, an Area Infrastructure Master Plan will be required. These master plans will lay out detailed plans for infrastructure improvements, phasing, and financing. The master plan shall include updated fee programs to fund 100% of the construction of the specific infrastructure improvements identified in the applicable master plans, and the fees shall be apportioned to all planned growth.

## 14. Parks and Recreation Analysis is Inadequate

The DEIR analysis fails to recommend mitigation to ensure that new "village" development actually contributes, through land dedication and other requirements, to the creation of regional parks. The revised DEIR must include the following measure:

O5-41

**DV-5.16 Parkland Distribution**
Parks within each village shall be distributed proportionally to match the distribution of population within the village. Park sizes and location shall be in keeping with serving the population within a walking distance of the park (1/4 mile). At least one community park shall be placed within walking distance (1/4 mile) of the Village Center Neighborhoods. Each Village development shall contribute through land dedication and other requirements, to the creation of City regional parks *[New Policy]*.

## 15. Flooding/Levee/Safety Issues Are Inconsistently Handled

The City staff has accepted several of the CCG modified and new policies relating to emergency/safey issues, but have failed to adequately address some issues. The revised DEIR must justify why the following additional measures would not reduce identified hazards risks, and why they should not also be adopted:

**HS-1.X Emergency Support Groups** [New Policy]
The City shall develop neighborhood watch and emergency support groups to be trained and put into action under an emergency in support of government staff. The City shall develop maps and conduct frequent local meetings to keep citizens up to date on preparedness conditions in their neighborhoods. The City should update citizens on progress of implementation of the Safety Element as well as code enforcement.

**HS-3.1 Seismic Safety of Structures and Public Facilities**
The City shall require that new structures intended for human occupancy, public facilities (i.e., treatment plants and pumping stations, major communication lines, emergency shelters evacuation routes, etc.), and emergency/disaster facilities (i.e., police and fire stations, etc.) are designed and constructed to minimize risk to the safety of people due to ground shaking, soil subsidence, and liquefiable soils. [New Policy].

O5-42

**HS-3-X Comprehensive Update of Hazards** [New Policy]
The City shall initiate a comprehensive study and update of the potential geologic hazards within the entire planning area. This shall include ~~Alquist/Priolo~~ earthquake fault zones as well as Flood Insurance elevation zones.

**HS-3.5 Development within the Primary Zone and Secondary Zone of the Delta**
The City shall continue to support the State policy restricting development within the primary zone of the Delta due to soil limitations and other hazards (e.g., liquefaction,

subsidence, shrink-swell). No further development shall be considered or allowed within the Primary Zone, and development proposed in the Secondary Zone of the Delta Protection Zone shall be analyzed for consistency with the Delta Protection Commission. plan. The City shall prepare maps identifying all properties within the jurisdiction of the Delta Protection Commission. These maps shall include the Army Corps elevation locations and 500-year flood zones. All applications for development within the Primary and Secondary Zones shall be referred for review by the Delta Protection Commission and the SF Bay Delta Authority. The city will develop an overlay zone in the Land Use Element to identify the protection zones.

**HS 3.X Earthquake Danger and Delta Levee Failure Modeling** [New Policy]
The City shall recognize that it is not known what might happen if the faults crossing the Delta were to experience a maximum credible rupture, as suggested by a recent State Department of Water Resources report (11/1/05, PL84-99). Thus, the City shall prepare a "worst case" computer simulation and risk analysis or have the Army Corps of Engineers run a test at the Bay/Delta Model in Sausalito to determine the level of protection needed in the inevitable likelihood of a catastrophic disaster from earthquake or storm induced waves that could challenge the Delta's levees.

**HS-6.1 New Urban Development ]**
The City shall approve new urban development only when the project is shown to be protected from a 100-year flood.

O5-42 cont.

**HS-6.2 Existing Urban Development**
The City shall investigate, and implement when feasible, mitigation measures that offer protection from flooding for existing urban development with a 100-year flood zone.

**HS-6.3 Preservation of Floodway and Floodplains**
The City shall preserve floodways and floodplains for non-urban uses, except that development may be allowed in a floodplain with mitigation measures that are in conformance with the City's floodplain management program.

**HS-6.1 Immediate Identification of 500-Year Flood Hazards**
In cooperation with other agencies, the City shall immediately begin an assessment of the potential for a 500-year storm, and shall urge FEMA to immediately identify risks in areas behind Delta levees, including the San Joaquin River.

**HS-6.3 Certification of Levee Safety for New Urban Development**
The City shall certify the safety of existing or proposed levees for all new development adjacent to the San Joaquin River and other Delta levees, prior to any approval. The certification shall be a part of the environmental review process. The City shall not approve any development adjacent to a levee and/or within the flood plain unless the safety of the area for urban uses has been certified and the area is included within a Flood Insurance zone, as recommended.

**HS-6.5 Levee Maintenance**
The City shall encourage reclamation districts to institute an annual levee inspection and maintenance program to reduce levee failures. In addition, the City shall initiate a program to pool funds for levee improvements by requiring new development to contribute funds to regional levee improvements.

**HS-6.6 Flood Insurance Program**
The City shall continue to participate in the National Flood Insurance Program and shall require all new development to participate in the program.

O5-42 cont.

**HS-6. X Cooperate and Support Regional Programs** [New Policy]
The City shall support recommendations of the programs of the Delta Protection Commission and the SF Bay Delta Authority to address flood control.

## 11.7 EMERGENCY OPERATIONS PLAN

**HS 7-1 Coordinated Emergency Response System**
The City shall coordinate with local, state, and federal agencies to establish, maintain, and test a coordinated emergency response system that addresses a variety of hazardous and threatening situations. The city shall conduct real-life exercises and simulations of disasters that will include participation by city residents.

## 16. Biological Resources Analysis is Inadequate

The biological resources section of the DEIR fails to adequate analyze and mitigate impacts to listed species and other natural resources. For example, the DEIR fails to discuss coverage of the riparian brush rabbit (a Federal and State listed species). The levee of the San Joaquin River south of Stockton, down to Lathrop, and the mouth of French Camp Slough/Walker Slough, is considered habitat for this species. The brush rabbit is not a species covered by the current HCP. Impacts to, and mitigation for, this species should be discussed in a revised DEIR.

O5-43

Further, we are rather startled that the DEIR biological resources analysis of potential impacts to endangered habitats and species so cavalierly dismisses any impacts, especially since much of the new growth area outlined in the proposed Plan is outside the covered area in of the SJCOG Multi Species Habitat Conservation and Open Space Plan (MSHCOSP), and is thus ineligible to participate. The DEIR mistakenly downplays the difficulty of obtaining regulatory agency approval of major amendment(s) to the plan, without consulting with the agencies themselves or assessing the time schedule for such amendment(s).

O5-44

The proposed Plan will have huge impacts to habitat for listed and sensitive species. The DEIR notes that "Using the land use categories developed for the SJMSCP, development

O5-45

resulting from buildout of the Preferred Land Use Alternative will result in the conversion of up to *500 acres of land designated as Vernal Pools and up to 3, 270 acres of land designated as Natural Lands (i.e., riparian and annual grassland areas)* to developed or urban land uses. An additional 34,440 acres of land designated as Agriculture Land would also be converted to developed or urban land uses" (emphasis added).

O5-45 cont.

The revised DEIR must be amended to include a map of the extent of the covered area of the Multi Species Habitat Conservation and Open Space Plan, indicating that the following growth areas are outside the current MSHCOSP: all of the "village" growth areas north of Eight mile Road, south of Weston Ranch (the proposed River Run project), as well as portions of Mariposa Lakes and other pending "village" projects. The map must indicate, and the text must describe, how many acres of each type of habitat are not currently eligible for mitigation under the MSHCOSP, e.g,. all of the vernal pool habitat?

We strongly disagree with the DEIR conclusions of Impact NCR-6 ("The Proposed Project would not conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan"), which finds "Level of Significance Before Mitigation: Less-than-Significant, Required Mitigation Measures: No Mitigation Required, and Level of Significance After Mitigation: Not Applicable."

The revised DEIR analysis must clearly explain that these growth areas outside the coverage of the current MSHCOSP are ineligible to pay a per acre fee to mitigate wildlife impacts and, thus the growth areas are not *consistent with the current MSHCOSP*. These growth areas will not be eligible to participate in the MSHCOSP *unless and until a major amendment to the* MSHCOSP is approved by the U.S. Fish and Wildlife Services and other regulatory agencies.

O5-46

The revised DEIR analysis must discuss the likelihood, and timing, of such a major amendment being approved, based on interviews with agency representatives.

Our understanding is that the USFWS will be reluctant, and may refuse, to approve a major amendment, unless more progress is made in terms of conserving mitigation lands under the current plan. Is this true?

The analysis must recommend mitigation measures to address how the approval processing of development applications in the growth areas not covered by the new growth could be affected, if the major amendment(s) to the MSHCOSP are delayed for three, five or more years.

Will the City approve subdivision maps for projects north of Eight mile Road based on future coverage and payment of a mitigation fee under an expanded MSHCOSP? Sierra Club would strongly oppose such an action.

The revised DEIR must consider the following revisions to the applicable polices, and justify why these revisions are not acceptable to mitigate impacts:

**NCR-2.5 SJCOG Multi Species Habitat Conservation and Open Space Plan.**
The City shall continue to coordinate with the San Joaquin Council of Governments and comply with the terms of the Multi Species Habitat Conservation and Open Space Plan to protect critical habitat areas that support endangered species and other special-status species. [New Policy].

**NCR-2.X Amendment to SJCOG Multi Species Habitat Conservation and Open Space Plan [New Policy]**
A major amendment to the San Joaquin Council of Governments Multi Species Habitat Conservation and Open Space Plan (MSHCOSP) must be approved by the U.S. Fish and Wildlife Service (USFWS) before many of the "village" growth areas north will be covered by the plan. The City shall not grant final approval to any village projects until the amendment to the MSHCOSP is approved, unless the projects have fully complied with alternative biological mitigation program(s) approved by USFWS and all other regulatory agencies.

O5-47

**NCR-2.6 New Development in Sensitive Areas**
The City shall require ~~careful planning of~~ full mitigation of identified biological impacts, approved by the regulatory agencies, for new development in areas that are known to have particular value for biological resources to maintain sensitive vegetation and wildlife habitat. [New Policy].

**NCR-2.7 Development Review**
The City shall review development proposals against the California NDDB to assist in identifying potential conflicts with sensitive habitats or special status species. [New Policy].

**NCR-2.8 Development Review and Approval**
The City shall review and approve all development proposals in full accordance with applicable Federal, State, and local statues protecting special-status species and jurisdictional wetlands, and with the approval of all regulatory agencies . [New Policy].

**NCR-2.9 Appropriate Mitigation Measures**
The City shall impose appropriate mitigation measures, as recommended by the regulatory agencies, using protocols defined by the applicable statute (e.g., USFWS, CDFG, etc.). [New Policy]

## 17. Energy Analysis is Inadequate

The DEIR fails to adequately address the critical issue of climate change and global warming, and how the City will respond to rising water levels in the adjacent Delta and increasing flooding dangers to existing and planned urban neighborhoods of Stockton. Such forward-looking analysis is particularly appropriate in a programmatic document for a long-range plan such as the GP.

Climate experts anticipate that, in the coming decades, global warming will produce changes in the timing and character of precipitation in the western United States. *See* Joel B. Smith et al., *Potential Consequences of Climate Variability and Change For the Western United States, in* US Global Change Research Program, *Climate Change Impacts on the United States: The Potential Consequences of Climate Variability and Change* 219, 226 (2001). Of particular importance here, it is anticipated that precipitation that currently falls as snow and is retained in the Sierra snowpack throughout the winter will increasingly be replaced by rain, which is not retained in the snowpack. Increased ambient temperatures are likely to compound this problem by causing the snowpack to melt earlier in the year than at present. For example, one model suggests that "snowmelt would occur more than two weeks earlier than currently in the East Fork of the Carson River and North Fork of the American River in the Sierra Nevada," which climate models "suggest would occur by the 2030s." Smith et al. at 226 (citing A. E. Jeton et al., Water-Resources Investigations Report 95-4260, *Potential Effects of Climate Change on Streamflow, Eastern and Western Slopes of the Sierra Nevada, California, and Nevada,* (U.S.G.S. 1996)). O5-48

The state's system of water management relies on the retention of water in snowpack and gradual release of that water throughout the spring and summer months. To the extent snow is replaced with rain or the snowpack begins to melt earlier in the year, this system could be significantly affected:

> These changes in runoff have important consequences for water management. Any changes in runoff timing or variability could possibly cause problems. Earlier spring runoff is likely to increase risk of spring flooding, complicate seasonal allocation schedules, and create problems for matching supply and demand and meeting environmental in-stream flow requirements in the summer. It is likely to be problematic for the current reservoir system to store earlier spring runoff for use in the summer unless new operating rules and regimes are implemented, and it is not clear that such a change would be sufficient to reduce spring flooding and increase summer supplies. This may be especially true in California, where both climate models used in this Assessment show a substantial increase in runoff, particularly in the winter.

Smith et al. at 226-27 (citations omitted).

The DEIR's single recommended mitigation measure (HS-4.20) is weak and vague: it merely says the City will monitor the implementation of AB 32 and it may adopt some undefined ordinance to require additional measures on development in the future. O5-49

The measure should be clarified to indicate what specific actions the City will take to ensure that existing and new residents are not exposed to increased flood hazards, among other forecast outcomes of climate change.

In addition, the DEIR should specifically justify why the following CCG recommended policies were not included as proposed plan policies or mitigation measures to reduce impacts relate to energy consumption.

**NCR-8 To reduce consumption and reliance upon non-renewable energy sources and to encourage energy conservation in new and existing developments.**

**NCR-8.1 Energy Conservation ~~Measures~~ for New Development [in place of existing policy]**
All new development, including rehabilitation, renovation, and redevelopment, shall incorporate energy conservation and green building practices to the maximum extent feasible. Such practices include, but are not limited to: building orientation and shading, landscaping, and the use of active and passive solar heating and water systems. The City shall implement this policy by adopting and enforcing a Green Building Ordinance. Adoption of such a green building ordinance shall occur within one year of the adoption of this General Plan. O5-50

**NCR-8.2 Solar Heating and Water Systems [New Policy]**
The City shall require that at least 10 percent of all new residential development over 25 units be equipped with solar heating and water systems. This goal shall be in place for the short term, until further tax incentives and other subsidies, and economies of scale in mass production of solar cell technology in California, bring the price of installation to a reasonable level (until 2010). After 2010, the City shall require that at last 50 percent of all approved residential development projects over 25 units be equipped with solar heating and water systems.

**NCR-8.3 City Facilities and City Motor Fleets [New Policy]**
The City of Stockton shall reduce energy consumption within City government facilities and City motor fleets. The City shall adopt a goal to reduce energy consumption within City government facilities and in City motor fleets from non-renewable power sources (including natural gas, compressed and liquefied gas sources, gasoline, fuel oil, and other fossil fuels) by 15% over current 2005 levels, within five years of adoption of this General Plan.

**NCR-8.4 Incentives [New Policy]**
The City will work with the California Energy Commission and other public and non-profit agencies to promote the use of programs that encourage farmers and developers to surpass Title 24 Energy Efficiency standards by utilizing renewable energy generating systems and more efficient agricultural practices that conserve energy, including, but not limited to drip irrigation, high efficiency water pumps, and natural gas, hydrogen or electrical vehicles.

O5-50 cont.

## 18. DEIR Fails to Identify and Analyze a Reasonable Range of Project Alternatives

CEQA grants lead agencies considerable discretion in the selection of project alternatives in an EIR, as "[t]here is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason." CEQA Guidelines § 15126.6(a). Courts have explained that under this "rule of reason," "'[c]rystal ball' inquiry is not required. . . . what is required is the production of information sufficient to permit a reasonable choice of alternatives so far as environmental aspects are concerned." *Foundation for San Francisco's Architectural Heritage v. City and County of San Francisco*, 106 Cal. App. 3d 893, 910 (1980); *see also Citizens of Goleta Valley*, 52 Cal. 3d at 565.

The statute and the regulations do make clear, however, that agencies must exercise this discretion to further the purpose of avoiding or minimizing environmental impacts. In enacting CEQA, the Legislature declared that "it is the policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available *which would substantially lessen the significant environmental effects of such projects.*" Pub. Res. Code § 21002 (emphasis added).

O5-51

The Guidelines further explain that "[b]ecause an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment, *the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.*" CEQA Guidelines § 15126.6(b) (emphasis added).

It is especially important in the alternatives phase of the CEQA process that the agency keep an open mind to all feasible options of achieving the project's objectives. "'The CEQA reporting process is not designed to freeze the ultimate proposal in the precise mold of the initial project; indeed, new and unforeseen insights may emerge during investigation, evoking revision of the original proposal.' [citation omitted]. . . . [T]he lead agency may determine an environmentally superior alternative is more desirable or [that] mitigation measures must be adopted. . . ." *Kings County Farm Bureau v. City of Hanford*, 221 Cal. App. 3d 692, 736-37 (1990). *See also Concerned McCloud Citizens* at

17 ("the agreement expressly recognizes the ultimate water bottling project is subject to CEQA, *and the agreement may be modified as a result*") (emphasis added).

In the present case, the DEIR failed to heed these basic mandates. None of the alternatives presented would avoid or substantially lessen key environmental impacts of the Project, including impacts to biological resources, cultural resources, air quality, noise, impacts relating to water supply and water and wastewater treatment facilities, stormwater, solid waste, law enforcement, fire protection and transportation. Clearly, the DEIR authors need to go back to the drawing board and identify alternatives capable of substantially reducing the Project's environmental impacts. O5-51 cont.

Alternative 4 Has Been Mis-Characterized

It is particularly troubling that Alternative 4 relied on certain components of an alternative presented by the Sierra Club and the Campaign for Common Ground but specifically omitted the critical policies which, if implemented, would substantially reduce the significant impacts of the Project. In this regard, the DEIR incorrectly analyzed this alternative. The revised DEIR must provide a comprehensive analysis of the feasability of the alternative as it was submitted by the Sierra Club and the Campaign for Common Ground in the CCG Alternative Plan.

The DEIR analysis of Alternative 4 dismisses it and states erroneously that it would cause many of the same environmental impacts as the draft Plan. The DEIR in Table 14-5 coyly identifies the level of many of the impacts of Alt 4 (as well as Alternative 1, the "No Project"!) as "SU-" or significant and unavoidable but less so than the proposed Plan. This is mere sophistry and nonsensical wordplay. Any layperson understands that a plan with 75,000 new housing units (with three-quarters of these as infill) will have fewer impacts than a plan with 110,000 units (three-quarters of which are sprawling on farmland at the fringe of the City). O5-52

If the revised EIR continues to characterize Alternative 4 as the CCG/Sierra Club plan, it must summarize all of the accompanying CCG policies that are significantly different than the City's proposed Plan.

The fallacious manner in which the DEIR defines and applies the SU designation results in a range of so-called alternatives that all include too many "significant and unavoidable" impacts to make much of a difference. And to conclude, as this alternatives analysis does, that if the City does nothing and keeps the existing 1990 plan in place there will be an avalanche of SU impacts right around the corner for the residents to look forward to. The broad brush use of the SU characterization, without even trying to offer full or partial mitigation, leads to the absurd conclusion there is no conceivable course of action that the City can take to avoid all these impending impacts.

**19. DEIR Does not Include an Accurate History of the General Plan Process**

The DEIR includes a brief, and rather inaccurate, summary of public participation in the GP process on the bottom of page 14-2. The history should be augmented with a more realistic summary of actual events that have defined the process to date. At a minimum, the DEIR should describe the membership and history of the General Plan Action Team (GPAT), and should summarize the results of the General Plan Community Workshops in 2003 and 2004.

O5-53

For example, during GP Workshop 2, there was a group exercise to get feedback on growth issues. Of 12 teams present, all 12 placed an emphasis on infill, five of the 12 groups supported "vertical growth or higher density," and six groups supported "growth boundaries or a greenbelt. During GP Workshop 3, there was a group exercise to actually map preferred growth areas, north of 8 Mile Road. Out of the 10 teams, only one team preferred a large area of growth north of 8 Mile Road, in an area 1 1/2 miles north of the road. Four of the 10 groups voiced a strong preference for no growth north of 8 Mile Road, and three of the remaining teams preferred limited growth only along the I-5 corridor, north of 8 Mile.

**20. DEIR Fails to Analyze Adequately the Cumulative Impacts of the Project.**

An EIR must discuss the cumulative impacts of a project when the incremental effects of a project are considerable when viewed in connection with the effects of other past, current, and probable future projects. CEQA Guidelines §§ 15130(a), 15065(c). The analysis of cumulative impacts is particularly important in the context of a long-range planning document because the growth allowed under a general plan is often substantial and because it sets forth the policies that will guide the development of future, individual projects for many years. As noted in the CEQA Guidelines, one requirement of a program-level EIR for planning documents is that they provide a more thorough analysis of cumulative impacts than is required for individual projects. See CEQA Guidelines § 15168.

O5-54

The DEIR fails to adequately analyze the cumulative impacts of the Project for a number of reasons including an incomplete list of projects within the City of Stockton and a failure to quantify cumulative impacts. The discussion of cumulative impacts must include a summary of the expected environmental effects to be produced by those projects, a reasonable analysis of the cumulative impacts, and full consideration of all feasible mitigation measures that could reduce or avoid any significant cumulative effects of a proposed project. *See* CEQA Guidelines §§ 15126.4(a)(1) and 15130(b)(3). The DEIR fails to meet these requirements.

O5-55

A legally adequate cumulative impacts analysis must consider the impacts of the Project combined with other past, present, and probable future projects. CEQA Guidelines § 15130(b)(1). Projects currently under environmental review clearly qualify as reasonably

probable future projects to be considered in a cumulative impacts analysis. *See San Franciscans for Reasonable Growth v. City and County of San Francisco,* 151 Cal.App.3d 61, 74 n.13 (1984). In addition, projects anticipated beyond the near future should be analyzed for their cumulative effect if they are reasonably foreseeable. *See Bozung v. Local Agency Formation Comm'n,* 13 Cal.3d 263, 284 (1975). Here, the DEIR's list of cumulative projects is incomplete because it omits projects planned in the area. O5-55 cont.

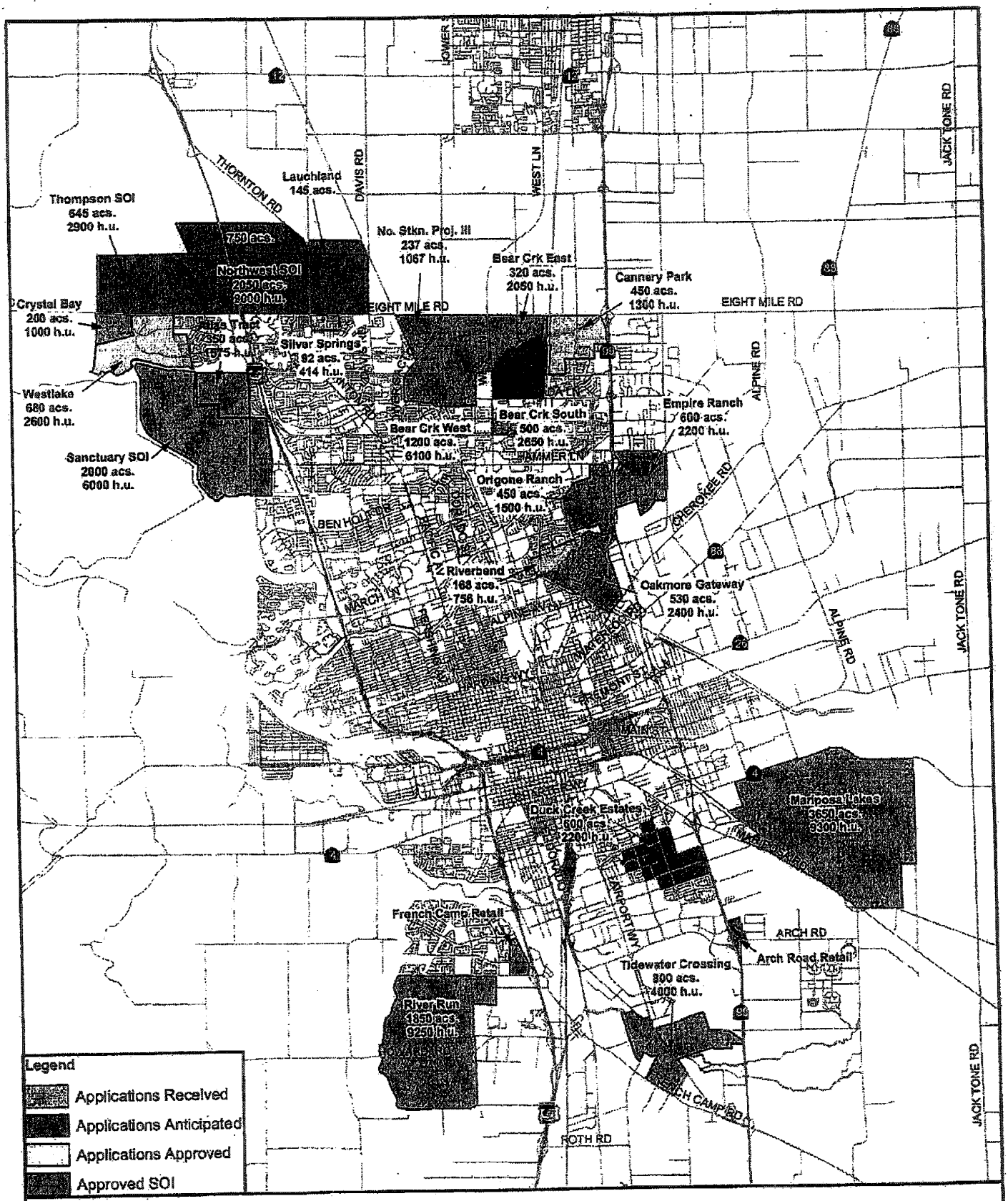
The DEIR's cumulative impact analysis fails to quantify cumulative impacts. The cumulative impact discussions are conclusory and devoid of meaningful qualitative and quantitative information. The EIR does not provide decision-makers with any objective measure of cumulative impacts and is inadequate.

One of the greatest flaws of the DEIR is that it fails to even mention that over one half of the growth that is proposed in the Project (the 2035 General Plan) is already being processed by the City (Table 1), and that the City has already adopted a Sphere of Influence for growth north of 8 Mile Road. O5-56

# TABLE 1
## Large Development Projects In Development Process City Council

| Project/Location | Acres | Housing Units | Status |
|---|---|---|---|
| | | | |
| Arnaiz/North Stockton Village (part of Village D of draft GP) | 771 acres | 3,800 housing units | Master Development Plan proposed |
| Spanos/Thompson lands, north of 8 Mile Road (Villages B, C, and part of D of draft GP) | 2,200 acres | 7,500 housing units | Specific Plan in process; Development Agreement approved |
| Grupe Sanctuary project (Village A of draft GP) | 2,000-acre Shima Tract | 6,000 housing units | Development Agreement approved; EIR in process |
| Empire Ranch project, south of Morada (Village I of draft GP) | 600 acres | 2,200 housing units | EIR in process |
| Verner/Maripsa Lakes project, east of Route 99 between Mariposa Road and Route 4 (Villages J and K of draft GP) | 3,650 acres | 9,300 housing units | EIR in process |
| Arnaiz/Tidewater Crossing near French Camp part of Village L of draft GP) | 800 acres | 4,000 housing units | EIR in process |
| River Run/Western Pacific project, south of Weston Ranch (Villages N and part of M of draft GP) | 1,850 acres | 9,250 housing units | EIR in process |
| TOTAL | 11,871 acres | 42,050 units | ---- |

Source: City of Stockton, Pending Projects Map




CITY OF STOCKTON

# PROPOSED DEVELOPMENT PROJECTS

**TABLE 2**
**Portion of Draft General Plan Growth**
**Already Approved for Processing**

| | Acres | Housing Units | Population |
|---|---|---|---|
| Development projects in process | 11,871 acres | 42,050 units | 121,150* |
| Total "village" development in draft General Plan (minus Bear Creek West –Village H) | 25,100 acres | 79,200 units | 237,600 |
| Development projects in process as % of GP villages | 47.3 % | 53.1 % | 53.1 % |

*Assumes 3.0 persons per household.

A total of almost 14,000 acres of growth are in the pipeline, equal to 42,100 housing units. The seven major development projects represent eleven of the 14 planned "villages" that are included in the draft General Plan (one of the planned villages is Bear Creek West, Village H, which is included in the current 1990 plan; it has been subtracted from the tables below).

As Table 2 above notes, the approximately 12,000 acres of development that are being processed before the new General Plan is adopted compares to a total of about 25,000 acres of farmland that will be paved over if all the planned "villages" in the new General Plan are built (these figures are from the City). Thus, the Council has already set in motion the approval of over 50% of the total "village" growth proposed in the draft General Plan, and over half the proposed housing and population growth. O5-56 cont.

All of the above listed projects must be included in a revised environmental document that is circulated to the public. In order for the DEIR to be adequate it must list, analyze, and mitigate to the extent feasible the cumulative impacts from all of these development projects.

**Conclusion**

As we noted in the beginning of this comment letter, the flaws of the DEIR are so fundamental as to render vulnerable any approval of the Stockton General Plan. The DEIR fails both to adequately analyze impacts and fails to consider a reasonable range of mitigation measures (already offered by CCG and others) that could assist in reducing identified impacts. The DEIR fails to identify an acceptable range of alternatives to the proposed project. A revised draft EIR must be prepared and circulated for public review and comment. O5-57

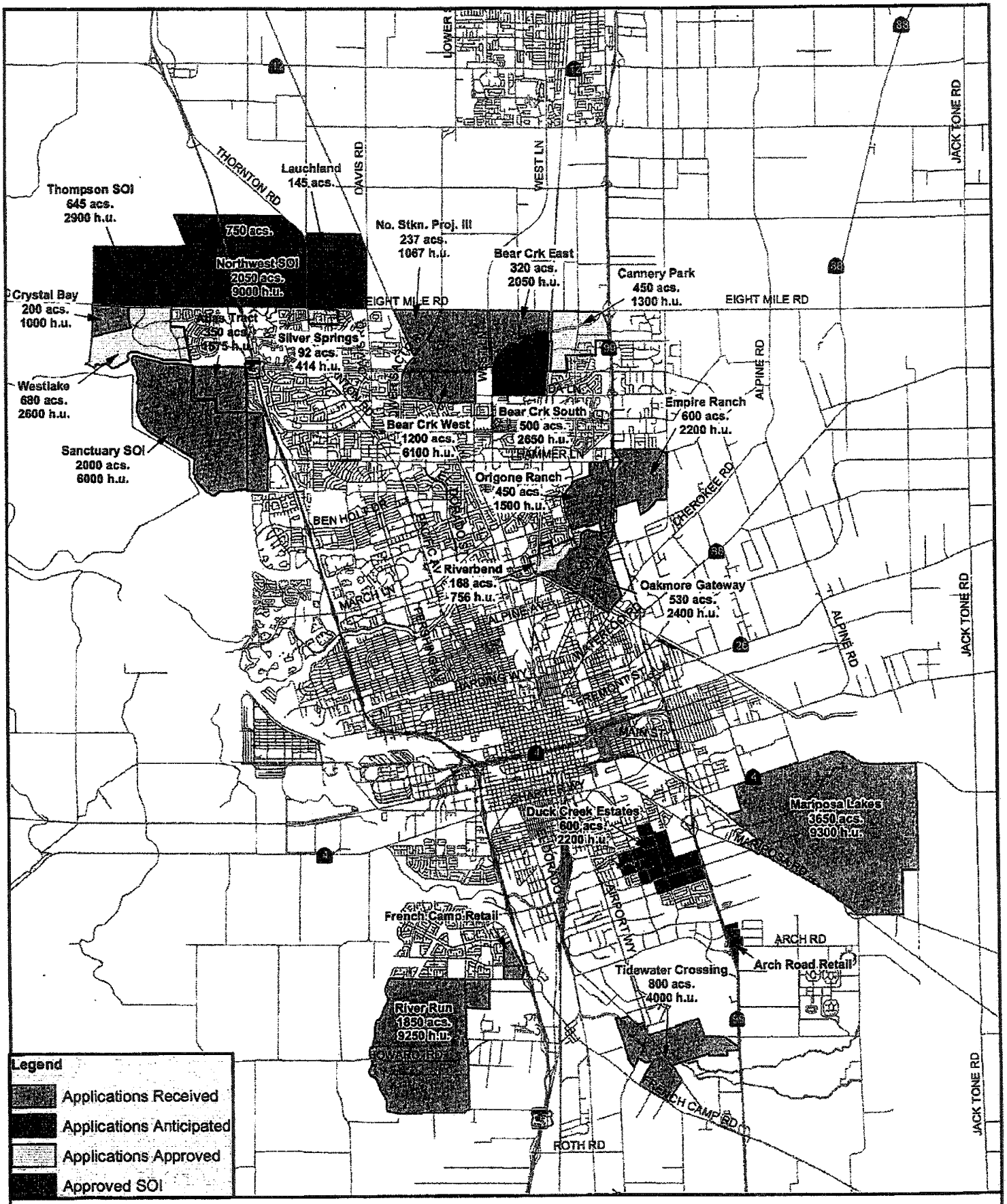
It is not acceptable for the City to move ahead and approve a disastrous plan that causes serious and detrimental identified environmental impacts, 35 of 70 of which cannot be reduced to an acceptable level. The people of Stockton deserve better.

Sincerely,

Eric Parfrey (AJB)

Eric Parfrey, Executive Committee
Sierra Club, Mother Lode Chapter

cc: Campaign for Common Ground
Rachel Hooper, Shute, Mihaly, & Weinberger
Stockton Planning Commission
San Joaquin County Board of Supervisors




CITY OF STOCKTON

# PROPOSED DEVELOPMENT PROJECTS

Stockton
2004
1999

I1

January 16, 2007

Stockton Community Developement
Department
345 N. El Dorado St
Stockton, CA 95202

Attention: David Stagnaro

QUESTION:

WHERE IS THE WATER AND POWER
COMING FROM FOR ALL THIS DEVELOPEMENT?????????

We have had only one half the normat rainfall to date and no rain in the forcast. The snow pack is practally no existent and the water table is getting so depleted we are getting salt in the wells on the west side of Stockton. I1-1

JUST WHERE IS MORE POWER AND WATER COMING FROM?????

REMEMBER WE CAN'T LIVE WITHOUT WATER!

Mary Ellen Dunbar

Mary Ellen Dunbar
9647 Hildreth Ln
Stockton, CA 95212

Phone 931-3967

RECEIVED
JAN 18 2007

12

MATHILDA BUHRKUHL
5155 E. ASHLEY LANE
STOCKTON, CA. 95212

January 17, 2007

Stockton General Plan
Attn: Mr.. Steve Escobar
345 North El Dorado St.
Stockton, CA 95202

Dear Mr. Steve Escobar,

This is in response to the General Plan that Stockton would like to implement. The concern of water, traffic, pollution, Police, and Fire protection have been addressed.

There is a very important issue, which the City MUST take into, consideration That is the lack of medical facilities in the area. The three hospitals San Joaquin General, Dameron, and St.Joseph's CAN NOT meet the demands of the present population or any new residents.

I challenge you to visit an E. R. and see for yourself that we do not have enough E. R. Rooms or hospital beds. I have waited 18 hours for an available bed in the hospital. 12-1

How would the city deal with a major disaster? The present hospitals could not meet the demands of a major calamity. There are occasions now when the hospitals close their E.R. services because they cannot take anymore patients and this is without a major incident. Are there people who abuse the E.R. services? Absolutely.

The developers should put their resources together and build a hospital before more housing projects. They could even name it "Developers Memorial Hospital"

Your planners must look at all aspects of this plan and do what is best for the people not for the financial benefit for developers. The city should not expand until all concerns have been addressed and dealt with.

Sincerely

Mathilda Buhrkuhl

Mathilda Buhrkuhl

JAN 1 9 2007

I3

January 17, 2007

Stockton General Plan
Steve Escobar
345 N. El Dorado St.
Stockton, CA 95202

2007

Dear Planning Commission,

I attended the public comment meeting on Stockton's General Plan draft EIR held January 10, 2007, as an observer, listening to city speakers and the comments of concerned citizens being raised about this proposed plan. Before I left, I requested a copy of the map outlining the proposed General Plan boundaries from a city employee, who took my name and address and said he'd mail it to me. A copy of the map has yet to arrive in the mail. I3-1

After reflecting on the comments and input at that meeting, viewing the draft on-line, and reading articles about the cities of Lodi and Galt, who are also going through their own strategies and struggles on revamping their current General Plans, I decided to pen my own comments on this extremely important issue facing our city and the greater Valley area. I3-2

I must say I share the concern, alarm and frustration voiced by a number of citizens about the sphere of influence being proposed northward by the City of Stockton. Serious concerns over urban sprawl, deteriorating air quality, snarled traffic, aquifer depletion, levee failure, inadequate law enforcement already spread too thin, overcrowded schools, and the huge impact urban developments (consisting of residential, retail/commercial and office) will generate, must be addressed before these plans move to their final approval stage. Mitigations must be given higher priority and not so easily dismissed. The city's stance that development of bordering farm land is "unavoidable" really doesn't sit well with me. It is quite avoidable, since the city can choose to approve or deny developers requests to rezone/convert agriculture acreage through this General Plan vehicle. Land that remained in San Joaquin County hands would require developers work with county officials and their approval/denial process. I3-3 I3-4

Stockton doesn't have to grow out in every direction, especially at the rate with which it has already been rampantly growing in the past decade. That is the strategy of a General Plan - to determine and then fix the rate of control, the direction of growth of existing city boundaries, and to do so with the concerns of both county and city folks' needs being met. I3-5

Lodi's strategy at the early stages is to look way beyond what they expect to be brought into their proposed new General Plan boundaries, ironically some of it inside Stockton's proposed northward boundaries, making the strip of land north of Eight Mile Road between I-5 and Alpine Rd. up for grabs from either city. Lodi contemplates a "farmland buffer zone" around their city, which remains to be seen in the final report. But what is likable about their planning process is asking for people's "vision and their questions" and saying to Lodians, "Here's where we are now, here's where the trend is going, and given that, what would you like to see?" (comment of Randy Hatch, Lodi's community development director, The Record, 1/17/07). Based on the information and direction they get from the City Council and their citizens, then they'll work on the sphere of Lodi. I3-6

Galt takes concern about rampant growth even a step further. The City Council wishes to state it's intention of creating a permanent farmland greenbelt north of their city, making it a "guiding principle" of the update on their city's General Plan. The council changed an existing guiding principle from focusing on growth, to concentrating on protecting the quality of life of its citizens. Commission Sherry Daley is unhappy with the boundaries set by the previous city council, "I think it's crazy. It's far too large of an area to consider." (Lodi News-Sentinel, 1/16/07) I3-6 cont.

Looking on a San Joaquin County map, it's clear to see that growth issues between cities is such a contentious issue. Based on map scale between the centers of each city, distances to the closest mile between Stockton (city "star" indicated at approximately Harding Way and Pershing Ave.) and neighboring towns is: 12 miles to Lodi, 13 miles to Manteca, 14 miles to Linden, 17 miles to Tracy, and 20 miles to Galt. It's no wonder Valley residents are overly concerned about growing into each other's cities, since we are all situated so close together.

Mr. Escobar and fellow city planners and city council members, please consider all of the above mentioned points when you make your final decision on updating the Stockton General Plan's new sphere of influence.

My personal feelings are that the city needs to be guided more by it's average citizens and less by its influential developers in determining it's new sphere of influence/city boundaries for Stockton. Eight Mile Road is nearly 7 miles north of the central "star" of Stockton (on the county map). I3-7
That's the same distance southward to the city of French Camp, to Alpine Road to the east, and to Holt Road out in the Delta, westward. The city is becoming a long, drawn-out metropolis racing northward from its center. It is on a collision course with Lodi, with greenbelt, with sensible, controlled growth.

I ask that you please reconsider adding such a huge swath of land north of Eight Mile Road into the current General Plan, to be finalized by summer.

As mentioned at the beginning of my letter, I agree that the city has not properly addressed serious issues such as water quality/aquifer depletion, deteriorating air quality, heavy/snarled traffic issues, possibly levee failures, educational/school needs, law enforcement, and the mired impacts that urban development generates. I am also deeply concerned that the city doesn't seem interested in attempting to avoid development onto prime farm land, and isn't responding well to citizen suggestions, comments and complaints in the planning process of this new General Plan. I3-8
Let's stop for a moment and take a breather. This plan doesn't have to be ramroded through just to meet arbitrary deadlines. Let's look at the bigger picture, not just the revenues that new developments add to city coiffeurs. It's o.k. to grow, but please, please do so under strict, strong guidelines, in a responsible, sensible manner, from the center of town out, paying special attention to the potential of infill growth.

Thank you for taking my comments under consideration in planning for the updated Stockton General Plan.

Sincerely,

Sally Galiste

Sally Galiste
3526 Iron Canyon Circle
Stockton, CA 95209

Cooper
8740 Helen Lane, Stockton, CA 95212 ■ nct510@hughes.net

January 19, 2007

RECEIVED
CITY OF STOCKTON

JAN 29 2007

PERMIT CENTER
PLANNING DIVISION

Mr. David Stagnaro, AICP
Senior Planner
Community Development Department
345 N. El Dorado St.
Stockton, CA 95202

RE: City of Stockton General Plan Draft EIR

Dear Mr. Stagnaro:

Thank you for the opportunity to comment on the City's Draft EIR for the 2035 General Plan. I shall address Chapter 11 Health & Safety, Section 11.2, Noise (road and highway noise), with additional comments to other elements to follow under separate cover. I4-1

One of the primary considerations for an EIR is the Health & Safety of the planned and existing communities with respect to noise. The GP states that, as the major source of ambient noise within the Study Area, policies aimed at curbing traffic noise include implementation of sound attenuation features, noise buffering, and coordination with Caltrans on the placement of transportation infrastructure.

Chapter 11.2 of the DEIR, Impact Analysis of Impact HS-1, states:

***Operations Noise (On-Road Mobile Sources):***
*Potential impacts on existing land uses are the result of additional on-road mobile sources (vehicles) traveling along local roadways. Table 14-9 provides information for both existing and proposed roadway segments and identifies the potential for a significant increase in noise due to buildout of the Preferred Land Use Alternative. ...However, it should be noted, the ability to mitigate this potential impact is contingent on a variety of factors including the severity of the noise impact, existing land use conditions and the technical feasibility of being able to implement any proposed mitigation measures.* I4-2

Chapter 11.2 establishes the following policies in response to increased traffic noise as a result of the proposed plan.

***HS-2.5 Mitigating Highway Noise.*** *The City shall work with Caltrans to mitigate noise impacts on sensitive receptors near Interstate 5, State Route 99, and other key state roadways by requiring noise buffering or insulation in new construction. [New Policy].*

***HS-2.13 Noise Buffering.*** *The City shall require noise buffering or insulation in new development along major streets, highways, and railroad tracks. [New Policy].*

Chapter 11.2 of the Goals & Policies Report further elaborates on HS-2.13, stating: I4-2 cont.

*The City shall require noise buffering or construction treatments (additional insulation, double paned glass, etc.) in new development that includes noise sensitive uses located near major streets, highways, the airport, railroad tracks, or other significant noise sources. [New Policy]*

Each of these policy statements specifically seek to mitigate "new development/construction" but ignore existing development/residential areas. As stated above, the study identifies a potential for a significant increase in noise due to build out of the Preferred Land Use Alternative. The plan offers to partially mitigate new development and should therefore offer the same mitigation to existing residential and other sensitive noise receptors such as churches, schools, etc. I4-3

Additionally, there are no implementation measures provided to ensure that appropriate actions are taken to implement HS-2.5 and HS-2.13. City departments must be identified as responsible entities to ensure that the policies are implemented and that there is assignment of a timeline for completion of the policies. This guidance can be found in Chapter 1.5 of the Goals & Policies, which is applicable to the DEIR. I4-4

Even more important than the deficiencies of the above elements is the overall conclusion of this part of the report. The Level of Significance for Impact HS-1, after Mitigation, is "Significant and Unavoidable." No additional feasible mitigation measures are currently available to reduce this impact to a significant level.

We state on the one hand that we are required and will protect the health and safety of the community against adverse impacts of the Project. We then conclude that those adverse impacts are unavoidable and plan to proceed regardless. This is an unacceptable conclusion. I4-5

This is not in keeping with the spirit or the intent of the California Environmental Quality Act.

The City must seek an acceptable solution and not leave the public with an adverse impact for which there are suitable alternatives. The DEIR contains numerous impacts that are deemed significant and unavoidable. This is a recurring theme that is quite troublesome. CEQA guidelines address the process of selecting alternatives, including but not limited to:

*The extent to which the alternative would avoid or lessen any of the identified significant environmental effects of the project;*

With other DEIR Alternatives #4 & #5 offering options, which greatly mitigate the impacts, noted in HS-1, it is not logical or correct for the City to conclude that:

*No additional feasible mitigation measures are currently available to reduce this impact to a less than significant level.*

Although it would not be expected that the Preferred Land Use Alternative would be set aside due to one unmitigated negative impact such as HS-1, the fact of the matter remains that the DEIR contains many such negative impacts. As these are several and complex, I will comment to each under separate cover and not attempt to write my own alternatives in a single letter. Indeed, all one has to do is look at the DEIR alternatives to find solutions.

Please remember, aside from trying to attain the improbable goal of attaining everyone's wishes and desires, we must keep the overall goal of the project in perspective. The CEQA guidelines require that the alternatives addressed in the EIR be selected in consideration of:

I4-5 cont.

• *The extent to which the alternative would accomplish most of the basic goals and objectives of the project;*

• *The extent to which the alternative would avoid or lessen any of the identified significant environmental effects of the project;*

Therefore, it would be quite prudent for us to take a more serious look at the Alternatives in the DEIR. We simply cannot afford to spend so much time and money to protect the public from unmitigated environmental impacts, only to use the study to choose a preferred alternative that exposes the public to unmitigated environmental impacts.

Sincerely,

Kurt W. Cooper

Kurt W. Cooper

cc: Mayor Ed Chavez

Stockton City Council

City of Stockton Planning Commission

Cooper
8740 Helen Lane, Stockton, CA 95212 ■ nct510@hughes.net

January 20, 2007

RECEIVED
CITY OF STOCKTON

JAN 29 2007

PERMIT CENTER
PLANNING DIVISION

Mr. David Stagnaro, AICP
Senior Planner
Community Development Department
345 N. El Dorado St.
Stockton, CA 95202

RE: City of Stockton General Plan Draft EIR

Dear Mr. Stagnaro:

Thank you for the opportunity to comment on the City's Draft EIR for the 2035 General Plan. I have several comments to make to Chapter 11.2, Noise (Airport noise), with additional comments to other elements to follow under separate cover.

I5-1

I am very pleased to note the City's commitment to maintain the health and viability of the Stockton Metropolitan Airport. San Joaquin County has provided excellent leadership and foresight, maintaining the integrity of the airport and providing protection from encroachment by incompatible land uses. I would like to point out a few areas in the DEIR and Goals & Policies, which would benefit from a closer look.

Page 11-7 of the DEIR, Policy TC-7.6 states:

*"The City shall ensure that all development within two miles of the Airport be consistent with the policies adopted by...*

The phrase *"two miles"* must be consistent throughout the GP, specifically, with respect to the next two references. The definition of the Airport Influence Area (AIA) on page 3-16 of the Goals & Policies Report does not match with the same definition on page 3-2 of the same Report. The page 3-2 definition states that:

I5-2

*...the AIA will be considered to be a two nautical mile buffer as measured from the runway(s) centerline.*

This definition is incomplete as there are two parallel runways, Runway 29R and Runway 29L. Additionally a common point on the centerline of one of the runways would be necessary to establish a two-mile radius from the centerline of the chosen runway. Otherwise, the two-mile buffer could be displaced east or west by the length of Runway 29R (8,650') depending on the interpretation of *"as measured from the runway(s) centerline."* This could throw off the intended buffer in excess of 50%.

The more conservative and accurate measurement is offered in the Goals & Policies Report on page 3-16, at the very end of Policy LU-6.1.

*"...the AIA will be defined as all properties within two nautical miles of the airport boundary, as illustrated on Figure 3-2."*

I5-2 cont.

I strongly urge the City to correct all references to match the LU-6.1 policy statement.

Referring back to Policy TC-7.6, there is a small error at the end portion of the last sentence. It reads *"and welfare by minimizing the public's exposure to excessive and safety hazards.)"* It should read "excessive noise and safety hazards."

I5-3

I have spent 37 years in the Federal Aviation Administration, in Bay Area and local Air Traffic Control, and as Manager, Plans & Programs, Northern California Terminal Air Traffic Control. It is my experience that most municipalities fail to protect their airport environs in such a manner as to preclude future litigation over incompatible land uses. All too often, cities and counties give in to the pressures of developers and live to regret it. The issues become emotional and very contentious.

I5-4

My experience comes from the large, busy airports such as San Francisco to the local airports at Modesto and Stockton. I was the FAA Air Traffic Manager at Modesto Airport from 1989 to 1992. I have 13 years experience at the Stockton Metropolitan Airport and served as the Air Traffic Manager for both the Control Tower and Terminal Radar Approach Control (TRACON), from 1992 to 1997. Together with the County Airport Director and the FAA Airport District Office, we developed the current Federal Aviation Regulation (FAR) Part 150 Noise study, 90% of which was funded by the FAA.

Airport noise can be a very subjective, sometimes subtle, and often eventful environmental impact. The science of noise study does not really do it justice. As you know, noise exposures are individual events measured over a period of time, described using statistical noise descriptors. The reality of airport noise to sensitive receptors is truly a function of single event noise sources, especially at airports with light to moderate traffic levels. Another important facet on the airport environment is usually not captured in local EIRs, though we try to highlight this element in FAA studies through the NEPA process (National Environmental Policy Act). That element is illustrated by a huge aircraft, that may be fairly quiet, but none-the-less very disturbing to residents looking up from the backyard BBQ to see the world's largest aircraft up close and personal. This is a very important element that must be considered when planning for the airport environment.

I5-5

The "large aircraft overhead" scenario is critical to an airport like Stockton Metropolitan. I speak from many years of personal experience. This phenomenon is directly related to peacetime vs. wartime footing of the United States. You will find that during peacetime, the military (primarily the Air Force) requires practice flying time, primarily practice approaches, to maintain training proficiency. During the current wartime posture, the military has all the flying time it needs. As the conflict in Iraq begins to wind down and forces begin to return to the CONUS you will see a corresponding increase in domestic flying. This is especially true for airports like Stockton. Our close proximity to Travis and Beale Air Force Bases and the availability of the Instrument Landing System (ILS), Non Directional Beacon (NDB)

I5-6

and VHF Omnidirectional Range (VOR) approaches make Stockton an ideal training airport. Military traffic at Stockton was much heavier between the Vietnam War and the Persian Gulf War, and similarly between the Gulf War and the buildup to the Iraq conflict.

Travis is home to the largest aircraft in the world, the C5 and the newer C17, as well as an Air Refueling Wing of KC-10 (DC-10) tankers. When these fellows fly over someone's backyard, folks will first be seriously startled or frightened by a fast moving shadow before they actually hear anything. This will be followed by phone calls from some very upset and distressed citizens whose conversations will range from angry to threatening. It gets very ugly very quickly and those folks will want to know who in the world approved that airport close to their home!

I cannot over emphasize the importance of segregating the noise sensitive receptors from the airport. Overall, the County has done an outstanding job in this area. I am quite pleased that the Board of Supervisors and the Airport Directors have been so proactive in this area. All too often local communities clamor for the closure of important airports due to poor planning. You have a unique opportunity to preclude this nightmare of litigation and heartburn. You may also find that a somewhat new development, just north of the Arch Road Commercial area and adjacent to State Route 99, may become a source of anxiety for the City. Primarily because developers may try to use this as an example of precedence for other developments in fairly close proximity to the airport. Be careful. Do not let one poor decision lead to others. This is the kind of problem that occurs when jurisdictional boundaries (Stockton and SJ County) are in close proximity to airports. The prudent decision does not always prevail. I5-6 cont.

I will close by agreeing that the impact of HS-3 is indeed significant. However, it is not unavoidable. Careful planning to segregate the sensitive noise receptors from the airport will go a long way to avoiding this impact.

Fortunately, there is a studied scenario in the DEIR that addresses this problem; Land Use Alternative #5, Reduced Growth Alternative (Optional Land Use Scenario) is significant by virtue of its plan to convert the residential "Village" area immediately south of the Stockton Airport to an "Industrial" land use designation.

Sincerely,

Kurt W. Cooper

Kurt W. Cooper

cc: Mayor Ed Chavez

Stockton City Council

City of Stockton Planning Commission

MORRISON | FOERSTER

PLEASE RESPOND TO:
P.O. BOX 8130
WALNUT CREEK
CALIFORNIA 94596-8130

101 YGNACIO VALLEY ROAD
SUITE 450
WALNUT CREEK
CALIFORNIA 94596-4094

TELEPHONE: 925.295.3300
FACSIMILE: 925.946.9912

WWW.MOFO.COM

MORRISON & FOERSTER LLP
NEW YORK, SAN FRANCISCO,
LOS ANGELES, PALO ALTO,
SAN DIEGO, WASHINGTON, D.C.
DENVER, NORTHERN VIRGINIA,
ORANGE COUNTY, SACRAMENTO,
WALNUT CREEK, CENTURY CITY
TOKYO, LONDON, BEIJING,
SHANGHAI, HONG KONG,
SINGAPORE, BRUSSELS

I6

February 23, 2007

Writer's Direct Contact
925.295.3310
DGold@mofo.com

*Via Facsimile and U.S. Mail*

Mr. Steve Escobar
City of Stockton
345 North El Dorado St.
Stockton, CA 95202-1997

Re: Stockton Draft General Plan 2035

Dear Mr. Escobar:

On behalf of our client, River Run Partners, LLC, we are pleased to submit comments on the draft City of Stockton General Plan 2035. We believe your staff and consultants have prepared a comprehensive planning document to guide the City in its long-term planning efforts, and appreciate the thorough analysis conducted as part of the General Plan update process. I6-1

As you're aware, River Run Partners, LLC, has participated closely with the City and the community in public workshops with respect to our client's project located on approximately 2,070 acres of property, referred to in this letter as "River Run." We congratulate the City on nearing the finish line of this major planning effort. We are eager to cooperate with the City to ensure that the River Run project is ultimately consistent with Stockton's new General Plan.

Our comments are organized according to issue topic and are as follows:

Land Use I6-2

- Based on our analysis of the 2035 General Plan chart entitled *100% Modified Build-Out for the Stockton Preferred Alternative* (as of 11/3/06), please confirm that the build-out assumption for residential units for River Run is approximately 7,960 units.

- *Land Use Diagram, Figure 3-1 – Identifies 4 proposed elementary schools and 1 proposed middle school for Village M and 4 proposed elementary schools and 1 proposed middle school for Village N.*

  The River Run project proposes four new K-8 school sites and one new high school, based on initial discussions with the Manteca Unified School District ("MUSD"). Please confirm that the actual number of schools to be constructed for the *Villages* designation will be determined pursuant to the Specific Plan/Master Plan process. I6-2 cont.

- *Concentric Expansion, P. B-1 and B-2* – We generally support this component which discourages "leapfrog expansion" over "problem areas." However, we request clarification that development within the USB does not constitute "leapfrog expansion."

- *LU-1.4 – The City shall designate all lands outside the Urban Service Area boundary as Agriculture/Open Space. P. 3-11.*

  *LU-2.2 – the City shall support the establishment of a permanent agricultural/open space buffer along the ultimate edge of the Urban Service Area...with a minimum width of 100 feet. P. 3-12.*

  Please confirm that these policies regarding setbacks would not apply to properties designated *Village* under the General Plan, properties within the SOI of an adjacent city, or properties designated *Village* adjacent to the River Run property.

Community Design

- *CD 1.4 - ...Soundwalls and utilitarian edges of developments shall not be allowed as an interface between development and rural landscapes. P. 6-2.* I6-3

  Please insert at the beginning of this sentence as follows: "Except as determined appropriate pursuant to a Specific Plan or Master Development Plan, soundwalls and utilitarian edges..."

Districts and Villages

- *DV-5.1 A GPA covering the entire Village area will be required with the specific plan or master development plan for that Village. This GPA will be used to officially modify the General Plan Land Use Diagram to represent the land uses, as shown in the adopted specific plan or master development plan. P. 7-17* I6-4

We understand that the City does not intend to create another discretionary approval for Village areas through this policy. Rather, we construe this policy to direct the City Planning Director to administratively or ministerially officially modify the GP Land Use Diagram once a Village area Specific Plan or Master Development Plan is adopted which the City Council has determined is consistent with the General Plan Update. We request confirmation from the City that this interpretation is correct. I6-4 cont.

- *DV-5.11 – Prior to the approval of any Village specific plan, an Area Infrastructure Master Plan will be required. These master plans will lay out detailed plans for infrastructure improvements, phasing, and financing. P. 7-24.*

  As you may be aware, pursuant to California Government Code §§ 65451(a)(2),(4), a Specific Plan is required to include detailed information regarding "[t]he proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan" and "[a] program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry [these] out." In light of these requirements under State law, it appears that requiring an Area Infrastructure Master Plan separate from a Village Specific Plan creates an unnecessary and duplicative step in the planning process for Village areas. Consequently, recognizing that State law requires an equivalent analysis and discussion of infrastructure improvements, phasing, and financing, we recommend the City require the same level of infrastructure planning be included exclusively in a Village Area Specific Plan or Master Development Plan. As a result, it would not make sense to create separate Area Infrastructure Master Plans but rather integrate the various substantive plans into a Specific Plan. This would also avoid the risk of conflicts between these multiple plans. I6-5

- *DV 5.12 – Every Village will be required to provide one or more community centers based on a ratio of one center for very 10,000 population in that Village. P. 7-24.*

  At the end of that sentence, please insert…"or as determined by the Specific Plan governing that *Village*."

- *DV-5.18 – Parks within each village shall be distributed proportionally to match the distribution of population within the village. Park sizes and location shall be in keeping with serving the population within a walking distance of the park (1/4 mile). At least one community park shall be placed within walking distance (1/4 mile) of the Village Center Neighborhoods. Each Village development shall contribute to the creation of city regional parks. P. 7-25.*

- *TC-2.14 – The City shall require major public street and highway right-of-way dedications, highway interchanges, and improvements (i.e. arterial and collector streets and related bridges or railroad crossings) at the initial stage of development. P. 8-13.*

  We recommend replacing "at the initial stage of development" with "concurrent with development and as needed to maintain the City's level of service performance standards."

I6-5 cont.

- *GP Roadway System Diagram, Figure 8-1A* – Please confirm that the draft General Plan is assuming six lanes, rather than two, on the portion of Howard Road just west of South Wolfe Road. The River Run project has assumed the larger number of lanes for this roadway segment and we want to ensure consistency with the 2035 General Plan.

I6-6

Public Facilities and Services

- *Improvements anticipated to be completed by 2006...P. 9-1, 3rd paragraph and P. 9-8, Section 9.3 Wastewater.*

  We request clarification whether improvements are presently completed or, if not, an estimated completion date.

- *PFS-2.8 - The City shall not approve new development that relies on water from the Delta Water Supply Project until this Delta water is allocated through a water right to the City by the State Water Resources Control Board or a replacement water supply is secured. P. 9-7. (Also see PFS-2.7-Water Supply for New Development).*

  We recommend that this language track with State law SB 610 and SB 221 requirements. We are concerned that the strict "*not approve new development*" standard could create uncertainty whether all development entitlements are precluded, and potentially create conflicts with State law.

I6-7

- *PFS-4.2 – The City shall require the preparation of watershed drainage plans for proposed developments...P. 9-10.*

  We request clarification whether this takes the place of currently required Master Storm Drain Master Plans and whether the City will be responsible for preparing these plans. As noted in our comment to GPU Policy DV-5.11, Specific Plans are already required to include detailed information regarding "[t]he proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other

essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan" and "[a] program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry [these] out." California Government Code §§ 65451(a)(2),(4). In light of this requirement under State law, requiring a project applicant to prepare a "stand alone" Watershed Drainage Plan separate from a Village Specific Plan creates an unnecessary and duplicative step in the planning process for Village areas. Consequently, recognizing that state law requires an equivalent analysis and discussion of watershed drainage, we recommend the City require watershed drainage plans be included exclusively in a Village Area Specific Plan or Master Development Plan. I6-7 cont.

- *PFS 4.3 – The City shall require, as part of watershed drainage plans, Best Management Practices (BMPs), to reduce pollutants to the maximum extent practicable...Also, the owners, developers, and/or successors-in-interest must establish a maintenance entity acceptable to the City to provide funding for the operation, maintenance, and replacement costs of all post-construction BMPs. P. 9-10.*

  *PFS-4.5 – The City shall develop a Stormwater Management Utility Fee that will financially support the stormwater system operation, the Stormwater Management Plan, and maintenance and management program activities. P. 9-10* I6-8

  These two policies appear to conflict with one another. We request clarification whether the developer would be responsible for establishing funding (e.g. through a maintenance district) per PFS 4.3, or, in the alternate, whether the City would be responsible for establishing a fee to fund maintenance measures, per PFS 4.5.

- *PFS-8.4 – The City shall require new development to pay all public facility fees (PFF) as a means to provide a fair share of costs to provide fire station facilities and equipment in order to maintain the City's ISO rating of 1. Also, new development may be required to create a Community Facility District (CFD) or other funding mechanisms to pay the costs associated with a fire station. P. 9-13.*

  *9.12 Implementation #21 – The City shall conduct an assessment of proposed expansion areas, including Village areas, to determine where fees need to be levied for new and expanded public service and utility infrastructure including, but not limited to, fire stations and equipment, police stations and equipment, utility infrastructure, recreation facilities and parks, and library facilities. Fees should be based on initial facility and equipment costs as well as operations and long-term maintenance and replacement. P. 9-21* I6-9

*10.6 Implementation #3 – The City shall conduct an assessment of proposed expansion areas to determine where fees need to be levied for new and expanded recreational areas and faculties. P. 10-8*

We recommend the City consider the total fiscal impact of a project when determining what type of additional financing mechanism may be required, if any, to cover General Fund budget items such as Police, Fire, or Park and Recreation maintenance. The total fiscal impact of a project should consider both General Fund costs as well as General Fund revenues, such as property tax and sales tax revenues. A more comprehensive analysis of a project's total fiscal impact will provide more effective financial planning and ensure long-term fiscal responsibility.

Recreation and Waterways

- *RW-3.6 – The City shall require developers to improve utility easement property as usable public open space. Such land would not be credited toward meeting the recreation standards in Policy-RW 2.1 nor would it be eligible for parkland fee reimbursement. P. 10-6.*

  We respectfully request modification to this policy because we believe that within *Villages*, improved utility easement property which is usable as public parkland should be credited towards meeting parkland dedication standards in Policy-RW 2.1 and be eligible for parkland fee reimbursement.

I6-9 cont.

Health and Safety

- *P. 11-3 – ...Earthquake-induced liquefaction most often occurs in low-lying areas with soils or sediments composed of unconsolidated, saturated, clay-free sands and silts, but it can also occur in dry, granular soils or saturated soils with some clay content.*

  We request eliminating "but it can also occur in dry, granular soils or" as dry soils cannot liquefy.

- *HS-6.5 – The City shall encourage reclamation districts to institute a levee maintenance program to reduce levee failures. P. 11-13.*

  We propose revising this sentence as follows: "The City shall encourage reclamation districts or other perpetually funded government agency (e.g. Geologic Hazard Abatement District) to institute..."

Natural and Cultural Resources

- *NCR-2.1. The City shall support preservation, restoration, and enhancement of the designated habitats of State or Federally-listed... P. 13-5.*

  We recommend that the City preserve its lead agency status and that this be rewritten as follows: "The City shall support preservation, restoration, and enhancement of habitats of State or Federally-listed . . ."

- *NCR-2.4. The City shall consider the loss of sensitive habitat due to development to be a significant environmental impact. All development that is proposed to disturb or remove sensitive habitat shall demonstrate mitigation for this loss.* P. 13-5. I6-9 cont.

  We are concerned that this proposed new policy not impair the City's ability to adopt overriding considerations as lead agency. We are concerned with the phrase "demonstrate mitigation." What if there is no feasible mitigation and an override is needed? We recommend this be revised as follows: "The City shall consider the loss of sensitive habitat due to development to be a significant environmental impact. The City shall ensure that all feasible mitigation options be demonstrated for development that is proposed to disturb or remove sensitive habitat."

- *NCR-2.5. The City shall continue to coordinate with the [SJCOG] and comply with the terms of the [HCP] to protect critical habitat areas that support... P. 13-5.*

  Please clarify what is meant by "critical habitat areas"? Is this referring to federally designated critical habitat? To preserve the City's lead agency status, we recommend this be rewritten as follows: "The City shall continue to coordinate with the [SJCOG] and comply with the terms of the [HCP] to protect important habitat areas that support..." I6-10

- *NCR-2.9. The City shall impose appropriate mitigation measures using protocols defined by the applicable statute (e.g., USFWS, CDFG, etc.). P. 13-6.*

  We recommend that this be revised as follows: "The City, in its lead agency role, shall take into consideration mitigation standards and policies of resource and regulatory agencies with jurisdiction over biological resources (e.g., USFWS, CDFG, and Corps of Engineers)." I6-11

We appreciate the opportunity to comment on the City's draft General Plan 2035. Again, we applaud the City for advancing this General Plan update to provide a long range planning vision for Stockton. I6-12

Sincerely,

David A. Gold

cc: Christine Tien, Deputy City Manager
Catherine Riley, Design, Community & Environment
Sam Greason, River Run, LLC
Chop Keenan, Keenan Land Company
Rusty Ameter, DR Horton
Scott Gregory, Lamphier-Gregory
Mike Persak, Stantec
Eileen Goodwin, Apex Strategies
Julie Morgan, Fehr & Peers
Uri Eliahu, ENGEO Inc.
Jason Moody, Economic & Planning Systems
Paul Lettieri, The Guzzardo Partnership, Inc.

Cooper
8740 Helen Lane, Stockton, CA 95212 ■ nct510@hughes.net

January 25, 2007

RECEIVED
CITY OF STOCKTON

JAN 29 2007

PERMIT CENTER
PLANNING DIVISION

Mr. David Stagnaro, AICP
Senior Planner
Community Development Department
345 N. El Dorado St.
Stockton, CA 95202

RE: City of Stockton General Plan Draft EIR

Dear Mr. Stagnaro:

Thank you for the opportunity to comment on the City's Draft EIR for the 2035 General Plan. I wish to point out some important elements of Chapter 11.7 Emergency Operations Plan, which deserve careful scrutiny and discussion. After recently sustaining tragic results from terrorist activities and natural disasters in our country, we are charged with the responsibility of ensuring the best possible emergency response planning for our citizens. The General Plan and DEIR consider this in the following extracts. I7-1

However, as you will see, the Plan is not really an Emergency Operations Plan if it cannot be implemented. The DEIR and the Goals & Policy Report candidly outline the terrible fact that under the Preferred Land Use Alternative, the current and envisioned transportation infrastructure do not and will not support an emergency response plan or evacuation plan. In point of fact, the DEIR states that the policies of this GP/DEIR will actually interfere with and physically impede emergency response vehicles.

Therefore, a serious problem exists involving life and death situations. However, instead of solving these problems, the DEIR concludes that this negative impact is Significant and Unavoidable. Moreover, there is no further discussion in the plan. I7-2

I submit that this conclusion, along with many other negative impacts in this study, is unacceptable. The study must provide alternatives to this conclusion. The Plan is simply too large in scope in terms of population growth and build-out. Pertinent portions of the DEIR are noted in *italics*. The text is both candid and honest

Chapter 11.7 Emergency Operations Plan. Impact HS-17 states:

***Impact HS-17:*** *The Proposed Project could impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.*

***Impact Summary***
*Level of Significance Before Mitigation: Potentially Significant*
*Required Mitigation Measures: No additional mitigation is currently available*
*Level of Significance After Mitigation: Significant and Unavoidable*

Policy HS-7.3 Access and Evacuation Corridors addresses this impact:

*The City shall ensure that major access and evacuation corridors are available and unobstructed in case of major emergency or disaster.*

The Impact Analysis for HS-7.3 states:

*As more fully described in Chapter 8.0 "Transportation & Circulation" of this EIR, implementation of the Proposed Project would more than double the current number of vehicle trips and miles of vehicular travel within the Study Area. Consequently, several local roadway facilities would experience deterioration in their level of service to an unacceptable level....However, the traffic impact is still considered "significant and unavoidable" because the proposed policies allow for the deterioration of their level of service beyond what is allowed under the current General Plan and because implementation of several proposed roadway improvements is contingent on a variety of factors outside the City's control. Roadways operating at unacceptable levels of service could contribute to the physical interference of an adopted emergency response plan or evacuation plan.*

The Required Mitigation Measures for HS-7.3 state:

I7-2 cont.

*As stated above, the City will implement a variety of policies and implementation measures designed to address conformance with local emergency response programs and continued cooperation with emergency response service providers. However, roadways operating at unacceptable levels of service (through increased vehicle traffic associated with the Proposed Project) could physically impede the response times of emergency response vehicles or delay implementation of an evacuation plan. As a result, this impact remains* ***significant.*** *No additional feasible mitigation is currently available.*

Knowing that we are a major city, surrounded by earth fill levies, many built in the 19th century, the DEIR acknowledges that:

***HS-1.7 Plan for When Disaster Will Occur, Not if it Will Occur***
*The City shall adopt procedures which recognize that predicted disasters, such as flooding and earthquakes, will occur, and the City needs to be prepared to respond at any time.*

Therefore, the City's plan for disaster response and emergency evacuation is acknowledgment that the preferred plan will cause traffic congestion to the extent that emergency responders will be stuck in gridlock with the hundreds of thousands of citizens trying unsuccessfully to evacuate the city. It bears repeating that a significant and unavoidable impact in this area of planning is very unacceptable. (911 / Katrina / New Orleans!)

Page 8-55, Traffic & Circulation adds even more disaster to the disaster:

*Some of the roadway infrastructure improvements shown in the Circulation Diagram are on facilities under the jurisdiction of entities outside of the City of Stockton (such as Caltrans or San Joaquin County).*

*Implementation of the proposed improvements would be subject to approval by other agencies, as well as to funding programs that are not fully developed at this time. Timely construction of the proposed improvements would require substantial coordination and cooperation between the City and other agencies.*

*For example, the Circulation Diagram includes freeway widening along I-5, SR 99, and the Crosstown Freeway; design and construction of these improvements would be subject to oversight and approval of Caltrans, and funding would likely come from a combination of sources, including State funds, regional funds such as sales tax proceeds from a future renewal of Measure K, and local funds such as developer fees. If these improvements were delayed such that implementation did not generally coincide with the development envisioned under the Proposed Project, the likely result would be greater levels of traffic congestion than identified in this EIR along both the existing freeway system and the major parallel streets in Stockton.*

I7-2 cont.

It is inconceivable, in this day and age of emergency response management, that a municipal entity would knowingly accept what amounts to a plan for failure in such a crucial area. This element deals with life and death situations and must be given a much higher priority of importance than accepted failure. Perhaps the City is candidly illustrating the inherent weaknesses of the Preferred Land Use Alternative.

This leads us once again, to seriously explore the benefits of DEIR Alternative #5 that actually mitigates many of the deficiencies of Chapter 11. The Study is quick to state that all Alternatives have significant impacts but careful analysis will reveal Alternative #5 to be one that we can all live with.

Sincerely,

Kurt W. Cooper

Kurt W. Cooper

cc: Mayor Ed Chavez

City Council

Planning Commission

Cooper
8740 Helen Lane, Stockton, CA 95212 ■ nct510@hughes.net

January 26, 2007

RECEIVED
CITY OF STOCKTON

JAN 29 2007

PERMIT CENTER
PLANNING DIVISION

Mr. David Stagnaro, AICP
Senior Planner
Community Development Department
345 N. El Dorado St.
Stockton, CA 95202

RE: City of Stockton General Plan Draft EIR

Dear Mr. Stagnaro:

Thank you for the opportunity to comment on the City's Draft EIR for the 2035 General Plan. I have several comments to make concerning Chapter 9.7, Law Enforcement, with additional comments to other elements to follow under separate cover.

I8-1

The DEIR begins with a short introduction and summary of the current state of law enforcement in Stockton. References are made to the Background Report and the Goals & Policies Report for additional information and a discussion of goals, policies, and implementation measures addressing law enforcement issues. With reference to the policies (*in italics*) please note the following:

***PFS-1.1 Maintain Existing Levels of Services.*** *The City shall give priority to providing services to existing urban areas in order to prevent the deterioration of existing levels-of-service.*

I8-2

Is it the intent of the DEIR to provide priority services to existing portions of the City at the expense of newly developed areas? Will the newly developed areas receive a lower priority of service in order maintain current levels of service to existing urban areas?

***PFS-7.2 Staffing Ratios.*** *The City shall strive to maintain a minimum ratio of 1.5 sworn officers per 1,000 residents served.*

Given the high rate of crime, as described later in this letter, this staffing ratio is insufficient. The Background Report states that Sacramento and Fresno maintain a ratio of 1.6 to 1,000. Modesto's ratio is 1.8 to 1,000. An article in the Stockton Record on January 6, 2007 reported a Federal Bureau of Investigation recommendation of 3.0 to 1,000 for an urban city of Stockton's size and crime problems (violent crime, parolees, panderers, prostitutes, drug dealers, etc).

I8-3

***PFS-7.5 Design Features for Crime Prevention and Reduction.*** *The City shall continue to promote the use of building and site design features as a means for crime prevention and reduction.*

I8-4

Although this policy is theoretically smart all one has to do is park in the new multi-story garage down the street from the Police Department to find one self in possible danger. It would seem that we need much stronger policies than this.

On a slight digression, HS-7.5 addresses police offices and hospitals.

***HS-7.5 Siting of Critical Emergency Response Facilities.*** *The City shall ensure that the siting of critical emergency response facilities such as hospitals, fire stations, police offices, substations, ...have minimal exposure to flooding, seismic and geological effects, fire, and explosions.*

I8-5

Does the DEIR propose the construction of new hospitals? The two hospitals in Stockton and the County hospital are heavily over burdened, specifically the emergency rooms. A city the size of the Preferred Land Use Alternative with a population of 600,000 will certainly need more hospitals. This should be addressed in the EIR.

With the exception of Implementation Measure #21, there are no implementation measures provided to ensure enactment and completion of the polices. Section 1.5, General Plan Organization states:

***IMPLEMENTATION***
*...ensure that appropriate actions are taken to implement the General Plan...City departments are responsible to see this implementation gets done, and provide a timeline for when this implementation will be done.*

I8-6

City departments have not been designated as responsible entities to ensure implementation of these policies. Additionally, there is no plan or assignment of a timeline for completion of these policies.

***Impact PFS-17:*** *The Proposed Project would not result in a substantial adverse physical impact to the continued provision of law enforcement services in the Study Area.*
***Impact:*** *Less-than-Significant*

***Required Mitigation Measures***
***Implementation Measure #21.*** *The City shall conduct an assessment of proposed expansion areas, including Village areas, to determine where fees need to be levied for new and expanded fire stations and equipment.*

I8-7

***Significance after Implementation of Mitigation for Impact PFS-17***
*As stated above, the City will implement a variety of policies designed to address the adequate provision of a variety of public services as part of the Proposed Project. Therefore, implementation of the Proposed Project including the adoption of the policies*

*and implementation measures listed above and the revised Implementation Measure #21 would result in a **less-than-significant** impact.*

Provision of police services is not simply a monetary issue solved by a levy of fees. It is a well-known fact that Stockton suffers from a serious problem of recruiting well-qualified candidates for police officer positions to service the current population. Part of that problem is our notorious reputation as a city of high crime. How much more will that problem be compounded as the population doubles. The City currently has 22 major projects under consideration that total 75,600 housing units. That equates to an increase in population of 227,000. With crime increasing astronomically over the last 5 yrs, Impact PFS-17 is definitely significant and serious. I8-7 cont.

The Goals & Policies Report opens Chapter 9.7 by stating:
*With a slight (*my emphasis*) increase in crime within the City and...*

The Background Report states in highlighted text in a sidebar:
*In the last decade, Stockton has seen a slight increase in crime.*

However, a study of the included crime statistics reveals that Stockton's crime rate has increased by 6.1% according to the FBI. That is not considered "slight." Moreover, the report goes on to state that Stockton's crime rate **increased by 32.9%** in the last five years of that same decade. The method used to report the "slight" 6.1% information appears to be deliberately misleading. This entire subject demands a reanalysis to adequately and honestly inform the public and the decision makers. I8-8

Many thinking people would agree that prevention of education and crime problems starts with conscientious parenting in the home. However, the problems on Stockton's streets are real and now. Stockton will need substantial law enforcement help soon and this DEIR plays down the facts and undermines a significant element of public safety. I8-9

Sincerely,

Kurt W. Cooper

Kurt W. Cooper

cc: Mayor Ed Chavez

Stockton City Council

City of Stockton Planning Commission

HEFNER STARK & MAROIS LLP
LAW OFFICES ESTABLISHED 1896

2150 RIVER PLAZA DRIVE,
SUITE 450
SACRAMENTO, CA
95833-3883
TEL: (916) 925-6620
FAX: (916) 925-1127

GEORGE T. KAMMERER
EMAIL: GKAMMERER@HSMLAW.COM

I9

January 26, 2007

Michael M. Niblock
Community Development Director
City of Stockton
345 North El Dorado Street
Stockton, CA 95202-1997

**Via Facsimile / E-mail / First Class Mail**
**(209) 937-8893 / mike.niblock@ci.stockton.ca.us**

**Re: Review & Comment - Goals & Policies Report Stockton General Plan 2035 and Draft Environmental Impact Report for the Stockton General Plan Update and Infrastructure Master Plans Project (EIR4-05)**

Dear Mr. Niblock:

We submit these comments to you on behalf of our client, the Arnaiz Companies, concerning the Goals & Policies Report Stockton General Plan 2035 and Draft Environmental Impact Report for the Stockton General Plan Update and Infrastructure Master Plans Project (EIR4-05). The comments herein are focused upon airport land use planning issues. Our clients are submitting other comments upon the GP 2035 and DEIR under separate cover.

I9-1

These comments are intended to apply to the proposed Village "L" within the GP 2035 planning area, however, many are applicable to other lands within the Airport Influence Area as well.

The following are our specific comments concerning airport-related issues:

**3.0 Land Use**

**Impact LU-2: Development proposed under the General Plan would conflict with an adopted applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect.**

I9-2

Required Mitigation Measures include LU-6.1 *"Airport Influence Area"*, LU-6.2 *"Consistency with Airport Land Use Commission Policies"*, LU-6.3 *"Interim Land Use Compatibility"*, LU-6.4 *"Infill within AIA"*, LU-6.5 *"Avigation Easements within AIA"*, LU-6.6 *"Adjacent Major Transit Uses"*, LU-6.7 *"Noise Analysis"*, *Land Use Implementation Measure #12*. (DEIR Pages 3-11 through 3-15).

- **LU-6.1 Airport Influence Area.**

**Comment:** GP DEIR, Page 3-13. Under California Public Utilities Code (PUC) § 21675, Airport Land Use Commission's (ALUC's) shall formulate a comprehensive land use plan that will provide for the orderly growth of each public airport and the area surrounding that airport within the jurisdiction of the commission . . . that reflects the anticipated growth of the airport during the next 20 years." Under PUC § 21676.5(a), an "ALUC's adoption of a compatibility plan cannot simply be ignored [by] local jurisdictions." (California Airport Land Use Planning Handbook (CalTrans Division of Aeronautics, January 2002), page S-12) (2002 CTHB). The 2002 CTHB is considered the "Bible" of airport land use planning.

Since 1973, the San Joaquin County Council of Governments (COG) has been empowered by the cities and county to act as the ALUC in San Joaquin County. The COG/ALUC adopted a valid Airport Land Use Compatibility Plan (ALUCP) in 1983, which was most recently amended in 1993. California Government Code § 56302.3 requires that the "general plan . . . shall be consistent with the plan [ALUCP] adopted or amended pursuant to Section 21675 of the Public Utilities Code." Therefore, until and unless the ALUC decides to update the 1993 ALUCP, the 1993 ALUCP remains in full effect and any update of the General Plan must be consistent with the criteria of the 1993 ALUCP, or the City of Stockton must conduct the detailed procedures outlined in PUC § 21676 requiring a separate public hearing, resulting in a two-thirds majority vote, supported by detailed specific findings that explain how the General Plan policies themselves are fully consistent with the purposes of state law under PUC § 21670. Until and unless this occurs, or the ALUC itself updates the ALUCP, the 1993 ALUCP remains the law of the land for its 20-year life (until 2013) with which all General Plan policies must remain consistent. Until then, the Airport Influence Area (AIA) and all airport polices contained within the 1993 ALUCP constitute the controlling AIA and the controlling airport policies which must be applied to determine the airport consistency of proposed development projects.

I9-2 cont.

Under the AIA and the policies of the 1993 ALUCP, the land uses proposed in Village L are fully consistent and compatible with airport operations at the Stockton Metropolitan Airport as explained herein.

- **LU-6.2 Consistency with Airport Land Use Commission Policies.**

**Comment:** GP DEIR, Page 3-13. To be a legally correct and un-ambiguous statement, LU-6.2 should expressly note that the polices adopted in the 1993 ALUCP are controlling. Furthermore, the language of this mitigation measure is incomplete. The last sentence is missing text at the end of it. A reference to the Goals and Policies Report, page 3-16, reveals that the following language has been erroneously omitted, ". . . the City Council, pursuant to a two-thirds vote, exercises its option to conclude that, notwithstanding a negative recommendation from the ALUC, the Council's proposed action is consistent with the purposes of providing for the orderly development of the Airport (sic) and the areas surrounding the airport while protecting the public health, safety, and welfare by minimizing the public's exposure to excessive [noise] (sic) and safety hazards." I9-3

Under the AIA and the policies of the 1993 ALUCP, the land uses proposed in Village L are fully consistent and compatible with airport operations at the Stockton Metropolitan Airport as explained herein.

- **LU-6.3 Interim Land Use Compatibility.**

**Comment:** GP DEIR, Page 3-13. Until the adoption of a new ALUCP actually occurs, the 1993 ALUCP and its AIA and policies remain valid and controlling (PUC § 21676.5(a)). Therefore, "prior to the adoption of a new Airport Land Use Compatibility Plan" the city cannot utilize criteria other than those contained within the 1993 ALUCP by which to determine airport consistency and compatibility. LU-6.3 should be deleted because it is contrary to state law. I9-4

Furthermore, LU-6.3 should be deleted because it is arbitrary and nonsensical. LU-6.3 is arbitrary because it seeks to maintain the "land use regulations in the existing [1993] ALUCP" for all zones ***except*** the Horizontal Zone with no valid rationale for doing that. LU-6.3 is nonsensical and counter intuitive because it seeks to impose more restrictive criteria within the Horizontal Zone (which is farther from the airport) than within the other enumerated zones in 6.3 (which are closer to the airport). Zones closer to airports in almost all cases are subject to great noise levels and greater safety risks than are zones located farther away from airports, such as the Horizontal Zone.

According to the 2002 CTHB, a Horizontal Zone is equivalent to the Traffic Pattern Zone (TPZ) (2002 CTHB, Chapter 9, "Establishing Airport Safety Compatibility Policies"; CalTrans July 16, 1993 comment letter upon the 1993 proposed ALUCP, p. 1.). According to CalTrans, within the TPZ (the Horizontal Zone), risk factors and runway proximity in this location pose a [g]enerally low likelihood of accident occurrence at most airports." As a result, the 2002 CTHB specifies that it is fully compatible to "[a]llow residential uses" within the Horizontal Zone. (2002, CTHB, Table 9B "Basic Safety Compatibility Qualities", pp. 9-44 to 9-45.)

Furthermore, California state regulations establish 65 decibels (dB) as the Community Noise Equivalent Level (CNEL) which is the "maximum normally acceptable for residential and other certain land uses." (2002 CTHB, Table 7C, "Noise Compatibility Criteria Alternatives - New Residential Land Uses," p. 7-29.) Village L is located beyond (outside of) the 65 dB CNEL noise contour line. In fact, Village L is effectively located only within or beyond (outside of) the 55 dB CNEL noise contour line. (1993 ALUCP, "CNEL Contours for 1994-1995 Operations at Stockton Metropolitan Airport, p. 28.) According to CalTrans, noise in the Horizontal Zone (in which Village L is located) is no more than "normally acceptable noise exposure for residential uses," and thus, Village L is located in a area which is fully "[s]uitable for new development around most airports." (2002 CTHB, Table 7C, "Noise Compatibility Criteria Alternatives - New Residential Land Uses," p. 7-29.)

I9-4 cont.

Therefore, the limitations contained within LU-6.3 (3) upon residential and other similar land uses are simply nonsensical, irrational and unfounded because it they are completely contrary to both CalTrans' data and policies and the 1993 ALUCP's data and policies. As a result, LU-6.3 should be entirely deleted from the General Plan.

Under the CTHB, AIA and the policies of the 1993 ALUCP, the land uses proposed in Village L are fully consistent and compatible with airport operations at the Stockton Metropolitan Airport as explained herein.

- **LU-6.5 Avigation Easement with AIA.**

**Comment:** GP DEIR, Page 3-14. Standard land use planning involves the use of reasonable avigation easements where doing so is consistent with CalTrans policy.

I9-5

- **LU-6.7 Noise Analysis.**

**Comment:** GP DEIR, Page 3-15. Only reasonably likely single event noise events for which clear data are available should be considered and analyzed and not any speculative or unmeasured events. I9-6

- **Implementation Measure #12.**

**Comment:** GP DEIR, Page 3-15. Government Code § 65302.3 mandates that a "General plan . . . shall be consistent with the plan [ALUCP] adopted or amended pursuant to Section 21675 of the Public Utilities Code" and that "[t]he general plan . . . shall be amended, as necessary, within 180 days of any amendment to the plan [ALUCP] . . ." Thus, within 180 days of adoption of General Plan 2035 by the Stockton City Council, the City is required by law to amend General Plan 2035 to make it consistent with the 1993 ALUCP, or follow the detailed procedures contained within PUC § 21676. The language referring to "any ALUCP adopted after 2006" is an incorrect statement of law and should be deleted. I9-7

**8.0 Transportation and Circulation**

- **TC-7.1 Aviation Services.**

**Comment:** GP DEIR, Page 8-17. Under the CTHB, AIA and the policies of the 1993 ALUCP, the land uses proposed in Village L are fully consistent and compatible with airport operations at the Stockton Metropolitan Airport as explained herein. I9-8

- **TC-7.3 Aviation Services.**

**Comment:** Standard land use planning involves the use of reasonable avigation easements where doing so is consistent with CalTrans policy. I9-9

- **TC-7.4 Airport Related Land Uses.**

**Comment:** Under the CTHB, AIA and the policies of the 1993 ALUCP, the land uses proposed in Village L are fully consistent and compatible with airport operations at the Stockton Metropolitan Airport and will allow for commercial and industrial developments requiring air service. I9-10

- **TC-7.5 Noise Analysis.**

**Comment:** Only reasonably likely single event noise events for which clear data are available should be considered and analyzed and not any speculative or unmeasured events. I9-11

- **TC-7.6 Consistency with Airport Land Use Commission Policies.**

**Comment:** GP DEIR, Page 8-17. To be a legally correct and un-ambiguous statement, TC-7.6 should expressly note that the polices adopted in the 1993 ALUCP are controlling. Furthermore, the language of this mitigation measure is incomplete. The last sentence is missing text at the end of it. A reference to the Goals and Policies Report, page 8-21, reveals that the following language has been erroneously omitted, ". . . the City Council, pursuant to a two-thirds vote, exercises its option to conclude that, notwithstanding a negative recommendation from the ALUC, the Council's proposed action is consistent with the purposes of providing for the orderly development of the Airport (sic) and the res (sic) surrounding the airport while protecting the public health, safety, and welfare by minimizing the public's exposure to excessive [noise] (sic) and safety hazards." I9-12

Under the AIA and the policies of the 1993 ALUCP, the land uses proposed in Village L are fully consistent and compatible with airport operations at the Stockton Metropolitan Airport as explained herein.

**11.0 Health & Safety**

**Impact HS-3: The Proposed Project will be located within an airport land use plan area or within the vicinity of a private airstrip and could expose people residing or working within the project area to excessive noise levels.**

Required Mitigation Measures include LU-6.1 *"Airport Influence Area"*, LU-6.3 *"Interim Land Use Compatibility"*, LU-6.4 *"Infill within AIA"*, LU-6.5 *"Avigation Easements within AIA"*, LU-6.7 *"Noise Analysis"*, *Land Use Implementation Measure #12* and HS-2.20 *"Conformity with Current AELUP."* (DEIR Pages 11-17 through 11-22).

- **LU-6.1 Airport Influence Area.**

**Comment:** GP DEIR, Page 11-19. Under the CTHB, AIA and the policies of the 1993 ALUCP, the land uses proposed in Village L are fully consistent and compatible with airport operations at the Stockton Metropolitan Airport as explained herein. I9-13

- **LU-6.2 Consistency with Airport Land Use Commission Policies.**

**Comment:** GP DEIR, Page 11-20. Under the CTHB, AIA and the policies of the 1993 ALUCP, the land uses proposed in Village L are fully consistent and compatible with airport operations at the Stockton Metropolitan Airport as explained herein.

- **LU-6.3 Interim Land Use Compatibility.**

**Comment:** GP DEIR, Page 11-20. Under the CTHB, AIA and the policies of the 1993 ALUCP, the land uses proposed in Village L are fully consistent and compatible with airport operations at the Stockton Metropolitan Airport as explained herein.

- **LU-6.5 Avigation Easements within AIA.**

**Comment:** GP DEIR, Page 11-21. Under the CTHB, AIA and the policies of the 1993 ALUCP, the land uses proposed in Village L are fully consistent and compatible with airport operations at the Stockton Metropolitan Airport as explained herein.

- **LU-6.7 Noise Analysis.**

**Comment:** GP DEIR, Page 11-21. Under the CTHB, AIA and the policies of the 1993 ALUCP, the land uses proposed in Village L are fully consistent and compatible with airport operations at the Stockton Metropolitan Airport as explained herein.

- **Implementation Measure #12.**

I9-13 cont.

**Comment:** GP DEIR, Page 11-21. Under the CTHB, AIA and the policies of the 1993 ALUCP, the land uses proposed in Village L are fully consistent and compatible with airport operations at the Stockton Metropolitan Airport as explained herein.

- **HS-2.20 Conformity with Current AELUP.**

**Comment:** GP DEIR, Page 11-21; Mitigation Measure HS-2.20.

GP DEIR, Page 11-21; Mitigation Measure HS-2.20, Conformity with Current AELUP. The mitigation measure requires the use of the most current available Airport Land Use Plan as a planning resource for evaluating land use compatibility considerations. This mitigation measure, which is also a proposed General Plan policy, is inconsistent with DEIR mitigation measures and proposed General Plan Policies LU-6.1 through 6.3, which state the City will use interim criteria to evaluate consistency until a new plan ALUP is adopted by the Airport Land Use Commission. This inconsistency calls into question the validity of the mitigation measures and questions the internal consistency of the proposed 2035 General Plan.

I9-14

**Comment:** Under the CTHB, AIA and the policies of the 1993 ALUCP, the land uses proposed in Village L are fully consistent and compatible with airport operations at the Stockton Metropolitan Airport as explained herein.

I9-15

**Impact HS-16: The Proposed Project would result in development located within an airport land use plan area or and (sic) could result in a safety hazard for people residing or working in the project area.**

Required Mitigation Measures include LU-6.1 *"Airport Influence Area"*, LU-6.2 *"Consistency with Airport Land Use Commission Policies"*, LU-6.3 *"Interim Land Use Compatibility"*, LU-6.4 *"Infill within AIA"*, LU-6.5 *"Avigation Easements within AIA"*, LU-6.6 *"Adjacent Major Transit Uses"*, LU-6.7 *"Noise Analysis"*, *Land Use Implementation Measure #12.* (DEIR Pages 11-60 through 11-64).

- **LU-6.1 Airport Influence Area.**

**Comment:** GP DEIR, Page 11-61. Under the CTHB, AIA and the policies of the 1993 ALUCP, the land uses proposed in Village L are fully consistent and compatible with airport operations at the Stockton Metropolitan Airport as explained herein.

- **LU-6.2 Consistency with Airport Land Use Commission Policies.**

**Comment:** GP DEIR, Page 11-62. Under the CTHB, AIA and the policies of the 1993 ALUCP, the land uses proposed in Village L are fully consistent and compatible with airport operations at the Stockton Metropolitan Airport as explained herein.

I9-15 cont.

- **LU-6.3 Interim Land Use Compatibility.**

**Comment:** GP DEIR, Page 11-62. Under the CTHB, AIA and the policies of the 1993 ALUCP, the land uses proposed in Village L are fully consistent and compatible with airport operations at the Stockton Metropolitan Airport as explained herein.

- **LU-6.5 Avigation Easements within AIA.**

**Comment:** GP DEIR, Page 11-63. Under the CTHB, AIA and the policies of the 1993 ALUCP, the land uses proposed in Village L are fully consistent and compatible with airport operations at the Stockton Metropolitan Airport as explained herein.

- **LU-6.7 Noise Analysis.**

**Comment:** GP DEIR, Page 11-63. Under the CTHB, AIA and the policies of the 1993 ALUCP, the land uses proposed in Village L are fully consistent and compatible with airport operations at the Stockton Metropolitan Airport as explained herein.

- **Implementation Measure #12.**

I9-15 cont.

**Comment:** GP DEIR, Page 11-63. Under the CTHB, AIA and the policies of the 1993 ALUCP, the land uses proposed in Village L are fully consistent and compatible with airport operations at the Stockton Metropolitan Airport as explained herein.

**********

Thank you for the opportunity to provide these comments to the City of Stockton on the GP 2035 and the DEIR for GP 2035. We ask that those documents be revised as proposed in this letter. Should you have any questions, or desire additional information, do not hesitate to contact me personally at the number above at your convenience. Thank you.

I9-16

Very truly yours,

HEFNER, STARK & MAROIS, LLP

By

George T. Kammerer

GTK:tan
cc: The Arnaiz Companies
K:\Arnaiz Development Co\Tidewater Crossing (6097-0003)\General Plan and Supporting Studies\ltr niblock 1 (gp deir) (ver 3).wpd

I10

LAW OFFICE OF
J. WILLIAM YEATES

3400 COTTAGE WAY, SUITE K
SACRAMENTO, CALIFORNIA 95825
TELEPHONE: (916) 609-5000
FACSIMILE: (916) 609-5001
www.enviroqualitylaw.com

J. WILLIAM YEATES

KEITH G. WAGNER
JASON R. FLANDERS

January 26, 2007

David Stagnaro and Steve Escobar, Senior Planners
Stockton Community Development Department
Planning Division
345 North El Dorado St.
Stockton, CA 95202-1997

Re: *Public Comments for Proposed Stockton General Plan 2035, Draft Environmental Impact Report*

Dear Messers Stagnaro and Escobar:

Thank you for the opportunity to comment on the Draft Environmental Impact Report ("DEIR") for Stockton's proposed 2035 General Plan. We submit these comments on behalf of our clients, the Morada Area Association, who reside in and around the Morada, Waterloo, and Linden areas, and who are very concerned about the City's urban expansion into the rural and agricultural areas east of State Route 99. I10-1

## A. PROJECT OBJECTIVES

The proposed project's target population of 580,000 is far too high, and will result in unnecessary environmental impacts.[1] The City has chosen a growth rate that is higher than the historic growth rate, and higher than growth projections from the San Joaquin Council of Governments.[2] The DEIR's Background Report shows that between 1990 and 2005, the City of Stockton grew by 32.5 %.[3] Data from the California Department of Finance shows that the City of Stockton grew by 15.6 % between 1990 and 2000.[4] Even using the higher rate of 32.5 % every fifteen years, the City of Stockton's population will be approximately 460,000 in year 2035, the proposed General Plan's planning horizon. This population total aligns perfectly with alternatives 4 and 5 to the proposed project (the environmentally superior alternative, and the next most environmentally superior alternative). These alternatives appear to be more appropriate, and based upon more realistic population projections, than the preferred project. I10-2

Does the DEIR anticipate that this growth will come solely from Stockton and nearby surrounding areas, or is the proposed project attempting to attract growth from the Bay Area? If the latter, has the DEIR evaluated the environmental impacts of such immigration, such as long

[1] DEIR, 2-7.
[2] Background Report (hereafter "BR"), 2-6.
[3] BR, 1-10.
[4] California Department of Finance, Population Change 1990-2000, Incorporated Cities by County, available at http://www.dof.ca.gov/HTML/DEMOGRAP/SDC/SDC-Products.asp (Attachment 1, hereto).

commutes, and residents who do not fill the City's job demand? By more than doubling the size of Stockton over the next thirty years, the City of Stockton will encourage immigration that will result in longer commutes, which will increase air pollution, greenhouse gas generation, and traffic congestion. Further, the policy of providing housing for Bay Area commuters fails to balance the proposed General Plan's home to job ratio. I10-2 cont.

### B. LAND USE

The DEIR inconsistently describes the proposed project as, on the one hand, one that will maximize infill and prevent urban sprawl, and, on the other, one that will create urban sprawl by pushing new development into tens of thousands of acres of open space and agricultural land. The DEIR states that "[b]uildout of the Preferred Land Use Alternative will allow for the introduction of development (predominately residential land uses) into largely undisturbed areas."[5] Yet, the DEIR also states that "[u]rban infill development would account for an estimated 100% of the total development proposed under the Preferred Land Use Alternative."[6] How does the DEIR reconcile these two contradictory assertions?

The DEIR displays this inconsistency several times, while ignoring the obvious inconsistency of encouraging sprawl while promoting infill development. For example, policy LU-1.12 states that the City shall strive to minimize commuting distances by encouraging infill development, policy DV-2.2 states that "[t]he City shall encourage high-density residential uses to locate in the downtown area and along transit corridors," and one of the project's objectives is to "maximize infill development."[7] Yet, the DEIR also admits that "[l]ow density residential accounts for the primary residential use,"[8] and table ES-2 shows that the designated land uses under the preferred alternative would consist of 31% low density residential, 3% residential estate, 2% medium density residential, and 1% high density residential.[9] Moreover, *all* of the village areas are proposed to be located on the outskirts of, and beyond, what is now the existing jurisdiction of the City of Stockton.[10] By directing or encouraging growth outside of the current city limits, new growth will move outward, thus thwarting the General Plan's goal of concentrating growth in the downtown area. The proposed project should maximize infill, increase residential densities, provide housing opportunities for all economic segments of the City's population, and thereby avoid the significant adverse environmental impacts associated with converting agricultural and rural lands to urban uses. How can the City's general plan encourage infill development, while directing new growth outwardly into non-urban areas outside the City's existing jurisdiction? I10-3

The Background Report notes that about 16 % of the land currently designated High Density Residential is vacant.[11] Why does such a large percentage of land that is supposed to be high-density remain vacant? One way to avoid the conversion of agricultural lands to urban I10-4

---

[5] DEIR, 13-9.
[6] DEIR, ES-9.
[7] DEIR, ES-5.
[8] DEIR, ES-9.
[9] DEIR, ES-9.
[10] See Goals and Policies Report (hereafter "GP"), 7-5.
[11] BR 3-18.

residential and neighborhood commercial uses is to encourage development onto the existing vacant land available for high-density and infill prior to extending the City's urban development and jurisdiction into rural areas. I10-4 cont.

LU-2.1 says that the City "shall limit the wasteful and inefficient sprawl of urban uses into agricultural lands."[12] Limit it to what? The DEIR notes that the project will result in the conversion of over 500 acres of vernal pools, 3,270 acres of natural lands, and 34,440 acres of agricultural lands.[13] Is this the "limit" of policy LU-2.1? I10-5

Policy DV-2.5 states that the City "shall discourage non-residential uses . . . in areas designated for high-density residential uses . . . ." This policy should be strengthened to prohibit, or set *actual* limits on non-residential uses in areas designated for high-density residential. I10-6

The Background Report fails to disclose the types or amount of land currently under construction, or for which construction is approved.[14] This failure obscures the environmental impact assessment by failing to fully describe the existing environment. The total amount of this land is not inconsequential, as it amounts to 21.8 % of total land in the City Limits, and 17.8 % of the current SOI and USB. Will the City use this land to encourage infill development and avoid expansion into agricultural areas? Will any of these developments lead to land uses that are inconsistent with, or would otherwise affect impacts from, the proposed General Plan? I10-7

The DEIR fails to specifically describe the densities and types of development that will actually occur within each land use designation. For example, the Background Report notes that the zoning designation "Residential, Low Density" may include development at densities from 1 to 8.7 units per acre,[15] and includes the zoning districts "Residential Estates," "Residential, Low Density," and "Residential, Medium Density."[16] This is a broad range of land use intensities with the potential to create a similarly broad array of environmental impacts. The DEIR should evaluate the respective impacts of these zones individually. I10-8

The Background Report also states that "residential uses are assigned to only two densities," the most prominent being "Low/Medium Residential, which allows up to 17.4 dwelling units per acre, and averages about 4 dwelling units per acre."[17] Again, there is such a broad range of densities allowed under this designation that it is nearly impossible to determine what the environmental impact of the proposed General Plan will be. The DEIR has opted to evaluate this category using the average density. To provide a full assessment of potential environmental impacts using this broad category, the DEIR should also evaluate buildout using the maximum amount of low-density possible, as well as the maximum amount of medium density possible. I10-9

---

[12] DEIR, 9-58.
[13] DEIR, 13-9. Note that while this section of the DEIR states that "up to" 500 acres of vernal pools will be converted, the DEIR later changes this number to 530. DEIR, 14-51. Which figure is accurate?
[14] BR, 3-14 to 3-15.
[15] BR, 3-11.
[16] BR, 3-12.
[17] BR, 3-16.

Why is the "residential estates" zone included in the village area? What project goal does this serve? Doesn't this policy encourage sprawl and the underutilization of land for housing? I10-10

Policy LU-1.2 states that "[t]he City shall designate an Urban Service Area boundary beyond the existing City limits within which City services and facilities will be available for extension upon annexation and where future urban development shall be in conformance with City Council adopted master utility and circulation plans."[18] This policy seems to directly fuel growth outside of the City limits, again contradicting the "infill" policies of the General Plan. The DEIR fails to analyze the impacts associated with the outward growth encouraged by this policy. While the DEIR does acknowledge, at times, that the proposed General Plan will cause urban growth into currently rural areas, the DEIR does not identify the specific policies, such as policy LU-1.2, that will be the catalyst for this growth. The DEIR should identify these policies and the significant adverse effects of outward growth and compare them to policies that encourage infill and the significant effects associated with infill development. I10-11

LU-3.1 instructs the City to "maintain a ratio of 70 percent single family and 30 percent multifamily residential uses . . . ." Doesn't this policy discourage infill development, increasing residential densities within the central city, and mixed-used development within the City? I10-12

Implementation Measure #2 requires the City to work with San Joaquin County "to develop a uniform land use policy for the urbanized lands adjacent to the City."[19] For what purpose? I10-13

Why does the DEIR assume that only 49% of the land designated as industrial will develop?[20] Is the amount of land designated industrial sufficient to support 580,000 residents? I10-14

### i. THE PROPOSED PROJECT WILL PHYSICALLY DIVIDE AN ESTABLISHED COMMUNITY.

The DEIR acknowledges that the General Plan will "divide the physical arrangement of an established community."[21] The DEIR goes on to state that several policies and measures in the proposed General Plan will "minimize this impact." However, the DEIR never identifies the policies that will *create* this impact. Do the policies that encourage the outward migration of development cause this problem? For example, LU-1.2 appears to allow the extension of the urban service area boundary into the Morada, Waterloo, and Linden Areas ("MWLA") at some future time. Will this policy result in the impact of dividing an established community? I10-15

The DEIR goes on to state that this identified adverse impact will be less than significant, because the proposed General Plan will "prevent urban sprawl."[22] What does the DEIR mean by "urban sprawl"? The proposed General Plan proposes fourteen "Village Areas" for new development. Most of these "villages" lie outside the current City limits.[23] Do policies that I10-16

[18] See DEIR, 3-2, failing to mention this policy.
[19] DEIR, 3-4.
[20] DEIR, 2-20.
[21] DEIR, 3-9.
[22] DEIR, 3-9.
[23] See DEIR, 2-15, figure 2-3.

encourage the expansion of new growth outside the existing City boundaries into rural and agricultural areas within the county "prevent urban sprawl"? How does the proposed General Plan *prevent* urban sprawl? I10-16 cont.

The rural character and lifestyle of the MWLA will be irreversibly altered with the inclusion of the proposed General Plan's "Village I." Nestled entirely within the MWLA, Village I will bring new high-density and urban land uses, resulting in significant aesthetic, noise, traffic, and groundwater impacts in the rural MWLA. Village I will also be a catalyst that encourages additional, similar development in and around the MWLA. Village I is not compatible with the current land uses within the MWLA, and threatens to physically divide an established community. I10-17

The creation of "New Road G" will physically impact and divide the MWLA by creating an expressway east of SR 99 that will facilitate urban expansion around Village I into this rural area. This growth does not fit the rural character of the MWLA, and would lead to significant physical changes to the area. This road would also require the construction of a new bridge over the Calaveras River, resulting in construction and operation impacts to natural resources, aesthetics, traffic, noise, air and water quality, likely among others. The DEIR must discuss these impacts of New Road G, and its bridge over the Calaveras River. I10-18

By extending the SOI and USB east of State Route ("SR") 99, south of the MWLA, the proposed General Plan will cause the MWLA to be completely surrounded by urban development. Once the SOI moves across SR 99, there will be no stable, physical boundary along which to draw a City limit until the City develops east to Jack Tone Rd. The spillover effects of this development will change the rural and agricultural character of the area, and lead to the physical conversion of the rural area to urban uses and densities, thus physically altering the character of this established rural community. The change in the surrounding area will put economic pressure to convert lands within the MWLA. Indeed, this impact will spread beyond the MWLA, and threatens to physically change the thousands of acres of rural and agricultural communities east of SR 99. I10-19

The DEIR must evaluate these foreseeable consequences of encouraging urban development immediately adjacent to and around the established rural communities of MWLA, and the DEIR must evaluate the significant adverse direct and indirect impacts of extending City growth east of SR 99. The DEIR needs to be revised to evaluate alternative growth boundaries that retain SR 99 as the eastern border of the City. The environmental consequences of a policy that will prohibit the expansion of the USB and SOI during the life of the proposed 2035 General Plan, should be evaluated against the policies that encourage urban development east of SR 99.

The DEIR states that seven policies of the proposed General Plan (LU-1.3, CD-2.1, CD-2.2, CD-4.1, CD-4.2, CD-4.4, and CD-7.1) will prevent the proposed project from physically dividing an established community. However, examining the details of these polices shows that none will specifically protect the MWLA. Only Policies CD-2.1 and CD-2.2 apply to established communities. Policy CD-2.1 requires that "[t]o the extent possible," new development will protect and enhance "Stockton's existing cultural resources, traditional neighborhoods, and historic districts." First, it is questionable whether this policy would apply to the MWLA, since I10-20

it is not within the City of Stockton. Second, this policy does not guarantee the avoidance of this significant impact, because it applies only "to the extent possible." I10-20 cont.

CD-2.2 requires that new infrastructure respect the image and character of historic neighborhoods and districts. Yet, as described more fully below, in comments on the DEIR's circulation section, the proposed project will cause the expansion of several roadways in and around the MWLA, and will increase traffic in this rural area. Increased traffic volumes and congestion, and the change from rural to urban residential and commercial land uses, will substantially and adversely change the "image and character" of the MWLA. I10-21

Policy LU-1.3 states that the City may only extend its USB when consistent with the proposed General Plan, and Policy CD-7.1 requires projects to comply with design review guidelines. These policies do nothing to prevent the physical division of an existing community, except to they extent that rely on *other* policies of the proposed General Plan to prevent this effect. Policy CD-4.1 supports the "creation of 'central places' that provide social, economic, and identity of districts and villages." Policy CD-4.2 dictates that *new* districts and villages be clearly organized. Policy CD-4.4 promotes commercial uses in each new village. These policies do not prevent substantial adverse changes to the MWLA, as a result of new urban development immediately adjacent to or surrounding the MWLA. The policies merely support the *creation* of new places. These policies do not address the preservation of *existing* places. Further, these policies will not necessarily prevent urban effects from a new area from spilling over into an established rural community like the MWLA. The significant adverse environmental effects of new urban uses immediately adjacent to the established rural MWLA, effects such as increased traffic volumes and congestion, and degraded LOS, will have significant adverse impacts on the MWLA community.[24] I10-22

### C. PHYSICAL DECAY RESULTING FROM ECONOMIC LOSSES

The DEIR fails to evaluate the indirect physical impacts the proposed General Plan will create within San Joaquin County by converting agricultural land. While the Background Report acknowledges that agriculture in San Joaquin County earns nearly $1.4 billion annually,[25] and other reports put this figure closer to $1.8 billion,[26] the DEIR makes no effort to estimate the economic losses this industry will suffer due to the proposed project, nor how those losses could result in physical impacts to the environment.

The agricultural industry in and around Stockton is a highly integrated system that includes up to 15,000 farm workers, distribution services such as packaging and trucking, farm supply companies, farm veterinarians, and local sales at produce stands and in local stores. Many of the products grown in this agricultural region are unique and high commodity goods such as cherries and nuts, and these crops will be heavily impacted by the proposed General Plan's conversion of 32,520 acres of important farmland.[27] What physical changes could these economic impacts lead I10-23

[24] E.g., DEIR, Table 8-3, showing lane expansion on Eight Mile Rd. But see also, section D of this comment, noting that the DEIR fails to evaluate traffic impacts in the MWLA.
[25] BR, 13-49.
[26] San Joaquin County Office of the Agricultural Commissioner (Attachment 2).
[27] DEIR, 13-32.

to in areas nearby the converted farmland? Does the DEIR account for the fact that a local business in a neighboring area that depends on agricultural products will face hardships that may force the business to close or relocate? Neighboring businesses like OG Packing, Chinchiolo Fruit and Nuts, and Panella Trucking will face hardships from encroachment and conflicts with new residential homeowners that will likely trigger their relocation from San Joaquin County. Where will the thousands of displaced farm workers relocate? Will this affect the residential areas they currently inhabit?

The DEIR fails to evaluate the potential physical impacts of these economic losses. The DEIR merely states that "[a]ll physical changes to the environment that may result from economic or social change created by the Proposed Project are discussed within the appropriate resource sections of this EIR."[28] However, none of the "appropriate resource sections" of the DEIR discuss economic change leading to physical decay. This impact is not evaluated in the DEIR's land use section,[29] or agriculture section.[30] In the land use context, this impact could be reviewed under the standard of significance of physically dividing an established community. In the agricultural section, this impact could be seen as one that could "involve other changes in the existing environment that, due to their location or nature, could result in conversion of Important Farmland, to non-agricultural uses." However, neither the land use nor agricultural section of the DEIR evaluates this potential impact. I10-23 cont.

Numerous studies show that urban expansion that includes "big-box" retail centers can have a negative impact on the environment by depressing the local economy, and leading to urban decay.[31] For example, one five year case study showed an 18 % decline in local retail businesses following the construction of new Wal-Marts in the area.[32] The proposed General Plan would likely allow for such developments, and result in this significant impact. For example, proposed General Plan policy ED-3.12, states that "[t]he City shall provide for larger scale regional retail development." Also, the outer components of each village, such as "outer village neighborhoods," could allow for big box retail development. The DEIR must evaluate the proposed General Plan's impact of urban decay resulting from low density and big box retail development. I10-24

The DEIR should not consider the economic revenues from new residential and commercial developments in formerly agricultural areas to be a mitigating factor for the loss of agricultural business. The agricultural industry is a sustainable, perpetual, and renewable source of revenue.[33] New home construction, on the other hand, only generates revenue at the time of the first sale; thereafter, the land use will no longer sustain a local economy similar to that sustained I10-25

---

[28] DEIR, 5-1.
[29] DEIR, 3-9.
[30] DEIR, 13-31, 13-32.
[31] E.g., "On the Economics and Social Impacts of Supercenter Expansion in California," San Marcos Chamber of Commerce, October 2003, (Attachment 3); "What Happened When Wal-Mart Came to Town? A Report on Three Iowa Communities with a Statistical Analysis of Seven Iowa Counties," Thomas Muller and Elizabeth Humstone, May 1996, (Attachment 4).
[32] "What Happened When Wal-Mart Came to Town? A Report on Three Iowa Communities with a Statistical Analysis of Seven Iowa Counties," Thomas Muller and Elizabeth Humstone, May 1996, p. 17-18, (Attachment 4).
[33] BR, 13-49.

by agriculture.[34] Indeed, it is questionable whether the City's model of urban expansion is economically sustainable, as many such new sprawling developments tend to depreciate in property value in a short period of time, and many of the new inhabitants to this area will commute to jobs outside of Stockton.[35] What physical impacts could the proposed General Plan create by replacing a stable and sustainable agricultural economy with a speculative construction economy driven by one time profits? I10-25 cont.

### D. CIRCULATION

The DEIR cites to District Policies DV-2.2 and DV-2.5 as policies that will reduce vehicle miles traveled. These policies appear to have been in place with the old General Plan. Did these policies reduce VMT under the existing General Plan? I10-26

The DEIR should do a better job of describing what each Level of Service (LOS) represents. The DEIR only describes LOS in terms of volume and travel time, stating that LOS A indicates a free flow of traffic with little or no delay, while LOS F represents over-saturated conditions resulting in long queues and delays.[36] However, there are many significant impacts arising from a change in LOS that the DEIR fails to disclose. For example, increased traffic will likely make the driving environment more hazardous for drivers, and result in more traffic accidents. CalTrans describes LOS E as "[u]nstable traffic flow," where "[s]peeds vary greatly and are unpredictable."[37] Please more fully describe the impact of degrading the LOS on the various types of roadways in the project area, including the rate at which traffic accidents may increase due to increased volume, and decreased driver comfort. I10-27

The DEIR includes the Empire Ranch specific plan as "assumed to be built," because the DEIR plans on (1) widening SR 99 between SR 4 and Hammer Lane, and (2) expanding the Hammer Lane interchange, as planned in the proposed Empire Ranch specific plan.[38] While it is appropriate for the DEIR to evaluate the environmental effects of all foreseeable future development projects, it is inappropriate to treat the Empire Ranch Specific Plan as part of the existing baseline. The DEIR should assess the impact of the proposed project on the existing environment, which does not include those future development projects pending approval. Then, in its cumulative impacts analysis, the DEIR should consider the impacts of the proposed project with other foreseeable future development projects pending approval. I10-28

The DEIR fails to discuss the impacts of two highway improvement projects that are necessary under the proposed General Plan. City Engineer maps show that the intersection of SR 99 and Morada Lane, and the intersection of SR 99 and Eight Mile Rd., will be expanded. These I10-29

---

[34] "Ag impact felt in the county," www.recordnet.com, May 26, 2006 (Attachment 5).
[35] Compare BR, 13-49, showing the sustainable output of agribusiness in San Joaquin County, with www.recordnet.com, "The price isn't right," December 24, 2006, available at http://www.recordnet.com/apps/pbcs.dll/article?AID=/20061224/A_NEWS/612240304, (Attachment 6), and "Valley home prices decrease," December 23, 2006, available at http://www.recordnet.com/apps/pbcs.dll/article?AID=/20061223/A_BIZ/612230302/-1/A_BIZ03, (Attachment 7) both showing home values declining after new homes are initially purchased.
[36] DEIR, 8-23.
[37] CalTrans, LOS for Multi-Lane Highways (Attachment 8).
[38] Compare DEIR, 8-24 to Empire Ranch Specific Plan, 179.

interchange improvements will potentially affect seventeen (17) property owners to the east of SR 99 with increased traffic, noise, air pollution, condemnation through eminent domain, and aesthetic impacts. Loss of property values in this area could lead to residential turnover and urban blight. The DEIR should acknowledge and evaluate these project impacts. I10-29 cont.

Roads into adjacent and through the MWLA such as Foppiano Rd., Morada Ln, Frontage Rd., Hildreth Ln., Ashley Ln., Cherokee Rd., and Alhambra Ave. will be impacted by the proposed General Plan's development to the south, west, and north of the MWLA. The creation of "New Road G" will physically impact the MWLA by creating an expressway east of SR 99 that will facilitate Village I's urban expansion into this rural area. However, the DEIR fails to discuss the traffic impacts that these changes will have on MWLA roads. I10-30

The DEIR's traffic forecasting assumption adjusts trip generation within village areas by a 5% reduction.[39] On what basis does the DEIR choose 5% as the appropriate trip generation reduction?

The DEIR adjusts trip generation rates for residential developments by increasing the rate by 12%, based on "recent trip generation surveys conducted in the City and other cities indicating that trip-making from residential areas is increasing over time."[40] What "recent . . . surveys" is the DEIR referring to? These surveys are not cited and must be made available for public review. I10-31

The DEIR caps future improvements to "a maximum of ten lanes (five lanes in each direction) on Interstate 5 and State Route 99 . . . ."[41] Yet, the DEIR states that only eight lanes are feasible on SR 99 "due to right-of-way restrictions."[42] How, then, does the DEIR assume ten lanes will be constructed on SR 99? What will the proposed project's impacts be if only eight lanes are feasible?

The DEIR lists 14 specific road improvements that are necessary "in order to support the development anticipated with the Proposed Project."[43] Which of these projects are required for the City to maintain LOS D? I10-32

While this programmatic DEIR typically is not required to evaluate the environmental impacts of specific projects, these road improvements are a necessary part of the whole of the proposed project, which should be evaluated in this DEIR. The proposed General Plan recommends adding two lanes to Eight Mile Rd. between SR 99 and Alpine Rd. How does this fit with the rural character of the area? How will this affect traffic on Alpine Rd. and collector streets? How can the DEIR rely on this improvement, and others, as likely future projects, if they are not consistent with policies in the proposed general plan?

---

[39] DEIR, 8-25.
[40] DEIR, 8-25.
[41] DEIR, 8-25 to 8-26.
[42] DEIR, 8-26.
[43] DEIR, 8-26.

The DEIR indicates that the level of public transit service available is proportionally related to residential density, and that under the proposed General Plan, the average residential density would be 5.5 units per acre, falling 3.5 units per acre short of the necessary density for light rail.[44] Given the fact that the proposed project includes a large amount of low to medium density residential area, a potential alternative to reduce traffic-related impacts and increase public transit and light rail would be to reduce this unnecessary amount of low density residential development. I10-33

The DEIR also discusses Bus Rapid Transit (BRT) as an alternative to light rail.[45] The DEIR states that for BRT, a city's population usually must exceed 750,000, and that the population working in the city's Central Business District (CBD) should be between 50,000 and 75,000. Given the growth projection for Stockton is just over 500,000, with only 12,300 people currently working in the CBD, how is BRT a good fit? I10-34

The DEIR states that an impact will be considered significant if it "[c]ause[s] an increase in traffic which is considered substantial in relation to the existing traffic load and capacity of the street system."[46] However, the DEIR does not define what increase is considered "substantial." The DEIR does state that "the LOS D threshold has been applied to the analysis of all roadways in this DEIR," but this statement does not adequately clarify the standard of significance. Is any drop in LOS below D considered significant? Is that the *only* criterion for significance, or would a change from LOS A to LOS B, C, or D be considered significant? What about a change from LOS B to C, or D; or from LOS C to D? On what basis would any deterioration in LOS not be considered to be significant? The DEIR is unclear on this point. I10-35

The DEIR's explanation of its traffic "baseline" is confusing and possibly improper. The DEIR seems to state that transportation impacts are considered from *two* baselines: a "project-specific" baseline, and a cumulative (regional) baseline.[47] However, the impact analyses of the DEIR never clearly state which "baseline" the impacts are evaluated against. For example, under Impact TC-1, the DEIR relies on table 8-6, which lays out the projected change in LOS for specific roadway segments. Which "baseline" does this employ? The same question applies to table 8-2, which reports increases in VMT and VHT. I10-36

The DEIR fails to specifically analyze the impacts of policy TC-2.1, which carves out 21 locations as exceptions to the usual LOS D standard that the General Plan requires. This policy alone will have a significant environmental impact by dictating that 21 specific Stockton areas that will face LOS F traffic. I10-37

Does the DEIR account for the impacts its substantially lowered LOS will have on the operation of emergency vehicles? For instance, policy TC-2.1 ensures snarled traffic on 21 roadways that will be significantly reduce response times for emergency vehicles. I10-38

---

[44] DEIR, 8-35.
[45] DEIR, 8-36.
[46] DEIR, 8-45.
[47] DEIR, 8-49.

The DEIR says that no mitigations are available to reduce the significant impact of increased traffic. However, one possible mitigation measure would be to reduce vehicle miles traveled by altering the proposed land use patterns, reducing low density residential parcels in favor of higher density infill development. Also, would the reduced growth alternatives (4 and 5) reduce the proposed project's traffic impacts? Would a goal of LOS C be feasible? I10-39

### E. NOISE

Policy HS-2.11 prohibits construction on Sundays and national holidays without a written permit from the City. What are the criteria for such a permit to issue? What "construction activities" does this apply to? Without answering these questions, the DEIR fails to fully describe the environmental impacts of the proposed project. I10-40

The DEIR employs a circular threshold of significance by considering a noise impact significant if the proposed general plan would "[e]xpose persons to or generate noise levels in excess of standards established in a local general plan."[48] Because the General Plan is the project in this case, it should not be used to establish its own threshold of significance. It should not be permitted to state than any impact which it allows is therefore less than significant. The General Plan's threshold of significance has to be based upon some objective standard related to existing background noise conditions, so that there is some basis to evaluate any change in noise levels. I10-41

Some of the standards of significance for noise are based off of a "normally acceptable range" for a given land use.[49] What are the "normally" acceptable ranges for respective land uses? Where can these standards be found?

### F. AIR QUALITY

The DEIR states that PM10 and CO do not have an established emissions threshold of significance.[50] Why not? The DEIR states that "the Study Area has been in violation for exceeding ozone and PM10 emission standards for several years."[51] What are the effects of these pollutants, and when are these effects considered to be significant? What physical impacts will the proposed General Plan cause? I10-42

The DEIR never spells out what pollutants are included in NOx or ROG, nor does the DEIR explain what the environmental impacts of increasing these pollutants will be. Will this impact lead to increased respiratory problems? Damage to vegetation? The DEIR states that increases in these pollutants will be considered significant, but the DEIR fails to describe what physical impact on the environment these pollutants will have. I10-43

The DEIR should disclose more about the model it has used to evaluate air quality impacts. The DEIR states that its analysis is based on the methodologies and thresholds included in the SJVAPCD recommended URBEMIS 2002 computer model, and that several default land use factors in the URBEMIS 2002 model were modified to reflect actual land use acreages and I10-44

---

[48] DEIR, 11-8.
[49] DEIR, 11-8.
[50] DEIR, 11-37.
[51] DEIR, 11-29.

densities reflected in the land use model developed for the Preferred Land Use Alternative.[52] The DEIR should provide an explanation understandable for the lay community of how the URBEMIS 2002 model works so that the DEIR's conclusions can be evaluated for accuracy. The DEIR should also indicate where instructions on the model are made publicly available.[53] Moreover, the DEIR states that it "modifies" several factors of the model. Without seeing how the model works, it is unclear (1) exactly what factors were modified, and (2) whether the model responds with accuracy when these factors are changed. To ensure accuracy, the air district should be consulted when modifying this model.

I10-44 cont.

The DEIR states that "future growth in accordance with the Proposed Project would exceed the daily SJVAPCD thresholds for NOx and ROG."[54] How then, can the City move forward with this project, simply accepting that it will cause air quality violations for the next *thirty* years? The DEIR acknowledges the NOP comment letter of the MWLA Association, which requests that penalties be imposed against projects leading to air quality violations. However, the DEIR fails to further discuss this potential mitigation measure, and fails to explain why this mitigation would not be feasible.[55]

I10-45

Policy HS-4.5 requires the city to "use the SJVAPCD Guidelines for Assessing and Mitigating Air Quality Impacts (GAAMAQI) for determining and mitigating project air quality impacts and related thresholds of significance for use in environmental documents." What do these Guidelines require? (Note that the proposed General Plan should change its reference from "Guidelines for Assessing and Mitigating Air Quality Impacts (GAAMAQI)," to the precise terminology used by the SJVAPCD, Guide for Assessing and Mitigating Air Quality Impacts (GAMAQI).) Will these measures only be applied to projects that require an air quality permit? Won't some projects have significant air quality impacts that do not require a permit? For example, would this plan mitigate air quality impacts from automobile use, or the air quality impact stemming from a loss of trees and grasslands? Would this program fail to mitigate the cumulative impacts these actions?

I10-46

While consultation with SJVAPCD could prove valuable, the City must not rely on SJVAPCD's limited staff and resources to determine the appropriate mitigations for every project. The GAMAQI notes that SJVAPCD will only review "[p]rojects of concern." However, the proposed General Plan stands to allow for many small projects that, individually, may not be of "concern" to SJVAPCD, but could nevertheless be cumulatively considerable. The City should not rely on the SJVAPCD to mitigate the impacts of this project; rather, the City should develop its own programmatic mitigation measures, enforceable through the proposed General Plan, to mitigate the proposed project's significant air quality impacts.

Indeed, the GAMAQI itself recommends that Cities address potential mitigations before a project even reaches CEQA review:

---

[52] DEIR, 11-34.
[53] CEQA Guidelines, § 15150, subd. (b).
[54] DEIR, 11-37.
[55] DEIR, 11-38.

> The SJVAPCD encourages local jurisdictions to address air quality issues as early as possible in the development review process. Local jurisdictions should work with applicants on issues such as potential land use conflicts (e.g., odors) and site design to encourage alternatives to the automobile and the use of clean-burning fireplaces. Addressing land use and site design issues while a proposed project is still in the conceptual stage increases opportunities to incorporate measures and desirable modifications to minimize air quality impacts. By the time a project enters the CEQA process, it is often more costly and time-consuming to redesign the project to incorporate mitigation measures. Lead Agency/applicant consultation may be achieved by including a formal step in the jurisdiction's development review procedures or simply by discussing air quality concerns at the appropriate local planning counter when a project proponent makes an initial contact regarding a proposed development.[56]

I10-46 cont.

The GAMAQI continues,

> The following air quality considerations warrant particular attention during early consultation with project proponents: 1) land use and design measures to encourage alternatives to the automobile and conserve energy.[57]

Yet, the proposed General Plan does not appear to incorporate the energy conservation measures that SJVAPCD recommends. SJVAPCD's NOP comment letters, dated September 14, 2004, and June 23, 2005, list dozens of measures to mitigated the proposed project's air quality impacts.[58] Why are these requirements not incorporated into the proposed General Plan?

Has the City reviewed SJVAPCD's "Air Quality Guidelines for General Plans"?[59] It sets forth seventy-five policies that directly and indirectly seek to reduce a general plan's significant adverse effect on air quality. Why aren't these policies or recommendation incorporated into the proposed General Plan, since the DEIR admits the Proposed Project will contribute to continued air quality violations.[60]

The DEIR relies on land use planning to create new commercial uses closer to new residential uses in an attempt to reduce commuting distances. However, because the new village areas will cater to Bay Area commuters, purchasers of these new homes will not likely work in Stockton, thus defeating the proposed General Plan's concept of reducing VMT through use of the "village" concept. Instead, the City should aggressively promote infill development where job centers currently exist to reduce VMT.

I10-47

---

[56] GAMAQI, 15 (Attachment 9).
[57] GAMAQI, 15(Attachment 9).
[58] DEIR, Appendix A.
[59] Available at http://www.valleyair.org/notices/Docs/8-2-05/Entire-AQGGP.pdf (Attachment 10).
[60] GAMAQI, 58, "The SJVAPCD recommends that cities and counties incorporate as many air quality policies from the AQGGP as possible into their general plans."

Can Implementation Measure # 9 be made stronger, to set firmer criteria on *when* the City must upgrade to more energy efficient vehicles?[61] As it is, there is no assurance that this policy will result in actual changes for a substantial period of time, during which air quality impacts will continue unmitigated. Would a policy where the City upgraded a certain % of its fleet every 3 or 5 years be feasible? Six or seven years? Since air quality impacts are significant and currently unmitigated, the City must implement every feasible mitigation. I10-48

The language of NCR-8.1 seems grammatically incorrect because it does not contain an operative verb. It states: "All new development . . . incorporate energy conservation and green building practices." Why does the language not say "development . . . *shall* incorporate energy conservation . . ."? Is policy NCR-8.1 meant to be mandatory? If so, any confusions should be eliminated by including the word "shall" in the policy. I10-49

The DEIR considers the proposed project's impact significant if the probability of contracting cancer for an exposed individual exceeds ten in one million.[62] How was this standard of significance reached? I10-50

The DEIR's analysis of global warming never specifically mentions $CO_2$, which is the primary anthropogenic greenhouse gas causing climate change. Because the proposed project will likely increase $CO_2$ emissions for Stockton, thus increasing Stockton's contribution to global warming and climate change, the DEIR should quantify the amount of additional $CO_2$ emissions that the proposed project will generate.[63] This could be a simple calculation done by determining the average amount of $CO_2$ emitted from a car or truck, and multiplying that by the estimated number of miles each car and truck will drive in a year. This will allow the DEIR to better describe the project's environmental impact, and allow the City to better mitigate this significant impact. I10-51

The DEIR fails to consider the carbon emissions of groundwater pumping required to meet current and future growth. The Department of Water Resources' recent report on climate change notes that "an average of about 44 million tons of carbon dioxide is emitted into the atmosphere each year to provide water in California," a significant portion of which comes from "pumping groundwater wells."[64] I10-52

Also, the DEIR fails to discuss the elimination of "carbon sinks" as a contribution to global warming, and fails to discuss an increase in electricity demand as having an adverse impact on climate change. The conversion of rural and agricultural lands to urban uses, as is planned by I10-53

---

[61] DEIR, 11-34.
[62] DEIR, 11-35.
[63] E.g., see Local Governments for Sustainability, offering software and strategies for quantifying and reducing GHG emissions, available at http://www.iclei.org/index.php?id=1120, (Attachment 11); Available in Oakland, CA, through Abbey Young, 436 14th Street, Suite 1520, Oakland, California, USA 94612, Tel +1-510/844-0699, Fax +1-510/844-0698, Email iclei-usa@iclei.org
[64] California Department of Water Resources, "Progress on Incorporating Climate Change into Management of California's Water Resources," at 2-7, 5-1, available at http://baydeltaoffice.water.ca.gov/climatechange/DWRClimateChangeJuly06.pdf, (hereafter, "DWR Climate Change Report") (Attachment 12)

the proposed General Plan will adversely impact climate change by decreasing the amount of natural carbon sinks, and by increasing the energy use intensity of these lands. Conversely, the California Energy Commission states that "[a]griculture represents a significant opportunity for greenhouse gas (GHG) mitigation projects through soil carbon sequestration and reductions of methane ($CH_4$) and nitrous oxide ($N_2O$) emissions."[65] The DEIR should disclose and evaluate the proposed project's effect of eliminating existing opportunities for mitigating, and otherwise increasing the generation of, greenhouse gases by converting agricultural land to urban uses. I10-53 cont.

Policy HS-4.20, which is designed to mitigate the effects that will be contributing to global warming, is no mitigation at all. The policy merely says that "the City shall consider *whether* to implement" strategies created by the California Air Resources Board under AB 32 that the City Council "considers to be feasible and *desirable*."[66] There is no commitment to do anything. In contrast, Pacific Gas and Electric, which provides most of the electricity used by the City of Stockton,[67] now offers its customers carbon off-sets for purchase to neutralize the carbon emissions caused by electricity usage.[68] The City needs to evaluate its contribution to global warming and seek ways to reduce or avoid its significant contribution to global warming. At a minimum the City should meet the standards established by the State of California in AB 32. I10-54

## G. WATER SUPPLY

The DEIR fails to adequately assess the proposed General Plan's impacts on the groundwater basin underlying Stockton. The analysis in this comment section is based in large part on the attached memorandum from Morris L. Allen, Consulting Civil Engineer.[69] The groundwater basin is currently in a state of critical overdraft,[70] and the proposed General Plan will worsen this condition. As the DEIR admits, while the City has been able to meet existing water demands, it has only done so by contributing to groundwater overdraft at a rate of 20,000 to 40,000 acre feet per year (including pumping from surrounding agricultural areas[71]). This current rate of overdraft is significant, unsustainable, and may completely fail to supply the City in a drought year. By more than doubling the City's population, the proposed General Plan threatens to greatly increase existing groundwater overdraft. This impact will continue to cause other related significant impacts, such as saline intrusion, or well interference. The DEIR has failed to evaluate the environmental consequences of increased groundwater overdraft. I10-55

The DEIR is wrong to assert that the proposed General Plan will have a *beneficial* impact on groundwater supply.[72] The DEIR states that if the Delta Water Supply Project (DWSP) becomes operational, it will not do so for another three or four years. What impact on groundwater will

---

[65] PIER Final Project Report, "Quantifying Carbon Dynamics and Greenhouse Gas Emissions in Agricultural Soils of California: A Scoping Study," April 2004, p. 1, available at http://www.energy.ca.gov/reports/2004-10-08_500-04-038.PDF (Attachment 13).
[66] DEIR, 11-48 (emphasis added).
[67] DEIR, 9-58.
[68] See San Francisco Chronicle, January 11, 2007, "Pocket change to change the world, PG&E sells offsets for carbon-neutral living," (Attachment 14).
[69] Memorandum from Morris L. Allen to J. William Yeates, January 26, 2007 (Attachment 15).
[70] DEIR, 9-2.
[71] DEIR, 9-15; BR, 9-29.
[72] DEIR, 9-15.

the proposed project have during that time? Proposed policy PFS-2.8 states that "[t]he City shall not approve new development that relies on water from the [DWSP] until this delta water is allocated through a water right to the City by the State Water Resources Control Board or a replacement water supply is secured." Does this policy acknowledge that the City's water supply is *already* overdrafted, and thus *no* new development can occur until a *new* water supply is obtained? Or, does the DEIR contemplate new development based on the City's existing water supply? The DEIR states that "[t]he City will initially continue to rely on surface water and groundwater supplies to meet local needs,"[73] but the DEIR fails to analyze this impact. By continuing to rely on groundwater to meet growth demands, the City will continue to cause existing groundwater overdraft, saline intrusion, and well interference. I10-55 cont.

Phase I of the DWSP was only designed to handle buildout under the *existing* General Plan, and does not provide water for the population doubling envisioned by the proposed General Plan.[74] The DEIR only states that "[a]s demands continue to increase out to 2035 or build-out of the General Plan Update, COSMUD will evaluate the need for expanding Phase I of the DWSP."[75] The DEIR should not assume Phase I of the DWSP can be expanded. The Delta may be quite different in 2035 due to global warming as sea level rise may increase salinity and eliminate the Delta as a freshwater source of surface water. The DEIR fails to identify sea level rise as a baseline environmental issue that may affect the City's existing and future surface water supplies. I10-56

The DEIR does not appear to account for the "Term 91" condition that would prohibit the City's diversions of Delta water when necessary to keep the Delta in balance. How might this limitation affect the availability of water under the proposed General Plan? What is the City's Term 91 priority, and how will that affect water supply availability? I10-57

The DEIR should revise its water production estimates to accurately reflect maintenance and other operational constraints of existing and future water treatment facilities. The DEIR currently assumes that these facilities will meet 100% of their operational capacity. The DEIR could safely assume that various practical limitations would reduce a facility's operational time by 25%. This reduction will affect the amount of water available for the development envisioned by the proposed project, thus altering the project's environmental impact. I10-58

The DEIR should not speculate on future water projects to assert that the project's impacts on groundwater will definitely be beneficial. The City has sought water from the DWSP for nearly a decade; yet that project still has not come to fruition, and there is no guarantee that it will. The DEIR also states that the City will continue to apply for new water rights as they become required.[76] However, the outcomes of these applications are uncertain. Even as recently as December of 2006, the City was denied funding from the Northeastern San Joaquin Groundwater Banking Authority to implement the DWSP.[77] The DEIR should not declare the proposed I10-59

---

[73] DEIR, 9-15.
[74] DEIR, 9-6.
[75] DEIR, 9-9.
[76] DEIR, 9-9.
[77] (Attachment 16).

General Plan's impacts to be *beneficial* by simply assuming that such future rights will be granted. I10-59 cont.

The DEIR fails to take into account regional influences on groundwater that will cumulatively affect water available to the City. As stated in comments on the NOP by Stockton East, Ripon, Lathrop, Manteca, and Lodi all draw groundwater from the same overdrafted aquifer as Stockton, and all of these cities also plan for future growth.[78] Yet, the DEIR fails to assess these regional impacts to the groundwater basin, and the cumulative impact the proposed General Plan will thereby cause. I10-60

The DEIR fails to account for the proposed General Plan's impact of reducing groundwater recharge areas by converting agricultural lands and open space into urban uses with impermeable surfaces. To what extent will this conversion affect groundwater recharge? I10-61

The DEIR fails to take into account the cumulative impacts of global warming. As described by the Department of Water Resources (DWR), a rise in sea level will adversely impact the Delta:

> [P]erhaps the most significant [impact] from the standpoint of the State's water resources are increased sea water intrusion and increased potential for levee failure in the Delta. Increased sea water intrusion into the Delta threatens the operations of the State Water Project and the Central Valley Project, as well as other Delta water supply diversions due to water quality degradation. Water quality degradation in the Delta also potentially threatens the Delta's fragile ecosystem, which supports threatened and endangered species. Finally, increased sea water intrusion into the Delta could threaten some groundwater supplies through the interaction of Delta waters with underlying and adjoining portions of the Central Valley groundwater basin.[79] I10-62

The DEIR must account for these changes when determining the proposed General Plan's impact on groundwater, on Delta water, and when determining the availability of water for the proposed General Plan's growth demands.

In addition to sea level rise, the DWR lists several other ways in which global warming will affect the State's water demand and supply:

---

[78] DEIR, Appendix A.
[79] DWR Climate Change Report, supra, 2-32; see also, 2-51, 2-52 (Attachment 12).

**Table 2-7 Summary of the Potential Effects of Climate Change on Future Water Demand**

| Type of Demand | Potential Effect |
|---|---|
| Crop Irrigation | Increasing temperatures will increase evapotranspiration rates and related water demand where all other factors remain unchanged. Increasing concentrations of atmospheric carbon dioxide may act to reduce increases in plant transpiration (a component of evapotranspiration) in response to increased temperatures. Other factors related to climate change, such as possible changes in humidity, cloudiness and wind could also affect evapotranspiration rates.<br><br>Evaporation rates from soil and plant surfaces may rise due to temperature increase, depending on changes in other factors that affect evaporation rates. Increased evaporation rates could increase salt accumulation on plant surfaces, especially where overhead irrigation is used. Salt accumulation in surficial soils could also increase. Additional irrigation water demand may result because of possible increased salt control requirements.<br><br>Some changes in crop type, planting cycles, time of planting, and crop productivity will likely occur as the result of increased temperatures. Statewide and regional irrigation water demand may increase or decrease as the result of these changes.<br><br>Use of water for frost protection will likely be reduced with increasing temperatures and projected reductions in the annual number of days when frost occurs. Frost protection is typically an important consideration for orchards and vineyards. |
| Landscape Irrigation | Increased temperatures, as well other atmospheric/climatic factors related to climate change, will affect landscape irrigation in manner similar to that described for crop irrigation, above. |
| Domestic Water Uses (excluding landscape irrigation) | Domestic water use typically increases with increasing temperature. Increased water demand can occur due to the use of evaporative cooling, increased laundering of clothing, increased bathing, increased drinking water requirements for humans and pets and recreational uses of water. |

I10-62 cont.

Table 2-7 Summary of the Potential Effects of Climate Change on Future Water Demand (continued)

| Type of Demand | Potential Effect |
|---|---|
| Commercial and Industrial Water Use (including agro-industrial facilities such as dairies, poultry farms, packing plants, etc.) | Commercial and industrial water use will likely increase as the result of warming due to such factors as increased evaporative cooling demand. Increased consumption of water by concentrated animal feeding facilities, such as dairies and poultry farms, would also likely occur. |
| Evaporation Losses from Natural Water Bodies and Open Water Storage and Conveyance Facilities | Evaporation losses from water bodies and open conveyances will probably increase as the result of rising temperatures especially in arid portions of the State with low humidity and limited cloud cover. |
| Environmental Water Requirements | Delta outflow requirements will likely increase to maintain Delta salinity conditions in response to sea level rise; if the Delta's existing configuration, operation of its water supply facilities, and its ecosystem conditions are to remain as they are now.<br><br>Higher temperatures will likely result in increased environmental water demand for controlling water temperatures for sensitive aquatic species, including anadromous fish. Increased use of reservoir storage and thermal control releases from reservoirs will be required for controlling aquatic habitat temperatures. |

I10-62 cont.

**Table 2-8 Selected Factors Affecting Future Water Demand in California that are Not Directly Related to Climate Change**

| Factor | Potential Effect |
|---|---|
| Population Change | Future increases in population will affect water demand, depending on the location and types of development needed to support an increased population. The conversion of agricultural lands into housing and related community development may not result in a significant increase in water use for a given area, depending on the agricultural use(s) that existed prior to land conversion, and on the type of housing and other facilities constructed. Redevelopment and densification of existing urban land may result in increased water demand in some areas. Development of raw, uncultivated land will directly increase water demand. In general, increases in California's population will tend to increase future water demand. |
| Changes in Agriculture | Changes in the type and amount of crops grown due to changes in agricultural markets and government crop subsidy programs may help increase or decrease agricultural water demand. |
| Changes in Landscaping Practices | Changes in consumer preferences and changes in land use ordinances relating to landscaping may affect future landscape water demand. |
| Changes in Environmental Water Use Requirements | The findings of continuing scientific research related to the condition and preservation of aquatic ecosystems in the State, including the Delta, may affect environmental water demand. |
| Water Law and Policy | Changes in water law and policy could affect water demand. |
| Technological Innovation | Lowered consumption rates could result from improvements in water use efficiency for irrigation, domestic, commercial, and industrial uses. Increased reuse of wastewater could help reduce demand on existing and future sources of water. Advances in desalinization technology may reduce demands on the State's freshwater resources, especially in areas along the south coast. |

I10-62 cont.

The DEIR must specifically discuss each of these factors, highlighted by the DWR, as they relate to the water supply and demand created by the proposed General Plan. How do these cumulative impacts of global warming change the proposed General Plan's impacts to water supplies? I10-62 cont.

## H. STORMWATER AND FLOODING

The DEIR fails to consider the impacts of global warming that will alter and increase flooding in the San Joaquin Delta. Yet, the DWR warns that "[p]rojected increases in air temperature may lead to changes in the timing, amount and form of precipitation - rain or snow, changes in runoff timing and volume, effects of sea level rise on Delta water quality, and changes in the amount of irrigation water needed due to modified evapotranspiration rates."[80] The DEIR must take these cumulative impacts into account for stormwater and flood planning.

Studies show that over the last century, there has been an increased variability in rain intensity, leading to more intense rain events.[81] I10-63

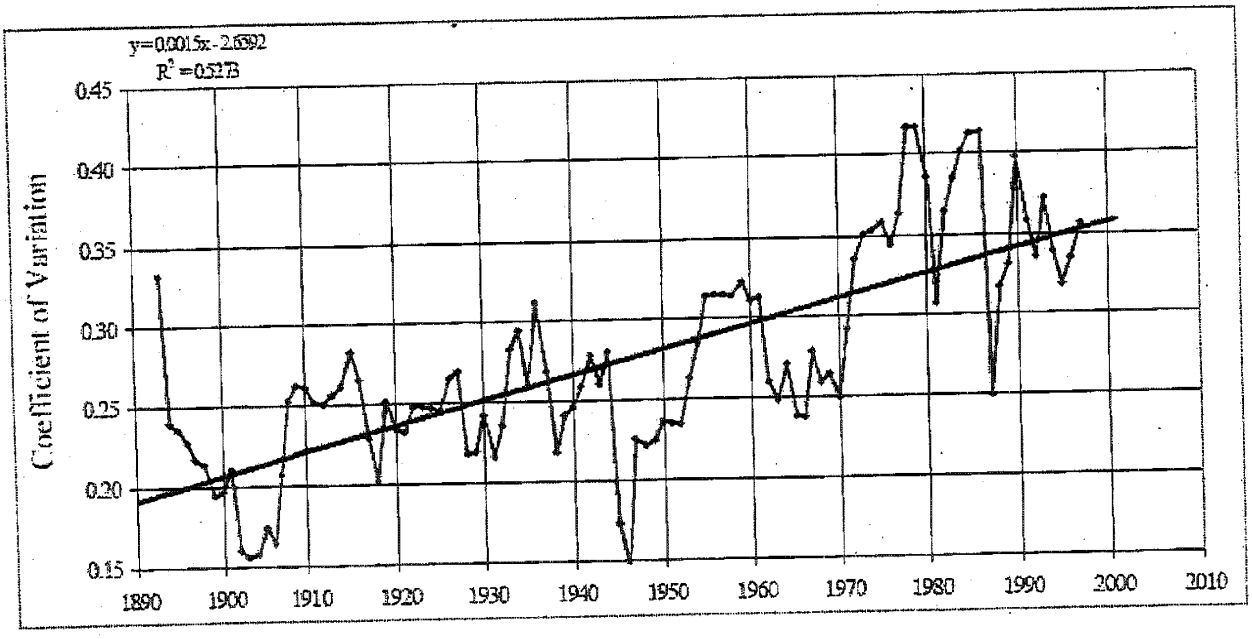



**Figure 2-12 Coefficient of Variation for Annual Average Precipitation in California from 1890 to 2001 with Trend Line**

This trend also indicates a pattern of "more extreme wet and dry years."[82] Do the proposed General Plan's flood protection measures account for these changes? For example, the DEIR states that most of the City has been removed from the 100-year floodplain area. Did this study take into account the increased chance of flooding caused by climate change?[83]

---

[80] DWR Climate Change Report, supra, 1-2 (Attachment 12).
[81] DWR Climate Change Report, supra, 2-21 (Attachment 12).
[82] Id.
[83] DEIR, 9-48.

The DEIR is unclear in its discussion of Impact PFS-8, regarding whether the proposed project could violate water quality standards, waste discharge requirements, or otherwise degrade water quality. The proposed mitigation measure does not reduce or avoid the impact at all, yet the impact is considered to be less than significant. The proposed mitigation measure requires the City to "conduct an assessment of proposed expansion areas, including Village areas, to determine where fees need to be levied for new and expanded public service and utility infrastructure . . . ."[84] However, the mitigation measure never actually *requires* the fee to be levied. How then, does this ensure mitigation of the impact to less than significant levels? Moreover, the fee likely allows for the construction of new facilities. Yet, the DEIR states that the construction of the new facilities is, itself, a significant environmental impact. Thus, how can implementation measure #21 be said to mitigate this impact, when, in fact, the measure facilitates the building of new facilities? I10-64

Further, mitigation measure NCR-5.3 should require best management practices. However, it merely states that techniques to minimize soil erosion "*may* include . . . best management practices."[85] The DEIR then mischaracterizes this policy, stating that "the City will . . . ensure that a variety of best management practices designed to minimize soil erosion impacts are implemented . . . ."[86] Based on the language of NCR-5.3 the City has the discretion not to include best management practices, which seems to be a poor policy. Under what circumstances would it be appropriate for the City not to implement BMPs? The mitigation measure should be made clear that the City shall implement BMPs. I10-65

Probably the General Plan's strongest measure to reduce the impact of stormwater is PFS-4.2. However, this policy states that it only applies to proposed development "within the urban services boundary."[87] Because the proposed General Plan will encourage and cause growth outside of the USB, the DEIR has not fully mitigated this impact. I10-66

## I. GAS AND ELECTRICITY

The DEIR states that the project's environmental impact will be significant if it results in "wasteful, inefficient, or unnecessary consumption of energy . . . ."[88] However, the DEIR fails to define what is an "unnecessary consumption of energy." I10-67

## J. NATURAL RESOURCES

The DEIR admits to four significant and unavoidable impacts to natural resources. Yet, proposed General Plan policy NCR-1.4 states that "[t]he City shall use its environmental and design review process to ensure effective protection of natural and cultural resources . . . ." What does the proposed General Plan mean by "*ensure* effective protection," when the DEIR admits that the project will have these significant and unavoidable impacts to natural resources? I10-68

---

[84] DEIR, 9-43.
[85] DEIR, 9-45 (emphasis added).
[86] DEIR, 9-46.
[87] GP, 9-10.
[88] DEIR, 9-61.

The DEIR states that the project's adverse impact on fish and wildlife, both direct and through habitat modification, is significant and unavoidable.[89] How does the DEIR reconcile this impact with policy NCR-2.1, which states that "[t]he City shall support preservation, restoration, and enhancement of the designated habitats of State or Federally-listed . . . species"? The loss of up to 500 acres of vernal pools certainly fails to support the preservation of habitat for federally listed fairy shrimp.[90] While the DEIR states that "[t]he preservation of sensitive natural communities is a key goal of the Proposed Project,"[91] the facts show that the proposed General Plan actually promotes urban sprawl at the expense of sensitive natural communities. The General Plan states that the Study Area is comprised of 4,900 acres of natural land, 61,900 acres of agricultural land, and 700 acres of vernal pools,[92] and the DEIR admits to the loss of a substantial majority of these areas: the project will result in the conversion of up to 500 acres of vernal pools, 3,270 acres of natural lands, and 34,440 acres of agricultural lands.[93] Thus, the DEIR should evaluate whether the proposed General Plan's policies will in fact offer any protection to open space and natural areas at all, considering that the proposed project will directly and indirectly lead to the destruction of so many thousands of such acres. I10-69

Proposed General Plan policy NCR-1.3 states that the City shall promote compact development to preserve open space land.[94] The DEIR should evaluate whether this policy conflicts with other proposed General Plan policies that promote low/medium density residential development. For example, the DEIR states that "[l]ow density residential accounts for the primary residential use."[95] Given the numerous policies in the proposed General Plan that promote low density growth, the DEIR should evaluate whether the proposed General Plan is internally consistent, and whether the DEIR should re-evaluate the purported environmental benefits of proposed General Plan policy NCR-1.3, which the DEIR shows will neither promote compact development, nor preserve openspace. I10-70

Policy NCR-2.4 is unclear and should be strengthened. It states that development that disturbs or removes sensitive habitat shall demonstrate "mitigation" for this loss.[96] The DEIR does not analyze the environmental impacts of this policy, which actually allows removal of sensitive habitat, so long as *some* mitigation is offered. Finally, the DEIR acknowledges that up to 500 acres of vernal pools will be converted under the project. How does the City, under policy NCR-2.4, plan to mitigate for this loss, considering the uniqueness of vernal pools? I10-71

The DEIR should discuss the impact of policy NCR-2.9, which states that "[t]he City shall impose appropriate mitigation measures using protocols defined by the applicable statute (e.g., USFWS, CDFC, etc.)."[97] What does the proposed General Plan mean by "appropriate" measures? This policy could mean that the City will apply *all* mitigation measures suggested by I10-72

---

[89] DEIR, 13-9.
[90] DEIR, 13-9; BR, 13-21.
[91] DEIR, 13-15.
[92] GP, 13-5
[93] DEIR, 13-9.
[94] DEIR, 13-5.
[95] DEIR, ES-9. See also section B of this comment letter, noting many low-intensity policies.
[96] DEIR, 13-5.
[97] DEIR, 13-6.

an applicable statute. On the other hand, the policy could mean that the City will impose these mitigations, where the *City* deems it to be "appropriate." Under this reading, the City could opt to elevate any number of factors over the importance of mitigating impacts to natural resources, and allow a significant impact to occur. The City should remove the word "appropriate" from the policy to ensure that all mitigations recommended by these applicable statutes will be required. Please evaluate the actual impact of this policy. I10-72 cont.

Implementation Measure #1 states that "[t]he City shall adopt specific criteria for the protection of natural and cultural resources as part of the City's environmental review process."[98] This policy fails to include specific criteria to protect natural resources, and there is no commitment to implement this measure. Will the City be allowed to approve projects before establishing these criteria? If so, this measure will do nothing to mitigate any impacts of those prior approved projects. Further, the measure does not ensure mitigation of environmental impacts because it establishes no criteria or guidance itself. Instead, this policy does nothing but defer the issue of environmental protection to a future date. I10-73

### K. AGRICULTURAL RESOURCES

Proposed General Plan policy NCR-4.1 opens up *all* agricultural land in the project vicinity for development at some point in time. It states that the City shall support agricultural uses, "until such time that the areas are needed for planned urban expansion." Yet, the DEIR has failed to discuss the impact of this specific policy. I10-74

The DEIR lists DV-4.8 as a policy that would mitigate the conversion of agricultural lands, by requiring that infill development constitute a significant portion of development activity in the City. However, this policy is too vague to offer any meaningful protection to agricultural lands. Under policy DV-4.8, what amount of infill constitutes "a significant portion of development activity in the city"?[99] The City should consider making this policy more concrete by incorporating a standard, such as requiring 50% of all development to be infill. Would setting this policy at 50% be feasible to mitigate loss of agricultural lands and impacts to natural resources? 25%? 75%? I10-75

The DEIR asserts that the Agricultural Conservation Program (ACP) will "provide partial mitigation for agricultural conversion by preserving other, equivalent farmlands . . . ."[100] However, there is nothing in the proposed policy NCR-4.4 which creates the ACP that requires the preservation of "equivalent" farmlands. What does the DEIR mean by "equivalent"? Equivalent in size, type, quality? The ACP does not specify that mitigation must be equivalent in any of these ways. For example, it is completely possible under NCR-4.4 that unique farmland of statewide importance could be converted, and the mitigation fees for that conversion would go towards preserving a smaller acreage of farmland that is part of a "community separator," but that has no unique statewide importance. I10-76

---

[98] DEIR, 13-7.
[99] DEIR, 13-30.
[100] DEIR, 13-34.

Even with the ACP, the DEIR admits that loss of important farmland will be a significant and unavoidable impact of the project. The DEIR should therefore evaluate alternative growth patterns and other potential mitigation measures, such as the establishment of an urban growth boundary around the City of Stockton, including fixing the SOI and USB at SR 99 on the east side of the city. Also, the DEIR should evaluate altering the proposed project's land use designations to reduce the amount of space taken up by low-density development, and concentrating more urban development into existing urban areas. I10-76 cont.

The DEIR does not appear to have fully mitigated the indirect impact of urban effects pressuring agricultural lands to convert to non-agricultural uses. The DEIR relies on proposed policy LU-2.2 to prevent this impact, yet LU-2.2 is not mandatory. Policy LU-2.2 should be strengthened to state that the City "shall establish," rather than the City shall support the establishment of, the agricultural buffer. Where the City merely supports the establishment of the buffer, the actual creation of the buffer is not guaranteed. Thus, the DEIR has not guaranteed the mitigation of this impact, and has failed to fully discuss this significant effect.

In addition, the meaning of policy LU-2.2 is unclear. It promotes "a permanent agricultural/open space buffer along the ultimate edge of the Urban Service Area." However, proposed policy LU-1.3 allows the City to expand the Urban Service Area Boundary ("USB") at will, so long as "applicable General Plan policies can be met and appropriate services and efficient infrastructure can be provided." Thus, LU-2.2 should not refer to the proposed buffer as "permanent," since the USB will constantly expand. Similarly, it is misleading for policy LU-2.2 to refer to the "ultimate edge of the Urban Service Area," since there is no "ultimate edge" as long as the USB may always be moved. Please fully evaluate the impact of this policy. For the City to fully and properly mitigate the proposed General Plan's impact of creating pressures that lead to the conversion of agricultural land and open space, the City should permanently fix the USB for the life of the proposed General Plan. I10-77

The DEIR misrepresents the intent of policy DV-4.8, stating that the policy will "limit new village development on prime agricultural lands."[101] In fact, policy DV-4.8 makes no mention of agricultural lands at all. DV-4.8 merely requires that the City "ensure that infill accounts for a significant portion of development activity in the city." As discussed earlier in this comment, however, the proposed General Plan actually provides for substantial urban growth into agricultural lands, most often with low-density development. The policy is vague, never defining its "limit," and it is non-binding. I10-78

### L. SOIL EROSION

Mitigation measure NCR-5.3, and policy NCR-5.2, fail to mitigate the potentially significant impact of soil erosion and loss of top soil caused by new development. First, measure NCR-5.3 may merely require that the developer only grade the amount of land necessary for the development.[102] This mitigation, however, does nothing to avoid the loss of topsoil where the grading occurs. The cumulative effect of losing all of the topsoil where all of the development I10-79

[101] DEIR, 13-34, 13-36.
[102] DEIR, 13-39.

proposed by the general plan will take place is substantial. This is a considerable loss of topsoil, which the DEIR does not disclose or mitigate.

To mitigate the proposed project's impacts resulting in soil erosion impacts, new development should be required to implement best management practices and other relevant techniques, such as those under NCR-5.3. As currently worded, however, a development may only be required to implement certain grading requirements, without employing best management practices. The proposed General Plan should require best management practices to ensure the protection of soils in the project area. I10-79 cont.

There is a discrepancy between the language of policy NCR-5.3 in the DEIR and in the General Plan. In all respects, the language is identical, except that the DEIR says that the mitigation "[m]easures *shall* include,"[103] while the General Plan says that the mitigation "[m]easures *may* include." How does this discrepancy alter the DEIR's assessment? I10-80

Policy NCR-5.2 does not ensure mitigation of soil erosion because the policy is not mandatory or concrete. The policy should be strengthened to say "[t]he City shall *require*," rather than merely "*promote* sound agricultural practices to help eliminate excessive erosion and buildup of salts."[104] Without this change, there is no guarantee that impacts to soil erosion will be less-than-significant, and the DEIR has not fully evaluated the project's impacts to soils. I10-81

## M. WATER QUALITY

### i. SURFACE WATER

The DEIR states that the proposed project could lead to the expansion of the Stockton Regional Wastewater Control Facility (RWCF), resulting in a potentially significant cumulative impact to surface water quality.[105] However, the DEIR completely fails to describe what this significant impact would be, and why it would be cumulative. Also, by stating that RWCF impacts to surface water quality may be significant, the DEIR seems to contradict its previous conclusion, under impact PFS-4, that effluent and wastewater discharge from the proposed project would not have a significant environmental impact because it would not exceed wastewater treatment requirements of the CVRWQCB.[106] Would the RWCF exceed CVRWQCB requirements? If not, then why would its impacts to surface water be significant? Does this mean that other impacts to surface water that do not exceed CVRWQCB standards could be significant also? If so, then the DEIR fails to describe these impacts. I10-82

The DEIR admits that the City and the region are in non-compliance with regional air quality standards, and that impacts from the proposed project will result in the significant impact of increasing these air quality violations. Reports from the U.S. Environmental Protection Agency show that increasing nitric and sulfuric pollutants in the atmosphere will adversely affect surface I10-83

[103] DEIR, 13-39.
[104] DEIR, 13-31.
[105] DEIR, 9-28.
[106] DEIR, 9-21.

water quality, even in the vicinity of the emissions.[107] To what extent will this significant air pollution affect surface water quality through precipitation? I10-83 cont.

### ii. GROUNDWATER

The DEIR does not appear to evaluate potential groundwater contamination resulting from the proposed project. The DEIR does note that both the Stockton East Water District and the Delta Protection Commission requested that groundwater quality impacts be addressed in the DEIR,[108] and the DEIR acknowledges that existing groundwater quality has been adversely impacted by application of pesticides and fertilizers, and by overdrafting, which leads to saltwater intrusion.[109] Yet the DEIR never discusses the potential impacts to groundwater quality that the proposed project may have. The DEIR only addresses the issue by saying that the Delta Water Supply Project ("DWSP") would reduce dependence on groundwater, thus "allowing greater recovery of the basin through natural recharge."[110]

I10-84

This brief statement fails to analyze the proposed project's impacts to groundwater quality for several reasons. First, the DEIR states that the DWSP will not come on line for at least three or four years.[111] In the mean time, the proposed project will presumably continue to rely on groundwater, as the City has done under the existing General Plan. Thus, groundwater pumping will further increase the salt water intrusion. Also, by further overdrafting this aquifer, the concentration of contaminants in the groundwater will continue to increase. These are changes to the existing environment that the DEIR must evaluate.

Second, as discussed earlier in this comment,[112] the DWSP may never come into operation. Thus, the DEIR must describe what groundwater quality impacts the proposed project would have without the existence of the DWSP.

The USGS has evaluated groundwater in wells in the Eastern San Joaquin County subbasin of the Central Valley Groundwater Basin and has published a report if its findings.[113] They have found that water levels have declined, and chloride concentrations have increased in a number of public supply, agricultural and domestic wells in this area. Many of the wells now exceed the USEPA Secondary maximum Contaminant Level for chloride of 250 milligrams per liter. The USGS found that the high chloride levels have been found further to the east since measurements began to be taken in 1984. While the USGS found a number of sources for the high chloride water found in wells, lowering of the ground water table by pumping in excess of natural recharge has and will continue to exacerbate the problem. I10-85

---

[107] U.S. Environmental Protection Agency, "Air Toxics and the Great Lakes," "Effects of Acid Rain – Surface Waters and Aquatic Animals," "What is Acid Rain" (Attachment 17).
[108] DEIR, 9-1.
[109] DEIR, 9-2.
[110] DEIR, 9-15.
[111] DEIR, 9-6.
[112] Section G of this comment, *supra*, pp. 15-21.
[113] USGS, "California GAMA Program: Ground-Water Quality Data in the Northern San Joaquin Basin Study Unit, 2005," (Attachment 18), and USGS Sources of High-Chloride Water to Wells, Eastern San Joaquin Ground-Water Subbasin, California (Attachment 19).

Lastly, the DEIR never discusses whether additional pollutants could be introduced into the groundwater from the proposed project. The DEIR does state that past projects have introduced pollutants into the groundwater, but the DEIR offers no evidence as to why the proposed project would not have the same impact. Even if the proposed project would introduce fewer pollutants into the groundwater than occurred in the past (for example, introducing fewer fertilizers and pesticides because the proposed project will cause a substantial loss of agriculture), the DEIR *still* must disclose what pollutants it *will* cause to be introduced into the groundwater. Not only will the proposed General Plan continue to result in the introduction of agricultural pollutants into the groundwater, but also it will increase the impact of urban uses on groundwater. For example, urban development will create more impermeable surfaces that will inhibit recharge, thus increasing the concentration of pollutants in the groundwater. Also, new urban and industrial uses will increase usage of other potential pollutants, such as automobile oils and fluids, sewage, underground storage tanks, and household wastes. The DEIR must discuss these potentially significant impacts. I10-86

## N. GROWTH INDUCING IMPACTS

The DEIR declares that growth inducing impacts are significant and unavoidable, but the DEIR fails to disclose the actual environmental impacts of this extra growth.[114] For example, the DEIR fails to evaluate the amount and types of agricultural lands that will be converted due to indirect urban expansion pressures from the city, which could include tens of thousands of acres. Likely, these areas will also contain significant natural and biological resources that will be impacted. The DEIR must evaluate these impacts so that they are fully disclosed to the public, and so they can be fully mitigated. A potential mitigation measure that the DEIR should consider would be firmly establishing the City's SOI continuous along SR 99. Also, as discussed above, the DEIR should consider strengthening its agricultural buffer policy. I10-87

The DEIR states that one Growth Inducing effect would be to "remove an obstacle to additional growth and development."[115] However, the DEIR never specifically discusses what "obstacle" the proposed plan would remove to create this impact. In particular, the DEIR should compare and evaluate the growth inducing impact of an alternative that moves the City's USB and SOI east of SR 99. For many years, SR99 has provided a physical barrier to eastward expansion, allowing most of the land east of SR 99 to remain agricultural and open. However, by moving the City's development east of SR 99, the growth inducing impacts will indirectly lead to the conversion of tens of thousands of acres of farm land east of SR 99, all the way to Jack Tone Rd., where the next physical boundary to urban development exists. This will lead to the conversion of thousands of acres of farm land of unique and statewide importance not accounted for by this DEIR.[116] I10-88

Also, to what extent does the creation of "New Road G" induce new growth in currently rural areas? I10-89

---

[114] DEIR, 15-4.
[115] DEIR, 15-1.
[116] San Joaquin County Important Farmland – 2004 (Attachment 20).

## O. CUMULATIVE IMPACTS

The DEIR does not discuss pending projects that may be approved prior to, or shortly after, approval of the proposed project, which could create cumulative impacts.[117] For example, the DEIR fails to discuss the relationship between the proposed General Plan's goals and policies, and existing planned projects such as the South Stockton Wal-Mart, or the Empire Ranch Specific Plan. In fact, the City of Stockton's map, "Major Projects," shows over a dozen planned projects that will change the physical environment as it relates to the proposed General Plan, but which the DEIR does not discuss.[118] If these foreseeable projects are approved before the 2035 General Plan, how would they change the goals, policies, and impacts of the proposed General Plan? Would they alter traffic flows, land use compatibility, aesthetics, air quality, economic development? Would they alter the impacts of each project alternative? If these projects are not approved before the proposed General Plan, would these plans require amendments to the 2035 General Plan? The DEIR should discuss these foreseeable cumulative impacts. I10-90

## P. ALTERNATIVES

The assessment of impacts from each alternative appears to suggest that no alternative would reduce any significant impact of the proposed project to a less than significant level.[119] Is this correct? The DEIR merely states (using plus and minus symbols) whether an alternative will have a greater or less impact than the proposed project. The DEIR should be more descriptive where an alternative would significantly change the project's impact, for example, by using an additional plus or minus symbol where applicable. This would provide decision-makers and the public with a better description of the alternatives to choose from. I10-91

As the DEIR recognizes, the environmentally superior alternative significantly reduces most of the proposed project's main significant impacts, while still meeting most of the project's objectives.[120] For example, alternative 5 would reduce impact to unique farmland by 86.5 %, impact to prime farmland by 32.5%,[121] and total impact to agricultural land by 25 %.[122] These substantial reductions to Stockton's most vital economic and cultural resource must be realized. Also, alternative 5 would significantly reduce VMT, further mitigating the proposed General Plan's significant impacts to the San Joaquin valley's already degraded air quality, and reducing the proposed project's significant impacts to traffic and climate change.[123] The lowered population targets of alternative 5 would also lessen the City's demand on an already threatened and ailing public water supply. And, alternative 5 would not include development of a village in the area of the airport, thus minimizing threats to public safety. The City should strongly consider adopting this environmentally superior alternative. I10-92

The DEIR fails to fully describe the village areas that would be included in alternatives 4 and 5. Table 14-3 states that alternative 5 would contain six village areas, and that alternative 4 would I10-93

---

[117] DEIR, 15-5.
[118] City of Stockton map, "Major Projects" (Attachment 21).
[119] DEIR, 14-11 to 14-18.
[120] DEIR, 14-58 to 14-59.
[121] DEIR, 14-55, table 14-17.
[122] DEIR, 14-55, 14-51.
[123] DEIR, 14-54.

contain seven.[124] Yet, figure 14-7, showing the land use designations proposed for alternative 5 only shows four or five village areas. Similarly, figure 14-6 for alternative 4 only shows designations for five or six village areas. What specific village areas would each alternative include? Would alternative 4 or 5 include village development east of I-5 and north of Eight Mile Rd., where the preferred alternative proposed village areas C, D, and E? The City of Stockton's "Major Projects" development map shows that these villages are already planned.[125] Yet the land use diagrams for alternatives 4 and 5 show this land as open space/agricultural. How could these village plans impact these alternatives? Since these village plans are already in the application process, the DEIR should evaluate the potential cumulative impact of these projects receiving approvals under the existing General Plan, before the proposed 2035 General Plan is approved. If these projects are not approved before the 2035 General Plan takes effect, would these projects seek amendments to the new General Plan? In either event, if these villages are built-out under alternatives 4 and 5, the DEIR should revise its population comparison of these alternatives and the project's target population.[126] I10-93 cont.

Why does the DEIR fail to include alternatives 4 and 5 in table 14-6, which charts the water demands and the wastewater generation for the proposed project and the alternatives?[127] Then, without providing this data, the DEIR states that alternatives 4 and 5 would have similar impacts to public services and utilities as the other alternatives would.[128] Yet, alternatives 4 and 5 would result in over 120,000 fewer residents in Stockton than would the other alternatives. The DEIR should be revised to accurately reflect the fact that, by resulting in over 120,000 fewer people than the proposed project or other alternatives, alternatives 4 and 5 would have demonstrably lower impacts on wastewater, water demands, and other public services and utilities. I10-94

The DEIR notes that the proposed project will have growth inducing impacts that will lead to further conversion of agricultural and natural lands. How would these growth inducing impacts be lessened by alternatives 4 or 5? For example, how would this impact be lessened by retaining the City's eastern USB along SR 99? I10-95

The environmentally superior alternative should be adopted because it meets the overwhelming majority of project goals.[129] The DEIR only lists two general project goals that the environmentally superior alternative will not meet. The first goal it fails to meet is to "accommodate a target population of 580,000." As discussed earlier in this comment, this population target should be revised, as it is far in excess of historic trends and other population projections, and will merely encourage immigration from the bay area of commuters who will *not* work in the Stockton economy. Moreover, the City already struggles with an unsustainable and uncertain water supply, and unnecessarily increasing population growth will only worsen this situation. In fact, the City can not now show exactly how it will supply water to this large population. For these reasons, among others, it does not behoove Stockton to *more than double* its existing population in the next thirty years. The City should adopt the environmentally I10-96

[124] DEIR, 14-8.
[125] City of Stockton map, "Major Projects" (Attachment 21).
[126] See Attachment 22, showing the projected population for buildout of villages C, D, and E.
[127] DEIR, 14-5.
[128] DEIR, 14-53, 14-58.
[129] DEIR, 14-9 to 14-10.

superior alternative, despite failing to meet the project's unwise (and likely unattainable) "goal" of reaching 580,000 citizens. I10-96 cont.

Second, the DEIR states that alternative 5 does not meet the project's goals of creating "multi-modal loop roads."[130] However, the DEIR should evaluate whether this project goal would be necessary, given the smaller population and lower number village areas that would be created by alternative 5. What would be the impacts of failing to meet this project goal? Are these impacts worse than unnecessarily converting thousands of acres of agricultural and natural lands, further straining the valley's air and groundwater quality, and fueling economically unsustainable growth? I10-97

The DEIR contains a chart describing whether each of the alternatives considered meets each of the project objectives. Does the proposed project meet each of the project objectives? Earlier remarks in this comment letter demonstrate that the Proposed Project fails to meet its own objectives with regard to maximizing infill, and ensuring protection of agricultural lands and natural resources. Alternative 5, on the other hand, does a better job of fulfilling these project goals than does the Proposed Project. Such a comparison of the Proposed Project to the project goals should be placed along side the comparison of the alternatives with the project goals, to better inform decision-makers and the public about which goals each alternative (including the preferred alternative) will and will not meet. I10-98

## Q. CONCLUSION

Thank you for your careful consideration of these comments. We look forward to hearing the City's plans to provide for growth while ensuring protection of Stockton's vital rural and agricultural areas, as well as Stockton's vulnerable water supply, to the greatest extent feasible. I10-99

Sincerely,

Jason R. Flanders
On behalf of the Morada Area Association

---

[130] DEIR, 14-10.

# ATTACHMENT 1

California Department of Finance, Demographic Reseach Unit
California State Census Data Center
Census 2000 PL94-171

Table One
Population Change 1990 - 2000
Incorporated Cities by County

| | 1990 Population | 2000 Population | Numeric Change | Percent Change |
|---|---|---|---|---|
| California | 29,760,021 | 33,871,648 | 4,111,627 | 13.8 |
| Alameda County | 1,279,182 | 1,443,741 | 164,559 | 12.9 |
| Alameda city | 76,459 | 72,259 | -4,200 | -5.5 |
| Albany city | 16,327 | 16,444 | 117 | 0.7 |
| Berkeley city | 102,724 | 102,743 | 19 | 0.0 |
| Dublin city | 23,229 | 29,973 | 6,744 | 29.0 |
| Emeryville city | 5,740 | 6,882 | 1,142 | 19.9 |
| Fremont city | 173,339 | 203,413 | 30,074 | 17.3 |
| Hayward city | 111,498 | 140,030 | 28,532 | 25.6 |
| Livermore city | 56,741 | 73,345 | 16,604 | 29.3 |
| Newark city | 37,861 | 42,471 | 4,610 | 12.2 |
| Oakland city | 372,242 | 399,484 | 27,242 | 7.3 |
| Piedmont city | 10,602 | 10,952 | 350 | 3.3 |
| Pleasanton city | 50,553 | 63,654 | 13,101 | 25.9 |
| San Leandro city | 68,223 | 79,452 | 11,229 | 16.5 |
| Union City city | 53,762 | 66,869 | 13,107 | 24.4 |
| Alpine County | 1,113 | 1,208 | 95 | 8.5 |
| Amador County | 30,039 | 35,100 | 5,061 | 16.8 |
| Amador City city | 196 | 196 | 0 | 0.0 |
| Ione city | 6,516 | 7,129 | 613 | 9.4 |
| Jackson city | 3,545 | 3,989 | 444 | 12.5 |
| Plymouth city | 811 | 980 | 169 | 20.8 |
| Sutter Creek city | 1,835 | 2,303 | 468 | 25.5 |
| Butte County | 182,120 | 203,171 | 21,051 | 11.6 |
| Biggs city | 1,581 | 1,793 | 212 | 13.4 |
| Chico city | 40,079 | 59,954 | 19,875 | 49.6 |
| Gridley city | 4,631 | 5,382 | 751 | 16.2 |
| Oroville city | 11,960 | 13,004 | 1,044 | 8.7 |
| Paradise town | 25,408 | 26,408 | 1,000 | 3.9 |
| Calaveras County | 31,998 | 40,554 | 8,556 | 26.7 |
| Angels City city | 2,409 | 3,004 | 595 | 24.7 |
| Colusa County | 16,275 | 18,804 | 2,529 | 15.5 |
| Colusa city | 4,934 | 5,402 | 468 | 9.5 |
| Williams city | 2,297 | 3,670 | 1,373 | 59.8 |
| Contra Costa County | 803,732 | 948,816 | 145,084 | 18.1 |
| Antioch city | 62,195 | 90,532 | 28,337 | 45.6 |
| Brentwood city | 7,563 | 23,302 | 15,739 | 208.1 |
| Clayton city | 7,317 | 10,762 | 3,445 | 47.1 |
| Concord city | 111,348 | 121,780 | 10,432 | 9.4 |
| Danville town | 31,306 | 41,715 | 10,409 | 33.2 |
| El Cerrito city | 22,869 | 23,171 | 302 | 1.3 |

| | | | | |
|---|---|---|---|---|
| Hercules city | 16,829 | 19,488 | 2,659 | 15.8 |
| Lafayette city | 23,501 | 23,908 | 407 | 1.7 |
| Martinez city | 31,808 | 35,866 | 4,058 | 12.8 |
| Moraga town | 15,852 | 16,290 | 438 | 2.8 |
| Oakley city | | 25,619 | | |
| Orinda city | 16,642 | 17,599 | 957 | 5.8 |
| Pinole city | 17,460 | 19,039 | 1,579 | 9.0 |
| Pittsburg city | 47,564 | 56,769 | 9,205 | 19.4 |
| Pleasant Hill city | 31,585 | 32,837 | 1,252 | 4.0 |
| Richmond city | 87,425 | 99,216 | 11,791 | 13.5 |
| San Pablo city | 25,158 | 30,215 | 5,057 | 20.1 |
| San Ramon city | 35,303 | 44,722 | 9,419 | 26.7 |
| Walnut Creek city | 60,569 | 64,296 | 3,727 | 6.2 |
| | | | | |
| Del Norte County | 23,460 | 27,507 | 4,047 | 17.3 |
| Crescent City city | 4,380 | 4,006 | -374 | -8.5 |
| | | | | |
| El Dorado County | 125,995 | 156,299 | 30,304 | 24.1 |
| Placerville city | 8,355 | 9,610 | 1,255 | 15.0 |
| South Lake Tahoe city | 21,586 | 23,609 | 2,023 | 9.4 |
| | | | | |
| Fresno County | 667,490 | 799,407 | 131,917 | 19.8 |
| Clovis city | 50,323 | 68,468 | 18,145 | 36.1 |
| Coalinga city | 8,212 | 11,668 | 3,456 | 42.1 |
| Firebaugh city | 4,429 | 5,743 | 1,314 | 29.7 |
| Fowler city | 3,208 | 3,979 | 771 | 24.0 |
| Fresno city | 354,202 | 427,652 | 73,450 | 20.7 |
| Huron city | 4,766 | 6,306 | 1,540 | 32.3 |
| Kerman city | 5,448 | 8,551 | 3,103 | 57.0 |
| Kingsburg city | 7,205 | 9,199 | 1,994 | 27.7 |
| Mendota city | 6,821 | 7,890 | 1,069 | 15.7 |
| Orange Cove city | 5,604 | 7,722 | 2,118 | 37.8 |
| Parlier city | 7,938 | 11,145 | 3,207 | 40.4 |
| Reedley city | 15,791 | 20,756 | 4,965 | 31.4 |
| Sanger city | 16,839 | 18,931 | 2,092 | 12.4 |
| San Joaquin city | 2,311 | 3,270 | 959 | 41.5 |
| Selma city | 14,757 | 19,444 | 4,687 | 31.8 |
| | | | | |
| Glenn County | 24,798 | 26,453 | 1,655 | 6.7 |
| Orland city | 5,052 | 6,281 | 1,229 | 24.3 |
| Willows city | 5,988 | 6,220 | 232 | 3.9 |
| | | | | |
| Humboldt County | 119,118 | 126,518 | 7,400 | 6.2 |
| Arcata city | 15,197 | 16,651 | 1,454 | 9.6 |
| Blue Lake city | 1,235 | 1,135 | -100 | -8.1 |
| Eureka city | 27,025 | 26,128 | -897 | -3.3 |
| Ferndale city | 1,331 | 1,382 | 51 | 3.8 |
| Fortuna city | 8,788 | 10,497 | 1,709 | 19.4 |
| Rio Dell city | 3,012 | 3,174 | 162 | 5.4 |
| Trinidad city | 362 | 311 | -51 | -14.1 |
| | | | | |
| Imperial County | 109,303 | 142,361 | 33,058 | 30.2 |
| Brawley city | 18,923 | 22,052 | 3,129 | 16.5 |
| Calexico city | 18,633 | 27,109 | 8,476 | 45.5 |
| Calipatria city | 2,690 | 7,289 | 4,599 | 171.0 |
| El Centro city | 31,384 | 37,835 | 6,451 | 20.6 |
| Holtville city | 4,820 | 5,612 | 792 | 16.4 |
| Imperial city | 4,113 | 7,560 | 3,447 | 83.8 |
| Westmorland city | 1,380 | 2,131 | 751 | 54.4 |

| | | | | |
|---|---|---|---|---|
| Inyo County | 18,281 | 17,945 | -336 | -1.8 |
| Bishop city | 3,475 | 3,575 | 100 | 2.9 |
| Kern County | 543,477 | 661,645 | 118,168 | 21.7 |
| Arvin city | 9,286 | 12,956 | 3,670 | 39.5 |
| Bakersfield city | 174,820 | 247,057 | 72,237 | 41.3 |
| California City city | 5,955 | 8,385 | 2,430 | 40.8 |
| Delano city | 22,762 | 38,824 | 16,062 | 70.6 |
| McFarland city | 7,005 | 9,618 | 2,613 | 37.3 |
| Maricopa city | 1,193 | 1,111 | -82 | -6.9 |
| Ridgecrest city | 27,725 | 24,927 | -2,798 | -10.1 |
| Shafter city | 8,409 | 12,736 | 4,327 | 51.5 |
| Taft city | 5,902 | 6,400 | 498 | 8.4 |
| Tehachapi city | 5,791 | 10,957 | 5,166 | 89.2 |
| Wasco city | 12,412 | 21,263 | 8,851 | 71.3 |
| Kings County | 101,469 | 129,461 | 27,992 | 27.6 |
| Avenal city | 9,770 | 14,674 | 4,904 | 50.2 |
| Corcoran city | 13,364 | 14,458 | 1,094 | 8.2 |
| Hanford city | 30,897 | 41,686 | 10,789 | 34.9 |
| Lemoore city | 13,622 | 19,712 | 6,090 | 44.7 |
| Lake County | 50,631 | 58,309 | 7,678 | 15.2 |
| Clearlake city | 11,804 | 13,142 | 1,338 | 11.3 |
| Lakeport city | 4,390 | 4,820 | 430 | 9.8 |
| Lassen County | 27,598 | 33,828 | 6,230 | 22.6 |
| Susanville city | 7,279 | 13,541 | 6,262 | 86.0 |
| Los Angeles County | 8,863,164 | 9,519,338 | 656,174 | 7.4 |
| Agoura Hills city | 20,390 | 20,537 | 147 | 0.7 |
| Alhambra city | 82,106 | 85,804 | 3,698 | 4.5 |
| Arcadia city | 48,290 | 53,054 | 4,764 | 9.9 |
| Artesia city | 15,464 | 16,380 | 916 | 5.9 |
| Avalon city | 2,918 | 3,127 | 209 | 7.2 |
| Azusa city | 41,333 | 44,712 | 3,379 | 8.2 |
| Baldwin Park city | 69,330 | 75,837 | 6,507 | 9.4 |
| Bell city | 34,365 | 36,664 | 2,299 | 6.7 |
| Bellflower city | 61,815 | 72,878 | 11,063 | 17.9 |
| Bell Gardens city | 42,355 | 44,054 | 1,699 | 4.0 |
| Beverly Hills city | 31,971 | 33,784 | 1,813 | 5.7 |
| Bradbury city | 829 | 855 | 26 | 3.1 |
| Burbank city | 93,643 | 100,316 | 6,673 | 7.1 |
| Calabasas city | | 20,033 | | |
| Carson city | 83,995 | 89,730 | 5,735 | 6.8 |
| Cerritos city | 53,240 | 51,488 | -1,752 | -3.3 |
| Claremont city | 32,503 | 33,998 | 1,495 | 4.6 |
| Commerce city | 12,135 | 12,568 | 433 | 3.6 |
| Compton city | 90,454 | 93,493 | 3,039 | 3.4 |
| Covina city | 43,207 | 46,837 | 3,630 | 8.4 |
| Cudahy city | 22,817 | 24,208 | 1,391 | 6.1 |
| Culver City city | 38,793 | 38,816 | 23 | 0.1 |
| Diamond Bar city | 53,672 | 56,287 | 2,615 | 4.9 |
| Downey city | 91,444 | 107,323 | 15,879 | 17.4 |
| Duarte city | 20,688 | 21,486 | 798 | 3.9 |
| El Monte city | 106,209 | 115,965 | 9,756 | 9.2 |
| El Segundo city | 15,223 | 16,033 | 810 | 5.3 |
| Gardena city | 49,847 | 57,746 | 7,899 | 15.8 |

| | | | | |
|---|---|---|---|---|
| Glendale city | 180,038 | 194,973 | 14,935 | 8.3 |
| Glendora city | 47,828 | 49,415 | 1,587 | 3.3 |
| Hawaiian Gardens city | 13,639 | 14,779 | 1,140 | 8.4 |
| Hawthorne city | 71,349 | 84,112 | 12,763 | 17.9 |
| Hermosa Beach city | 18,219 | 18,566 | 347 | 1.9 |
| Hidden Hills city | 1,729 | 1,875 | 146 | 8.4 |
| Huntington Park city | 56,065 | 61,348 | 5,283 | 9.4 |
| Industry city | 631 | 777 | 146 | 23.1 |
| Inglewood city | 109,602 | 112,580 | 2,978 | 2.7 |
| Irwindale city | 1,050 | 1,446 | 396 | 37.7 |
| La Canada Flintridge city | 19,378 | 20,318 | 940 | 4.9 |
| La Habra Heights city | 6,226 | 5,712 | -514 | -8.3 |
| Lakewood city | 73,557 | 79,345 | 5,788 | 7.9 |
| La Mirada city | 40,452 | 46,783 | 6,331 | 15.7 |
| Lancaster city | 97,291 | 118,718 | 21,427 | 22.0 |
| La Puente city | 36,955 | 41,063 | 4,108 | 11.1 |
| La Verne city | 30,897 | 31,638 | 741 | 2.4 |
| Lawndale city | 27,331 | 31,711 | 4,380 | 16.0 |
| Lomita city | 19,382 | 20,046 | 664 | 3.4 |
| Long Beach city | 429,433 | 461,522 | 32,089 | 7.5 |
| Los Angeles city | 3,485,398 | 3,694,820 | 209,422 | 6.0 |
| Lynwood city | 61,945 | 69,845 | 7,900 | 12.8 |
| Malibu city | | 12,575 | | |
| Manhattan Beach city | 32,063 | 33,852 | 1,789 | 5.6 |
| Maywood city | 27,850 | 28,083 | 233 | 0.8 |
| Monrovia city | 35,761 | 36,929 | 1,168 | 3.3 |
| Montebello city | 59,564 | 62,150 | 2,586 | 4.3 |
| Monterey Park city | 60,738 | 60,051 | -687 | -1.1 |
| Norwalk city | 94,279 | 103,298 | 9,019 | 9.6 |
| Palmdale city | 68,842 | 116,670 | 47,828 | 69.5 |
| Palos Verdes Estates city | 13,512 | 13,340 | -172 | -1.3 |
| Paramount city | 47,669 | 55,266 | 7,597 | 15.9 |
| Pasadena city | 131,591 | 133,936 | 2,345 | 1.8 |
| Pico Rivera city | 59,177 | 63,428 | 4,251 | 7.2 |
| Pomona city | 131,723 | 149,473 | 17,750 | 13.5 |
| Rancho Palos Verdes city | 41,659 | 41,145 | -514 | -1.2 |
| Redondo Beach city | 60,167 | 63,261 | 3,094 | 5.1 |
| Rolling Hills city | 1,871 | 1,871 | 0 | 0.0 |
| Rolling Hills Estates city | 7,789 | 7,676 | -113 | -1.5 |
| Rosemead city | 51,638 | 53,505 | 1,867 | 3.6 |
| San Dimas city | 32,397 | 34,980 | 2,583 | 8.0 |
| San Fernando city | 22,580 | 23,564 | 984 | 4.4 |
| San Gabriel city | 37,120 | 39,804 | 2,684 | 7.2 |
| San Marino city | 12,959 | 12,945 | -14 | -0.1 |
| Santa Clarita city | 110,642 | 151,088 | 40,446 | 36.6 |
| Santa Fe Springs city | 15,520 | 17,438 | 1,918 | 12.4 |
| Santa Monica city | 86,905 | 84,084 | -2,821 | -3.2 |
| Sierra Madre city | 10,762 | 10,578 | -184 | -1.7 |
| Signal Hill city | 8,371 | 9,333 | 962 | 11.5 |
| South El Monte city | 20,850 | 21,144 | 294 | 1.4 |
| South Gate city | 86,284 | 96,375 | 10,091 | 11.7 |
| South Pasadena city | 23,936 | 24,292 | 356 | 1.5 |
| Temple City city | 31,100 | 33,377 | 2,277 | 7.3 |
| Torrance city | 133,107 | 137,946 | 4,839 | 3.6 |
| Vernon city | 152 | 91 | -61 | -40.1 |
| Walnut city | 29,105 | 30,004 | 899 | 3.1 |
| West Covina city | 96,086 | 105,080 | 8,994 | 9.4 |
| West Hollywood city | 36,118 | 35,716 | -402 | -1.1 |
| Westlake Village city | 7,455 | 8,368 | 913 | 12.2 |

| | | | | |
|---|---|---|---|---|
| Whittier city | 77,671 | 83,680 | 6,009 | 7.7 |
| | | | | |
| Madera County | 88,090 | 123,109 | 35,019 | 39.8 |
| Chowchilla city | 5,930 | 11,127 | 5,197 | 87.6 |
| Madera city | 29,281 | 43,207 | 13,926 | 47.6 |
| | | | | |
| Marin County | 230,096 | 247,289 | 17,193 | 7.5 |
| Belvedere city | 2,147 | 2,125 | -22 | -1.0 |
| Corte Madera town | 8,272 | 9,100 | 828 | 10.0 |
| Fairfax town | 6,931 | 7,319 | 388 | 5.6 |
| Larkspur city | 11,070 | 12,014 | 944 | 8.5 |
| Mill Valley city | 13,038 | 13,600 | 562 | 4.3 |
| Novato city | 47,585 | 47,630 | 45 | 0.1 |
| Ross town | 2,123 | 2,329 | 206 | 9.7 |
| San Anselmo town | 11,743 | 12,378 | 635 | 5.4 |
| San Rafael city | 48,404 | 56,063 | 7,659 | 15.8 |
| Sausalito city | 7,152 | 7,330 | 178 | 2.5 |
| Tiburon town | 7,532 | 8,666 | 1,134 | 15.1 |
| | | | | |
| Mariposa County | 14,302 | 17,130 | 2,828 | 19.8 |
| | | | | |
| Mendocino County | 80,345 | 86,265 | 5,920 | 7.4 |
| Fort Bragg city | 6,078 | 7,026 | 948 | 15.6 |
| Point Arena city | 407 | 474 | 67 | 16.5 |
| Ukiah city | 14,599 | 15,497 | 898 | 6.2 |
| Willits city | 5,027 | 5,073 | 46 | 0.9 |
| | | | | |
| Merced County | 178,403 | 210,554 | 32,151 | 18.0 |
| Atwater city | 22,282 | 23,113 | 831 | 3.7 |
| Dos Palos city | 4,196 | 4,581 | 385 | 9.2 |
| Gustine city | 3,931 | 4,698 | 767 | 19.5 |
| Livingston city | 7,317 | 10,473 | 3,156 | 43.1 |
| Los Banos city | 14,519 | 25,869 | 11,350 | 78.2 |
| Merced city | 56,216 | 63,893 | 7,677 | 13.7 |
| | | | | |
| Modoc County | 9,678 | 9,449 | -229 | -2.4 |
| Alturas city | 3,231 | 2,892 | -339 | -10.5 |
| | | | | |
| Mono County | 9,956 | 12,853 | 2,897 | 29.1 |
| Mammoth Lakes town | 4,785 | 7,093 | 2,308 | 48.2 |
| | | | | |
| Monterey County | 355,660 | 401,762 | 46,102 | 13.0 |
| Carmel-by-the-Sea city | 4,239 | 4,081 | -158 | -3.7 |
| Del Rey Oaks city | 1,661 | 1,650 | -11 | -0.7 |
| Gonzales city | 4,660 | 7,525 | 2,865 | 61.5 |
| Greenfield city | 7,464 | 12,583 | 5,119 | 68.6 |
| King City city | 7,634 | 11,094 | 3,460 | 45.3 |
| Marina city | 26,436 | 25,101 | -1,335 | -5.0 |
| Monterey city | 31,954 | 29,674 | -2,280 | -7.1 |
| Pacific Grove city | 16,117 | 15,522 | -595 | -3.7 |
| Salinas city | 108,777 | 151,060 | 42,283 | 38.9 |
| Sand City city | 192 | 261 | 69 | 35.9 |
| Seaside city | 38,901 | 31,696 | -7,205 | -18.5 |
| Soledad city | 7,146 | 11,263 | 4,117 | 57.6 |
| | | | | |
| Napa County | 110,765 | 124,279 | 13,514 | 12.2 |
| American Canyon city | | 9,774 | | |
| Calistoga city | 4,468 | 5,190 | 722 | 16.2 |
| Napa city | 61,842 | 72,585 | 10,743 | 17.4 |

| | | | | |
|---|---|---|---|---|
| St. Helena city | 4,990 | 5,950 | 960 | 19.2 |
| Yountville town | 3,259 | 2,916 | -343 | -10.5 |
| | | | | |
| Nevada County | 78,510 | 92,033 | 13,523 | 17.2 |
| Grass Valley city | 9,048 | 10,922 | 1,874 | 20.7 |
| Nevada City city | 2,855 | 3,001 | 146 | 5.1 |
| Truckee town | | 13,864 | | |
| | | | | |
| Orange County | 2,410,556 | 2,846,289 | 435,733 | 18.1 |
| Anaheim city | 266,406 | 328,014 | 61,608 | 23.1 |
| Brea city | 32,873 | 35,410 | 2,537 | 7.7 |
| Buena Park city | 68,784 | 78,282 | 9,498 | 13.8 |
| Costa Mesa city | 96,357 | 108,724 | 12,367 | 12.8 |
| Cypress city | 42,655 | 46,229 | 3,574 | 8.4 |
| Dana Point city | 31,896 | 35,110 | 3,214 | 10.1 |
| Fountain Valley city | 53,691 | 54,978 | 1,287 | 2.4 |
| Fullerton city | 114,144 | 126,003 | 11,859 | 10.4 |
| Garden Grove city | 143,050 | 165,196 | 22,146 | 15.5 |
| Huntington Beach city | 181,519 | 189,594 | 8,075 | 4.4 |
| Irvine city | 110,330 | 143,072 | 32,742 | 29.7 |
| Laguna Beach city | 23,170 | 23,727 | 557 | 2.4 |
| Laguna Hills city | | 31,178 | | |
| Laguna Niguel city | 44,400 | 61,891 | 17,491 | 39.4 |
| Laguna Woods city | | 16,507 | | |
| La Habra city | 51,266 | 58,974 | 7,708 | 15.0 |
| Lake Forest city | | 58,707 | | |
| La Palma city | 15,392 | 15,408 | 16 | 0.1 |
| Los Alamitos city | 11,676 | 11,536 | -140 | -1.2 |
| Mission Viejo city | 72,820 | 93,102 | 20,282 | 27.9 |
| Newport Beach city | 66,643 | 70,032 | 3,389 | 5.1 |
| Orange city | 110,658 | 128,821 | 18,163 | 16.4 |
| Placentia city | 41,259 | 46,488 | 5,229 | 12.7 |
| Rancho Santa Margarita city | | 47,214 | | |
| San Clemente city | 41,100 | 49,936 | 8,836 | 21.5 |
| San Juan Capistrano city | 26,183 | 33,826 | 7,643 | 29.2 |
| Santa Ana city | 293,742 | 337,977 | 44,235 | 15.1 |
| Seal Beach city | 25,098 | 24,157 | -941 | -3.7 |
| Stanton city | 30,491 | 37,403 | 6,912 | 22.7 |
| Tustin city | 50,689 | 67,504 | 16,815 | 33.2 |
| Villa Park city | 6,299 | 5,999 | -300 | -4.8 |
| Westminster city | 78,118 | 88,207 | 10,089 | 12.9 |
| Yorba Linda city | 52,422 | 58,918 | 6,496 | 12.4 |
| | | | | |
| Placer County | 172,796 | 248,399 | 75,603 | 43.8 |
| Auburn city | 10,592 | 12,462 | 1,870 | 17.7 |
| Colfax city | 1,306 | 1,496 | 190 | 14.5 |
| Lincoln city | 7,248 | 11,205 | 3,957 | 54.6 |
| Loomis town | 5,705 | 6,260 | 555 | 9.7 |
| Rocklin city | 19,033 | 36,330 | 17,297 | 90.9 |
| Roseville city | 44,685 | 79,921 | 35,236 | 78.9 |
| | | | | |
| Plumas County | 19,739 | 20,824 | 1,085 | 5.5 |
| Portola city | 2,193 | 2,227 | 34 | 1.6 |
| | | | | |
| Riverside County | 1,170,413 | 1,545,387 | 374,974 | 32.0 |
| Banning city | 20,570 | 23,562 | 2,992 | 14.5 |
| Beaumont city | 9,685 | 11,384 | 1,699 | 17.5 |
| Blythe city | 8,428 | 12,155 | 3,727 | 44.2 |
| Calimesa city | | 7,139 | | |

| | | | | |
|---|---|---|---|---|
| Canyon Lake city | | 9,952 | | |
| Cathedral City city | 30,085 | 42,647 | 12,562 | 41.8 |
| Coachella city | 16,896 | 22,724 | 5,828 | 34.5 |
| Corona city | 76,095 | 124,966 | 48,871 | 64.2 |
| Desert Hot Springs city | 11,668 | 16,582 | 4,914 | 42.1 |
| Hemet city | 36,094 | 58,812 | 22,718 | 62.9 |
| Indian Wells city | 2,647 | 3,816 | 1,169 | 44.2 |
| Indio city | 36,793 | 49,116 | 12,323 | 33.5 |
| Lake Elsinore city | 18,285 | 28,928 | 10,643 | 58.2 |
| La Quinta city | 11,215 | 23,694 | 12,479 | 111.3 |
| Moreno Valley city | 118,779 | 142,381 | 23,602 | 19.9 |
| Murrieta city | | 44,282 | | |
| Norco city | 23,302 | 24,157 | 855 | 3.7 |
| Palm Desert city | 23,252 | 41,155 | 17,903 | 77.0 |
| Palm Springs city | 40,181 | 42,807 | 2,626 | 6.5 |
| Perris city | 21,460 | 36,189 | 14,729 | 68.6 |
| Rancho Mirage city | 9,778 | 13,249 | 3,471 | 35.5 |
| Riverside city | 226,505 | 255,166 | 28,661 | 12.7 |
| San Jacinto city | 16,210 | 23,779 | 7,569 | 46.7 |
| Temecula city | 27,099 | 57,716 | 30,617 | 113.0 |
| | | | | |
| Sacramento County | 1,041,219 | 1,223,499 | 182,280 | 17.5 |
| Citrus Heights city | | 85,071 | | |
| Folsom city | 29,802 | 51,884 | 22,082 | 74.1 |
| Galt city | 8,889 | 19,472 | 10,583 | 119.1 |
| Isleton city | 833 | 828 | -5 | -0.6 |
| Sacramento city | 369,365 | 407,018 | 37,653 | 10.2 |
| | | | | |
| San Benito County | 36,697 | 53,234 | 16,537 | 45.1 |
| Hollister city | 19,212 | 34,413 | 15,201 | 79.1 |
| San Juan Bautista city | 1,570 | 1,549 | -21 | -1.3 |
| | | | | |
| San Bernardino County | 1,418,380 | 1,709,434 | 291,054 | 20.5 |
| Adelanto city | 8,517 | 18,130 | 9,613 | 112.9 |
| Apple Valley town | 46,079 | 54,239 | 8,160 | 17.7 |
| Barstow city | 21,472 | 21,119 | -353 | -1.6 |
| Big Bear Lake city | 5,351 | 5,438 | 87 | 1.6 |
| Chino city | 59,682 | 67,168 | 7,486 | 12.5 |
| Chino Hills city | | 66,787 | | |
| Colton city | 40,213 | 47,662 | 7,449 | 18.5 |
| Fontana city | 87,535 | 128,929 | 41,394 | 47.3 |
| Grand Terrace city | 10,946 | 11,626 | 680 | 6.2 |
| Hesperia city | 50,418 | 62,582 | 12,164 | 24.1 |
| Highland city | 34,439 | 44,605 | 10,166 | 29.5 |
| Loma Linda city | 17,400 | 18,681 | 1,281 | 7.4 |
| Montclair city | 28,434 | 33,049 | 4,615 | 16.2 |
| Needles city | 5,191 | 4,830 | -361 | -7.0 |
| Ontario city | 133,179 | 158,007 | 24,828 | 18.6 |
| Rancho Cucamonga city | 101,409 | 127,743 | 26,334 | 26.0 |
| Redlands city | 60,394 | 63,591 | 3,197 | 5.3 |
| Rialto city | 72,388 | 91,873 | 19,485 | 26.9 |
| San Bernardino city | 164,164 | 185,401 | 21,237 | 12.9 |
| Twentynine Palms city | 11,821 | 14,764 | 2,943 | 24.9 |
| Upland city | 63,374 | 68,393 | 5,019 | 7.9 |
| Victorville city | 40,674 | 64,029 | 23,355 | 57.4 |
| Yucaipa city | 32,824 | 41,207 | 8,383 | 25.5 |
| Yucca Valley town | | 16,865 | | |
| | | | | |
| San Diego County | 2,498,016 | 2,813,833 | 315,817 | 12.6 |

| | | | | |
|---|---|---|---|---|
| Carlsbad city | 63,126 | 78,247 | 15,121 | 24.0 |
| Chula Vista city | 135,163 | 173,556 | 38,393 | 28.4 |
| Coronado city | 26,540 | 24,100 | -2,440 | -9.2 |
| Del Mar city | 4,860 | 4,389 | -471 | -9.7 |
| El Cajon city | 88,693 | 94,869 | 6,176 | 7.0 |
| Encinitas city | 55,386 | 58,014 | 2,628 | 4.7 |
| Escondido city | 108,635 | 133,559 | 24,924 | 22.9 |
| Imperial Beach city | 26,512 | 26,992 | 480 | 1.8 |
| La Mesa city | 52,931 | 54,749 | 1,818 | 3.4 |
| Lemon Grove city | 23,984 | 24,918 | 934 | 3.9 |
| National City city | 54,249 | 54,260 | 11 | 0.0 |
| Oceanside city | 128,398 | 161,029 | 32,631 | 25.4 |
| Poway city | 43,516 | 48,044 | 4,528 | 10.4 |
| San Diego city | 1,110,549 | 1,223,400 | 112,851 | 10.2 |
| San Marcos city | 38,974 | 54,977 | 16,003 | 41.1 |
| Santee city | 52,902 | 52,975 | 73 | 0.1 |
| Solana Beach city | 12,962 | 12,979 | 17 | 0.1 |
| Vista city | 71,872 | 89,857 | 17,985 | 25.0 |
| | | | | |
| San Francisco County | 723,959 | 776,733 | 52,774 | 7.3 |
| San Francisco city | 723,959 | 776,733 | 52,774 | 7.3 |
| | | | | |
| San Joaquin County | 480,628 | 563,598 | 82,970 | 17.3 |
| Escalon city | 4,437 | 5,963 | 1,526 | 34.4 |
| Lathrop city | 6,841 | 10,445 | 3,604 | 52.7 |
| Lodi city | 51,874 | 56,999 | 5,125 | 9.9 |
| Manteca city | 40,773 | 49,258 | 8,485 | 20.8 |
| Ripon city | 7,455 | 10,146 | 2,691 | 36.1 |
| Stockton city | 210,943 | 243,771 | 32,828 | 15.6 |
| Tracy city | 33,558 | 56,929 | 23,371 | 69.6 |
| | | | | |
| San Luis Obispo County | 217,162 | 246,681 | 29,519 | 13.6 |
| Arroyo Grande city | 14,378 | 15,851 | 1,473 | 10.2 |
| Atascadero city | 23,138 | 26,411 | 3,273 | 14.1 |
| El Paso de Robles (Paso Robles) city | 18,583 | 24,297 | 5,714 | 30.7 |
| Grover Beach city | 11,656 | 13,067 | 1,411 | 12.1 |
| Morro Bay city | 9,664 | 10,350 | 686 | 7.1 |
| Pismo Beach city | 7,669 | 8,551 | 882 | 11.5 |
| San Luis Obispo city | 41,958 | 44,174 | 2,216 | 5.3 |
| | | | | |
| San Mateo County | 649,623 | 707,161 | 57,538 | 8.9 |
| Atherton town | 7,163 | 7,194 | 31 | 0.4 |
| Belmont city | 24,127 | 25,123 | 996 | 4.1 |
| Brisbane city | 2,952 | 3,597 | 645 | 21.8 |
| Burlingame city | 26,801 | 28,158 | 1,357 | 5.1 |
| Colma town | 1,103 | 1,191 | 88 | 8.0 |
| Daly City city | 92,311 | 103,621 | 11,310 | 12.3 |
| East Palo Alto city | 23,451 | 29,506 | 6,055 | 25.8 |
| Foster City city | 28,176 | 28,803 | 627 | 2.2 |
| Half Moon Bay city | 8,886 | 11,842 | 2,956 | 33.3 |
| Hillsborough town | 10,667 | 10,825 | 158 | 1.5 |
| Menlo Park city | 28,040 | 30,785 | 2,745 | 9.8 |
| Millbrae city | 20,412 | 20,718 | 306 | 1.5 |
| Pacifica city | 37,670 | 38,390 | 720 | 1.9 |
| Portola Valley town | 4,194 | 4,462 | 268 | 6.4 |
| Redwood City city | 66,072 | 75,402 | 9,330 | 14.1 |
| San Bruno city | 38,961 | 40,165 | 1,204 | 3.1 |
| San Carlos city | 26,167 | 27,718 | 1,551 | 5.9 |
| San Mateo city | 85,486 | 92,482 | 6,996 | 8.2 |

| | | | | |
|---|---|---|---|---|
| South San Francisco city | 54,312 | 60,552 | 6,240 | 11.5 |
| Woodside town | 5,035 | 5,352 | 317 | 6.3 |
| Santa Barbara County | 369,608 | 399,347 | 29,739 | 8.0 |
| Buellton city | | 3,828 | | |
| Carpinteria city | 13,747 | 14,194 | 447 | 3.3 |
| Guadalupe city | 5,479 | 5,659 | 180 | 3.3 |
| Lompoc city | 37,649 | 41,103 | 3,454 | 9.2 |
| Santa Barbara city | 85,571 | 92,325 | 6,754 | 7.9 |
| Santa Maria city | 61,284 | 77,423 | 16,139 | 26.3 |
| Solvang city | 4,741 | 5,332 | 591 | 12.5 |
| Santa Clara County | 1,497,577 | 1,682,585 | 185,008 | 12.4 |
| Campbell city | 36,048 | 38,138 | 2,090 | 5.8 |
| Cupertino city | 40,263 | 50,546 | 10,283 | 25.5 |
| Gilroy city | 31,487 | 41,464 | 9,977 | 31.7 |
| Los Altos city | 26,303 | 27,693 | 1,390 | 5.3 |
| Los Altos Hills town | 7,514 | 7,902 | 388 | 5.2 |
| Los Gatos town | 27,357 | 28,592 | 1,235 | 4.5 |
| Milpitas city | 50,686 | 62,698 | 12,012 | 23.7 |
| Monte Sereno city | 3,287 | 3,483 | 196 | 6.0 |
| Morgan Hill city | 23,928 | 33,556 | 9,628 | 40.2 |
| Mountain View city | 67,460 | 70,708 | 3,248 | 4.8 |
| Palo Alto city | 55,900 | 58,598 | 2,698 | 4.8 |
| San Jose city | 782,248 | 894,943 | 112,695 | 14.4 |
| Santa Clara city | 93,613 | 102,361 | 8,748 | 9.3 |
| Saratoga city | 28,061 | 29,843 | 1,782 | 6.4 |
| Sunnyvale city | 117,229 | 131,760 | 14,531 | 12.4 |
| Santa Cruz County | 229,734 | 255,602 | 25,868 | 11.3 |
| Capitola city | 10,171 | 10,033 | -138 | -1.4 |
| Santa Cruz city | 49,040 | 54,593 | 5,553 | 11.3 |
| Scotts Valley city | 8,615 | 11,385 | 2,770 | 32.2 |
| Watsonville city | 31,099 | 44,265 | 13,166 | 42.3 |
| Shasta County | 147,036 | 163,256 | 16,220 | 11.0 |
| Anderson city | 8,299 | 9,022 | 723 | 8.7 |
| Redding city | 66,462 | 80,865 | 14,403 | 21.7 |
| Shasta Lake city | | 9,008 | | |
| Sierra County | 3,318 | 3,555 | 237 | 7.1 |
| Loyalton city | 931 | 862 | -69 | -7.4 |
| Siskiyou County | 43,531 | 44,301 | 770 | 1.8 |
| Dorris city | 892 | 886 | -6 | -0.7 |
| Dunsmuir city | 2,129 | 1,923 | -206 | -9.7 |
| Etna city | 835 | 781 | -54 | -6.5 |
| Fort Jones city | 639 | 660 | 21 | 3.3 |
| Montague city | 1,415 | 1,456 | 41 | 2.9 |
| Mount Shasta city | 3,460 | 3,621 | 161 | 4.7 |
| Tulelake city | 1,010 | 1,020 | 10 | 1.0 |
| Weed city | 3,062 | 2,978 | -84 | -2.7 |
| Yreka city | 6,948 | 7,290 | 342 | 4.9 |
| Solano County | 340,421 | 394,542 | 54,121 | 15.9 |
| Benicia city | 24,437 | 26,865 | 2,428 | 9.9 |
| Dixon city | 10,401 | 16,103 | 5,702 | 54.8 |
| Fairfield city | 77,211 | 96,178 | 18,967 | 24.6 |
| Rio Vista city | 3,316 | 4,571 | 1,255 | 37.8 |

| | | | | |
|---|---|---|---|---|
| Suisun City city | 22,686 | 26,118 | 3,432 | 15.1 |
| Vacaville city | 71,479 | 88,625 | 17,146 | 24.0 |
| Vallejo city | 109,199 | 116,760 | 7,561 | 6.9 |
| | | | | |
| Sonoma County | 388,222 | 458,614 | 70,392 | 18.1 |
| Cloverdale city | 4,924 | 6,831 | 1,907 | 38.7 |
| Cotati city | 5,714 | 6,471 | 757 | 13.2 |
| Healdsburg city | 9,469 | 10,722 | 1,253 | 13.2 |
| Petaluma city | 43,184 | 54,548 | 11,364 | 26.3 |
| Rohnert Park city | 36,326 | 42,236 | 5,910 | 16.3 |
| Santa Rosa city | 113,313 | 147,595 | 34,282 | 30.3 |
| Sebastopol city | 7,004 | 7,774 | 770 | 11.0 |
| Sonoma city | 8,121 | 9,128 | 1,007 | 12.4 |
| Windsor town | | 22,744 | | |
| | | | | |
| Stanislaus County | 370,522 | 446,997 | 76,475 | 20.6 |
| Ceres city | 26,314 | 34,609 | 8,295 | 31.5 |
| Hughson city | 3,259 | 3,980 | 721 | 22.1 |
| Modesto city | 164,730 | 188,856 | 24,126 | 14.6 |
| Newman city | 4,151 | 7,093 | 2,942 | 70.9 |
| Oakdale city | 11,961 | 15,503 | 3,542 | 29.6 |
| Patterson city | 8,626 | 11,606 | 2,980 | 34.5 |
| Riverbank city | 8,547 | 15,826 | 7,279 | 85.2 |
| Turlock city | 42,198 | 55,810 | 13,612 | 32.3 |
| Waterford city | 4,771 | 6,924 | 2,153 | 45.1 |
| | | | | |
| Sutter County | 64,415 | 78,930 | 14,515 | 22.5 |
| Live Oak city | 4,320 | 6,229 | 1,909 | 44.2 |
| Yuba City city | 27,437 | 36,758 | 9,321 | 34.0 |
| | | | | |
| Tehama County | 49,625 | 56,039 | 6,414 | 12.9 |
| Corning city | 5,870 | 6,741 | 871 | 14.8 |
| Red Bluff city | 12,363 | 13,147 | 784 | 6.3 |
| Tehama city | 401 | 432 | 31 | 7.7 |
| | | | | |
| Trinity County | 13,063 | 13,022 | -41 | -0.3 |
| | | | | |
| Tulare County | 311,921 | 368,021 | 56,100 | 18.0 |
| Dinuba city | 12,743 | 16,844 | 4,101 | 32.2 |
| Exeter city | 7,276 | 9,168 | 1,892 | 26.0 |
| Farmersville city | 6,235 | 8,737 | 2,502 | 40.1 |
| Lindsay city | 8,338 | 10,297 | 1,959 | 23.5 |
| Porterville city | 29,563 | 39,615 | 10,052 | 34.0 |
| Tulare city | 33,249 | 43,994 | 10,745 | 32.3 |
| Visalia city | 75,636 | 91,565 | 15,929 | 21.1 |
| Woodlake city | 5,678 | 6,651 | 973 | 17.1 |
| | | | | |
| Tuolumne County | 48,456 | 54,501 | 6,045 | 12.5 |
| Sonora city | 4,153 | 4,423 | 270 | 6.5 |
| | | | | |
| Ventura County | 669,016 | 753,197 | 84,181 | 12.6 |
| Camarillo city | 52,303 | 57,077 | 4,774 | 9.1 |
| Fillmore city | 11,992 | 13,643 | 1,651 | 13.8 |
| Moorpark city | 25,494 | 31,415 | 5,921 | 23.2 |
| Ojai city | 7,613 | 7,862 | 249 | 3.3 |
| Oxnard city | 142,216 | 170,358 | 28,142 | 19.8 |
| Port Hueneme city | 20,319 | 21,845 | 1,526 | 7.5 |
| San Buenaventura (Ventura) city | 92,575 | 100,916 | 8,341 | 9.0 |
| Santa Paula city | 25,062 | 28,598 | 3,536 | 14.1 |

| | | | | |
|---|---|---|---|---|
| Simi Valley city | 100,217 | 111,351 | 11,134 | 11.1 |
| Thousand Oaks city | 104,352 | 117,005 | 12,653 | 12.1 |
| | | | | |
| Yolo County | 141,092 | 168,660 | 27,568 | 19.5 |
| Davis city | 46,209 | 60,308 | 14,099 | 30.5 |
| West Sacramento city | 28,898 | 31,615 | 2,717 | 9.4 |
| Winters city | 4,639 | 6,125 | 1,486 | 32.0 |
| Woodland city | 39,802 | 49,151 | 9,349 | 23.5 |
| | | | | |
| Yuba County | 58,228 | 60,219 | 1,991 | 3.4 |
| Marysville city | 12,324 | 12,268 | -56 | -0.5 |
| Wheatland city | 1,631 | 2,275 | 644 | 39.5 |

# ATTACHMENT 2

SAN JOAQUIN COUNTY
OFFICE OF THE
AGRICULTURAL COMMISSIONER

SCOTT HUDSON
AGRICULTURAL COMMISSIONER
SEALER OF WEIGHTS & MEASURES
ANIMAL CONTROL

VICKI HELMAR
ASST. AGRICULTURAL COMMISSIONER
ASST. SEALER OF WEIGHTS & MEASURES

POST OFFICE BOX 1609
STOCKTON, CALIFORNIA 95201-1609
PHONE: 209/468-3300
FAX: 209/468-3330

MAIN OFFICE - STOCKTON
1868 E. HAZELTON AVE.

LODI OFFICE
210 N. SACRAMENTO ST.

TRACY OFFICE
503 E. 10TH STREET

SIMMS STATION - RIPON
17820 E. HWY 120

A.G. Kawamura, Secretary
California Department Of Food And Agriculture
And
The Honorable Board Of Supervisors
San Joaquin County

Dear Secretary and Board Members:

I am pleased to present the seventy-second annual report of agricultural production in San Joaquin County. The gross value of agricultural production for 2005 in San Joaquin County is estimated to be an all time high of $1,749,113,000. This represents an 8% increase from the estimated 2004 value of $1,613,289,000.

Highlights of the 2005 crop year are as follows:

- Significant increases occurred in Livestock & Poultry and Fruit & Nut Crops values.
- Milk is the county's most valuable agricultural commodity again in 2005. Even though milk production increased, lower prices caused a net decrease in value of 3%.
- The value of replacement dairy heifers was included in the agricultural report for the first time this year. This mostly accounts for the 125% increase in value for Cattle & Calves.
- Wine grape acreage, yields, and prices were up in 2005, contributing to a 53% increase in total grape value from the previous year.
- Cherries and other stone fruit crops suffered yield losses due to late spring rains and lack of adequate chill hours during the winter months.
- The price of almonds rose more than 20% from the previous season, keeping almonds the third most valuable agricultural commodity in San Joaquin County.

The values shown are estimates based on the most common method of sale for the individual commodity, except for fresh fruits and vegetables where the value is based on the F.O.B packed price at the shipping point. The figures contained in this report are gross values rather than net returns to the grower.

I wish to express my sincere appreciation to all who assisted my biologists and deputies by furnishing the necessary information that made this report possible.

Respectfully Submitted

Scott Hudson,
Agricultural Commissioner

# ATTACHMENT 3

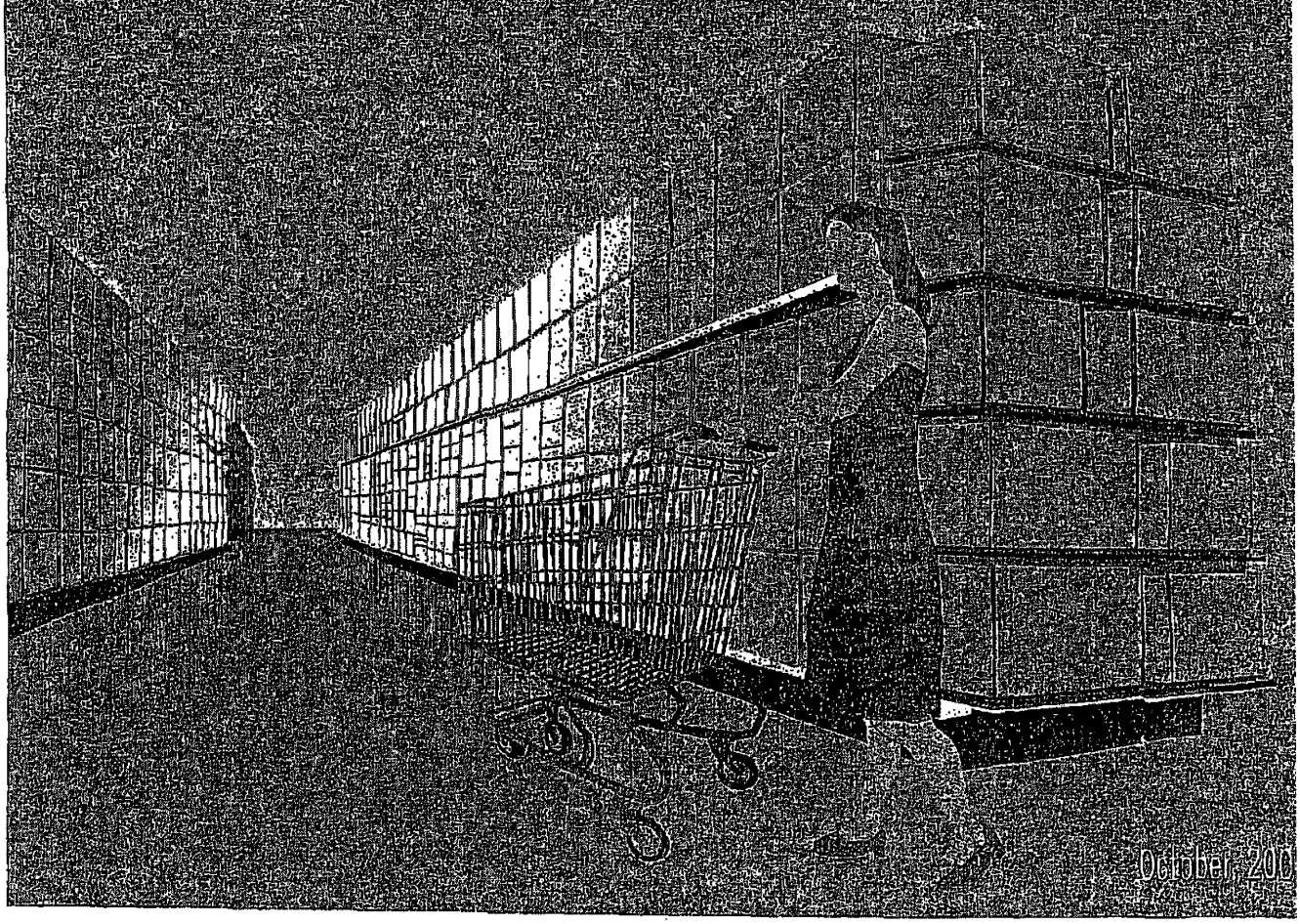
# On The Economic And Social Impacts Of Supercenter Expansion In California

San Marcos Chamber of Commerce

939 Grand Avenue - San Marcos, CA 92069

760 - 744 - 1270

www.SanMarcosChamber.com



October 200

**Report prepared by the San Marcos Chamber of Commerce**

Primary Contributors:

Research Director:

Dr. Alan M. Schlottmann
President, Regulatory Economics, Inc.
Professor of Economics
Director of Research
Lied Institute for Real Estate Studies
University of Nevada Las Vegas

Dr. Schlottmann's research on public policy and economic growth has been nationally recognized. An author of *Industry Location and Public Policy* and other books and articles, which include contributions to the *National Tax Journal* and *Review of Economics and Statistics*, Dr. Schlottmann has presented his research to numerous business organizations and government bodies such as the U.S. House of Representatives and the U.S. Senate. He is currently engaged in fiscal issues in several states.
Telephone contact: (702) 579-4101.

Dr. Robert Schmidt, J.D., Ph.D.
President, Demographic Solutions, Inc.

Dr. Robert Schmidt, J.D., Ph.D. is currently a Visiting Professor at the Helsinki School of Economics. He is also on the Graduate Faculty of the UNLV School of Public Administration. Dr. Schmidt is the author of numerous articles and treatises on urban and state issues including *Financing Regional Infrastructure*. He has served as an advisor to numerous local, regional and national government agencies. Dr. Schmidt has extensive business experience as a senior executive of a Fortune 500 company, senior manager with Price Waterhouse and as a CEO of a mid-sized manufacturing company.

Charles Barr, M.A.
President, Model Insights, LLC

Charles Barr has earned Masters Degrees in both Economics and Liberal Studies from the University of Nevada, Las Vegas. He has published on population trends and related issues in *Demography, Population Research and Policy Review*, and *International Journal of Public Administration*. He has consulted extensively with major private companies.

## *Overview of Report*

Supercenters, operated by companies such as Wal-Mart, Target and Kmart, are large retail complexes that offer multiple types of products and services in a "big box," warehouse-type setting. They have become a significant retailing force in most areas of the United States. Currently, big box market penetration in California, in terms of both the number of stores and number of employees, is far less than in the rest of the country.

The primary research question addressed in this report is one of continuing controversy, namely whether the economic impact associated with the entry of a "typical" supercenter facility within California is positive or negative. This report partially addresses this question. As a corollary, we examine selected social impacts of such a facility, primarily through issues related to its workforce.

The key research finding in this report is that, based upon the economic and social factors included in the analysis, there is a significant likelihood that the long-run economic effect of a supercenter within a given community will be negative. Many factors contribute to this finding, and they are explored in detail in this report. Among the most significant are the following:

- Wages and fringe benefits offered by supercenters appear to be lower than those associated with the jobs they replace.
- As a result, many supercenter employees must rely on government social service agencies for necessities they and their families cannot afford (medical care in particular). If so, this means that supercenters are partially subsidized by other taxpayers, including their competitors.
- The lower earnings of supercenter employees actually translate to lower income and sales taxes collected by local and state governments.

- Reflecting a dominant firm structure within their trading area rather than perfect competition, increases in supercenters' market share force other retailers to lower their own employees' wages and benefits in order to remain competitive. This earnings impact has further negative consequences on the state.

- Supercenters are often able to obtain preferential tax and regulatory treatment from local governments, increasing the economic strain on existing retailers that lack these subsidies and further exacerbating the community's subsidy of the new supercenter.

- The introduction of a new supercenter often requires increased local government spending for roads and other infrastructure, traffic control, and additional law enforcement resources.

- Big box closings, which occur with some frequency, can create significant disruptions in local economies, in terms of job losses and the necessity for continuing infrastructure and law enforcement spending by local governments. This situation is made worse to the extent that existing retailers have been displaced by the big box during their tenure in the community.

These negative economic impacts, as well as others, are often overlooked by local government officials and their constituents because they are not as obvious as the two big advantages that are continuously promoted by proponents of supercenters: low retail prices and convenience. Yet the hidden costs in terms of lower wages, lower tax collections, and increased local government spending may outweigh the more visible savings at the checkout counter. In other words, supercenters may well be much less of a bargain than they might first appear. Several considerations need to be taken into account when assessing a supercenter's economic impact. Among them are:

(1) The introduction of any new retailer into a trading area causes shifts, but not increases, in household consumption patterns. Thus, a new supercenter won't necessarily "create" new jobs, but rather is likely to replace existing ones at other retailers. If the supercenter jobs offer lower wages and less generous fringe

benefits than the jobs they replace, the net impact on employment will be negative.

(2) Supercenters, at least in their present form, do not operate within the idealized model of the "level playing field" that is a cornerstone of perfect competition. While much of the cost advantage to supercenters results from their efficiency and negotiating skills with suppliers, a significant portion of a "typical" supercenter's cost advantage may derive from the shifting of some of the health care costs of its workers to competitors and other state and local taxpayers. In addition, they are often able to obtain favorable treatment from local governments that is denied to their competitors. Examples of this favorable treatment would be upgraded zoning or potentially subsidized improvements for the land on which their stores are built, and multi-year reductions or exemptions on the property taxes they would otherwise pay. To the extent the above factors make it possible for supercenters to reduce prices as a result of such cost shifting, customers' savings at the checkout counter can be more than offset by these other costs.

(3) In addition to potentially seeking favored treatment from local governments, supercenter companies and other large retailers sometimes leverage their economic power into political power by employing the ballot initiative process to overturn local planning decisions that are not to their liking. Because voter turnout is often low, and because local businesses usually lack the financial and marketing resources to effectively compete for votes, these initiative campaigns often succeed. By this means, large corporations may be eliminating important protections for local businesses and communities.

(4) As supercenters continue to gain market share and market power, their competitors must to some extent imitate their business strategies in order to

survive. This leader-follower behavior is consistent with dominant firm theory. If this occurs on a wide scale, then an increasing shift to lower wages, part-time employment, and health care benefit reduction among a large segment of California's employees will substantially increase the tax burden of other state employers as well as residents.

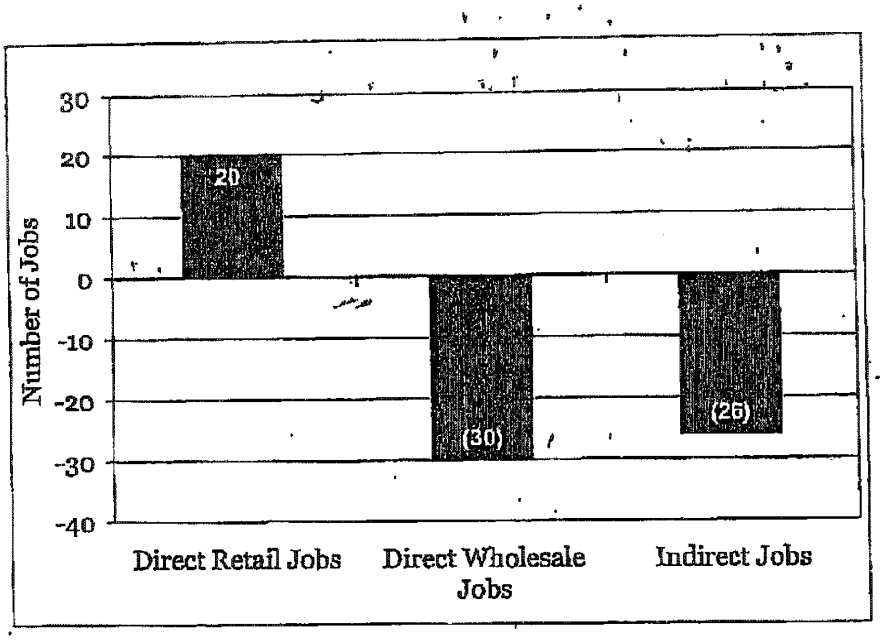
Although it addresses these and other concerns, this report is admittedly partial in scope and focuses on three major measurable impacts: employment, earnings, and state fiscal health. The state-specific data employed in the report is that of California. The estimates utilized in the model are conservative, and include only impacts that are directly measurable.

The impact of each of these three components consists of two parts, the direct impacts of a new supercenter facility and the indirect impacts. It is critical for state and local officials to recognize both of these types of impacts, due to the role of the "economic multiplier." The economic multiplier, a well-established concept, states that numerous interdependent linkages in the economy magnify (multiply) any initial change in employment or earnings. Well-documented multipliers based upon verifiable methodology are available for California.

Our findings regarding economic impacts can be summarized as follows. Based upon our assumptions, within five years after the entry of a hypothetical supercenter:

- There will be a net loss of 36 jobs per supercenter (See Figure O-1).
- Earnings losses will total $5,440,971 annually per supercenter.
- The annual negative fiscal effect on state and local government will total $911,975 per supercenter.

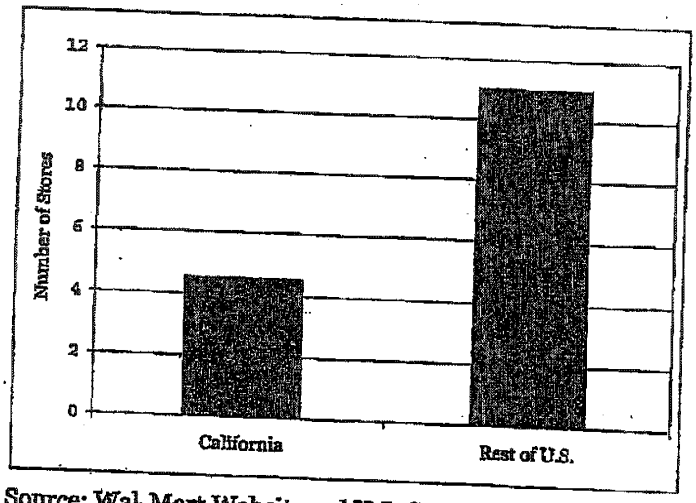
**Figure O-1, Net Change in Number of Jobs Within Five Years of Supercenter Entry**




Source: Basker, 2002 and U.S. Bureau of Economic Analysis RIMS II

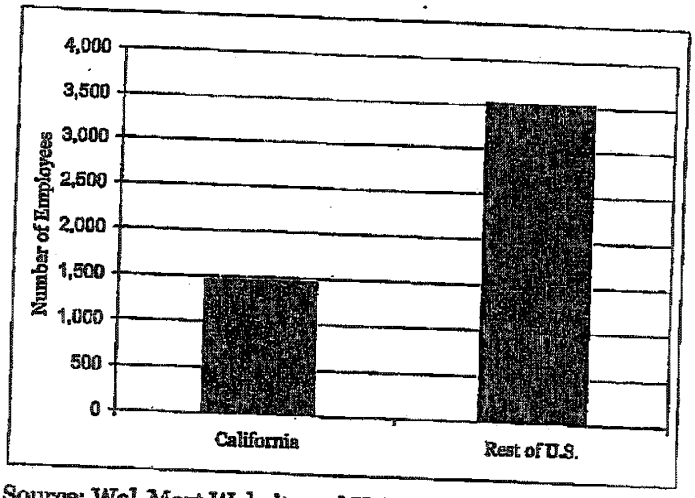
The implications for California's future are profound. Currently 1.5 million - 1.6 million Californians are engaged in broadly defined "retail trade," and approximately 800,000 of these workers are employed directly in the categories of general retail salespersons and cashiers. However, compared to the rest of the country, the concentration of supercenters in California is much less. As an illustration (see Figures O-2 and O-3), Wal-Mart's market penetration in California is less than half that of the rest of the nation.

**Figure O-2, Number of Wal-Mart Stores Per 1,000,000 People**




Source: Wal-Mart Website and U.S. Census 2000 Data

**Figure O-3, Number of Wal-Mart Employees Per 1,000,000 People**




Source: Wal-Mart Website and U.S. Census 2000 Data

To bring California up to Wal-Mart's average market penetration in the rest of the nation, an additional 320 Wal-Mart facilities would need to be added to the number already in California. Add expansion by other supercenters, and the adoption of the low-wage business model by other large retailers in order to

compete with supercenters, and the net effect could easily be three times as large, or the equivalent of an additional 1,000 supercenters.

As noted above, the remaining firms in the retail industry will increasingly be forced to emulate the dominant firm's labor policies. In our view, the presence of a permanent class of retail workers with low wages and minimal health benefits would have significant negative long term effects on the California economy. For example, it could add hundreds of thousands of additional workers and their families to the state-supported health care rolls. There is no feasible way for the State to absorb these costs, especially given California's ongoing and severe budget crisis.

In addition, if the retail sector in California were to emulate current practices at supercenters, there would be a permanent reduction in rates of homeownership, less family income spent on education, lower demand for such items as bookstores, etc. This appears to us to be a reversal of the social trends that characterized industrial relations in the twentieth century.

# ATTACHMENT 4

# WHAT HAPPENED WHEN WAL-MART CAME TO TOWN?

A Report on Three Iowa Communities
with a Statistical Analysis of Seven Iowa Counties

FOR THE NATIONAL TRUST FOR HISTORIC PRESERVATION

by

Thomas Muller, Fairfax, Virginia
Elizabeth Humstone, Burlington, Vermont

May 1996

This report was prepared with the assistance of the Henry M. Jackson Foundation.

p. 32 is missing

# FINDINGS ON THE IMPACT OF WAL-MART

The following major findings were made in Parts III and IV of the report.

## Part III Findings. Case Study Community Impacts

1. In all three communities - Boone, LeMars, and Iowa Falls - Wal-Mart located outside of the downtown in a highway strip commercial area.[7] The stores were smaller than the national average, apparently scaled back to fit more with the small market size of these communities.

2. Sales performance at the stores in the three communities is estimated to be below the national average for Wal-Mart and ranged from $193 to $270 per square foot. In spite of this lower performance, Wal-Mart still diverted sales from existing businesses in the county. From 77% to 100% of Wal-Mart's sales came from these businesses. After Wal-Mart opened, net additional sales rose from $0 to $3.8 million in the counties where the three communities are located.

3. There were clearly identified losses in downtown stores after Wal-Mart opened. General merchandise stores were most affected. Other types of stores that closed include: automotive stores, hardware stores, drug stores, shoe stores, apparel stores, and sporting goods stores. Some restaurant closings also were noted.

4. Although five years after Wal-Mart came to the towns, new stores opened in the downtowns of all three communities, there was still a net decline in the number of stores downtown. There was no evidence to support the claim that Wal-Mart had boosted downtown shopping. In all three downtowns there are non-retail businesses in prime first floor space that are typically found on side streets or upper floors in healthy downtowns.[8] Each downtown had many vacancies on the upper floors.

5. All three communities have compact downtowns with many historic structures. In Boone and LeMars many of these structures are in need of rehabilitation. In Iowa Falls, the community's Main Street Program has resulted in substantial reinvestment in the downtown and a visible improvement to the attractiveness of the area.

---

[7]None of the case studies had a Wal-Mart store in the downtown, therefore, we could not compare the differences between a strip commercial location and a downtown location. However, even a downtown location could damage the viability of existing stores. A 75,000 square foot Wal-Mart could have sales of over $20 million, which could exceed the total for all downtown stores in a small community. Although only some of these stores are in competition with Wal-Mart, the effect on the downtown could be serious. The added square footage could result in a surplus of retail space in the downtown. Small businesses that typically pay higher prices for the same goods sold at Wal-Mart could be at a competitive disadvantage. Nevertheless, a downtown location could help some retail stores that carry goods not available at Wal-Mart by increasing the flow of shoppers in the downtown.

[8]The original design of downtown buildings assumed retail occupancy. Alternative uses tend to be less profitable, often threatening the viability of the buildings. In some cases, a major downtown enterprise may expand and preserve the historic character of a building while smaller banks and retail businesses go out of business. Empty or low-rent tenants of former retail and bank buildings were observed in every Iowa city visited. The loss of retail stores curtails the economic vitality of downtowns even when the space is utilized for other functions.

6. There is strong civic pride in the downtowns of all three communities. Local Chambers of Commerce, economic development corporations, city governments, and Main Street Programs are actively involved in the promotion and improvement of the downtown. In all three cases after Wal-Mart came to town, there was reinvestment in the downtown as a result of this civic involvement. These civic groups all include the outlying retailers, such as Wal-Mart, in their programs.

7. Wal-Mart appears to have negatively affected some businesses outside of the downtown that existed prior to the store's opening. In all three cases there were general merchandise stores on the highway business corridor that closed after Wal-Mart opened. Other retailers closed as well. There was some new development in the area around Wal-Mart after the store opened in two of the three case studies, but this development was minor. These new developments include fast food restaurants and farm supply stores. In Iowa Falls, a mall underwent a major renovation, but the overall square footage in retail use was reduced. In LeMars no new retailing had taken place near Wal-Mart after the store opened.

8. Only one of the three case study communities actively recruited Wal-Mart. However, in each case there was some public improvement, such as road widening or extension of water and sewer lines, undertaken to accommodate the store. In Iowa Falls the public investment was repaid through receipts under a tax increment financing district. None of the three communities offered tax abatement. In one of the communities, any commercial developer has the option to have tax abatement, but Wal-Mart decided not to take advantage of this incentive.

9. Although some suggest that the presence of Wal-Mart outside of, but near to, the downtown area results in additional activity downtown, both sales data and traffic data do not show this gain. Traffic count data indicate that average daily traffic volumes actually declined or stayed somewhat constant in the downtown areas while it increased out by the Wal-Mart store.

10. The value of downtown buildings, as measured by assessments and commercial property sales, declined from 16.7 to 20.5% in Boone and LeMars after Wal-Mart opened. In Iowa Falls, where there had been substantial reinvestment in the downtown, the property values rose by 66.2%. Vacant retail space out on the highway strips was found to decline in value by 54.2% to 76.5% after Wal-Mart opened. Wal-Mart's property value ranged from $41 to $45 per square foot, based on property sales; the stores' assessed value was typically lower.

## Part IV. Findings from Analysis of Counties

### 1. RETAIL SALES

There are four potential sources for sales at a Wal-Mart store: 1) sales to residents from outside the primary market area that are attracted to the county by the Wal-Mart store; 2) recapture of primary market area residents' sales that are taking place elsewhere; 3) population and income growth; 4) sales to existing businesses in the

market area. In order for Wal-Mart to come into a market area without dislocations to existing stores, it must get most of its sales from the first three sources.

In the nine counties studied, about 84% of all sales at the Wal-Mart stores come from existing businesses within the counties and only 16% came from other sources - the secondary market and recapture of primary market area residents' sales. The presence of other Wal-Marts within commuting distance of the case study communities limits the ability of the Wal-Mart store to expand the market area. Each new Wal-Mart reduces the market size of an existing store, as each store carries very similar merchandise. Because products that Wal-Mart stocks are typically those already available in the primary market, it is likely that most shoppers who previously purchased goods outside the primary market continue to do so. Thus, Wal-Mart does not appear to have recaptured the sales residents made elsewhere. None of the nine case studies was experiencing a high enough level of population and income growth to absorb the Wal-Mart store without losses to other businesses.

## 2. RETAIL STORES

The number of retail stores in competitive categories in each county after Wal-Mart opened was compared to the number of stores expected if Wal-Mart had not been built. The number of retail stores after Wal-Mart opened was lower than would have been expected otherwise. Townships with small shopping areas in particular had considerable losses. The data suggests that although rural area losses began before Wal-Mart, the stores' arrival seems to have accelerated the trend. This pattern, observed in both downtowns and elsewhere, should not be surprising, as weaker stores usually cannot absorb sales losses. Several regional chains, including Spurgeons, Alco, and Pamida, were weakened statewide by Wal-Mart's presence in Iowa.

## 3. RETAIL EMPLOYMENT

The impact of Wal-Mart on retail employment is an important issue with the Wal-Mart Corporation. Wal-Mart believes, and its founder has stated, that the company created "hundreds of thousands of jobs" in rural America. Such impressive gains would be a major boom to these small area economies. Our data, however, do not support this positive assessment. Although there is an initial increase in general merchandise employment in the year Wal-Mart opens, this gain is at least partially offset over time as employment in this category declines. Other retail sectors competitive with Wal-Mart were found to have employment gains below what would be expected given local economic growth. This finding should not be surprising, given the small net gain in sales attributable to Wal-Mart in the counties and given the high efficiencies in the stores' operation. For example, fewer employees are required for each $1 million in sales at Wal-Mart than for the same quantity of sales in other retail stores within competitive sectors.

## 4. PROPERTY VALUES

The data collected indicate that in most of the case study communities the value of existing commercial property either declined or did not increase at a rate comparable to the state average following the opening of Wal-Mart. In general, losses or limited gains in the valuation of existing urban property are responsible for the lower than expected growth in commercial property value. By contrast, there were considerable gains from newly constructed commercial property, including Wal-Mart, during the last six years. An examination of individual sales in the downtown business blocks follows the general pattern, although there is considerable fluctuation. Most of the sample sizes are too small to reach rigorous statistical conclusions.

In addition, retailing in Boone was threatened by the big regional centers in the DesMoines metropolitan area and in Ames. People who worked in these areas also did their shopping there. Other residents would travel there for a wider selection than was available in Boone.

In an effort to counteract the effects of peripheral development and the large regional centers and to boost the downtown, a downtown improvement project was undertaken in the early 1980s. This project resulted in new street trees, benches, and paving.

Boone is fortunate to have two major grocery stores in the downtown. Many people commented that the presence of these stores drew people into the downtown for their shopping.

In 1989, the year that Wal-Mart opened, state data show that there were 68 retail stores in the county in four categories of stores competitive with Wal-Mart and 52 competitive retail stores in the City of Boone.

Among the stores in downtown Boone in 1989 were J.C. Penney, a department store, Spurgeons, a department store, and Ben Franklin, a variety store. Outside the downtown on the strip there was the Pamida discount department store and Alco department store.

**After Wal-Mart**

Retail stores competitive with Wal-Mart declined by 12 stores, or 18%, in the county between 1989 and 1994, according to state data. There were six fewer stores in the city of Boone and six fewer stores in other communities in the balance of the county. Losses were shown in every competitive retail sector, including general merchandise. The Census of Retail Trade, which includes a drug store category, shows an 17% decline, from 52 to 43 businesses, in the county between 1987 and 1992.

According to the interviews, the following stores closed in the downtown after Wal-Mart opened:

- J.C. Penney: department store closed, changed to catalogue store
- Spurgeons: this regional chain was experiencing trouble in many locations
- Ben Franklin: store closed and then later reopened combined with a drug store under new ownership
- automotive store
- 2 drug stores
- shoe store
- hardware store: closed right before Wal-Mart opened

There are other stores that have opened or expanded in the downtown since Wal-Mart opened, including a hobby store, Dollar General (a variety store), the combined Ben Franklin and a pharmacy that was already downtown, Goodwill Industries, a dance clothing store and studio, a Hallmark store (expansion of existing store), and a bakery (expansion of existing store). Of these stores, only two can be considered new retail

stores competitive with Wal-Mart. In addition to these stores, there are two downtown stores that would like to expand - a supermarket and a hardware store.

> "When Dr. Stone[15] came to Boone, it was to ask "What can you do to survive with Wal-Mart?" Wal-Mart is coming, now what do you do as an independent merchant? Two things that stick in my mind is, you get rid of the direct competitive, low end types of items that you're working with and I remember him telling the pharmacists, 'Something you might do is put in a drive-up window - a service that Wal-Mart does not offer.' I don't think it was two weeks until Pete at Save-More (drug store) was at the City Council wanting a variance so he could put up a drive-up window in the alley behind his store."
>
> *-Fenner Stevenson, Executive Director, Boone Chamber of Commerce*

In spite of the new or expanded stores, the closings seem to have had an impact. The downtown today shows signs of decline. There were five vacancies identified in first floor retail space. Three stores were closed for business on a Monday afternoon. Prime retail space on the main street had tenants, such as Goodwill, an optometrist, a hearing aid store, tax advice office, video rental store, used appliance store, and a pawn shop - uses that are usually found on side streets or upper floors in healthy downtowns.

> "This is something that causes me a lot of concern and some others. We are seeing service businesses go in. You can't blame building owners for wanting to lease their space, but we've got a district office for the Episcopal Church, we've got a studio. There's another one right next to us - it was retail and now it's going to be a studio. Things are a little alarming. The dance studio is going to move from upstairs down. Rents are not going up. I know in this building here we're paying the same that we paid five years ago. There is a lot of store turnover, lot of people moving around. We had a savings bank - branch out of Des Moines - they closed, so the credit union moved where they were, the flower shop moved where the credit union was, the office supply shop moved where the flower shop was, the dance studio moved where the ... a lot of that."
>
> *-Fenner Stevenson, Executive Director, Boone Chamber of Commerce*

On a more positive note, the presence of two major grocery stores in the downtown continues to bring shoppers downtown on a frequent basis. While shopping for groceries, these people are likely to run other errands in the downtown as well, according to local sources.

Outside the downtown on the strip where Wal-Mart is located, two department stores closed after Wal-Mart came in. The Pamida discount department store closed in 1994 and two years later still stands empty. The Alco store, a department store that anchored a

[15] Dr. Kenneth Stone of Iowa State University.

# ATTACHMENT 5

# Ag impact felt in the county



May 28, 2006 6:00 AM

If every San Joaquin County resident - there are roughly 664,000 of us - got an equal share of the county's total food and fiber production in 2005, it would fatten your wallet by $2,635.

A family of four would end up with enough extra cash to feed themselves for a year, including some nice dining out.

That's because $1.75 billion is a big number. In the case of this county, it is a record amount of production.

A little perspective:

» If you had 88 percent of every one-cent piece in circulation, you'd have about $1.75 billion.

» If you counted $1 a second, it would take you about 55 years to count out $1.75 billion (which means that although I would have finished up a couple of years back, I'd be too tired to go out and spend it).

» If you had that $1.75 billion in $1 bills all counted and neatly stacked but needed to move it to the bank, you'd need some help. It would weigh roughly 1,925 tons. (Probably you could afford to hire help.)

In other words, $1.75 billion is a big, big number, although the federal government burns through about that much money twice a day, day in and day out.

Not one farmer I know has stepped forward to offer me a share of the county's abundance. I bet nobody else in the county has gotten that offer either. Except, of course, we all share in this profusion.

The latest tally of farm production, released last week by Agricultural Commissioner Scott Hudson, serves to remind us where this county's No. 1 industry is. Oh sure, we've been growing houses in this county for years. So much so many residents probably think that's the big crop. Last year, 5,972 single-family homes were built in San Joaquin County. The year before that, 6,378. The year before that, 6,727. But even though building has trailed off a bit in recent years, price increases pushed the value of home construction here to $1.4 billion in 2005. That's a big number, too, a huge number, but not as big as the numbers put up by county farmers.

And here is something to keep in mind: If the housing market goes south - and not many are predicting that real estate in the Central Valley is in trouble - but if it did go south, it could spell trouble. It's not a very diverse sector.

If there is one thing to be said about agriculture in this county; it's that it is diverse. We produce four commodities - milk, grapes, almonds and tomatoes - valued at more than $100 million each. But we also produce dozens of other crops worth millions and millions of dollars. It is unlikely a disaster could destroy our total production.

Agriculture gives the county's increasingly diverse economy a solid base and considerable ballast.

Not a bad deal, especially for those of us living in a farm county who do not understand that walnuts do not grow in fields and tomatoes do not grow in orchards.

Contact Money editor Eric Grunder at P.O. Box 900, Stockton, CA 95201 or egrunder@recordnet.com

**Reader Reaction**

TODAY'S MOST VIEWED
- Truck driver may have bypassed crossing arms in collision with train, early investigation says
- Homes for sale now for rent
- Man, his parents arrested in slaying
- 911 calls -- Published Jan. 24, 2007

THIS WEEK'S MOST VIEWED
- Two more suspects named in fatal Stockton shooting
- Man, his parents arrested in slaying
- S.J. officer charged in death of family's dog
- Two shot trying to leave party

THIS MONTH'S MOST VIEWED
- Mother accidentally hits, kills daughter after dropping kids off
- Two homicides in Stockton first of '07
- Woman killed as car crashes into bus stop
- Stockton teen dies in hyphy stunt

PHOTO GALLERIES MORE GALLERIES ▸

Prep Basketball 2 - 5 NEW

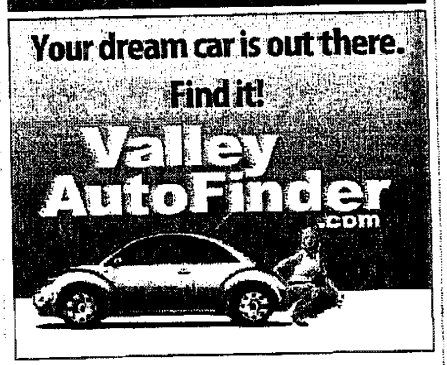
Golden Globe Parties

READER INTERACTION
- Read our blogs written by Record staff.
- Send us your snapshots for publication in our readers' photo galleries.
- Submit events for our online calendar.
- Share your thoughts about Record articles in our forums.
- Write a letter to the editor.
- Suggest a poll question.
- Have a story idea? Tell us about it!

SEARCH RECORDNET.COM HOMES AUTOS JOBS WEB

search recordnet.com

Click here to view our 14-Day Archive




FEATURED CARS from ValleyAutoFinder.com

2004 Nissan Sentra - Silver - 46,036 mi.
Get a Quote
2002 BMW X5 - Oxford Green Metallic - 92,438 mi. - $21,999
2006 Dodge Charger - Green - 12,641 mi. - $22,995
2007 Chevrolet Avalanche - Silver Bir Met - $37,549
2007 Cadillac CTS - White - $30,990

FEATURED JOBS from ValleyJobFinder.com

Medical PHLEBOTOMISTS
Stockton, CA
Classified Ad

JANITOR Needed Day
Stockton, CA
Classified Ad

DRIVER DHE looking
Stockton, CA
Classified Ad

PLUMBER Journeyman
Stockton, CA
Classified Ad

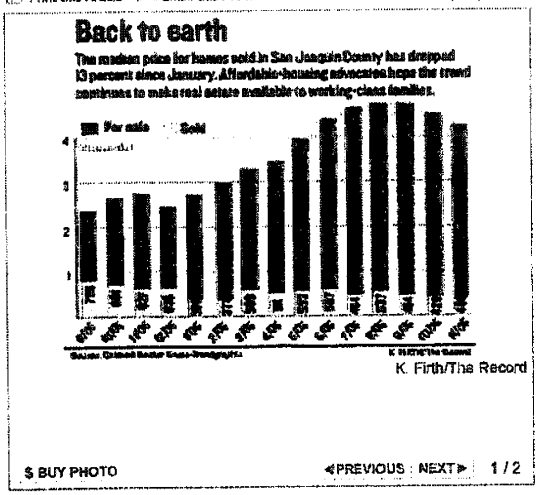
More jobs

ValleyHomeFinder.com

# ATTACHMENT 6

# The price isn't right

Print this Article | Email this Article Text Size: A | A | A




K. Firth/The Record

$ BUY PHOTO ◄PREVIOUS | NEXT► 1 / 2

By *Greg Kane*
Record Staff Writer
December 24, 2006 5:00 AM

STOCKTON - The median home price in San Joaquin County has dropped 13 percent since January, as free-market gravity took hold of the Valley's once-booming real estate industry.

But that still is not enough to make owning a home affordable to thousands of San Joaquin County residents.

They still cannot buy a home in an area where the median home price had more than doubled from 2000 to 2004. Such prices mean the average family in the county still cannot afford 95 out of every 100 homes on the market, according to a study released last month.

RELATED STORIES
- Forgotten generation
- Sierra Vista's future mixes new rentals, low-income homes
- Worthwhile projects

TODAY'S MOST VIEWED
- Crime Stoppers -- Published Jan. 22, 2007
- Two shot trying to leave party
- Critics interrupt speaker's talk on Islam
- Girl arrested over pot brownies

THIS WEEK'S MOST VIEWED
- Arrests made in Penney robbery
- Two more suspects named in fatal Stockton shooting
- Jewelry recovered from J.C. Penney heist
- Crime Stoppers -- Published Jan. 15, 2007

THIS MONTH'S MOST VIEWED
- Mother accidentally hits, kills daughter after dropping kids off
- Two homicides in Stockton first of '07
- Woman killed as car crashes into bus stop
- Stockton teen dies in hyphy stunt

PHOTO GALLERIES MORE GALLERIES ►

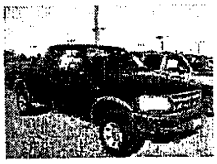
Golden Globe Parties

On the Red Carpet

READER INTERACTION
- Read our blogs written by Record staff.
- Send us your snapshots for publication in our readers' photo galleries.
- Submit events for our online calendar.
- Share your thoughts about Record articles in our forums.
- Write a letter to the editor.
- Suggest a poll question.
- Have a story idea? Tell us about it!

SEARCH RECORDNET.COM HOMES AUTOS JOBS WEB
search recordnet.com SEARCH
Click here to view our 14-Day Archive

FEATURED CARS from ValleyAutoFinder.com



**1997 Ford F-250** - Blue - 117,097 mi. - $9,995
Get a Quote
**1986 Chevrolet Corvette** - White - 107,532 mi. - $7,999
**2004 Ford Ranger** - Gray - 46,624 mi. - $11,995
**2007 Chevrolet Silverado 1500 Classic** - Victory Red - $18,775
**2007 Cadillac CTS** - Thundergraypremium - $40,715
**2003 Honda Civic** - Red - 45,982 mi. - $14,675

FEATURED JOBS from ValleyJobFinder.com

**PLUMBER Journeyman**
Stockton, CA
Classified Ad

**NURSE Tired of working**
Stockton, CA
Classified Ad

**Computer HELP DESK**
Stockton, CA
Classified Ad

**DRIVER CLASS A Local**
Linden, CA
Classified Ad

More jobs

ValleyHomeFinder.com



Copyright © 1998 - 2006 ONI Stockton, Inc., All Rights Reserved. Privacy Policy and Terms of Use.
For more info contact webmaster@recordnet.com

## By the numbers

- $385,000: Median home price in San Joaquin County in January 2006
- $335,000: Median price last month
- 13: Percentage drop in 10 months
- $16.85: Hourly wage needed to afford a two-bedroom apartment in the county
- $9.91: Average hourly wage county renters earned in 2005
- Source: Coldwell Banker Grupe/Trendgraphix; National Low Income Housing Coalition

In 2000, the median - or the midway point between the lowest and highest - price for a home in San Joaquin County was $133,000. By 2004, it had more than doubled to $280,000. At its peak in January, it was $385,000, according to Coldwell Banker Grupe/Trendgraphix.

The high real estate prices, coupled with steadily rising rents across the county, forced more than 20,000 families to seek housing assistance through the San Joaquin Housing Authority in recent years. The big-money climate also limited the amount of affordable housing local governments and nonprofit developers could build.

Now that home prices are sinking each month, working-class families and housing activists are talking about taking back the local real estate market. And some are predicting the floor for prices is a very long way down.

"It's looking more promising than it has in five years," said Fred Sheil, who, along with Stockton resident Larry Johnson, builds and rehabilitates homes for local low-income families. "It's going to come down to where working families can afford to buy a house again."

His optimism might be strong, but it is shared by few: The county's median home price would have to drop another 25 percent to reach the $250,000 level that would be affordable to families earning less than $50,000 a year.

Some even believe the housing slowdown will do as much harm as good for poor residents. Bill Mendelson, director of Central Valley Low Income Housing in Stockton, said a cooling housing market could set off a see-saw effect in which rental availability and prices are driven skyward.

"When home sales slow down, more people stay in rental places," Mendelson said. "Which means there isn't much movement. They can either hold rents firm or eventually be able to drive them up."

Many local and state observers expect prices to continue to slide into next year, and that each downward notch is a positive for residents who once thought owning a home was out of reach.

Jerry Abbott, president and co-owner of Coldwell Banker Grupe, said he expects median prices to dip into the range of $314,000 in the coming year.

Those lower prices, combined with interest rates that are expected to hover around 6.5 percent, should make less expensive housing available to families at the county's median income of $57,100, he said.

"That is something a working-class family can afford," Abbott said. "That typically would buy a three-bedroom, two-bathroom home. That'll accommodate most families."

The real estate slowdown, coupled with housing dollars available through redevelopment programs and other initiatives, allows local affordable housing developers such as Johnson and Sheil's Stocktonians Taking Action to Neutralize Drugs, or STAND, and Visionary Home Builders of California to increase their output in the community.

STAND built or rehabilitated 72 homes between 1998 and 2001, when houses and property could still be purchased relatively inexpensively.

30 DAYS FREE When you subscribe to The Record! SUBSCRIBE NOW

High speculative values beginning in 2002 cut output by a third, however, because prices had to be raised for the nonprofit agency to break even, Sheil said.

Now that the market is cooling, developers such as STAND say they are back in the game. Vacant lots that sold for $150,000 a year ago have been reduced by one-third, Sheil said, and a growing number of foreclosures caused by rising payments from adjustable-rate mortgages is giving lower-income buyers a bigger and cheaper pool to choose from.

Down-payment assistance programs in Stockton, San Joaquin County and in other local governments should also receive a boost from the real estate slowdown, officials said. Both Stockton and the county have been unable to help as many families using such programs, because the amounts needed for down-payment loans grew nearly eight-fold between 2000 and 2006, according to city and county figures.

Laurie Montés, Stockton's housing director, said lower home prices might allow the city to spread down-payment assistance loans among more people.

The city also plans to spend $38 million on affordable housing from the city's Strong Neighborhoods initiative by 2008 and plans to have at least $5 million a year in redevelopment funds after that for such projects.

California voters also approved a bond measure in November that would funnel $2.85 billion into affordable housing projects across the state. It's still not clear how that money will be divided among hundreds of needy jurisdictions, however.

"It's all up for grabs," Montes said. "Every city in California has so many needs."

There are more than 500 affordable housing units scheduled to be built in Stockton by 2008, Montes said.

But that still leaves the city 9,500 units short of what was called for in its most recent General Plan.

Mendelson, whose agency helps residents with low incomes find apartments, said the cooldown has not reached the rental market.

A study released earlier this month by the National Low Income Housing Coalition echoed that sentiment, reporting that the average renter of a two-bedroom apartment in San Joaquin County needs two paychecks to afford the rent.

Mendelson also does not believe the slowdown in housing prices will spiral back to affordability for the average buyer, saying they have already gone too far to return.

Abbott and others also say prices will eventually settle next year, when the high number of homes flooding the market are reduced.

But Sheil believes 2006 is just a prelude to an even greater decline that will bring real estate back on par with the county's wages. If and when that happens, Sheil said, fewer people will have to look for help to find a home.

"They've run out of people that can afford to buy a $500,000 home," Sheil said. "Who else are they going to sell to?"

Contact reporter Greg Kane at (209) 546-8276 or gkane@recordnet.com

**Reader Reaction**

These discussions and our forums are not moderated. We rely on users to police themselves, and flag inappropriate comments and behavior. You need not be registered to report abuse. In accordance with our Terms of Service, we reserve the right to remove any post at any time for any reason, and will restrict access of registered users who repeatedly violate our terms. Click here if you wish to report inappropriate comments or behavior.

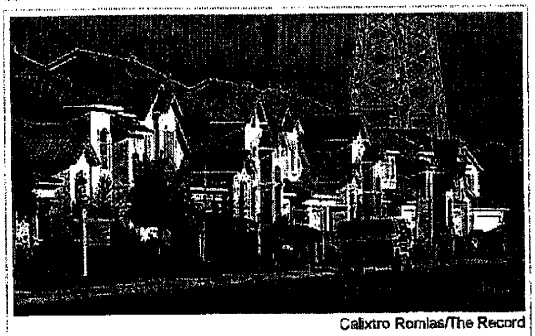
**eyewhitie** *December 24, 2006 04:50 PM*
You got that right, brad. If you don't know what you're signing, you've got no one to blame but yourself. On a major purchase, such as a home, make sure the paperwork is properly administered before you sign anything.

**BradF** *December 24, 2006 03:00 PM*

# ATTACHMENT 7

# Valley home prices decrease





Calixtro Romias/The Record

Homes along Gordon Verner Circle near Carolyn Weston Blvd in Weston Ranch.



By *Bruce Spence*
Record Staff Writer
December 23, 2006 6:00 AM

The November median sales price for existing homes in the Central Valley has fallen nearly 4 percent from November 2005, as a soft housing market with a soaring number of houses for sale forced some sellers to pare prices.

That counters to the market in the Bay Area, where sales were down over the year, but prices still managed to climb by 2.2 percent, according to a new monthly sales report from the California Association of Realtors.

Sales there were down nearly 11 percent from October to November, but the median sales price still rose 0.5 percent from $734,970 to $738,900.

That could help drive more Bay Area residents to this area to buy more affordable homes in the Valley, said longtime Stockton real estate broker Art Godi of Art Godi Realtors.

"Because they are up there and relatively down here, that does create more favorable buying conditions for our market," he said.

The monthly report doesn't gauge the market in San Joaquin County. In the Central Valley, though, the median sales price slipped from $345,160 in October to $340,370 last month, a 1.4 percent decline. That compares with a median sales price of $354,200 in November 2005.

Sales over the 12 months were down nearly 30 percent in the Valley, the report said.

Meanwhile, year-to-year sales statewide were down more than 22 percent, while prices managed to rise slightly by 1.4 percent.

Statewide, sales were up slightly and so was the median sales price, hitting $555,290 in November, up 1.4 percent from $547,870 in November 2005.

Leslie Appleton-Young, the Realtor association's chief economist, said there is a mixed market picture across the state, with more regions reporting year-to-year declines than increases.

"We've seen three or more months of year-to-year price declines in areas where there was a lot of home-building activity and in those

TODAY'S MOST VIEWED
- Crime Stoppers -- Published Jan. 22, 2007
- Two shot trying to leave party
- Critics interrupt speaker's talk on Islam
- Girl arrested over pot brownies

THIS WEEK'S MOST VIEWED
- Arrests made in Penney robbery
- Two more suspects named in fatal Stockton shooting
- Jewelry recovered from J.C. Penney heist
- Crime Stoppers -- Published Jan. 15, 2007

THIS MONTH'S MOST VIEWED
- Mother accidentally hits, kills daughter after dropping kids off
- Two homicides in Stockton first of '07
- Woman killed as car crashes into bus stop
- Stockton teen dies in hyphy stunt

PHOTO GALLERIES MORE GALLERIES ▸

Golden Globe Parties

On the Red Carpet

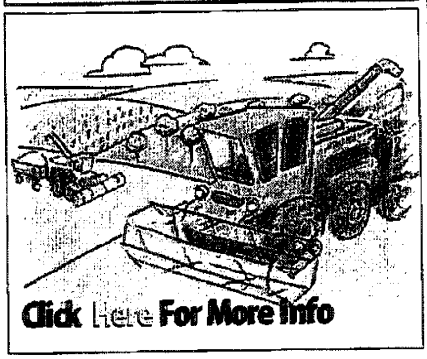
READER INTERACTION
- Read our blogs written by Record staff.
- Send us your snapshots for publication in our readers' photo galleries.
- Submit events for our online calendar.
- Share your thoughts about Record articles in our forums.
- Write a letter to the editor.
- Suggest a poll question.
- Have a story idea? Tell us about it!

SEARCH RECORDNET.COM HOMES AUTOS JOBS WEB

search recordnet.com SEARCH

Click here to view our 14-Day Archive

Art Milton - Lifetime Resident, Local Agent
1330 W. Robinhood Dr. Stockton, CA
209.475.1247
AUTO | HOME | LIFE | ROAD SERVICE www.miltoninsuranceagency.net




FEATURED CARS from ValleyAutoFinder.com

**2004 Hyundai Tiburon** - Blue - 32,175 mi. - $15,995
Get a Quote
**2003 Land Rover Discovery** - Zambezi Silver - 63,189 mi. - $19,999
**2000 Dodge Ram Wagon** - White - 111,158 mi. - $6,995
**2007 Chevrolet Silverado 2500HD Classic** - Summit Wht - $32,993
**2007 Cadillac Escalade EXT** - Blackraven - $59,985
**2004 Ford F-250 Super Duty** - Grey - 100,250 mi. - $31,565

FEATURED JOBS from ValleyJobFinder.com

**ACCOUNTING POSITION**
Stockton, CA
Classified Ad

**ORTHODONTIC Asst**
Stockton, CA
Classified Ad

**Sales GOT CONTACTS**
Stockton, CA
Classified Ad

**AUTOBODY PERSON Competitive**
Stockton, CA
Classified Ad

More jobs

ValleyHomeFinder.com



Copyright © 1998 - 2006 ONI Stockton, Inc., All Rights Reserved. Privacy Policy and Terms of Use.
For more info contact webmaster@recordnet.com

areas that are popular for second-home purchases," she said.

Contact reporter Bruce Spence at (209) 943-8581 or bspence@recordnet.com.

**Reader Reaction**

These discussions and our forums are not moderated. We rely on users to police themselves, and flag inappropriate comments and behavior. You need not be registered to report abuse. In accordance with our Terms of Service, we reserve the right to remove any post at any time for any reason, and will restrict access of registered users who repeatedly violate our terms. Click here if you wish to report inappropriate comments or behavior.

Be the first to post a comment using the form below

*Posts do not appear immediately. Add Comment

Browse Business Forum | Browse all Forums | Report Abuse

Ads By Google

**Stockton Office Jobs**
OfficeTeam Specialized Admin
Staffing-Search Available Positions
www.officeteam.com

**Stockton**
Browse a huge selection now.
Find exactly what you want today.
www.eBay.com

**What's Your Home Worth?**
Thinking of Selling Your Home?
Find Out What It's Worth For Free.
www.HouseValues.com

Advertise through Google AdWords on this Site.

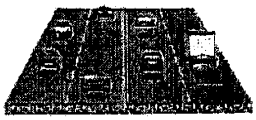
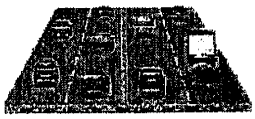
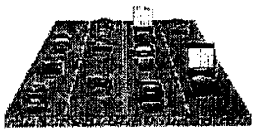
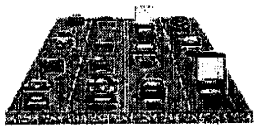
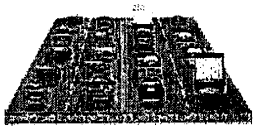
- Go Back to Real Estate

30 DAYS FREE When you subscribe to The Record! SUBSCRIBE NOW

ATTACHMENT 8

# LEVELS OF SERVICE

for Multi-Lane Highways

| Level of Service | Flow Conditions | Operating Speed (mph) | Technical Descriptions |
|---|---|---|---|
| A | | 60 | Highest level of service. Traffic flows freely with little or no restrictions on maneuverability. **No delays** |
| B |  | 60 | Traffic flows freely, but drivers have slightly less freedom to maneuver. **No delays** |
| C |  | 60 | Density becomes noticeable with ability to maneuver limited by other vehicles. **Minimal delays** |
| D |  | 57 | Speed and ability to maneuver is severely restricted by increasing density of vehicles. **Minimal delays** |
| E |  | 55 | Unstable traffic flow. Speeds vary greatly and are unpredictable. **Minimal delays** |
| F |  | <55 | Traffic flow is unstable, with brief periods of movement followed by forced stops. **Significant delays** |

Source: 2000 HCM, Exhibit 21-3, Speed-Flow Curves with LOS Criteria for Multi-Lane Highways

ATTACHMENT 9

# GUIDE FOR ASSESSING AND MITIGATING AIR QUALITY IMPACTS

Prepared by
the Mobile Source/CEQA Section
of the Planning Division
of the San Joaquin Valley Air Pollution Control District
1990 E. Gettysburg Avenue
Fresno, CA 93726

January 10, 2002 revision
Adopted August 20, 1998

This document is an advisory document, that provides Lead Agencies, consultants, and project applicants with uniform procedures for addressing air quality in environmental documents. Copies and updates are available from the SJVAPCD Planning Division at (559) 230-5800. Questions on content should be addressed to either the Mobile Source/ CEQA Section at (559) 230-5800 or the SJVAPCD CEQA representative at the regional office that covers the county in which the project is located.

David L. Crow – Executive Director/Air Pollution Control Officer
Mark Boese – Deputy Air Pollution Control Officer
Robert Dowell – Director of Planning
Richard Milhorn – Planning Manager

# SECTION 3 – PRELIMINARY PROJECT REVIEW

## 3.1 INTRODUCTION

This section provides guidance regarding early consultation on air quality issues between project proponents and local governments. It is meant to assist Lead Agencies in addressing air quality issues at an early stage in the development review process.

## 3.2 LEAD AGENCY ACTIONS PRIOR TO COMMENCING CEQA

The SJVAPCD encourages local jurisdictions to address air quality issues as early as possible in the development review process. Local jurisdictions should work with applicants on issues such as potential land use conflicts (e.g., odors) and site design to encourage alternatives to the automobile and the use of clean-burning fireplaces. Addressing land use and site design issues while a proposed project is still in the conceptual stage increases opportunities to incorporate measures and desirable modifications to minimize air quality impacts. By the time a project enters the CEQA process, it is often more costly and time-consuming to redesign the project to incorporate mitigation measures. Lead Agency/applicant consultation may be achieved by including a formal step in the jurisdiction's development review procedures or simply by discussing air quality concerns at the appropriate local planning counter when a project proponent makes an initial contact regarding a proposed development. Regardless of the specific procedures a local jurisdiction employs, the objective should be to incorporate features benefiting air quality into a project before significant resources (public and private) have been devoted.

The following air quality considerations warrant particular attention during early consultation with project proponents:

1) land use and design measures to encourage alternatives to the automobile and conserve energy;

2) development design to eliminate or minimize the use of traditional wood-burning fireplaces;

3) land use conflicts and exposure of sensitive receptors to odors, toxics, and criteria pollutants; and

4) applicable SJVAPCD rules, regulations, and permit requirements.

**Land Use and Design Considerations** - Land use decisions are critical to air quality because land use patterns determine transportation needs, and motor vehicles are the largest single category of air pollution in the San Joaquin Valley. The location, intensity, and design of land use development projects significantly influence how people travel. For

**Table 6-1**
**Mitigation Measures by Project Type (cont.)**

| Project | Impact | Mitigation |
|---|---|---|
| Tentative maps, site plans, conditional use permits | Cumulative ozone impacts, CO, toxic air emissions, odors | . Apply general plan policies and local ordinances and programs from above to the project site<br>. Pedestrian/Transit oriented site design<br>. Provide on-site improvement: bikeways, transit infrastructure, pedestrian enhancements<br>. Contribute to Air Quality Mitigation Fee Fund<br>. Contribute to TCM implementation<br>. Energy conservation measures above and beyond requirements<br>. Require residences to install natural gas fireplaces or inserts in lieu of traditional open-hearth wood fireplaces[73]<br>. Pay for fleet vehicle conversions to alternative fuels |

## 6.3 MITIGATING PLAN LEVEL AIR QUALITY IMPACTS

Agencies preparing new or updated plans for their communities have special responsibilities for mitigating air quality impacts. Large scale plans and policy documents often set the pattern of new development for the next twenty or more years. Land use patterns can be laid out in ways that produce more or less air pollution. Policies can be set in motion that encourage or discourage air quality friendly development. The SJVAPCD encourages local agencies to view their general plans, community plans, and specific plans as opportunities to improve the Valley's air quality.

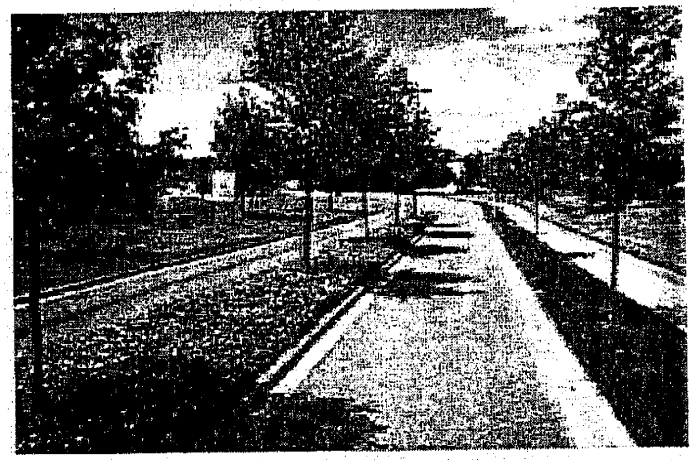
**Policy as Air Quality Mitigation.** The SJVAPCD's *Air Quality Guidelines for General Plans* (AQGGP) sets forth goals, policies, and implementation strategies for use in land use planning documents. The document provides seventy-seven policies that directly and indirectly benefit air quality. Its emphasis is on cities and counties developing a comprehensive approach to air quality that targets new growth areas, redevelopment areas, and programs that reach the entire community. The general plan is the "constitution" for local development, and, as such, provides a framework for deciding the way development will occur.

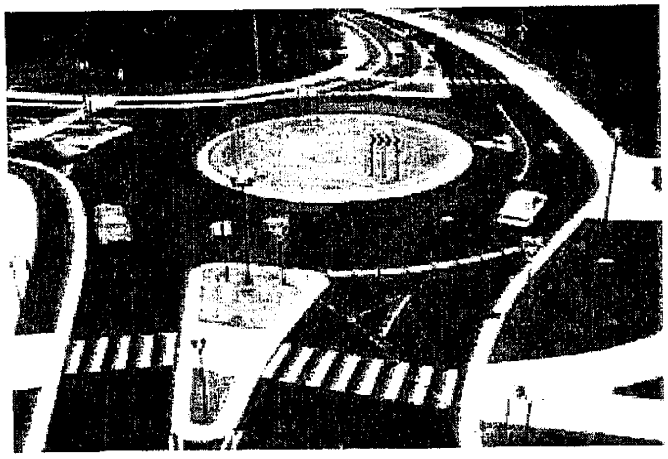
The SJVAPCD recommends that cities and counties incorporate as many air quality policies from the AQGGP as possible into their general plans, community plans, and specific plans to ensure that development occurs in ways that produce fewer air quality

[73] See note, previous page

# ATTACHMENT 10

# Air Quality Guidelines for General Plans





San Joaquin Valley
Air Pollution Control District

Revised June 2005

# SUGGESTED GOALS AND POLICIES FOR LAND USE ELEMENTS

This section provides policies that are best suited for the land use element of the general plan. These policies, if adopted, would affect the future development patterns of the community and as such require close examination by each community to determine their acceptability. If a jurisdiction decides to use these policies in a separate air quality element, care should be exercised to avoid conflicts with the land use element. Cities and counties in the San Joaquin Valley are required by California Government Code to include air quality considerations in the development of their General Plans. In general, to encourage land use strategies that promote alternatives to single occupancy vehicle travel, local governments may use zoning and subdivision regulations, monetary incentives (tax breaks, impact fee adjustments), or non-monetary incentives (such as accelerated permit processing or reduced parking requirements).

## Principles for Land Use Planning for Improved Air Quality

The Air District strongly encourages cities and counties of San Joaquin Valley to:

- Plan land use patterns that will encourage people to walk, bicycle, or use public transit for a significant number of their daily trips
  - Use comprehensive community plans and specific plans to ensure development is cohesive and well connected by alternative transportation modes
  - Adopt transit-oriented or pedestrian-oriented design guidelines and designate areas appropriate for these designs in the general plan
  - Encourage higher density development in proximity to frequently used services and transportation facilities

- Develop in a compact, efficient form to minimize vehicle miles traveled and to improve the effectiveness of alternatives to the automobile
  - Use the control of public services to direct growth to the most appropriate locations
  - Encourage infill of vacant land and redevelopment sites

- Promote project site designs and subdivision street and lot designs that encourage walking, bicycling, and transit use
  - Adopt design guidelines and standards promoting designs that encourage alternative transportation modes
  - Require certain sites to be designed to allow convenient access by transit, bicycle, and walking.

## LAND USE, TRANSPORTATION AND AIR QUALITY

**Issue:**

Motor vehicle use has historically been a major cause of exceedances of state and federal ozone and carbon monoxide standards in the San Joaquin Valley. The land use pattern and transportation system developed over the last 50 years has led to ever increasing vehicle trips and vehicle miles traveled. New ways of developing the land and meeting our mobility needs are necessary to reverse this trend and to improve our air quality.

**Goal 6:** **Reduce motor vehicle trips and vehicle miles traveled and increase average vehicle ridership (AVR).**

*Note: Policies in this section are divided into two main categories: land use and transportation infrastructure. Land use policies show a commitment to design future development in ways that encourage alternative modes of transportation and make the most efficient use of land available for development to reduce trips and miles traveled. Transportation infrastructure policies demonstrate the commitment to design and construct our transportation system in ways that promote the use of alternative transportation modes.*

### *LAND USE: LAND USE PATTERN*

The term "land use pattern" refers to the distribution of land uses in a geographic area. It includes factors such as the density of population, housing, and jobs, and the mix of uses (proximity of housing, commercial, industrial, public facilities to one another). The general plan represents the community's vision of its future land use pattern.

**Issues:**

Existing land use patterns in most urban areas in the San Joaquin Valley are not conducive to walking, cycling, and transit use. Many office developments have low employment densities and are often isolated from commercial services, forcing people to drive rather than walk to restaurants during the lunch hour or to complete errands. High-density residential projects often have little if any commercial development nearby or discourage pedestrian access to commercial uses with block walls and large parking lots. The most common single-family lot size of 6,000 to 10,000 square feet leads to population densities too low to support frequent and direct transit service. The predominant suburban development patterns force all local trips for

shopping, recreation, school, as well as commute trips onto the arterial street system. This leads to ever wider, more congested arterial streets that in turn discourage people from walking or cycling to even nearby destinations.

**Objective 6a** To create a land use pattern that will encourage people to walk, bicycle, or use public transit for a significant number of their daily trips.

**Policy 35** The City/County of _____ shall consider air quality and mobility when reviewing any proposed change to the land use pattern of this community.

*Implementation Strategy:*

*Incorporate the review of air quality and mobility issues in the discretionary review process. This step could be part of the CEQA process established by the jurisdiction.*

*Identify areas best suited to development in terms of air quality and transportation impacts and direct growth to those areas.*

**Air Quality Benefits:**

Adopting this policy provides a strong commitment to air quality. Placing a high priority on air quality can ensure that the following policies are strongly enforced.

**Programs in Operation:**

The CEQA process requires that air quality be address during the environmental review. California Government Code Section 65302.1 requires cities and counties in the San Joaquin Valley to amend appropriate elements of general plans to include data and analysis, comprehensive goals, policies, and feasible implementation strategies to improve air quality no later than one year after the first housing element revisions that occur after January 1, 2004. The next revision for Fresno and Kern Counties is June 30, 2008. The next revision for Stanislaus, San Joaquin, Merced, Kings, Tulare, and Madera Counties is June 20, 2009.

**Policy 36** The City/County of _____ shall encourage projects proposing pedestrian or transit-oriented designs (TOD) at suitable locations. A TOD is defined as a

*"Moderate to higher-density development, located within an easy walk of a major transit stop,*

*generally with a mix of residential, employment and shopping opportunities designed for pedestrians without excluding the auto. TOD can be new construction or redevelopment of one or more buildings whose design and orientation facilitate transit use." (Caltrans 2002)*

*Implementation Strategies:*

*Develop Transit/Pedestrian-Oriented Design Guidelines. Identify and designate appropriate sites for this development pattern during general plan updates and when developers propose general plan amendments.*

*Prepare a specific plan or community plan for new development areas. Incorporate design guidelines and standards into the specific plan.*

*Note: Implementation of this policy would be a major part of a comprehensive land use, transportation, and air quality strategy. Most of the following land use policies support the concepts and principles of transit and pedestrian-oriented design.*

**Resources:**

County of Sacramento, Transit-Oriented Design Guidelines, Sacramento County Planning and Community Development Department, 827 7th Street, Room 240, Sacramento, CA 95814.

City of San Diego, Transit-Oriented Design Guidelines, City of San Diego, Planning Department

San Diego Air Pollution Control District Tools for Reducing Vehicle Trips Through Land Use Design: Increasing Bicycling, Walking, and Transit Use in the San Diego Region. This document provides guidance and resource for municipalities, citizen groups, and planning practitioners to use in reducing vehicle trips and preserving other scarce resources through the land use planning process. Available from the San Diego Air Pollution Control District, 9150 Chesapeake Avenue, San Diego, CA 92123.

The San Bernardino document referred to above can be purchased from The Planning Center, 1300 Dove Street, Suite 100, Newport Beach, CA 92660.

**Policy 37** The City/County of _____ shall work to preserve and enhance existing neighborhoods and commercial districts having transit and pedestrian-oriented designs.

*Implementation Strategy:*

*Pursue redevelopment projects to improve the image of pedestrian-oriented neighborhoods and shopping districts (pedestrian amenities, street trees, transit facilities, etc.).*

**Air Quality Benefits:**

A comprehensive transit/pedestrian-oriented program achieves air quality benefits by creating an environment conducive to the use of alternative modes of transportation. It is estimated that mixed-use and higher density strategies can achieve a 10 to 30 percent reduction in per-household vehicle travel and related emissions at the neighborhood or community level, while multi-modal transportation systems can reduce regional vehicle travel and associated emissions by 5 to 15 percent (ARB 1997). A Further, a combination of TOD and high levels of transit service can increase the use of transit within a neighborhood by 20 to 40% (Caltrans 2002). In addition, as these strategies are implemented throughout a community, potential reductions in site-specific travel also become greater. A fully implemented transit/pedestrian-oriented policy combines all the strategies listed by the ARB and could be expected to achieve similar reductions. More discussion on land use factors affecting choice of travel mode is provided in Section III.

**Programs in Operation:**

Within San Diego, the Uptown District is a pedestrian-oriented, mixed-use development combining a 140,000 square foot retail/office center, a 3,000 square foot community center, and 320 attached multi-family residential units.

The County of San Bernardino in cooperation with a number of cities within that County have prepared a document entitled Land Use, Transportation and Air Quality, A Manual for Planning Practitioners, San Bernardino Air Quality Plan. This document provides design examples and development principles for reducing mobile source emissions. The document is organized by development density and provides trip reducing tools and applications for each density.

The San Diego Air Pollution Control District has prepared a document entitled Tools for Reducing Vehicle Trips Through Land Use Design: Increasing Bicycling, Walking, and Transit Use in the San Diego Region. This document provides guidance and resource for municipalities, citizen groups, and

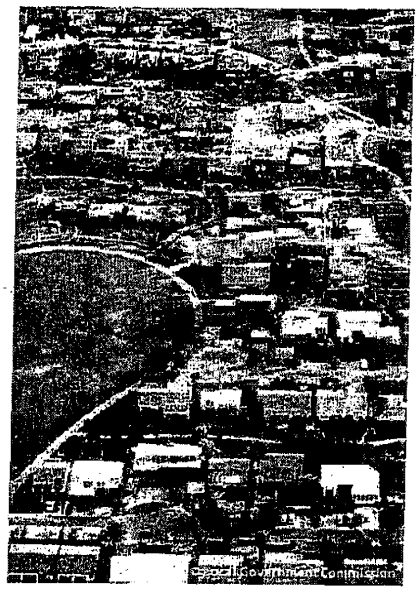
planning practitioners to use in reducing vehicle trips and preserving other scarce resources through the land use planning process.

Local Government Commission in partnership with the District has prepared Visual Tools to Encourage Compact Development and Walkable Streets in the San Joaquin Valley. The tools are two interactive visual presentations to increase the awareness of San Joaquin Valley local government staff, local policymakers, developers, and residents to the environmental, health, fiscal and aesthetic benefits for compact development, narrow street design and traffic calming.

Village Homes (Figure 4-1) in the City of Davis is a planned unit development of single-family homes, apartments, a community center and office building on a 60-acre site. Davis is located fourteen miles west of the state's capital city, Sacramento. Village Homes features solar water and space heating, natural cooling systems, agricultural areas and greenbelts, cooperative maintenance of common areas, a well-used bicycle and pedestrian path network, and a natural drainage system. The project serves as a national model for environmentally sustainable development, energy-conserving planning, architecture and engineering, and community planning. Energy consumption is one-third to one-half lower than that of neighboring developments.

The concept plan for a major intersection in Citrus Heights, California, an older suburb of Sacramento, offers an innovative solution for repairing the suburbs by creating a mixed-use urban village. The plan proposes to take one of the busiest intersections in Sacramento County underground and, over a twenty-five year period, reclaim the area with office space, housing, open space, retail and transit using regional transportation funds.

**Figure 4-1 Village Homes, Davis, California**



**Resources:**

County of Sacramento, Transit-Oriented Design Guidelines, Sacramento County Planning and Community Development Department, 827 7th Street, Room 240, Sacramento, CA 95814.

City of San Diego, Transit-Oriented Design Guidelines, City of San Diego, Planning Department

Local Government Commission and San Joaquin Valley Unified Air Pollution Control

District, Visual Tools to Encourage Compact Development and Walkable Streets in the San Joaquin Valley. Available from the Local Government Commission, 1414 K. Street, Suite 600, Sacramento, CA 95814-3966.

San Diego Air Pollution Control District Tools for Reducing Vehicle Trips Through Land Use Design: Increasing Bicycling, Walking, and Transit Use in the San Diego Region. This document provides guidance and resource for municipalities, citizen groups, and planning practitioners to use in reducing vehicle trips and preserving other scarce resources through the land use planning process. Available from the San Diego Air Pollution Control District, 9150 Chesapeake Avenue, San Diego, CA 92123.

The San Bernardino document referred to above can be obtained from The Planning Center, 1300 Dove Street, Suite 100, Newport Beach, CA 92660.

**Policy 38** The City/County of _____ shall plan areas within 1/4 mile of locations identified as transit hubs and commercial centers for higher density development.

*Implementation Strategy:*

*Amend the General Plan and the Zoning Ordinance to designate high-density land uses in areas planned for transit hubs and commercial centers.*

*Highest density development should be located closest to transit stops and routes*

*Zone for higher densities in transit corridors*

*Decrease parking requirements along major transit corridors*

*Consult with transit providers to determine which transit corridors should be emphasized in planning surrounding land uses*

**Air Quality Benefits:**

Developing high-density residential and commercial uses within walking distance of transit facilities increases the number of potential transit users. With an adequate pool of transit riders, more frequent service becomes feasible. This in turn increases the convenience of the transit option for more people (ARB 1993). The ARB found that significantly increasing walking and transit opportunities along with strategically located moderated to high density development and transit could achieve an annual reduction in VMT of

between 20-30 percent (ARB 1995). It is estimated that people living within 1/4 mile of a transit stop or station are nearly three times more likely to use transit than those who live between 1/4 and 2 miles from a station. In addition, residents living within 2 miles of a transit station are nearly four times more likely to use transit for commuting than those who live greater than 2 miles from a station (ARB 1997). Also see Policy 35.

**Programs in Operation:**

Similar policies have been adopted in numerous California jurisdictions including Pleasanton, Costa Mesa, Folsom, San Diego, Davis, and Sacramento County. Also see Policy 36 and Policy 38.

**Resources:**

See Policy 36

**Policy 39** The City/County of _____ shall encourage higher housing densities in areas served by the full range of urban services.

*Implementation Strategies:*

*Designate high and medium-density housing at sites within walking distance of transit, neighborhood commercial services during general plan updates and developer initiated general plan amendments.*

*Establish minimum housing densities for areas around existing and planned transit nodes.*

*Award density bonuses for projects furthering transit or pedestrian-oriented amenities*

*Encourage developers to take advantage of density bonus provisions of the Zoning Ordinance for projects located around transit hubs or nodes on existing or planned transit corridors.*

**Air Quality Benefits:**

Policies 37 and 38 are density strategies for improving air quality. A worldwide survey of travel patterns in 32 major cities found that gasoline consumption was reduced 25 to 30 percent for each doubling of population density (Kenworthy and Newman 1990), while the average annual rate of vehicle travel per person tends to be reduced between 25 and 30% for each

doubling of density (ARB 1997). A study of two Chicago area transit systems indicated that a 24 to 50% increase in transit boardings was associated with a doubling in employment densities near transit stations, while a doubling of residential and employment densities could be associated with a 66% increase in rail boardings (Caltrans 2002). To obtain the greatest trip reduction potential, high-density housing should be oriented to take advantage of public transportation and commercial services within walking distance. California's Density Bonus Law requires local governments to grant 25% density bonus for low income, very-low income, and senior housing, while another state law allows jurisdictions to grant a 25% density bonus for developers of housing within a half-mile of transit stations.

Strategies to increase density must be pursued with caution. Apartment projects adjacent to existing residential development frequently arouse fierce neighborhood opposition. Although traffic generated per dwelling unit is significantly less, the greater number of units may still have adverse traffic impacts. Efforts must be made to inform and educate the public regarding the development of increased density land uses. The ability of public facilities to absorb increased demand for services must also be considered. Strong design standards for multi-family projects can help overcome neighborhood opposition. Requiring project designs that fit into the neighborhood and are attractive promote acceptance.

Another important factor is public safety. High-density housing has gained a negative reputation as a breeding ground for crime. There are proven designs and layouts that can make higher densities safer and attractive.

High-density development should be viewed as a resource to be used to reduce dependence on the private automobile. All large cities in the Valley and some small cities construct significant numbers of high-density housing units; however, most of the units are placed in locations that make residents automobile dependent. Maximizing the number of units within 1/4 mile of public transit and frequently needed goods and services while orienting the development to make walking a pleasant experience will significantly reduce vehicle trips.

**Programs in Operation:**

The Model Zoning Regulations for the Tri-County Metropolitan Transportation District of Oregon (Portland metropolitan region) provide good examples of zoning regulations that emphasize these planning principles, while the Urban Growth Management Function Plan provides a framework and requirements for regional planning throughout the Portland Metropolitan area. The San Diego Association of Governments approved a Land Use Distribution Element in 1995 that encouraged local governments to specify minimum densities for new development and infill; encourage a mix of land uses; ensure good

pedestrian access; and provide interconnected local circulation systems especially in the vicinity of rail transit stations and major bus corridors. It was also suggested within the Element were that housing and services to meet the needs of a portion of employees be included in the design of major employment centers. In addition, the Element establishes "access standards" that define maximum acceptable travel times for work, shopping, and service-related trips by 2010. In urban areas, these standards are provided for trips made by both transit and automobiles. The City of San Diego has incorporated the Transit-Oriented Design Guidelines into several specific plans and has also revised its zoning code.

Also see Policy 36.

**Resources:**

See Policy 36

**Policy 40** The City/County of _____ shall encourage mixed-use developments that provide commercial services such as day care centers, restaurants, banks, and stores near employment centers.

*Implementation Strategies:*

*Create a mixed-use zone district. Tailor the allowed uses to those best suited for a pedestrian environment.*

*Designate mixed-use areas during general plan updates.*

**Air Quality Benefits:**

An appropriate mix of land uses at a destination provides people arriving by transit, carpool, or vanpool with a range of activities within walking distance from their point of arrival. Mixed-uses reduce the need to make separate trips to obtain frequently needed goods and services (TRI-MET 1993). The clustering of land uses may reduce vehicle trip generation by up to 45% for residential uses and 65% for non-residential uses (ARB 1997). Also see Policy 35.

**Programs in Operation:**

The Municipality of Metropolitan Seattle (METRO) encourages jurisdictions within the Puget Sound region to use varied planning tools, such as planned unit developments, floating zoning, incentive zoning, zoning overlays, and

land banking to provide flexibility in their land use planning efforts (METRO 1987).

Portland Metro's Urban Growth Management Function Plan provides a framework and requirements for regional planning throughout the Portland Metropolitan area.

The San Diego Association of Governments have adopted the Land Use Distribution Element, as well as the Congestion Management Plan and Congestion Management System to slow the growth of traffic congestion in the region, and the Regional Energy Plan, which seeks to reduce the dependence on outside energy sources.

Many older areas in the City of Sacramento successfully mix commercial, office and residential uses. These neighborhoods continue to be desirable and vibrant places to live and work.

**Resources:**

The Mixed-use Development Handbook (Urban Land Institute, 2003) provides examples of mixed-use developments and discusses full range of development issues. ULI, 1025 Thomas Jefferson St., NW Suite 500 West Washington, DC 20007. Available for purchase at <http://www.uli.org/AM/Template.cfm?Section=Search&Template=/Ecommerce/ProductDisplay.cfm&ProductID=636>.

San Diego Air Pollution Control District Tools for Reducing Vehicle Trips Through Land Use Design: Increasing Bicycling, Walking, and Transit Use in the San Diego Region. This document provides guidance and resource for municipalities, citizen groups, and planning practitioners to use in reducing vehicle trips and preserving other scarce resources through the land use planning process. Available from the San Diego Air Pollution Control District, 9150 Chesapeake Avenue, San Diego, CA 92123.

Building Livable Communities with Transit. A Policymaker's Guide to Transit-Oriented Development. This document provides guidance, tools, and examples of transit oriented development. Available from the Local Government Commission, 1414 K St, Suite 600, Sacramento, CA 95814. <http://www.lgc.org/freepub/land_use/articles/buildcomm.html>.

Also see Policy 36.

**Policy 41** The City/County of _____ shall promote the downtown (or village centers) as the primary pedestrian-oriented, commercial and financial center(s) in the city/community.

*Implementation Strategies:*

*Designate a central core of the city for high-density and mixed-use development. Discourage high intensity office and commercial uses from locating outside of designated centers or downtown.*

*Provide financial incentives and density bonuses to entice development within the designated central core of the city.*

*Cities with declining downtown areas should consider recycling underutilized and abandoned uses with new uses that compliment the area. Avoid designating competing uses on the edge of the city and in unincorporated areas.*

**Air Quality Benefits:**

A healthy downtown business district provides a concentration of activities that increase potential transit use for commute trips and, in some cases, shopping trips. High employment densities help support retail and service businesses, allowing people working downtown to walk for daytime errands and lunch trips. In a study of employee travel, mixing of uses increased the use of nearby facilities by 9% in suburban areas and over 30% in the downtown (ARB 1995).

A survey of suburban office workers found that about half left their building during the day. In an area with mixed-use high-density development and pedestrian facilities, 25 percent of the trips were made on foot, compared to 6 percent in a more homogenous, sprawling area (CEC 1993). A study of a major mixed-use suburban activity center found a 7% transit usage and that 25% of midday trips were walk trips, which is significantly higher than typical suburban centers which had 1% transit and 16% midday walk trips (ARB 1995).

A village center can be the focus of community activity, providing a variety of complimentary destinations within walking or cycling distance of village residences. The Uptown District in San Diego is estimated to result in a reduced rate of driving and associated motor vehicle emissions of about 20% per household annually, compared to typical vehicle travel from the same number of housing units in a lower density and more auto-oriented urban pattern. It is also estimated that the Uptown District results in annual air

pollution savings of about 2.75 tons of reactive organic gas (ROG) and oxides of nitrogen (NOx) per year.

The Crossings development in Mountainview is estimated to result in a reduced rate of driving and associated motor vehicle emissions of about 10% per household annually, compared to typical vehicle travel from the same number of housing units in a lower density and more auto-oriented urban pattern. It is also estimated that The Crossings results in an annual air pollution savings of about 3 tons of reactive organic gas (ROG) and oxides of nitrogen (NOx) per year (ARB 1997).

**Programs in Operation:**

The City of Orlando, Florida has implemented a similar policy of providing density bonuses for development in their downtown. Most cities in the San Joaquin Valley have policies and programs to support or revitalize their downtown areas.

Development within San Diego's Uptown District has established a pedestrian-oriented, mixed-use development combining a 140,000-square-foot retail/office center, a 3,000-square-foot community center, and 320 attached multi-family residential units. As noted above, it is estimated that the Uptown District results in an annual air pollution savings of about 2.75 tons of reactive organic gas and oxides of nitrogen per year.

The City of Sacramento has been engaged in a program to recycle outmoded industrial areas adjacent to downtown with new office, commercial, and public facilities and providing access to these areas by light rail.

The Metropolitan Bakersfield General Plan promotes a centers concept with downtown as the primary center and several suburban centers based on educational institutions and business centers. The Downtown Association of Fresno, funded in part by the Redevelopment Agency of the City of Fresno, is working to improve, promote, and develop the historic Central Business District. California's Main Street Program has 39 cities participating in a four-point framework of organization, promotion, design, and economic restructuring to redefine participants as the hearts of the communities.

**Resources:**

"Putting the Urb in the Suburbs: Many Places are Deciding they Need A Real Center After All," *Planning*, June 1997

National Main Street Center, a project of the National Trust for Historic Preservation that supports commercial district revitalization through historic

preservation and economic development. 1785 Massachusetts Avenue, N.W., Washington, DC 20036. Available online at <http://www.mainst.org>.

California Main Street Program, a program of the Office of Historic Preservation. <http://www.californiamainstreet.ca.gov>.

Redevelopment Agency, City of Fresno. <http://www.fresno.gov/vision2010/>.

"Smart growth zoning codes: A resource guide." Local Government Commission, Steve Tracy. Spring 2003. Available for purchase at <http://www2.lgc.org/bookstore/detail.cfm?itemId=34>.

**Policy 42** The City/County of _____ shall plan adequate neighborhood commercial shopping areas to serve new residential development.

Note: Neighborhood commercial has different meanings in different jurisdictions. For the purposes of this document, neighborhood commercial includes shops and services now found in supermarket- anchored shopping centers as well as convenience retail found in small strip malls.

*Implementation Strategy:*

*Designate commercial areas during general plan updates and when developers initiate general plan amendments.*

*Provide materials on successful mixed-use developments to project applicants in areas designated for commercial land uses. Such materials could include the TOD Design Guidelines prepared for Sacramento County (1990).*

*Adopt zoning regulations that permit upper story residential uses in neighborhood shopping areas. These upper story uses can include residential and office. The City of San Diego Tools for Reducing Vehicle Trips Through Land Use Design (1998) provides a good example of this type of community design.*

**Air Quality Benefits:**

Nationwide, 45 percent of all vehicle trips are for shopping or personal business and the average length is approximately 10 miles (U.S. Department of Transportation 1999 and 2001). By providing the most frequently needed products and services close to residences and by providing direct, safe, and interesting pedestrian or bicycle routes to the commercial area, vehicle travel

can be reduced. Surveys conducted in five US cities indicated that 70 percent of people surveyed would be willing to walk or bicycle for personal business and shopping trips if the trips were reduced to 1/2 mile in length and bicycle paths and pedestrian walkways were provided (CEC 1993).

**Programs in Operation:**

See Policy 36

**Resources:**

See Policy 36

**Policy 43** The City/County of _____ shall encourage subdivision designs that provide neighborhood parks in proximity to activity centers such as schools, libraries and community centers.

*Implementation Strategy:*

*Designate park sites during general plan updates and when processing large general plan amendments. Require developers to dedicate park sites at the most advantageous locations as a condition of approval of subdivision maps.*

*Prepare comprehensive community plans or specific plans designating community amenities at sites that are accessible by walking and bicycling.*

**Air Quality Benefits:**

Public parks are often the primary pedestrian amenity for a community or neighborhood. The foot traffic and socializing created by the parks can carry over to adjacent or nearby public and commercial uses. The design and location of the park is very important to its usefulness as a pedestrian destination and activity center. Parks should be visually accessible from the neighborhood and frequently used to encourage a feeling of ownership (Weissman 1992).

**Programs in Operation:**

See Policy 36

**Resources:**

See Policy 36

**Policy 44** The City/County of _____ shall work closely with school districts to help them choose school site locations that allow students to safely walk or bicycle from their homes.

*Implementation Strategies:*

*When specific plans or subdivisions propose school sites for dedication, accept only sites that allow students to safely walk or bicycle to school.*

*Incorporate school sites into larger neighborhood activity centers, which could include parks, day care facilities, and neighborhood commercial uses.*

**Air Quality Benefits:**

Schools are important centers of community activity and generate numerous trips. Siting and access considerations can make a significant difference in the number of students who would walk or bicycle to school. The same principles of pedestrian friendly design apply to children as they do to adults; however, safety considerations take on greater importance.

**Programs in Operation:**

The City of Modesto's Village-1 Specific Plan designates all school sites in the plan. The sites emphasize pedestrian and bicycle access.

Laguna West, Transit-Oriented Development, Sacramento County.

For residential and mixed-use developments, Portland Metro's Urban Growth Management Function Plan calls for new local street plans that encourage pedestrian and bicycle travel by providing short, direct public right-of-way routes to connect residential uses with nearby existing and planned commercial services, schools, parks and other neighborhood facilities.

**Resources:**

The City of San Diego TOD Design Guidelines (1992) provide a good example of this community design principle. Information on this and other TOD areas in California is available at <http://transitorienteddevelopment.dot.ca.gov/Profiles/TOD%20Summaries.pdf>.

See Policy 36.

**Policy 45** The City/County of _____ shall plan park and ride lots at suitable locations serving long distance and local commuters.

*Implementation Strategies:*

*Work with Caltrans and the Public Works Department to identify suitable sites. Designate sites on the general plan land use and circulation plans. Consider funding of the park and ride lots as mitigation during CEQA review of residential development projects.*

*Coordinate with appropriate transportation agencies and major employers to establish express buses and vanpools to increase the patronage of park and ride lots.*

*Allow developers to reach agreements with auto-oriented shopping center owners to use commercial parking lots as park and ride lots and multimodal transfer sites.*

**Air Quality Benefits:**

The maximum benefits from this policy are achieved by targeting long distance commuters. This is because of the problem of cold start emissions from home to the park and ride lot and back. Park and ride lots for local commuters only achieve significant emission reductions when the route to the destination is heavily congested. See Section III of this document for a more detailed discussion of mobile source emission characteristics.

Park and ride lots in both downtown fringe areas and suburban areas both have fairly minimal trip reduction potential, mainly because there are limited markets for such facilities in the Valley. Fringe parking in the downtown might prevent short trips to different destinations within the downtown area, and this would help localized air quality. But trips to even the largest downtown in the Valley represent only a few percent of total trips made, and fringe parking would eliminate only a fraction of these. Park and ride lots in suburban communities may have moderate effectiveness in intercepting outbound commute trips, thereby eliminating significant VMT but relatively few trips, since most carpoolers would drive to the park and ride lot (EPA 1990). An analysis conducted for this document concludes that San Joaquin Valley communities can reduce trips by 0.5 to 1.5 percent through the use of park and ride lots (TJKM 1993).

**Programs in Operation:**

Many Valley metropolitan areas have park and ride lots in place.

**Resources:**

Caltrans District 6, P.O. Box 12616 Fresno, CA 93778-2616. <http://www.dot.ca.gov/dist6/>

**Policy 46** The City/County of _____ shall plan for multi-modal transfer sites that incorporate auto parking areas, bike parking, transit, pedestrian and bicycle paths, and park and ride pick-up points.

*Implementation Strategies:*

*Identify locations where transportation systems converge and designate the area as a potential multi-modal transfer site in the general plan.*

*Apply for funding to construct a multi-modal transfer station. Sources for funding include Federal Highway funds and transit funds.*

**Air Quality Benefits:**

Providing multi-modal transfer sites increases transit's convenience and eliminates cold starts by people who are able to walk or bicycle to the transit stop instead of driving. The best transit system in North America, located in the City of Toronto achieves a 31 percent mode split during commute hours (Kenworthy 1991). In 2000, 1.4% of Kern County workers over age 16 used public transportation, and 18.4% carpooled. 1.7% of Fresno County workers over age 16 used public transport, and 16.7% carpooled (US Census Bureau 2003).

**Programs in Operation:**

Many of the Bay Area Rapid Transit System's (BART) stations are connected to a bus system and provide bicycle and pedestrian amenities. The cities of Walnut Creek and Pleasant Hill have prepared a specific plan focusing development in a 125-acre area around the Pleasant Hill BART station. Residents of apartments in the plan area use BART for as many as 40 percent of their commute trips (Weissman 1992).

The Portland Metropolitan's TriMet transit service provides a interconnected light-rail and bus services that incorporate park-and-ride lots, auto parking

areas, and pedestrian, bicycle, and transit-oriented high density. It is estimated that Portland's emphasis on TOD-style communities throughout the region has resulted in a 7% decrease in VMT, 5% increase in transit use, and 10% increase in walking trips, and it is estimated that pedestrian travel accounts for 16% of all trips (Caltrans 2002).

**Resources:**

See Policy 36

San Diego Air Pollution Control District, Tools for Reducing Vehicle Trips Through Land Use Design: Increasing Bicycling, Walking, and Transit Use in the San Diego Region. This document provides guidance and resource for municipalities, citizen groups, and planning practitioners to use in reducing vehicle trips and preserving other scarce resources through the land use planning process. Available from the San Diego Air Pollution Control District, 9150 Chesapeake Avenue, San Diego, CA 92123.

**Policy 47** The City/County of _____ shall encourage the development of pedestrian-oriented shopping areas within walking distance of high-density residential neighborhoods.

*Note: Commercial development projects near existing residential areas require greater attention to design details to minimize neighborhood opposition.*

*Implementation Strategies:*

*Require residential development projects to designate neighborhood commercial areas where appropriate during the general plan amendment process. Re-zone vacant sites in existing high-density areas and areas being redeveloped.*

*Support organizations that work toward improving the commercial viability of the shopping area, such as local merchants associations and improvement districts.*

*Plan for city or neighborhood districts with distinct identities and which mesh with the urban fabric. See Figure 4-2.*

**Air Quality Benefits:**

See Policy 42

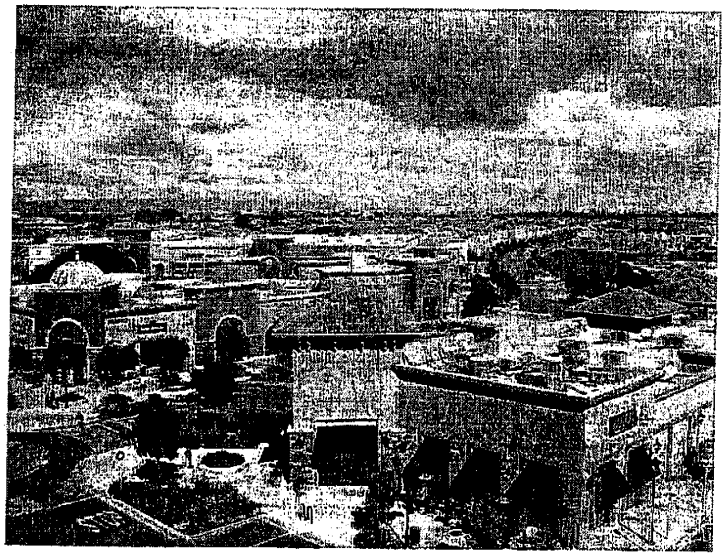
**Programs in Operation:**

See Policy 36

**Resources:**

See Policy 36

**Figure 4-2 Pedestrian-oriented Shopping Area in Santa Clara**



**Policy 48** The City/County of _____ shall protect pedestrian-oriented commercial areas from development that is incompatible in design, scale or use.

*Implementation Strategy:*

*Utilize neighborhood commercial and major/regional commercial zone districts at appropriate locations.*

*Avoid designating competing commercial uses, especially in automobile oriented strip malls, within one mile of the pedestrian or transit-oriented commercial area.*

*Encourage all development to incorporate pedestrian- or transit-oriented design and work with the developer, transit agency, and other appropriate parties in the design and approval of development*

**Policy 49** The City/County of _____ shall discourage new regional auto-oriented commercial uses (such as volume discount stores, auto dealerships and large scale car repair) within areas designated as mixed-use, transit-oriented or pedestrian-oriented.

*Implementation Strategy:*

*Modify the zoning ordinance to include an Auto-Oriented Commercial Zone District. Adopt a mixed-use or transit/pedestrian-oriented commercial zone district that defines the uses that are appropriate for these areas.*

*Note: Small- scale car repair businesses may be an appropriate neighborhood use in some areas since patrons may drop off their vehicles and walk home or use transit to get to work. The term "mixed-use" refers to urban design strategies that place compatible retail or office uses near to or sometimes in the same building as residential uses. An example is ground floor commercial with residences above. Another example is high or medium density residential adjacent to service retail, public amenities, and office uses.*

**Policy 50** The City/County of _____ shall encourage regional shopping malls/centers at sites capable of support by a full range of transportation options.

*Note: For the purposes of this document, regional centers are retail uses that draw most of their customers on a community wide or regional basis as opposed to drawing them from the immediate surrounding neighborhoods.*

*Implementation Strategy:*

*Identify sites with access by freeway or major arterial and potential for light rail access. The site could be a regional transit hub and major pedestrian-oriented activity center to increase transit mode share.*

**Air Quality Benefits:**

Policies 47 and 48 protect commercial areas intended to serve pedestrian and transit-oriented areas from inappropriate development. Allowing auto-oriented commercial uses and high traffic generating uses like regional shopping centers in neighborhood areas reduces the walkable destinations available to the residents. Air quality benefits are derived from the extent that residents would shop on foot or by bicycle when compared with the use of these modes in conventional areas. See Policy 35 for benefits of pedestrian and transit-oriented development.

Policy 49 encourages cities and counties to locate regional shopping centers at sites that can or will be well served by different transportation modes.

Regional malls and centers are major traffic generators. Every effort must be made to identify sites with good motor vehicle access to avoid traffic congestion and with good transit, bicycle, and pedestrian access to reduce total vehicle trips.

**Programs in Operation:**

See Policy 36

**Resources:**

See Policy 36

***LAND USE: COMPACT DEVELOPMENT***

The policies in this section represent several different approaches to achieving more compact development patterns. These approaches are used in many Valley general plans. The District strongly encourages cities and counties to promote compact development; however, we recognize that each community will have different concerns and may use different strategies.

**Issues:**

Sprawling, low-density development, and discontiguous development discourage the use of alternative transportation modes and increases travel distances. Infrastructure costs and most environmental impacts are less when development is more compact.

**Objective 6b** To plan development in a way that makes the most efficient use of the land and thereby causes the least possible impacts to the environment.

**Policy 51** The City/County of _____ shall provide for an orderly outward expansion of new urban development so that it is contiguous with existing development, allows for the incremental expansion of infrastructure and public services, and minimizes impacts on the environment.

*Implementation Strategies:*

*Identify areas that can be most efficiently served and cause the fewest environmental impacts and designate those areas for development during major general plan updates.*

*Ensure that new development finances the full cost of expanding public infrastructure and services to provide an economic incentive for incremental expansion.*

*Do not consider projects requiring general plan amendments contiguous when they are only adjacent to large vacant parcels designated for urban development.*

**Policy 52** The City/County of _____ shall encourage infill of vacant parcels.

*Implementation Strategies:*

*Avoid designating more land for urban development when suitable infill parcels are available.*

*Support projects that infill vacant areas and areas contiguous on at least one side to a developed area.*

*Encourage growth to occur in and around activity centers, transportation nodes, underutilized infrastructure systems, and redevelopment areas.*

*Accommodate infill development within existing urban areas as a priority over urban expansion.*

*Work with landowners to re-designate vacant lands suitable for higher densities or for transit/pedestrian-oriented developments during general plan updates and periodic reviews.*

*Conduct a survey of vacant lands as part of the general plan update. Develop criteria for determining appropriate sites.*

**Policy 53** The City/County of _____ shall encourage infill and redevelopment projects within an urban area that will improve the effectiveness of the transit system and will not adversely affect existing development.

*Implementation Strategies:*

*Encourage projects that increase pedestrian activity and mixed-uses.*

*Encourage commercial uses that are complimentary to urban employment centers.*

*Strategically locate high-density development to provide good transit access.*

**Policy 54** The City/County of _____ shall adopt a reasonable urban limit line/urban growth boundary and commit to providing public services only within the urban area.

*Note: Urban limit lines and growth boundaries are controversial. If adopted with inadequate land to accommodate projected growth, they may make housing less affordable. Without the cooperation of neighboring jurisdictions, urban limit lines/growth boundaries will be ineffective in promoting compact development.*

*Implementation Strategy:*

*Identify potential growth areas and areas to be protected from development during general plans updates.*

*Work with developers of projects within and adjacent to the urban limit line to purchase development rights from the owner of the adjacent land outside the urban limit line.*

**Policy 55** The City/County of _____ shall expand public services incrementally to serve contiguous development and will discourage the formation of small sewer and water systems serving fringe urban development.

*Implementation Strategy:*

*Require new developments to extend sewer and water lines from existing systems or to be in conformance with a master sewer and water plan.*

**Air Quality Benefits:**

The ability of compact development to reduce air pollutant emissions is based on two assumptions. First, distances traveled will be lower in compact areas than for sprawling or leapfrog development. Second, by providing the right mix of uses in closer proximity, more trips will be accomplished by transit, on foot, or by bicycle.

The policies in this section use several different strategies to encourage compact development and to discourage discontiguous or sprawling development. The following describes the strategies for each policy or group of related policies.

Policy 50 and 54 promote incremental growth on the urban fringe. By discouraging discontiguous development, the urban fabric is maintained, trip distances are shorter, and infrastructure costs are minimized.

Policies 51 and 52 encourage the development of infill areas or redevelopment areas at densities that are high enough to support effective transit service. The strategic placement of higher densities can also provide frequently needed commercial services within walking distance for more people. The Institute of Transportation Engineers (ITE) suggests that residential densities of 7 to 8 dwelling units per acre and 8 to 20 million square feet of non-residential development are needed to support transit service of one bus every half hour, while residential densities greater than 9 dwelling units per acre and 35 to 50 million square feet of non-residential development are needed to support light rail transit with feeder buses (ARB 1993). Various studies have found that areas with higher overall densities tend to have higher rates of transit use and walking. The results of a study of five neighborhoods in California indicate that there is a significant connection between neighborhood characteristics and residents' travel behavior. In the mixed-use, higher density neighborhoods with good transit service, rates of walking and transit use were found to be three to four times higher than those of standard suburban areas. Residents of these mixed-use, higher density neighborhoods also drove for 10 to 30 percent fewer trips. Areas developed as transit or pedestrian-oriented developments can generate 21 percent less trips than traditional low-density residential development (1000 Friends 1993).

Policies 53, and 54 use local government's control of public services such as sewer and water systems as a tool to direct growth where it is best for air quality and for the community. Limiting sewer and water hookups has been widely used in California to limit growth. Although there is little interest in limiting growth in the San Joaquin Valley, there is widespread interest in directing growth away from prime farmland, and sensitive natural habitat. By defining the future urban areas with an urban limit line or by designating urban service areas that avoid prime farmland and sensitive natural habitats, cities can promote compact development. As part of the overall strategy, it is important for counties to avoid approving urban projects just outside the city's sphere of influence. This can undermine the integrity of the urban limit line and result in sprawling, inefficient development.

Most jurisdictions have adopted urban service areas. The problem is that the boundaries are frequently and routinely amended. The city or county should adopt and enforce strong policies that require certain conditions to be met before service areas may be expanded. Some cities and counties approve urban development projects outside the urban service area as long as the developer pays all costs of providing public services. Under some circumstances, developers are willing to pay the costs of extending services

rather long distances or will develop their own water and sewer systems to take advantage of less expensive land. Decision makers must look beyond just dollar costs. They must consider costs to air quality and to the fabric of the entire community when considering development projects for approval.

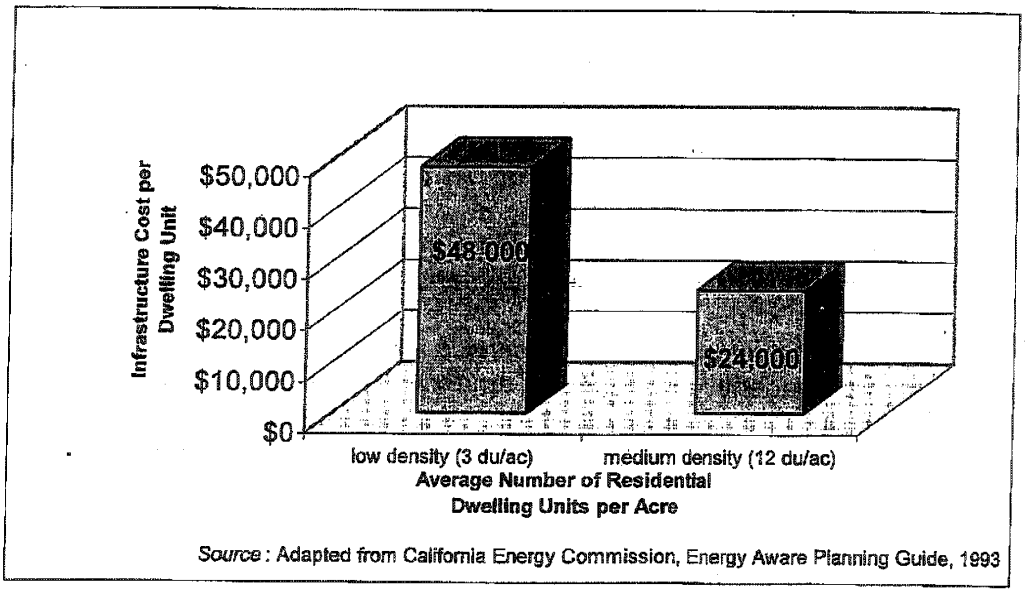
The air quality benefits of compact development cannot be looked at in isolation. It is one of the key components in developing pedestrian and transit-oriented communities. Compact development by itself will not significantly reduce vehicle trips and miles traveled if no transit facilities or pedestrian amenities exist. Conversely, effective transit facilities cannot be provided unless the community is developed in a compact manner. In addition, compact development can provide significant cost savings to local government and developers. Figure 4-3 shows the infrastructure costs in relation to residential densities. Units in areas with densities of 12 units per acres are substantially less costly to serve than residential densities of 3 units per acre.

**Programs in Operation:**

The City of Davis and the City of Woodland have adopted urban limit lines with a permanent band of open space between the two communities (Weissman 1992).

Contra Costa County has adopted an ordinance requiring 65 percent of the land in the county to be preserved for agriculture, open space, wetlands, parks and other non-urban uses. The ordinance is implemented by establishing urban limit lines beyond which there will be no growth (Weissman 1992).

**Figure 4-3 Infrastructure costs and Residential Density**




*Source*: Adapted from California Energy Commission, Energy Aware Planning Guide, 1993

**Resources:**

Land Use Strategies for More Livable Places, by Steve Weissman and Judy Corbett provides numerous examples of communities implementing strategies to promote compact, livable development.

***LAND USE: SITE DESIGNS***

For the purposes of this document, the term site design applies to individual subdivisions, multi-family developments, and commercial and industrial site plans. It also includes architectural features of buildings and landscapes.

**Issues:**

Most places in the Valley are designed to provide the most direct and convenient access by car at the exclusion of other modes of transportation. It is possible to design sites in ways that encourage less- polluting transportation modes and still support access by motor vehicle.

**Objective 6c** To promote site designs that encourage walking, cycling, and transit use.

**Policy 56** The City/County of _____ shall encourage project sites designed to increase the convenience, safety and comfort of people using transit, walking or cycling.

*Implementation Strategy:*

*Prepare Transit-Oriented Design (TOD) or Pedestrian-Oriented Design (POD) Guidelines to help staff planners and developers identify measures that can create a pedestrian and transit-friendly community.*

*Adopt air quality design standards as part of the zoning ordinance. Design standards must be general enough to apply under all but the most unusual circumstances to avoid the need for numerous zone variances and modifications. Some design measures like sidewalk widths and landscaping requirements are very appropriate for design standards. Design measures dealing with parking lot designs and building facades may be better left as guidelines because of site to site-to-site differences.*

**Policy 57** The City/County of _____ shall require an air quality/transportation design analysis for projects exceeding District CEQA significance thresholds.

*Note: The design analysis should be prepared by a civil engineer, architect, or urban designer familiar with design measures that can reduce trips. It could be part of the traffic study normally required for large development projects.*

*This policy is intended to apply to large projects such as regional shopping centers and large subdivisions. Projects consistent with adopted city/county design guidelines or with a previously reviewed specific plan or community plan could be exempt.*

*Implementation Strategy:*

*Require the developer to submit a design analysis with the commercial site plan or subdivision map. The analysis could describe the design measures proposed for the site. The site plan or map could show the location and extent of any design features.*
*Some specific design features include:*

- *Subdivision street and lot designs that promote pedestrian, bicycle, and transit use*
- *The location and type of transit improvements such as shelters and bus turn-outs*
- *Pedestrian access improvements and amenities (sidewalks, benches, water fountains, landscaping, etc.)*
- *Parking lot designs that enhance rather than detract from pedestrian access*
- *The location and type of bicycle improvements (bicycle parking/lockers, relation to bike paths or routes serving the site)*

**Policy 58** The City/County of _____ shall review all subdivision street and lot designs, commercial site plans, and multi-family site plans to identify design changes that can improve access by transit, bicycle, and walking.

*Note: This policy could apply to projects of all sizes. The review would be done by local planners or by a design review committee.*

**Figure 4-4 A canopy of trees encourages walking**

*Implementation Strategy:*

*Modify design review procedures to cover features that affect access and internal circulation by alternative transportation modes. Develop design guidelines that illustrate preferred designs.*

*Just a few examples of design measures that could be recommended during design review include:*

- *Intra-development designs that incorporate integrated street patterns rather than the "pod" design, which limits ingress and egress options to the development and restricts traffic to a limited number of arterials*
- *Primary ground floor commercial building entrances must orient to plazas, parks, or pedestrian-oriented streets, not to interior blocks or parking lots*
- *Promote the use of trees and plants in travelway landscaping and residences*
- *Building facades should be varied and articulated to provide visual interest to pedestrians*
- *Street trees should be spaced no further than 30 feet on center in planter strips or tree wells. Tree species should be selected to create a unified image for the street and provide an effective canopy (see Figure 4-4)*
- *Sidewalks must provide an unobstructed path at least five feet wide. Larger sidewalk dimensions (up to 10 feet) are desirable in core commercial areas where pedestrian activity will be greatest*

**Policy 59** The City/County of _____ shall require all development projects proposed within 2,000 feet of an existing or planned light rail transit, commuter rail, express bus, or transit corridor stop, to incorporate site design measures that enhance the efficiency of the transit system.

*Implementation Strategy:*

*Identify all transit facilities on the Circulation Element Map. Analyze existing land use patterns and constraints around transit facilities to identify appropriate design measures.*

**Air Quality Benefits:**

The design and layout of individual development projects is critical to the success of the entire land use, transportation, and air quality strategy. By providing destinations where people feel comfortable walking (as in Figure 4-5), where access to transit is convenient, and where bicycles can be safely ridden and parked, the effectiveness of all other programs to reduce trips and improve air quality will be much greater.

The first policy in this section states the overall requirement for future development to be designed to encourage walking, cycling, and transit use. The other policies provide the methods and situations where the design requirements would apply. Policy 56 establishes size and type thresholds for design review. Policy 57 promotes an internal review of plans to identify features that can enhance the use of alternative modes. Policy 58 identifies sites where the city or county would require special transit-oriented design criteria.

One source of evidence for the impact of urban design on trip generation and VMT is provided by a study that compared VMT in different Bay Area communities (Parker 1995). The study used actual VMT measurements as well as a 1981 regional transportation survey. One overall finding was that a doubling in overall density is generally associated with 20 to 30 percent fewer VMT per household (Parker 1995). Some of the areas with higher densities also provided frequently used commercial services within walking distance, eliminating many of these vehicle trips.

**Figure 4-5 Pedestrian-oriented Neighborhood**

The Land Use, Transportation, and Air Quality (LUTRAQ) study in the Portland, Oregon metropolitan area

estimates that individual transit-oriented developments will generate 21 percent fewer trips than conventional single family developments and commercial uses (1000 Friends 1993). However, the amount of trip reduction directly attributable to site design measures was not separately addressed.

**Programs in Operation:**

The cities of San Diego, Sacramento, and Portland, Oregon have all prepared design guidelines that encourage and enhance transit, pedestrian, and bicycle travel. These guidelines incorporate "neo-traditional" design principles that take the best planning practices from 50 to 100 years ago and apply them to new development.

Village Homes in Davis, California provides an example of a bicycle and pedestrian-oriented subdivision. Street access is narrow and somewhat limited and bicycle and pedestrian paths offer the shortest routes to neighborhood destinations such as the school and community center. Many of the houses face bike paths. This provides a sense of safety for the riders and keeps the public spaces in view of the community to prevent crime and vandalism (Weissman 1992). Figure 4-6 illustrates this concept.

**Figure 4-6 Village Homes, Davis, California**
*Source*: Local Government Commission

**Resources:**

Planning and Design for Transit, March 1993, Tri-County Metropolitan Transit District of Oregon (TRI-MET), 4012 S.E. 17th Avenue, Portland, Oregon 97202. This 200-page document provides a comprehensive guide to designs and land use patterns supportive of transit. You may order copies by accessing <http://www.trimet.org/>.

Energy Aware Planning Guide, January 1993, California Energy Commission. This document contains extensive sections on design measures to reduce vehicle trips, miles traveled, and energy consumption. Available at <http://www.energy.ca.gov/reports/energy_aware_guide.html>.

The City of San Diego has adopted Transit-Oriented Development Design Guidelines. This document, prepared by Calthorpe Associates, provides thorough discussions and illustrations of design techniques that encourage transit use, walking and bicycling.

# SUGGESTED GOALS AND POLICIES FOR CIRCULATION ELEMENTS

The goals and policies in this section are most appropriate for Circulation Elements of the general plan. They provide ways to plan for the transportation needs of the community that can improve air quality.

### Principles for Planning Transportation Systems for Improved Air Quality

The Air District strongly encourages cities and counties of the San Joaquin Valley to:

- Plan and construct an innovative, multi-modal transportation system to meet mobility needs and improve air quality
- Plan and construct transit improvements at appropriate locations
- Plan and construct a comprehensive system of bikeways and pedestrian paths
- Determine the feasibility of light rail or other fixed guideway systems and protect appropriate right of ways
- Work to improve intercity and commuter rail service in the Valley
- Promote the Valley route for the high speed rail corridor

Note: The District recognizes that the type of transportation system is dependent on the size of the community. The above principles are directed at communities currently or projected to be of adequate size to support these systems.

## *TRANSPORTATION INFRASTRUCTURE*

**Issues:**

The transportation infrastructure developed in the San Joaquin Valley supports the automobile at the expense of other modes of transportation. Placing emphasis on transit, bicycling, and pedestrian infrastructure is vital to relieve pressure from the traditional roadway system and improve air quality. The existing transit systems in the Valley serve only small numbers of commuters (approximately one percent of work trips). Transit systems must be improved to provide shorter waits between buses, competitive trip speeds and better network coverage. In the long term, transit systems should expand beyond buses to light rail or even personal rapid transit systems to accommodate the transportation needs of the projected 4.96 million San

Joaquin Valley inhabitants (by the year 2020) (ARB Population and Vehicle Trends Report 2004).

**Objective 6d** To develop innovative transportation systems that incorporate alternative transportation modes into the system designs.

**Policy 60** The City/County of _____ shall plan for a multi-modal transportation system that meets the mobility needs of the community and improves air quality.

*Implementation Strategies:*

*Ensure that updates to the Circulation Element and submittals of regional transportation improvement projects to the Regional Transportation Planning Agency reflect designs and facilities that support a multi-modal system.*

*Coordinate with transportation providers, planners, agencies, and organizations to develop a complete range of innovative, practicable and cost-effective options. Some options to consider are:*

- *Strategic placement and orientation of new transportation or improved facilities*
- *Flexible zoning such as Transportation Overlay Zones to allow for multi-modal coordination*
- *Services using smaller, efficient vehicles to serve low-density areas (jitneys can run on fixed or flexible routes and can use vehicles similar to airport shuttles or smaller)*
- *Personal Rapid Transit (PRT) systems for fixed route systems connecting large activity centers*
- *High Occupancy Vehicle (HOV) lanes or bus only lanes and transit-ways*
- *Congestion pricing measures such as toll roads with electronic toll collection and billing*

**Policy 61** The City/County of _____ shall vigorously pursue and use state and federal funds earmarked for bicycle and transit improvements.

*Implementation Strategy:*

*Ensure that Regional Transportation Improvement Plans include alternative transportation mode projects best suited to the community.*

*Provide information resources, referrals, and guidance on state and federal funding for alternative transportation improvements to developers, employers, and community involvement organizations.*

**Policy 62** The City/County of _____ shall encourage the consolidation of transit services within the metropolitan area to maximize the efficiency of transit services while minimizing costs.

*Note: This policy would also apply to small transit providers serving special groups like seniors or veterans and to adjacent or nearby cities that act as a single metropolitan area. Consolidating these services can increase ridership per vehicle and reduce miles traveled.*

*Implementation Strategy:*

*Include transit consolidation plans in Regional Transportation Plans.*

**Policy 63** The City/County of _____ shall ensure to the extent feasible that pedestrian, bicycle, and automobile connections are maintained in existing neighborhoods affected by transportation and other development projects.

*Implementation Strategy:*

*Construct pedestrian bridges and under crossings where appropriate.*

*Ensure vehicle overpasses and underpasses are constructed at appropriate locations to provide reasonable connections between services and residences.*

*Include maintenance or improvement requirements for pedestrian, bicycle, and automobile connections as part of the development standards of the Zoning Ordinance or Subdivision Ordinance.*

*Include the maintenance or modification of existing pedestrian, bicycle, and automobile connections as a part of Building Permit requirements.*

## Air Quality Benefits:

Providing an innovative, multi-modal transportation system benefits air quality in two ways. First, by providing fast, safe, and convenient alternatives to the personal automobile, the number of vehicle trips would ill be reduced. Second, because these options increase the efficiency of the entire system, congestion related emissions would be reduced or avoided.

Policy 60 is an overall commitment to developing an efficient transportation system. The economic vitality and future air quality of the Valley will be determined in part by current transportation planning efforts. With the federal ISTEA and state congestion management legislation, transportation plans must support alternatives to the single-occupant automobile. In addition, most jurisdictions are unable to identify funding sources to address all projected road and highway capacity needs. This means that local jurisdictions must identify ways of increasing the capacity of existing roadways and ways of reducing travel demand in order to avoid gridlock and degraded air quality.

Policy 61 states a community's commitment to use available funding for transit, bicycle and pedestrian projects. Because of matching funds requirements for many state and federal transportation funding programs, some jurisdictions do not pursue these sources. The conformity requirements of the federal FCAA amendments and Intermodal Surface Transportation Efficiency Act (ISTEA) may force jurisdictions to spend their transit and bicycle money in order to qualify for highway money. The tendency so far has been for cities and counties to spend funds on congestion relieving roadway improvements such as signalization. Without a change in funding priorities to support alternative modes of transportation, significant changes in mode shares are unlikely.

Policy 62 provides a method to increase the effectiveness of transit resources already available. By consolidating services, it is possible to avoid duplication routes and to increase ridership per vehicle.

Policy 63 is intended to address the need for both retention and creation of pedestrian, bicycle, and automobile connections between areas divided by large-scale transportation projects, or implementation of non-transportation focused development projects.

The Sacramento Regional Transit District's multi-modal transportation system includes bus routes and light rail that covers a 418 square-mile service area and is serviced by 76 electrically-powered light rail vehicles, 258 buses powered by compressed natural gas, and 17 shuttle vans. There are bike racks on the buses and the trains, and 15 light rail stations have bike lockers (SRTD 2005). San Francisco's system is also multi-modal.

## TRANSPORTATION INFRASTRUCTURE: TRANSIT

**Policy 64** The City/County of _____ shall require transit improvements at sites deemed appropriate and necessary by the Transportation Department and the transit provider and consistent with long-range transit plans.

*Note: Transit improvements should be considered the same as other roadway improvements such as curb, gutter, sidewalks, etc., now provided by developers. Transit improvements should be viewed as an extension of roadway improvements, especially in light of the multi-modal emphasis of all new transportation plans.*

*Implementation Strategy:*

*Identify transit improvement needs during CEQA review. Require dedication of sites and improvements as CEQA mitigation. Include dedication requirement as a condition of approval of the subdivision map.*

**Policy 65** The City/County of _____ shall work with Caltrans and transit providers to identify park and ride sites with convenient access to public transit.

*Implementation Strategy:*

*Identify appropriate sites during general plan updates, and review of specific plans and major general plan amendments.*

**Policy 66** The City/County of _____ shall design all arterial and collector streets planned as transit routes to allow the efficient operation of public transit.

*Implementation Strategy:*

*Work with transit providers to develop a comprehensive long range transit plan that is parallel with the general plan. Revise street and road design standards to include bus turn-out designs and passenger loading area designs.*

**Air Quality Benefits:**

The policies in this section deal exclusively with transit infrastructure in support of bus service. The policies support roadway improvements that

increase the speed and safety of bus operations and they support passenger loading facilities that improve the convenience and comfort of people waiting for the bus. Both of these actions will tend to increase transit ridership, thereby reducing overall vehicle trips and miles traveled.

A study conducted by Shapiro, Hassett, and Arnold (2002) found that moving a person a given distance by public transportation produces about five percent as much carbon dioxide, about eight percent as much VOCs, and about half as much NOx and $CO_2$ as moving a person the same distance by private vehicle.

Policy 64 provides a mechanism for cities and counties to reserve the road right of way and land needed for bus turnouts and to construct transit facilities. Bus turnouts remove the buses from the travel lane so that other vehicle traffic is not impeded. This can minimize congestion related emissions. By planning bus turnouts in advance, surrounding development can be designed to benefit from proximity to transit instead of being negatively impacted by the location of the facilities.

Policy 65 encourages cities and counties to locate park and ride lots in places with convenient access to transit. Convenient access is critical in influencing people to choose transit as a commute option. The transit loading area should be close to the park and ride lot and should provide pedestrian amenities to increase the comfort of people waiting.

Park and ride lots that are part of a multi-modal transportation hub can increase the level of activity at the site and improve security. Multi-modal hubs provide better connections with destinations within the community and increase the possibility and probability of using transit.

Park and ride lots can be effective in reducing emissions; however, the trips from home to the park and ride lot and back generate emissions that must be accounted for. Because of the problem of cold start emissions, vehicles produce much of their pollution towards the beginning of the trip (see Section III). Personal vehicle trips avoided by using park and ride must be longer trips to offset the cold start emissions that are still occurring on the commute to the park and ride lot. Growing numbers of people are commuting long distances between Valley cities and to destinations outside the Valley. Park and ride lots can reduce the number of personal vehicles used for long commute trips.

One must also consider the level of congestion en route to the ultimate destination when determining if park and ride lots will benefit air quality. Areas with high levels of congestion may have localized carbon monoxide (CO) problems. It may be beneficial to provide park and ride lots in these areas even though the two legs of the trip may create a net emissions increase for other pollutants such as ROG and NOx.

Policy 66 requires arterial and collector streets to be designed to accommodate buses. These design measures could include bus only lanes, driver actuated signals, bus turnouts, and bus loading areas. These measures allow buses to improve their average speeds and to reduce conflicts with automobile traffic. Buses in most Valley locations have a large time disadvantage compared to automobile travel. Measures to reduce this disparity will improve transit's viability.

These policies are only components of a comprehensive transit-oriented strategy. Their effectiveness in reducing vehicle trips and miles traveled is dependent on the level of commitment and success in implementing a transit-oriented development strategy. A study conducted in the Portland, Oregon metropolitan area estimates that individual transit-oriented developments will generate 5 percent fewer vehicle trips than conventional single-family developments and commercial uses (Cambridge Systematics et al. 1996).

**Programs in Operation:**

The City of Portland, Oregon has developed one of the most accommodating and efficient transit systems in the country. Downtown Portland combines frequent service, convenient bus stops and dedicated bus lanes to achieve high transit ridership.

The Southern California Association of Governments has information and maps of park and ride facilities in Los Angeles, Ventura, Riverside, Orange County, and San Bernardino.

**Resources:**

Southern California Association of Governments. <http://www.scag.ca.gov/parkride.htm>.

See Resources section for Policies 57 through 60.

***TRANSPORTATION INFRASTRUCTURE: BICYCLE AND PEDESTRIAN FACILITIES***

**Policy 67** The City/County of _____ shall ensure that a comprehensive system of bikeways and pedestrian paths is planned and constructed in accordance with an adopted City/County plan.

*Implementation Strategies:*

*To maximize bicycle use the following actions may be included in street design standards, subdivision ordinances or zoning ordinances:*

- *The bikeways should be part of a network that connects major destination points within the community*
- *Provide separate bike paths in areas where motor vehicle speed or volume make on-street bike lanes unsafe or unpleasant to use*
- *Using lower speed limits will enable on-roads cyclists to share the roads with motorists*
- *Provide automatic traffic signal actuators imbedded in the roadway or provide manual signal actuators where cyclists may reach them without leaving the roadway*
- *Provide bicycle paths along greenbelts, linear parks, public easements, and drainage reserved as open space*
- *Provide bicycle and pedestrian bridge crossings for freeways and waterways*
- *Provide adequate paved shoulder on arterial and collectors to keep cyclists and motorist separate*
- *Do not allow on street parking on roadways designated with bike lanes whenever possible*

*On-site improvements that can increase bicycle use include:*

- *Provide bike racks or enclosed and locked bicycle storage at major activity centers and office and commercial establishments*
- *Provide employee showers, lockers, and dressing areas at employment sites*

**Policy 68** The City/County of _____ shall ensure that regional and commuter bikeways are extended to serve new development consistent with the adopted bikeway plan.

*Implementation Strategy:*

*Identify all planned and existing regional and commuter bikeways in a comprehensive bikeways plan. Use targeted state and federal funds along with developer contributions to fund the system.*

**Policy 69** The City/County of _____ shall ensure that upgrades to existing roads (widening, curb and gutter, etc.) include

bicycle and pedestrian improvements in their plans and implementation where appropriate.

*Implementation Strategy:*

*Through zoning or other means, require bicycle lanes on larger streets.*

*Through zoning or other means, require pedestrian pathways between existing developments fitting certain criteria to existing and planned transit or multimodal facilities.*

*Compare Public Works/Roads Department's improvement plans with bikeways plans and ensure they match.*

**Policy 70** The City/County of _____ shall require new major activity centers, office and commercial development to provide secure bicycle storage and parking facilities.

*Note: Consider the type of use when establishing bicycle parking standards. Some uses have limited potential for bicycle use and should have lower parking requirements.*

*Implementation Strategy:*

*Change the Zoning Ordinance Special Development Standards to require bicycle storage facilities. Require bicycle facilities as CEQA mitigation measures.*

*Consider reducing motor vehicle parking standards to acknowledge development with good multi-modal access and facilities.*

**Policy 71** The City/County of _____ shall preserve abandoned railroad right of ways with no potential for use as light rail lines for use as bikeways and pedestrian paths when feasible.

*Implementation Strategy:*

*Identify potential paths during general plan updates and when the railroad proposes to abandon their right of way.*

**Air Quality Benefits:**

Bicycling is the most efficient form of transportation ever devised. The amount of energy consumed per mile is less than any form of locomotion, including walking. The air quality benefits of bicycling are obvious. The bicycle is a zero exhaust vehicle.

The policies in this section attempt to create "bicycle-friendly" transportation infrastructure. The basic premise underlying these policies is that providing a safe, interconnected system of bikeways and routes will result in greater bicycle use. In Davis, California, which is known as the most bicycle-oriented city in the State, more than 80% of all collector and arterial streets within the city have bike lanes or bike paths (City of Davis 2001).

Although many Valley communities have systems of bikeways and bike lanes, their current use is limited; bicycling accounted for approximately 0.8% of work trips in the City of Fresno in 2000 (2000 Census). The most important factors limiting greater use are lack of continuity and safety considerations. Bicycle routes usually are not continuous. Many routes have unsafe bottlenecks at intersections to accommodate left and right turn lanes. Some routes narrow to one foot wide in places or periodically disappear and reappear. Many traffic signals cannot be actuated by bicyclists without leaving the roadway to press the pedestrian crossing actuator. All but the most serious bicyclists are discouraged by these conditions.

Policy 67 requires the city or county to plan and construct a comprehensive bicycle system. This will be difficult in developed areas, but is very practical for new areas. Nearly all cities in the Valley predict rapid growth. If long-range transportation and land use plans include bicycle facilities, much larger mode shares for bicycles are feasible as build out progresses.

Policy 68 provides a commitment to extend bikeways to serve new development. This commitment must be followed up by developing funding sources to maintain the integrity of the bikeways system.

Roads that are good bicycle routes are frequently made unusable when the road is widened or when intersections are modified. Policy 69 encourages cities and counties to design roadway improvements that include bicycle use. This is where adequate long range transportation planning is critical. Roadways should be planned to their ultimate width from the start. Retrofitting to add improvements invariably results in less than ideal driving conditions and less safe bicycling.

Policy 70 concentrates on making the end of the bicycle trip more convenient. Providing a safe place to lock bicycles eliminates one more reason that people choose not to ride.

Under some conditions, separate bikeways are preferable to sharing the road with motor vehicles. Policy 71 encourages the use of abandoned rail right of ways to provide a low cost place to construct separate bikeways. Ideally, the right of way should connect with commuter destinations or other segments of the comprehensive bikeways system.

The policies in this section are appropriate for all sizes of cities, but are especially effective for small and medium-sized cities. Smaller cities have shorter travel distances to a greater number of destinations, and usually have less traffic and congestion than large cities. This increases bicycle safety.

A rough calculation of the valley-wide emission reduction potential for ROG and CO for just a one percent increase in bicycling mode share for all trips produces the following results:

- ROG - 4.77 tons/day
- CO - 22.27 tons/day

These calculations are based on the 2001 Base Year Inventories for ROG and CO for the San Joaquin Valley (California Air Resources Board 2003). The calculations assume that a one percent increase in the bicycle mode share corresponds to a one percent decrease in on-road mobile emissions.

**Programs in Operation:**

The City of Davis fully integrates bicycles into the transportation system. The City offers an extensive system of bike lanes, bicycle parking facilities, and slow speed limits on most city streets. According to the 2000 Census, 15% of commuters in the City of Davis bicycle.

The City of Visalia adopted a comprehensive bikeways plan. The plan calls for expansion of the current system of bikeways and provides standards for constructing bike facilities. Visalia provides an example of what a medium-sized city can do to encourage bicycling.

**Resources:**

Guide to Bicycle Project and Program Funding in California Second Edition, February 2002; California Bicycle Coalition and Planning and the Conservation League Foundation. <http://www.calbike.org/fed.htm>.

Bicycle Friendly Cities: Key Ingredients for Success and Selecting and Designating Bicycle Routes: A Handbook; National Center for Bicycling and Walking, 1506 21st St. NW, Suite 200, Washington DC20036.

A Citizen's Guide to Transportation Policy and Planning 2002; 1000 Friends of Oregon and the Oregon Transportation Reform Advocates Network, 534 SW Third Avenue, Suite 300, Portland, OR 97234. <www.bikewalk.org>.

City of Davis Comprehensive Bicycle Plan. City of Davis. 2001. <http://www.city.davis.ca.us/pw/pdfs/01bikeplan.pdf>.

Guide to the Development of Bicycle Facilities, 1999; American Association of State Highway and Transportation Officials (AASHTO), 444 N. Capitol St, NW, Suite 249, Washington, DC 20001.

National Center for Biking and Walking has information on how to help create neighborhoods and communities where people walk and bicycle trough land use planning, safety, and more. <www.bikewalk.org>

Rails Trails: An Acquisition and Organizing Manual for Converting Rails into Trails; Rails-to-Trails Conservancy, 1400 16th St NW, Washington, DC 20036. <www.railtrails.org>.

A Guide to Transportation Enhancements, June 1999; Rails to Trails Coalition and the Federal Highway Administration, 400 Seventh St SW HEPN-50, Washington DC 20590. <www.fhwa.dot.gov>.

### *TRANSPORTATION INFRASTRUCTURE: LIGHT RAIL/COMMUTER RAIL*

**Policy 72** The City/County of _____ shall identify potential light rail corridors during major general plan updates and take action to protect the right of way from incompatible development.

*Implementation Strategy:*

*Work with Caltrans and the Regional Transportation Planning Agency to prepare a comprehensive light rail study. Identify the best routes and develop a community consensus for those routes. Ensure that the general plan designates densities and land use patterns that make light rail feasible.*

**Policy 73** The City/County of _____ shall preserve specific existing railroad right of ways that have the potential to be used as light rail lines.

*Implementation Strategy:*

Identify light rail routes during general plan updates and during Regional Transportation Plan preparation.

**Policy 74** The City/County of _____ shall support the use of suitable freeway and expressway right of ways for light rail.

*Implementation Strategy:*

*Plan light rail routes in the Circulation Element and Regional Transportation Improvement Plans.*

**Policy 75** The City/County of _____ shall plan the area around new commuter and mainline rail stations to provide convenient and safe pedestrian and bicycle access, and connections to the transit system.

*Implementation Strategy:*

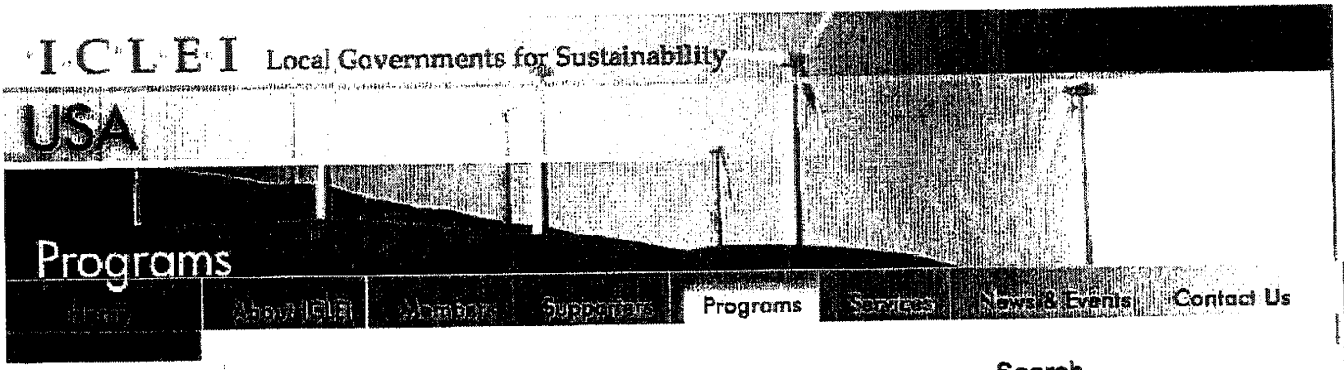
*Identify potential rail stations during general plan updates and designate the surrounding area for pedestrian or transit-oriented development.*

**Air Quality Benefits:**

New rail systems have a smooth, quiet ride and relatively high average speeds. High speed rail systems, one of which is being considered to run through the Valley, can rival air travel for speed and convenience. Several cities in the Valley are considering light rail in their long range transportation plans. The air quality benefits of rail depend on the extent to which they reduce motor vehicles trips and miles traveled.

Implementing the policies in this section will result in the conditions needed to make light rail feasible in the Valley and will allow the most effective use of the planned high speed rail system. A well-used light rail or high speed commuter rail system can absorb a large number of vehicle trips that would otherwise be made by more polluting motor vehicles. Light rail in heavily congested corridors can help reduce congestion related emissions and also can reduce trips when people walk or bicycle to the transit station. High speed rail targets long distance commuters, tourists and business travelers who would normally travel by private car or by air. Rail travel uses less energy and emits fewer pollutants per passenger than cars.

ATTACHMENT 11




ICLEI worldwide
member login
US regional networks

## CCP: How it works

CCP home | participants | join us | projects | resources | FAQs

Search
Search now!

Once cities join ICLEI-US and make the commitment to participate in the CCP Campaign, ICLEI provides experienced staff, software tools, and a wide variety of programs and technical assistance to help local governments reduce greenhouse gas emissions in an effective, efficient manner.

**Benefits of Participation**
ICLEI provides local governments that participate in the CCP Campaign with access to the following resources:

- Software products and associated training to assist with the quantification of greenhouse gas reductions and other benefits of climate protection planning.
- Access to a professional network of peers through listservs, newsletters, conferences, and workshops.
- Toolkits, online resources, case studies, fact sheets, policy and practice manuals, and guides on approaches that other local governments have successfully used to reduce greenhouse gases.
- Training workshops for staff and elected officials on how to develop and implement effective long-term emission reduction strategies.
- Technical assistance in designing and implementing actions to reduce greenhouse gas emissions.
- Notification of relevant grant opportunities.
- Assistance in publicizing local climate protection successes.

In addition, the communities that participate in CCP also benefit from the actions that they take to reduce greenhouse gas emissions through:

- Financial savings in reduced utility and fuel costs to the local government, households, and businesses.
- Improved local air quality, contributing to the general health and well being of the community.
- Economic development and new local jobs as investments in locally produced energy products

and services keep money circulating in the local economy.

**Getting Started**
Local governments begin participating in the CCP Campaign by passing a resolution pledging to reduce greenhouse gas emissions from their local government operations and throughout their communities. Each local government sets its own emission reduction target and develops a Local Action Plan outlining actions that the city will pursue to meet its target.

After passing the resolution, the local government designates a staff member and an elected official to serve as the city's liaisons to ICLEI. The liaisons then receive welcome packets from ICLEI that include a detailed Toolkit. This toolkit leads the local government staff person step-by-step through the 5 Milestone process.

**The 5 Milestones**
The methodology underlying the 5 Milestones of the CCP Campaign provides a simple, standardized means of calculating greenhouse gas emissions, of establishing targets to lower emissions, of reducing greenhouse gas emissions and of monitoring, measuring and reporting performance. ICLEI has developed a software tool that helps cities comply with the methodology. The 5 milestones are:

1. Conduct a baseline emissions inventory and forecast. Based on energy and waste data, the city calculates greenhouse gas emissions for a base year (e.g., 2000) and for a forecast year (e.g., 2015). The inventory and the forecast capture emissions from all municipal operations (e.g., city owned and/or operated buildings, streetlights, transit systems, wastewater treatment facilities) and from all community-related activities (e.g., residential and commercial buildings, motor vehicles, waste streams, industry). The inventory and forecast provide a benchmark against which the city can measure progress.

2. Adopt an emissions reduction target for the forecast year. The city passes a council resolution establishing an emission reduction target for the city. The target is essential both to foster political will and to create a framework to guide the planning and implementation of measures.

3. Develop a Local Action Plan. The local government develops a Local Action Plan that describes or lists the policies and measures that the local government will take to reduce greenhouse gas emissions and achieve its emissions reduction target. Most plans include a timeline, a description of financing mechanisms, and an assignment of responsibility to departments and staff. In addition to direct greenhouse gas

reduction measures, most plans also incorporate public awareness and education efforts. The development of the Local Action Plan should include strong public input and involvement in order to build the consensus among stakeholders required to implement measures.

4. Implement policies and measures. The city implements the policies and measures contained in their Local Action Plan. Typical policies and measures implemented by CCP participants include energy efficiency improvements to municipal buildings and water treatment facilities, streetlight retrofits, public transit improvements, installation of renewable power applications, and methane recovery from waste management.

5. Monitor and verify results. Monitoring and verifying progress on the implementation of measures to reduce or avoid greenhouse gas emissions is an ongoing process. Monitoring begins once measures are implemented and continues for the life of the measures, providing important feedback that can be use to improve the measures over time. ICLEI's software provides a uniform methodology for cities to report on measures.

**Technical Assistance** .
ICLEI provides cities that participate in the CCP Campaign with a range of technical assistance. Some of the assistance is available for free to participating local governments. Other assistance is available for hire from ICLEI. In general, ICLEI offers assistance in four discrete categories.

- Inventory Assistance. ICLEI can assist local governments in conducting their baseline emission inventories and their emission forecasts, helping the city understand how and from whom to collect the necessary data. Alternatively, ICLEI can conduct the entire inventory and forecast on behalf of the city, presenting the results to city staff, elected officials and the community as and when requested by the city. If you would like assistance with conducting your inventory, please contact us.

- Measures Identification and Quantification Assistance. ICLEI can assist local governments in identifying potential measures that the city can take to reduce greenhouse gas emissions. ICLEI can also help the city quantify the emission reductions and other benefits (financial, quality of life) from the full range of possible policies and measures. If you would like assistance in identifying measures or quantifying the impact of measures, please contact us.

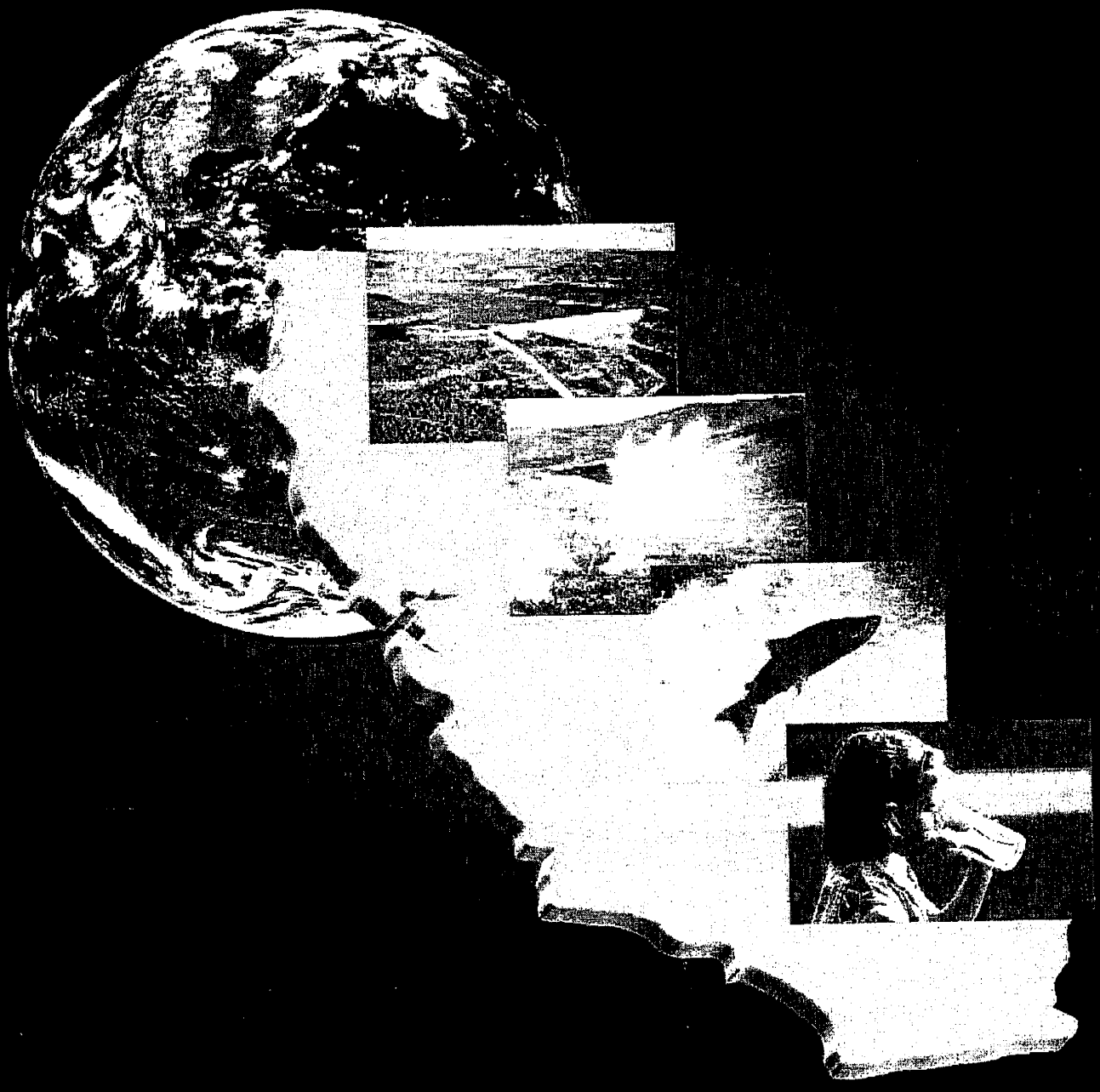
- Policy Assistance. ICLEI provides case studies, fact sheets, agenda reports, sample resolutions,

policy frameworks, model ordinance language, and links to key technical information that can assist local governments implement a wide range of measures. Check out the Tools section for more details.

- Software Assistance. ICLEI can answer most of your questions regarding the use of the CACP software. If ICLEI cannot answer your question, we will refer you to the developer of the software.

ATTACHMENT 12

# Progress on Incorporating Climate Change into Management of California's Water Resources



July 2006
Technical Memorandum Report
California Department of Water Resources

❖ ❖ ❖

**Published July 2006**

Cover design by Jamie Anderson, Delta Modeling Section.

Copies of this document are available for $20 each for the first 3 copies and $50 for each additional copy. A CD-ROM of the report is included with each copy.

Contact:

Publication Sales
Department of Water Resources
P.O. Box 942836
Sacramento, CA 94236-0001
916-653-1097

This document is available on the web at
http://baydeltaoffice.water.ca.gov/climatechange/reports.cfm

# Progress on Incorporating Climate Change into Planning and Management of California's Water Resources

Technical Memorandum Report

July 2006

Department of Water Resources

State of California
**Arnold Schwarzenegger, Governor**

The Resources Agency
**Mike Chrisman, Secretary for Resources**

Department of Water Resources
**Lester A. Snow, Director**

**Nancy Saracino**
Chief Deputy Director

**Brian E. White**
Assistant Director Legislative Affairs

**David A. Sandino**
Acting Chief Counsel

**Susan Sims**
Assistant Director Public Affairs

**Timothy Haines**
Deputy Director

**Leslie F. Harder, Jr.**
Deputy Director

**Raphael A. Torres**
Deputy Director

**Gerald E. Johns**
Deputy Director

Bay-Delta Office
**Katherine F. Kelly**, Chief

Modeling Support Branch
**Francis Chung**, Chief

*Prepared under the direction of:*

Francis Chung, Ph.D., P.E. ..... Principal Engineer

*Prepared by:*

**California Department of Water Resources:**

Jamie Anderson, Ph.D., P.E. ..... Engineer
Michael Anderson, Ph.D. ..... Acting State Climatologist
Daniel Easton, P.E. ..... Engineer
Michael Floyd, P.E. ..... Senior Engineer
Roy Peterson, Ph.D. ..... Environmental Scientist

Joel Dudas, P.E. ..... Engineer
Messele Ejeta, Ph.D. P.E. ..... Engineer
Brian Heiland, P.E. ..... Engineer
Arthur Hinojosa,Jr., P.E. ..... Supervising Engineer
Jim Goodridge ..... Retired State Climatologist
John King, P.E. ..... Engineer
Bunloeurng Lek, P.E. ..... Engineer
Aaron Miller, P.E. ..... Engineer
Stephen Nemeth, P.E. ..... Engineer
Al Olson, P.E. ..... Engineer
Morteza Orang, Ph.D. ..... Land and Water Use Scientist
Michael Perrone, Ph.D. ..... Environmental Scientist

*Prepared by (continued):*

**California Department of Water Resources (continued):**

Tawnly Pranger, P.E. ..... Engineer
David Rizzardo, P.E. ..... Senior Engineer
Maurice Roos, P.E. ..... State Hydrologist
David Todd ..... Land and Water Use Program Manager
Matt Winston ..... Senior Meteorologist
Hongbing Yin, P.E. ..... Senior Engineer

**U.S. Bureau of Reclamation:**

Levi Brekke, Ph.D., P.E. ..... Engineer
Russell Yaworsky ..... Engineer

**University of California, Davis:**

Richard Snyder, Ph.D. ..... Biometeorologist

**Lawrence Berkeley National Laboratory:**

Norman Miller, Ph.D. ..... Staff Scientist

**California Energy Commission:**

Guido Franco, P.E.. ..... Technical Lead, Climate Change Research

*Editorial and design services were provided by:*

Mike Durant ..... Research Writer
Gretchen Goettl ..... Research Writer

## 1.2 Climate Change and California's Water Resources

California water planners are concerned about climate change and its potential effects on our water resources. More than 20 million Californians rely on two massive water projects: the State Water Project (SWP) and federal Central Valley Project (CVP). These complex water storage and conveyance systems are operated by DWR and the Bureau of Reclamation (Reclamation) for water supply, flood management, environmental protection and recreational uses.

The ability of the SWP and the CVP to meet the water demands of its customers and the environment depends heavily on the accumulation of winter mountain snow melting into spring and summer runoff. A warming planet may reduce this natural water storage mechanism. Projected increases in air temperature may lead to changes in the timing, amount and form of precipitation – rain or snow, changes in runoff timing and volume, sea level rise effects on Delta water quality, and changes in the amount of irrigation water needed due to modified evapotranspiration rates.

## 1.3 DWR-Reclamation Climate Change Work Team

In the past, climate change was typically considered qualitatively in the planning process. Legislative mandates in California including Executive Order S-3-05 and the latest update to the California Water Plan (Bulletin 160) call for more quantitative assessments of climate change effects. To address these concerns, DWR and Reclamation formed a joint Climate Change Work Team to provide qualitative and quantitative information to managers on potential effects and risks of climate change to California's water resources.

The mission of the Climate Change Work Team is to coordinate with other State and federal agencies on the incorporation of climate change science into California's water resources planning and management. The team will provide and regularly update information for decision-makers on potential impacts and risks of climate change, flexibility of existing facilities to cope with climate change, and available mitigation measures.

In water resources planning, climate change studies often focus on what might happen without providing information about how likely it is to happen. A major long-term objective of the Work Team is to extend impacts analysis to include likelihoods associated with each climate change effect. In order to meet this objective, the Work Team set these goals:

- Build coalitions with experts in climate change and seek their guidance in estimating risk of climate change effects
- Support mandates on climate change
  - Governor's Executive Order S-3-05, June 1, 2005
  - California Water Plan Bulletin 160
- Assess impacts to operations of the SWP and CVP for several climate change scenarios
- Assess risk for the SWP and CVP systems based on impact studies and estimates of impact likelihood
- Evaluate risk-mitigation options

## 2.3 The Role of Water Management and Use in Greenhouse Gas Emissions

### 2.3.1 Executive Order S-03-05

Executive Order S-3-05, signed by Governor Arnold Schwarzenegger June 1, 2005, establishes aggressive greenhouse gas emission reduction goals for California. These goals are:

- by 2010, reduce emissions to 2000 levels
- by 2020, reduce emissions to 1990 levels
- by 2050, reduce emissions to 80 percent below 1990 levels

Since water management and use are a significant part of California's energy matrix, both in terms of energy generation and consumption, they are an important consideration in meeting the emission reduction goals established by the Governor.

### 2.3.2 Water Supply and Treatment

In the draft "Statewide Assessment of Energy Used to Manage Water," the California Energy Commission estimated that an average of about 44 million tons of carbon dioxide is emitted into the atmosphere each year to provide water in California. Any reductions in energy consumption related to water will help the State meet its greenhouse gas reduction goals.

California's aqueduct systems are one of the larger users of electricity in the State. Other significant uses of electrical power related to water in California include:

- pumping groundwater from wells
- treating drinking water
- delivering of water to consumers through local distribution systems
- treating wastewater and wastewater reclamation.

Diesel, gasoline, and natural gas-powered pumps are used for some water supply and treatment operations. Diesel-powered pumps are most prevalent in agriculture.

End uses of water also result in the consumption of electrical energy and natural gas, such as heating of water for domestic, commercial, and industrial operations. Various industrial processes that use water also result in energy consumption.

### 2.3.3 Hydroelectric Power

Hydroelectric power is generated at most publicly-owned water supply reservoirs in California and at many privately-owned reservoirs. Hydroelectric power is also generated by run-of-river hydroelectric plants and by power recovery plants along aqueducts and water distribution systems. Most of California's hydroelectric power is produced in the Sierra Nevada and Cascade

California's coastline is about 1,075 miles in length, not including inland bays, estuaries and offshore islands. The State's coastal features include broad coastal plains and wide beaches in much of Southern California. Extensive stretches of mountainous and rugged coastline occur in the central and northern parts of the State, along with more limited coastal plains than those in Southern California. California's coastal topography is shown in Figure 2-18. The State's coastline also includes major inland bays and estuaries, including the San Francisco Bay and the Sacramento-San Joaquin River Delta (Delta), as shown in Figure 2-19.

Future sea level rise, while projected to be a relatively slow and gradual process, presents a somewhat alarming prospect for California, especially in the case of the more extreme projections. The effects of sea level rise will include:

- increased erosion of beaches, bluffs and other coastal features
- inundation of coastal land and marshes
- local flooding near the mouths of rivers and streams due to backwater effects (especially on coastal plains)
- increased potential for sea water intrusion into coastal aquifers
- increased sea water intrusion into estuaries, including the Sacramento-San Joaquin River Delta
- increased potential for levee failure in the Delta
- potential adverse impacts on flow control and diversion facilities in the Delta
- inundation and critical alteration of aquatic ecosystem habitat development projects in the Delta

Of the effects listed above, perhaps the most significant from the standpoint of the State's water resources are increased sea water intrusion and increased potential for levee failure in the Delta. Increased sea water intrusion into the Delta threatens the operations of the State Water Project and the Central Valley Project, as well as other Delta water supply diversions due to water quality degradation. Water quality degradation in the Delta also potentially threatens the Delta's fragile ecosystem, which supports threatened and endangered species. Finally, increased sea water intrusion into the Delta could threaten some groundwater supplies through the interaction of Delta waters with underlying and adjoining portions of the Central Valley groundwater basin.

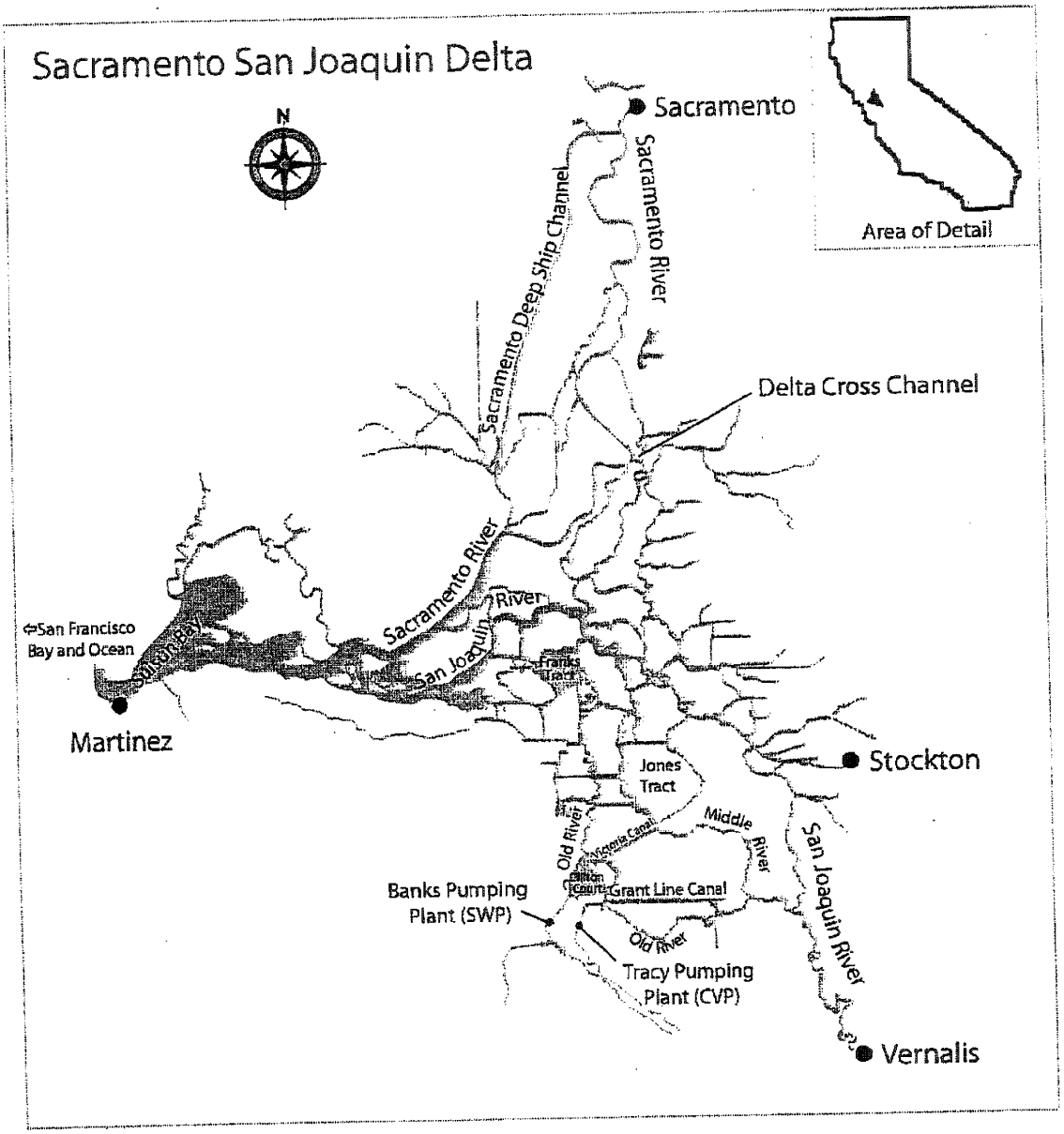



**Figure 2-31 Sacramento-San Joaquin River Delta**

The islands and tracts of the Delta are protected from the constant threat of inundation by about 1,100 miles of levees. Levee failure can occur due to seepage, piping, slippage, subsidence, sloughing or earthquakes, even during dry weather. Levee failure impacts include potential loss of human life, irreparable harm to the Delta's fragile ecosystem and its listed and endangered species, disruption of utilities and highways and water supply disruption. Water supply disruption can occur when levee failure and island flooding cause salinity levels in the Delta to increase to unacceptable levels due to:

- large amounts of saline ocean water to being drawn into the Delta from the San Francisco Bay, and
- increases in the volume of the Delta's tidal prism and resultant increases in the tidal exchange of saline water in the Delta.

Once a levee fails in the Delta and island flooding occurs, salinity conditions can take weeks or even months to return to normal, depending on the amount and location of levee failures and hydrologic conditions.

#### 2.6.2.3.1 Future Increased Risk of Flooding in the Delta Due to Land Surface Subsidence and Climate Change

Flood risk in the Delta is increasing with time due to land surface subsidence and sea level rise. Land subsidence and sea level rise also increase the consequences of levee failure.

As mentioned earlier, worldwide average sea level rise is projected to be about 0.3 of a foot to 2.9 feet from 1990 to 2100 (IPCC, 2001a). Rising sea levels are likely to have a direct effect on water levels in the Delta because the bottom of essentially all Delta channels and waterways are at or below current mean seal level. Rising sea level will cause backwater effects upstream of the Delta.

Global sea level rise combined with short-term or episodic factors that increase sea level and water levels in the Delta will reduce available levee freeboard unless levees are raised. Short-term and episodic increases in water levels in the Delta include high river flows, ocean/atmosphere phenomena such as El Nino's, storm surge, barometric high tides and high astronomical tides (particularly during perigee, perihelion, and either new or full moon). Figure 2-32 illustrates the relative impact that sea level rise will have on astronomical tides in the Delta. An especially high level of risk would occur if several periodic events were to occur at the same time in the Delta.

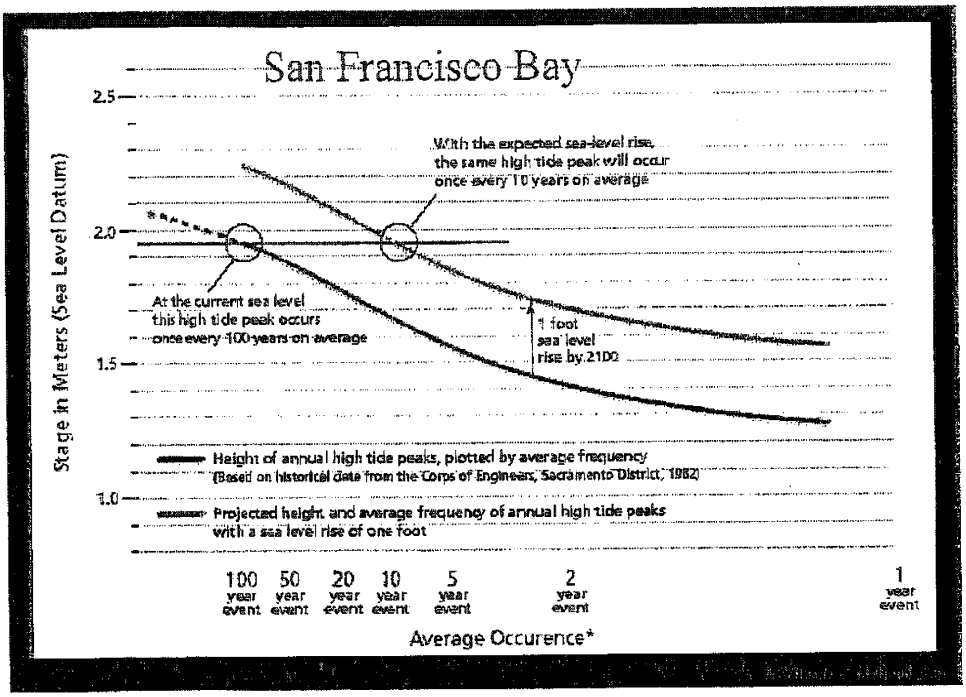



**Figure 2-32 Impact of One Foot of Sea Level Rise on the Relative Effect of Astronomical Tides in the Delta**

Source: Lawrence Berkeley National Lab (Miller, 1998).

Climate change may affect the magnitude and frequency of flood flows entering the Delta. In their paper on the potential impacts of climate change on California hydrology, Miller and others (2003) present peak river flow data based on climate change simulations. These data show an increased probability of higher annual peak flows for Central Valley rivers. These potential increased flows have yet to be quantified with any confidence. Higher flows will lead to higher water surface elevations in the Delta, especially in its upper reaches.

Ocean temperature anomalies, such as an El Nino, can cause a short-term rise in sea level along California's coast and thus increase water levels in the Delta. For example, the maximum water surface anomaly associated with the 1997-1998 El Nino event increased the level of the ocean along California's coast between about 0.6 to 0.8 of a foot during January 1998 (Bromirski, 2005). This level of rise was due to a combination of steric effects and poleward propagating, coastally-trapped waves. Climate change may increase the frequency or duration of El Nino events (Wara, 2005), although there is a significant amount of uncertainty about possible changes in the nature and occurrence of temperature anomalies in the Pacific as the result of climate change (Kerr, 2005).

Wind driven storm surge can also increase water surface elevations in the Delta. Stronger winds associated with some winter storms would lead to even greater changes in water surface

elevations. Such changes are a function of channel geometry and the distance of open water with respect to wind direction, referred to as "fetch."

Subsidence also must be considered as a risk to Delta levees. The surfaces of many of the Delta's islands and tracts are dominated by soils rich in peat. Peat is a complex organic material that is principally composed of degraded plant matter. Subsidence in the Delta primarily occurs when peat soils are exposed to oxygen and undergo microbial decomposition due to agricultural practices. Subsidence also occurs when peat soils are lost by wind erosion and occasional peat fires. The peat soils of the Sacramento-San Joaquin Delta have subsided at rates of up to about 2 inches per year in the past. Subsidence rates have been the highest in the central Delta islands (Mount, 2004).

Subsidence increases the threat of flooding in the Delta by increasing the differential forces that levees experience. Subsidence also increases the volume of water that can inundate an island or tract when a levee fails. Together, the continued subsidence of Delta islands and rising sea level pose a double-sided threat for Delta levees and flooding. Other factors such as possible increases in peak river flows as the result of climate change further increase the threat to Delta levees.

## 2.7 Future Water Demand

California's water supply future will be determined by two principal factors, the condition of the State's water resources and water demand. Climate change will likely have a significant effect on California's future water resources, as discussed elsewhere in this report. Climate change will likely also have an effect on future water demand. However, many other factors such as population, land development and economic conditions that are not directly related to climate change will also affect future demand. Table 2-7 provides a summary of some of the potential effects of climate change on future water demand. Table 2-8 lists selected factors that could affect future water demand that will not be directly affected by climate change.

Today there is much uncertainty about future water demand, especially those aspects of future demand that will be directly affected by climate change and warming. While climate change is expected to continue through at least the end of this century, the magnitude and, in some cases, the nature of future changes are uncertain. This uncertainty serves to complicate the analysis of future water demand, especially where the relationship between climate change and its potential effect on water demand is not well understood.

Of the water demand factors that could be directly affected by climate change, potential changes in evapotranspiration, agronomic practices, and environmental water demand might be the most significant for California. Of the changes in demand not directly affected by climate change, changes in demand related to population growth and technological innovation could be the most significant. The following discussion is mostly limited to these aspects of future water demand. Chapter 7 provides additional discussion on evapotranspiration and possible changes in evapotranspiration due to climate change.

# 5 Preliminary Climate Change Impacts Assessment for the Sacramento-San Joaquin Delta

## 5.1 Introduction

The Sacramento-San Joaquin Delta is a dynamic network of natural and man-made channels. Freshwater from the southward flowing Sacramento River and from the northward flowing San Joaquin River converge with salty tidal flows from San Francisco Bay (Figure 5.1). Historically the Delta was a vast marsh. After the Gold Rush, farmers began building levees in the Delta to reclaim farmland. After years of farming, many of the Delta islands have subsided and are currently below sea level. Today the Delta consists of 57 leveed islands and more than 700 miles of sloughs and channels. This complex ecosystem is home to more than 500 species, including 20 endangered species such as the Delta smelt and salt harvest Suisun Marsh mouse. The Delta is also part of the migration path of young salmon heading out to the ocean and for adult salmon returning to spawn in their natal streams.

The Sacramento-San Joaquin Delta can be considered the hub of California's water supply system. About two-thirds of Californians and millions of acres of farmland rely on water from the Delta. Pumping plants in the south Delta are integral components for water distribution to central and southern California from the State Water Project (SWP) and the federal Central Valley Project (CVP). The Delta also provides local water supply for municipal and industrial and agricultural uses. The Delta supports more than $500 million in annual crop production (DWR, 2006).

The Sacramento River provides most of the freshwater inflow into the Delta (Figure 5.2). From 1980-1991, on average nearly 25 percent of the freshwater inflows to the Delta were used for municipal, industrial and agricultural water supplies, while the remaining 75 percent flowed to San Francisco Bay as Delta outflow. The actual distribution of Delta inflows varies from year to year depending on factors such as the amount and timing of precipitation and operations of upstream reservoirs.

Climate change could affect the Delta water balance shown in Figure 5.2. Warmer air temperatures are expected to shift the timing and form -- rain or snow -- of winter precipitation (see Chapter 2 and Chapter 6). Less snowpack would lead to less spring runoff. These shifting precipitation and runoff patterns would affect reservoir operations and Delta exports (see Chapter 4). Since the major inflows into the Delta are controlled by reservoir releases, Delta inflow patterns would be affected as well. More changes to reservoir releases and Delta exports might be required for compliance with Delta water quality standards. Changes in crop evapotranspiration rates could affect the amount of water needed for agricultural uses (see Chapter 7).

Future projected sea level rise would also affect the Delta. Higher water levels could threaten Delta island levees. Increased saltwater intrusion from the ocean could require increased freshwater releases from upstream reservoirs to maintain compliance with Delta water quality standards.

ATTACHMENT 13

# Quantifying Carbon Dynamics and Greenhouse Gas Emissions in Agricultural Soils of California: A Scoping Study

PIER Final Project Report

*Prepared For:*

**California Energy Commission**

Public Interest Energy Research Program

*Prepared By:*

**Complex Systems Research Center, University of New Hampshire**

**Applied Geosolutions, LLC**

**Center for Agroecology and Sustainable Food Systems, University of California, Santa Cruz**

April 2004

500-04-038

***Prepared By:***
Changsheng Li
Complex Systems Research Center,
University of New Hampshire
Durham, New Hampshire

William Salas
Applied Geosolutions, LLC
Durham, New Hampshire

Marc Los Huertos
Center for Agroecology and Sustainable
Food Systems, University of California,
Santa Cruz
Santa Cruz, California

Contract No. 500-02-004

***Prepared For:***
California Energy Commission

Guido Franco,
***Contract Manager***

Kelly Birkinshaw,
***Program Manager***
***Energy-Related Environmental Research***

Terry Surles,
***PIER Program Director***

Robert L. Therkelsen,
***Executive Director***

**LEGAL NOTICE/DISCLAIMER**

This report was prepared as the result of work sponsored by the California Energy Commission (Energy Commission). It does not necessarily represent the views of the Energy Commission, its employees, or the State of California. The Energy Commission, the State of California, its employees, contractors, and subcontractors make no warranty, express or implied, and assume no legal liability for the information in this report; nor does any party represent that the uses of this information will not infringe upon privately owned rights. This report has not been approved or disapproved by the Energy Commission, nor has the Energy Commission passed upon the accuracy or adequacy of the information in this report.

# Executive Summary

Agriculture represents a significant opportunity for greenhouse gas (GHG) mitigation projects through soil carbon sequestration and reductions of methane ($CH_4$) and nitrous oxide ($N_2O$) emissions. Recently, significant investments are being made in assessing carbon sequestration projects in agricultural soils, due to the potential for trading carbon credits coupled with significant environmental benefits through improved soil quality, soil fertility, and reduced erosion potential. Changes in farming management practices, such as tillage, fertilization, irrigation, manure amendment, rotation with cover crops, and others are being evaluated for their potential in mitigating GHGs emitted from the agricultural sector. Because the cycles of water, carbon (C) and nitrogen (N) in the agroecosystems are tightly linked, any change in farming management could simultaneously alter crop yields, soil fertility, N leaching, soil C storage, and trace gas emissions. New methodologies linking GIS databases with process-based models are being used to bring complex agroecosystems into a computable framework for assessing the impact of alternative management practices on soil C storage and GHG emissions.

Process-based models have been developed to examine the complex interactions of agricultural management practices, soil C dynamics, and $N_2O$ emissions. An agroecosystem biogeochemistry model—Denitrification-Decomposition (DNDC)—was adopted for this project. It was constructed based on four basic biogeochemical concepts: (1) biogeochemical abundance, (2) field, (3) coupling, and (4) cycling. It consists of the six submodels for soil climate, crop growth, decomposition, nitrification, denitrification, and fermentation. The six interacting submodels have included the fundamental factors and reactions, which integrate C and N cycles into a computing system. DNDC has been validated and tested by researchers in many countries and applied for their national C sequestration and $N_2O$ and $CH_4$ inventory studies. By tracking crop biomass production and soil organic carbon (SOC) decomposition rates, DNDC captures short- and long-term SOC dynamics. It predicts $N_2O$ emissions by tracking the reaction kinetics of nitrification and denitrification across climatic zones, soil types, and management regimes. With its prediction capacity of SOC, $N_2O$, and $CH_4$, DNDC is ready to serve offset analysis between C sequestration and non-$CO_2$ greenhouse gas ($N_2O$ and $CH_4$) emissions for agroecosystems.

## Objectives

In this project, DNDC is being used to estimate recent SOC dynamics and $N_2O$ emissions at the county scale for all of the counties in California and to make recommendations for more detailed studies on carbon sequestration and $N_2O$ emissions under a wide scope of alternative management scenarios. DNDC is also being used to evaluate the impact of several management alternatives (e.g., changing irrigation practices, use of reduced tillage or no-till, use of cover crops, and other alternative farming practices) on county-scale estimates of SOC dynamics and $CH_4$ and $N_2O$ emissions. These management alternatives

ATTACHMENT 14

SFCHRONICLE CARS .com
San Francisco Chronicle | SFGate.com
CLICK HERE



San Francisco Chronicle

# Pocket change to change the world
# PG&E sells offsets for carbon-neutral living

David R. Baker, Chronicle Staff Writer
Tuesday, December 19, 2006

Printable Version
Email This Article

The fight against global warming has created its own odd market, one in which companies sell their ability to remove greenhouse gases from the air.

Some of these companies plant trees to absorb carbon dioxide. Others create systems to capture methane produced by dairy cows. Some build windmills to generate electricity that otherwise would come from power plants burning coal or natural gas.

Their buyers? Companies or individuals who want to offset the amount of carbon dioxide they pump into the atmosphere as part of their everyday lives.

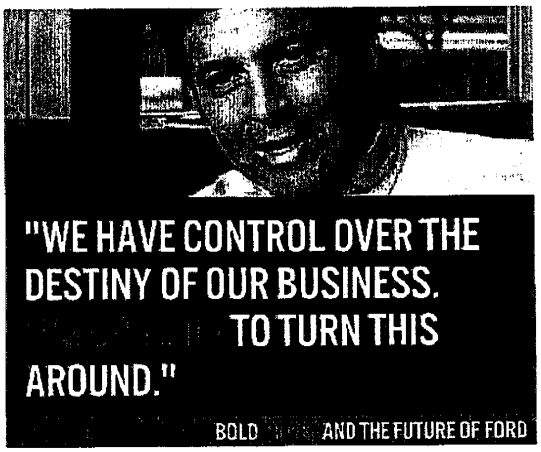
While similar markets exist overseas, it's a relatively new phenomenon in the United States. Here, the market still doesn't have many participants and is noticeably short on rules. As public concern over climate change rises, however, the market is expected to grow.

That market got one of its biggest boosts last week when Pacific Gas and Electric Co. jumped in.

The utility, California's largest, announced a program that will let its customers calculate and offset the amount of carbon dioxide their power supply produces. The average residential customer who volunteers for the program will spend an estimated $4.31 each month, with the exact figure based on how much electricity and natural gas the person uses. Businesses that buy power from PG&E also can participate.

Executives at San Francisco's PG&E expect about 4 percent of their customers to sign up in the next three years, generating about $20 million. That money will be spent restoring or conserving California forests.

Nothing compels people to join the program, which is scheduled to begin in spring. Like all companies participating in this new market, PG&E is betting on the altruism of its customers.




Top Jobs

NURSING
RN F/T, Case Manager Work Comp

RETAIL
Upbeat & exp'd Bench Jewelers
*Shane Co.*

RETAIL
Jewelry Sales OPENING SOON IN

RETAIL
seeking full time manager
*Salvation Army SF*

RETAIL
Seeking site mgr in SF
*EIS Kodak*

SALES
REP Gift industry sales rep needed

SALES
Inside / Phone Sales. SSF

SALES
MARKETING Admissions Reps

SALES

"All of us Californians will be getting something in return that's very tangible," said Wendy Pulling, PG&E's director of environmental policy. "The projects we'll be investing in will be here in California, and they'll be protecting and preserving our forests."

Americans have, sometimes, been willing to spend more to protect the environment. But it's a checkered history. For example, during California's disastrous experiment with electricity deregulation in the late 1990s, some companies pitched themselves as offering clean, renewable power. Most people ignored them, sticking with their traditional utilities.

Then again, Americans in general and Californians in particular have rushed to buy hybrid cars such as the Toyota Prius, even though they cost more.

"The average consumer wants to be part of the solution. They want it to be easy, and they want it to be clear," said Tom Arnold. His Menlo Park company, TerraPass, gives people a way to calculate how much carbon dioxide they pump into the environment. They can then pay money, through TerraPass, to fund projects that will offset those greenhouse gases.

In the two years since it formed, TerraPass has signed up 26,000 customers and funded 11 projects involving wind power, energy efficiency and the capture of methane from cows. The small company, privately held, has not yet turned a profit, although it hopes to do so in the first quarter of 2007.

"We like to say that, in theory, we're for-profit," Arnold said.

Other groups offering similar services are nonprofits. A recent study of the nascent market found about 30 businesses or nonprofit groups offering to make consumers "carbon neutral."

The study also found that the quality of those offerings varied widely. Some companies sell offsets that, in reality, may do little to reduce carbon dioxide emissions, said Adam Markham, whose environmental organization commissioned the study.

"There's no seal of approval. There are no agreed standards in this emerging market," said Markham, executive director of Clean Air-Cool Planet, a nonprofit organization that pushes for action on climate change. "You're going on faith with some of them. There's a little element of 'buyer beware.' "

---

Dirty doings

PG&E and other companies are letting Californians pay to offset the greenhouse gases they produce in their daily lives. For example, a ton of carbon dioxide is produced when you:

-- Fly 2,000 miles.

-- Drive 1,350 miles in a large SUV.

-- Drive 1,900 miles in a mid-size car.

-- Run an average U.S. household for 60 days.

Sources: Clean Air-Cool Planet, Trexler Climate + Energy Services Inc.

*E-mail David R. Baker at dbaker@sfchronicle.com.*

Have You Ever Thought Sales ?
*Mike Harvey Acura / Honda*

**SECURITY**
Security Officers
Prestigious sites

**SECURITY**
HEAT UP YOUR
SECURITY CAREER

**SECURITY**
OFFICERS & LP
Agents Immed

**SOCIAL WORK**
Case Managers to
serve dev disabled
*Regional Center of the East Bay*

**TEACHERS**
AIDES Preschool . All
Areas. Temp

**TECHNICIAN**
SERVICE. SF area .
Repair washers

About Top Jobs
View All Top Jobs
Search more Jobs

PROVIDED BY — YAHOO! hotjobs

**ADVERTISERS**

Own '06 Chronicle Quake & Fire Photos & Frontpages

# ATTACHMENT 15

**Morris L. Allen**
**Consulting Civil Engineer**
*6881 Atlanta Circle*
*Stockton CA 95219*
*Telephone and FAX: (209) 474-6716*
*Cell: (209) 639-9683*

# MEMORANDUM

**DATE:** January 26, 2007

**TO:** J. William Yeates, Esq.

**SUBJECT:** **CITY OF STOCKTON GENERAL PLAN 2035 DRAFT EIR**

**Background**

The City of Stockton has developed a new General Plan intended to provide for expansion of public services through the year 2035 (GPU-2035). In preparing this Plan, the City has relied upon the following documents to justify extension of public water services to the expanded City limits:

- 2005 City of Stockton Urban Water Management Plan Update (Kennedy-Jenks Consultants)
- Chapter 9.0 (Public Facilities & Services), Draft EIR
- Appendix D to Draft EIR (Water Supply Evaluation for the General Plan), Amended May 12, 2006, and Exhibits
- Stockton Delta Water Supply Project Draft & Final EIR (ESA), April, 2005
- Delta Water Supply Project Groundwater Analysis Technical Memorandum (CDM), March 17, 2005
- Delta Water Supply Project Modeling Technical Appendix (MWH), April, 2005
- Background Report, Chapter 9, Public Facilities and Services, December 1, 2006
- Infrastructure Evaluation: Water Supply and Facilities (West Yost), October 28, 2005

Historically, the City of Stockton metropolitan area (COSMA) has met its water supply requirements by total reliance on groundwater. San Joaquin County's groundwater system is the Northeastern San Joaquin subbasin of the larger San Joaquin Valley Groundwater Complex. The largest user in terms of volume of groundwater has been agriculture. Because the volume of groundwater withdrawals has grossly exceeded natural recharge, this subbasin has been classified by the Department of Water Resources as "in a critical condition of overdraft". The actual amount of the overdraft has been estimated by different authorities as 160,000 acre feet/year (San Joaquin County); 200,000 acre feet/year (USA Corps of Engineers); and 150,000 acre feet/year (US Geological Survey). As a result of the overdraft, the basin has lost 1,000,000 acre feet of active storage, and groundwater levels have declined by as much as 100 ft (USACE) over the last 30 to 40 years. The subbasin serves the cities of Ripon, Manteca, Lathrop, Stockton, and Lodi, in addition to agricultural areas generally east

**CITY OF STOCKTON GENERAL PLAN 2035 DRAFT EIR**

of the urbanized areas. According to the *Eastern San Joaquin Groundwater Management Plan,* "Current and historical groundwater pumping rates exceed the sustainable yield of the underlying groundwater basin on an average annual basis."

As a result of this situation, in 1977, the Stockton East Water District (Stockton East) began to supply treated surface water to the urban area to replace groundwater. At this time, the source of this surface water was the Calaveras River via New Hogan Dam. In approximately 1990, this supply was extended to the north Stockton area. In 1983, Stockton East contracted with the US Bureau of Reclamation for an additional supply of (long-term interim) water from the Stanislaus River; however, Stockton East has not received this supply on a reliable basis each year and has sued the federal government to perfect this right. In addition, Stockton East receives excess water from the Stanislaus River under a temporary contract with Oakdale and South San Joaquin Irrigation Districts.

**Existing Water Sources**

Firm water sources available at this time to support the increased water demands described in the City of Stockton's General Plan 2035 Draft EIR are as follows:

- Surface Water via Stockton East Water District (Second Amended Agreement) – 20,000 acre feet/yr

Non-firm supplies being relied upon by the City of Stockton's urban water suppliers to meet demand:

- Groundwater basin (currently in critical overdraft). In my professional opinion the existing groundwater basin cannot be considered a firm water supply for the City's authorized growth under GPU-2035 since it has been found by the Department of Water Resources to be in critical overdraft.
- Surface water supplied from Stockton East from the Stanislaus River under contract from the US Bureau of Reclamation – quantity varies from 0-35,000 acre feet/yr
- Surface water supplied from Stockton East from the Stanislaus River under contract from OID/SSJID – quantity varies from 8-30,000 acre feet/yr

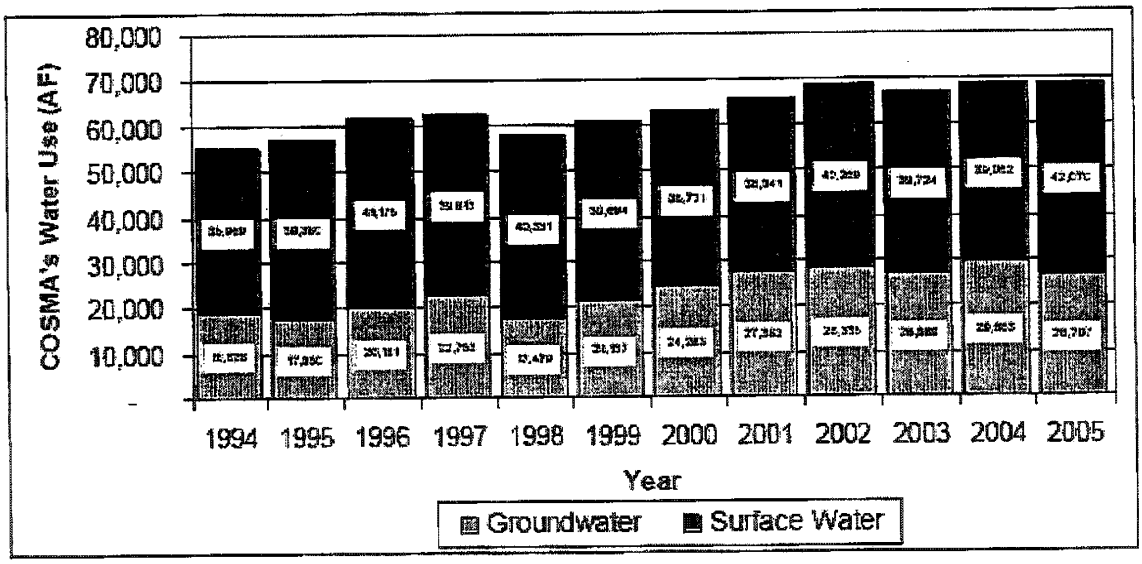
**Existing Water Demands**

Water use for the COSMA has varied over the years, consisting of a mix of groundwater and surface water supplied by Stockton East. Average use of surface water over the last twelve years has been 39,527 acre feet per year, as reported by the City of Stockton. During this same period, an average of 23,422 acre feet per year of groundwater has been used (see Figure 6, from the *General Plan 2035 Update Water Supply Evaluation*, reproduced below).

## CITY OF STOCKTON GENERAL PLAN 2035 DRAFT EIR

Average total COSMA water demand is therefore 62,949 acre feet per year, and the 2005 water year use is 68,777 acre feet. Although the Stockton East Water District has been able to consistently supply to the COSMUD almost 20,000 acre feet per year is in excess of its firm supply, this amount cannot be relied upon in extended drought cycles, and should therefore not be allocated to new developments. Also, COSMA urban uses have been contributing to the existing groundwater basin overdraft by an average of over 23,000 acre feet per year. This amount represents at least 10% of the existing Eastern San Joaquin groundwater basin overdraft.

**Figure 6. Historical COSMA Water Supply from Groundwater and Surface Water**




Not accounted for in the above water use statistics is water used within the COSMA by agriculture, which amounts to approximately 17,000 acre feet of groundwater per year. Figure 6 should be corrected to reflect this additional 17,000 acre feet per year of groundwater use. Therefore, including agricultural use, the total overdraft within the COSMA is closer to 40,000 acre feet per year.

### Delta Water Supply Project

In 1996, the City of Stockton submitted an Application to the State Water Resources Control Board (SWRCB) for the right to divert water from the San Joaquin River Delta. The intent of the Application was to correct existing supply deficiencies and provide sufficient supplies to support the population projections of the 1990 General Plan, and anticipated growth in water demands to 2050. The Application was later bifurcated to request water rights sufficient to

support only the requirements anticipated in the 1990 General Plan. This right was requested in accordance with Section 1485 of the Water Code, which provides that the City of Stockton has the right to obtain water from the Delta in an amount roughly equal to the amount of reclaimed water discharged to the Delta via the San Joaquin River. Any future needs above this amount must be the subject of a future Application process. In December, 2005, the SWRCB issued a Permit to the City to divert up to a maximum of 33,000 acre feet per year, subject to Standard Term 91 and other conditions. Standard Term 91 is imposed by the SWRCB to prevent diversions whenever the diversion would require the release of State or Federal Project water. This means that, if the State or Federal projects are required to release water to keep the Delta in balance, in consideration of existing exports and inbasin uses, the City (or other Term 91 users) must curtail diversions. Also, the City must curtail diversions to protect Delta Smelt and other protected species.

Based upon the *City of Stockton Delta Water Supply Project Modeling Technical Appendix*, Tables 4-5, 4-13, and 4-20; for the majority of the time that Stockton proposes to divert at either the current Permitted 30 MGD level, or at the projected 160 MGD level, the Delta is in a "balanced" condition. Quoting from this report, at page 4-13: "Balanced water condition diversions must be off-set by a corresponding increase in Delta inflow from CVP-SWP storage release, or a reduction in CVP-SWP exports." Therefore, under Term 91, **the City will be unable to divert water at these times.** The additional yields noted by the Water Supply Assessment for the Delta Water Supply Project to meet immediate, foreseeable and long-term demands will not be available at the levels indicated, and should not be included in the determination of sufficiency.

**Water Production Estimates**

The GPU-2035 Programmatic Environmental Impact Report (DPEIR), Chapter 9, the Appendix D Water Supply Evaluation for the General Plan, and Chapter 9 of the Background Report consistently overstate the water production from the existing and proposed water treatment facilities by confusing capacity with production. A water treatment facility cannot produce treated water up to its design capacity on a consistent basis due to operational considerations, even if there is a consistent incoming water source of supply. For example, filters are taken off line routinely for backwashing. Equipment malfunctions or fails and must be repaired. Routine maintenance of all of the facilities is required to keep them operating efficiently. For planning purposes, it should not be assumed that a water production facility can be more than 75% efficient. This means that, for a 45 MGD water treatment plant, the facility owned and operated by Stockton East, only 34 MGD can be produced on a long-term, reliable basis. This compares favorably with actual statistics from Stockton East, and shows that the District is doing a first-class job in maintaining their water treatment plant. Therefore, the total water production estimates given in the referenced documents is overstated by 25% and must be reduced accordingly. Also, the analysis in the City's *Water Supply*

**CITY OF STOCKTON GENERAL PLAN 2035 DRAFT EIR**

*Evaluation for the General Plan* assumes that capacity of the Stockton East Water Treatment Plant will be increased to 60 MGD by 2016, and a production amount of 66,000 acre feet is assumed. This amount, which should be reduced to 49,500 acre feet/year for the reasons noted above, is highly speculative and requires that Stockton East acquire new water rights from the SWRCB, or that Stockton East is successful in the outcome of a pending lawsuit with the Federal Government over their Reclamation Contract, or both. In my professional judgment, this type of speculation has no place in a water supply assessment, and is not allowed by the statute.

**Additional Water Supplies Necessary to support Planned Growth**

The several technical reports cited above which are intended to justify the sufficiency of water supplies necessary to support the growth projections of the DPEIR rely on overstated water production from existing and new water treatment plants, and highly optimistic assumptions of the availability of water sources and allocation of additional water rights. In my professional opinion, reliance on these documents is highly inappropriate. The DPEIR must undertake a rigorous analysis of supply and demand and resource limitations. According to the *Background Report*, at page 9-29, the average per capita water use in the COSMA is 0.25 acre feet/capita/year. Therefore, the current population supported by the COSMA water system is 276,000 persons. In accordance with Table 14-3 of the DPEIR, utilizing the preferred Alternative #2, the 2035 Buildout population level of 580,000 persons is derived. This leads to a 2035 average water demand of 145,000 acre feet, whereas the *Water Supply Evaluation*, at page 39, uses 156,083 acre feet per year. This also exceeds the average water demand projected in the City's *Delta Water Supply Project Draft EIR*. In order to meet this average water demand, the COSMA will have had to develop about 90,000 acre feet of new water supplies, on average, per year. Considering the fact that the COSMA now has only 20,000 acre feet per year of **firm** water supplies to rely on, by 2035, COSMA will be exceeding firm supplies by 136,000 acre feet per year. While the City of Stockton and the Stockton East Water District are engaged in a number of activities to develop additional water rights for additional water supplies to serve COSMA, there is no assurance whatsoever that any additional water rights will be obtained for either expanding the Delta Water Supply Project as planned, or for expanding the Stockton East Water Treatment Plant as assumed in the *Water Supply Evaluation*. This means that the additional 136,000 acre feet per year required to support growth contemplated in GPU-2035 must come from groundwater, which is seriously overdrafted.

Setting aside the issue of **firm** water supplies for a moment, let's assume for purposes of argument that, on average, the COSMA continues to receive its allotment from Stockton East Water District, and that Stockton East Water District does expand its Water Treatment Plant to 60 MGD by 2016. Let's also assume that the City is able to pump 50% of the time from the Delta (even though its own analysis indicates this will not be possible due to "balanced

conditions" prohibitions). Under these most favorable conditions, this means that a total of 61,875 acre feet of surface water will be available, on average, to meet a COSMA demand of 156,083 acre feet, and the remaining demand of 94,208 acre feet must come from the existing overdrafted groundwater basin.

**Impact on Groundwater Basin**

As previously noted, the Eastern San Joaquin Groundwater Basin is in a "critical condition of overdraft." As noted by the Stockton East in its September 8, 2004 letter in response to the City's NOP, the City needs to acknowledge in its analysis that the Eastern San Joaquin Groundwater Basin is one basin that does not have a barrier that divides the agricultural areas from the urban areas. Even though some of the urban area monitoring wells show an increase in groundwater elevations, the basin as a whole is still in critical overdraft, and therefore cannot be counted upon as a firm source of water until the basin is in hydrologic balance. Also, the DPEIR does not acknowledge the fact that other San Joaquin County cities, including Ripon, Lathrop, Manteca, and Lodi all rely heavily on groundwater use, and that significant growth is also occurring in these cities. The City of Stockton must include its current and planned uses of groundwater with those of all San Joaquin County cities to determine what impact all cities, including Stockton, will have on groundwater availability. There are no estimates in any of Stockton's documentation that attempt to quantify the groundwater demands of the other cities overlying the Eastern San Joaquin Groundwater Basin. This is a serious flaw in the analysis, because it underestimates the City's significant adverse direct and cumulative impacts on regional groundwater supplies.

The *Stockton Delta Water Project Draft EIR*, at page 5-18, presents graphic illustrations of the effect this additional pumping will have on groundwater.

Figure 5-5 of this report, reproduced below, illustrates the simulated responses to the groundwater basin represented by six wells located in and around the COSMA. This figure shows that, despite the City's claim that the portion of the groundwater basin under the COSMA is at "equilibrium", groundwater levels have continued to decline, and the rate of decline is increasing. Unless substantial amounts of surface water are imported into the COSMA to reduce groundwater pumping and offset this trend, growth contemplated by the DPEIR will cause an even more rapid decline in groundwater levels. Declining groundwater levels will result in (1) increased pumping costs for all existing residential, commercial, agricultural and industrial users due to increased hydraulic lift; (2) decreased yields due to decreased aquifer saturated thickness, and (3) greater tendency for eastward migration of saline water from the west due to a steeper hydraulic gradient. Eastward movement of salinity will threaten and eventually eliminate many existing municipal wells on the westward edge of the COSMA as salinity exceeds the maximum contaminant levels set by the State for drinking

CITY OF STOCKTON GENERAL PLAN 2035 DRAFT EIR

water.

There is a further complication to this issue which has been completely ignored by the DPEIR. The Plan contemplates the urbanization of 24,160 acres of what is now agriculture/open space. This open space is now available for naturally occurring infiltration/recharge of rainfall. Once 24,160 acres of open space is converted to urban uses, this amount of open space will be hydrologically lost to the system, and will result in less recharge to the groundwater basin. The Eastern San Joaquin Groundwater Banking Authority, in cooperation with a number of water agencies, has been attempting to develop recharge projects on available agricultural/open space land. Reduction of 24,160 acres of land available for recharge projects will further exacerbate the overdraft by making less land available for these projects. Additionally, urban area runoff is a source of a multitude of contaminants that should not be recharged to groundwater.

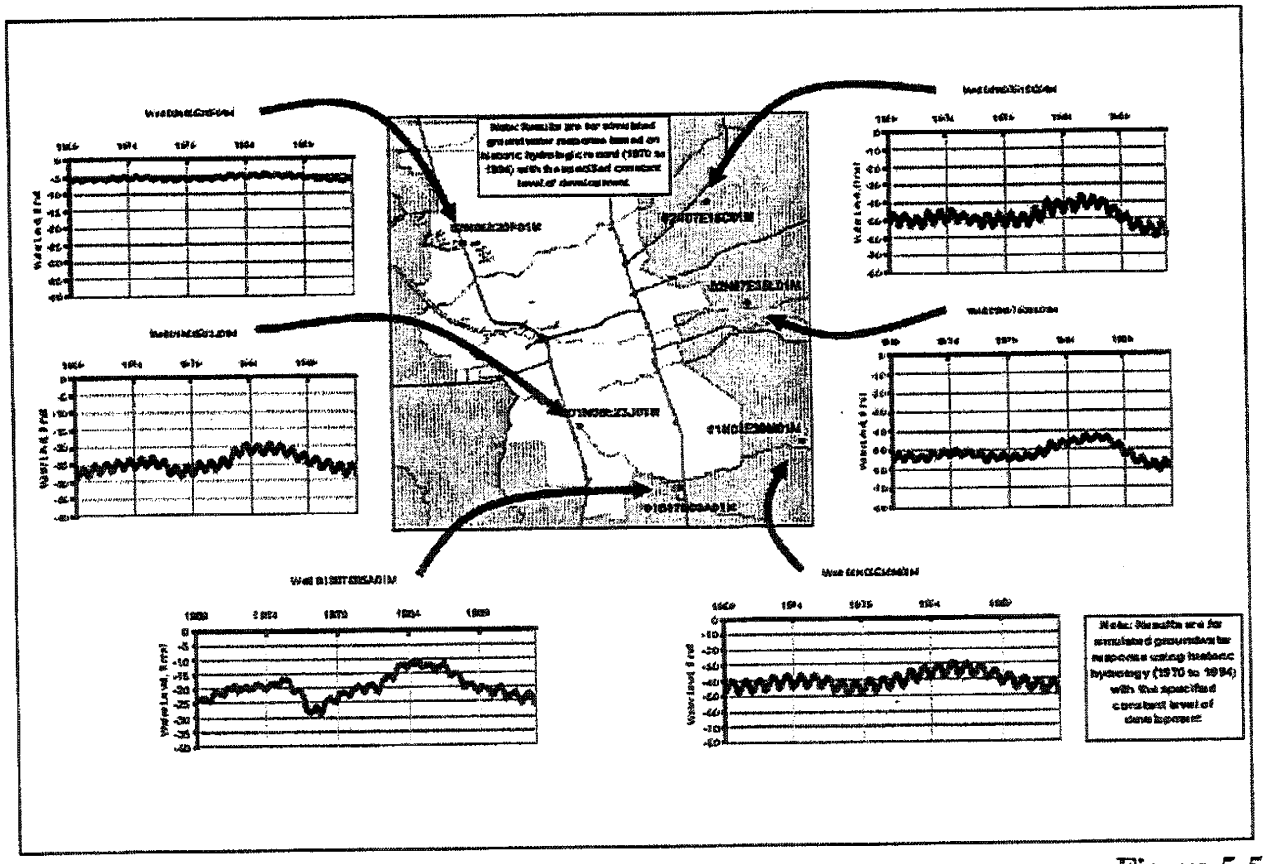
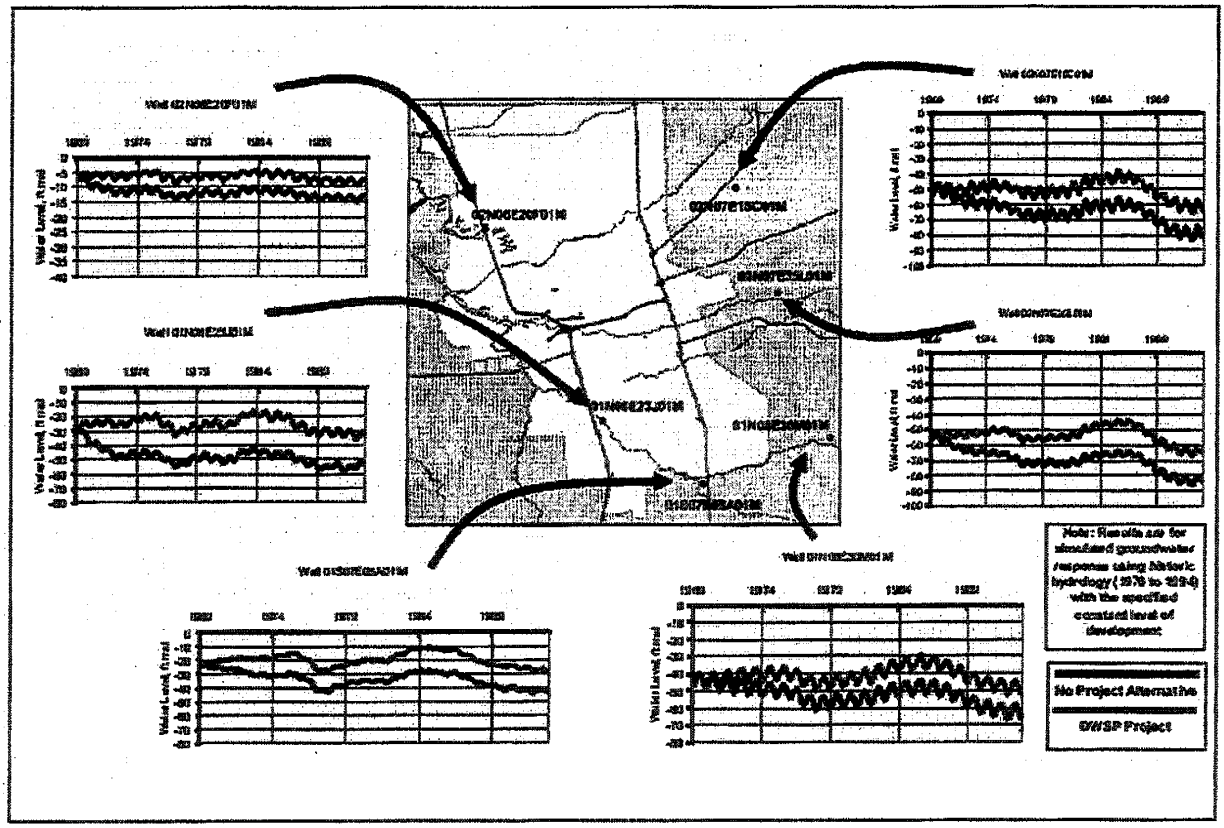


**Figure 5-5**

Figure 5-7 reproduced below illustrates the effect on groundwater if growth contemplated in the GPU-2035 continues until 2050. Also illustrated is the effect of the importation of surface water developed from the proposed Delta Water Supply Project at the Delta Water Supply's

**CITY OF STOCKTON GENERAL PLAN 2035 DRAFT EIR**

ultimate development. This figure shows that, even in the unlikely event of full development of the water supply contemplated by the Delta Water Supply Project, groundwater levels will continue to decline, although, of course, groundwater levels would be significantly improved by the addition of this surface water. However, as noted above, it is **highly unlikely** that the City will ever be able to achieve the level of importation of Delta water contemplated and desired, due to the restriction on pumping during "balanced conditions" in the Delta. Furthermore, the figure assumes that the City will be able to recharge the groundwater aquifer with any surface water pumped from the Delta and not immediately needed by water users within COSMA. The City does not have the rights for this additional water over and above the Phase I Project, nor does it have the right to store this water underground, or have any project or system contemplated to do this. Therefore, what can only be predicted from the impact of population growth projected from the GPU-2035 is an average of a 20 foot decline in groundwater levels by 2050.




SOURCE: CDM, 2005; and Environmental Science Associates, 2005

Delta Water Supply Project / 200090-002

**Figure 5-7**
Simulated Groundwater Level Response
Comparison of Project and No Project – 2050 Cumulative Conditions

**CITY OF STOCKTON GENERAL PLAN 2035 DRAFT EIR**

The USGS has evaluated groundwater in wells in the Eastern San Joaquin County subbasin of the Central Valley Groundwater Basin and has published a report if its findings (Open File Report 2006-1309). They have found that water levels have declined, and chloride concentrations have increased in a number of public supply, agricultural and domestic wells in this area. Many of the wells now exceed the USEPA Secondary maximum Contaminant Level for chloride of 250 milligrams per liter. The USGS found that the high chloride levels have been found further to the east since measurements began to be taken in 1984. While the USGS found a number of sources for the high chloride water found in wells, lowering of the ground water table by pumping in excess of natural recharge has and will continue to exacerbate the problem.

**Agricultural Credits**

In the *Water Supply Evaluation,* at Page 45, the City introduces the concept of "Agricultural Credits." The City attempts to justify this by stating that this "acknowledges that the groundwater basin was being used for agriculture prior to urbanization." To account for this prior agricultural pumping, the City uses a "credit" of not to exceed 1.0 acre foot per acre per year as a firm yield from the groundwater basin in these areas. In my professional opinion, there is absolutely no merit to this argument, and it runs completely contrary to what the City says it is trying to achieve by setting a "target" yield from the groundwater basin of not more than 0.6 acre feet per acre per year. As noted above, the groundwater basin is in a critical condition of overdraft. This has resulted from all users exceeding the safe yield of the groundwater basin. In the case of a basin in critical overdraft, no "credit" can be assumed by converting from one groundwater use to another.

The basic flaw in the analysis of "groundwater credits" can be taken from Exhibit "F" to the *Water Supply Evaluation*, at Page 1. This report states that "If any one of these groundwater extractors are [sic] removed or are [sic] taken off of groundwater there is a recognition that, if *groundwater elevations are acceptable today* [my emphasis] and the *groundwater basin is in a state of equilibrium,* [my emphasis] that groundwater pumping can continue at the same rate without further impacting the groundwater basin". The report goes on to state that the City is interested in reducing reliance on groundwater over time and wishes to target groundwater use to below today's level.

In my professional judgment, the Consultant who prepared Exhibit "F" used questionable assumptions as input to the "IGSM" model to derive a "credit" for COSMA groundwater firm yields due to lack of definitive data on cropping history and actual groundwater extractions. This will result in further degradation of the groundwater basin, and result in extractions of groundwater by the City far in excess of what the City considers firm groundwater yields. Records of groundwater production in the agricultural areas proposed for urbanization are

**CITY OF STOCKTON GENERAL PLAN 2035 DRAFT EIR**

either not available or not accurate. COSMA should therefore not use "agricultural credits" in any calculation of groundwater yield. The intent of this proposed action by the City is clear on Page 5 of Exhibit "F" by the statement: "the COS wishes to take some credit for this benefit by extracting a greater amount of groundwater until recharge technologies or more surface water becomes available to replace this need". In my professional opinion, this statement meets the classic definition of a "mining" of groundwater, and application of this "credit" by the City will result in an adverse impact on the groundwater basin.

MORRIS L. ALLEN, P.E.
CONSULTING CIVIL ENGINEER

# CURRICULUM VITAE
# MORRIS L. ALLEN, P.E.

Education:

San Jose State University, San Jose, California: B.S. in Civil Engineering with an emphasis in Environmental Engineering.

San Jose State University, San Jose, California: M.S. in Civil Engineering with an emphasis in Water Resources Management.

Registration:

Registered Professional Engineer (Civil), State of California

Certified Grade T5 Water Treatment Operator, State of California

Memberships:

American Society of Civil Engineers

American Water Works Association

American Public Works Association

International Association of Environmental Engineers

Water Environment Federation

California Water Environment Association

Summary of Background and Experience:

Over 36 years of progressively more responsible professional experience in civil engineering disciplines, including design, construction management, contract administration, facilities operation and management, management of various civil works, including flood control, watershed management, forestry, industrial complexes, public housing, sewage collection, treatment and disposal, stormwater systems, water supply, distribution and treatment, and other public utility systems.

Current Employment:

Civil Engineering consultant (sole proprietorship) in water supply, treatment and distribution, wastewater, sewage disposal systems; and utility and stormwater

management and operations. Legal consulting and expert witness testimony in cases pertinent to experience.

Contact Information:

Telephone: (209) 474-6716
Cell: (209) 639-9683
Fax: (209) 474-6716
e-mail: mlaciveng@comcast.net

## ** SYNOPSIS OF PROFESSIONAL POSITIONS **

## MORRIS L. ALLEN, P.E.

| Employer | Date | Position | Responsibilities |
|---|---|---|---|
| Self-employed | January, 2003 to present | Consultant | Expert Witness; Civil Engineering; water, sewer, stormwater |
| City of Stockton | August, 1986 to December, 2002 | Director of Municipal Utilities | General management of metropolitan regional water, sewage and storm drainage utility |
| City of Santa Cruz | October, 1974 to July, | Director of Water | Full responsibility for |

| | | | |
|---|---|---|---|
| | 1986 | Department | management and direct-ion of a major regional retail water utility |
| Tahoe City Public Utility District | October, 1971 to September, 1974 | Chief Engineer and Assistant Manager | Responsible for all aspects of engineering program for a public water and sewer utility including maintenance and operations |
| Santa Clara Valley Water District | January, 1970, to September, 1971 | Assistant Division Engineer | Construction contract administration and contract management |
| U.S. Navy Civil Engineer Corps | January to December, 1969 | Assistant Director, Danang Design Division | Management and coord-ination of military design office in Vietnam |
| U.S. Navy Civil Engineer Corps | April, 1967 to December, 1968 | Assistant Public Works Officer | Management of large and complex public works facility for Weapons Station and Polaris Missile Base |
| Santa Clara Valley Water District | December, 1964 to September, 1966 | Assistant Civil Engineer | Construction Contract admin and design of flood control projects |

# ATTACHMENT 16

**Northeastern San Joaquin Groundwater Banking Authority**
**Coordinating Committee Meeting Summary**
**Wednesday, December 13, 2006**

**Added Item – Recognition of Outgoing GBA Board Chair:**
Mr. Tom Flinn and Mr. Tom Gau recognized the contributions of Chairman Jack Sieglock to the GBA and presented him with a plaque to commemorate his service. Chairman Sieglock is termed out as a supervisor and therefore will no longer serve on the GBA Board.

**4. Discussion on IRWMP Project Implementation Grant Recommendations – Mark Williamson/Brandon Nakagawa:**
Mr. Nakagawa presented an overview of which Proposition 50 Implementation Grant applications were funded and which were not. While the GBA previously received approximately $500,000 towards the IRWMP planning grant process, the City of Stockton implementation application for the Delta Water Supply Project (DWSP) did not make the cut. The purpose of this presentation was to help analyze whether adaptations in the IRWMP process would be helpful to better position the county for future implementation grants.

Mr. Nakagawa stated water supply and water quality projects are favored, especially those that are cooperative among agencies. A 25% match is required with extra points going to those who provide a 50% match. However, the match requirement is waived if the project assists Disadvantaged Communities.

The evaluation process was a two-step process. The first step consisted of ratings on the completeness and caliber of the IRWMP and how the proposed project addressed the IRWMP priorities. The second part of the initial evaluation focused on the project itself and the IRWMP portion dropped in weight by 50%. In the second step, while the IRWMP was given less weight, more weight went to the specifics of the project.

The DWSP did not score well because of the following issues according to the assessment by the DWR rating team:

- The IRWMP is not adopted
- There are no adopted priorities
- It was not clear how the project ties to the IRWMP
- There is no adopted financing plan
- The project EIR was not certified
- Pumping water from the Delta is not a right, but a privilege
- It is a stand-alone project benefiting only one city
- The project conflicts with State priorities
- There was no discussion of Disadvantaged Communities
- Cost estimate are not verified
- The need for the project not clear

Mr. Williamson related the situation with another project he worked on, the Mojave Project. It was the highest scoring project in the first phase of the evaluation because their IRWMP is adopted, etc. However, in the second phase of review it was eliminated because of lack of readiness, no demonstrated environmental or Delta benefits, and it was seen as being constructed to accommodate new growth.

Mr. Kevin Kauffman stated he heard at the ACWA conference that DWR is going to revise the evaluation process so this discussion may be premature.

ATTACHMENT 17

U.S. Environmental Protection Agency

# Region 5 Air

Serving Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin and 35 Tribes



**Air Quality**

**Air Toxics**

**Asbestos**

**Enforcement**

**Global Air**

**Indoor Air**

**Permits**

**Tribes**

**Vehicles**

# Air Toxics and the Great Lakes

Pollutants emitted into the atmosphere can be transported and then deposited to aquatic ecosystems nearby or far from their original sources. Chemicals from anthropogenic sources are now present in Arctic and Antarctic ecosystems, and studies from fish on a remote island in northern Lake Superior have shown contamination from chemicals in use only outside, and in some cases, far away from this isolated island.

Because of mounting information that air pollution can contribute significantly to water pollution (and we know that some pollutants can bioaccumulate and magnify in the food web), Congress included section 112(m) in the 1990 Clean Air Act Amendments, known as the "Great Waters" program.

USEPA's Region 5 is home to the Great Lakes - an ecosystem containing 18 percent of the world's fresh water supply, and 95 percent of the surface freshwater within the United States. The purpose of this "Great Waters" program is to evaluate the atmospheric deposition of air pollutants to theGreat Lakes (and also Lake Champlain, Chesapeake Bay, and coastal waters) and determine whether the current Clean Air Act provisions are sufficient to prevent serious adverse effects to public health and the environment. More .....

**Other Air Toxic Topics**

- Monitoring
- Emission Inventory
- Mass Balance Modeling
- Mercury
- U.S. -Canada Bi-National Strategy
- Great Lakes National Program Office
- Reports

Air Quality
Air Toxics
Asbestos
Enforcement
Global Air
Indoor Air
Permits
Tribes
Vehicles

# Air Toxics and the Great Lakes

## What Are We Doing About Air Deposition of Pollutants to the Great Lakes?

Our strategy is a *two-track* approach: A ***fast track*** ofactions that can be taken right now including pollution prevention and the "virtual elimination" project; and a ***science track*** for study and assessment of the problems and solutions through modeling, monitoring, and emission inventories.

Other Air Toxic Topics

- Monitoring
- Emission Inventory
- Mass Balance Modeling
- Mercury
- U.S. -Canada Bi-National Strategy
- Great Lakes National Program Office
- Reports

## Virtual Elimination of Pollutants of Concern:

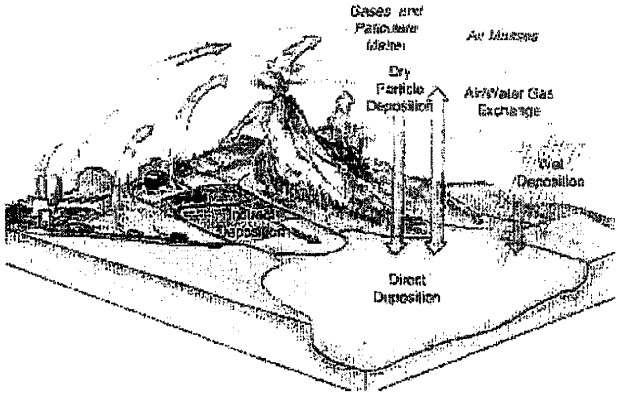
The Canadian - U.S. strategy to virtually eliminate persistent toxic substances in the Great Lakes Basin (the Bi-national Strategy) seeks to achieve quantifiable reduction goals between now and 2005 for specific toxic substances. more information.

## Monitoring the Pollutants of Concern:

Monitoring stations (one per lake) are collecting wet and dry toxic air deposition samples. The is the **Integrated Atmospheric Deposition Network (IADN)**, in operation since 1992 and is designed to monitor a background, or 'continental' signal, away from local or urban influences. Other complementary stations around the Lakes and ship-based intensive collection efforts are measuring urban influence or collecting data for other special studies. Monitoring itself can't provide all the information as monitoring is very expensive and limited in spatial scope. But monitoring can give loading estimates and can be used to validate or provide feedback into models. Technical summaries of IADN results and data reports are available here.

## Modeling:

We need to understand the transport of toxic pollutants from their points of emission to their eventual deposition, while also understanding the physical and chemical transformations which also affect the probability for removal from the air into the water.
Airborne chemicals can take a variety of forms: gases, condensed vapors, large or small particles, or adsorption onto other particles. Some removal processes such as dry deposition of gases to land or water are continual, while others, like rain out are episodic. The meteorology is complex and so are micro processes which occur at the air-water interface. The information from these dispersion and deposition models can be further used as inputs to a **Mass Balance Model**. The modeler must have good and comprehensive information describing emissions from a large number of sources as input.




## Emission Inventories:

**(what, how much, and where is it coming from?)**

An air emission inventory is typically a mathematical estimate of pollutants from sources through the use of emission factors. These emission factors are derived from actual measurements of the emissions from representative sources and are derived specifically for one type of process or process equipment. Emission factors can be used to estimate both the amount and type of pollutants being emitted based on the material processed. Emission inventories are the most practical way for agencies to estimate emissions given the large number of sources. Air pollution can be emitted from point, area, or mobile sources. Point sources exist as a single point at a fixed location, such as a smokestack; area sources are small individual sources categorized by geographic area (e.g., dry cleaners or degreasers); and mobile sources are cars, planes, and other vehicles which release pollutants while moving.

U.S.EPA, the Great Lakes States, Ontario, and the Great Lakes Commission are working together to create the **Great Lakes Regional Air Toxics Emissions Inventory** and the **Regional Air Pollutant Inventory Development System (RAPIDS).**

---

http://www.epa.gov/acidrain/effects/surface_water.html
Last updated on Wednesday, October 4th, 2006.

Acid Rain



# Effects of Acid Rain - Surface Waters and Aquatic Animals

The ecological effects of acid rain are most clearly seen in the aquatic, or water, environments, such as streams, lakes, and marshes. Acid rain flows into streams, lakes, and marshes after falling on forests, fields, buildings, and roads. Acid rain also falls directly on aquatic habitats. Most lakes and streams have a pH between 6 and 8, although some lakes are naturally acidic even without the effects of acid rain. Acid rain primarily affects sensitive bodies of water, which are located in watersheds whose soils have a limited ability to neutralize acidic compounds (called "buffering capacity"). Lakes and streams become acidic (i.e., the pH value goes down) when the water itself and its surrounding soil cannot buffer the acid rain enough to neutralize it. In areas where buffering capacity is low, acid rain releases aluminum from soils into lakes and streams; aluminum is highly toxic to many species of aquatic organisms.

Where Does Acid Rain Affect Lakes and Streams?
How Does Acid Rain Affect Fish and Other Aquatic Organisms?
How Does Acid Rain Affect Ecosystems?
What is the Role of Nitrogen in Acid Rain and Other Environmental Problems?
How is EPA's Acid Rain Program Addressing These Issues?

## Where Does Acid Rain Affect Lakes and Streams?

Many lakes and streams examined in a National Surface Water Survey (NSWS) suffer from chronic acidity, a condition in which water has a constant low pH level. The survey investigated the effects of acidic deposition in over 1,000 lakes larger than 10 acres and in thousands of miles of streams believed to be sensitive to acidification. Of the lakes and streams surveyed, acid rain caused acidity in 75 percent of the acidic lakes and about 50 percent of the acidic streams. Several regions in the U.S. were identified as containing many of the surface waters sensitive to acidification. They include the Adirondacks and Catskill Mountains in New York state, the mid-Appalachian highlands along the east coast, the upper Midwest, and mountainous areas of the Western United States. In areas like the Northeastern United States, where soil-buffering capacity is poor, some lakes now have a pH value of less than 5. One of the most acidic lakes reported is Little Echo Pond in Franklin, New York. Little Echo Pond has a pH of 4.2.

Acidification is also a problem in lakes that were not surveyed in federal research projects. For example, although lakes smaller than 10 acres were not included in the NSWS, there are from one to four times as many of these small lakes as there are larger lakes. In the Adirondacks, the percentage of acidic lakes is significantly higher when it includes smaller lakes.

Streams flowing over soil with low buffering capacity are as susceptible to damage from acid

rain as lakes. Approximately 580 of the streams in the Mid-Atlantic Coastal Plain are acidic primarily due to acidic deposition. In the New Jersey Pine Barrens, for example, over 90 percent of the streams are acidic, which is the highest rate of acidic streams in the nation. Over 1,350 of the streams in the Mid-Atlantic Highlands (mid-Appalachia) are acidic, primarily due to acidic deposition.

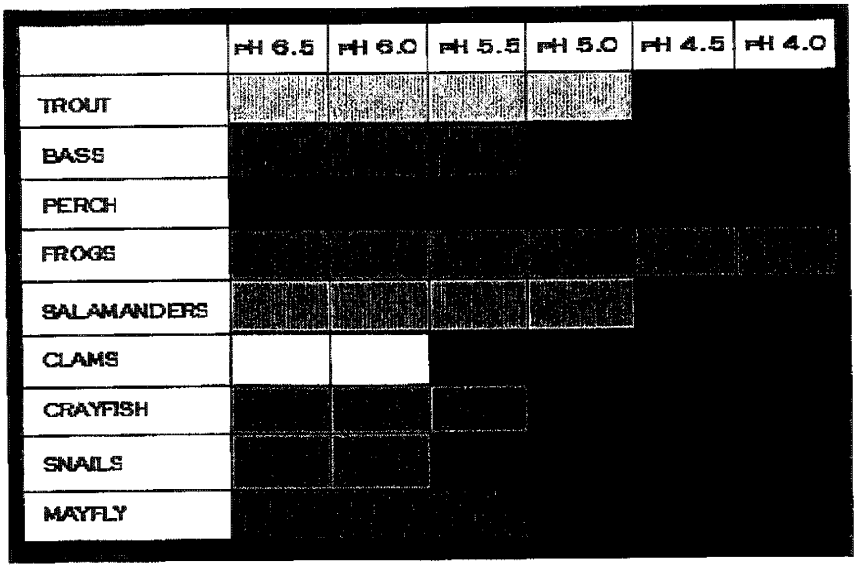
The acidification problem in both the U.S. and Canada grows in magnitude if "episodic acidification" is taken into account. Episodic acidification refers to brief periods during which pH levels decrease due to runoff from melting snow or heavy downpours. Lakes and streams in many areas throughout the U.S. are sensitive to episodic acidification. In the Mid-Appalachians, the Mid-Atlantic Coastal Plain, and the Adirondack Mountains, many additional lakes and streams become temporarily acidic during storms and spring snowmelt. For example, approximately 70 percent of sensitive lakes in the Adirondacks are at risk of episodic acidification. This amount is over three times the amount of chronically acidic lakes. In the mid-Appalachians, approximately 30 percent of sensitive streams are likely to become acidic during an episode. This level is seven times the number of chronically acidic streams in that area. Episodic acidification can cause "fish kills."

Emissions from U.S. sources also contribute to acidic deposition in eastern Canada, where the soil is very similar to the soil of the Adirondack Mountains, and the lakes are consequently extremely vulnerable to chronic acidification problems. The Canadian government has estimated that 14,000 lakes in eastern Canada are acidic.

## How Does Acid Rain Affect Fish and Other Aquatic Organisms?

Acid rain causes a cascade of effects that harm or kill individual fish, reduce fish population numbers, completely eliminate fish species from a waterbody, and decrease biodiversity. As acid rain flows through soils in a watershed, aluminum is released from soils into the lakes and streams located in that watershed. So, as pH in a lake or stream decreases, aluminum levels increase. Both low pH and increased aluminum levels are directly toxic to fish. In addition, low pH and increased aluminum levels cause chronic stress that may not kill individual fish, but leads to lower body weight and smaller size and makes fish less able to compete for food and habitat.

Some types of plants and animals are able to tolerate acidic waters. Others, however, are acid-sensitive and will be lost as the pH declines. Generally, the young of most species are more sensitive to environmental conditions than adults. At pH 5, most fish eggs cannot hatch. At lower pH levels, some adult fish die. Some acid lakes have no fish. The chart below shows that not all fish, shellfish, or the insects that they eat can tolerate the same amount of acid; for example, frogs can tolerate water that is more acidic (i.e., has a lower pH) than trout.



## How Does Acid Rain Affect Ecosystems?

Together, biological organisms and the environment in which they live are called an ecosystem. The plants and animals living within an ecosystem are highly interdependent. For example, frogs may tolerate relatively high levels of acidity, but if they eat insects like the mayfly, they may be affected because part of their food supply may disappear. Because of the connections between the many fish, plants, and other organisms living in an aquatic ecosystem, changes in pH or aluminum levels affect biodiversity as well. Thus, as lakes and streams become more acidic, the numbers and types of fish and other aquatic plants and animals that live in these waters decrease.

## What is the Role of Nitrogen in Acid Rain and Other Environmental Problems?

The impact of nitrogen on surface waters is also critical. Nitrogen plays a significant role in episodic acidification and new research recognizes the importance of nitrogen in long-term chronic acidification as well. Furthermore, the adverse impact of atmospheric nitrogen deposition on estuaries and near-coastal water bodies is significant. Scientists estimate that 10 to 45 percent of the nitrogen produced by various human activities that reaches estuaries and coastal ecosystems is transported and deposited via the atmosphere. For example, about 30 percent of the nitrogen in the Chesapeake Bay comes from atmospheric deposition. Nitrogen is an important factor in causing eutrophication (oxygen depletion) of water bodies. The symptoms of eutrophication include blooms of algae (both toxic and non-toxic), declines in the health of fish and shellfish, loss of seagrass beds and coral reefs, and ecological changes in food webs. According to the National Oceanic and Atmospheric Administration (NOAA), these conditions are common in many of our nation's coastal ecosystems. These ecological changes impact human populations by changing the availability of seafood and creating a risk of consuming contaminated fish or shellfish, reducing our ability to use and enjoy our coastal ecosystems, and causing economic impact on people who rely on healthy coastal ecosystems, such as fishermen and those who cater to tourists.

## How is EPA's Acid Rain Program Addressing These Issues?

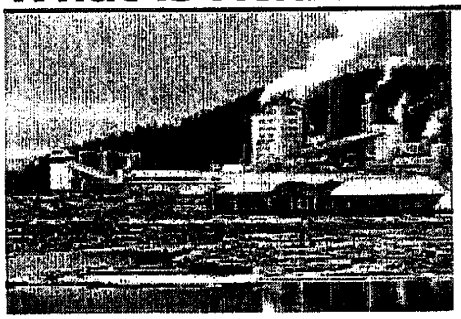
Acid rain control will produce significant benefits in terms of lowered surface water acidity. If acidic deposition levels were to remain constant over the next 50 years (the time frame used for projection models), the acidification rate of lakes in the Adirondack Mountains that are larger than 10 acres would rise by 50 percent or more. Scientists predict, however, that the decrease in $SO_2$ emissions required by the Acid Rain Program will significantly reduce acidification due to atmospheric sulfur. Without the reductions in $SO_2$ emissions, the proportions of acidic aquatic ecosystems would remain high or dramatically worsen.

http://www.epa.gov/acidrain/what/index.html
Last updated on Wednesday, October 4th, 2006.

Acid Rain



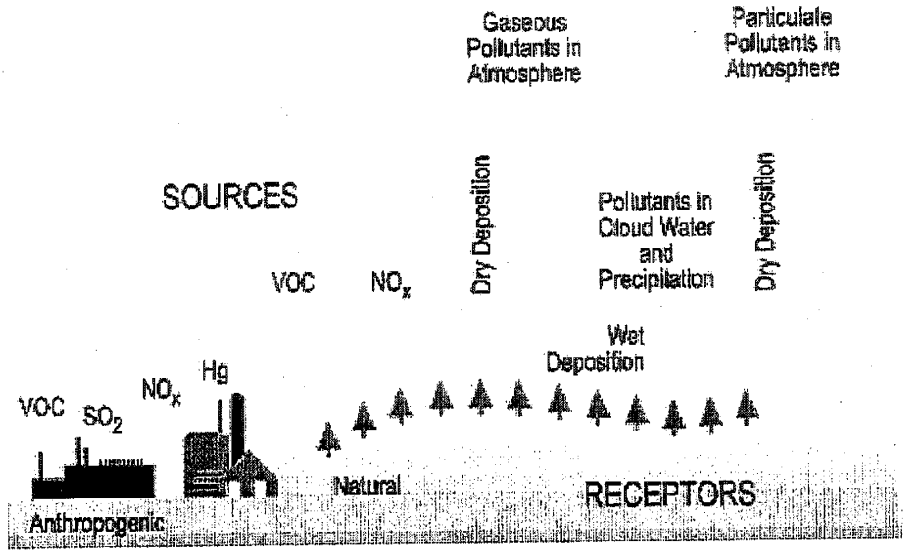
# What is Acid Rain?



"Acid rain" is a broad term referring to a mixture of wet and dry deposition (deposited material) from the atmosphere containing higher than normal amounts of nitric and sulfuric acids. The precursors, or chemical forerunners, of acid rain formation result from both natural sources, such as volcanoes and decaying vegetation, and man-made sources, primarily emissions of sulfur dioxide ($SO_2$) and nitrogen oxides ($NO_x$) resulting from fossil fuel combustion. In the United States, roughly 2/3 of all $SO_2$ and 1/4 of all $NO_x$ come from electric power generation that relies on burning fossil fuels, like coal. Acid rain occurs when these gases react in the atmosphere with water, oxygen, and other chemicals to form various acidic compounds. The result is a mild solution of sulfuric acid and nitric acid. When sulfur dioxide and nitrogen oxides are released from power plants and other sources, prevailing winds blow these compounds across state and national borders, sometimes over hundreds of miles.

**Additional Resources**

Clean Air Status and Trends Network (CASTNET) – CASTNET provides atmospheric data on the dry deposition component of total acid deposition, ground-level ozone and other forms of atmospheric pollution.
National Atmospheric Deposition Program (NADP) – NADP is a network of over 100 federal, state and local government agencies, and private sector entities that collect data on acid deposition, as well as mercury deposition.
EPA Clean Air Markets Data and Maps – Provides access to a variety of data associated with emissions trading programs, including trends in emissions and heat input, environmental assessment maps, data sets and reports on acid deposition, facility attributes and contacts, and other file downloads




## Wet Deposition

Wet deposition refers to acidic rain, fog, and snow. If the acid chemicals in the air are blown into areas where the weather is wet, the acids can fall to the ground in the form of rain, snow, fog, or mist. As this acidic water flows over and through the ground, it affects a variety of plants and animals. The strength of the effects depends on several factors, including how acidic the water is; the chemistry and buffering capacity of the soils involved; and the types of fish, trees, and other living things that rely on the water.

## Dry Deposition

In areas where the weather is dry, the acid chemicals may become incorporated into dust or smoke and fall to the ground through dry deposition, sticking to the ground, buildings, homes, cars, and trees. Dry deposited gases and particles can be washed from these surfaces by rainstorms, leading to increased runoff. This runoff water makes the resulting mixture more acidic. About half of the acidity in the atmosphere falls back to earth through dry deposition.

# ATTACHMENT 18

USGS
science for a changing world

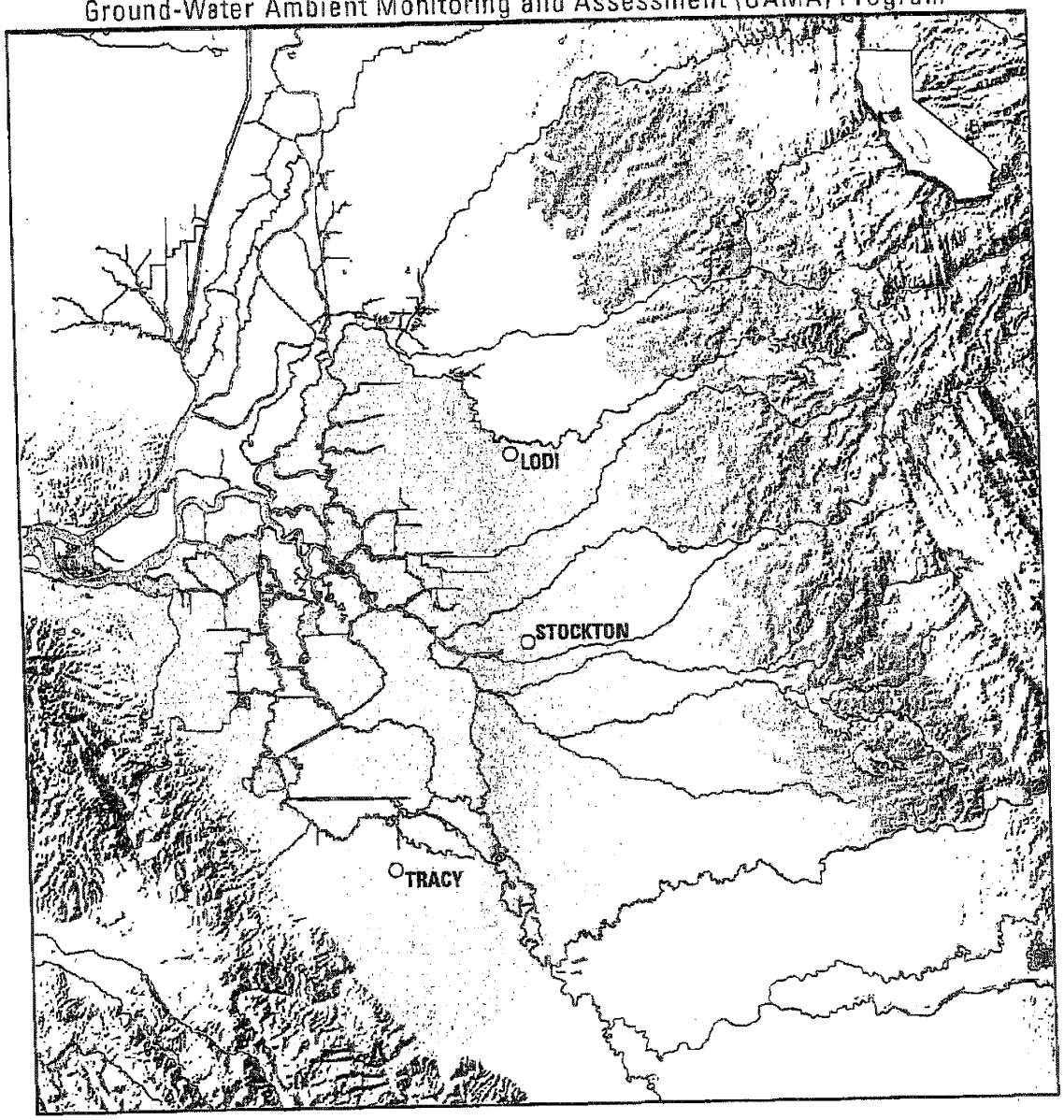
Water Boards

*In cooperation with the*
**California State Water Resources Control Board**

# California GAMA Program: Ground-Water Quality Data in the Northern San Joaquin Basin Study Unit, 2005

Data Series 196

Ground-Water Ambient Monitoring and Assessment (GAMA) Program




**U.S. Department of the Interior**
**U.S. Geological Survey**

Surrogate compounds added to samples for wastewater-indicator analysis include bisphenol A-d3, caffeine-13C, decafluorobiphenyl, and floranthene-d10. Of those four compounds, only fluoranthene-d10 was recovered within the acceptable range (between 70 and 130 percent) of recoveries in all analyses. Conversely, 25 analyses of the surrogate compound bisphenol A-d3 were below the 70-percent threshold, 11 of 26 analyses of caffeine-13C were below the 70-percent threshold, and the surrogate compound decafluorobiphenyl was detected below the 70-percent threshold in 18 of 26 analyses. On the basis of the high number of surrogate recoveries within the wastewater-indicator samples below the 70-percent threshold analyses of constituents within this schedule, the results may be biased, which may be the result of sample processing or analytical method problems, or both.

For the constituents of special interest, which were analyzed at the Montgomery Watson Harza Laboratory, the surrogate constituents toluene-d8 and NDMA-d6 were added to 34 ground-water samples, 12 blanks (NDMA-d6 was only added to ten blanks), five spiked samples, and four replicate pairs. Toluene-d8 was recovered within the acceptable range of 70 to 130 percent in all cases, whereas NDMA-d6 was recovered below the 70-percent threshold in one of the replicate pairs.

### Laboratory Matrix Spikes and Results

Laboratory matrix spikes are QC samples used to evaluate the bias and variability of analytical results attributed to potential interferences from the chemistry of the ground water sampled (matrix interferences). Laboratory matrix spikes are prepared by adding solutions containing known concentrations of target analytes to replicate ground-water samples before sample preparation and analysis at the lab. The constituents added in matrix spikes are the same as those being analyzed. Constituents with low recoveries, generally less than 70 percent, are of potential concern because the constituent may not have been detected if present in ground water at low concentrations. Low recoveries are also a concern if environmental concentrations are close to an MCL, because low spike recoveries indicate that the true concentration of the target analyte could be greater than the reported concentration. Conversely, constituents with high recoveries, generally greater than 130 percent, are of potential concern if the environmental concentrations are above MCLs, because a high spike recovery could indicate that the true concentration of the target analyte is lower than the reported concentration. Recoveries between 70 to 130 percent for matrix spikes were considered acceptable in this study (Hamlin and others, 2002). Matrix-spike recoveries were background-corrected by subtracting the concentrations of any spike analytes detected in the nonspiked samples.

A summary of matrix-spike recoveries for the Northern San Joaquin Basin GAMA study unit is provided in *tables 11A–C*. Four VOCs had matrix-spike recoveries greater than the acceptable limit of 130 percent (*table 11A*). Of those four, only two were detected in ground-water samples: bromodichloromethane was detected in five ground-water samples and bromomethane was detected in one ground-water sample. The concentration of the single detection of bromomethane in ground water was too low to be quantified. Neither bromomethane nor bromodichloromethane have an MCL. Seven VOCs had matrix-spike recoveries below the 70-percent threshold. Of those seven, three were detected in ground-water samples. The first two, carbon disulfide and dichlorodifluoromethane (CFC-12), are both unregulated constituents; however, two detections of CFC-12 in ground water were above the CADHS DLR of 0.5 µg/L. The herbicide 1,2-dibromo-3-chloropropane (DBCP) was detected in four ground-water samples, twice at levels above the USEPA MCL of 0.2 µg/L.

Twenty-one pesticides had at least one matrix-spike recovery greater than 130 percent (*table 11B*). Of those 21 pesticides, only imazaquin was detected in ground water; however, the concentration could not be quantified by the laboratory. No Federal or State MCL has been established for imazaquin. Sixty-four pesticides had matrix-spike recoveries below 70 percent (*table 11B*). Of these 64 pesticides, five were detected in ground water: 3,4-dichloroaniline, trifluralin, hexazinone, phorate, and deisopropyl-atrazine. None of the pesticides with a low matrix-spike recovery are regulated constituents.

Only one wastewater-indicator constituent, 4-Nonylphenoldiethoxylate, had a matrix-spike recovery greater than 130 percent (*table 11C*). This compound was not detected in any ground-water samples and has no MCL. Nine wastewater-indicator constituents had matrix-spike recoveries below 70 percent. These nine constituents were not detected in any ground-water samples, and only two of the nine constituents are regulated: tetrachloroethylene and 1,4-dichlorobenzene.

## Ground-Water-Quality Results

The Northern San Joaquin Basin GAMA study unit ground-water-quality data presented in this report are archived in the USGS's National Water Information System database (NWIS), except for the following constituents: tritium and noble gases analyzed at the LLNL; chromium, arsenic, and iron speciation analyzed at the Trace Metal Laboratory; stable isotopes analyzed at the USGS's Reston Stable Isotope Laboratory (RSIL); and perchlorate, NDMA, and 1,2,3-TCP analyzed at Montgomery Watson Harza Laboratory. Data not available from NWIS are maintained by the CWSC in Sacramento, California, and are available upon request.

*Table 12* shows the general water-quality indicators determined in the field; *tables 13–23* show the results of analysis of ground-water samples organized by constituent class and are presented as follows: VOCs; gasoline oxygenates; TICs; pesticide constituents; wastewater-indicator constituents; constituents of special interest; nutrients and DOC; major inorganic ions and total dissolved solids; trace elements; chromium, arsenic and iron speciation; stable isotopes and radioactive constituents; tritium and noble gases; and microbial indicators. These tables are limited in presentation only to those constituents that were detected and only to those wells with one or more constituent detections. Each table shows the number of times a particular constituent was detected, the frequency at which that constituent was detected, and the number of constituent detections per well (or sample in the case of depth-dependent samples). Additionally, VOCs and gasoline oxygenates have been combined into one table. Constituent concentrations and radioisotope activities that are above an MCL, SMCL, NL, HA-L, RSD5, or DLR in the case of the "unregulated chemical for which monitoring is required," are highlighted in the tables in bold font. Additionally, the locations of wells with constituent detections above an MCL, SMCL, NL, HA-L, RSD5, or DLR (for those constituents which CADHS requires monitoring) have also been highlighted in *figures 6–10*.

Study areas containing nongrid cell wells in addition to the randomly selected grid cell wells have had their constituent detections divided into two categories: grid cell wells or nongrid cell wells. Nongrid cell wells were excluded from comparisons made between the four study areas because they could introduce a spatial bias as a result of increased sampling density in a particular area within the study unit. Additionally, nongrid cell wells were not used in the calculation of detection frequencies.

The chemical and microbial data presented in this report are meant to characterize the quality of the untreated groundwater resources within the Northern San Joaquin Basin GAMA study unit and are in no way intended to represent the treated drinking water delivered to consumers by water purveyors. The chemical and microbial composition of treated drinking water may differ from untreated ground water in that treated drinking water may be subjected to disinfection, filtration, mixing with other waters, and exposure to the atmosphere prior to its delivery to consumers.

## VOCs, Gasoline Oxygenates, and Tentatively Identified Compounds

*Table 13A* provides a summary of VOC and gasoline oxygenate constituents detected in ground-water samples collected in the Northern San Joaquin Basin GAMA study unit, and *table 13B* provides a summary of the TICs detected in ground-water samples. VOCs and gasoline oxygenates constituents were collected at all wells (grid cell and nongrid cell) sampled with the exception of three gasoline oxygenate constituents (methyl acetate, *tert*-amyl alcohol, and *tert*-butyl alcohol), which were only sampled at thirteen slow analyte list wells. Thirty-seven of those 70 samples had at least a single detection of a VOC, gasoline oxygenate, or TIC (*tables 13A* and *13B*).

Thirty of the 88 VOC and gasoline oxygenate constituents analyzed were detected in ground-water samples of either the grid cell or nongrid cell wells (*table 13A*). Solvents were the most frequently detected compound class and were detected in 11 of 51 samples from the grid cell wells (22 percent). Trihalomethanes were detected in 10 of 51 samples from the grid cell wells (20 percent). Organic synthesis constituents were detected in 6 of 51 samples from the grid cell wells (12 percent). Gasoline class constituents were detected in 5 of 51 samples from the grid cell wells (10 percent). Refrigerants, the least frequently detected constituent class, were detected in 4 of 51 samples from the grid cell wells (8 percent). Chloroform, a trihalomethane, was the most frequently detected VOC and was detected in 18 percent of samples collected from the grid cell wells followed by tetrachloroethylene (PCE), which was detected in 14 percent of samples from the grid cell wells. No other VOC was detected at greater than 10 percent of the samples from the grid cell wells. No VOC analyzed was detected in ground-water samples at concentrations above an MCL, SMCL, NL, HA-L, or RSD5; however, dichlorodifluoromethane (CFC-12) a DHS "unregulated chemicals for which monitoring is required" was detected in ground-water samples from two wells (ESJ-09 and ESJFP-09) at concentrations above the CADHS DLR (*table 13A*).

In addition to the 88 VOCs targeted for analysis, 6 TICs (cyclopentane, chlorodifluoromethane (HCFC-22), dichlorofluoromethane (Freon 21), 1-pentene (C5-alkene), cyclopropane-C2, and sulfur dioxide) were detected in grid cell wells (*table 13B*). In any of the grid cell wells, only one TIC was detected more than once; cyclopentane was detected in five samples (*table 13B*). HCFC-22, Freon 21, C5-alkene, cyclopropane-C2, and sulfur dioxide were each detected in one sample.

## Pesticides and Pesticide Degradates

*Table 14* provides the summary of pesticide and pesticide degradate constituents detected in ground-water samples collected in the Northern San Joaquin Basin GAMA study unit. A primary list of pesticide and pesticide degradate samples were collected at 63 grid and nongrid cell wells sampled (*table 2C*). In addition, a secondary list of pesticide and pesticide degradate samples were collected at 16 grid and nongrid cell wells sampled within the study unit (*table 2D*). The secondary pesticide constituent list sample was not uniformly sampled throughout the entire Northern San Joaquin Basin GAMA study unit; therefore, its constituents were not included in the calculation of detection frequencies within the individual study areas.

Fifteen of the 122 pesticide and pesticide degradate constituents analyzed were detected in ground-water samples. Herbicides were the most frequently detected class of pesticide: these were detected in 14 of 51 samples from grid cell wells (27 percent). Pesticide degradates, as a class, were detected in 11 of 51 samples from grid cell wells (22 percent). Simazine, an herbicide that is regulated by the USEPA, and 2-chloro-4-isopropylamino-6-amino-*s*-triazine (deethylatrazine), a pesticide degradate of atrazine, were the most frequently detected pesticide constituents and were each detected in eight samples (16 percent) collected from grid cell wells. Atrazine and DBCP, both regulated by the USEPA, were the second most frequently detected pesticide constituents and were each detected in four samples (8 percent) collected from grid cell wells. No other pesticide or pesticide degradate was detected in greater than 5 percent of ground-water samples from grid cell wells. The herbicide DBCP was detected in samples from two wells (COS-05 and ESJ-07) at concentrations above the USEPA MCL of 0.2 µg/L (*table 14, fig. 6*). The herbicide EDB was detected in a nongrid cell well (ESJFP-09) at a concentration above the USEPA MCL of 0.05 µg/L (*table 14, fig. 6*). No other pesticide or pesticide degradates were detected in ground-water samples at concentrations above an MCL, SMCL, NL, HA-L, or RSD5.

## Wastewater-Indicator Constituents

*Table 15* provides a summary of wastewater-indicator constituents detected in ground-water samples collected in the Northern San Joaquin Basin GAMA study unit. Sixteen samples were analyzed for wastewater-indicator constituents collected from thirteen wells, and three additional depth-dependent samples were collected at ESJ-19. Wastewater-indicator constituents were not uniformly collected throughout the study unit; therefore, constituent detections will not be used when calculating detection frequencies throughout the entire Northern San Joaquin Basin GAMA study unit. Additionally, the following summary of wastewater-indicator constituent detections is presented without separating grid cell and nongrid cell wells because wastewater-indicator constituents were collected exclusively at "slow" analyte list wells, which were typically nongrid cell wells.

Six different wastewater-indicator constituents were identified in ground water. Thirteen of the 16 samples had at least a single detection of a wastewater-indicator constituent. The most frequently detected wastewater-indicator constituent was isophorone, which was detected in 7 of 16 ground-water samples in which it was analyzed (44 percent). Two compounds, 4-nonylphenol and benzophenone, were detected in the same four wells and were the second and third most frequently detected wastewater-indicator constituents. Caffeine was detected in 3 of 16 samples. The least frequently detected wastewater-indicator constituents were bisphenol A and tris (dichloroisopropyl) phosphate, each detected in only one of the 16 samples collected. None of the wastewater-indicator constituents detected in ground-water samples collected for this study were detected above an MCL, SMCL, NL, HA-L, or RSD5.

## Perchlorate, *N*-Nitrosodimethylamine, and 1,2,3-Trichloropropane

*Table 16* provides a summary of detections of perchlorate, NDMA, and 1,2,3-TCP in ground-water samples that were collected at 34 grid and nongrid cell wells throughout the Northern San Joaquin Basin GAMA study unit. These constituents of special interest were not uniformly collected at all wells in the Northern San Joaquin Basin GAMA study unit, and therefore, these constituents will not be used for calculating detection frequencies throughout the study unit.

Perchlorate, a CADHS "unregulated chemical for which monitoring is required," was detected at a concentration of 0.7 µg/L in a depth-dependent sample (ESJDD-03) collected at a depth of 500 ft within the ESJFP-10 well (*table 16*). Concentrations of constituents detected using the depth-dependent sampler were not corrected for potential dilution as a result of mixing with water from above or below the point at which the samples were collected. Perchlorate was also detected at a concentration of 1 µg/L in ground-water samples from ESJ-16 (*table 16*). The DLR for perchlorate is 4 µg/L and the CADHS NL is 6 µg/L, both of which are greater than the detected concentrations observed in the Northern San Joaquin Basin GAMA study unit. Drinking-water standards have not been established for NDMA or 1,2,3-TCP; however, both have CADHS NLs, and 1,2,3-TCP is on the CADHS list of "unregulated chemicals for which monitoring is required." NDMA and 1,2,3-TCP were not detected in any ground-water samples collected as part of this investigation of the Northern San Joaquin Basin GAMA study unit.

## Nutrients and Dissolved Organic Carbon

*Table 17* provides a summary of nutrient and DOC detections in ground-water samples collected from the Northern San Joaquin GAMA study unit. Eighteen ground-water samples were collected for nutrients (13 wells and 5 depth-dependent samples), whereas only 10 ground-water samples were collected for DOC. Nitrite plus nitrate was detected in 11 ground-water samples (excluding the depth-dependent analyses), whereas nitrite was detected in only two ground-water samples. Concentrations of nitrite plus nitrate were not above the USEPA MCL of 10 mg/L (as nitrogen). Similarly, the concentrations of nitrite in ground-water samples were below the USEPA MCL of 1 mg/L (as nitrogen). DOC was detected in 5 of the 10 ground-water samples in which it was analyzed, with values ranging from 0.3 to 9.6 mg/L.

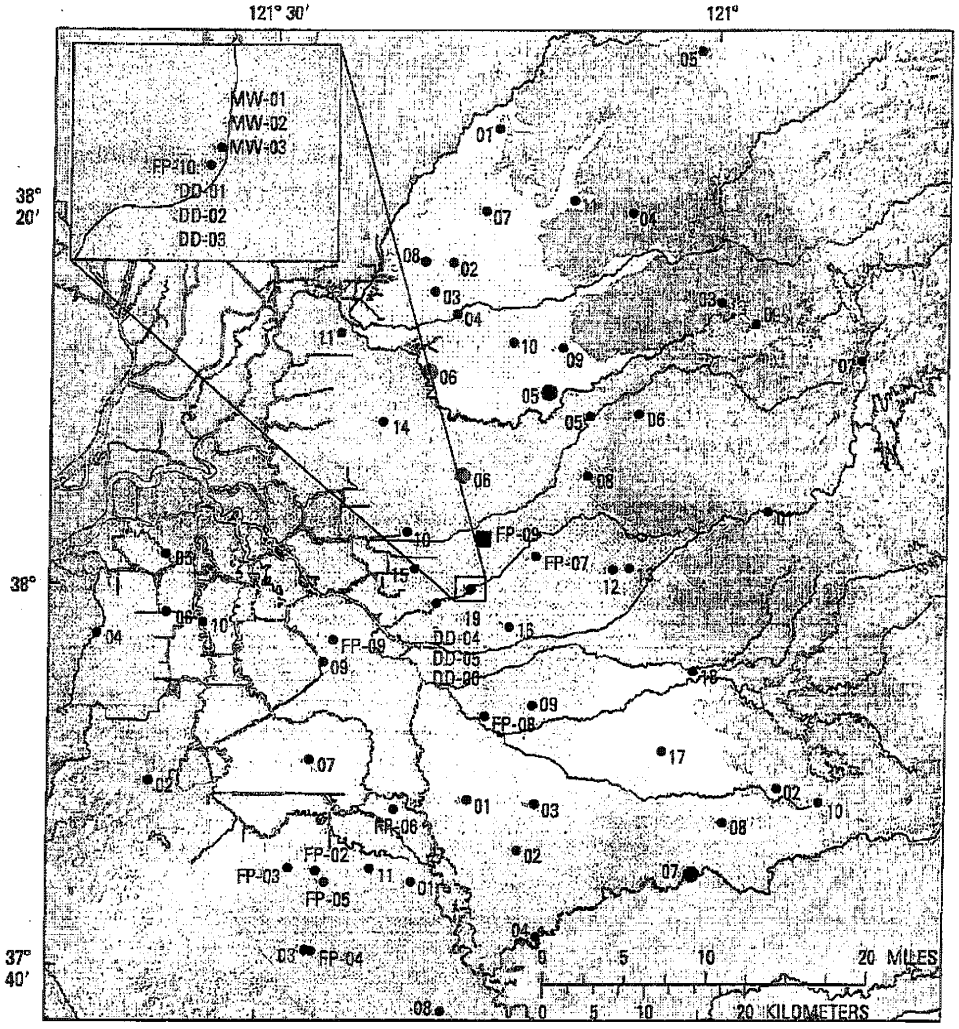



**Figure 6.** Northern San Joaquin Basin Ground-Water Ambient Monitoring and Assessment (GAMA) study unit showing study areas and locations of wells sampled for DBCP and EDB with detections referenced to the Maximum Contaminant Level (MCL).

## Major and Minor Ions and Total Dissolved Solids

*Table 18* provides a summary of major ions and TDS detections and concentrations obtained in the Northern San Joaquin GAMA study unit. Thirty-nine ground-water samples (33 wells and 6 depth-dependent samples) were analyzed for 10 major and minor ions as well as TDS. Ground-water samples from TRCYFP-01 and TRCY-07 had chloride concentrations above the CADHS chloride SMCL of 250 mg/L (*fig. 7A*). Ground-water samples from TRCYFP-02, TRCYFP-04, and TRCY-07 had sulfate concentrations above the USEPA recommended SMCL of 250 mg/L (*fig. 7B*). Eight ground-water samples had TDS concentrations above the USEPA recommended SMCL of 500 mg/L (*table 18, fig. 7C*). All eight ground-water samples with TDS concentrations above the USEPA SMCL were from wells located within the Tracy Basin study area. Of all the ground-water samples collected outside of the Tracy Basin study area at which TDS was measured, the maximum concentration was 355 mg/L.

## Trace Elements

*Table 19* provides a summary of trace element detections in ground water analyzed by the NWQL. Thirty-nine samples (33 wells and 6 depth-dependent samples) were analyzed for 25 trace elements (*table 2I*). Additionally, *table 20* provides a summary of arsenic, chromium, and iron speciation analyses conducted at the Trace Metal Laboratory. The Trace Metal Laboratory is used in this study because this laboratory is able to provide analyses of hexavalent chromium (chromium(VI)), identified by the CADHS as an "unregulated chemical for which monitoring is required." Of the 22 trace elements analyzed by NWQL, the dissolved total arsenic, total chromium, and total iron analyzed by *both* NWQL and the Trace Metal Laboratory and the arsenic(III), chromium(VI), and iron(II) species analyzed at the Trace Metal Laboratory. 14 have MCLs, 5 have HA-Ls, and 3 have NLs (*table 2I*). Additionally, boron, manganese, and vanadium are listed as CADHS "unregulated chemicals for which monitoring is required" and, therefore, can be compared with their CADHS DLRs (*table 2I*). Trace element detections in ground-water samples that were above their respective MCLs, HA-Ls, NLs or DLRs include arsenic, boron, hexavalent chromium, iron, manganese, and vanadium (*table 19*). Only those trace elements with detections greater then an MCL, HA-L, NL, or DLR are discussed.

Total dissolved arsenic, analyzed by both NWQL and the Trace Metal Laboratory, was detected in all 39 samples in which it was analyzed. Arsenic was detected in three samples above the USEPA MCL of 10 µg/L (*tables 19, 20,* and *fig. 8A*).

Boron, a CADHS "unregulated chemical for which monitoring is required," was analyzed by NWQL and was also detected in all 39 ground-water samples. Five samples (13 percent) analyzed for boron had concentrations above the CADHS NL of 1,000 µg/L (*table 19* and *fig. 8B*), whereas 11 samples (28 percent) had boron concentrations above the CADHS DLR of 100 µg/L (*table 19*).

Hexavalent chromium (chromium(VI)) was analyzed by the Trace Metal Laboratory and was detected in all 39 ground-water samples. However, an anomalously high concentration of hexavalent chromium in a field blank sample (5.4 µg/L) resulted in the application of a relatively high censoring threshold. Detections below the censoring threshold are considered nondetects, are preceded by a "V" in *table 20*, and will not be used in any additional ground-water analysis; however, the reported concentrations are still listed for comparative purposes. After applying the censoring threshold of 5.5 µg/L, 23 out of the 39 samples were censored, leaving 16 hexavalent chromium detections with concentrations above the CADHS DLR of 1 µg/L (*table 20*). Given the application of a censor threshold and the uncertainty of contamination in samples with concentrations of total dissolved chromium and hexavalent chromium above the censor limit, all detections in *table 20* above the censor threshold are preceded by an "E," indicating that their concentrations are potentially biased high.

Total dissolved iron, measured by both NWQL and the Trace Metal Laboratory, was detected in three samples (TRCY-07, TRCY-09, and TRCYFP-01) at concentrations above its USEPA SMCL of 300 µg/L (*tables 19, 20, and fig. 8C*). One of four field blank samples analyzed at the Trace Metal Laboratory contained iron at a concentration of 3 µg/L, which was greater than the minimum detected ground-water concentration. This resulted in the establishment of a censor threshold of 5 µg/L and the censoring of 14 total dissolved iron detections from the Trace Metal Laboratory.

Manganese, analyzed by the NWQL, was detected in three ground-water samples at concentrations above the CADHS NL of 500 µg/L (*table 19 and figure 8D*). Additionally, manganese was detected in 8 of 39 ground-water samples above its USEPA SMCL of 50 µg/L (*table 19*).

Lastly, vanadium, an "unregulated chemical for which monitoring is required," was analyzed by NWQL and detected in 38 ground-water samples, of which 33 (85 percent) were above the CADHS DLR of 3 µg/L. However, none of the vanadium detections in ground-water samples were above the CADHS NL of 50 µg/L (*table 19*).

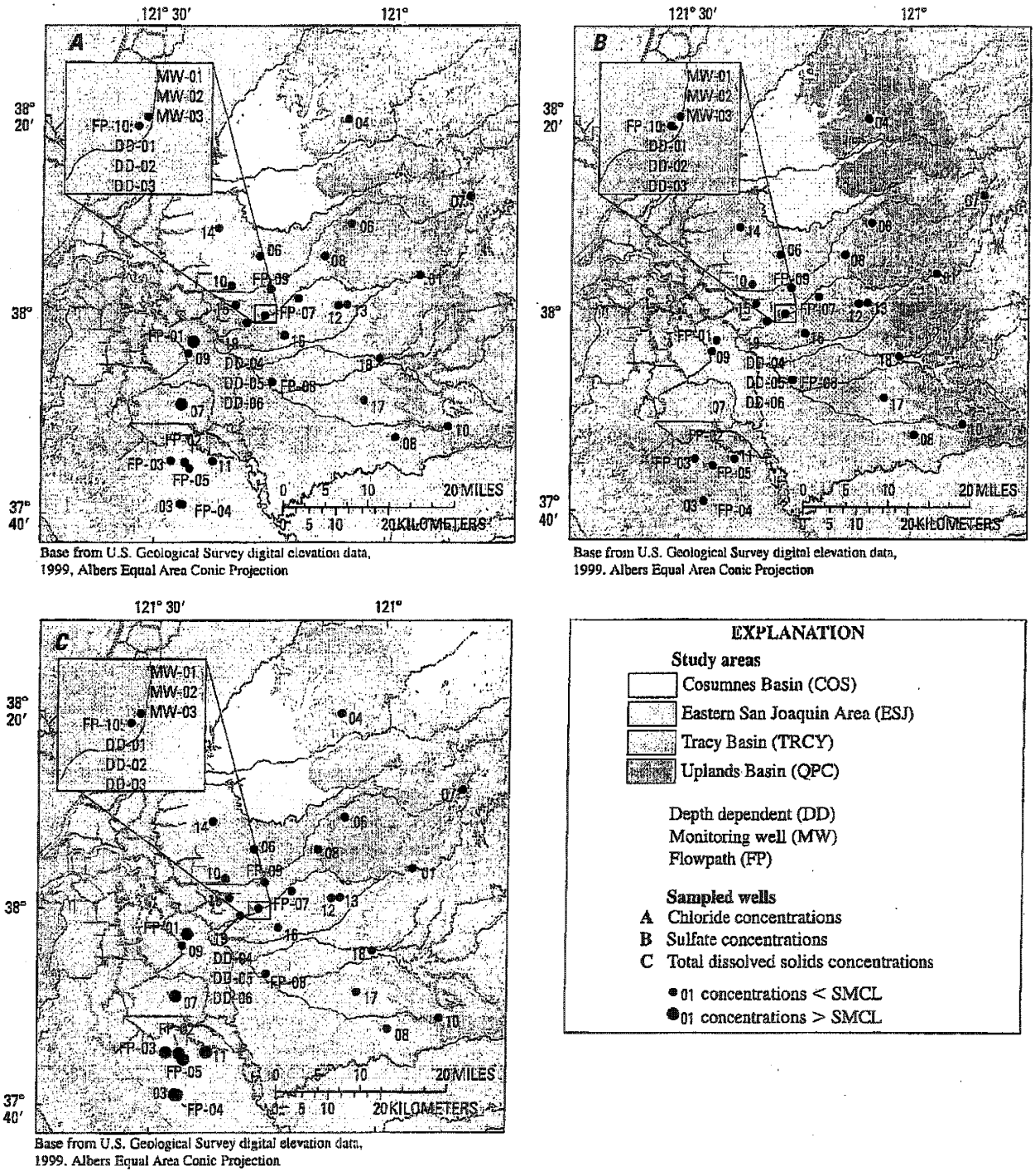



**Figure 7.** Northern San Joaquin Basin Ground-Water Ambient Monitoring and Assessment (GAMA) study unit showing study areas and locations of wells sampled with detections referenced to the Secondary Maximum Contaminant Level (SMCL). *A*, wells sampled for chloride. *B*, wells sampled for sulfate. *C*, wells sampled for total dissolved solids.

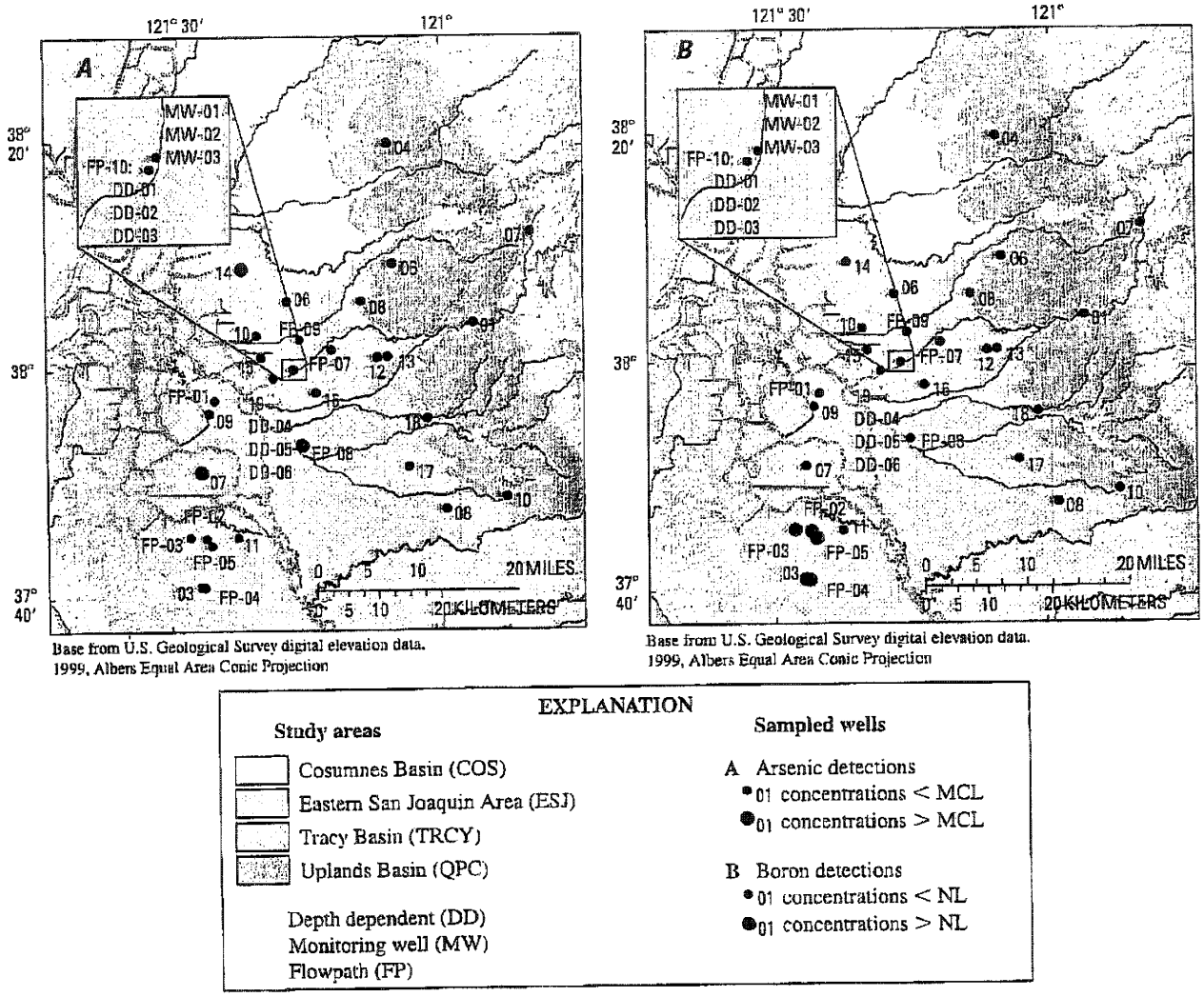



**Figure 8.** Northern San Joaquin Basin Ground-Water Ambient Monitoring and Assessment (GAMA) study unit showing study areas and locations of wells. *A*, wells sampled for arsenic with detections referenced to the Maximum Contaminant Level (MCL). *B*, wells sampled for boron with detections referenced to the notification level (NL). *C*, wells sampled for iron with detections referenced to the Secondary Maximum Contaminant Level (SMCL). *D*, wells sampled for manganese with detections referenced to the notification level (NL).

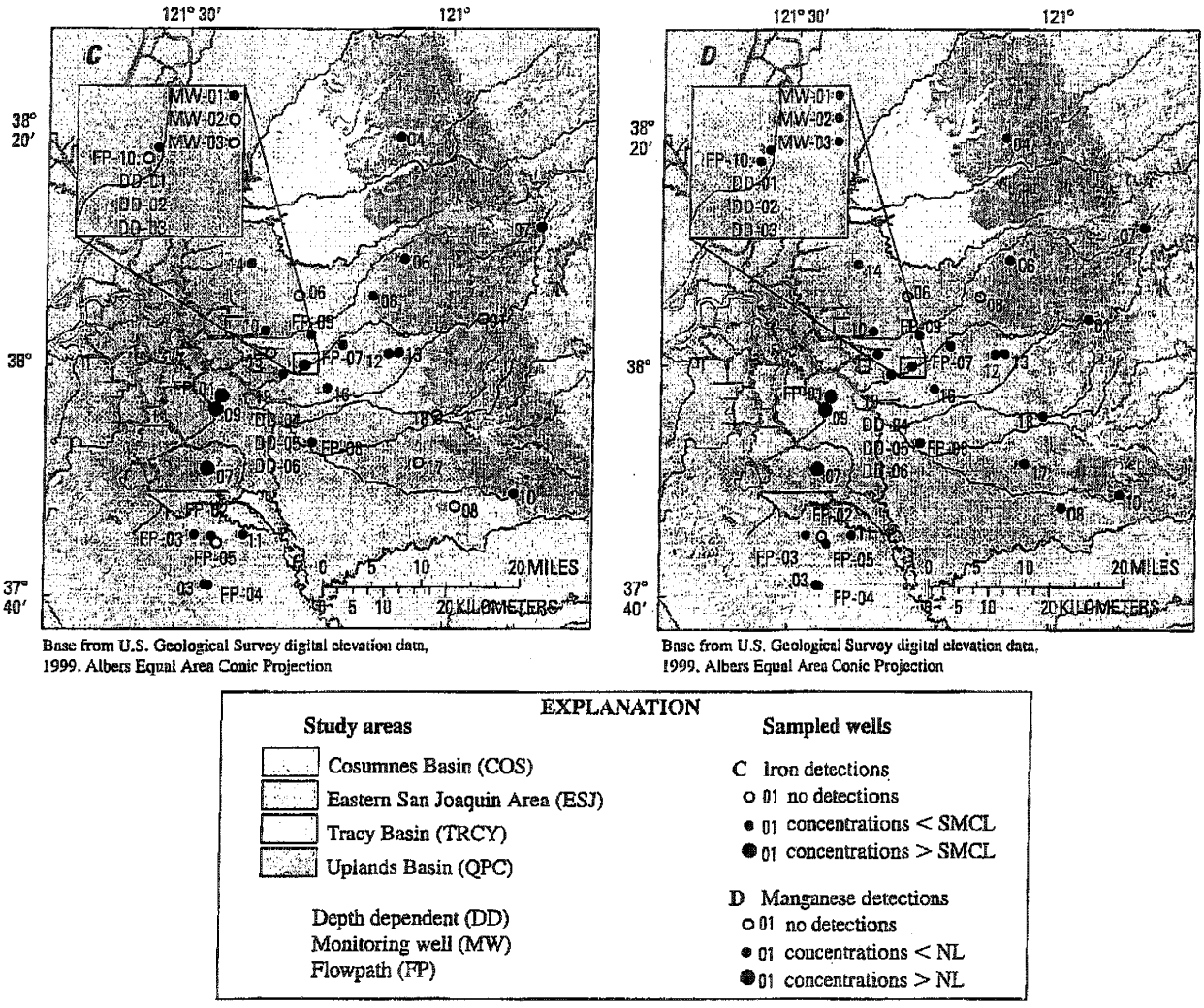



**Figure 8.**—Continued.

## Isotopes, Radioactivity, and Noble Gases

*Tables 21 and 22* provide summaries of isotope activities, stable isotopes, and gross alpha–beta radioactivity determined in ground-water samples collected for the Northern San Joaquin Basin GAMA study unit. Seventy samples (64 wells and 6 depth-dependent samples) were analyzed for stable isotopes of water (analyzed at the USGS's Reston Stable Isotope Laboratory) and tritium (analyzed at the USGS's Menlo Park Stable Isotope and Tritium Laboratory (*table 21*). Twenty-seven samples (23 wells and 4 depth-dependent samples) were also analyzed for tritium at LLNL (*table 22*). Additionally, LLNL also analyzed 16 samples (13 wells and 3 depth-dependent samples) for the noble gases helium-4, neon, argon, krypton, and xenon (*table 22*). Tritium and noble gas analyses can be used to help determine the chronology and source of ground-water recharge. Thirteen wells were sampled for the following radioactive constituents: radium-226, radium-228, radon-222, gross-alpha radioactivity (72-hour and 30-day count), and gross-beta radioactivity
(72-hour and 30-day count). Lastly, sixteen ground-water samples were analyzed for stable carbon isotopes.

Tritium was detected in 45 of 70 ground-water samples analyzed at the Stable Isotope and Tritium Laboratory (*table 21*). The highest activity detected in any ground-water sample was 37 picocuries per liter (pCi/L), whereas the USEPA MCL for tritium is 20,000 pCi/L. Radium-226 was detected in all 13 ground-water samples for which it was analyzed, at concentrations below the USEPA MCL of 3 pCi/L. Radium-228 was detected in 3 of the 13 samples, all of which were below the USEPA MCL of 2 pCi/L. No ground-water sample was above the combined radium-226 and radium-228 USEPA MCL of 5 pCi/L. Gross-alpha radioactivity in ground-water samples was not found above the USEPA MCL of 15 pCi/L. Similarly, gross-beta radioactivity was below the USEPA MCL of 50 pCi/L. Radon-222 was detected in all ground-water samples in which it was analyzed (*table 21*). The USEPA proposed MCL for radon-222 is 300 pCi/L, whereas the proposed Alternate Maximum Contaminant Level (AMCL) is 4,000 pCi/L (U.S. Environmental Protection Agency, 2006). Of the 13 ground-water samples for which radon-222 was analyzed, all except one were greater than the proposed MCL; however, all were below the AMCL (*fig. 9*).

Stable isotopes of water were collected at all sampled wells and are reported in *table 21* as the ratio of deuterium to protium and the ratio of oxygen-18 to oxygen-16. These values are used to aid in the interpretation of ground-water recharge sources. The values of the ratio of deuterium to protium ranged from –81.1 per mill to –43.0 per mill. The values of the ratio of oxygen-18 to oxygen-16 ranged from –11.2 per mill to –5.6 per mill.

## Microbial Constituents

Microbial constituents, including total coliform and *Escherichia* spp. coliform (*E. coli*), as well as the viruses F-specific coliphage and somatic coliphage, were analyzed in eight ground-water samples collected from the Northern San Joaquin Basin GAMA study unit (*table 23*). F-specific coliphage, somatic coliphage, and *E. coli* were not detected in any ground-water samples. An estimated three total coliform colonies were detected in one 100-mL sample of ground water collected at QPC-01 (*fig. 10*).

# Summary

The Ground-Water Ambient Monitoring and Assessment (GAMA) Program is intended to provide a comprehensive statewide assessment of ground-water quality in areas of California where ground water is a significant source of drinking water. The Northern San Joaquin Basin GAMA study unit is the third region in which the GAMA Program has implemented its program objectives. The Northern San Joaquin Basin GAMA study unit lies within the Central Valley Hydrologic Province and consists of four hydrogeologic study areas: the Tracy Basin study area, the Eastern San Joaquin Basin study area, the Cosumnes Basin study area, and the Uplands Basin study area. A total of 70 ground-water samples (grid cell and nongrid cell) were collected from a combination of public-supply, irrigation, domestic, and monitoring wells within the study unit. Thirty-two of these samples were collected in the Eastern San Joaquin Basin study area, 17 samples were collected in the Tracy Basin study area, 11 samples were collected in the Uplands Basin study area, and 10 samples were collected in the Cosumnes Basin study area.

This report presents the results of ground-water sample collection and analyses for over 350 water-quality field parameters, chemical, and microbial constituents, measured in the 70 samples obtained between December 2004 and February 2005. The chemical and microbial data presented in this report are compared to health-based regulatory values set by CADHS or the USEPA (maximum contaminant level or MCL), health-based advisory levels set by CADHS (notification level NL) or USEPA (lifetime health advisory level or HA-L), nonenforceble levels set for aesthetic qualities (secondary maximum contaminant level or SMCL), and levels set by CADHS for the purposes of tracking "unregulated chemicals for which monitoring is required" (detection limit for the purposes of reporting or DLR). The data presented in this report are intended to characterize the quality of untreated ground-water resources within the study unit, not the treated drinking water delivered to consumers by water purveyors. The composition of treated drinking water may differ considerably from untreated ground water as a result of treatment processes, such as disinfection, filtration, mixing with other waters, and exposure to the atmosphere.

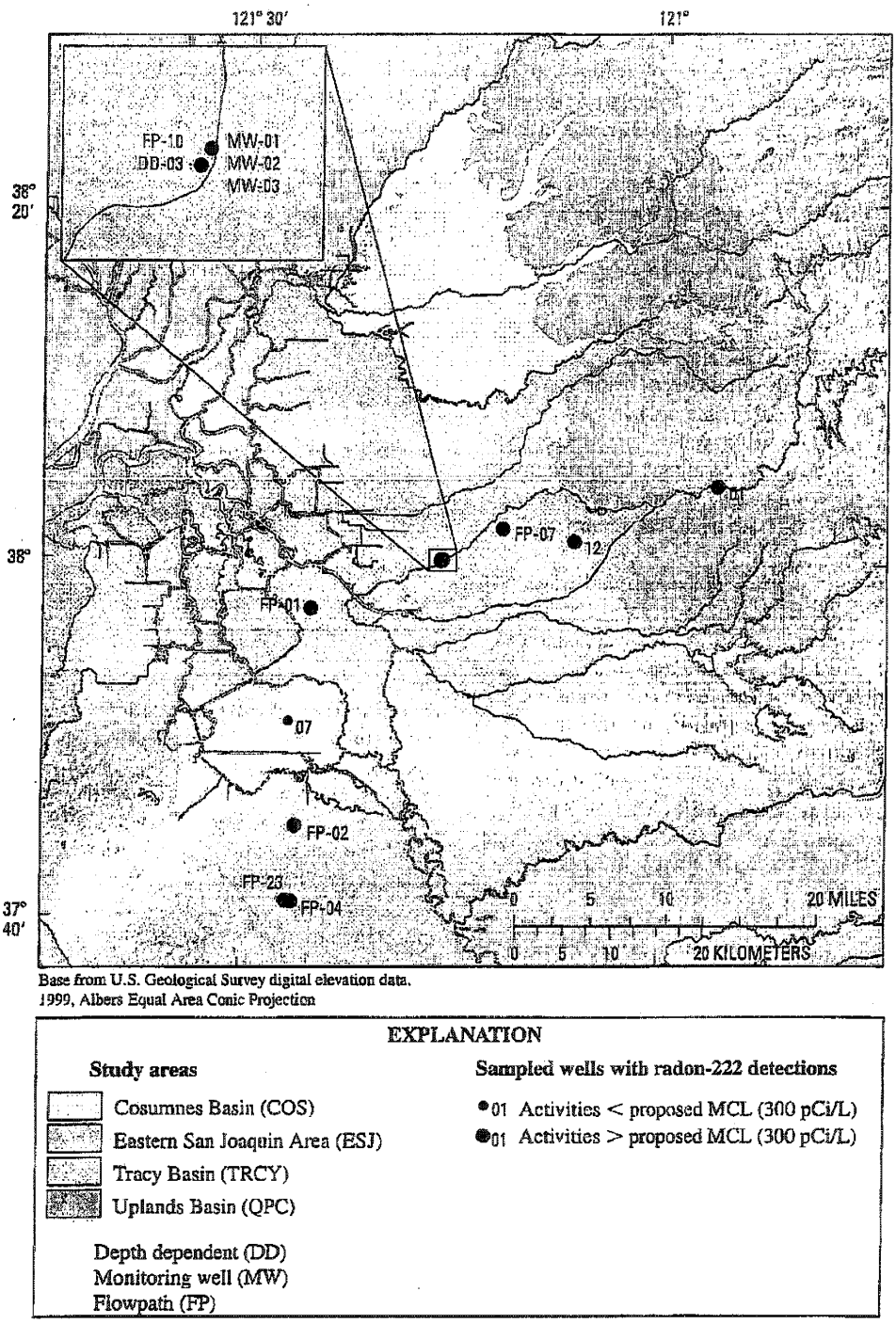



**Figure 9.** Northern San Joaquin Basin Ground-Water Ambient Monitoring and Assessment (GAMA) study unit showing study areas and locations of wells sampled for radon-222 with detections referenced to the proposed Maximum Contaminant Level (MCL) of 300 pCi/L.

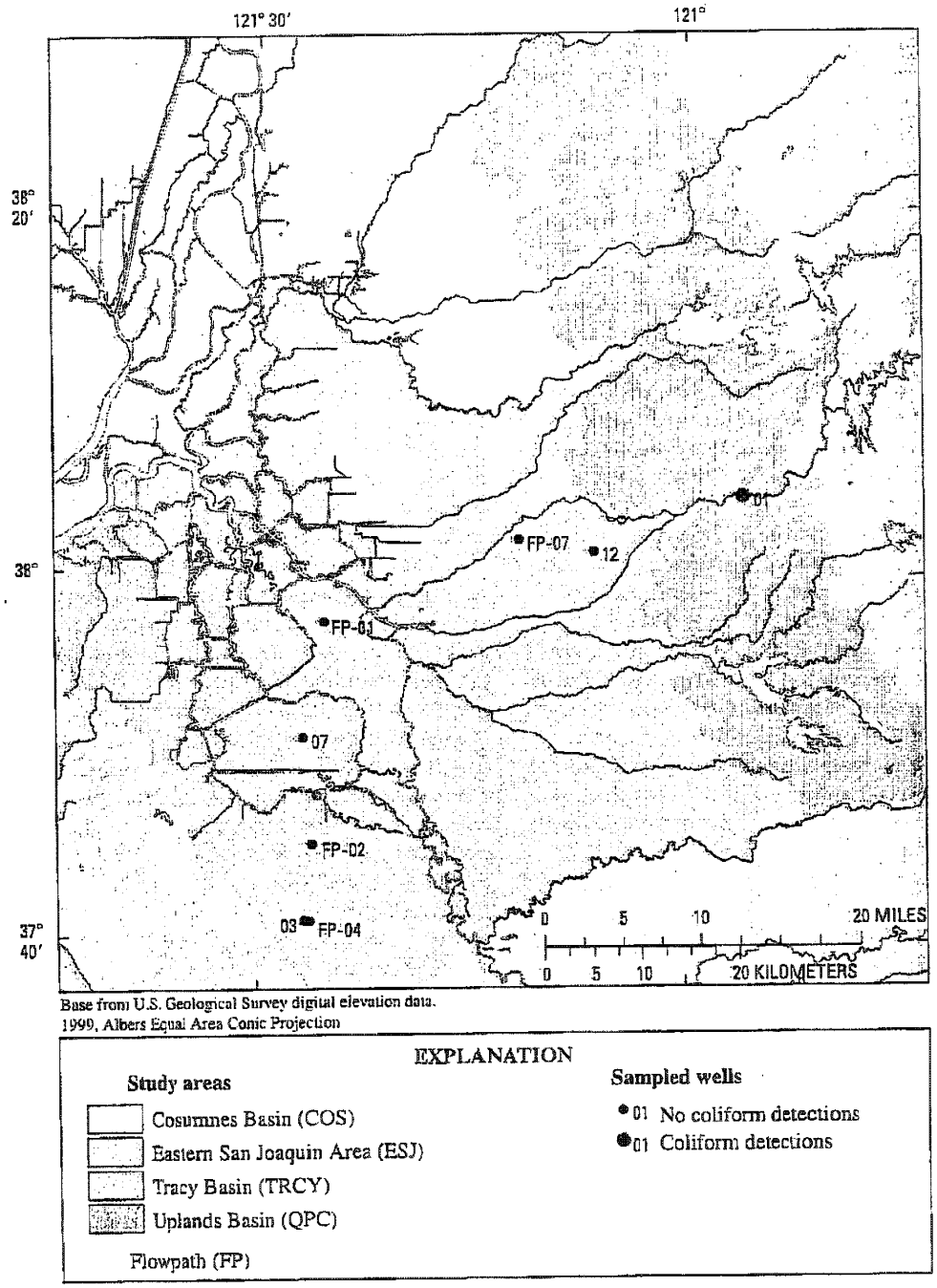



**Figure 10.** Northern San Joaquin Basin Ground-Water Ambient Monitoring and Assessment (GAMA) study unit showing study areas and locations of wells sampled for coliform with detections referenced to colonies detected in one 100-mL sample of ground water.

Thirty of the 88 VOCs and gasoline oxygenates analyzed were detected in ground-water samples and 13 TICs were also detected. VOCs and gasoline oxygenates were detected in 43 ground-water samples (25 grid cell samples and 18 non-grid cell samples). These constituents were most frequently detected in the Eastern San Joaquin Basin study area (24 of 32 samples) and least detected in the Cosumnes Basin study area (2 of 10 samples). Trihalomethanes, which are a byproduct of water treatment using chlorination, were the most frequently detected class of VOC constituents (21 of 70 samples). Within the trihalomethane class, chloroform was the most frequently detected constituent (20 of 70 samples). None of the VOCs analyzed were detected at concentrations above a USEPA MCL or CADHS NL; however, dichlorodifluoromethane (CFC-12), an "unregulated chemical for which monitoring is required," was detected in two wells at concentrations greater than the California Department of Health Services DLR.

Fifteen of the 122 pesticides and pesticide degradate constituents analyzed for in ground-water samples were detected in this study (*table 14*). Pesticide and pesticide degradates were detected in 27 of 70 (grid cell and nongrid cell wells) samples collected. These constituents were most frequently detected in the Eastern San Joaquin Basin study area (17 of 32 samples) and least frequently detected in the Cosumnes Basin study area (4 of 10 samples). Herbicides were the most frequently detected class of constituents throughout the Northern San Joaquin Basin GAMA study unit (21 of 70 samples), and simazine, an herbicide, was the most frequently detected compound (27 of 70 samples). Two herbicides, DBCP and EDB, were detected at concentrations above established USEPA MCLs.

Six wastewater-indicator constituents were identified in samples collected in the Northern San Joaquin Basin GAMA study unit (*table 15*). Thirteen of the 16 samples analyzed for wastewater-indicator constituents had at least a single detection. Isophorone was the most frequently detected wastewater-indicator compound (7 of 16 samples), yet it was only detected at concentrations high enough to be quantified twice. None of wastewater-indicator constituents were detected above an MCL, SMCL, NL, HA-L, or RSD5.

Thirty-four ground-water samples of perchlorate, NDMA, and 1,2,3-TCP (constituents of special interest) were collected throughout the Northern San Joaquin Basin GAMA study unit. Perchlorate was detected in two samples located in the Eastern San Joaquin Basin study area (*table 16*). Neither concentration of perchlorate was above the CADHS NL or CADHS DLR. The constituents NDMA and 1,2,3-trichloropropane were not detected in any ground-water samples.

Eighteen ground-water samples were collected for nutrient constituents (13 wells and 5 depth-dependent samples), whereas only 10 samples were collected for DOC (*table 17*). Nitrite plus nitrate was detected in 11 samples (excluding the depth-dependent analyses), whereas nitrite was detected in only two samples. Concentrations of nitrite plus nitrate were below the USEPA MCL of 10 mg/L (as nitrogen). Similarly, nitrite concentrations were below the USEPA MCL of 1 mg/L (as nitrogen). Dissolved organic carbon was detected in 5 of the 10 samples in which it was analyzed.

Thirty-nine ground-water samples (33 wells and 6 depth-dependent samples) were collected for 10 major and minor ions as well as TDS. Eight ground-water samples had TDS concentrations above the USEPA recommended SMCL of 500 mg/L. Two samples had chloride concentrations above the CADHS SMCL of 250 mg/L, whereas three samples had sulfate concentrations above the USEPA SMCL of 250 mg/L.

Thirty-nine ground-water samples (33 wells and 6 depth-dependent samples) were collected for trace element analyses. A total of 25 trace elements and three oxidation species were analyzed. Trace elements detected in ground-water samples that were above their respective MCL, NL, HA-L, or DLR, (for CADHS "unregulated chemical for which monitoring is required") included arsenic, boron, hexavalent chromium (chromium(VI)), iron, manganese, and vanadium. Arsenic was detected in three samples above the USEPA MCL of 10 µg/L. Boron, an "unregulated chemical for which monitoring is required," was detected in five samples at concentrations above the CADHS NL of 1,000 µg/L and in 11 samples above the CADHS DLR of 100 µg/L. Hexavalent chromium, also an "unregulated chemical for which monitoring is required," was detected in all 39 samples in which it was analyzed at the USGS's Trace Metal Laboratory in Boulder, Colorado. Sixteen of the 39 hexavalent chromium ground-water samples had concentrations above the CADHS DLR of 1 µg/L. Iron was detected in three samples at concentrations above its USEPA SMCL of 300 µg/L. Manganese was detected in 8 of 39 samples above its USEPA SMCL of 30 µg/L. Of those eight samples with concentrations of Manganese greater than the SMCL, three were detected at concentrations above the CADHS NL of 500 µg/L. Lastly, vanadium, an "unregulated chemical for which monitoring is required," was detected in 38 of 39 samples, of which 33 were above the CADHS DLR of 3 µg/L. Of the 33 samples detected at concentrations above the DLR, none were detected at concentrations above the CADHS NL of 50 µg/L.

Seventy ground-water samples (64 wells and 6 depth-dependent samples) were analyzed for stable isotopes of water and tritium. Samples from 13 wells were analyzed for radium-226, radium-228, radon-222, gross-alpha radioactivity (72-hour and 30-day count), and gross-beta radioactivity (72-hour and 30-day count), and sixteen ground-water samples were analyzed for stable carbon isotopes. None of the ground-water samples had measured activities above the combined radium-226 and radium-228 USEPA MCL of 5 pCi/L. Gross-alpha and gross-beta radioactivity in ground-water samples were not found to be above the USEPA MCLs of 15 and 50 pCi/L, respectively. Radon-222 was detected in all samples in which it was analyzed; however, the proposed USEPA MCL for radon-222 is 300 pCi/L, whereas the proposed AMCL is 4,000 pCi/L (U.S. Environmental Protection Agency, 2006). Of the 13 ground-water samples in which radon-222 was analyzed, 12 were above the proposed USEPA MCL; however, all samples were below the AMCL. Stable isotopes of water are reported as the ratio of deuterium to protium and the ratio of oxygen-18 to oxygen-16, and values of the ratio of deuterium to protium (hydrogen isotopes) ranged from –81.1 per mill to –43.0 per mill, whereas the values of the ratio of oxygen-18 to oxygen-16 ranged from –11.2 per mill to –5.6 per mill.

Microbial constituents, including total coliform and *Escherichia* spp. coliform, as well as the viruses F-specific coliphage and somatic coliphage, were analyzed for in eight ground-water samples collected for the Northern San Joaquin Basin GAMA study unit (*table 23*). F-specific coliphage, somatic coliphage, and *Escherichia* spp. coliform were not detected in any ground-water samples, whereas an estimated three total coliform colonies were detected in 100 mL of ground water from one a sample collected at QPC-01.

## References


American Society for Testing and Materials, 1998, Annual book of ASTM standards—water and environmental technology: Philadelphia, Pennsylvania, American Society for Testing and Materials, v. 11.02, p. 664–666.

Ball, J.W., and McCleskey, R.B., 2003a, A new cation-exchange method for accurate field speciation of hexavalent chromium: U.S. Geological Survey Water-Resources Investigations Report 03-4018, 17 p.

Ball, J.W., and McCleskey, R.B., 2003b, A new cation-exchange method for accurate field speciation of hexavalent chromium: Talanta, v. 61, p. 305–313.

Belitz, Kenneth; Dubrovsky, N.M.; Burow, K.R.; Jurgens, Bryant; and Johnson, Tyler; 2003, Framework for a ground-water quality monitoring and assessment program for California: U.S. Geological Survey Water-Resources Investigations Report 03-4166, 78 p. [Also available at *http://water.usgs.gov/pubs/wri/wri034166/*]

Bertoldi, G.L., Johnston, R.H., and Evenson, K.D., 1991, Ground water in the Central Valley, California—a summary report: U.S. Geological Survey Professional Paper 1401-A, 44 p.

Brenton, R.W., and Arnett, T.L., 1993, Methods of analysis by the U.S. Geological Survey National Water-Quality Laboratory—determination of dissolved organic carbon by UV-promoted persulfate oxidation and infrared spectrometry: U.S. Geological Survey Open-File Report 92–480, 12 p.

California Department of Health Services, 2005a, MCLs, DLRs, and PHGs for regulated drinking water contaminants, accessed October 11, 2005, at *http://www.dhs.ca.gov/ps/ddwem/chemicals/phgs/chemicalinformation.htm*

California Department of Health Services, 2005b, Drinking water—unregulated chemicals requiring monitoring, accessed October 12, 2005, at *http://www.dhs.ca.gov/ps/ddwem/chemicals/unregulated/index.htm*

California Department of Health Services, 2005c, California drinking water—activities related to NDMA and other nitrosamines, accessed October 12, 2005, at *http://www.dhs.ca.gov/ps/ddwem/chemicals/NDMA/NDMAindex.htm*

California Department of Health Services, 2005d, Drinking water notification levels, accessed November 15, 2005, at *http://www.dhs.ca.gov/ps/ddwem/chemicals/AL/notificationlevels.htm*

California Department of Health Services, 2005e, Chemical contaminants in drinking water, accessed November 15, 2005, at *http://www.dhs.ca.gov/ps/ddwem/chemicals/chemindex.htm*

California Department of Water Resources, 1967, San Joaquin County groundwater investigation: California Department of Water Resources, Bulletin 146, 177 p.

California Department of Water Resources, 1974, Evaluation of ground-water resources, Sacramento County: California Department of Water Resources, Bulletin 118-3 141 p.

California Department of Water Resources, 2003, California's groundwater: California Department of Water Resources, Bulletin 118, 246 p.

California Department of Water Resources, 2005a, California Department of Water Resources, individual basins description, accessed May 23, 2005, at *http://www.dpla2.water.ca.gov/publications/groundwater/bulletin118/basins/pdfs_desc/5-22.01.pdf*

California Department of Water Resources, 2005b, California Department of Water Resources, individual basins description, accessed May 23, 2005, at*http://www.dpla2.water.ca.gov/publications/groundwater/bulletin118/basins/pdfs_desc/5-22.15.pdf*

ATTACHMENT 19

USGS
science for a changing world

Open File Report 2006-1309
Prepared in cooperation with Northeastern San Joaquin Groundwater Banking Authority and California Department of Water Resources

# Sources of High-Chloride Water to Wells, Eastern San Joaquin Ground-Water Subbasin, California

By John A. Izbicki, Loren F. Metzger, Kelly R. McPherson, Rhett R. Everett, and George L. Bennett V

## Introduction

As a result of pumping and subsequent declines in water levels, chloride concentrations have increased in water from wells in the Eastern San Joaquin Ground-Water Subbasin, about 80 miles east of San Francisco (Montgomery Watson, Inc., 2000). Water from a number of public-supply, agricultural, and domestic wells in the western part of the subbasin adjacent to the San Joaquin Delta exceeds the U.S. Environmental Protection Agency Secondary Maximum Contaminant Level (SMCL) for chloride of 250 milligrams per liter (mg/L) (fig. 1) (*link to animation showing chloride concentrations in water from wells, 1984 to 2004*). Some of these wells have been removed from service. High-chloride water from delta surface water, delta sediments, saline aquifers that underlie freshwater aquifers, and irrigation return are possible sources of high-chloride water to wells (fig. 2). It is possible that different sources contribute high-chloride water to wells in different parts of the subbasin or even to different depths within the same well.

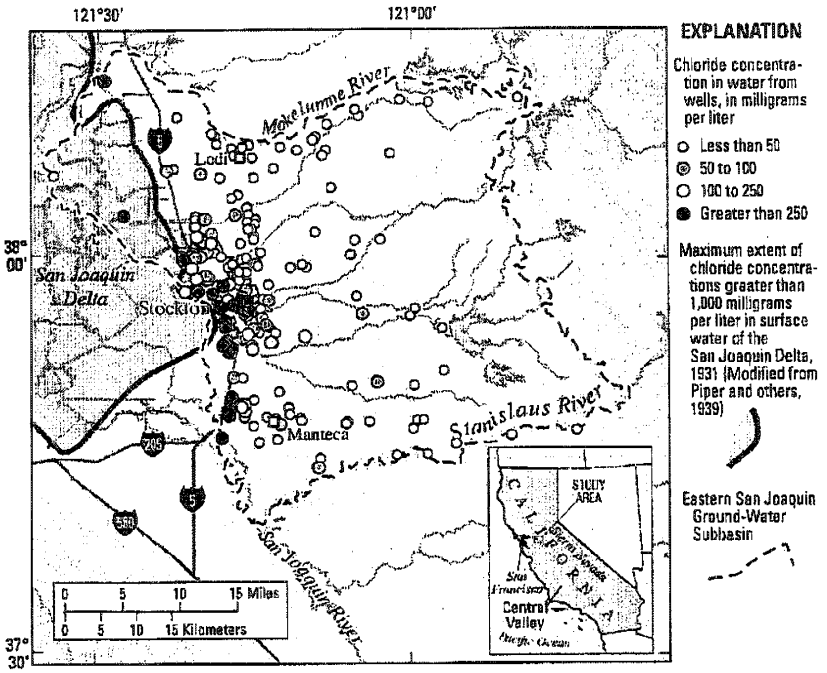



**Figure 1.** Chloride concentrations in water from wells in the Eastern San Joaquin Ground-Water Subbasin, California, 1984–2004.

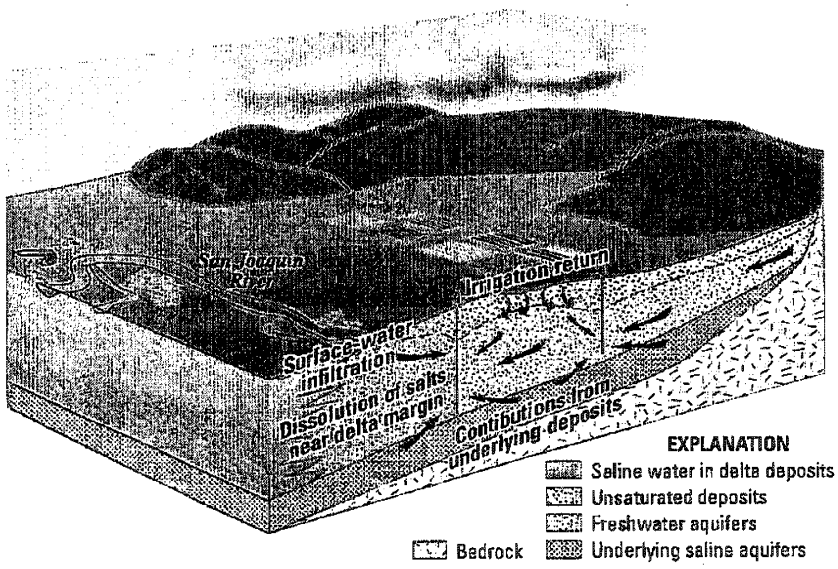



**Figure 2.** Sources of high-chloride water to wells, Eastern San Joaquin Ground-Water Subbasin, California.

## Hydrogeology

The study area is the Eastern San Joaquin Ground-Water Subbasin near Stockton, California. The ground-water subbasin is about 1,100 square miles (California Department of Water Resources, 2006) and is part of the larger San Joaquin Ground-Water Basin that forms the southern half of the Central Valley of California. The climate of the area is characterized by hot, dry summers and cool, moist winters. Average annual precipitation ranges from about 10 to 18 inches (Soil Conservation Service, 1992). Precipitation is greater in the Sierra Nevada to the east of the study area. Runoff from those mountains, primarily as snowmelt, sustains flows in rivers and streams that cross the study area. The largest of these, the Mokelumne and Stanislaus Rivers, bound the study area to the north and south, respectively. The San Joaquin River, which drains the San Joaquin Valley to the south, bounds the study area to the west, and the foothills of the Sierra Nevada bound the study area to the east (fig. 1).

The study area is underlain by several thousand feet of consolidated, partly-consolidated, and unconsolidated sedimentary deposits (California Department of Water Resources, 1967). Volcanic deposits about 1,000 feet (ft) below land surface in the Stockton area, and at shallower depths to the east, separate overlying deposits from underlying marine deposits. Although they contain freshwater near the mountain front, the marine deposits contain saline water in most parts of the study area. The marine deposits have been explored for oil and gas and for the potential storage of waste. The overlying deposits can be divided into alluvial-fan deposits eroded from the Sierra Nevada, and delta deposits along the San Joaquin River. The alluvial-fan deposits are pumped extensively for water supply.

Under predevelopment conditions prior to the onset of ground-water pumping, ground-water movement in the alluvial-fan deposits was from the front of the Sierra Nevada to ground-water discharge areas near the San Joaquin Delta. Ground-water discharge to springs and seeps in this area was fresh and low in dissolved solids (Mendenhall, 1908). Surface water also infiltrated from the upstream reaches of rivers and streams into underlying alluvial deposits and ground water discharged along the downstream reaches of these streams (Piper and others, 1939). Regional ground-water movement in the San Joaquin Valley under predevelopment conditions was from south to north along the axis of the valley, with regional ground-water discharge to the delta. In a large part of the study area, ground water in deep wells completed below the volcanic deposits flowed to land surface under artesian conditions. Water from most of these deep artesian wells was saline (Mendenhall, 1908) and not used for agricultural or public supply. Saline water extracted from deep wells, especially those used for natural gas production, was "allowed to waste" (Mendenhall, 1908), or in the Stockton area was used for recreational swimming pools because of its warm temperature (fig. 3).

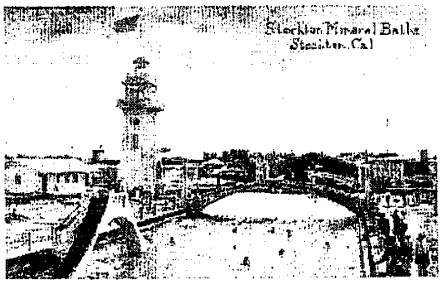



**Figure 3.** Recreational pools developed from saline ground water discharge in the San Joaquin Ground-Water Subbasin, Stockton, California, circa 1910. (Photograph courtesy of the Stockton Record.)

In 2000, the study area had a population of about 580,000 (CDM, Inc., 2001), and population is expected to increase to more than 1.2 million by 2040 (CDM Inc., 2001). Ground-water recharge is about 900,000 acre-feet per year (acre-ft/yr), and pumping exceeds recharge by 150,000 acre-ft/yr. Water levels in parts of the subbasin declined to below sea level in the early 1950's (California Department of Water Resources, 1967). The pumping depression expanded and shifted eastward in recent years (*link to animation showing changes in water-level contours, 1974 to 1999*), and water levels in parts of the basin were declining at rates as high as 2 feet per year (Northeastern San Joaquin County Groundwater Banking Authority, 2004). Within the pumping depression, ground water flowed from recharge areas near the mountain front, from major streams and rivers, and from the San Joaquin Delta toward pumping wells.

## Purpose and Scope

The purpose of this report is to illustrate the types of data collected, and to present preliminary (2006) results from an ongoing study of the source of high-chloride water to wells in the Eastern San Joaquin Ground-Water Subbasin. The scope of the study includes test-drilling, geophysical logging, and identification of the source of high-chloride water to wells using geochemical techniques. The study couples a basin-wide areal assessment of water quality with more detailed geologic, geophysical, and geochemical data collection along geologic sections in the area affected by declining water levels and increasing chloride concentrations (fig. 4). Although beyond the scope of this preliminary report, extrapolation of data along the cross-sections is intended to extend detailed data collected from multiple-well monitoring sites and from large-capacity wells to other wells along the geologic sections. This approach will aid in the development and a more complete understanding of how the spatial and vertical distribution of subsurface geology, hydrology, and geochemistry combine to influence the movement of high-chloride water to wells.

## Test Drilling and Well Installation

Test drilling and well installation was done to obtain samples of geologic materials, lithologic and geophysical logs, and to install wells for use as measuring points for water-level and water-quality data collection. Between May and October 2005, three multiple-well sites—each containing three to

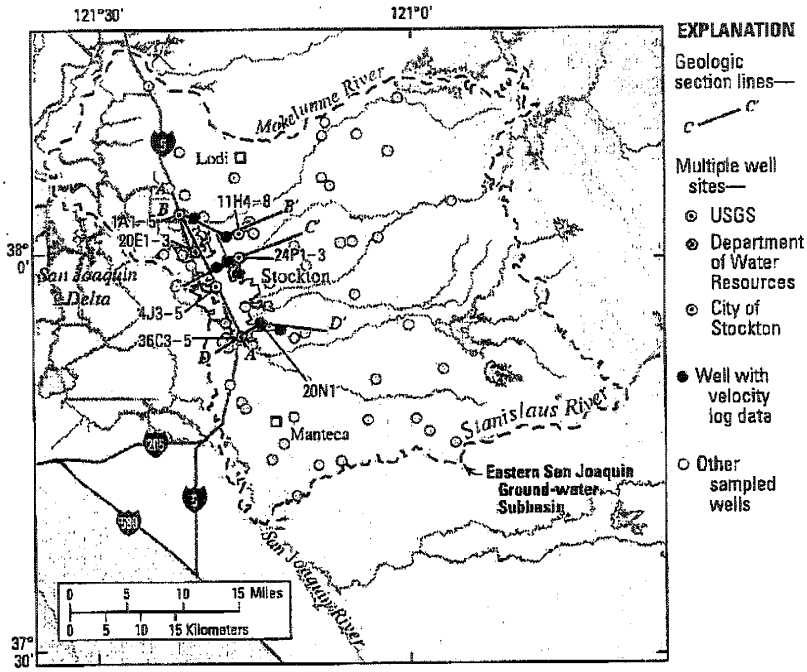



**Figure 4.** Location of selected wells and geologic sections, Eastern San Joaquin Ground-Water Subbasin, California.

five 2-inch diameter monitoring wells with PVC casings installed at different depths, were completed. Data from these sites were supplemented with data from multiple-well sites installed previously at two locations by the California Department of Water Resources (2003), and at an additional location by the City of Stockton (fig. 4).

Geophysical logs and well-construction data for multiple-well site 2N/5E-1A1–5, installed near the eastern edge of the San Joaquin Delta, are shown in figure 5. This site was selected because two wells less than one-half mile east of this site were removed from service as a result of high-chloride concentrations. Water levels at this multiple-well site ranged from about 13 to 27 ft below land surface in May 2005, and depth to water increased with well depth. The site is located in what would have been a ground-water discharge area under predevelopment conditions, and the increase in depth to water with well depth is probably the result of regional ground-water pumping. In May 2005, chloride concentrations at this site ranged from 550 to 1,800 milligrams per liter (mg/L). At that time, the shallowest and deepest wells had chloride concentrations of 1,800 and 1,700 mg/L, respectively (fig. 5). Data from the wells at this site and from monitoring wells at other multiple-well sites will be used to evaluate the chemical and isotopic composition of potential sources of high-chloride water to these wells.

The two other multiple-well sites 1N/6E-4J3–5 and 2N/6E-11H4–8 (fig. 4) were drilled to depths of 600 and 643 ft below land surface, respectively. In January 2006, chloride concentrations in water from sites -4J3–5 near the San Joaquin Delta ranged from 120 to 510 mg/L, with the highest concentration in well -4J4 that was completed between 360 and 340 ft below land surface. In May 2005, chloride concentrations in water from sites -11H4–8, near ground-water recharge ponds east of the delta, were between 9.9 and 3.4 mg/L.

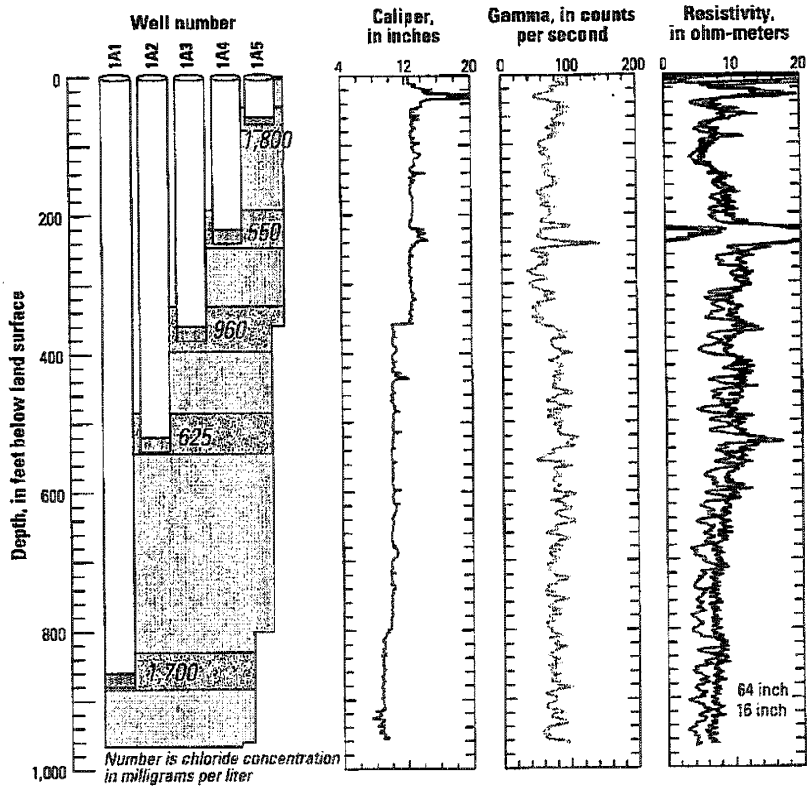



**Figure 5.** Selected geophysical logs and well-construction data for multiple-well site, 2N/5E-1A1–5, Eastern San Joaquin Ground-Water Subbasin near Stockton, California, May 2005.

## Borehole Geophysical Data

In addition to geophysical logs collected during test drilling, two types of borehole geophysical data were collected as part of this study. Electromagnetic (EM) logs were collected from selected multiple-well sites to evaluate changing water quality at depth. Fluid-velocity logs were collected under pumping conditions from selected public supply wells to determine the depth at which water enters those wells. Velocity logs were coupled with depth-dependent water-quality data, also collected under pumping conditions, to determine the quality of water entering the well at different depths.

### Electromagnetic logs

Only a limited number of wells screened over selected intervals can be installed at multiple-well monitoring sites. As a consequence, changes in water quality are not measured directly through much of the aquifer thickness. To address this issue, the deepest well at multiple-well sites was used as access tubes for repeated measurement of electromagnetic resistivity through the entire aquifer thickness penetrated by the well. EM logs collected through the PVC casings of monitoring wells are sensitive to the lithology of the deposits and to the resistivity of the pore fluids within the deposits (McNeill and others, 1990). Because the lithology remains constant with time, repeated EM logs differ only if the fluid resistivity changes as a result of the movement of water of differing quality at depth (Williams and others, 1993). The radius of the material measured by the logging tool is between 10 and 50 inches, and as a result the tool is relatively insensitive to borehole fill material adjacent to the well (McNeill and others, 1990). These properties make EM resistivity a suitable tool for identifying changes in water quality, particularly changes in salinity, at locations from which ground-water samples cannot be collected directly.

EM resistivity values at corresponding depths from logs collected within well 2N/6E-20E1 in June 2004 and January 2006 are shown in figure 6. In the time between collection of the two logs, EM resistivity values decreased in a narrow interval between 400 and 402 ft below land surface (fig. 6). The January 2006 values, between 400 and 402 ft, were among the lowest collected from the well. Because the lithology has not changed, decreased EM resistivity at this depth may be the result of decreased fluid resistivity (increased fluid conductivity) resulting from increased salinity between the two logging dates. Horizontal movement of poor-quality water through thin, permeable zones that are either areally extensive, or well-connected hydraulically, commonly occurs in coastal California aquifers (Nishikawa, 1997). Given this scenario, the three monitoring wells at this site (screened from 472 to 507, 289 to 319, and 189 to 209 ft below land surface, respectively) would not have detected changes in water quality that caused changes in EM resistivity observed near 400 ft.

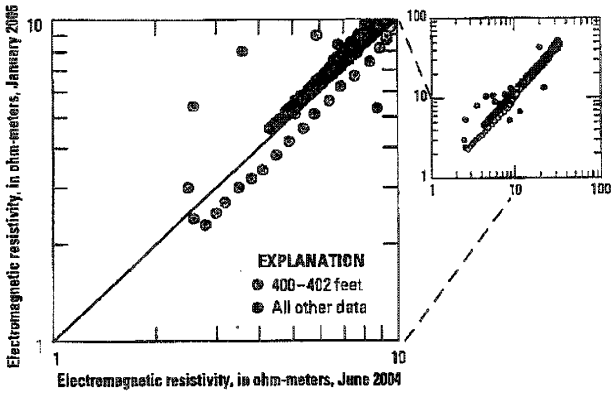



**Figure 6.** Comparison of electromagnetic resistivity values collected in well 2N/6E-20E1, Eastern San Joaquin Ground Water Subbasin near Stockton, California.

Decreases in EM resistivity consistent with increasing chloride concentrations also were observed between 40 and 45 ft below land surface in EM logs collected from well 1N/6E-36C3 between June 2004 and January 2006. Previous work (California Department of Water Resources, 1967) indicated the presence of poor-quality water near the water-table in this part of the study area and suggested that this shallow ground water may have been the source of high-chloride water in some production wells.

Additional EM logging at these sites would be required to determine if EM resistivity values will continue to decrease through time. Additional data collection, possibly including the installation of new wells, may be required to determine if changes in EM resistivity are the result of changes in water quality or the result of some other cause.

### Fluid-velocity logs and depth-dependent water-quality sample collection

Fluid-velocity logs from unpumped and pumped wells were collected using an EM flowmeter. The EM flowmeter measures uphole or downhole velocities according to Faraday's Law, where the voltage generated by the movement of charged ions in water flowing through an induced magnetic field is proportional to the velocity of water flowing through the field. The tool has a range from 0.3 to 260 feet per minute, and is suitable for both the low velocities in unpumped wells and the high velocities in pumped wells (Newhouse and others, 2005). Fluid resistivity and fluid temperature data collected during logging were used to constrain interpretations of fluid-velocity logs.

Fluid-velocity logs from pumped wells were coupled with water-quality samples collected under pumping conditions from selected depths within the well. Sample depths were selected on the basis of measured velocity logs, lithologic logs, geophysical logs, and well-construction data. The samples were collected using a commercially available, small-diameter gas-displacement pump (Izbicki, 2004). Water samples collected using this method are mixtures of water that entered the well from different depths. However, when coupled with velocity log data,

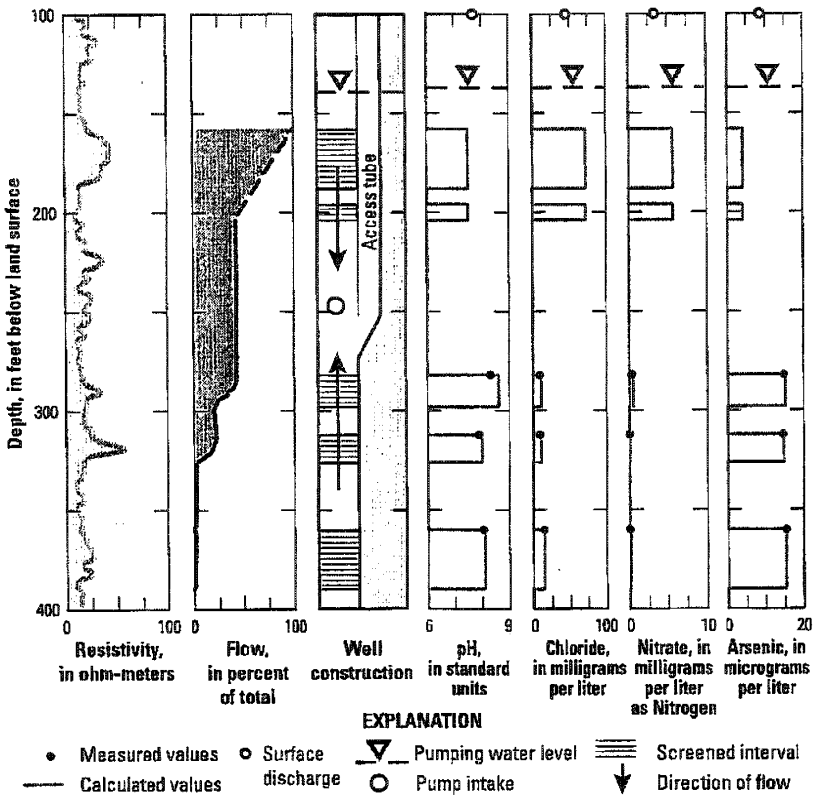



**Figure 7.** Fluid velocity and depth-dependent water-quality data from well 1N/7E-20N1, Eastern San Joaquin Ground-Water Subbasin, California, August 2004.

depth-dependent water-quality data can be used to estimate the quality of water entering a well from selected depths in an aquifer (Izbicki, 2004).

Fluid-velocity logs from well 1N/7E-20N1 show that slightly more than one-half of the water entered well -20N1 through the two upper screens located 158 to 204 ft below land surface (fig. 7). Most of the remaining water entered the well through screens at 282 to 298 and 312 to 326 ft below land surface. Only a small amount of water entered the well through the deepest screen 360 to 390 ft below land surface (fig. 7). In well -20N1, the higher yielding upper zones correspond to electrically resistive sand and gravel units indicated on the electric log (fig.7). Where present in other wells, this high-resistivity zone also contributes large amounts of water to wells. The small amount of yield from the deepest screen was unexpected on the basis of lithologic and geophysical logs, and may reflect increased consolidation and decreased hydraulic conductivity of alluvial deposits with depth.

Depth-dependent water-quality samples collected within well -20N1 under pumping conditions reflect the vertical distribution of water-quality within the aquifer (fig. 7). Chloride and nitrate concentrations are higher in water entering from the upper well screens than the deeper well screens. In contrast, pH and arsenic concentrations were higher in water entering from the deeper parts of the well. Arsenic concentrations in the deeper parts of well -20N1 were as high as 15 micrograms per liter (µg/L). Mixing of water having lower arsenic concentrations from shallower depths within the well caused water discharge at the surface to approach the Maximum Contaminant Level (MCL) for arsenic of 10 µg/L (U.S. Environmental Protection Agency, 2006). Changes in well drilling and construction practices could exclude zones having high concentrations of constituents such as chloride, nitrate, or arsenic from newly installed wells, and modifications in well design could exclude zones contributing poor-quality water to existing wells—thereby improving the quality of water from those wells.

By January 2006, fluid velocity logs coupled with depth-dependent water-quality data had been collected from eight wells that are distributed along the sections shown in figure 4. Data from these wells will be used with geochemical data collected from the surface discharge of wells throughout the study area to determine the sources of high-chloride water to wells.

## Sources of High-Chloride Water to Wells

Prior to the construction of reservoirs on rivers tributary to the San Joaquin Delta, water having chloride concentrations as high as 1,000 mg/L intruded the delta during low-flow periods (Piper and others, 1939) (fig. 1). Under present-day (2006) conditions, surface flows are managed to protect freshwater resources in the delta and to prevent the inland movement of seawater. However, high-chloride water may originate from water trapped in delta sediments during their deposition—constituents dissolved within this water may retain a chemical composition consistent with a seawater origin. High-chloride water also may originate from soluble salts emplaced in sediments from ground-water discharge along the delta margin—constituents dissolved within this water would have a chemical composition different from seawater. It is likely that water from deeper aquifers that underlie freshwater aquifers pumped for supply also has markedly different chemical composition and may contribute high-chloride water to wells in different parts of the subbasin. In addition, irrigation return may increase chloride concentrations near the water table. To further complicate the issue, multiple sources of high-chloride water may occur at different depths within the same well. Water from wells was sampled and analyzed for major-ions, selected minor ions, and its isotopic (oxygen-18

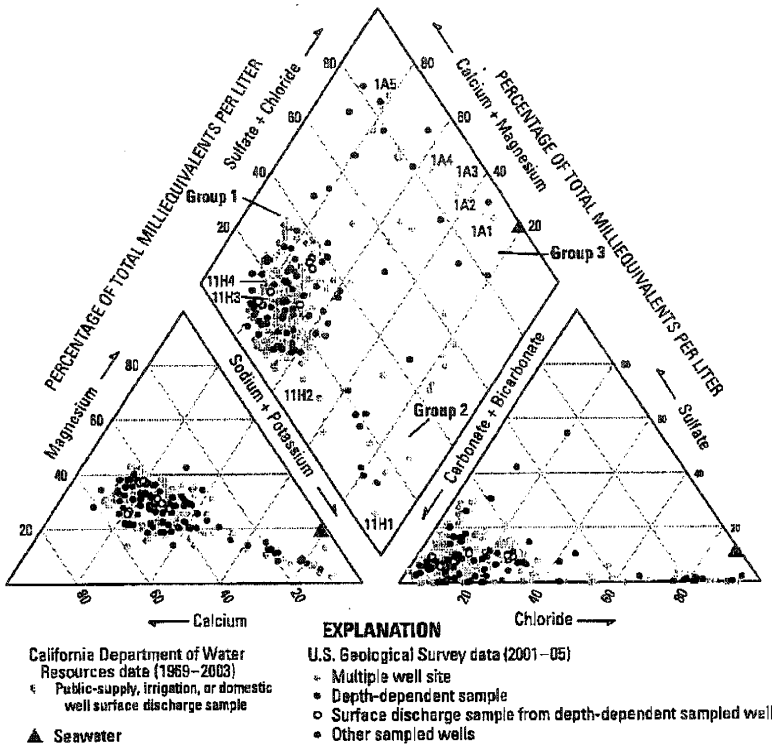



**Figure 8.** Major-ion chemistry of water from selected wells in the Eastern San Joaquin Ground-Water Subbasin, California, 2004–2005.

and deuterium) composition, to determine the composition of fresh and high-chloride waters in the study area and the sources of high-chloride water to wells.

## Major-Ion Composition of Water from Wells

The major-ion composition of 100 water samples from 76 public-supply, irrigation, domestic, and observation wells collected as part of this study between May 2004 and January 2006, and 245 historical samples from 42 wells were evaluated using a trilinear diagram (fig. 8). A trilinear diagram shows the proportions of the major cations (calcium, magnesium, and sodium plus potassium) and the major anions (carbonate plus bicarbonate, sulfate, and chloride) on a charge-equivalent basis (Hem, 1985). Cations are plotted on the lower left triangle, anions on the lower right triangle, and the central diamond integrates the data.

On the basis of their distribution within the trilinear diagram, data were separated into three groups having different chemical compositions. Group 1 represents the majority of sampled wells. Group 2 consists of depth-dependent samples from deeper depths within sampled public-supply wells, and samples from deeper observation wells at multiple-well sites. The composition of water from deeper aquifers represented by these samples is not apparent in historical data collected from the surface discharge of wells; because ground water from deeper depths mixes within the wells with ground water from shallow depths during pumping, thereby masking the composition of the deeper ground water. As a result of mixing within the well during pumping, samples from the surface discharge public-supply wells plot within Group 1 even though deeper samples from the same well plot within Group 2. All samples within Groups 1 and 2 had chloride concentrations of less than 100 mg/L. In contrast, all but two samples within Group 3 were from wells that had chloride concentrations greater than 100 mg/L. This group included several public-supply wells that are no longer in use due to chloride concentrations that were greater than the Secondary Maximum Contaminant Level (SMCL) of 250 mg/L (U.S. Environmental Protection Agency, 2006). The major-ion composition of water from wells did not trend consistently toward the composition of seawater as chloride concentrations increased.

## Minor-Ion Composition of Water from Wells

Certain minor ions in water, such as bromide, iodide, barium, and boron are present naturally in high-chloride water from different sources, and have been used to determine the origin of high-chloride water to wells (Piper and Garrett, 1953; Izbicki and others, 2005). Analysis of this combination of minor ions is especially effective because their differing abundances, chemical properties, and biological reactivity can produce a wide range of compositions, relative to chloride concentrations; these compositions reflect different geology, source-water composition, and aquifer chemistry. Of the four minor ions analyzed in this study, iodide commonly has the largest range in environmental compositions, relative to chloride and is commonly very useful in determining the source of high-chloride water to wells.

Iodide is depleted in seawater through uptake by marine organisms (Izbicki and others, 2005). As these organisms die, are buried, and decay, water within marine deposits may become enriched in iodide. In the plot of chloride-to-iodide ratio as a function of chloride (fig. 9), data are bimodally distributed and reflect contributions of high-chloride water from at least two sources. The chloride-to-iodide ratio from some wells follows a seawater mixing line with increasing chloride concentrations, and reflects high-chloride seawater minimally altered by contact with aquifer material. Water from most observation wells and from depth-dependent samples collected within the deeper parts of public-supply wells plotted to the right of the seawater mixing line. The iodide-enriched composition of water from these wells is similar to that of water from marine rocks and oil-field brine sampled elsewhere in

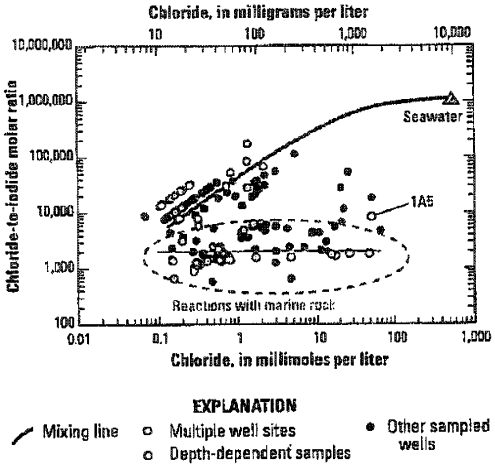



**Figure 9.** Chloride-to-bromide and chloride-to-iodide ratios as a function of chloride concentration in water from selected wells in the Eastern San Joaquin Ground-Water Subbasin, California, 2004–2005.

California (Piper and Garrett, 1953; Izbicki and others, 2005). Several wells having high-chloride water, including the shallow observation well -1A5 at the Oak Grove Park multiple-well site, have chloride-to-iodide ratios intermediate between compositions expected from seawater mixing and from deep brines. Water from these wells may be complex mixtures of high-chloride water from multiple sources, or the water may have reacted with aquifer materials to remove iodide from the solution.

## Oxygen-18 and Deuterium Composition of Water from Wells

Oxygen-18 and deuterium are naturally occurring stable isotopes of oxygen and hydrogen, respectively. Oxygen-18 ($\delta^{18}O$) and deuterium ($\delta D$) abundances are expressed as ratios, in delta notation as per mil (parts per thousand) differences, relative to the standard known as Vienna Standard Mean Ocean Water (VSMOW). By convention, the value of VSMOW is 0 per mil. Negative per mil values have more of the lighter isotope than VSMOW (Craig, 1961), and highly negative per mil values have more of the lighter isotope than less negative values.

Most of the world's precipitation originates from the evaporation of seawater. As a result, the $\delta^{18}O$ and $\delta D$ composition of precipitation throughout the world is correlated linearly and distributed along a line known as the global meteoric water line (Craig, 1961). In many areas, water samples plot along a line slightly below the global meteoric water line that is known as the local meteoric water line. The $\delta^{18}O$ and $\delta D$ composition of a water sample, relative to the global meteoric water line and relative to the composition of water from other areas, provides a record of the source and evaporative history of the water, and can be used as a tracer of the movement of the water. Differences in the $\delta^{18}O$ and $\delta D$ composition of water from the global meteoric water line may result from differences in the temperature of condensation of precipitation that recharged the ground water. These differences may result from condensation at different altitudes, from seasonal or short-term climatic changes, or from long-term climatic changes such as those that occurred at the end of the Pleistocene Epoch. Partial evaporation of a water sample shifts the $\delta^{18}O$ and $\delta D$ composition to the right of the global meteoric water line along an evaporative trend line (International Atomic Energy Agency, 1981).

The $\delta^{18}O$ and $\delta D$ composition of water from wells in the study area ranged from –6.3 to –11.2 per mil and –48 to –81 per mil with a median composition of –8.4 and –60 per mil, respectively (fig. 10). Most samples plot parallel to, but below, the global meteoric water line.

The more negative values are from shallow wells, typically about 100 ft deep, along the Mokelumne and Stanislaus Rivers (fig. 10). These rivers drain the higher altitudes of the Sierra Nevada to the east of the study area, and water from these wells probably originated as precipitation at cooler temperatures associated with higher altitudes instead of precipitation at warmer temperatures associated with lower altitudes. There was no consistent trend toward increasingly negative values from deeper wells at multiple-well sites installed as part of this study. However, $\delta D$ values between –70 and –68 per mil were obtained from shallower wells at a multiple-well site 2N/6E-11H4–8 near ground-water

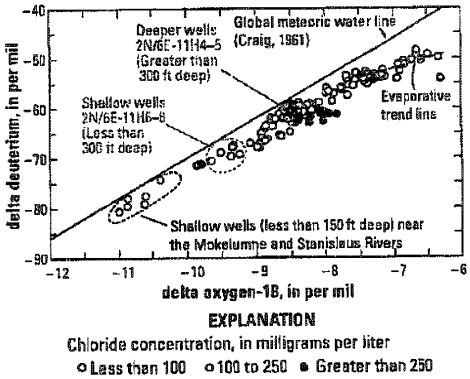



**Figure 10.** Oxygen-18 and delta deuterium composition of water from selected wells in the Eastern San Joaquin Ground-Water Subbasin, California, 2004–2005.

recharge ponds. These data are consistent with movement of recharge water from the ponds (that originated from reservoirs in the Sierra Nevada) to depths as great as 300 ft.

The less negative samples plot to the right of the local meteoric water line along an evaporative trend line (fig. 10). Although most high-chloride water plots to the right of the meteoric water line, chloride concentrations do not consistently increase with the evaporative shift in $\delta^{18}O$ and $\delta D$ isotopic composition. These data suggest that the high-chloride concentrations are the result of processes other than evaporative concentration of ground water, and are consistent with high-chloride water mobilized from delta sediments or deeper deposits.

# Summary

Water levels are declining and chloride concentrations are increasing in water from wells in the Eastern San Joaquin Ground-Water Subbasin near Stockton, California, as a result of pumping in excess of recharge. A study approach that utilizes a combination of data collection activities including (1) drilling and monitoring well installation, (2) borehole geophysical data collection from monitoring wells and large-capacity pumping wells, and (3) geochemical data collection was developed to evaluate the areal and vertical distribution of chloride within freshwater aquifers and

to determine the sources of high-chloride water to wells. The study couples a basin-wide areal assessment of water quality with detailed geologic, geophysical, and geochemical data collected along geologic sections in the area affected by declining water levels and increasing chloride concentrations.

Preliminary results show that water from multiple-well site 2N/5E-1A1–5 near the San Joaquin River Delta had chloride concentrations as high as 1,800 mg/L. High chloride concentrations were present at this site to almost 1,000 ft below land surface. EM logs collected from well 2N/6E-20E1 north of Stockton showed decreased EM resistivity. EM logs collected in well 1N/6E-36C3 south of Stockton, showed decreases in EM resistivity at shallower depths between 40 and 45 ft below land surface. High-chloride water from shallow depths has been observed in production wells in this part of the study area. Additional EM logging at these sites would be required to determine if EM resistivity values continue to decrease through time and if decreasing resistivity is the result if increasing salinity.

Water-quality in the study area changes with depth, and the major-ion composition of water from deeper aquifers is obscured by mixing within wells during pumping. As a consequence, the composition of water from deeper deposits penetrated by wells is not apparent in historical data collected primarily from the surface discharge of wells. Changes in the iodide composition of water from wells with elevated chloride concentrations are consistent with a marine origin of the chloride dissolved in water from wells. Entrainment of seawater in delta deposits may have occurred during deposition of delta sediments. Subsequent mobilization of this entrained water may have occurred as a result of ground-water pumping. High-chloride water in deeper parts of the aquifer is enriched in iodide, relative to seawater compositions and also contributes to increasing chloride concentrations in water from some wells. Such enrichment is common in deeper ground water from oil- and gas-producing regions in California (Piper and Garrett, 1953; Izbicki and others, 2005). Shifts in the $\delta^{18}O$ and $\delta D$ composition of water from some shallower wells are consistent with partial evaporation of water and irrigation return water. However, increases in chloride concentrations from evaporation of irrigation water are small compared to chloride inputs from the delta and underlying deposits.

## Acknowledgements

This study was funded by the Northeastern San Joaquin Groundwater Banking Authority and the California Department of Water Resources in cooperation with the U.S. Geological Survey. The authors thank the County of San Joaquin, the California Department of Water Resources, and the California State Water Resources Control Board Ground-Water Ambient Monitoring and Assessment (GAMA) Study for their assistance with sample collection and analyses. The authors also thank the local water agencies for the support, and access to wells during this study—especially Brandon Nakagawa of the San Joaquin County Public Works Department, Anthony Tovar of the City of Stockton Municipal Utilities Department, and Eric Mar of the California Water Service Company.

## References Cited

California Department of Water Resources, 1967, San Joaquin County Investigation: Bulletin No. 146. California Department of Water Resources, Sacramento, Calif., variously paged.

California Department of Water Resources, 2003, Hydrologic investigation in Stockton, California, May 2002, Memorandum Report, January 2003. California Department of Water Resources, Division of Planning and Local Assistance, Central District, Sacramento, Calif., variously paged.

California Department of Water Resources, 2006, California's groundwater, San Joaquin Valley groundwater basin, Eastern San Joaquin subbasin-Bulletin 118. http://www.dpla2.water.ca.gov/publications/groundwater/bulletin118/basins/pdfs_desc/5-22.01.pdf, 6 p. updated 1/20/2006, downloaded 2/3/2006.

CDM, Inc., 2001, San Joaquin County Water Management Plan: Phase 1-Planning Analysis and Strategy. Camp, Dresser, and McKee, Inc., Sacramento, Calif., variously paged.

Craig, H., 1961, Isotopic variations in meteoric waters. Science, v. 133, p. 1702–1703.

Hem, J.D., 1985, Study and interpretation of the chemical characteristics of natural water: U.S. Geological Survey Water-Supply Paper 2254, 264 p., 3 pl.

International Atomic Energy Agency, 1981, Stable isotope hydrology, deuterium and oxygen-18 in the water cycle: Vienna, Technical Report Series no. 210, 339.

Izbicki, J.A., 2004, A small-diameter sample pump for collection of depth-dependent samples from production wells under pumping conditions: U.S. Geological Survey Fact Sheet 2004-3096. http://pubs.usgs.gov/fs/2004/3096/

Izbicki, J.A., Christensen, A.H., Newhouse, M.W., and Aiken, G.A., 2005, Inorganic, isotopic, and organic composition of high-chloride water from wells in a coastal southern California aquifer: Applied Geochemistry, v. 20, p. 1496–1517.

Mendenhall, W.C., 1908, Ground waters of the San Joaquin Valley, California: U.S. Geological Survey Water-Supply Paper 222, 52 p.

McNeill, J.D., Bosnar, M., and Snelgrove, F.B., 1990, Resolution of an electromagnetic borehole conductivity logger for geotechnical and ground water applications: Mississauga, Ontario, Geonics LTD., Technical Note 25, p. 25–28.

Montgomery Watson, Inc., 2000, Salinity assessment and monitoring well network evaluation: Sacramento, Calif., San Joaquin County Flood Control and Water Conservation District, File no 1510285.1, variously paged.

Newhouse, M.W., Izbicki, J.A., and Smith, G.A., 2005, Comparison of velocity-log data collected using impeller and electromagnetic flowmeters: Ground Water, v. 43, no. 3, p. 434–438.

Nishikawa, Tracy, 1997, Testing alternative conceptual models of seawater intrusion in a coastal aquifer using computer simulation, southern California, USA: Hydrogeology Journal, v. 5, no. 3, p. 60–74.

Northeastern San Joaquin County Groundwater Banking Authority, 2004, Eastern San Joaquin Basin groundwater management plan: Northeastern San Joaquin Groundwater Banking Authority, Stockton, Calif. variously paged.

Piper, A.M., Gale, H.S., Thomas, H.E., and Robinson, T.W., 1939, Geology and ground-water hydrology of the Mokelumne area, California: U.S. Geological Survey Water-Supply Paper 780, 270 p.

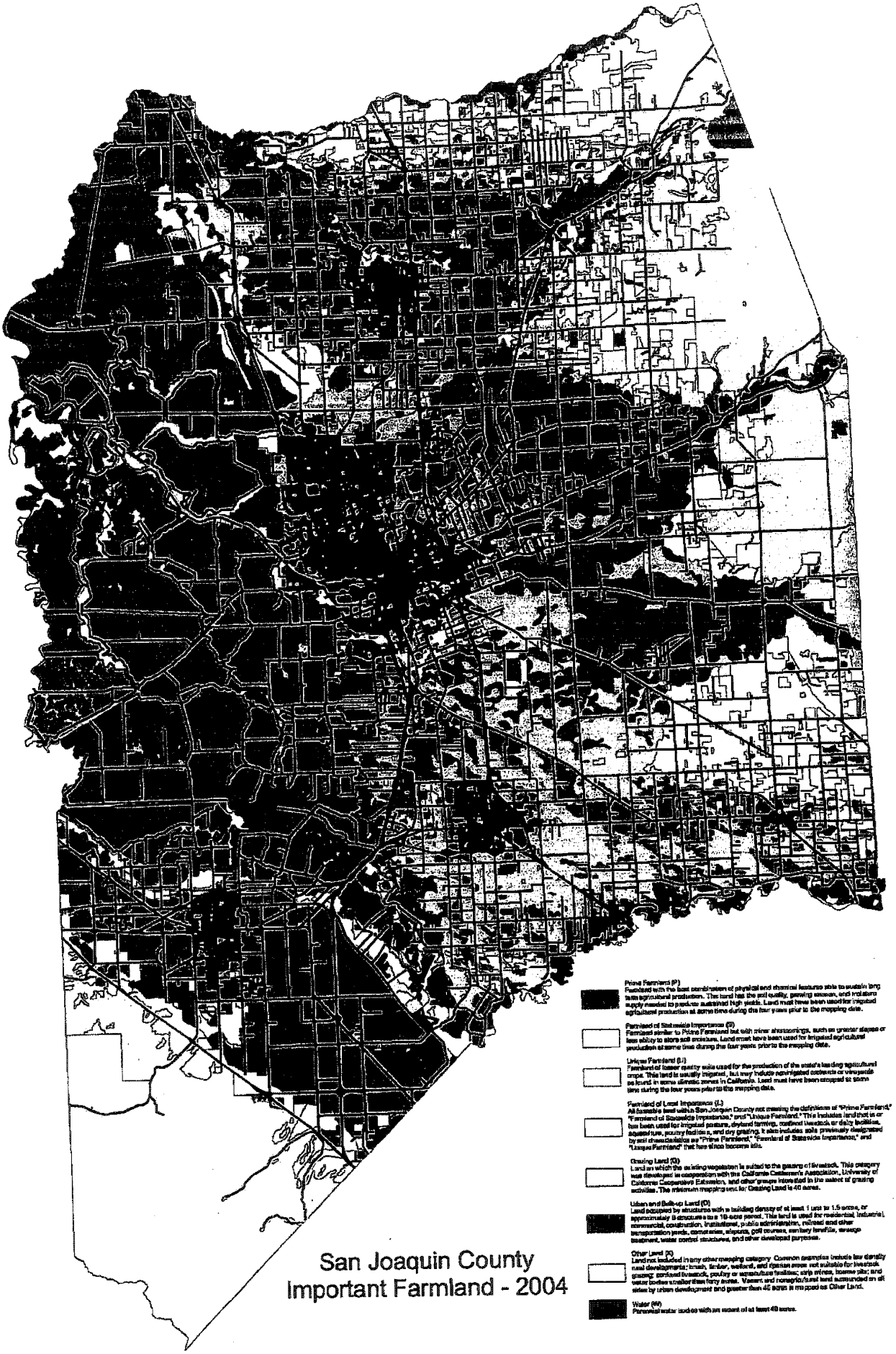
Piper, A.M., and Garrett, A.A., 1953, Native and contaminated ground waters in the Long Beach-Santa Ana areas, California: U.S. Geological Survey Water-Supply Paper 1136, 320 p.

Soil Conservation Service, 1992, Soil survey of San Joaquin County, California: U.S. Department of Agriculture, 480 p.

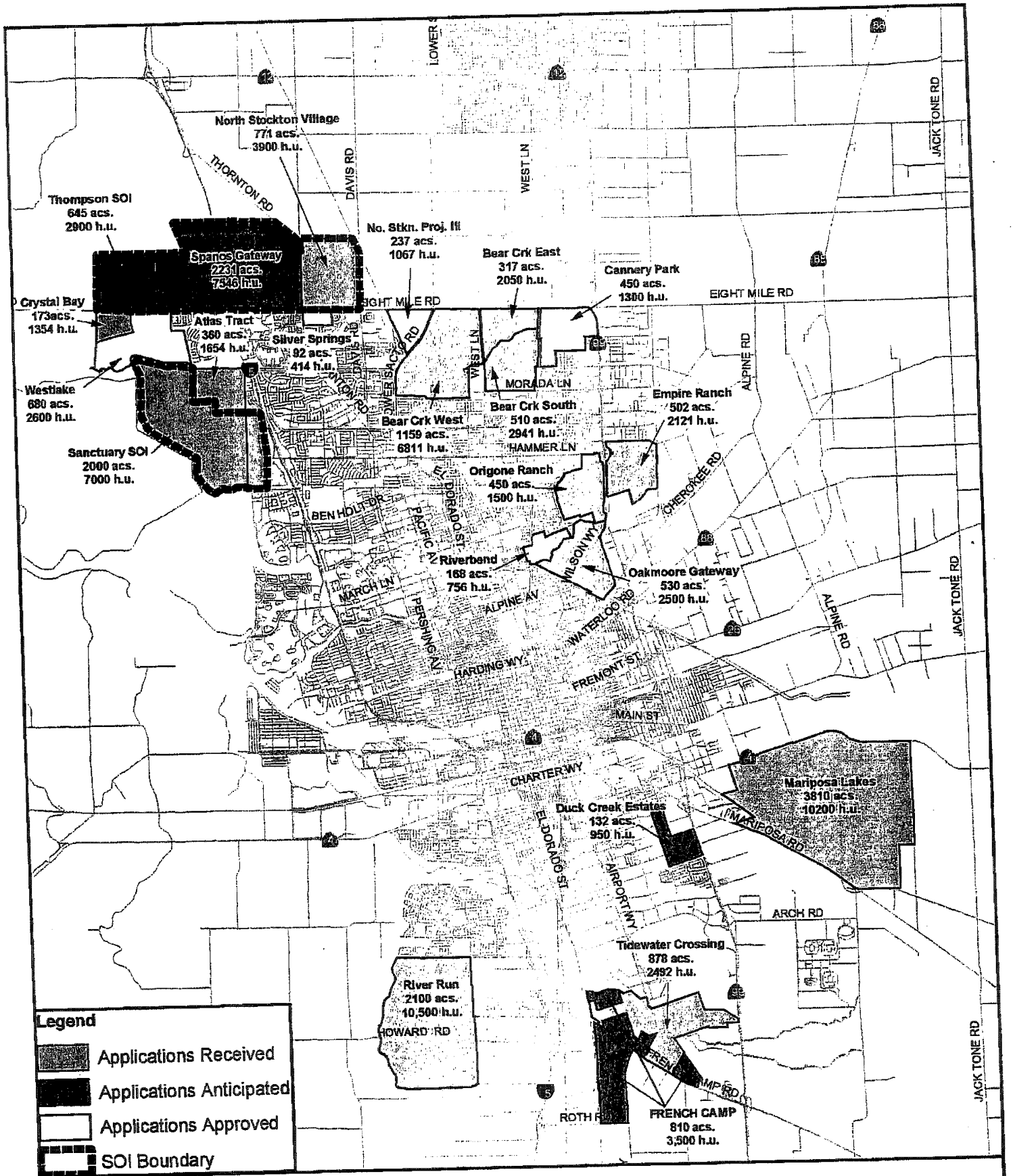
U.S. Environmental Protection Agency, 2006, Ground water and drinking water--list of drinking water contaminants and MCL's, accessed August 15, 2006 at http://www.epa.gov/safewater/mcl.html#sec

Williams, J.H., Lapham, W.W., and Barringer, T.H., 1993, Application of electromagnetic logging to contamination investigations in glacial sand-and-gravel aquifers: Ground Water Monitoring Review, v. 13, no. 3, p. 129–138.

ATTACHMENT 20


Prime Farmland (P)
Farmland with the best combination of physical and chemical features able to sustain long term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.
Farmland of Statewide Importance (S)
Farmland similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.
Unique Farmland (U)
Farmland of lesser quality soils used for the production of the state's leading agricultural crops. This land is usually irrigated, but may include nonirrigated orchards or vineyards as found in some climatic zones in California. Land must have been cropped at some time during the four years prior to the mapping date.
Farmland of Local Importance (L)
All farmable land within San Joaquin County not meeting the definitions of "Prime Farmland," "Farmland of Statewide Importance," and "Unique Farmland." This includes land that is or has been used for irrigated pasture, dryland farming, confined livestock or dairy facilities, aquaculture, poultry facilities, and dry grazing. It also includes soils previously designated by soil classifications as "Prime Farmland," "Farmland of Statewide Importance," and "Unique Farmland" that have since become idle.
Grazing Land (G)
Land on which the existing vegetation is suited to the grazing of livestock. This category was developed in cooperation with the California Cattlemen's Association, University of California Cooperative Extension, and other groups interested in the extent of grazing activities. The minimum mapping unit for Grazing Land is 40 acres.
Urban and Built-up Land (D)
Land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. This land is used for residential, industrial, commercial, construction, institutional, public administration, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes.
Other Land (X)
Land not included in any other mapping category. Common examples include low density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry or aquaculture facilities; strip mines, borrow pits; and water bodies smaller than forty acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land.
Water (W)
Perennial water bodies with an extent of at least 40 acres.
San Joaquin County
Important Farmland - 2004

ATTACHMENT 21




S:\CD\ARCMAP EXHIBITS\dev projects with ac hu.mxd

ATTACHMENT 22

**THIS MODEL SHOWS 100% MODIFIED BUILD-OUT FOR THE STOCKTON PREFERRED ALTERNATIVE**

| Village | Avail. Acres | Residential Units VRE | VLDR | VMDR | VHDR | Total | Population | Institutional (Sq/Ft) | Parks Open Space (Acres) | NC (Sq/Ft) | CC (Sq/Ft) |
|---|---|---|---|---|---|---|---|---|---|---|---|
| A | 1,947 | 65 | 4,362 | 1,551 | 1,163 | 7,140 | 21,420 | 502,000 | 204 | 335,899 | 1,045,440 |
| B | 665 | 25 | 1,660 | 590 | 443 | 2,717 | 8,151 | 48,000 | 74 | 127,822 | |
| C | 1,918 | 64 | 4,348 | 1,546 | 1,160 | 7,119 | 21,356 | 320,000 | 203 | 334,895 | 1,306,800 |
| D | 1,114 | 38 | 2,585 | 919 | 689 | 4,231 | 12,693 | 374,000 | 119 | 199,048 | |
| E | 1,576 | 57 | 3,816 | 1,357 | 1,018 | 6,247 | 18,740 | 272,000 | 172 | 293,875 | |
| F | 664 | 24 | 1,625 | 578 | 433 | 2,660 | 7,979 | 96,000 | 73 | 125,129 | |
| G | 765 | 26 | 1,762 | 626 | 470 | 2,884 | 8,652 | 48,000 | 81 | 135,680 | 640,332 |
| H | 1,088 | 39 | 2,608 | 927 | 696 | 4,270 | 12,811 | 224,000 | 118 | 200,890 | |
| I | 825 | 30 | 2,001 | 711 | 534 | 3,276 | 9,827 | 128,000 | 90 | 154,109 | |
| J | 1,456 | 50 | 3,359 | 1,194 | 896 | 5,499 | 16,496 | 502,000 | 155 | 258,691 | |
| K | 1,247 | 44 | 2,980 | 1,059 | 795 | 4,878 | 14,634 | 272,000 | 135 | 229,479 | |
| L | 1,268 | 46 | 3,095 | 1,101 | 825 | 5,067 | 15,201 | 176,000 | 139 | 238,383 | |
| M | 1,549 | 56 | 3,748 | 1,332 | 999 | 6,135 | 18,405 | 272,000 | 169 | 288,622 | |
| N | 1,425 | 49 | 3,279 | 1,166 | 874 | 5,368 | 16,104 | 502,000 | 152 | 252,530 | |
| **TOTAL** | **17,506** | **611** | **41,227** | **14,658** | **10,994** | **67,490** | **202,470** | **3,736,000** | **1,888** | **3,175,052** | **2,992,572** |

*VRE - 1 DUA*
*VLDR - 4.5 DUA*
*VMDR - 8 DUA*
*VHDR - 18 DUA*
*NC - Neighborhood Commercial*
*CC - Community Commercial*
*Institutional - Schools*

| | VRE | VLDR | VMDR | VHDR |
|---|---|---|---|---|
| | 5% | 75% | 15% | 5% |

| Non-Village Development | Units | Pop/Unit | Total Pop |
|---|---|---|---|
| **Approved Projects** | 15,168 | 3 | 45,504 |
| **Non Village Development (includes infill)** | 19,853 | 3 | 59,559 |
| **Mixed Use/University Park(100%)** | 3,592 | 3 | 10,776 |
| **Downtown (100%)** | 385 | 3 | 1,155 |
| **TOTAL** | 38,998 | | 116,994 |

| | |
|---|---|
| **2003 Population** | **261,253** |
| **Village Buildout** | **202,470** |
| **Approved Projects** | **45,504** |
| **Non Village Development** | **59,559** |
| **Mixed Use/University Park (100%)** | **10,776** |
| **Downtown (100%)** | **1,155** |
| **TOTAL** | **580,717** |

**NOTE:** Walker Lane ag/residential would add an additional 2,772 population.

| Non-Residential Development | Commercial | Admn/Prof | Industrial LIGHT | Industrial HEAVY | Mixed Use ADMN/PROF | Mixed Use COMM | Schools ELE | Schools JH | Schools HIGH |
|---|---|---|---|---|---|---|---|---|---|
| **acres** | 1,002 | 458 | 3,196 | 778 | 38 | 36 | 520 | 231 | 300 |
| **sq/ft** | 18,778,688 | 10,831,194 | 55,813,985 | 11,864,920 | 436,798 | 467,758 | 2,496,000 | 880,000 | 1,380,000 |

Non-residential development on available land

I11

5136 E. Ashley Lane
Stocckton, CA 95212
January 27, 2007

RECEIVED
CITY OF STOCKTON

JAN 29 2007

PERMIT CENTER
PLANNING DIVISION

Mike Niblock
Stockton Planning Dept.
345 N. El Dorado Street
Stockton, CA 95502

Dear Mr. Niblock,

Attached are my comments on the Draft EIR report of the Stockton General Plan 2035. I would like to be notified when the Hearings on the General Plan are scheduled. I11-1

Yours truly,

Sharon D. Stewart

Sharon D. Stewart

cc: Steve Escabar
David Stagnaro

1/27/07

SHARON D. STEWART COMMENTS

ON THE DRAFT STOCKTON GENERAL PLAN 2035

ENVIRONMENTAL IMPACT REPORT

As a Morada Resident, we appreciate having the existing builtup area of Morada being removed from the Draft General Plan. The only problem is that the recognized Morada Area as surveyed and recorded by the San Joaquin County Survey Dept. extends from State Highway 99 on the west to Alpine Road on the east and from Bear Creek on the north to the Calaveras River on the south. On the 2035 General Plan Study Area and Draft Land use Diagram shows Village I between Foppiano Lane and south of the Calaveras River extending south to Waterloo Road (State Highway 88). Also, the east side of the Eight Mile Road/Highway 99 Interchange is shown included in the City of Stockton. These two areas should remain San Joaquin jurisdiction and not annexed to the Stockton in the future. These areas need to remain rural and not part of the city. I also noticed that the area on the east side of Highway 99 near Live Oak Road new interchange is included as part of Stockton. This area also needs to remain County and not be annexed to the city. If these areas are annexed to Stockton as part of this General Plan, I can see that it will lead to further annexation on the east side of Highway 99. These areas on the east side of Highway 99 at these two interchanges leads me to ask another question regarding the Morada Lane/Highway 99 interchange. The City of Stockton is studying the reconstuction of the Morada Lane Interchange and the Eight Mile Road Interchange, does the City of Stockton plan adding the east side of Morada Lane Interchange to the General Plan also like they have on Eight Mile Road Interchange? A map of the Morada MAC Boundaries was given to the Stockton Planning Commission and Planning Dept.during the General Plan Workshops. If you need a copy of this map and surveyed description please contact me and I will provide you with another.

I11-

I11-

The City of Stockton needs to look at a lesser aggressive growth option that will not pave over so much agricultural areas with more infill development. Provide more affordable housing for families other than loads of apartments, affordable housing for senior citizens possibly like the Silvercrest Senior Housing in other areas of the city near shopping where the rent is based on your income. Less growth would prevent the proposed gridlock on the major city streets and highways in the area. There would be less school crowding, less crime, less water usage, adequate fire protection, and a much better community to live in. Before Stockton considers further growth, they need to attract more industry with better paying jobs rather than being a Bay Area Commuter Housing Area.

I11-

On page 9-1, it states that Stockton needs to identify additional well fields. The NOP for Empire Ranch showed one of the well fields with 17 proposed well locations. This is part of Village I that Morada objects to . A well field in this area with 17 deep high volume wells would severely inpact our private and community wells which could leave our neighborhood without water. These proposed well fields need to be shown in the Draft General Plan EIR and

I11

show what the impacts will be on surrounding wells & the underground water table which is currently severely overdrafted. Also, where will the other well fields be and what are their locations and how many wells are proposed in each. I am sure there are none in the westerly part of the city because of the salinity intrusion. I11-5 cont.

On page 9.3, it states that the city will require the use of nonpotable water for irrigation of large landscaped areas. What areas are proposed to use this nonpotable water? How will this water be treated so as it will not contaminate the area. Also, will it be cost effective? These items need to be included in the EIR. I11-6

The Delta Water Supply statement on page9-11--PFS-2.8 should be changed to read that: The City should not approve new development that relies on the Delta Water Supply Project to supply the water until the DWS is constructed and fully operational. A schedule of the DWS should be included. As I recall from the Workshop on the DWS, it was stated that Phase I would take care of growth thru 2015. That would be 5 years after it is constructed if it is completed on time. Has work started on the Phase II permit yet? If so, what is it'a status? I understand that the Prop 50 Grant for the City DWS was not funded.What affect does this pose? I11-7

Also, I noticed that Implementation Measure #21 is used a lot. There are 2 or more versions of this statement. Also, shouldn't this be reviewed and delete the portions of the Measure #21 that do not apply to the subject that is being presented. Such as,if discussing the fire department--libraries, recreation, police department and utility infrastructure probably would not apply. I11-8

The City water contracts for surface water are getting close to expiring. Additionally, it was noted on page 9-6 that new wells will be needed when in dry years when SEWD surface water supplies are curtailed. This will put more overdraft on the groundwater when the groundwater supply is lower.
Impact PFS-3 on page 9-14 regarding the overdraft of ground water or lowering of the groundwater table as it appears that the city will be relying on more groundwater with well fields and some of the above statements. It states the groundwater currently comprises approximately 40% of the COSMA's total water supply but what about the future? I11-9

Small lot subdivision of 500 homes or less should not be allowed. This should not be allowed as this requires less mitigation and other requirements. Normally these small lot subdivisions are a part of a much bigger subdivision. A small lot subdivision should be a few homes in a small area not 500 or less. I11-1

On page 9-21, Impact Analysis it states that the RWCF work anticipated completion is expected in 2006. Was it completed? I11-1

Stormwater needs to be treated before dumping it into waterways. How does the city plan to treat this polluted stormwater? When does the city plan to cleanup the already polluted waterways within Stockton? I11-1

On page 9-33 it mentions dam failure as flood hazards. How would you be able to evacuate in case of a dam failure or levee break I11-1

when you are predicting LOS Service F on major city streets and the State Highways in the area. It sounds like a Katrina Hurricane scenerio all over again. According to several documentary films recently on TV, they have been comparing the Delta Levee system to the New Orleans levees. This is kind of scary to have all the growth going on in Stockton that are protected by upgraded ag levees. I11-1 cont.

On page 9-58 it talks aboutAg Land Preservation, it states that the City shall limit the wasteful and inefficient sprawl of urban uses into agricultural lands. This General Plan does not reflect this policy. I11-1

LOS F is not acceptable for traffic on the City streets and the State Highways. Level of service E is not much better. The General Plan needs to take another look at traffic to see how they can improve this. What are Caltrans and the County of San Joaquin's thought on the traffic study. I11-1

Recreation and waterways (Delta access and Park access) needs to open and free to all and not like the west end of March Lane near Brookside area. I will not pay a entrance fee for a short visit to see the water. I used to buy lunch and go down to the Delta to watch the boats, water skiers and freighters. I do not want to pay a daily fee for a short visit. Also, has the City considered putting in handicapped facilities along the major waterways for fishing and other activities? This should be addressed in the EIR.Also, there needs to be a City Policy that does not allow the City to raid the Parks and Recreation Funds for the downtown areana, ballpark and other future projects. If this is allowed to happen again it will affect all the existing and future parks within the city. The City should look into hiring some park patrols personnel to watch for illegal activities, drugs gangs to take over the parks. More Police Officers are required so they can patrol the park at night when problems occur. With more growth the city needs to recruit several more officers now and in the future to provide adequate coverage for the whole town. It is mentioned that there is a need for more substations within the city. These do not happen quickly. The north Stockton substation took over 20 years to happen. More trail and parkways will require additional park and police patrols. How many more will be required? I11-1

Airport mitigation mentions nautical miles around it. It needs to show the equivalent in actual miles also. I11-1

Submitted by

Sharon D. Stewart
5136 E. Ashley Lane
Stockton (Morada) CA 95212

1 of 8

I12

Jan. 27, 2007

RECEIVED
CITY OF STOCKTON
JAN 29 2007
PERMIT CENTER
PLANNING DIVISION

To: City of Stockton (COS)
Dept. of Planning Div.
345 No. El Dorado St.
Stockton, CA 95202
Attn: David Stagnaro, Mark Madison
Mayor Ed. Chavez.

Re: Public Review of the Draft Environmental Impact Report (EIR 4-05) For the COS 2035 General Plan Update and Infrastructure Master Plans Project.

From: The following comments, questions remarks and statements are from the Morada Community as represented by the Morada Area Assoc. (M.A.A.) and the Morada Municipal Advisory Council (M.M.A.C).

I12-1

Morada is a small farming community in the unincorporated area of San Joaquin County as defined by county map as bounded by SR# 99 on west; Alpine Rd. on east; Calaveras River on south; and Bear Creek on north.

We have, since its inception, been opposed to this COS 2035 - 2050 General Plan for all the numerous reasons clearly laid out in past

public and written comment. Morada does not want to be swallowed up by the COS. We want to keep our identity and integrity as a rural community and grow and develope in a way commensurate with our being. We want to keep our rural aesthetic and farming culture and so ask the COS to honor and keep its easterly boundary at S.R. Hwy 99.

12-1 continued

Morada has all the usual and expected concerns about the issues covered in this DEIR ... roads and streets, schools and air quality, the problems inherent with crowding, sewer and water infrastructure and supply, the loss of prime farmland and open space and local animal habitat, etc., but our focus concern in this GP DEIR is WATER and the lack of it.

12-2

D Is it true this GP depends on and is planned around the success of the COS Delta Water Supply Project? What if the DWSP does not come to fruition for all of the obvious reasons why, like funding, environmental and political? How can you make such long-term and far-reaching decisions on such an "iffy" project? If the DWSP is denied a partial funding grant, what will the economic impact be to the COS and taxpayers?

2) Since we've all read and are familiar with the same water materials (ESJGBMP, SEWD UWMP, SEWD packets, etc.) attended the water board meetings (SEWD, SJCGBA, SJCWAB, etc.) and seen and heard the same power-point presentations by the consultants, we are all succinctly aware of the tentativeness of surface water contracts and/or lack of surface water supplies available and the desparate condition of our severely overdrafted groundwater basin. We are all dependant on this aquifer and have a right to use it justly and reasonably so shouldn't this GPEIR open the eyes of our elected officials and appointed boards to the seriousness of their decisions regarding this "public trust."? With our water supplies seriously threatened, both now and in the future, shouldn't growth be curtailed until we truly have the resources to support it?

I12-3

3) Is it true that saline intrusion from the west under our S.J. Delta is moving easterly very rapidly at a rate of 143 feet per year (USGS Salinity Study)?

I12-4

I12-5 4) Is it true that development west of I5 has no potable water supply beneath it to support its existence, ie, it depends on the COS water grid?

I12-6 5) Is it true that Oak Grove Regional Park had to abandon its wells because of this saline intrusion and needed city services, ie, COS water grid?

I12-7 6) Is it true the COS has large municipal wells on the eastside by Hwy 99 that pump water from our already depleted aquifer to the developments on the westside via the COS water grid?

I12-8 7) Is it true that 'Cal Water' abandoned at least eight (8) wells due to arsenic contamination and now also needs additional groundwater to dilute this contamination down to acceptable limits, essentially saying, "the solution to pollution is dilution"?

I12-9 8) If the answer to any of these questions is yes, shouldn't you reanalyze and examine where this growth or any growth should go? It does not make sense to play Russian Roulette

with San Joaquin County the way this plan does. Are we an agriculture economy county or not, how are you going to mitigate the loss of thousands and thousands of acres of prime farmland and open space that does act as "recharge land" for our aquifer?

12-9 continued

12-10 9) Is it true our aquifer is overdrafted close to 300,000 acre ft per year?

12-11 10) Is it true we are receiving less and less surface water and recharge from the foothills due to increased development in those areas? Does that equate to less surface water and groundwater for us in the future?

12-12 11) Is it true the COS has already built out past its true ability to serve and is now expanding its footprint in order to take the groundwater under that footprint by creating "pumping fields" over these annexed areas to act as legal appropietors and pump that water into the COS water grid for the big development projects existing in the wings like Grupis Sanctuary, Spanos Park North and Empire Ranch Village I?

12-13 12) Should projects that are not self supportive and sufficient in themselves have the right to steal the water out from underneath old established overlying users? We, on the east side of Hwy 99, are dependent on domestic and community wells and have an overlying property owners "right of use" to the water beneath us ... what is the COS doing to protect our water right?

12-14 13) The COS touts a "conjunctive water use" of 60% - 40%, ie, 60% use of surface water, 40% use of groundwater ... is this a true percentage split?

12-15 14) Some have said the COS water policy is one of "picking the easy fruit first", essentially mining the aquifer, is this a fair statement? If not, why? It is estimated that by 2050 a 20 foot drop in the static water level of the aquifer will occur if the COS continues to mine the groundwater basin, what will the economic impacts to local farmers and the local economy be in this case?

12-16 15) Why doesn't this DEIR address contingency plans or alternatives for the potential failure or interruption of the COS DWSP or the very real

potential of our aquifer failing as happened to Clovis in Fresno County? Is sinking new wells, creating well pumping fields to continue overpumping and overdrafting our depleted aquifer a viable alternative?

I12-16 continued

We are thankful for this opportunity to be heard and hope and pray we are. Simply, there really is no mitigation for the severe cumulative negative impacts on the county if this GP is augmented. Aside from hard and responsible decisions to preserve, protect, and restore our groundwater basin for all citizens of the county (Public Trust) land not to develope over our ag land for the mere sake of sprawl and the "bottom line" is foolhearty and fraudulent and threatens the future of our agricultural centered economy as well as the livability of a place with little or no water supply.

I12-17

This DEIR and GP, while very flashy, voluminous and expensive lacks credibility because it doesn't present and address the real crucial problems honestly and adequately nor does it (COS) consider its neighbors. This feels like a developer project driven document.

Our final question: are the COS policies

898

I12-17
continued

represented in the GP and this DEIR documents in line with the God-given obligation and very best moral stewardship of our resources we are commanded to demonstrate?

Thank you again for this opportunity to input.

Sincerely,

William Van Amberfield
6406 Mulberry Dr.
Modesto, CA 95212-9417

Modesto resident 31 years
Native Stocktonian 63 years
Board member M.A.A.
Board member M.M.A.C.

Cooper
8740 Helen Lane, Stockton, CA 95212 ■ nct510@hughes.net

January 28, 2007

RECEIVED
CITY OF STOCKTON

JAN 29 2007

PERMIT CENTER
PLANNING DIVISION

Mr. David Stagnaro, AICP
Senior Planner
Community Development Department
345 N. El Dorado St.
Stockton, CA 95202

RE: City of Stockton General Plan Draft EIR

Dear Mr. Stagnaro:

Thank you for the opportunity to comment on the City's Draft EIR for the 2035 General Plan. The DEIR addresses the topic of Alternatives to the Proposed Project in Chapter 14. I13-1

According to CEQA Requirements[1] a description of reasonable alternatives to the project must be analyzed that could feasibly attain most of the basic objectives of the project while avoiding or substantially lessening any of the significant effects of the project. The alternatives analysis should also compare merits of the alternatives.

An analysis of the basic project objective is conducted using the guiding principal (of the objectives) as it applies to each alternative.[2] Table 14-4 notes that Alternative 5, "The Environmentally Superior Alternative"[3] meets all of the project objectives except two, target population, and multi-modal loop roads. I13-2

The Proposed Project uses a target population of 580,000.[4] This is an unrealistically high estimate. The actual growth rate and the anticipated growth rate projections from the San Joaquin Council of Governments[5] return a much lower target population. Actual historical data[6] shows that Stockton grew by 32.5% in the 15-year period between 1990 and 2005. This is backed up by data from the California Department of Finance, which states the same data.[7] This equates to 2.03% growth per year. Using these more realistic figures, the population in 2035 will be 460,000. Add to that, Major Projects that the City now has in the planning stage north of Eight Mile Road, west of Lower Sacramento Road and the population may increase another 20 to 30,000.

[1] CEQA Guidelines, Section 15126.6[a]
[2] DEIR, 14-8
[3] DEIR, 14-58
[4] DEIR, 2-7, Table 2-2
[5] Background Report (BR) 2-6
[6] BR 1-10
[7] California Department of Finance, Population Change 1990-2000, Incorporated Cities by County

This happens to be very close to the population projection (460,000) for Alternative #5.[8] This would essentially add the equivalent of an additional village (only a small portion of Village C is included in the basic alternative) to the total in Alternative #5, in effect, increasing the total to seven (Villages A, B, much larger C, H, J, & K). Therefore, taking into account more realistic projections, Alternative #5 does, in fact, meet the objective criterion for population.

I13-2 continued

Without further analysis, Alternative #5 meets the standard of project goals as stated in the DEIR[9]: *"The extent to which the alternative would accomplish most* (my emphasis) *of the basic goals and objectives of the project;"* However, the one remaining objective not met by this alternative is "multi-modal loop roads". Given that the only Village group on the east side of SR99 is well southeast of the city center, there is no purpose to a multi-modal road that serves only one area. Additionally, multi-modal roads remain in the west, northwest, and into the city interior. With that said, Alternative #5 definitely meets the standard of project goals.

It is difficult to analyze a comparison of the goals of the Proposed Project. These goals are not included with the Alternatives comparison. Given that the Proposed Project provides for incompatible land uses around the airport, the DEIR does not meet this goal.[10] This is not only a negative environmental impact but a safety risk as well.

I13-3

*... due to their proximity to the airport, are subject to a materially greater level of safety risk and/or adverse environmental effect (e.g. noise)... and all lands in the vicinity of the airport on which certain land uses (e.g., residential or educational)...*[11]

The Proposed Project does not meet its important goal to avoid or minimize impact to natural resources such as agricultural land.[12] It converts more open space (9,350 acres) and more prime agricultural farmland (9,900 acres) than Alternative #5. This is a vastly more significant impact on the part of the Proposed Project that is largely ignored. The DEIR does not mention or analyze the cultural and economic effects that the loss of agricultural land would have on the number one economy of San Joaquin County. That economy represents 1.5 billion dollars and at least 15,000 jobs.

I13-4

According to stated objectives, it is essential that the Proposed Project encourage infill development and orderly expansion of the city.[13] It is difficult to believe that infill development is encouraged when in point of fact 13 of the 14 planned villages are outside of the current city limits. This simply promotes low-

[8] DEIR 14-8, Table 14-3
[9] DEIR 14-2
[10] DEIR 2-7 and 2-8
[11] DEIR 11-19
[12] DEIR 2-8
[13] DEIR 2-7

density urban sprawl at the expense of non-replaceable agricultural land. The Proposed Plan simply does not meet this objective. I13-4 continued

It is difficult to analyze a comparison of negative impacts of the Proposed Project against the alternatives. The DEIR fails to compare the data in a quantitative fashion. Although the DEIR requires that the alternatives analyze,

*"The extent to which the alternative would avoid or lessen any of the identified significant environmental effects of the project;"*[14]

The report simply states the alternatives have lesser or greater impacts than the Proposed Project. It is significant that Alternative #5 is the only alternative that equals or lessons all impacts when compared to the Proposed Project.

I13-5

*As previously described...the environmentally superior alternative for this project would be Alternative 5...Other than the No Project Alternative, this is the only alternative that would reduce the severity of most environmental impacts associated with the Proposed Project...Alternative 5 would result in fewer vehicle trips generated, air quality impacts would also be reduced.*[15]

As stated by the Project Consultant's presentation at the GP DEIR Workshop[16] the purpose of an EIR is *"To prevent environmental damage by requiring (my emphasis) implementation of feasible alternatives or mitigation measures."*

I respectfully submit that the DEIR focuses to justify the selection of the Proposed Project at the cost of mitigating the impact of the Project on the environment. The factual evidence presented in the DEIR supports the selection of the Environmentally Superior Alternative #5.

Sincerely,

Kurt W. Cooper

Kurt W. Cooper

cc: Mayor Ed Chavez

Stockton City Council

City of Stockton Planning Commission

---

[14] DEIR 14-2
[15] DEIR 14-58 and 14-59
[16] 1/10/07, Civic Auditorium, Ray Weiss, EIR Project Mgr, Environmental Science Associates (ESA) .ppt presentation & handout

-----Original Message-----
From: westpl@westplanning.com [mailto:westpl@westplanning.com]
Sent: Sunday, January 28, 2007 6:09 PM
To: Rick Rust
Subject: Stockton General Plan Comment - From Website

On 2007-01-28 at 21:08:38,
The following information was submitted:
>From Host: 67.181.92.223
name = Lorne & Janet Truscott
address = 9215 Valley Drive
address2 =
city = Stockton
state = CA
zip = 95212
phone1 = 209
phone2 = 931
phone3 = 2795
email = truscotts@comcast.net
comment = We live in Morada, just east of Highway 99. We would be greatly affected by the proposed relocation of the frontage road at Highway 99 and Morada Lane. I14-1

We realize the General Plan covers a much larger area than this, but it's never too early to register your concerns. I14-2

We would like to know what the City is doing to address the impact of Empire Ranch, improving the Morada Lane overpass on Highway 99, and the relocation of the frontage road in these areas: I14-3
What assurance do we have that new wells on the east side of the freeway will not deplete our water supply to the point that our wells will no longer function? I14-4
Will there be a sound wall to mitigate the noise from increased traffic, especially from a frontage road that will be closer to our house? I14-5
What about air quality - what will be done to minimize the effects of more cars, and more houses? I14-6
What about the encroachment of new, densely populated neighborhoods surrounding Morada, which is unique in this area for it's large lots and semi-rural setting? I14-7
When will we be added to the mailing list? We have called and written a number of people at the City of Stockton, and heard nothing from anyone but Councilman Chapman. I14-8

The proposed changes to the roads in our area will have a great effect on us - we'd like to know what is happening, before it happens. I14-9

mailing_list = yes

I15

**From:** woody alspaugh <w_als2004@yahoo.com>
**To:** David Stagnaro <david.stagnaro@ci.stockton.ca.us>
**Date:** 1/29/2007 1:49:18 PM
**Subject:** Up-date 2035

Dear David, I added a few of my comments. I'm testing how things work on this PC.
Now I'm burned out. I Hope that this will suffice in opening the discussion of the "plan". Thanks, woody. I15-1

**CC:** Woody Alspaugh <hope0001@comcast.net>

# 2035 Planning comments

D. Interconnected Infrastructure: Infrastructure- Concepts;

(1).Explain "Loops". There are too many dead-end streets now and planned. I15-2

(2) ["Centers"]: The new bus center downtown Stkn. is indicative of poor planning as it is located in the middle of nowhere, between small streets and it is not located near any other form of transportation, such as rail. I15-3

(3) There are no real plans for infill, especially in the South part of Stkn. Alternative routes are only good for road jams and for people who are not educated to drive on freeways. An example of a /the so-called "Loop" is the two main streets that connect North and South Stockton, El Dorado and Center, that have a traffic light system that allows free flowing traffic, but they are now compromised by the "mid-way walkways" that were installed to promote the "boondoggle" 16th plex movie theater. (This allows lazy people from having to walk a few feet extra to a crossing, therefore, interrupting the flow of traffic, notwithstanding the poorly planed "center" that has a small street interest along whith parking in residential neighborhood. I15-4

(4-5) Sewerage should be planed and installed before construction of buildings as well as water, fresh as well as treated. I15-5

(6) [Drainage] Explain "best practice". I15-6

(7) Parks, open spaces and waterways should be planned along whith bridges, well before ANY construction (Blue-printed.) I15-7

(8) As mentioned above, ALL infrastructures should be well planned before ANY construction, including small, assessable shopping centers along whith police and fire sub-stations. I15-8

(9) "Heavy Rail Passenger Transit Connections." This one really takes the "cake'. Stockton, along whith the whole San Joaquin Valley is still in the "horse and buggy" days. There should be a direct link between Sacramento, Stockton, Lathrup, Tracy, etc. to S.F. to allow rapid, pollution free transportation for people and cargo. (That is why I was so set against Measure "K" as it does not address this problem along whith future growth. You can build "highways till doomsdays, but the problem of slow, congested, smog producing traffic will only increase. I15-9

At this time, I would like toad a few comments, (ideas), of my own. Four years ago, in the fall, after I had leaned that a Greek was responsible for the opposition of Measure "Q", I went to Greece to find out how they built on their farmland. Since then I have gone to middle and Easter Europe twice.

Every place that I go, rather being small or big, they do not build on farmland unless it is on a farm or is adjacent to a road. The intelligent way to provide housing is to build medium high-rise buildings that are made assessable via trams (rail), whith the buildings bring separated by "parks", so that they're very aesthetic, along whith all necessary means of living, such as food stores, both open air and enclosed, shops for one's needs, schools, police and fire substations. I understand, unfortunately, as the population increases, there has to be more housing. Now in the case of Stockton, there is no reason, except for greed, that upon farmland, houses are built. It would be very practical, at least North of Stkn., that only buildings a few meters from Highway 5, (East) are built along whith a rail system in order to promote all of the advantages of said. Woody Alspaugh. I15-10

# 2035 Planning comments

## D. Interconnected Infrastructure: Infrastructure- Concepts;

(1).Explain "Loops". There are too many dead-end streets now and planned.

(2) ["Centers"]: The new bus center downtown Stkn. is indicative of poor planning as it is located in the middle of nowhere, between small streets and it is not located near any other form of transportation, such as rail.

(3) There are no real plans for infill, especially in the South part of Stkn. Alternative routes are only good for road jams and for people who are not educated to drive on freeways. An example of a /the so-called "Loop" is the two main streets that connect North and South Stockton, El Dorado and Center, that have a traffic light system that allows free flowing traffic, but they are now compromised by the "mid-way walkways" that were installed to promote the "boondoggle" 16th plex movie theater. (This allows lazy people from having to walk a few feet extra to a crossing, therefore, interrupting the flow of traffic, notwithstanding the poorly planed "center" that has a small street interest along whith parking in residential neighborhood.

I15-11

(4-5) Sewerage should be planed and installed before construction of buildings as well as water, fresh as well as treated.

(6) [Drainage] Explain "best practice".

(7) Parks, open spaces and waterways should be planned along whith bridges, well before ANY construction (Blue-printed.)

(8) As mentioned above, ALL infrastructures should be well planned before ANY construction, including small, assessable shopping centers along whith police and fire sub-stations.

(9) "Heavy Rail Passenger Transit Connections." This one really takes the "cake'. Stockton, along whith the whole San Joaquin Valley is still in the "horse and buggy" days. There should be a direct link between Sacramento, Stockton, Lathrup, Tracy, etc. to S.F. to allow rapid, pollution free transportation for people and cargo. (That is why I was so set against Measure "K" as it does not address this problem along whith future growth. You can build "highways till doomsdays, but the problem of slow, congested, smog producing traffic will only increase.

# I16

**From:** woody alspaugh <w_als2004@yahoo.com>
**To:** David Stagnaro <david.stagnaro@ci.stockton.ca.us>
**Date:** 1/29/2007 1:09:50 PM
**Subject:** 2035 Planning Comments

I want to say that I am against the whole plan, except for a few thighs, to which I will address, if I have time. The "plan" reads like a "ferry tale". It reads like a "wish" list. "I wish that Ca. will have a 100% pollution free vehicle.

Dear David. this is what I have so far.

---

From: woody [mailto:hope0001@comcast.net]
Sent: Sunday, January 28, 2007 3:48 PM
To: 'Steve.Escobar@ci.stockton.ca.us'; 'editor@recordnet.com'
Cc: w_als2004@yahoo.com; 'trejoesmiley101@aol.com'
Subject: General Plan, Response to General plan.

Dear Steve, I can't find the e-mail that you sent, but to meet the 29th deadline, I will send this first. Thank you, Woody Alspaugh.

This is a prelude to voicing, (writing) an objecting to the proposed City of Stockton 's General Plan Draft. I object the who concept of said plan for many reasons, some are, building on farmland, no infrastructure, such as road highways or trams, police sub stations, fire sub stations, no clear parks destinations(s) and , differently, the use of the word "Village" I hope to go in more detail before the deadline.

Etymology: Middle English, from Anglo-French vilage, from vil manorial estate, farmstead, from Latin villa
1 a : a settlement usually larger than a hamlet and smaller than a town b : an incorporated minor municipality
2 : the residents of a village
3 : something (as an aggregation of burrows or nests) suggesting a village
4 : a territorial area having the status of a village especially as a unit of local government

I16-1

2035 Planning comments
D. Interconnected Infrastructure: Infrastructure- Concepts;
(1).Explain "Loops". There are too many dead-end streets now and planned.
(2) ["Centers"]: The new bus center downtown Stkn. is indicative of poor planning as it is located in the middle of nowhere, between small streets and it is not located near any other form of transportation, such as rail.
(3) There are no real plans for infill, especially in the South part of Stockton. Alternative routes are only good for road jams and for people who are not educated to drive on freeways. An example of a /the so-called "Loop" is the two main streets that connect North and South Stockton, El Dorado and Center, that have a traffic light system that allows free flowing traffic, but they are now compromised by the "mid-way walkways" that were installed to promote the "boondoggle" 16th plex movie theater. (This allows lazy people from having to walk a few feet extra to a crossing, therefore, interrupting the flow of traffic, notwithstanding the poorly planed "center" that has a small street interest along whith parking in residential neighborhood.
(4-5) Sewerage should be planed and installed before construction of buildings as well as water, fresh as well as treated.
(6) [Drainage] Explain "best practice".
(7) Parks, open spaces and waterways should be planned along whith bridges, well before ANY construction (Blue-printed.)

(8) As mentioned above, ALL infrastructures should be well planned before ANY construction, including small, assessable shopping centers along whith police and fire sub-stations.
(9) "Heavy Rail Passenger Transit Connections." This one really takes the "cake'. Stockton, along whith the whole San Joaquin Valley is still in the "horse and buggy" days. There should be a direct (rail) link between Sacramento, Stockton, Lathrup, Tracy, etc. to S.F. to allow rapid, pollution free transportation for people and cargo. (That is why I was so set against Measure "K" as it does not address this problem along whith future growth. You can build "highways till doomsday, but the problem of slow, congested, smog producing traffic will only increase.

I16-1
continued

SHALL: 1 archaic a : will have to : MUST b : will be able to : CAN
2 a -- used to express a command or exhortation <you shall go> b -- used in laws, regulations, or directives to express what is mandatory <it shall be unlawful to carry firearms>
3 a -- used to express what is inevitable or seems likely to happen in the future <we shall have to be ready> <we shall see> b -- used to express simple futurity <when shall we expect you>
4 -- used to express determination <they shall not pass>

The reason for this definition is, The authors, (con-men), keep saying that the City SHALL do this or that! I object very strongly to that language along whith the phase "Village".

**CC:** Woody Alspaugh <hope0001@comcast.net>

ARNAIZ
COMPANIES

January 29, 2007

Michael Niblock, Director
City of Stockton
Community Development Department
425 N. El Dorado Street
Stockton, CA 95202

**Via Facsimile / E-mail / Hand-delivered**
**(209) 937-8893 / mike.niblock@ci.stockton.ca.us**

**RE: Review & Comment – Goals & Policies Report Stockton General Plan 2035 and Draft Environmental Impact Report for the Stockton General Plan Update and Infrastructure Master Plans Project (EIR4-05).**

Dear Mr. Niblock:

Thank you for the opportunity to review and provide comments in regard to the Goals & Policies Report for the City of Stockton Proposed 2035 General Plan and the City of Stockton Proposed 2035 General Plan Draft Environmental Impact Report and Infrastructure Master Plans Project (EIR4-05).

Comments are provided within the body of this correspondence underneath two separate headings, including those that pertain to the draft General Plan Goals & Policies Report and comments that pertain to the Proposed 2035 General Plan Draft Environmental Impact Report and Infrastructure Master Plans Project (EIR4-05). Although the comments are provided under separate headings, they are submitted as comments associated with the content of the Draft Environmental Impact Report. Please address each set of comments as appropriate. I17-1

**Proposed 2035 General Plan Goals & Policies Report**

1. G&PR Page 3-1 and 3-2; Key terms – Airport Influence Area (AIA). Second to the last sentence on page 3-2. The definition states that "[t]he AIA will be considered to be a two nautical mile buffer as measured from the runway(s) centerline." The definition is inconsistent with default boundaries stated in the 2002 California Airport Land Use Handbook, prepared by CalTrans Division of Aeronautics. The 2002 California Airport Planning Handbook states that in the absence of an adopted AIA a default study area may be defined. The study area includes all land within two miles of the airport boundary (not the runway). I17-2

2. G&PR Page 3-9; Figure 3-1 Land Use Diagram. It appears that the school symbols illustrated within the boundary of Village D, located north of Eight Mile Road between Thornton Road and Davis Road are not consistent with the school master plan prepared by the Lodi Unified School District. The high-school symbol should be shown within Village C located west of I17-3

**Arnaiz Development Company, Inc**
Stockton Office: 3400 Eight Mile Road, Stockton, California 95212
(209) 931-9740 / Fax (209) 931-9741

Thornton Road. Additionally, the school master plan proposes the location of two elementary schools within Village D not three sites as depicted on the draft Land Use Diagram. I17-3 continued

3. G&PR Page 3-12; Policy LU-2.1, Agricultural Land Preservation. The policy refers to limiting "the wasteful and inefficient sprawl of urban uses into agricultural lands." Please clarify the meaning of the word "wasteful" as used in the context of the proposed policy. I17-4

4. G&PR Page 3-12; Policy 2.2, Agricultural Buffer. The policy supports the "establishment of a permanent agricultural/open space buffer along the ultimate edge of the Urban Service Area." Is the policy referring to the edge of the Urban Service Area as proposed in the draft document? If not, has the ultimate edge been defined? Please clarify. I17-5

5. G&PR Page 3-13; Policy LU-3.1, Single Family/Multifamily Balance. How will the ratio between single family uses and multifamily uses be maintained? The City should consider permitting multifamily uses outright within certain zoning categories without a use permit, but rather based on certain site and design criteria and/or performance criteria. I17-6

6. G&PR Page 3-14; Policy LU-4.6, Commercial Strip Centers. The City should consider clarifying its intent within the policy. For example, does the policy apply city-wide or only in new development areas? There may be locations within communities that new strip commercial areas would be beneficial for economic/redevelopment purposes. Many uses that locate in commercial centers located along arterial roadways rely substantially upon auto travel to generate business patrons. These uses include gas stations, auto repair shops, car washes, mini-storage facilities and convenience stores. Where are these types of uses expected to locate? I17-7

7. G&PR Page 3-14; Policy LU-4.9, New Residential Uses in Commercial Areas. What incentives are provided to facilitate the redevelopment and conversion of distressed commercial strips into housing and mixed use areas? I17-8

8. G&PR Page 3-14; Policy LU-4.10, Commercial Cluster Encouragement/Protection. Use that rely substantially upon auto travel prefer to locate along arterial roadways or at the intersection of two arterial roadways. Competition and customer preferences are going to dictate the appropriate location of commercial uses. It would be more effective to address their orientation to the roadway and buffering and design elements than to artificially determine location. I17-9

9. G&PR Page 3-15; Policy LU-5.7, Adjacent Major Transit Uses. Please clarify the use of the word "policies" as referred to in the Policy in regard to the Airport Land Use Commission. The adopted Airport Land Use Plan contains no such policy references. I17-10

**Arnaiz Development Company, Inc**
Stockton Office: 3400 Eight Mile Road, Stockton, California 95212
(209) 931-9740 / Fax (209) 931-9741

10. G&PR Page 3-16; First paragraph, first sentence. The sentence refers to a set of noise contours generated in the 1991/1992 timeframe. The adopted Airport Land Use Plan for the Stockton Metropolitan Airport includes a set of contours for 1994/1995 operations. I17-11

11. G&PR Page 3-16; Second paragraph, first sentence. The Airport Land Use Plan (ALUP) for Stockton Metropolitan Airport was adopted in 1993. The Plan has a time horizon of twenty years. The only component of the adopted ALUP that is in question are the operational changes that have occurred at the airport since the Plan was adopted, which has an influence on the noise contours used in the Plan. The City has remedied this issue by preparing a revised set of contours for this proposed General Plan based on operational criteria provided by the Airport Director. There is no longer a reason to question the "age" of the ALUP and the assumptions used in the development of noise contours for its environs. I17-12

12. G&PR Page 3-16; Second paragraph, last sentence. The sentence indicates that the City will establish a conservative Area of Influence (AIA) based on criteria found in the Public Utilities Code instead of the AIA as defined in the legally adopted Airport Land Use Plan (ALUP) for the Stockton Metropolitan Airport. The 2002 California Airport Planning Handbook states that in the absence of an adopted AIA a default study area may be defined. There is an existing legally adopted ALUP for the Stockton Metropolitan Airport, with an adopted AIA. The AIA described in the adopted ALUP should be recognized by the proposed 2035 General Plan. I17-13

13. G&PR Page 3-16; Second paragraph, last sentence. Change the reference from Government Code 21675.1(b) to Public Utilities Code 21675.1(b). I17-14

14. G&PR Page 3-16; Second column, first full paragraph. The existing Area of Influence (AIA) for the Stockton Metropolitan Airport covers a much larger area then the area that would be included within the Interim AIA illustrated on Figure 3-2. Please explain why the City would propose a smaller AIA on an interim basis; especially when the City's proposed policies seek to maximize the protection of the public's health, safety and welfare by minimizing the public's exposure to excessive noise and safety hazards. I17-15

15. G&PR Page 3-16; LU-6.2, Consistency with Airport Land Use Commission Policies, last sentence. Add the word "noise" after "excessive". Please define the meaning of excessive noise. I17-16

16. G&PR Page 3-18; LU-6.3, Interim Land Use Compatibility. In reference to item #3, please clarify the statement that "[a]pplications for the following land uses will not be allowed..." Additionally, please define the content of an Aviation Compatibility Study and also please correct the inconsistency between the reference in the policy to the compatibility study and in the DEIR to a safety study. I17-17

**Arnaiz Development Company, Inc**
Stockton Office: 3400 Eight Mile Road, Stockton, California 95212
(209) 931-9740 / Fax (209) 931-9741

17. G&PR Page 4-1; HE-1.3, Transit Oriented Development. The policy mentions that the City will encourage new residential uses near main transportation routes. The City should be more specific as to which types/densities of residential uses should be encourage locate near transportation routes. The City also should provide greater specificity as to the distance these residential uses should be placed from the transportation route. Additionally, the policy should focus on the location of high density residential uses near transit stops not merely adjacent to transportation routes. I17-18

18. G&PR Page 4-2; HE-3.3, Streamlined Permitting. The Housing Element lacks a specific implementation measure to address the streamlining of the permit process. I17-19

19. G&PR Page 4-3; HE 6.2, Green Building Concepts. What does the City intend to do to promote green building concepts and processes? The Housing Element lacks a specific implementation measure to address this policy. I17-20

20. G&PR Page 6-3; CD-3.7, Signage. Please provide some examples of signage and graphic identity concepts for commercial buildings and centers that support both project and commercial corridor design objectives. I17-21

21. G&PR Page 6-5; CD-6.5, Storm Water Design. Please clarify the meaning of "district urban design objectives" as used in the policy statement. I17-22

22. G&PR Page 7-2; DV-1.2, Mixed Use and Mixed Density. Will the City develop criteria which can be used to guide the types and locations of joint use facilities between institutional uses and park space? I17-23

23. G&PR Page 7-3; Districts – Overview and Figure 7.1. The description of colors on page 7.3 does not appear to match with the colors in used in Figure 7-1. I17-24

24. G&PR Page 7-13; DV-2.6, High Employment Commercial Development. The second part of the policy mentions that the City shall discourage high-rise office uses with large numbers of employees to locate outside of the downtown. This policy is inconsistent with the following policies in the Economic Development Element, including: ED-4.13, ED-4.14, ED-4.15 and ED-4.16. I17-25

25. G&PR Page 7-14; DV-3.2, Development Priority. Please explain what kind of development priority will be given to vacant land already served by City services over vacant, unserved land. I17-26

26. G&PR Page 7-18; Specific Plan or Master Development Plan Content., First sentence. The sentence incorrectly states that a Master Development Plan must meet the requirements of State Law. State Law does not have any applicability to the preparation of a Master I17-27

**Arnaiz Development Company, Inc**
Stockton Office: 3400 Eight Mile Road, Stockton, California 95212
(209) 931-9740 / Fax (209) 931-9741

Development Plan nor does the law prescribe what should be included in the plan. The Stockton Municipal Code at Section 16-540.010 (C) states "[M]aster Development Plans are not to be considered Specific Plans as regulated by State Law (Government Code Section 65450 et seq.) and Division 16-560 (Specific Plans)." I17-27 continued

27. G&PR Page 7-20; Figure 7-3. Village Components. Transitional Neighborhoods are not shown on the illustration. I17-28

28. G&PR Page 7-21; Village Center Location Criteria. The requirement for commercial to be centrally located with a Village does not take into account the future economic viability for the commercial component. It is more appropriate to have the commercial component of a Village to be located at a convenient location within the Village or at a location that can serve the Village while also being easily accessible to residents living outside the Village in order to assure economic success. I17-29

29. G&PR Page 7-21; Village Center Location Criteria. In the event that there is commercial already located near the proposed Village that can serve the Village, then that existing commercial area should take the place of the required Village commercial component. I17-30

30. G&PR Page 7-23; Village L. The text states that "Unlike typical village design, the Village Center here can be located at the intersection of two arterials, but only on one corner." This statement is completely inconsistent with the location criteria for villages as described on page 7-21 of the Goals and Policies Report and raises questions about the internal consistency of the District & Villages Element with the remainder of the General Plan. I17-31

31. G&PR Page 7-23; DV-5.4, Village Housing Mix. The policy states that residential uses in Villages will be distributed using the ranges specified in Table 7-3. How will the City address the housing mix percentages if a plan is being prepared for only a portion of a Village? I17-32

32. G&PR Page 7-24; DV-5.12, Community Center. The policy states that "Every village will be required to provide one or more community centers based on a ratio of one center for every 10,000 population in that village." What is the nexus for this requirement? How will these community centers be financed? I17-33

33. G&PR Page 7-24; DV-5.16, Credit for Common Space Areas and Detention Basins. Policy focused on the use of stormwater basins for recreational use and receipt of developer credits for use of stormwater basins for recreational use is new to the general plan. Please describe the analysis that was conducted to arrive at the various percentages of land dedication that be considered as usable area when combining stormwater basins and park facilities. The analysis should be provided to the Building Industry Association (BIA) for through review and comment. I17-34

**Arnaiz Development Company, Inc**
Stockton Office: 3400 Eight Mile Road, Stockton, California 95212
(209) 931-9740 / Fax (209) 931-9741

34. G&PR Page 7-24; DV-5.14, Interconnected / Usable Open Space. "Within each village, a minimum of ten percent of the gross village area will be reserved for common open space." Please clarify what qualifies as common open space. I17-3

35. G&PR Page 7-25; DV-5.18, Parkland Distribution. Please clarify the statement that "Each Village development shall contribute to the creation of City regional parks." I17-3

36. G&PR Page 8-5; Figure 8-1A – Draft 2035 GP Roadway System. Please verify the classification given to the "multi-modal" roadway transecting the villages north of Eight Mile Road. The diagram shows a 4-lane arterial classification. Conversations with staff have concluded that the roadway should be a 6-lane arterial. I17-3

37. G&PR Page 8-5; Figure 8-1A – Draft 2035 GP Roadway System. Please verify the classification given to the extension of Mickie Grove Road north of Eight Mile Road. The diagram shows a 4-lane arterial classification. Conversations with staff have concluded that the roadway should be a 6-lane arterial. I17-3

38. G&PR Page 8-13; TC-2.7(c), Efficient Traffic Flow. Please clarify the statement "Provide grade separations at all major railroad crossings with arterials". I17-3

39. G&PR Page 8-15; TC-3.1, Park and Ride Lots. The City is encouraged to locate Park and Ride lots within the parking lots of commercial and/or office uses instead of requiring lots at stand-alone locations. Park and Ride lots at stand-alone locations are costly to maintain and often are plagued with security problems. I17-4

40. G&PR Page 8-16; TC-4.2, Transit-related Public Improvements. What is the nexus for the requirement for bus shelters in all new development areas? How will the provision of these shelters be funded? I17-4

41. G&PR Page 8-17; TC-4.4(k), Transit-related Design Features. Please define what constitutes a "Major new development". I17-4

42. G&PR Page 8-19; TC-5.5, Recreational Bikeways on Separate Rights-of-way. Please clarify how the City envisions the implementation of the policy along French Camp Slough. Could a bikeway be placed atop a levee on the levee maintenance road? I17-4

43. G&PR Page 8-21; TC-7.5, Noise Analysis. Only reasonably likely single event noise events consistent with the daily operation of the airport should be considered and analyzed not speculative or staged events from commercial or military aircraft. The DEIR should include a single event noise analysis for the proposed 2035 General Plan, including the measurement of the worst case noise events at the Stockton Metropolitan Airport. I17-4

**Arnaiz Development Company, Inc**
Stockton Office: 3400 Eight Mile Road, Stockton, California 95212
(209) 931-9740 / Fax (209) 931-9741

44. G&PR Page 8-21; TC-7.5, Noise Analysis. Please clarify which airport is being referred to within the policy. I17-45

45. G&PR Page 8-21; TC-7.5, Noise Analysis. Please provide a definition for a single event noise study. It is assumed that a single event noise study would be conducted by setting up a noise monitor for a pre-determined period of time (perhaps 8 to 24 hours), and from that data, the loudest "single event" measured from an aircraft becomes the baseline for the level that must be reduced to 45 dB inside a residence. If the assumption is correct, the City should provide some sort of methodology for conducting the study (e.g., noise metric, time of day, duration of measurement, etc.), otherwise any engineer engaged to prepare the analysis would conduct it they way they saw fit. Please elaborate on how the City want's the study conducted and exactly the results the City wants to see from the measurement analysis. I17-46

46. G&PR Page 8-21; TC-7.6, Consistency with Airport Land Use Commission Policies. The policy should be revised to state that the City shall ensure that all development within the adopted Airport Influence Area (AIA) will be consistent with the policies adopted by the Airport Land Use Commission. The proposed policy of using an area within two miles of the airport is inconsistent with the 2002 California Airport Land Use Handbook, prepared by the CalTrans Division of Aeronautics. The handbook states that in the absence of an adopted Area of Influence a default study area may be defined, which may include all land within two mile of the airport boundary. However, there is an existing legally adopted Airport Land Use Plan for the Stockton Airport, with an identified Area of Influence, which should be recognized by the proposed 2035 General Plan. I17-47

47. G&PR Page 8-16; TC-7.6, Consistency with Airport Land Use Commission Policies, first sentence. Please clarify which airport is being referred to in the policy. Additionally, add the word "noise" after "excessive" in the last sentence. Please define the meaning of excessive noise. I17-48

48. G&PR Page 9-7; PFS-2.2, Water Supply. The last sentence which states that the City will require the use of non-potable water for irrigation of large landscaped areas is inconsistent with policy PFS-2.12, which states that the City will encourage the use of non-potable water supplies for irrigation of landscaping. I17-49

49. G&PR Page 9-7; PFS-2.2, Water Supply. Has the City determined areas within the 2035 General Plan where the use of a non-potable water system is not feasible? I17-50

50. G&PR Page 9-10; PFS-4.7, Storm Water Discharge. The policy as written applies to storm water detention facilities. It is assumed that the policy does not apply to flood control facilities constructed to mitigate the impacts of a 100-year storm event. Water in a flood control facility will not be able to be discharged within 24 to 48 hours after a peak storm event. I17-51

**Arnaiz Development Company, Inc**
Stockton Office: 3400 Eight Mile Road, Stockton, California 95212
(209) 931-9740 / Fax (209) 931-9741

51. G&PR Page 9-13; PFS-8.4, Cost Sharing. The last sentence of the policy indicates that City may require new development to create a Community Facility District (CFD) or other funding mechanism to pay the costs associated with the operation of a fire station. In November 2004, the voters passed Measure W, Safe Neighborhood Gang and Drug Prevention, Police/Fire Response Measure. The one-quarter of one percent increase to the sales tax is suppose to be used to maintain and improve the City's police and fire protection services, including salaries, equipment and capital improvements. I17-52

52. G&PR Page 9-18; Section 9.12, Implementation Measures. The City should include an implementation measure in regard to its desire to require the use of non-potable water to for the irrigation of large landscaped areas. The measure should include but not be limited to a discussion of the possible sources that will be evaluated. The measure should also provide direction for the preparation of city-wide non-potable water master plan. I17-53

53. G&PR Page 10-2; RW-1.2, Maintenance of Recreational Facilities. The policy states that new development and existing residents will participate in alternative maintenance funding mechanisms wherever feasible. Please explain the scope of the alternative funding mechanisms. I17-54

54. G&PR Page 10-3; RW-2.6, Developer Credit for Stormwater Drainage Basins. Policy focused on the use of stormwater basins for recreational use and receipt of developer credits for use of stormwater basins for recreational use is new to the general plan. Please describe the analysis that was conducted to arrive at the various percentages of land dedication that be considered as usable area when combining stormwater basins and park facilities. The analysis should be provided to the Building Industry Association (BIA) for through review and comment. I17-55

55. G&PR Page 10-5; RW-2.12, Citywide Park Maintenance District. Landscape and Lightning Districts already provide adequate funds to maintain city parks. An additional maintenance district is not necessary. I17-56

56. G&PR Page 10-5; RW-3.4, Development of Regional Parks. What alternate funding mechanisms will the City pursue to acquire, develop and maintain regional park areas identified in the Land Use Diagram? What is the nexus between new development and funding regional parks? How is the existing deficiency handled (funded)? I17-57

57. G&PR Page 10-6; RW-3.6, Development of Utility Easements for Open Space. What is the nexus for requiring developers to improve utility easement property as usable open space; especially when the improvement of the property would not be credited to meeting recreation standards nor include eligibility for parkland fee reimbursement? I17-58

58. G&PR Page 11-7; HS-2.5, Mitigating Highway Noise and HS-2.7, Coordinate with Caltrans. These polices are practically identical. Suggest deleting one of the policies. I17-59

**Arnaiz Development Company, Inc**
Stockton Office: 3400 Eight Mile Road, Stockton, California 95212
(209) 931-9740 / Fax (209) 931-9741

59. G&PR Page 11-8; HS-2.20, Conformity with Current AELUP. The policy requires the use of the most current available Airport Land Use Plan as a planning resource for evaluating land use compatibility considerations. This policy, which is also a DEIR mitigation measure, is inconsistent with proposed General Plan Policies and DEIR mitigation measures LU-6.1 through 6.3, which state the City will use interim criteria to evaluate consistency until a new plan ALUP is adopted by the Airport Land Use Commission. This inconsistency calls into question the validity of both the policy and the DEIR mitigation measures and questions the internal consistency of the proposed 2035 General Plan. I17-60

**2035 General Plan Environmental Impact Report**

1. DEIR Page 3-11; Impact LU-2. Please clarify how development proposed under the General Plan would conflict with an adopted applicable land use plan, specifically the adopted Airport Land Use Plan (ALUP) for the Stockton Metropolitan Airport, when in fact the land use proposed under the draft General Plan within the adopted Area of Influence and also within 2 miles of the airport are actually compatible with the adopted ALUP. I17-61

2. DEIR Page 3-11; Impact LU-2. Please clarify how the level of significance can change from Potentially Significant before mitigation to Significant and Unavoidable after mitigation. Presumably, the proposed mitigation measures are meant to lessen impacts instead of creating additional impacts. I17-62

3. DEIR Page 3-11; last paragraph, third sentence and DEIR Page 11-61; First paragraph, third sentance. The DEIR states that the future development of proposed residential uses near the western/southern boundary of the airport may place these uses at risk for a variety of airport-related hazards resulting in inconsistencies with the land use policies adopted by the Airport Land Use Commission. This statement unfairly targets the proposed Tidewater Crossing Master Development Plan which has been under review by the planning department for the past 2-1/2 years. The statement is not supported by facts or science.

   a). The area being referred to is located within the airport's Horizontal Zone (HZ). According to the 2002 California Airport Land Use Handbook (CTHB), prepared by the CalTrans Division of Aeronautics the HZ is equivalent to the CalTran's "Traffic Pattern Zone (TPZ)". As described by CalTrans, the TPZ is an area with such a "[g]enerally low likelihood of accident occurrence at most airports" that it is appropriate to "[a]llow residential uses."(CTHB, Chapter 9). I17-63

   b). The City's proposal of a "Village L", as delineated on the proposed General Plan Land Use Diagram is compatible with the 2002 California Airport Land Use Handbook, the legally adopted Airport Land Use Plan, land use policies of the San Joaquin County General Plan Land Use Element and the Part 150 Airport Noise Compatibility Program prepared for the Stockton Metropolitan Airport. If the statement as summarized above were valid, it would

mean that the City's own land use proposal of a "Village" in the area is inconsistent with the conclusions of its DEIR bringing into question the internal consistency of its proposed General Plan. I17-63 continuec

4. DEIR Page 3-13 and DEIR Page 11-19 and DEIR Page 11-61; Mitigation Measure LU-6.1, Airport Influence Area. The mitigation measure indicates that the City will not utilize the Area of Influence for Stockton Metropolitan Airport as specified in the existing legally adopted Airport Land Use Plan but instead will utilize an Airport Influence Area encompassing all properties within two nautical miles of the airport boundary until a new Area of Influence is adopted by the Airport Land Use Commission. The proposed mitigation measure is inconsistent with the 2002 California Airport Land Use Handbook, prepared by the CalTrans Division of Aeronautics. The handbook states that in the absence of an adopted Area of Influence a default study area may be defined. However, there is an existing legally adopted Airport Land Use Plan for the Stockton Airport, with an identified Area of Influence, which should be recognized by the proposed 2035 General Plan. I17-64

5. DEIR Page 3-13 and DEIR Page 11-20 and DEIR Page 11-62; Mitigation Measure LU-6.3, Interim Land Use Compatibility. The mitigation measure indicates that the City will not recognize the existing legally adopted Airport Land Use Plan for Stockton Metropolitan Airport when judging land use compatibility in areas outside of the Inner Approach Zone, Outer Approach Zone, Primary Surface Zone, Runway Protection Zone and Transitional Zone but rather will implement its own Area of Influence and Land Use Compatibility Criteria for the evaluation of land use proposals up until a new ALUP is adopted by the Airport Land Use Commission. The proposed mitigation measure is inconsistent with Planning and Zoning Law. At Section 65302.1(a) the law specially states that the General Plan shall be consistent with the Airport Land Use Plan adopted pursuant to the provision of the Public Utilities Code. Under this provision, the City should recognize the existing legally adopted plan and use the Plan and its criteria to judge land use compatibility in the environs of the airport. I17-65

6. DEIR Page 3-13 and DEIR Page 11-20 and DEIR Page 11-62; Mitigation Measure LU-6.3, Interim Land Use Compatibility. The mitigation measure indicates that the City will not recognize the existing legally adopted Airport Land Use Plan for Stockton Metropolitan Airport when judging land use compatibility in the Horizontal Zone. Until the adoption of a new ALUCP actually occurs, the 1993 ALUCP and its AIA and policies remain valid and controlling (PUC § 21676.5(a)). Therefore, "prior to the adoption of a new Airport Land Use Compatibility Plan" the city cannot utilize criteria other than those contained within the 1993 ALUCP by which to determine airport consistency and compatibility. LU-6.3 should be deleted because it is contrary to state law. Furthermore, LU-6.3 should be deleted because it is arbitrary and nonsensical. LU-6.3 is arbitrary because it seeks to maintain the "land use regulations in the existing [1993] ALUCP" for all zones ***except*** the Horizontal Zone with no valid rationale for doing that. LU-6.3 is nonsensical and counter intuitive because it seeks to impose more restrictive criteria within the Horizontal Zone (which is farther from the airport) I17-66

than within the other enumerated zones in 6.3 (which are closer to the airport). Zones closer to airports in almost all cases are subject to great noise levels and greater safety risks than are zones located farther away from airports, such as the Horizontal Zone. I17-66 continued

7. DEIR Page 3-14 and DEIR Page 11-20 and DEIR Page 11-62; Mitigation Measure LU-6.3, Interim Land Use Compatibility. In reference to item #3, please clarify the statement that "[a]pplications for the following land uses will not be allowed..." Additionally, please define the content of an Aviation Safety Study. I17-67

8. DEIR Page 3-15 and DEIR Page 11-21 and DEIR Page 11-63; Mitigation Measure LU-6.7, Noise Analysis. Only reasonably likely single event noise events consistent with the daily operation of the airport should be considered and analyzed not speculative or staged events from commercial or military aircraft. The DEIR should include a single event noise analysis for the proposed 2035 General Plan, including the measurement of the worst case noise events at the Stockton Metropolitan Airport. I17-68

9. DEIR Page 3-15 and DEIR Page 11-21 and DEIR Page 11-63; Implementation Measure #12. Government Code § 65302.3 mandates that a "General plan . . . shall be consistent with the plan [ALUCP] adopted or amended pursuant to Section 21675 of the Public Utilities Code" and that "[t]he general plan . . . shall be amended, as necessary, within 180 days of any amendment to the plan [ALUCP] . . ." Thus, within 180 days of adoption of General Plan 2035 by the Stockton City Council, the City is required by law to amend General Plan 2035 to make it consistent with the 1993 ALUCP, or follow the detailed procedures contained within PUC § 21676. The language referring to "any ALUCP adopted after 2006" is an incorrect statement of law and should be deleted. I17-69

10. DEIR Page 9-5 and Page 9-11 and Page 9-14 and Page 9-17 and Page 9-20 and Page 9-29 and Page 9-31 and Page 9-41 and Page 9-43 and Page 9-45 and Page 9-47 and Page 9-49 and 9-51 and Page 9-74 and Page 9-79 and Page 9-82 and Page 9-85 and Page 9-87, Implementation Measure #21. The implementation measure states that the City should conduct an assessment of proposed expansion areas to determine where fees need to be levied for new and expanded public services. The policy recommends that fire stations and police stations and associated equipment should be assessed. In November 2004, the voters passed Measure W, Safe Neighborhood Gang and Drug Prevention, Police/Fire Response Measure. The one-quarter of one percent increase to the sales tax is suppose to be used to maintain and improve the City's police and fire protection services, including salaries, equipment and capital improvements. I17-70

11. DEIR Page 9-11 and Page 9-1; Mitigation Measure PFS-2.2, Water Supply. The mitigation measure requires the use of non-potable water in new development areas for irrigation of large landscaped areas. The DEIR fails to analyze the impacts associate with the proposed mitigation measure. The DEIR fails to discuss the possible sources of the non-potable water and the impacts associated with obtaining the water. The DEIR fails to provide an analysis of the amount of non-potable water that would be needed to serve the new development areas as I17-71

proposed in the General Plan. The DEIR fails to analyze the health risks associated with the use of non-potable water within areas accessible to the public, including but not limited to park land. The DEIR fails to include an implementation measure leading to the development of a City-wide master plan, including but not limited to existing infrastructure, existing constraints, potential impacts and mitigation options, infrastructure required for the General Plan preferred alternative and a comparison of the preferred alternative to the other General Plan land use alternatives. I17-71 continued

12. DEIR Page 11-17; Impact HS-3. Please clarify how the level of significance can change from Potentially Significant before mitigation to Significant and Unavoidable after mitigation. Presumably, the proposed mitigation measures are meant to lessen impacts instead of creating additional impacts. I17-72

13. DEIR Page 11-21; Mitigation Measure HS-2.20, Conformity with Current AELUP. The mitigation measure requires the use of the most current available Airport Land Use Plan as a planning resource for evaluating land use compatibility considerations. This mitigation measure, which is also a proposed General Plan policy, is inconsistent with DEIR mitigation measures and proposed General Plan Polices LU-6.1 through 6.3, which state the City will use interim criteria to evaluate consistency until a new plan ALUP is adopted by the Airport Land Use Commission. This inconsistency calls into question the validity of the mitigation measures and questions the internal consistency of the proposed 2035 General Plan. I17-73

14. DEIR Page 11-60; Impact HS-16. Please clarify how the level of significance can change from Less than Significant before mitigation to Significant and Unavoidable after mitigation. Presumably, the proposed mitigation measures are meant to lessen impacts instead of creating additional impacts. I17-74

15. DEIR Page G-1; Infrastructure Evaluation: Wastewater Facilities, Figure 2 City of Stockton General Plan Update Wastewater Collection System Recommended Improvements. The figure shows a pump station proposed west of the town of French Camp along the Union Pacific Railroad. Infrastructure planning associated with the proposed Tidewater Crossing Master Development Plan shows the pump station east of the town of French Camp along another branch of the Union Pacific Railroad near figure label "13B". Infrastructure planning being conducted for the Tidewater Crossing Master Development Plan has revealed that locating a pump station east of the town of French Camp is environmentally preferred because impacts to the town of French Camp are avoided. Wastewater flows emanating from a lift station located east of the town of French Camp would be conveyed to the north by two 24" force mains where they will dump into the City's existing 66" wastewater line located that the intersection of Industrial Avenue and McKinley Avenue. I17-75

16. DEIR Page G-1; Infrastructure Evaluation: Wastewater Facilities, Figure 2 City of Stockton General Plan Update Wastewater Collection System Recommended Improvements. The City I17-76

of Stockton formed the South Stockton Community Facilities District No. 90-1 in March 1990. Special taxes collected within the CFD have been used to fund the construction of wastewater facilities within the City's System 8 Collection System. Figure 2 shows that some of the parcels(i.e., 177-050-05 (portion), 177-050-09 (portion), 117-110-04 and 177-110-05) located southwest of the Stockton Metropolitan Airport, which are within CFD 90-1 and have been paying special taxes since 1990 for wastewater facilities in System 8 are no longer in System 8 but are being shown within future collection System 13. The parcels described above should be placed back into System 8 since those properties have been paying a special tax for System 8 wastewater facilities for the past 17 years or those properties should be given a credit for the taxes that have been paid.

I17-76 continued

17. DEIR Page G-1; Infrastructure Evaluation: Wastewater Facilities, Figure 2 City of Stockton General Plan Update Wastewater Collection System Recommended Improvements. Figure 2 shows that Village D on the proposed 2035 General Plan Land Use Diagram will be served by Wastewater Collection System 15. Planning for the future development of Village D is underway and discussions have occurred between the project proponents and the Municipal Utilities Department, which has resulted in the determination that wastewater generated from Village D could be served via the City's existing Wastewater Collection System10. The study "City of Stockton Wastewater Collection System 10 Analysis" prepared by West Yost Associates revealed an excess capacity of 8,900 DUE's (6.8 mgd) in the 48" sewer line that's located at the intersection of Thornton Road and Whistler Way. Consequently, Village D is proposed to be served via 30" gravity sewer line that will traverse south from Village D along Thornton Road and connect to the existing system 10 facilities at Whistler Way. As proposed the Village D area would utilize a combination of 8" to 18" diameter pipes to serve the area.

I17-77

18. DEIR Page H-1; Infrastructure Evaluation: Storm Drainage System. As part of the preparation of the Tidewater Crossing Master Development Plan Domenichelli and Associates, Inc. has conducted a comprehensive analysis of stormwater drainage and flood control in the following water sheds, including Weber Slough, South Little Johns Creek and Lone Tree Creek. On behalf of the Arnaiz Companies, Domenechelli and Associates reviewed the Infrastructure evaluation for Storm Drainage and offers these comments:

I17-78

"The overall descriptions of the existing drainage and flood control systems are well defined in the document, and the general concepts for dealing with the impacts of future development and existing deficiencies are appropriate. However, some of the recommendations for the Preferred Alternative provide specific details for the Tidewater Project Area (identified as Village L) which cannot be considered accurate for this level of analysis.

The section of Appendix H which describes "Infrastructure Required for the Preferred Alternative" quantifies detention volumes, out of channel spill flow rates and shows locations for levee improvements and detention facilities. Our studies have shown significantly

different values for out of channel flows, required detention and the extent and locations for new facilities.

We understand that an attempt was made to quantify facilities necessary for cost estimating purposes, however it should be noted in Appendix H that the analyses are general (especially for the Village L watershed) and due to the complex watershed, more detailed studies are necessary to accurately quantify the required facilities for the Preferred Alternative." I17-78 continued

Thank you for the opportunity to provide these comments to the City of Stockton in regard to the Goals & Policies Report for the City of Stockton Proposed 2035 General Plan and the City of Stockton Proposed 2035 General Plan Draft Environmental Impact Report and Infrastructure Master Plans Project (EIR4-05). Should you have any questions, or desire additional information, do not hesitate to contact me personally at (209) 931-9740. Thank you. I17-79

Sincerely,

Thomas Truszkowski
Vice President of Land Development
Arnaiz Companies

**Arnaiz Development Company, Inc**
Stockton Office: 3400 Eight Mile Road, Stockton, California 95212
(209) 931-9740 / Fax (209) 931-9741

# I18

**From:** Steve Escobar
**To:** Stagnaro, David
**Date:** 1/30/2007 11:35:43 AM
**Subject:** Fwd: FW: Stockton General Plan Comment - From Website

Dave, here is the comment portion of the email. I did not read this as a DEIR comment submittal, but as a reiteration of what we have heard at public meetings.

-----Original Message-----
From: westpl@westplanning.com [mailto:westpl@westplanning.com]
Sent: Monday, January 29, 2007 7:22 PM
To: Rick Rust
Subject: Stockton General Plan Comment - From Website

On 2007-01-29 at 22:22:10,
The following information was submitted:
>From Host: 64.142.42.168
name = Ann Cerney
address = 45 Hunter Square Plaza
address2 =
city = Stockton
state = CA
zip = 95202
phone1 = 209
phone2 = 948
phone3 = 9384
email =
comment = Following are a few things that concern me:

1. Campaign for Common Ground provided an Alternate General Plan. Almost all of their suggestions for additions, deletions and/or changes received no comment or were rejected entirely or in part. The City Staff's failure to seriouly address such an extraordinary contribution by a group in the community arguably negates the City's obligation to involve the public in the process. I18-1

2. Among issues of note which are raised in the CCG plan and either not discussed or only cursorily discussed in the DEIR are housing matters, particularly the subject of affordability. The housing issues, in the main, were avoided. The excuse given for essentially setting aside any attempt to discuss housing was that either (a) to do so might require the City to prematurely revisit/revise its recently approved Housing Element, or (b)CCG's provision is too restrictive, or (c)the suggested provision is inconsistent with the Housing Element Regional Housing needs. I18-2
The DEIR's essential refusal to treat the subject of housing, particularly as to facilitating production of affordable units leaves a huge void. The excuses the document raises do not justify neglect of such a vital element of the planning process.

3. The CCG plan call for new policy in reference to the planning area and would exclude the primary zone of the Delta altogether. It also refers to excluding "excessive" areas of prime agricultural lends to east. The response that "a number" of villages on the east side were removed lacks specificity. The fact that "new urban" designations in the Delta primary zone are excluded raises the issue of compliance with I18-3

the State Delta Commission's recent decision in the "Clarksburg Sugar Mill" case, which barred urban development in the primary zone even when the land in question had long been within the City's Urban Service area. I18-3 continued

4. The EIR's response to a new policy proposed by CCG to establish community separators or agricultural buffers between Stockton and other cities is misleading. It is disengenuous to suggest that the city is protected from encroachment by "Defacto buffers" because of County zoning when the city has no authority over such zoning. The DEIR's response shows, not that the City has any intention to respect the idea of buffers or separators. Rather it indicates that the present policy of acceding to land speculator/ developer requests to convert Agricultural land to urban use by annexation continues to hold sway. I18-4

6. While I have not yet had the opportunity to set aside sufficient time to analyze every detail of this DEIR, I was struck by the extraordinary number of adverse impacts cited that have no feasible alternatives or mitigation. The cumulative effect of so many unmitigable adverse environmental effects arguably violates the CEQA "substantive mandate" that public agencies refrain from approving projects with significant environmental effects if "there are feasible alternatives or mitigating measures" that can substanially lessen or avoid those effects. I18-5
[CEQA Guidelines, sections 15002, subd.(a)(3), 15021,subd.(a)(2), 15091,subd.(a).]

The foregoing comments are a preliminary expression of my concerns and not intended to exclude other concerns I have. My general impression is that the EIR woefully fails to meet the requirements of CEQA. There are numerous areas of inadequacy - enough so that preparation of a new EIR should be considered. I18-6

mailing_list = yes

RECEIVED
CITY OF STOCKTON

JAN 29 2007

PERMIT CENTER
PLANNING DIVISION

January 29, 2007

Mr. Steve Escobar
Senior Planner
Community Development Department
345 N. El Dorado St.
Stockton, CA 95202

RE: City of Stockton General Plan Draft EIR

Dear Mr. Escobar:

Thank you for the opportunity to comment on the City's Draft EIR for the 2035 General Plan. The DEIR Chapter 9.0 section 9.2 " Water Supply & Delivery" states that the City conducted a Water Supply Evaluation (WSE) for the Proposed Project, which was used in preparing the impact discussion as it relates to water supply issues through out this section of the DEIR. I19-1

I am writing to voice my concern over; the apparent errors and omissions in the calculations of the water demand, question the new information related to the supply of water for the proposed 2035 build out, the ill represented conclusions that are in the DEIR/WSE; and thus show that Alternative 5 is superior to the proposed plan in reference to water supply and demands. My greatest concern is that this information be as accurate as possible so the decision makers in this process, the Planning Commission and the City council can make a moral and ethical decision in regards to land use and water supply. Granted, you do **attempt to bring that relationship to the table** on pg 9-5 of the DEIR **" The WSE, which was intended to meet the information demands set forth in Senate Bill 610 even though the City does not believe SB 610 applies to a comprehensive general plan update, is now the most up to date and reliable source of information regarding the City's long term water supplies and their reliability. In some instances, the conclusion s of the WSE supersede the conclusions of the previous documents, such as the DWSP Feasibility Report and EIR."** Thus, you attempt to advocate a link between water supply and land use planning even though you don't believe the relationship is needed in a General Plan. But, again accurate information is needed to make a well informed decision. In addition certain policies directed at the DWSP are used as part of mitigation measures on impacts by the proposed project as they relate to water supply and delivery. Thus, if the information provided in the WSE is faulty the use of the policies that pertain may not allow the mitigation measures to decrease the level of significance. I19-2

I by no means portray myself as water expert but I have followed this information on the DWSP and water supply/demands for the General Plan for the past three years. In fact most of my concerns and basis for rebuttal stem from documents Mr. Madison and your consultants have presented or released to the public. There are so many conflicting statements revolving around this topic of the DWSP and the COSMA water supply/demand depending on whether the COS is asking for more water (DWSP Feasibility Study/EIR) or now to prove you have enough for the proposed GP build out (GP DEIR). I have included, as attached, highlighted copies of a few. I see contradictory statements, errors in the graphs supplied to show statistics, and question the assumptions for the water supply based on your own information provided.

I19-2 continued

**New Supply assumptions:**

Ag Credits:

A conclusion of changes for the phasing of the DWSP is noted on pg 58 of the WSE. It states that there is approximately 14,000 AF more ground water than **had been assumed** based on the use of "Ag Credits" if agricultural land is converted to urban uses. Why was this calculation used now but not during the assessments for the DWSP? How can a "credit" be granted when;

1. Per information from the California Farm Water Coalition in Sacramento, a farm uses 2-4 AF/y (WSE states 3-5 AF/y) and the WSE (pg 9) states a Village would use 3 AF/y. Most of the agricultural land in the proposed preferred land use diagram is being converted to Villages. Thus on a basic level the exchange is even.
2. "An increase in impervious surfaces associated with urbanization reduce the groundwater recharge potential" as stated on pg 14-52 of the DEIR (see attached)
3. Irrigation of the crops also provides a form of recharge
4. Family water use figures do not include water used to produce food. Additional water is needed to grow the food the people eat.

I19-3

Thus comparisons get difficult but if anything I see that land converted to urban uses (4 homes or more per acre) cause an overall increased water use. I don't see where any ground water credit is due to the City for the conversion of land from ag to urban uses. Besides consider the fact that our ground water is over-drafted in the first place how any credit could be applied.

**Demand errors/omissions noted:**

1) The WSE describes the way in which water demands are projected and calculated (pg 7 "Overview of COSMA's future water demands"). One way is the "land use" based projection. Table 1 on page 9 (see attached) is used to denote the various land uses and the water demand for each. I noticed that the demand for open space/ag is omitted though there are 38,000 acres in the COS planning area. Why is this amount omitted? If it were to be included, as would

I19-4

seem logical to do so since all other land uses are tagged with a demand, the total amount of water demand would be higher than the stated total of 156,083

I19-4 continued

2) The WSE goes on to state on pg 8 that, "The next level of analysis of water demand is the temporal buildup of demand". Then, reference is made to figure 3 on pg 9 (see attached) which provides both the population growth and water demand over the period from 1990 to 2000 and then to 2035 (build out of GP update). The problem I see here that the population curve was not drawn upwardly to the planned population of 580,000 people (build out of proposed 2035 GP update) but only to 500,000 people. If the line is drawn to the appropriate amount of population shouldn't the coinciding water demand line be drawn proportionally higher? That would put the actual water demand according to "your" graph in the range of 175,000 AF/year.

I19-5

**New Conclusions of the WSE:**

Why does this WSE attempt to correct information and contradict information in the DWSP Feasibility Study and EIR? It is my belief, that it was your intent in the WSE to prove that Phase 1 of the DWSP is enough to serve the proposed preferred build out of the GP. Because of policy, *PFS-2.8 Delta Water Supply*.

> *PFS-2.8 Delta Water Supply. The City shall not approve new development that relies on water from the Delta Water Supply Project until this water is allocated through a water right to the City by the State Water Resources Control Board or a replacement water supply is secured.*

I19-6

It is necessary for you to show that the only water right given, Phase 1 of the DWSP and 33,000 AF/Y, is enough for the build out of the proposed 2035 GP update. Otherwise, the COS, according to the above policy would not be able to approve new development until the **new water right beyond phase 1 is approved.** Considering a report I saw from the DWR concerning a grant to the COS regarding the DWSP I am surprised the 1st phase even got approved! (See attached page excerpted from the "Northeastern San Joaquin Groundwater Banking Authority Coordinating Committee Summary, dated Dec. 13, 2006)

The DEIR states on pg 9-6 that, *"The WSE determined that the COSMA water purveyors cannot currently support the population growth assumed to occur as part of the GP Update without the initial phase of the DWSP and the upgrade of the SEWD."* **So, if neither is true the COSMA water purveyors cannot support the population growth assumed to occur as part of the GP Update.**

1) Phase 1 can not be used to for any growth outside the boundaries of the 1990 GP until a new permit is authorized by the DWR as stated in the DEIR (pg 9-8).

> *" Therefore, the City will be required to prepare additional project level CEQA documentation before an additional water right permit can be issued on the balance of the 92,300 AF/Y applied for in the application* ***or to expand the place of use beyond the current 1990 General Plan boundary."***

- Therefore use of phase 1 for the 2035 GP is not firm.

2) As stated in the DWSP Feasibility Report and EIR;

> *Phase 1 of the DWSP is designed to meet the treated water supply needs of full development of the build out under the City's current 1990 General Plan. The initial phase of the DWSP is needed immediately and is proposed for implementation in 2009"*

- If Phase 1 water, 33,000 AF/Y, is used for the 1990 build out how can it be used for the 2035. There isn't enough there, phase 2 would have to be allotted by the DWR and the plant expanded. Again use of Phase 1 for the 2035 GP is not firm

I19-7

3) There are analysis reports (See report by Morris Allen and comments by SEWD) denying the assumptions that the SEWD supplies to be firmer, more reliable and more plentiful than when the DWSP Feasibility Report and EIR were prepared.

**So, again if neither is true and the COSMA water purveyors cannot support the population growth assumed to occur as part of the GP Update. Then I can not help but refer back to a statement in the DWSP EIR pg 2-9(see attached) that states**

> *"Based on current available water supplies, the City will face water supply shortfalls into the future (with or without new development). Figure 2-3 shows the new-term water demands representing build-out of the current 1990 General Plan urban land uses projected to occur by about 2015, and the* ***long term water demands representing a population growth of 1.9 %*** *per year up to the year 2050.*

Thus, if the 2035 GP build out is dependent upon the DWSP and the 1st phase isn't enough, the 2035 GP growth rate should also be close to 1.9% per year to coincide with the DWSP phasing.

This for sake of argument is assuming that 1) An amended application to the State Division of Water Rights 2) Project level CEQA documentation, thus approval from other users of the Delta Water 3) The DWR grants the additional water rights permit for the bifurcated application.

I19-7 cont

To look at the numbers of supply and demand based on this information:
**Demand of 175,000 AF/year by 2035** (build out of 580,000 people)
Supply by 2035-

33,000 AF/Y (phase 1 DWSP only amount permitted at this time)
19,000 AF/Y (SEWD- average of amounts shown in various tables)
40,000 AF/Y (safe yield from ground water shown in various DWSP documents)
** Point of view of some that this amount should be "0" with significant overdraft

**True Supply of 92,000** if ground water is allowed to be continually over drafted

*** **Thus there is a shortfall of 83,000 AF/y**

If acknowledgement of these shortfalls exist wouldn't it be prudent for the COS to adopt Alternative 5 instead of the proposed plan of 2.5% /year growth rate? Absolutely! An unnecessarily increased population growth will only worsen these shortfalls. Planning for less people will lessen the burden on the all ready over-drafted aquifer. The population projection of approximately 460,000 in Alternative #5 more closely resembles the planned 1.9% growth rate in the DWSP. Besides **as stated in the DEIR, Alternative 5 is the environmentally superior alternative and meets a majority of the project goals.**

I19-8

Thank you for the chance to make these comments and your careful consideration of them,

Kirstin Holtberg

1800 LAGERIO ROAD
STOCKTON, CA 95215
209-931-4166

17 pages attached

I checked with the California Farm Water Coalition in Sacramento. Mike Wade is Executive Director and I spoke with Mike Henry, his associate. The phone is (916) 441-7723.

A "typical" family uses 1/2 to 1 acre-foot of water per year. Four families per acre would use 2 to 4 acre-feet of water per acre per year, about the same as a farm.

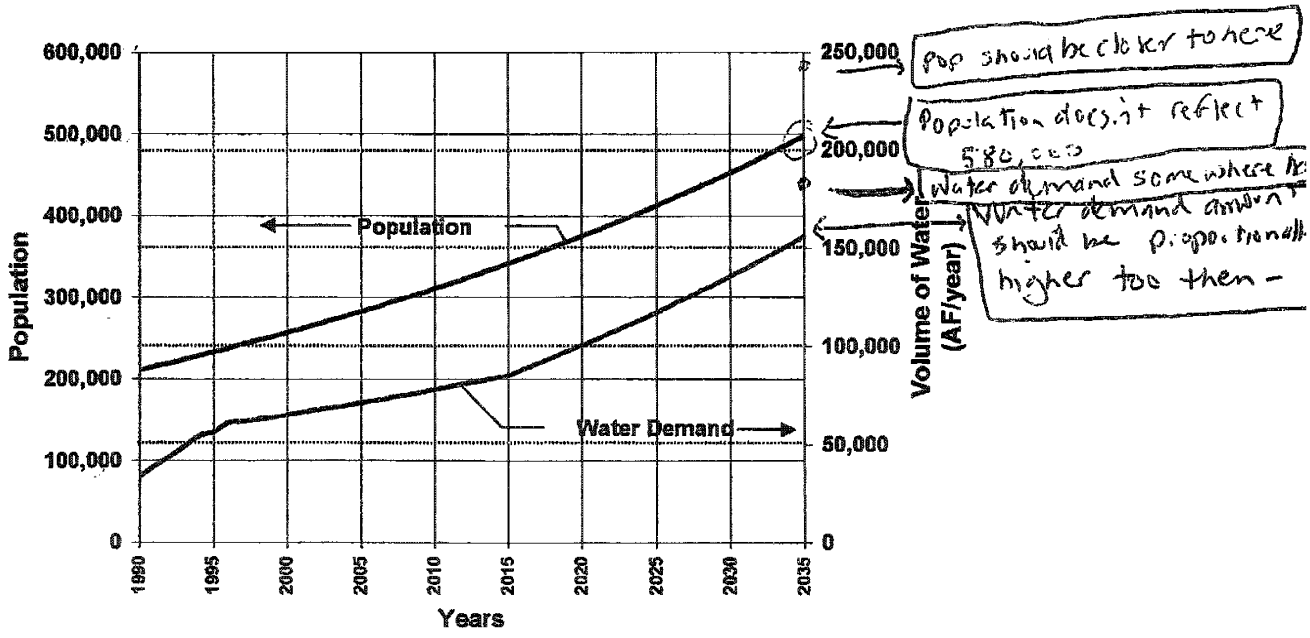
The family water use figures do not include water used to produce food, so converting from ag to urban is not a 1 to 1 camparison for water use. Additional water is needed to feed the people living in the new houses

**Table 1. GP Update Build-out Water Demand Determination**

| Designated Land Use | Planning Area Acreage (acres) | Unit Water Demand Factor (AF/ac/year) | Water Demand AF/year |
|---|---|---|---|
| Residential Estate | 2,460 | 1.5 | 3,690 |
| Low Density Residential | 26,220 | 1.5 | 39,330 |
| Medium Density Residential | 1,970 | 1.5 | 2,955 |
| High Density Residential | 1,150 | 3.0 | 3,450 |
| Village | 18,430 | 3.0 | 55,290 |
| Administrative Professional | 1,050 | 1.5 | 1,575 |
| Commercial | 4,780 | 1.5 | 7,170 |
| Mixed Use | 1,420 | 1.9 | 2,698 |
| Industrial | 17,070 | 1.5 | 25,605 |
| Institutional | 7,160 | 1.5 | 10,740 |
| Parks and Recreation | 1,790 | 2.0 | 3,580 |
| Open Space/Agriculture | 38,560 | - | - |
| **Total** | **122,060** | | **156,083** |

Source: NOP of Draft EIR, May 2005 Table 2. Designated Land Uses...

**Figure 3. Population and Water Demand Increase Over Time**



treatment plant and existing groundwater supply from wells located throughout the COSMA service area. The reliability of water supply resources for the COSMA will be greatly enhanced for the next 20 years while plans and agreements are secured for increased water supplies for the long-term build-out of the COS GP Update. Phase 2 DWSP will be pursued only when water demands and supplies require the additional supply capacity. As mentioned above, a separate approval process for Phase 2 will take place at that time.

# Overview of COSMA's Future Water Demands

## Determination of Water Demand for the GP Update

The water demands associated with new growth in the COSMA have been evaluated as part of the DWSP Feasibility Report. The findings of the DWSP report have been incorporated into the City of Stockton's 2005 Urban Water Management Plan (UWMP)[3]. The DWSP report evaluated current water demands and developed a land-use based water demand projection for build-out of the current City General Plan and then developed a population based demand for expected growth beyond General Plan build-out which was projected to be 2015.

Population and land use based water demand forecasting are two widely accepted methods of calculating water demands. Population methods use per capita water demand factors. Estimated per capita demands are generated through use of total water production records and census population data for the service area. One weakness of population-based projection methods is that the water demands are uniformly distributed over the service area, not accounting for land uses that have wide variations in demands. Another disadvantage is that it does not accurately reflect changes in the mix of residential and non-residential water demands over time. Using a water demand growth rate based on historic population growth rates is most appropriate for addressing water demands that extend beyond the planning horizon of the General Plan.

Because it reflects land uses planned for by a community and it better accounts for spatial demand variations, land-use based projections are typically preferred. Land-use based projections can be used when land uses and water demand data are available for specific land-use categories. Estimating a water demand factor for a land use category requires meter data specific to the category and a sample population of significant size. Land use based water demand factors are developed on an acre-feet per acre per year (AF/ac/year) basis.

Compliance with SB 610 is simplified greatly by utilizing the land use based methodology. In requesting assurance of a reliable water supply, development projects can be tracked by the General Plan land use map to determine if the lands were included in the water supply analysis and at what levels of assumed

[3] The information from the December 2005 UWMP must be included in the Conservation Element of the General Plan. See Government Code Section 65302(d).

water demand. For purposes of the DWSP Feasibility Report, land use based water demand factors were determined and applied to the current 1990 General Plan. This application of land-based unit demand factors totaled approximately 85,330 AF/year of water demand by 2015. The COSMA is currently producing 68,000 AF/year. The same factors are applied to the GP Update to consider the build-out water demand as shown in **Table 1** showing a build-out water demand of 156,083 AF/year in 2035.

The next level of analysis of water demand is the temporal buildup of demand. Both the water right application and the DWSP report assumed a constant population growth to 2050. The rate of growth increases slightly from both of these studies due to the expanded Sphere of Influence (SOI) of the GP Update. For consistency with these two documents, the same assumption will be made in this WSE. **Figure 3** provides both the population growth and water demand over the period from 1990 to 2000 (latest census data), and then to 2035 (build-out of the GP Update). Population is on the left y-axis and water demand is on right y-axis.

Based on **Figure 3**, water demands within the COSMA are projected to increase from the present 68,000 AF/year in 2004, to 85,330 AF/year in 2015 (build-out of 1990 General Plan) to156,083 AF/year by build-out of the GP Update. **Figure 3** is used to determine, describe, and evaluate the needed water supply resources to meet growth from 2005 to 2035. This figure indicates a total population at 2035 of 592,000 people assuming an average 2.4% growth rate, roughly equating to 235 gallons of water per day per capita.

The DWSP Feasibility Report used a 1.9 percent growth rate at an average of 241 gallons per capita per day. The growth rate and projected per capita water demand can be adjusted as General Plan information becomes available through customer usage and production data and information compiled as part of future updates to the UWMP. Regardless of either of the population growth or the per capita water usage, the water demand land use factors are the determining numbers used for calculating the water demand at build-out of the GP Update and will be used for this WSE.

**Northeastern San Joaquin Groundwater Banking Authority**
**Coordinating Committee Meeting Summary**
**Wednesday, December 13, 2006**

**Added Item – Recognition of Outgoing GBA Board Chair:**
Mr. Tom Flinn and Mr. Tom Gau recognized the contributions of Chairman Jack Sieglock to the GBA and presented him with a plaque to commemorate his service. Chairman Sieglock is termed out as a supervisor and therefore will no longer serve on the GBA Board.

**A. Discussion on IRWMP Project Implementation Grant Recommendations – Mark Williamson/Brandon Nakagawa:**
Mr. Nakagawa presented an overview of which Proposition 50 Implementation Grant applications were funded and which were not. While the GBA previously received approximately $500,000 towards the IRWMP planning grant process, the City of Stockton implementation application for the Delta Water Supply Project (DWSP) did not make the cut. The purpose of this presentation was to help analyze whether adaptations in the IRWMP process would be helpful to better position the county for future implementation grants.

Mr. Nakagawa stated water supply and water quality projects are favored, especially those that are cooperative among agencies. A 25% match is required with extra points going to those who provide a 50% match. However, the match requirement is waived if the project assists Disadvantaged Communities.

The evaluation process was a two-step process. The first step consisted of ratings on the completeness and caliber of the IRWMP and how the proposed project addressed the IRWMP priorities. The second part of the initial evaluation focused on the project itself and the IRWMP portion dropped in weight by 50%. In the second step, while the IRWMP was given less weight, more weight went to the specifics of the project.

The DWSP did not score well because of the following issues according to the assessment by the DWR rating team:

- The IRWMP is not adopted
- There are no adopted priorities
- It was not clear how the project ties to the IRWMP
- There is no adopted financing plan
- The project EIR was not certified
- Pumping water from the Delta is not a right, but a privilege
- It is a stand-alone project benefiting only one city
- The project conflicts with State priorities
- There was no discussion of Disadvantaged Communities
- Cost estimate are not verified
- The need for the project not clear

Mr. Williamson related the situation with another project he worked on, the Mojave Project. It was the highest scoring project in the first phase of the evaluation because their IRWMP is adopted, etc. However, in the second phase of review it was eliminated because of lack of readiness, no demonstrated environmental or Delta benefits, and it was seen as being constructed to accommodate new growth.

Mr. Kevin Kauffman stated he heard at the ACWA conference that DWR is going to revise the evaluation process so this discussion may be premature.

## 2.2.4 PROVIDE ADEQUATE WATER SUPPLY TO ACCOMMODATE PLANNED GROWTH

### *PLANNED INCREASE IN DEMAND*

Between 1994 and 2001, the water demands in the COSMA have steadily increased from about 55,000 AF/year to 66,000 AF/year, of which about 60 percent is supplied by surface water. Much of the increase in demand is due to new development in accordance with the City's 1990 General Plan Boundary. Based on projected municipal water use, approximately 85,000 AF/year will be needed by about 2015 (Table 2-2). The projected municipal water use in the COSMA in the year 2050 is expected to be about 178,000 AF/year (Table 2-3).

Based on current available water supplies, the City will face water supply shortfalls into the future (with or without new development). Figure 2-3 shows the near-term water demands representing build-out of the current 1990 General Plan urban land uses projected to occur by about 2015, and the long-term water demands representing a population growth of 1.9 percent per year up to the year 2050. If only one of the SSJID and OID temporary water supply contracts is renewed between 2009 and 2019 and growth occurs, the City would need an average of 7,000 AF/year by 2015 of additional surface water supply to limit groundwater pumping to the safe yield objectives for the basin. If population growth continues at a rate of 1.9 percent per year,

**TABLE 2-2**
**PROJECTED FUTURE WATER DEMANDS**

| 1990 General Plan Land Use Designation | Unit Factor (AF/ac/year) | 1990 General Plan Area/ Water Rights Application Place of Use (acres) | Urban Service Area (acres) | Municipal Water Demands at 2015 (AF/year) |
|---|---|---|---|---|
| Low-Medium Density Residential | 1.5 | 31,222 | 31,222 | 47,872 |
| High-Density Residential | 3.0 | 1,368 | 1,368 | 4,104 |
| Administrative Professional | 1.5 | 841 | 841 | 1,266 |
| Commercial | 1.5 | 3,776 | 3,776 | 5,749 |
| Performance Industrial/Industrial | 1.5 | 9,582 | 9,582 | 14,020 |
| Institutional | 1.5 | 6,648 | 6,648 | 10,235 |
| Park and Recreational | 2.0 | 1,042 | 1,042 | 2,084 |
| Agricultural/Open Space | - | 27,585 | 11,525 | - |
| **TOTAL:** | | **82,064** | **66,004** | **85,330** |

SOURCE: Stockton MUD et al., 2003

and implementation measures included as part of the Proposed Project incorporate all applicable regulations to minimize these impacts. For this reason, geologic and soils impacts under Alternative 4 are considered similar to those of the Proposed Project.

### *Hazards and Hazardous Materials*

Alternative 4 proposes development that is similar in nature to that anticipated under the Proposed Project. Development proposed under this alternative would affect a variety of agricultural lands (predominately to the north and east) outside the existing City limits. Similar to the Proposed Project, implementation of this alternative would involve a decrease in the use of pesticides, herbicides, and other hazardous materials used for agricultural practices. Although hazards related to agricultural uses would be reduced, potential new commercial and industrial uses may introduce new sources of hazardous materials. However, hazardous materials generation, storage and clean-up are heavily regulated by federal, State and local regulations that would apply to both Alternative 4 and the Proposed Project. For this reason, hazards and hazardous materials impacts under Alternative 4 are considered to be similar to those of the Proposed Project.

Implementation of Alternative 4 would also include the development of a future "Village" area within the City's AIA (see Figure 14-6). As with the Proposed Project, policy guidance included in the updated General Plan identifies a variety of measures (i.e. preparation of an Aviation Safety Study, etc.) that must be implemented prior to development within the airport's AIA to address these public safety concerns. However, without specific design details related to the proposed land uses within the AIA, it can not be determined at this time whether specific land use compatibility and public safety impacts could be reduced to less than significant levels. Due to this uncertainty, public safety impacts resulting from the development of sensitive land uses within the AIA are also considered significant and unavoidable under Alternative 4.

### *Hydrology and Water Quality*

Under Alternative 4, development would convert less open space land to urban uses than the Proposed Project. However, as with the Proposed Project, the creation of impervious surfaces associated with urbanization would increase the amount of runoff, which could affect water quality. An increase in impervious surfaces could also reduce groundwater recharge potential. However, because land conversion would be less than the Proposed Project, fewer impervious surfaces would be developed. Overall, hydrologic and water quality impacts under Alternative 4 are considered to be similar in nature to those associated with the Proposed Project.

Alternative 4 also proposes development in areas that are within the 100-year floodplain in a similar manner to the Proposed Project. Similarly, levees are regulated at the State level with maintenance activities delegated to local reclamation districts. The City has no jurisdiction and is limited in terms of alternatives to mitigate for the identified flood risks. Consequently, flood risk impacts are also considered to be significant and unavoidable.

DWSP Feasibility Report, the resulting groundwater yield was only 48,000 AF/year. This adds another 13,800 AF/year of water to the GP Update.

### Use of Agricultural Credits

In the WSE, a slightly different approach was taken regarding converting agricultural lands to urban. In the WSE, it was assumed that the groundwater elevations today are a result of groundwater extractions from agriculture and urban uses within the basin. If an agricultural property is extracting greater than the goal of 0.60 AF/acre/year (i.e., agriculture irrigation requirements average anywhere from 3 to 5 AF/acre/year depending on crop type) that some credit should be provided to the City of Stockton if the land is converted to urban uses with only a 0.6 AF/acre/year average groundwater use. A detailed groundwater analysis was performed in support of the GP Update and a conservative increase in the goal of 0.75 for the driest year pumping was increased to 0.87 AF/acre/year. This permitted more pumping in the driest year but not exceeding the self-imposed cap to minimize any concerns from over pumping the basin in the drier years.

### Conclusion of Changes

In all, there is approximately 34,000 AF/year (i.e., 20,000 AF from SEWD and 14,000 AF from GW) of more water than what was assumed for the DWSP in year 2035. **Figure 25** is extracted directly from the DWSP Feasibility Report to illustrate the change this amount of water has on the phasing of the DWSP. The surface water requirement governs the need for either more SEWD capacity or more DWSP capacity. Based on the phasing in the Feasibility Report at 2035 the surface water requirement is approximately 90,000 AF/year as shown in **Figure 23**. This figure is based on the information known at the time of writing the DWSP Feasibility Report. A 90,000 AF/yr DWSP requirement equates to approximately the Phase 2 capacity of 90 mgd for DWSP WTP. If the more current SEWD surface water amounts and higher groundwater use is added, the resulting phase, if applied in the same manner as Figure 23, the end of Phase 1 or the 30 MGD capacity of the DWSP is at approximately 2035 as shown in **Figure 26**. Under the original set of conditions Phase 3 would be needed by 2030. With the change in conditions, Phase 1 can extend beyond the 2015 to a time when Phase 2 is needed based on demand. This may be at 2035 build-out of the GP Update or sooner.

**Implementation Measure #5.** The City shall maintain and periodically update the water master plan. *[Source: Public Facilities And Services; Implementation Programs – Public Facilities; Implementation Program 1]* Water Master Plan Update.

**Implementation Measure #6.** The City shall update the urban water management plan every five years in accordance with State Law. *[New Implementation].*

**Implementation Measure #7.** The City shall design and construct the Delta Water Supply Project (DWSP) *[New Implementation].*

**Implementation Measure #8.** The City shall work with Stockton East Water District (SEWD) to improve the performance of the SEWD Water Treatment Plant to 48 mgd. *[New Implementation].*

**Implementation Measure #9.** The City shall work in concert with other water purveyors in the region to prepare and implement an Integrated Regional Water Resources Management Plan. *[New Implementation].*

**Implementation Measure #10.** The City shall actively participate in appropriate forums designed to discuss and solve regional water supply and water quality issues. *[New Implementation] [PC]*

**Implementation Measure #21.** The City shall conduct an assessment of proposed expansion areas, including Village areas, to determine where fees need to be levied for new and expanded fire stations and equipment. *(These new fee areas would be in addition to Public Facilities Program Fee Areas 1, 2, and 6 where fire facilities fees are already levied.). [New Implementation].*

# Impact Methodology

Hydrologic, water supply and water delivery impacts were evaluated using information provided in the Delta Water Supply Project Engineering Feasibility Study (Stockton MUD et al., 2003), the Draft and Final Program Environmental Impact Reports for the Delta Water Supply Project (ESA, 2005), and the Infrastructure Evaluation: Water Supply & Facilities prepared for the City of Stockton 2035 General Plan Update (West Yost & Associates, 2005a), included as Appendix D of this EIR.

## Water Supply Evaluation

The City conducted a Water Supply Evaluation (WSE) for the Proposed Project, which was used in preparing the following impact discussion as it relates to water supply issues. The WSE, which was intended to meet the information demands set forth in Senate Bill 610 (Water Code, § 10910 et seq.) even though the City does not believe Senate Bill 610 applies to a comprehensive general plan update, is now the most up to date and reliable source of information regarding the City's long term water supplies and their reliability. In some instances, the conclusions of the WSE supersede the conclusions of previous documents, such as the DWSP Feasibility Report and EIR. The following section summarizes the conclusions of the WSE and the entire document is included as Appendix E of this EIR.

The DWSP will be a conjunctive use program that will integrate surface water and groundwater management components. The surface water component of the DWSP will include a screened intake facility on the San Joaquin River, new pipelines to convey Delta water to a new water treatment facility just north of the COSMA, and treated water pipelines to deliver water to the City's existing water distribution system. In addition, shared infrastructure with the California Water Service Company (Cal Water) will be used to distribute DWSP treated water throughout Cal Water's service area within the COSMA. The groundwater component will include coordinated groundwater and surface water management. With the implementation of the DWSP, the City will pump less groundwater and the groundwater levels will be allowed to recover by in-lieu recharge. After the development of the initial phase (30 mgd) of the DWSP, the City will consider the need for an aquifer storage and recovery[1] (ASR) program to optimize the use of Delta water in periods when supply exceeds demand. Initially, the City would study and implement a pilot program to test the feasibility of an ASR program and define the potential location of the injection/extraction wells. Ultimately by about 2050, the water treatment plant (WTP) would be expanded to treat 160 mgd of surface water up to the maximum water rights request of 125,900 AF/year.

On January 6, 1996, the City submitted a water rights application to the State Water Resources Control Board (SWRCB) to secure rights to divert surface water from the Delta. The City's water rights application addresses a long-term planning horizon through the year 2050, requesting an ultimate diversion to 160 mgd (125,900 AF/year). Initially the DWSP will divert about 30 mgd (33,600 AF/year) to meet demands through 2035 or build-out of the General Plan Update. The water rights application specifies a Place of Use for the water that is coincident with the City's 1990 General Plan Boundary. An EIR for the DWSP was prepared in 2005 and certified by the City on November 8, 2005. On December 20, 2005, the SWRCB issued the City a permit for Diversion and Use of Water for up to 33,600 AF/year.[2]

The SWRCB bifurcated the water rights application into two separate applications, Applications 30531A and 30531B. Application 30531A covers only the initial phase of the DWSP up 30 mgd (33,600 AF/year) and the place of use is confined to the current 1990 General Plan boundary. When later phases of the DWSP are needed, the City will be required to return to the SWRCB to request that the permit amounts be increased. At that time (or to change the place of use), a project-level CEQA review will be required before a water right can be issued for the full amount requested in the application. Therefore, the City will be required to prepare additional project-level CEQA documentation before an additional water right permit can be issued on the balance of the 92,300 AF/year applied for in the application or to expand the place of use beyond the current 1990 General Plan boundary.

---

1 Aquifer storage and recovery (ASR) involves using wells to place treated drinking water in underground aquifers when there is a surplus in supply (e.g., winter season). The water is stored and then "recovered" (pumped out) for later use. ASR is a type of artificial groundwater recharge replenishes groundwater resources.

2 California Water Code Section 1485 states in part, "Any municipality, government agency, or political subdivision operating waste disposal plants producing disposal water meeting the requirements of the appropriate regional board, and disposing of said water in the San Joaquin River may file an application for a permit to appropriate an equal amount of water, less diminution by seepage, evaporation, transpiration or other natural causes between the point of discharge and the point of recovery, downstream from disposal plant and out of the San Joaquin River or the Sacramento-San Joaquin Delta. A permit to appropriate such amount of water may be granted by the board upon such terms and conditions as in the board's judgment are necessary for the protection of the rights of others. Water so appropriate may be sold or utilized for any beneficial purpose. The right to the use of water granted by this section shall not include water flowing in underground streams".

growth areas develop and are necessary to fully exercise the basin in the manner described above based on hydrologic conditions. In no case does the additional groundwater capacity put the COSMA beyond its groundwater conjunctive use management goals.

## *Description of Change in DWSP Phasing*

The findings of this WSE clearly deviate with the timing of phased increases in DWSP capacity with the phasing shown in **Table 9** on **Page 44**. **Table 9** depicts the phasing used in the DWSP Feasibility Report and the EIR. As mentioned directly above, the conclusion of this WSE is that the DWSP Phase 1 can continue to supply water to meet the build-out water demands of the GP Update. The COS will likely pursue Phase 2 and begin the environmental review process long before build-out of the GP Update occurs. This affords the COS to be prepared and to allow demands to dictate when Phase 2 becomes necessary. Time will be of the essence to get Phase 2 under construction once this occurs.

Beyond the Phase 2 requirement of preparedness, there are several reasons for differences between the findings of the WSE and the DWSP Feasibility Report and EIR.

### Increased Reliability in SEWD Supplies

The underlying assumptions used in the DWSP reports were conservative but were based on the best available data. Since the time when research was undertaken for the DWSP, a significant amount of work has been completed in other venues. One significant change in assumptions is the amount of water available to Municipal and Industrial (M&I) uses through SEWD. According to SEWD (see Exhibit "G"):

*"In wet years, the district currently has over 145,000 acre-feet ofwater supplies available, more water than it could deliver to its customers with its present facilities. Quantifying that 30,000 AFA in a dry year or 22,000 AFA in a critical year is inappropriate. In the first year of a dry cycle, the district would likely have over 100,000 acre-feet available. Only in the 2nd or 3rd year of a multi-year dry cycle the district could have less than 30,000 acre-feet. With the completion of Phase 1 of the Farmington Program (Peters Pipeline) in 2005, available supply to the district will increase by over 10,000 AFA. Banked groundwater stored when excess surface water is available will supplement surface water supplies in dry and critical hydrologic years."*

Comparing the table excerpted from the Feasibility Report (See **Table 12**) with **Table 3** on **Page 15**, the WSE acknowledges that there is an approximate aggregate difference of 20,000 AF/year. This difference is shown in **Figure 24** over the planning period of the DWSP. DWSP supplies do not change from the original assumptions. Rather, the supplies the City will get from SEWD now appear firmer, more reliable, and more plentiful than when the DWSP Feasibility Study and DWSP EIR were prepared.

**Implementation Measure #5.** The City shall maintain and periodically update the water master plan. *[Source: Public Facilities And Services; Implementation Programs – Public Facilities; Implementation Program 1]* Water Master Plan Update.

**Implementation Measure #6.** The City shall update the urban water management plan every five years in accordance with State Law. *[New Implementation].*

**Implementation Measure #7.** The City shall design and construct the Delta Water Supply Project (DWSP) *[New Implementation].*

**Implementation Measure #8.** The City shall work with Stockton East Water District (SEWD) to improve the performance of the SEWD Water Treatment Plant to 48 mgd. *[New Implementation].*

**Implementation Measure #9.** The City shall work in concert with other water purveyors in the region to prepare and implement an Integrated Regional Water Resources Management Plan. *[New Implementation].*

**Implementation Measure #10.** The City shall actively participate in appropriate forums designed to discuss and solve regional water supply and water quality issues. *[New Implementation] [PC]*

**Implementation Measure #21.** The City shall conduct an assessment of proposed expansion areas, including Village areas, to determine where fees need to be levied for new and expanded fire stations and equipment. *(These new fee areas would be in addition to Public Facilities Program Fee Areas 1, 2, and 6 where fire facilities fees are already levied.). [New Implementation].*

# Impact Methodology

Hydrologic, water supply and water delivery impacts were evaluated using information provided in the Delta Water Supply Project Engineering Feasibility Study (Stockton MUD et al., 2003), the Draft and Final Program Environmental Impact Reports for the Delta Water Supply Project (ESA, 2005), and the Infrastructure Evaluation: Water Supply & Facilities prepared for the City of Stockton 2035 General Plan Update (West Yost & Associates, 2005a), included as Appendix D of this EIR.

## Water Supply Evaluation

The City conducted a Water Supply Evaluation (WSE) for the Proposed Project, which was used in preparing the following impact discussion as it relates to water supply issues. The WSE, which was intended to meet the information demands set forth in Senate Bill 610 (Water Code, § 10910 et seq.) even though the City does not believe Senate Bill 610 applies to a comprehensive general plan update, is now the most up to date and reliable source of information regarding the City's long term water supplies and their reliability. In some instances, the conclusions of the WSE supersede the conclusions of previous documents, such as the DWSP Feasibility Report and EIR. The following section summarizes the conclusions of the WSE and the entire document is included as Appendix E of this EIR.

infrastructure within the California Water Services Company (CWSC) service area, their water demands were considered as part of identifying required water supplies.

## WATER DEMAND PROJECTIONS

Water demands were projected for the 2025 and 2050 planning horizons used in the general plan update for the City of Stockton Metropolitan Area (COSMA) and separately, the COS MUD water service area. Table 1 presents the projected water demands for the COSMA and COS MUD. As shown in Table 1, the projected water demands for the COSMA in 2025 and 2050 are 129,200 and 166,000 acre-feet annually (afa), respectively. Table 1 also indicates that the projected demands for the COS MUD water service area in 2025 and 2050 are 85,400 and 111,000 afa, respectively.

Maximum day demand is the amount of water which must be available on a series of hot summer days, and must therefore be available from reliable sources such as water treatment plants and wells. Peak hour demand is shown because it represents the largest instantaneous demand in the system, generally occurring on the maximum day in the summer. Peak hour demands can be served by all maximum day sources, plus storage tanks. The projected water demands for the COS MUD are approximately 66 percent of the total demands within the COSMA in 2025 and 2050.

**Table 1. Projected Demands for the COS MUD**

| Area | Planning Horizon | Demand, afa | Average Day Demand, mgd | Maximum Day Demand, mgd[(a)] | Peak Hour Demand, gpm[(b)] |
|---|---|---|---|---|---|
| COSMA | 2025 | 129,200 | 115 | 218 | 272,300 |
| | 2050 | 166,000 | 148 | 281 | 350,000 |
| COS MUD | 2025 | 85,400 | 76 | 145 | 180,000 |
| | 2050 | 111,000 | 99 | 188 | 233,900 |

(a) Maximum day demand is 1.9 times the average day demand (see Table 2-9)
(b) Peak hour demand is 3.4 times the average day demand (see Table 2-9)

## WATER SUPPLY

The COS MUD and CWSC existing water supplies consist of groundwater pumped from the local groundwater basin and surface water purchased from the Stockton East Water District (SEWD). As the two agencies' service areas continue to develop, groundwater supplies will also increase in proportion to urbanizing area; however, the agencies must secure additional surface water supplies to help meet projected water demands in 2025 and 2050. The DWSP is the preferred surface water option, and is currently being implemented by the City. The initial phase of the project (30 mgd) is scheduled to be on line by 2009, with expansions periodically to 2050. The following summarize the major assumptions made for water supply:

- The Delta Water Supply Project (DWSP) is required to help meet groundwater yield goals and support development associated with the general plan update.

# EXECUTIVE SUMMARY

## PROJECT OVERVIEW

The City of Stockton (City) proposes to develop the Delta Water Supply Project (DWSP) as a new supplemental water supply for the City of Stockton Metropolitan Area (COSMA). The City is seeking to secure a long-term supplemental surface water supply to use conjunctively with its local groundwater resources and other existing surface water supply sources. The City has applied to the State Water Resources Control Board (SWRCB) for a water rights permit to divert water from the Sacramento-San Joaquin Delta. The City's water rights application addresses a long-term planning horizon through the year 2050, requesting an ultimate diversion to 125,900 AF/year.

The City proposes to construct a new water intake facility, transmission pipelines, and a water treatment plant (WTP) as part of the DWSP. The DWSP would be incrementally expanded as the need for additional treated water supply develops. The initial phase of the DWSP is needed immediately and is proposed for implementation in 2009. The first phase of the DWSP is designed to meet the treated water supply needs of full development (build-out) under the City's current 1990 General Plan, which is anticipated to occur by about the year 2015. The initial treatment plant capacity would be 30 million gallons per day (mgd).

The DWSP is proposed as a conjunctive use program that would integrate surface water and groundwater supply. The surface water component of the DWSP would include an intake facility with fish screens on the San Joaquin River, new pipelines to convey Delta water to a new water treatment facility located just north of the COSMA, and treated water pipelines to deliver water to the City's existing water distribution system. The groundwater component would include coordinated groundwater and surface water management. Initially groundwater levels would be allowed to recover by in-lieu (natural) recharge. Ultimately treated Delta surface water could be injected into the groundwater basin underlying the COSMA, for later extraction during periods of limited surface water supply (referred to as an Aquifer Storage and Recovery (ASR) program).

The DWSP would be expanded in increments to keep pace with the COSMA's needs based on the timing of existing supply reductions and increased demand over time. The target date for the initial operation of the DWSP WTP is 2009. Initially the DWSP would be sized with a WTP capacity to treat and deliver up to 30 mgd (33,600 AF/year) of water. Ultimately by about 2050, the WTP would be expanded to treat 160 mgd to treat a maximum diversion of 125,900AF/year of surface water.

2. Purchase raw surface water supplies for agricultural irrigation to reduce groundwater pumping.
3. Purchase raw surface water supplies and discharge to groundwater recharge basins.
4. Purchase treated water supplies from nearby communities.

It is likely that the City will implement one or more of the near term options to allow sufficient time to implement Phase 1 of a long-term conjunctive use program that fully satisfies the projected need and achieves groundwater operational yield objectives. The question of where, when, and how much surface water and groundwater is needed to meet the COSMA's unmet demand can be answered by identifying all of the potential alternative sources of long-term supplemental water supply and arraying the likely feasible alternatives with the existing sources of supply and facilities. Many of the potential alternative supply sources are described in the San Joaquin County Flood Control and Water Conservation District's Water Management Plan (CDM, October 2001). The remainder of this section summarizes each of the alternative water supplies and provides a qualitative discussion of the feasibility and reliability of each.

## INCREASED GROUNDWATER PUMPING

To meet its increasing water needs, additional wells could be constructed and groundwater pumping increased. The cost of developing and supplying additional groundwater would be roughly comparable to the current cost of surface water deliveries from SEWD. This cost is dependent on groundwater treatment requirements that are anticipated to increase with changing drinking water quality regulations.

Because the safe yield of the groundwater basin underlying the COSMA is constrained, extractions above the safe yield may result in degraded water quality due to saline water intrusion. Therefore, increased groundwater pumping is not a viable option unless supplemented with additional surface water supplies to maintain an average long-term pumping rate within the sustainable yield of the basin.

## RECYCLED WATER

The City owns and operates the Stockton Regional Wastewater Control Facility that currently produces about 31,000 AF of treated effluent per year. Less than 30 af/year is currently recycled and used for agricultural irrigation. The City has been investigating the potential for recycling greater volumes of effluent for non-potable uses. A drawback to increasing recycled water use and, in turn, reducing treated wastewater discharges to the Delta, is the reduced quantity of Delta water supply available for potable uses under Section 1485. In addition, the associated costs are generally greater than the City's existing water supplies, and the quality is perceived to be adequate only for non-potable uses.

## WATER CONSERVATION

As discussed in Section 2, only small amounts of additional long-term water can be conserved through implementation of additional water conservation measures. Following the recent drought, COSMUD's demands have largely hardened, reflecting long term effects of conservation measures implemented during the drought. These effects are reflected in the low

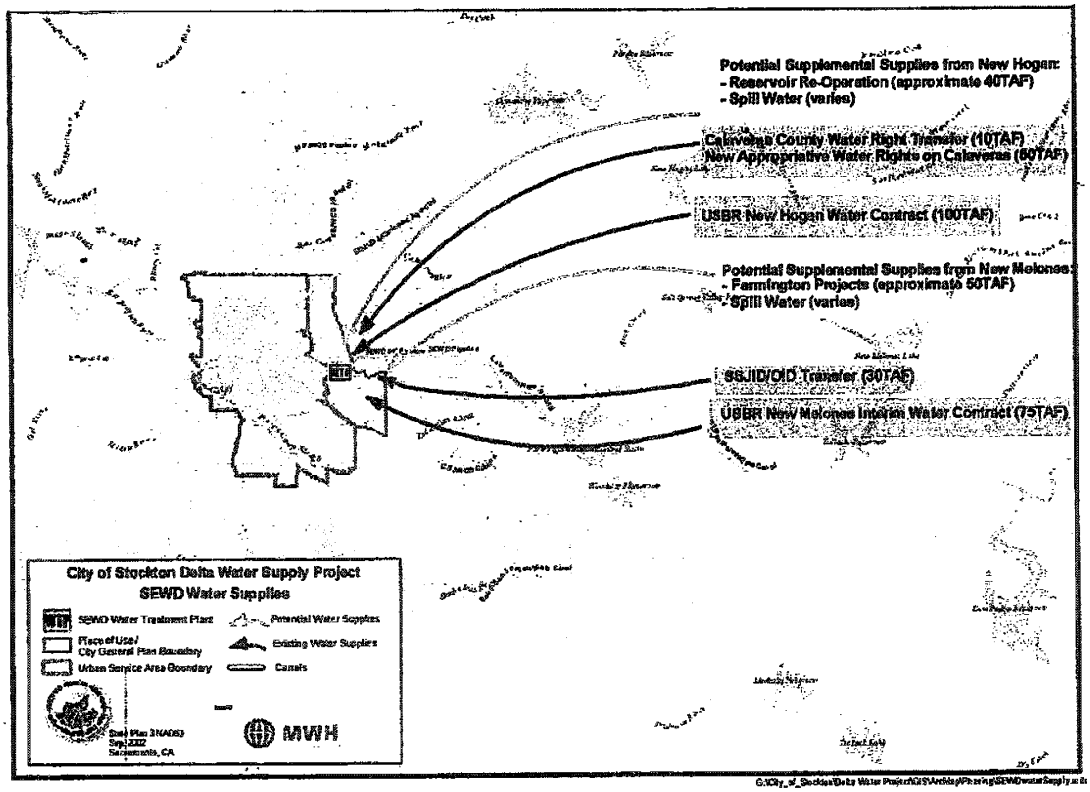
safely plan on consistent use of up to 40,000 AF/year from its local groundwater resources on an average annual basis. This target is conservatively low relative to other safe yield estimates for the basin and represents a reduction in groundwater pumping from current levels. Therefore, the City's long-term water supply program will benefit the overall groundwater system. With a groundwater reserve built up, the City could use groundwater up to a rate of 1.0 AF/ac/year, if needed during dry years, and still remain within the estimated safe yield of the aquifer on an average annual basis.

- The surface water and groundwater supplies currently available to Stockton are not sufficient to meet existing and projected municipal and agricultural water needs, without continuing groundwater overdraft.

## SURFACE WATER SUPPLIES

The COSMA relies on surface water supplied by SEWD and produced from New Hogan and New Melones Reservoirs, and interim water transfers from OID and SSJID to meet its existing water demands. Figure 3-1 illustrates SEWD's two primary sources of supply: the Calaveras River, regulated by the New Hogan Reservoir; and the Stanislaus River, regulated by New Melones Reservoir. The SEWD holds a CVP water service contract with Reclamation for the New Melones supply.

**Figure 3-1. SEWD Sources of Surface Water Supply**



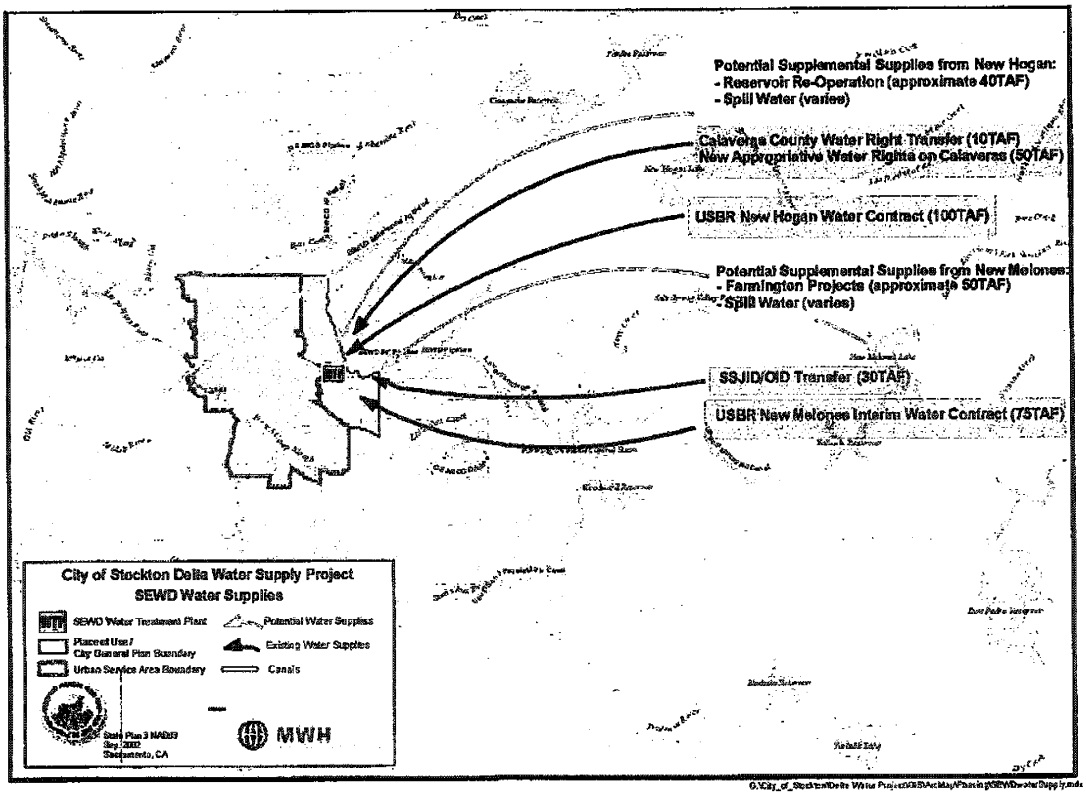
safely plan on consistent use of up to 40,000 AF/year from its local groundwater resources on an average annual basis. This target is conservatively low relative to other safe yield estimates for the basin and represents a reduction in groundwater pumping from current levels. Therefore, the City's long-term water supply program will benefit the overall groundwater system. With a groundwater reserve built up, the City could use groundwater up to a rate of 1.0 AF/ac/year, if needed during dry years, and still remain within the estimated safe yield of the aquifer on an average annual basis.

- The surface water and groundwater supplies currently available to Stockton are not sufficient to meet existing and projected municipal and agricultural water needs, without continuing groundwater overdraft.

## SURFACE WATER SUPPLIES

The COSMA relies on surface water supplied by SEWD and produced from New Hogan and New Melones Reservoirs, and interim water transfers from OID and SSJID to meet its existing water demands. Figure 3-1 illustrates SEWD's two primary sources of supply: the Calaveras River, regulated by the New Hogan Reservoir; and the Stanislaus River, regulated by New Melones Reservoir. The SEWD holds a CVP water service contract with Reclamation for the New Melones supply.

**Figure 3-1. SEWD Sources of Surface Water Supply**



Mr. Larry Moorman
4243 Cherryland Ave
Stockton, CA 95215
209-931-3359
209-931-1243 fax

RECEIVED
CITY OF STOCKTON

JAN 29 2007

PERMIT CENTER
PLANNING DIVISION

January 29, 2007

Attn: Steve Escobar
Stockton General Plan
345 N El Dorado St.
Stockton, CA 95205

RE: 2035 General Plan EIR Report.

CHERRYLAND:

Your plan is to ruin Cherryland Avenue as we know it and damage the life style of its residences, this is an EIR issue to those of us that live there.

A four lane road with a center medium and 15 feet of landscaping on each side would wipe out all of our front yards and make entering our road a terrible safety issue. In some cases it would destroy the homes.

I have spent 35 years building and improving on my property. There is no reason to have two four lane roads within ½ miles of each other (March Lane). All of the connecting roads are two lanes. Charter Way is only 2 lanes wide on the East and West of Stockton. Residences are normally not located on 4 lane roads! You have a double standard attitude Foppiano is proposed for "Limited Access" only. I20-1

Did you see in the news that people that live near too much traffic have reduced breathing capacity.

Why shouldn't the people of Weber Ranch if it happens, use the Frontage road? That is their closest access! What is the matter to much traffic?

When I asked Mr. Niblock if he would like a 4 lane road in front of his house he said "NO I would not"! His assistant didn't want one either! Why should we get one?

HOUSING DENSITY:

You propose 1 acre lots at Foppiano Lane and the next row 1/4 acre and ½ acre, then you go to 40' wide lots. The whole developing area should be 1 acre lots or larger as is the current area standard. Why do you want to ruin our standards? You say you want to build like what exists then do it! Not 40 foot side lots.

WILD LIFE & DOMESTIC ANIMALS:

We currently have, foxes, coyotes, wild turkey's, pheasants, dove, squirrels, owls, horses, mules, goats, cows, sheep, pigs, roosters, chickens, etc.... These are not allowed under City ordinances. Will you make our area an exception? Or will you expect us to comply?

SERVICES:

You don't address that we currently have excellent police, fire, school's, garbage at a certain price.

Isn't it true that these services would be poorer in quality and more expensive if you provide them? Please show the cost of your services for the price comparison.

A business associate on East Fremont St. Recently told me all the merchants got together for a meeting with City Police about to many robberies. They were told that they are 48 officers short and not likely to improve - get use to it. They also stated that the police dept can barely get around to writing up the crime reports, and can't spare patrol officers! Why, if its hard to get police officers, do we waste them writing up reports, when surely it would be cheaper and easier to get report writers, wouldn't it? Our sheriff services are good we don't want yours! And we don't want higher costs of living to accommodate you, and get poorer service. I20-2

LAND USE:

The residences of our area currently have barns, out buildings, RV's, boats, tractors, farm equipment etc. I have a business on Wilcox Road some of the stored equipment has rust. You have closed may business with your requirements. I may have no way to meet your requirements! I am their before you. Am I exempt from these requirements? Tell us what your requirements will be now not afterwards.

WATER:

At the 5/4/06 3rd work shop it was stated that there were 2 well sites on Weber ranch. A attendee looked at the map and said there were 17 - No one from the City could answer why the difference. (5 years of planning & 3 million dollars).

As a well and pump contractor I have worked on that ranch to my knowledge there are 3 main wells existing. Most of the irrigation water comes from Woodbridge Irrigation District and some from 1 well and the balance from Stockton East Water District. Two wells are not used due to cheaper river water. These wells average about 60 horsepower so 60 x 1 = 60, 17 x 225 = 3825 horsepower. This is a plus of 3765 well horsepower capacity or 62.75 times the current potential horsepower. I20-3

Isn't what you are proposing a water farm?

Aren't there only 2 wells near the West 99 Frontage from Hammer to Eight Mile Road? Why would you need 17 on 525 acres?

How may wells are you using in the Spanos subdivisions, for domestic water?

I have seen Cal Water turn on a big well and the water level went from 50 feet to 190 feet. I have heard that people in Clovis have been dried up by Fresno's over pumping! When you dry us up, if you are allowed to, how will you compensate us for our losses? If this is allowed it will be like Humpty Dumpty. You will not be able to put it back together again. You should at the State Level be advocating more Dams for flood control power and water, the beneffits would be enormous..

A. Water for all

B. Power with out wasting petroleum and adding to global warming

C. Flood control

D. More recreational opportunities

We are all ready short on water and power. Without new sources things will only be worse!

PROTO CALL:

You say you want our input, that you want to work to keep things acceptable. You schedule meetings with out appropriate notice. You have not allowed talks beyond Weber Ranch, but

rumor has it that the land from 99 substantially East and South of the Calaveras River is under option for this same type of construction. Why don't you discuss that? Why aren't people informed?

How long do you think it will be before the Mobile Home Parks are sold out with all those people loosing their homes? All over Mobile Home park owners are selling out to developers aren't they?

I20-3
continued

GENERAL:

If you have 17 well sites how many Police stations, Fire stations, and schools do you have? I look forward to your answers to these questions, and how well you "mitigate" these issues. Have you heard the building boom is over? Have you seen the foreclosure rates increase? Where will we get all the power for all of the new homes? Why do we already have a rolling power outage schedule? In December why did the Stockton Record state Weber Ranch was stopped because Morada residence disapproved? Your current proposal would destroy the quality of living we have worked hard for. These are all important EIR issues. Your current plan is not acceptable.

Larry Moorman

Mr. Larry Moorman
4243 Cherryland Ave
Stockton, CA 95215
209-931-3359
209-931-1243 fax

RECEIVED
CITY OF STOCKTON

JAN 29 2007

PERMIT CENTER
PLANNING DIVISION

January 29, 2007

Attn: Steve Escobar
Stockton General Plan
345 N El Dorado St.
Stockton, CA 95205

RE: 2035 General Plan EIR Report.

In thinking about the name of this program being the Stockton 35 year General Plan it would seem more accurate if you change the name to the Stockton Developers General Plan!! You have done nothing in favor of the existing community.

At your 5/4/06 meeting you had a animated slide shoe of driving down 2 roads in the proposed Weber Ranch. That's futuristic and a great presentation.

You spent 3 million dollars and 5 years to do that.

So far you have not spent 10 cents to drive a stake in the ground about how much of the Cherryland Ave land do you plan to take why the difference in attention? I21-1

Yes I am mad, yes I am bitter. Your plan is to destroy my 35 year building plan.

You presented maps at that meeting that show no road crossing the Calaveras River as well as plans that do.

Your EIR constantly refers to mitigate - Webster $10.00 version says 1 - to make or become less severe, less painful, etc.

It is definitly an EIR issue if you take so much of the residences land that they have lost the front of their house or the comfort of space between the house and road. I21-2

Your people say they do not want a 4 lane road in front of their house. They don't seem to care it its in front of my house though. I21-3

Less sever and less painful is, leave Cherryland alone.

Larry Moorman

MORRISON | FOERSTER

PLEASE RESPOND TO:
P.O. BOX 8130
WALNUT CREEK
CALIFORNIA 94596-8130

101 YGNACIO VALLEY ROAD
SUITE 450
WALNUT CREEK
CALIFORNIA 94596-4064

TELEPHONE: 925.295.3300
FACSIMILE: 925.946.9912

WWW.MOFO.COM

MORRISON & FOERSTER LLP
NEW YORK, SAN FRANCISCO,
LOS ANGELES, PALO ALTO,
SAN DIEGO, WASHINGTON, D.C.
DENVER, NORTHERN VIRGINIA,
ORANGE COUNTY, SACRAMENTO,
WALNUT CREEK, CENTURY CITY
TOKYO, LONDON, BEIJING,
SHANGHAI, HONG KONG,
SINGAPORE, BRUSSELS

RECEIVED
CITY OF STOCKTON
JAN 30 2007
PERMIT CENTER
PLANNING DIVISION

**To:**

| NAME: | FACSIMILE: | TELEPHONE: |
|---|---|---|
| **David Stagnaro, Senior Planner City of Stockton** | **209 937-8893** | 209 937-8919 |

**FROM:** David A. Gold **DATE:** January 29, 2007

| | | |
|---|---|---|
| Number of pages with cover page: | 7 | |

Preparer of this slip has confirmed that facsimile number given is correct: **4114/DAG2**

**Comments:**

PLEASE DELIVER ASAP.

**********

To ensure compliance with requirements imposed by the United States Internal Revenue Service, Morrison & Foerster LLP informs you that, if any advice concerning one or more U.S. Federal tax issues is contained in this facsimile (including any attachments), such advice is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

**********

**CAUTION - CONFIDENTIAL**

This facsimile contains confidential information that may also be privileged. Unless you are the addressee (or authorized to receive for the addressee); you may not copy, use, or distribute it. If you have received it in error, please advise Morrison & Foerster LLP immediately by telephone or facsimile and return it promptly by mail.

122

MORRISON | FOERSTER

PLEASE RESPOND TO:
P.O. BOX 8130
WALNUT CREEK
CALIFORNIA 94596-8130

101 YGNACIO VALLEY ROAD
SUITE 450
WALNUT CREEK
CALIFORNIA 94596-4094

TELEPHONE: 925.295.3300
FACSIMILE: 925.946.9912

WWW.MOFO.COM

MORRISON & FOERSTER LLP
NEW YORK, SAN FRANCISCO,
LOS ANGELES, PALO ALTO,
SAN DIEGO, WASHINGTON, D.C.
DENVER, NORTHERN VIRGINIA,
ORANGE COUNTY, SACRAMENTO,
WALNUT CREEK, CENTURY CITY
TOKYO, LONDON, BEIJING,
SHANGHAI, HONG KONG,
SINGAPORE, BRUSSELS

January 29, 2007

Writer's Direct Contact
925.295.3320
DGold@mofo.com

*Via Facsimile and E-Mail*

Mr. David Stagnaro, AICP
Senior Planner
City of Stockton
345 North El Dorado St.
Stockton, CA 95202-1997

Re: Stockton General Plan 2035 Draft Environmental Impact Report

Dear Mr. Stagnaro:

On behalf of our client, River Run Partners, LLC, ("River Run"), we are pleased to have this opportunity to review and comment on the Stockton General Plan 2035 Draft Environmental Impact Report ("DEIR"). As you are aware, River Run has pending applications with the City for entitlements to guide the future growth and development of an approximately 2,070 acre site located immediately southwest of the City of Stockton's current boundaries. The site has been within Stockton's Urban Services Boundary ("USB") since 1990. Since March 1, 2006, our client has participated in public community workshops examining various alternative development scenarios. We are very supportive of the City's efforts to adopt its updated policy directions by certifying the General Plan 2035 EIR and adopting the General Plan 2035. 122-1

River Run and other technical consultants for the River Run Project Team have reviewed the DEIR in the context of the Stockton 2035 General Plan and have determined that the DEIR provides a comprehensive examination of those programmatic, general plan level environmental impacts with respect to the River Run Project and the Project site. However, our review indicates that a number of proposed clarifications or comments will assist the City Staff and the DEIR consultant in ensuring that the EIR is more accurate and complete. [1]

[1] The page number referenced for each comment generally denotes the first page in the DEIR on which the relevant text, table, or diagram is located. The comment, however, applies to all pages in the DEIR where such text, table or diagram appears.

MORRISON | FOERSTER



General

- *P. 2-10, Concept 1: Concentric Expansion* – We generally support this component which discourages "leapfrog expansion" over "problem areas." However, we request clarification that development within the USB does not constitute "leapfrog expansion."
- *P. 2-12, Concept 6: Drainage* – We recommend changing "best practices" to "best management practices." I22-2
- *P. 2-12, Concept 8: Provide Infrastructure at Time of Development* – Although we recognize this is a General Plan Update, we propose revising the language to insert the word "fair share" on the second line between "provide" and "transportation improvements." Also, as far as mitigation timing, we believe the intent was to ensure that transportation improvements would be completed as needed to maintain the City's level of service performance standards. The current language is unclear regarding the timing of "new construction."

Land Use

- Based on our analysis of the 2035 General Plan chart entitled *100% Modified Build-Out for the Stockton Preferred Alternative* (as of 11/3/06), please confirm that the build-out assumption for residential units for River Run is approximately 7,960 units. I22-3
- *Land Use Diagram, Figure 2-3 – Identifies 4 proposed elementary schools and 1 proposed middle school for Village M and 4 proposed elementary schools and 1 proposed middle school for Village N.* The River Run project proposes four new K-8 school sites and one new high school, based on initial discussions with the Manteca Unified School District ("MUSD"). Please confirm that the actual number of schools to be constructed for *Villages* will be determined pursuant to the Specific Plan/Master Plan process. I22-4
- *Impact LU-3 - Development proposed under the General Plan would not conflict with an adopted HCP or NCCP. P. 3-15.*

  *Relevant land use policies from the plan include: P-3 – New residential, recreational, commercial, or industrial development shall ensure that appropriate buffer areas are provided by those proposing new development to prevent conflicts between any proposed use and existing agricultural use. Buffers shall adequately protect integrity of land for existing and future agricultural uses. Buffers may include berms and vegetation, as well as setback of 500 to 1,000 feet. P. 3-16 to 3-17.* Please confirm that this policy would not apply within properties designated *Village* under the I22-5

MORRISON | FOERSTER



General Plan, or between two adjacent designated areas *Village*, or between *Village* designated land and land within the Sphere of Influence of an adjacent city. I22-5 continued

Transportation and Circulation

- *Figure 8-1, Draft 2035 GP Roadway System.* Please confirm that the DEIR and the draft General Plan is assuming six lanes, rather than two, on the portion of Howard Road just west of Wolf Road. The River Run project has assumed the larger number of lanes for this roadway segment and we want to ensure consistency with the 2035 General Plan. I22-6

- *DV-5.3 – The City shall ensure that each Village contains a mix of land use types...These components are illustrated on Figure 7-3, and the land uses allowed in each component are shown on Table 7-2 of the General Plan Goals and Policies Report. P. 8-6.* To further innovative siting of uses and designs, we recommend that this measure not be strictly tied to the Table. Instead, it should be revised to add flexibility with respect to the mix of neighborhood types required for each *Village*.

- *DV 5.12 – Every Village will be required to provide one or more community centers based on a ratio of on center for very 10,000 population in that Village. P. 8-7.* At the end of that sentence, please insert..."or as determined by the Specific Plan governing that *Village*." I22-7

- *TC-2.14 – The City shall require major public street and highway right-of-way dedications, highway interchanges, and improvements (i.e. arterial and collector streets and related bridges or railroad crossings) at the initial stage of development. P. 8-11.* We recommend replacing "at the initial stage of development" with "concurrent with development and as needed to maintain the City's level of service performance standards."

- *Key new bicycle facilities proposed include: Class I bike paths along planned new roadways including those in the southwest area (e.g. Wolfe Road and Mathews Road)...P. 8-44.* Propose revising to add the following insert: "except as otherwise provided for in a Specific Plan for *Village* designated areas, key new bicycle facilities proposed include..."

Public Facilities and Services

- *Required Mitigation Measures, Pp. 9-11 to 9-12*

  *PFS-2.8 - The City shall not approve new development that relies on water from the Delta Water Supply Project until this Delta water is allocated through a water right to* I22-8

MORRISON | FOERSTER



*the City by the State Water Resources Control Board or a replacement water supply is secured. (Also see PFS-2.7-Water Supply for New Development).* We recommend that this language track with State law SB 610 and SB 221 requirements. We are concerned that the strict "*not approve new development*" standard could create uncertainty whether all development entitlements are precluded, and potentially create conflicts with State law.

*Implementation Measure #21 – The City shall conduct an assessment of proposed expansion areas, including Village areas, to determine where fees need to be levied for new and expanded public service and utility infrastructure including, but not limited to, fire stations and equipment, police stations and equipment, utility infrastructure, recreation facilities and parks, and library facilities. Fees should be based on initial facility and equipment costs as well as operations and long-term maintenance and replacement...* We propose revising this language to incorporate the reasonableness of fees and nexus to project impacts standards. Please consider the following: "The City should consider the total fiscal impact of a project when determining what type of additional financing mechanism may be required, if any, to cover General Fund budget items such as Police, Fire, or Park and Recreation maintenance. The total fiscal impact of a project should consider both General Fund costs as well as General Fund revenues, such as property tax and sales tax revenues. A more comprehensive analysis of a project's total fiscal impact, rather than a Department-by-Department approach, will provide more effective financial planning and ensure long-term fiscal responsibility." I22-8 continued

- *Impact Analysis – Improvements are currently under construction at the RWCF. These improvements will be completed in 2006. P. 9-26.* We request clarification whether improvements are presently completed or, if not, an estimated completion date. I22-9

- *Impact PFS-7 Mitigation Measure, P. 9-41*

  *PFS-4.2 – The City shall require the preparation of watershed drainage plans for proposed developments.* We request clarification whether this takes the place of currently required Master Storm Drain Plans.

Recreation and Waterways

- *RW-3.6 – The City shall require developers to improve utility easement property as usable public open space. Such land would not be credited towards meeting the recreation standards in Policy-RW 2.1 nor would it be eligible for parkland fee reimbursement. P. 10-6.* We respectfully object to this policy because we believe that within *Villages*, improved utility easement property which is usable as public open I22-10

MORRISON | FOERSTER



space, should be credited towards meeting the recreation standards in Policy-RW 2.1 and be eligible for parkland fee reimbursement. I22-10 continued

Health and Safety

- *Standards of Significance, third bullet point, P. 11-25 and Impact HS-6, P. 11-28.* Change "Uniform Building Code (1994)" to "Uniform Building Code (1997)".

- *PFS-8.4 – The City shall require new development to pay all public facility fees (PFF) as a means to provide a fair share of costs to provide fire station facilities and equipment in order to maintain the City's ISO rating of 1. Also, new development may be required to create a Community Facility District (CFD) or other funding mechanisms to pay the costs associated with a fire station. P. 11-53.* We propose that language be added regarding the reasonableness of fees and nexus to project impacts, such as: "The City should consider the total fiscal impact of a project when determining what type of additional financing mechanism may be required, if any, to cover General Fund budget items such as Police, Fire, or Park and Recreation maintenance. The total fiscal impact of a project should consider both General Fund costs as well as General Fund revenues, such as property tax and sales tax revenues. A more comprehensive analysis of a project's total fiscal impact, rather than a Department-by-Department approach, will provide more effective financial planning and ensure long-term fiscal responsibility." I22-11

Natural and Cultural Resources

- *NCR-2.1. "The City shall support preservation, restoration, and enhancement of the designated habitats of State or Federally-listed . . ." P. 13-5.* We recommend that the City preserve its lead agency status and that this be rewritten as follows: "The City shall support preservation, restoration, and enhancement of habitats of State or Federally-listed . . ."

- *NCR-2.4. "The City shall consider the loss of sensitive habitat due to development to be a significant environmental impact. All development that is proposed to disturb or remove sensitive habitat shall demonstrate mitigation for this loss." P. 13-5.* We are concerned that the City preserve its ability to adopt overriding considerations as lead agency. We are concerned with the phrase "demonstrate mitigation." What if there is no feasible mitigation and an override is needed? We recommend this be revised as follows: "The City shall consider the loss of sensitive habitat due to development to be a significant environmental impact. The City shall ensure that all feasible mitigation options be explored for development that is proposed to disturb or remove sensitive habitat." I22-12

MORRISON | FOERSTER



- *NCR-2.5. "The City shall continue to coordinate with the [SJCOG] and comply with the terms of the [HCP] to protect critical habitat areas that support . . ." P. 13-5.* What are "critical habitat areas"? Is this referring to federally designated critical habitat? To preserve the City's lead agency status, we recommend this be rewritten as follows: "The City shall continue to coordinate with the [SJCOG] and comply with the terms of the [HCP] to protect important habitat areas that support..." I22-13
- *NCR-2.9. "The City shall impose appropriate mitigation measures using protocols defined by the applicable statute (e.g., USFWS, CDFG, etc.)." P. 13-6.* We recommend that this be revised as follows: "The City, in its lead agency role, shall take into consideration mitigation standards and policies of resource and regulatory agencies with jurisdiction over biological resources (e.g., USFWS, CDFG, and Corps of Engineers)." I22-14
- *Impact NCR-11 Mitigation Measure, P. 13-36*

  *LU-2.2 – The City shall support the establishment of a permanent agricultural/open space buffer along the ultimate edge of the Urban Service Area...with a minimum width of 100 feet.* Please confirm that this policy would not apply to properties designated *Village* under the General Plan, properties within the SOI of an adjacent city, or properties designated *Village* adjacent to the River Run property. I22-15

Thank you for the opportunity to comment on the General Plan 2035 DEIR. We applaud the City Staff and consultants for this fine effort.

Sincerely,

David A. Gold

cc: Christine Tien, Deputy City Manager
Catherine Riley, Design, Community & Environment
Sam Greason, River Run, LLC
Chop Keenan, Keenan Land Company
Rusty Ameter, DR Horton
Scott Gregory, Lamphier-Gregory
Mike Persak, Stantec
Eileen Goodwin, Apex Strategies
Julie Morgan, Fehr & Peers
Uri Eliahu, ENGEO Inc.
Jason Moody, Economic & Planning Systems

wc-128126

I23

RECEIVED
CITY OF STOCKTON

JAN 29 2007

PERMIT CENTER
PLANNING DIVISION

January 29, 2007

To the City of Stockton Planning Staff:

In 1993, my husband and I moved to Stockton to buy an affordable home, a 2 bedroom 2-bathroom house priced at under $100,000. At that time I knew nothing about planning. In 2004, I earned my Master's Degree in Urban Planning from San Jose State University learning sustainable planning principles exhibited by many cities I studied.

Unfortunately, Stockton shows little regard for its vast resources – the fertile land it occupies in the delta region as well as its abundant cultural diversity and rich historic heritage.

A city's General Plan is the underlying framework for all planning decisions that follow. Planning staff is only as valuable as the policies they uphold – the question that should be asked is whether a majority of residents benefit by the proposed policies or only a select few? Sustainable planning cannot be executed without an equitable base to support it.

I23-1

I have attended countless Stockton planning meetings but have never felt that my perspectives mattered. Who knows better than the residents themselves what the problems are? Public participation must be encouraged not merely tolerated because it is the law. Residents have an interest in the cities in which they live. If they are excluded from the planning process, barely notified about meetings and dismissed as quacks when they disagree with city staff they will stop caring or thinking they can do

anything to change bad policies either becoming apathetic or moving somewhere that is more welcoming. I23-1 continued

I am concerned about the direction of growth that I see happening in the City of Stockton. Policies must be included in Stockton's General Plan protecting farmland and the delta from continued encroachment by development. Farmland and the delta are environmental and economic resources Stockton cannot afford to lose. Stockton borders must not continue to grow outward removing boundaries between cities and swallowing up communities like French Camp to the south, past Morada to the north and Linden to the east. I23-2

Affordable housing must be a high priority. Stockton's housing element needs to be updated at the same time as the General Plan, meaning now, to bring both into compliance. Housing policies must require developers to create inclusionary and infill housing to make homes affordable and reduce the need for continued outward expansion of Stockton city limits. One policy I find helpful was created by the City of Mountain View, CA who does not permit gated communities that isolate residents and increase housing prices. With Stockton's escalating housing prices I suggest that similar policies are appropriate. I23-3

Policy protecting local business must be as important as policy allowing franchise and big box stores. Vibrant cities need a full range of consumer choices, a mix of old and new, big and small throughout the city. Power centers pushing the city boundaries are not sustainable. A better alternative creates policy that allows a full range of housing, commerce, parks and schools on underutilized surface parking lots in Stockton I23-4

so that residents and visitors can walk more and take public transportation driving less to the places they use. Parking can be accommodated with parking garages on less land.

I23-4 continued

Public safety comes in many forms. In 2003, my family was devastated by the loss of my father – in – law, Jerry Neas, who was killed while attempting to cross California Street, a major arterial road, to shop at Alpine Market after exiting a bus. A stoplight, lit crosswalk or center median could have saved his life. While researching the intersection and other pedestrian fatalities in Stockton I discovered a casual acceptance of pedestrian fatality. All streets, whether in the city or county, must have sidewalks to protect pedestrians. (e.g. Charter Way and Airport Way must be addressed). Major arterials of four or more lanes must have center medians so that pedestrians can cross without being killed. Especially busy intersections between stoplights must have lit crosswalks to save lives, not only in Stockton's downtown (e.g. a lit crosswalk at the gateway entrance to the Haggin Museum would be helpful). Every pedestrian is not able bodied and needs as much assistance as possible. No one should be expendable. I am encouraged by Mayor Chavez's Strong Neighborhood Initiative to make much of this possible. However, where SNI funding falls short, the City of Stockton is duty bound to pay to keep all residents alive.

I23-5

Everywhere speeds are increasing. It is less and less safe to be a pedestrian or bicyclist on today's widening roads. Planning can eliminate many dangerous situations by building narrower streets where housing is located arranged in grid patterns for fire and police access. Wide arterials must be properly regulated with businesses placed

along them instead of sound walls that continuously are being tagged with graffiti. Housing must be located behind on narrower less busy streets (e.g. Miracle Mile business with housing behind/this is not a perfect example because the neighboring streets are not all arranged in a grid pattern). Mature street trees must be provided along all roads for pedestrian access to shade and aesthetic purposes. If mature trees die they must be replaced with trees of equal maturity for public safety as shelter from heat and cold. All bus stops must have bus shelters to accommodate the elderly and disabled and give transit takers basic dignity.

Developers not only have privileges they also have duties. A neighboring subdivision to where I live donated a five - acre parcel in 1993 to be made into a neighborhood park. To date, the land remains an idle weed patch. In San Francisco, developers, in exchange for increased heights and densities, provide and maintain public open space within their buildings. These public spaces are often rooftop gardens with public art. The SF policy, as far as it goes, creates exciting opportunities for Stockton's downtown though I request that housing developers be required to build and maintain public open spaces in their developments as well.

I23-5
continued

Architecture and design can add to the value of a city or reduce it. Unfortunately, since moving to Stockton I have seen countless historic resources demolished for trendy projects, surface parking lots and ill placed city services. A currently proposed downtown parking expansion eliminates eight historic hotels, that could be renovated and preserved for needed downtown housing, commerce and historic interest, to add a total of 130 parking spaces. This is irresponsible planning at best. Downtown Stockton,

including the Little Manila Historic Site, must be named an historic district and preserved as such. There is so much more to downtown worth visitor and resident's attention than a ballpark, convention center, hotel and Cineplex. By incorporating the use of form – based codes, as in cities like Hercules and Petaluma, Stockton could eliminate future wasteful zoning practices.

Stockton's greatest strength is its history. Heritage tourism could be as much of a draw or more to downtown as the select city projects recently completed. Imagine a duck tour in downtown Stockton, like Boston, highlighting architectural gems and cultural resources on land and water, or a boat-building museum, Filipino museum in Little Manila, Mexican Heritage Center, artist lofts and galleries just to name a few. I23-5 continued

Art and planning go together. Planning is an art. There are many people in Stockton who care deeply about its future, I among them. Every person who takes the time to attend meetings and express concern should be appreciated and taken into consideration before making plans that rarely include them. Stockton could truly be a world-class city by utilizing sustainable, equitable planning in creating its General Plan however long it takes.

A concerned Stockton resident,

Joy Neas

Joy Neas
1838 Seven Bloods.
Stockton, Ca 95206

I24

**From:** "Byron R. Roberts" <byronrobert@comcast.net>
**To:** <david.stagnaro@ci.stockton.ca.us>
**Date:** 1/29/2007 2:10:20 PM
**Subject:** Comments on Draft Environmental Impact Report for Stockton General Plan 2035

Dear Mr. Stagnaro:

I'm sorry this is a last minute written response to the Draft Environmental Impact Report (DEIR) on the Stockton General Plan 2035. I have been out of town and just got to addressing this.

My comments are related to the DEIR Re: Agricultural Resources.

DEIR is deficient because it fails to offer an analysis of how much prime and unique farmland would be converted due to village development on the fringes of the city. The DEIR fails to discuss how the location of specific villages could be shifted to lands of less than prime or unique value, to reduce impacts. I24-1

DEIR is deficient because it identifies the impact as significant and unavoidable but offers no mitigation measures that could reduce the impact, although not to a less-than-significant level; California Environmental Quality Act requires that measures be adopted to reduce impacts. I24-2

The DEIR fails to discuss the Ag Fee Mitigation program now being considered by the City. A discussion of this program should be included. I24-3

Campaign for Common Ground (CCG), submitted an Alternative General Plan (GP) to the City for consideration. The CCG plan includes several policies and programs that would reduce impacts of development on Ag resources.

The DEIR must discuss why the following specific policy recommendations from CCG were not included as mitigation measures to reduce impacts: I24-4

Please refer to the CCG Alternative General Plan LU-2.x, LU-2.1, LU-2.2, LU-2.3, LU-2.4, LU-2.5, LU-2.3_6, LU-2.7,NCR 4., NCR 4.5

Respectfully Submitted,
Byron R. Roberts
5234 Grouse Run Dr.
Stockton, California 95207
209-957-3707

P.S. Please inform me if you received this e-mail letter.

**Richard Shaffer**
5053 Cozad Way
Stockton, CA 95212

January 29, 2007

Steve Escobar
Senior Planner
Stockton Community Development Department
Planning Division
345 North El Dorado St.
Stockton, CA 95202-1997

RECEIVED
CITY OF STOCKTON

JAN 29 2007

PERMIT CENTER
PLANNING DIVISION

re: 2035 General Plan Update
LU-1.4 Urban Service Area Uses

*The City shall designate all lands outside the Urban Service Boundary as Agriculture Open Space.*

This is a new policy that is in conflict with multiple communities located within the County of San Joaguin. Many of these communities are anything but *Agriculture Open Space.* These communities need to be identified as to exactly who the City is classifying as *Agriculture Open Space.* The impact of this change needs to be analyzed and explained. I25-1

How would the City ensure adequate separation between sensitive land uses when all land is classified as Agriculture Open Space? This adequate separation is require by LU-5.5.

Richard Shaffer

**Richard Shaffer**
5053 Cozad Way
Stockton, CA 95212

January 29, 2007

Steve Escobar
Senior Planner
Stockton Community Development Department
Planning Division
345 North El Dorado St.
Stockton, CA 95202-1997

RECEIVED
CITY OF STOCKTON

JAN 29 2007

PERMIT CENTER
PLANNING DIVISION

re NCR-2.13
Encourage Planting of Native Vegetation

The City seems concerned regarding the native plants and vegetation and in Implemention Measure #1 and #4 further talk of preservation and prevention are mentioned. However this policy does nothing to prevent the loss of valuable plant, trees and vegetation.

The City should require this preservation and at a minimum should state that the classification of ***remnant*** cannot be applied to any native trees, plants or vegetation. The biological name of all species and growth must be used on all plans and maps. I26-1

Richard Shaffer

**Richard Shaffer**
5053 Cozad Way
Stockton, CA 95212

January 29, 2007

RECEIVED
CITY OF STOCKTON
JAN 29 2007
PERMIT CENTER
PLANNING DIVISION

Steve Escobar
Senior Planner
Stockton Community Development Department
Planning Division
345 North El Dorado St.
Stockton, CA 95202-1997

re: Table 14-2

The DEIR states that 12,050 acres of land were omitted from the original planning scope. This 12,050 acres was included as *Open Space*.

This designation is widely presumptive. The majority of this area is filled with homes and commercial business. An estimated 3637 people reside in this area. There is in excess of 1726 homes. I27-1

To classify this as *Open Space* is an egregious error and needs to be corrected.

Richard Shaffer

**Richard Shaffer**
5053 Cozad Way
Stockton, CA 95212

January 29, 2007

RECEIVED
CITY OF STOCKTON

JAN 29 2007

PERMIT CENTER
PLANNING DIVISION

Steve Escobar
Senior Planner
Stockton Community Development Department
Planning Division
345 North El Dorado St.
Stockton, CA 95202-1997

re: 14.4 Environmentally Superior Alternative

The DEIR states that *Alternative 5* is superior to the other alternatives in terms of land use and environmental impacts.

What the correct analysis does not say is that *Alternative 5* would greatly reduce the Cities cost of extending its infrastructure. Together this capital cost and continuing operational cost are not estimated here but prior figures from the *Capital Improvement Budget* place the capital cost at over 10 million dollars. Operational cost are not estimated. I28-1

This is a very substantial amount!

Richard Shaffer

**Richard Shaffer**
5053 Cozad Way
Stockton, CA 95212

January 29, 2007

RECEIVED
CITY OF STOCKTON
29 2007
PERMIT CENTER
PLANNING DIVISION

Steve Escobar
Senior Planner
Stockton Community Development Department
Planning Division
345 North El Dorado St.
Stockton, CA 95202-1997

The DIER states the Empire Ranch is *assumed to be built.* Wether this assumption is premature or not the fact is this area has not been annexed and the plan has not been approved. If the DIER is assuming the Empire Ranch is a project to be built then all the Specific Plans in process within the city should also be assumed to be built.

If the Empire Ranch is *assumed to be built* then the impacts of such assumption should be considered on the balance of the Morada area. The specific plan for Empire shows 17 water wells. What is the impact on area residents who all depend on ground water for their needs? What portion of the 17 new wells would be used for Empire Ranch and what portion would be for transporting water to other areas? How does 17 wells in one project balance with the cities policy of conjunctive use for all water distribution? Will this assumption physically divide the established community of Morada, of which Empire Ranch is part of? What is the impact on the city for this urban expansion when existing policies try to eliminate urban sprawl? I29-1

These questions should be reflected in the DEIR with answers.

Richard Shaffer

**Richard Shaffer**
5053 Cozad Way
Stockton, CA 95212

January 29, 2007

RECEIVED
CITY OF STOCKTON
JAN 29 2007
PERMIT CENTER
PLANNING DIVISION

Steve Escobar
Senior Planner
Stockton Community Development Department
Planning Division
345 North El Dorado St.
Stockton, CA 95202-1997

The City of Stockton's recent application for Proposition 50 Implementation Grant Funds for the Delta Water Supply project was denied.. The reason for the denial were:

1. The IRWMP is not adopted
2. There are no adopted priorities
3. It was not clear how the project ties to the IRWMP
4. There is no adopted financing plan
5. The project EIR was not certified
6. Pumping water from the Delta is not right, but a privilege
7. It is a stand-alone project benefiting only one city
8. The project conflicts with State priorities
9. There was no discussion of Disadvantaged Communities
10. Cost estimate are not verified
11. The need for the project not clear

I30-1

Proposition grant funds were for $500,000.00. The reason for denial must be included in the DIEIR and analyzed.

Richard Shaffer

# CHAPTER 3
# Response to Comments on the Draft EIR

## Introduction

Responses to each of the comments in the letters presented in Chapter 2 "Comments on the Draft EIR" are included in this chapter. Neither the comments received on the draft EIR nor the City's responses there to raise any "significant new information" within the meaning of Public Resources Code Section 21092.1 or CEQA Guidelines Section 15088.5. Therefore, the City of Stockton, as the CEQA Lead Agency, has directed that a final EIR be prepared. Comments that do not directly relate to the analysis in the draft EIR or otherwise raise the significant environmental issues related to the project (i.e., that are outside the scope of this document) are not given specific responses. However, all comments are addressed in this chapter so that the City of Stockton Planning Commission and City Council will know the opinions of the commenters.

In some cases, multiple comments were received with respect to the same or similar planning and/or environmental issues evaluated in the draft EIR. In order to provide the commenter with a complete picture regarding his or her concern, the City has prepared master responses to all comments received on the same or similar subject. These master responses provide some background regarding the issue, identify how the issue was addressed in the draft EIR, and provide additional explanation to address the commenters' concerns. In some cases, these responses have also been prepared to address specific land use or planning concerns (i.e., requests for land use/zoning changes, etc.) related to the Proposed Project but unrelated to the EIR or environmental issues associated with the Proposed Project. Comments that present opinions about the project unrelated to environmental issues or that raise issues not directly related either to the substance of the EIR, the General Plan Update, or to environmental issues are noted without a detailed response.

A summary of the oral comments received at the public hearing for the draft General Plan EIR is provided at the end of this chapter. Responses to each of the oral comments are also provided.

## Response to Comments

The responses provided in this section correspond to the comments on the draft EIR reproduced in Chapter 2, "Comments on the Draft EIR", each of which has been given an alphanumeric identifier. The section begins with a description of the master responses that have been prepared to address multiple comments related to a single given subject.

# Master Responses

## Master Response #1: Comments Specific to the General Plan Update Concepts and/or Policies

During the public review period for the draft EIR, several respondents provided a variety of comments requesting clarification of the planning concepts (i.e., policy revisions, etc.) provided in the City's Updated General Plan. This master response has been developed to address the following individual comments: A4-4, A17-2, A20-4, O1-1, O1-2, O1-3, O1-5, O2-3, O4-10, O4-11, O5-34, O5-50, I3-7, I6-3, I6-5, I6-9, I8-4, I10-5, I12-1, I15-2, I17-9, I17-18, I17-21, I17-42, I17-49, I17-59, and I22-9.

The primary objective of this final EIR is to respond to comments received during the public review period that address concerns specific to environmental impacts of the Proposed Project or the adequacy or completeness of the draft EIR analysis. Not surprisingly, given the broad nature and multiple functions of a General Plan, not all comments received in response to the draft EIR were environmental in character. CEQA does not require a formal response to such comments, even though they may well address legitimate concerns of public policy (e.g., economic, fiscal, or social issues). Some comments merely express approval or disapproval of the Proposed Project or particular policies. Some comments criticize the Proposed Project from a policy standpoint, or characterize it in negative terms, but do not argue that the draft EIR is in any way deficient. Still other comments offer suggested changes to proposed new policy language. All such comments are part of the administrative record for the General Plan process, and all will be forwarded, as part of this final EIR, to City decision-makers for their careful consideration, as, in weighing the various benefits and detriments associated with the Preferred Alternative and the other alternatives, these decision-makers have to balance economic, social, fiscal, and other concerns against the environmental impacts of the various options.

In reviewing specific proposed changes in adopted policy language, the City has been cognizant of its legal obligation under CEQA to substantially lessen or avoid significant environmental effects to the extent feasible. The City recognizes, moreover, that comments frequently offer thoughtful suggestions regarding how a commenter believes that a particular proposed policy can be modified, or perhaps changed significantly, in order to more effectively, in the commenter's eyes, reduce the severity of environmental effects. The City is also cognizant, however, that, with the exception of new policy language in the draft EIR intended to function as the equivalent of mitigation measures for the significant environmental effects of the Proposed Project, the draft Policy language in the Proposed Goals and Policies Report represents the fruit of a very long public process in which draft language resulted from the input of numerous individuals and organization, with much public discussion of particular language. The City believes that such language, which often represents a careful balancing of competing interests expressed by various stakeholders, should not be lightly

altered. Thus, in considering proposed changes to draft policy language, the City, in determining whether to accept such language, either in whole or in part, has considered the following factors, among others: (i) whether the proposed language relates to a significant and unavoidable environmental effect of the Proposed Project, or instead relates to an effect that can already be mitigated to less than significant levels by language already included in the proposed Goals and Policies Report; (ii) whether the proposed language represents a clear improvement, from an environmental standpoint, over the draft language that a commenter seeks to replace; (iii) whether the proposed language is sufficiently clear as to be easily understood by those who will implement a new General Plan; (iv) whether the proposed language would essentially duplicate language already in place elsewhere within the Goals and Policies Report; (v) whether the language might be too inflexible to allow the City to deal with project-specific issues as they arise over time, or limit the City's ability to balance competing policy considerations as they arise over time; (vi) whether the proposed language might create an internal inconsistency within the General Plan that the commenter has not identified and for which the commenter has offer no remedy; (vii) whether the policy suggestions embodied in the proposed language appear to be feasible from an economic, technical, legal, or other standpoint; (viii) whether the proposed language would address design issues in more detail than is appropriate for a long-term general plan, as opposed to subsidiary documents such as the Zoning Ordinance or development standards; (ix) whether the language might be more appropriate in a policy or legal document other than the General Plan; and (x) whether the proposed language is consistent with the project objectives, including the objective to "manage foreseeable population and job growth by identifying 2035 City boundaries calculated to reflect realistic market conditions and growth assumptions, with the objective that, to the extent feasible, new development will proceed in an orderly fashion within City boundaries rather than in the unincorporated area, and be subject to land use principles and concepts intended to discourage development in areas with sensitive resources, critical habitats, and important scenic resources."

As is often evident from the specific responses given to specific suggestions, City staff and consultants spent large amounts of time carefully considering and weighing proposed policy language, and in many instances adopted some or all of what a commenter suggested. In some instances, the City developed alternative language addressing the same issue that was of concern to a commenter. In no instance did the City fail to take seriously a suggestion made by a commenter or fail to appreciate the effort that went into the formulation of suggestions.

## Master Response #2: Programmatic Nature of the EIR

Several commenters on the draft EIR provided requests to have additional impact analysis provided regarding specific developments that may occur through implementation of the proposed Stockton 2035 General Plan Update. This master response has been developed to address the following individual comments: A8-3, A8-9, A9-1, A12-2, A14-2, A15-4, O2-4, O5-2, O5-5, O5-24, I10-42, I10-43, I10-45, I17-44, I17-75, and I17-77.

According to the CEQA Guidelines (Section 15168[a]), a local agency may prepare a program-level EIR to address a series of actions that can be characterized as one large project and are related geographically, as logical parts of a chain of contemplated events, through rules, regulations, or plans that govern the conduct of a continuing program, or as individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects that can be mitigated in similar ways. This EIR was prepared as a Program EIR. As a Program EIR, this document serves as a first-tier document that assesses and documents the broad environmental impacts of a program with the understanding that a more detailed site-specific environmental review may be required to assess future projects implemented under the program. As individual projects with specific site plans and facilities are planned, the City will evaluate each project to determine the extent to which this EIR covers the potential impacts of the project and to what extent additional environmental analysis may be required for each specific future project. (see Public Resources Code, Sections 21083.3, 21093, 21094; CEQA Guidelines, Sections 15152, 15168, 15183.)

## Master Response #3: Global Warming Issues

Some commenters raised questions and concerns regarding climate change and global warming impacts potentially associated with the proposed General Plan Update as well as mitigation for such impacts. Issues raised in the comments generally fell into two categories: (1) potential impacts of the project on climate change through, for example, increased emissions of greenhouse gases and conversion of rural and agricultural lands to urban uses; and (2) potential impacts of climate change on the Proposed Project, such as sea level rise, Delta water quality and levee failure. This response addresses each of these issues.

This master response has been developed to address the following individual comments: A10-5, O5-48, O5-49, I1-1, I4-4, I6-9, I10-51, I10-52, I10-53, I10-54, I10-56, I10-62, I10-63, I12-2, I12-3, I17-20, and I20-3.

### *Impacts of the Proposed Project on Global Warming: Greenhouse Gas Emissions*

There is broad scientific consensus that global climate change is real and that human activities contribute to this change by causing increases in the amounts of greenhouse gases in the atmosphere.[1] Greenhouse gases act as a blanket for heat radiation emitted from the Earth's surface. This blanketing is known as the greenhouse effect, a natural phenomenon necessary to keep the Earth's surface warm. The two most important greenhouse gases are water vapor and carbon dioxide. Human activities, such as the combustion of fossil fuels and the removal of forests, increase the amount of greenhouse gases into the atmosphere, thereby warming Earth's climate.[2] The amount of warming that occurs depends on various feedback mechanisms and

[1] Intergovernmental Panel on Climate Change (2007) Fourth Assessment Report: The Physical Science Basis (Hereafter IPCC, The Physical Science Basis): Frequently Asked Questions, § 2.
[2] *Id.* at § 1.1.

much uncertainty remains as to the magnitude, rate and impacts of future global warming.[3] Despite remaining uncertainties, it is recognized that global temperatures will continue to rise. In California, global warming is expected to negatively impact the state's water supplies, agricultural and recreational resources, forests and landscapes and public health.[4]

As discussed under Impact HS-12 of the draft EIR for the General Plan Update, the Proposed Project would result in a cumulatively considerable net increase of greenhouse gas emissions that would contribute to global warming. The sources of greenhouse gases would include motor vehicle trips and area sources (e.g., natural gas combustion for space heating, landscaping equipment use, consumer products use, and wood stove, and fireplace uses). Other examples of area sources that could contribute to greenhouse gas emissions are groundwater pumping; the conversion of agricultural lands to urban uses, and increases in electricity demands.

The City of Stockton recognizes that global warming poses a serious threat to the environment and is committed to curbing its contribution to greenhouse gas emissions. As part of this commitment, the City added policy HS-4.20 "Support Statewide Global Warming Solutions" to its General Plan Update. Under that policy, the City shall monitor and support the efforts of the California Air Resources Board (CARB) under AB 32 to formulate mitigation strategies, if any, that may be implemented by local government.

AB 32 requires CARB to establish a statewide greenhouse gas emission cap for 2020 based on 1990 emission levels. By June 30, 2007, CARB must identify a list of discrete early action greenhouse gas reductions that will be legally enforceable by 2010. By January 1, 2008, CARB must also adopt regulations that will identify and require selected sectors to report their statewide greenhouse gas emissions. By January 1, 2011, CARB must adopt rules and regulations to achieve the maximum technologically feasible and cost-effective reductions in greenhouse gas reductions. CARB is authorized to enforce compliance with the program that it develops.

CARB recently released its draft recommendations for discrete early emissions measures to reduce global warming emissions.[5] The draft report represents the agency's most recent efforts to implement SB 32. Accordingly, the draft report is informative in determining the adequacy of the draft EIR's global warming impact analysis and mitigation measures.

Some commenters expressed concerns that the draft EIR did not specifically mention carbon dioxide when addressing impact H-12 (the project's cumulatively considerable net increase of greenhouse gas emissions). Instead, the impact analysis referred to the nitrous oxide (NOx) and the reactive organic gases (ROGs), which are precursors to ozone, a greenhouse gas, as examples of the types of operational emissions that could contribute to a net increase in greenhouse gases in the atmosphere. These examples were not intended to be an exhaustive list of the types of

---

[3] IPCC, The Physical Science Basis, *supra*, Summary for Policy Makers.
[4] California Center for Climate Change (2006) Our Changing Climate: Assessing the Risks to California, Summary Report.
[5] California Air Resources Board (Apr. 20, 2007) Draft Proposed Early Actions to Mitigate climate Change in California, <http://www.climatechange.ca.gov/climate_action_team/reports/2007-04-20_ARB_early_action_report.pdf> (as of May 6, 2007).

greenhouse emissions that will result from buildout of the Proposed Project, and were provided only as illustrations of the types of emissions already discussed in the EIR that will also contribute to a net increase in greenhouse gas emissions (see Impact HS-7).

Implementation of the numerous policies and implementation measures listed under Impact HS-12 will reduce greenhouse gas emissions, including carbon dioxide, associated with buildout of the Proposed Project.[6] Importantly, it is well recognized that conventional air pollution controls measures have the co-benefit of reducing greenhouse gases and precursors to greenhouse gases, such as ROGs.[7] For example, CARB's draft recommendations for discrete early emissions measures lists the 10 conventional air pollution control measures that are scheduled for rulemaking in 2007, 2008, and 2009 as measures that will reduce greenhouse gas emissions. The CARB included these measures in the report based on its determination that "conventional air pollution controls make an important contribution to climate protection."[8] According to the draft report, these control measures will have concurrent climate co-benefits through reductions in carbon dioxide and or non-Kyoto pollutants, such as diesel particulate matter, other light-absorbing compounds and ozone precursors that contribute to global warming. As such, implementation of policies targeted at reducing conventional air pollutants such as NOx, a traditional greenhouse gas, and ROGs, a precursor to greenhouse gases, will help reduce greenhouse gas emissions for the Proposed Project.

Commenters also requested quantification of the amount of additional carbon dioxide emissions that the Proposed Project will generate. Notably, CARB has not yet determined how to quantify and document voluntary reductions that rise beyond "business as usual."[9] Although some methods have been developed to quantify greenhouse gas emissions, such as those provided in the comments to the draft EIR, CARB has not yet identified quantification methods that "demonstrate real, permanent and surplus" (relative to regulatory requirements) GHG reductions.[10] Moreover, at present, there are no rules or regulations in place from CARB, the Governor's Office of Planning and Research, or any other state resource agency applicable to the Proposed Project that define what is a "significant" source of greenhouse emissions, and there are no applicable area-specific greenhouse gas emission limits or caps. Based on the deficiency in available calculation protocols, it is not possible at this time to meaningfully quantify the Proposed Project's contribution to greenhouse gas emissions or the reductions in greenhouse gas

---

[6] These policies are listed under Impact HS-12 of the Draft EIR and would help reduce greenhouse gas emissions by:

- Reducing the use of single-occupant vehicle trips (see policies LU 1.12; HS-420; HS-4.13; HS-4.14; and HS-4.15);
- Supporting the use of alternative methods of transportation and improving the efficiency and ridership of public transit and rail (see policies HS-4.8; HS-4.12; HS-4.17; HS-4.18; TC-3.9; TC-4.1; TC-4.3; and TC-4.13);
- Supporting the increased use of electric and alternative fuel vehicles (see implementation measures #9; #10; and #11);
- Encouraging continued support of regional air quality planning efforts (see policies HS-4.1; HS-4.2; HS-4.3; HS-4.4; HS-4.17 and implementation measure #7);
- Minimizing air quality emissions associated with future development in the Study Area (see policies HS-4.5; HS 4.6; HS 4.7; HS-4.19 and implementation measures #8 and #12).

[7] See e.g. Climate Protection Campaign and the Community Clean Water Institute (June 2005) Report on the Integration of Air Quality Management and Climate Protection, prepared for the Bay Area Air Quality Management District and the Sonoma County Waste Management Agency <http://www.recyclenow.org/AirDistrict-PhaseTwo061205.pdf> (as of May 6, 2007).

[8] *Id.* at § 6.

[9] *Id.* at § 2.

[10] *Ibid.*

emissions that will result from implementation of the General Plan policies, goals, and mitigation measures. Pursuant to mitigation measure HS-4.20, when CARB approves a method of quantifying greenhouse gas emissions and reductions, the City shall consider using that method, and after seeking public input on the subject, may choose to implement that method if feasible.

One commenter suggested adding a new policy to the General Plan Update requiring the City to include project and community design standards and techniques that have been demonstrated to be effective in achieving several objectives.[11] One such objective identified by the comment was "[i]nvestigating the City of Stockton's participation in the air credit exchange developed through the Chicago Climate Exchange." AB 32 permits CARB to adopt a market-based cap and trade system with associated limits on the State's greenhouse gas sources. If CARB adopts a cap and trade strategy for reducing greenhouse gas emissions, the City will consider that program pursuant to its obligations under HS-4.20. Significantly, several environmental groups, including the Natural Resources Defense Counsel, Environmental Defense and the Conservation Law Foundation, strongly discourage local governments from joining the Chicago Climate Exchange.[12] According to a letter released by a coalition of nineteen public interest groups, one disadvantage of the Chicago Climate Exchange is that it can preclude or limit a City's options for participating in other programs.[13] Because CARB may adopt a cap and trade program that could either be mandatory for local governments or could provide a greater benefit to the environment than the Chicago Climate Exchange, the mitigation measure proposed by the comment is infeasible at this time.

### *Impacts of Global Warming on the Proposed Project: California Water Supply and Operations*

Several groups and institutions are studying climate change impacts on California's water supplies and operations. At a general level, the probable effects of climate change on California's water include some level of the following:

- rising sea levels
- increased salt water intrusion in the Delta;
- increased chances of levee failure;
- changes in future water demand; and
- changes in the timing, amount, and form of precipitation.

Of particular relevance to the General Plan Update are projections of future regional climate change that suggest potential changes to the Delta and the benefits it provides for the people of California. The effects of ongoing future changes in climate on the Delta have not been well documented, but are the subject of much research efforts.[14] In general terms, shifting

---

[11] Comment Letter [O5], p. 9, Sierra Club, Comments on 2035 General Plan Environmental Impact Report.
[12] Clean Water Action Alliance of Massachusetts et al. (Aug. 1, 2006) States and Cities Should Not Join the Chicago Climate Change, <http://www.plentymag.com/images/features/feature6extra.pdf> (as of May 6, 2007).
[13] *Ibid.*
[14] Public Policy Institute of California (2007) Envisioning Futures for the Sacramento-San-Joaquin Delta, p. 53.

precipitation and runoff patterns could affect Delta exports; decreases in water inflows could implicate significant water quality costs; and increased winter flood frequency and magnitude could compromise the levee network, thereby raising the costs of maintenance and the likelihood of multi-island floods.[15]

Rising sea levels are also expected to impact the Delta. Over the past century, sea level at Golden Gate has risen more than 8 inches. Sea level is expected to rise over the next century as global warming causes thermal expansion of the ocean and the melting of glaciers and polar ice caps. Nearly all projections of future climate changes show increases in global sea levels, though predictions differ as to how much and how fast. Higher water levels could threaten island levees and increased saltwater intrusion from the ocean could degrade freshwater quality, requiring greater freshwater releases from upstream reservoirs to offset these increases and maintain Delta water quality standards. Increases in sea level rise could also increase the risks of floods in the Delta, especially when combined with short-term or episodic increases in water levels (such as El Niño's storm surges) or long-term land surface subsidence.[16]

It is difficult – or, more accurately, impossible – to predict exactly how these potential future conditions will affect the City of Stockton within the 2035 time horizon of the proposed new General Plan. This uncertainty makes it very difficult for policy-makers, particularly at the local level, to know how to react, particularly when certain constituents are advocating very extensive (and expensive) changes based on predictions at the more pessimistic end of the spectrum of expert opinion, while other constituents, more inclined to believe less extreme predictions, are counseling caution, and are urging the local agencies to let higher levels of government take the lead in setting new policies. Experts are generally unified in predicting future changes, but consensus has been elusive with respect to details dealing with the extent and timing of predicted changes.

No one knows to what degree, between now and 2035, California's water systems, including the Sacramento- San Joaquin Delta, will experience global warming effects similar to those reported by the Department of Water Resources study cited by the commentators, and other studies. To date, studies addressing these impacts have not produced results that are sufficiently quantitative and specific for detailed planning and risk assessment by local governments. The Department of Water Resources July 2006 report, *Progress on Incorporating Climate Change into Planning and Management of California's Water Resources* cautions that the results presented in its report "are preliminary, incorporate several assumptions, reflect a limited number of climate change scenarios, and do not address the likelihood of each scenario. Therefore, these results are not sufficient by themselves to make policy decisions."[17] Other crucial unknowns and research needs identified by researchers include, but are not limited to, a better understanding of climate

[15] *Id.* at pp. xiv, 43-45, 52-54.
[16] Department of Water Resources (2006) Progress on Incorporating Climate Change into Planning and Management of California's Water Resources, Executive Summary, pp. IV-VI.
[17] *Id.* at p. II.

change impacts and variability at local and regional levels; improvements in flood forecasting and response; and improved understanding of the effect of climate change on plant yield and plant health.[18]

One example of the uncertainty is reflected in the projections of sea level rise. The Intergovernmental Panel on Climate Change projects worldwide average sea level to rise between 0.3 of a foot to 2.9 feet from 1990 to 2100. Because the City lies at the upper end of the Delta and flood levels are higher than sea level, an increase in sea level would not translate into an equal increase in flood stage levels at the City. Any increase in flood levels at the City would be less than the overall sea level rise. As a result, it is unlikely that a 0.3 foot rise in sea level would result in a significant increase in flood stage levels in the waterways serving the City, while an increase of 2.9 feet could cause a significant increase that would encroach on levee freeboard.

There are currently no quantitative predictions of the potential increase in flood flows due to higher snow levels and potentially higher rainfall intensities. However, historical trends indicate that peak flood flows in California have been increasing over the last 100-years. The California Department of Water Resources, Division of Flood Management plans to continue evaluating the potential increases in flood flows due to climate change.

One reason for the difficulty in assessing climate change impacts on water resources is that the modeling tools used to analyze water quality, operations, and hydrology (e.g. CALSIM II for statewide operations, and DSM2 for Delta water quality and hydrodynamics), which are relatively fine-scale models, do not fit well with large-scale general circulation models used to represent climate change.[19] The Department of Water Resources and others studying the effects of climate change are working to enhance techniques to provide more complete and certain assessments of climate change impacts on water resources, including the Delta.[20]

The Proposed Project includes several policies, goals and implementation measures that would decrease the risks associated with changing Delta conditions, including rising sea levels and increased salinity, as well as risks associated with California's water supply in general, including changes in future water demand and changes in precipitation. These policies include the following:

| **Health & Safety, Land Use, and Transportation & Circulation Elements** |
|---|
| Policies designed to reduce the use of single-occupant vehicle trips to help reduce operational air quality impacts in the Study Area include the following: |
| LU-1.12 Commuting Distances<br>HS-4.10 Travel Demand Measures<br>HS-4.13 Location of Support Services<br>HS-4.14 Parking Controls<br>HS-4.15 Infill Near Employment |

[18] See e.g., Smith, J. B. et al. (2001) The Potential Consequences of Climate Variability and Change 219, 261: Potential Consequences of Climate Variability and Change for the Western United States, pp. 239-240.
[19] Wilkinson R., and T. Rounds, eds. (1998) California Regional Workshop: Potential Impacts of Climate Change and Variability for the California Region. United States Global Research Program, p. 24.
[20] Department of Water Resources (2006) Progress on Incorporating Climate Change into Planning and Management of California's Water Resources, Impacts of Climate Change on the Sacramento San Joaquin Delta, pp. 5-40 – 5-42.

| | |
|---|---|
| Policies designed to support the use of alternatives methods of transportation and improve the efficiency and ridership of public transit and rail within the City include the following: | |
| HS-4.8 Transportation Demand Management Programs<br>HS-4.12 Employment-Intensive Development<br>HS-4.17 Street Design<br>HS-4.18 Design for Transportation Alternatives<br>Implementation Measure #13 | TC-3.9 Programs for Smart Growth/Transit-Oriented-Development<br>TC-4.1 Support and Plan for Bus and Rail Transit<br>TC-4.3 Clustering of Land Uses in Transit-Serving Areas<br>TC-4.13 Support Heavy Rail Passenger Connections |
| Policies designed to support the increased use of electric and alternative fuel vehicles include the following: | |
| Implementation Measure #9<br>Implementation Measure #10<br>Implementation Measure #11 | |
| Policies designed to encourage continued support of regional air quality planning efforts include the following: | |
| HS-4.1 Cooperation with Local and Regional Agencies<br>HS-4.2 Regional Agency Review<br>HS-4.3 Regional Air Quality Project Review<br>HS-4.4 Support Regional Air Quality Attainment Plans<br>HS-4.16 Planning Programs<br>Implementation Measure #7 | |
| Policies designed to minimize air quality emissions associated with future development in the Study Area include the following: | |
| HS-4.5 City Review of Development Proposals<br>HS-4.6 CEQA Compliance<br>HS-4.7 Air Quality Mitigation<br>HS-4.19 Transportation Management Associations<br>Implementation Measure #8<br>Implementation Measure #12 | |

In addition to the above-mentioned policies and implementation measures, and in recognition of ongoing scientific research efforts that will provide a more robust and quantitative assessment of global warming impacts on California's water supplies and operations, including the Delta, the following new policies will be incorporated into the "Energy Resources" section of the Natural and Cultural Resources" Element of the draft General Plan.

- **Policy NCR-8.6 Tree Planting Informational Packet.** The City will develop a tree planting informational packet to help future residents understand their options for planting trees that can absorb carbon dioxide. *[New Policy – FEIR]*

- **Policy NCR-8.7 Shade Tree Planting.** The City will encourage the planting of shade trees within residential lots to reduce radiation heating and encourage the reduction of greenhouse gases. *[New Policy – FEIR]*

- **Policy NCR-8.8 Alternative Fuels Vehicle Parking.** The City shall prioritized parking within commercial and retail areas for electric vehicles, hybrid vehicles, and alternative fuel vehicles as well as provide electric charging stations. *[New Policy – FEIR]*

- **Policy NCR-8.9 Passive and Active Solar Devices.** The City shall encourage the use of passive and active solar devices such as solar collectors, solar cells, and solar heating systems into the design of local buildings. *[New Policy – FEIR]*

- **Policy NCR-8.10 Solar Orientation and Building Site Design.** The City shall encourage building and site design that takes into account the solar orientation of buildings during design and construction. The incorporation of energy-efficient site design shall be incorporated into City-wide master planning efforts when feasible. *[New Policy – FEIR]*

- **Policy NCR-8.11 Energy-Efficient Buildings.** The City will encourage the development of energy-efficient buildings and communities. *[New Policy – FEIR]*

- **Policy NCR-8.12 Solar Photovoltaic Systems.** The City will promote voluntary participation in incentive programs to increase the use of solar photovoltaic systems in new and existing residential, commercial, institutional and public buildings. *[New Policy – FEIR]*

- **Policy NCR-8.13 California Title 24 Energy Efficiency Standards.** The City will explore offering incentives such as density bonus, expedited process, fee reduction/waiver to property owners and developers who exceed California Title 24 energy efficiency standards. *[New Policy – FEIR]*

### *Impacts of Global Warming on the Proposed Project: City of Stockton Water Supplies*

Many commenters stated concerns regarding the potential impacts of global warming on the City's drinking water supplies and especially its impact on the Delta Water Supply Project (DWSP). As mentioned above, rising sea levels will impact the Delta's water quality and move the higher saline water more to the east, potentially degrading municipal or agricultural water diverters in the Delta and the Sacramento and San Joaquin Rivers.

The Safe Drinking Water Act (SDWA) was enacted by Congress in 1974. Through the SDWA, the EPA has authority to set maximum allowable levels of contaminants in drinking water supplies. Historically, the first step EPA takes in establishing regulations for contaminants is to establish a maximum contaminant level goal (MCLG). An MCLG is the estimated level at which no adverse human health risks are expected. The EPA then attempts to establish either a maximum contaminant level (MCL) or a treatment technique that will reduce the presence of the contaminant in drinking water to a level that is as close to the MCLG as is technically and economically feasible.

Once an MCL has been established, EPA is then required to designate a Best Available Technology (BAT) to meet the new MCL. With respect to SDWA regulations, California is a primacy state, which means the State is responsible for implementing these regulations within California. The California Department of Health Services (DHS) has been designated as the State agency to enforce SDWA regulations. Under primacy rules, DHS must enforce regulations that

are at least as stringent as those promulgated by EPA, and may also promulgate and enforce additional regulations not mandated by the EPA. All large municipal diverters are regulated by DHS to meet primary and, in some cases, secondary drinking water standards set forth in Title 22 of the California Code of Regulations.

A degradation of water quality to levels below the regulated MCL require BAT for achieving the MCL. The options are reasonably limited when there is high salinity or high Total Dissolved Solids (TDS) in the raw water source. However, the use of low-pressure reverse osmosis (RO) membranes will reject most ions contributing to TDS. Since RO membranes offer very high rejection of salts, it is neither necessary nor desirable to treat the entire flow to reduce salt levels to applicable drinking water standards. Only a portion of the plant production would be treated with RO to bring the blended product to comparable levels with other supplies. The impact of using RO is higher energy costs that will likely raise the cost of the water to the consumer. However, it is anticipated that the statewide impact of such a climate change effect will result in State programs to offset the cost of retrofitting existing surface water treatment plants and the resultant higher cost of operations that translates into higher consumer's water rates.

## Master Response #4: Airport Planning and Compatibility Issues

Several commenters on the draft EIR provided requests for additional clarification to a variety of airport land use issues associated with implementation of the proposed Stockton 2035 General Plan Update. This master response has been developed to address the following individual comments: A19-8, I5-5, I9-1, I11-17, I13-3, I17-2, I17-10, I17-12, I17-13, I17-15, I17-17, I17-44, I17-47, I17-60, I17-61, I17-64, I17-65, I17-66, I17-67, I17-68, I17-69, and I17-73.

In consideration of the various comments that were directed at airport land use issues, the City has reviewed the entire set of airport-related policies (i.e., land use, noise, safety, etc.) contained within the City's updated General Plan. As a result of this review, it was determined that several policies contained in the Land Use, Transportation & Circulation, and Health and Safety Elements provided overlapping guidance that could be consolidated into a single set of airport compatibility planning policies. For example, the various policies describing consistency with airport land use commission regulations and requirements for avigation easements found within both the Land Use and Transportation Elements have been consolidated into a specific section of the draft General Plan Land Use Element entitled "Airport Compatibility Planning". Additional clarification has also been provided for the various policies (LU-6.7 and TC-7.5) requiring noise analysis for future development proposals near the Stockton Metropolitan Airport. Consolidation of these policies clarifies the City's intent for future land use considerations associated with the airport and eliminates perceived redundancies. Please see Chapter 4.0 "Modifications to the Draft EIR" of this final EIR for a complete list of all the policies that have been revised as a result of this review.

The City also considered the possible implications of the revisions to the proposed policies for the analysis and the conclusions provided in the draft EIR. The draft EIR concluded that the airport-related land use, noise, and public health impacts of the General Plan would be significant and unavoidable. The proposed revisions to the policies do not change the draft EIR's conclusion concerning airport-related impacts of the General Plan; these impacts would remain significant and unavoidable.

The City agrees with the comments that, while the 1993 ALUCP remains in effect, the City must treat it as binding to the extent provided by law. However, the City does not understand State law to establish the 1993 ALUCP as limiting permissible levels of protection for public health and safety concerns related to airport operations. The City has independent power under its General Plan to provide for increased levels of compatibility between airport operations and land uses in adjacent and nearby areas, and is not bound by the 1993 ALUCP as setting both the floor and the ceiling for permissible regulation. Considering both the existing guidance provided under the 1993 ALUCP and its own independent police power, the City has developed three types of general plan policies to address airport-related public health and safety concerns. The General Plan policies require: (1) consistency with the current airport land use plan; (2) use of the Caltrans Airport Land Use Planning Handbook in preparing CEQA documentation for projects in the airport vicinity to address airport-related noise and public safety impacts; and (3) at the City's discretion, analysis of single-event aircraft noise impacts in future CEQA documentation as appropriate for those projects involving sensitive land uses in the vicinity of the airport. To the extent that General Plan policies are more stringent than ACLUP policies, the General Plan policies would govern although they would not replace or invalidate the ACLUP policies. The City's police power provides the City with the legal authority to adopt and require compliance with policies it believes are necessary to protect public health and safety.

Several comments state that under the existing policies of the 1993 ALUCP, the land uses proposed in Village L are fully consistent and compatible with airport operations at the Stockton Metropolitan Airport. As described above in Master Response #2, this EIR for the General Plan Update is a program-level EIR, consistent with CEQA Guidelines (Section 15168[a]). As a program EIR, this EIR serves as a first-tier document that assesses the broad environmental impacts of a program (in this case the broad land uses identified under the Preferred Land Use Alternative, including Village L) with the understanding that more detailed site-specific environmental review may be required to assess future projects implemented under the program.

In the case of the future growth area identified as Village L, the City understands that a development plan is in preparation to further define appropriate land uses for this area. The City further understands that the actual design of this (and other future village areas) area will contemplate specific land uses that could include airport, railroad operations, roadways, and industrials uses and that, accordingly, would vary in their compatibility with existing site

conditions. The proposed guidance outlined in the Districts and Villages Element provides for a degree of flexibility in the siting of these future land uses to help minimize the potential land use compatibility issues (including noise, safety, odor, etc.) that could occur within each development area.

Furthermore, as individual projects with specific site plans and facilities are proposed, the City will evaluate each project to determine the extent to which this program EIR addresses their potential impacts and whether additional environmental analysis pursuant to CEQA may be required. However, because the draft EIR appropriately considered only the broad land use implications of the schematic Preferred Land Use identified as part of the Proposed Project and shown in Figure 2-3 (see page 2-15) of the draft EIR, the placement of sensitive land uses within an airport land use plan area under the general Plan could result in the public safety and land use compatibility impacts identified in the draft EIR.

## Master Response #5: Water Supply Issues

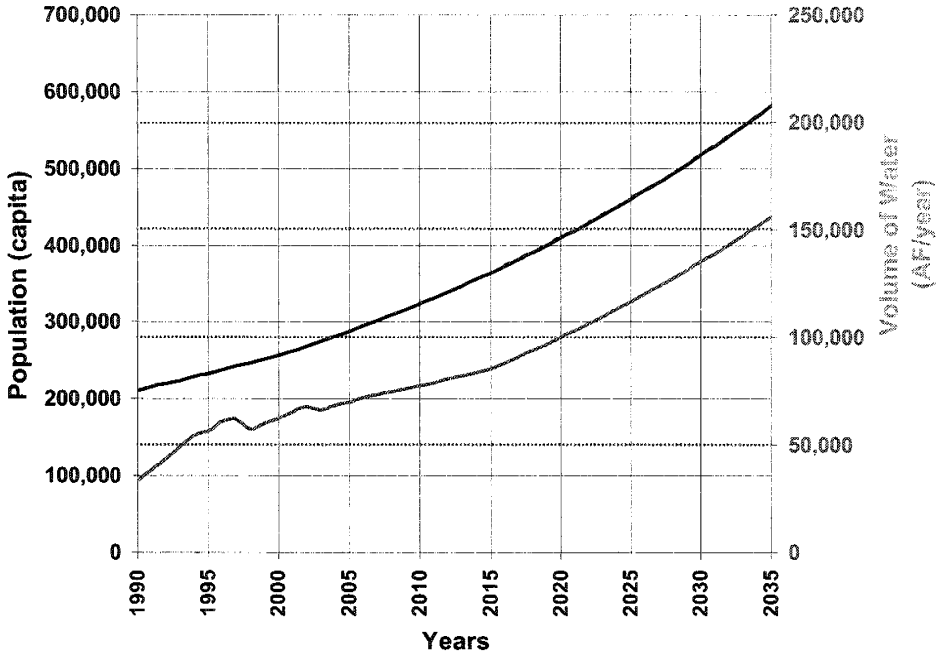
Several commenters raised questions and concerns regarding the water supply evaluation (WSE) prepared for the Proposed Project, including its assumptions on surface water supplies, its assumptions on groundwater use, and the changes in water supply assumptions between the various planning and environmental documents pertaining to the DWSP. The following master response has been developed to address these issues and, in some cases, to clarify and/or correct information originally provided in the WSE.

This master response has been developed to address the following individual comments: A16-3, A16-4, A16-5, A16-6, A16-7, A16-8, A16-9, A16-10, O5-36, I10-55, I10-56, I10-59, I10-60, I10-61, I11-7, I11-9, I12-2, I12-3, I12-5, I12-9, I12-10, I12-11, I12-12, I12-13, I12-14, I12-15, I12-16, I12-17, I19-3, I19-4, I19-5, I19-6, I19-7, I19-9, I19-12, and I19-13.

### *Water Supply Issues: Correction to the WSE*

In response to these comments, the City has replaced Figure 3 on Page 9 of the WSE to correctly identify the population projection curve from ending at 500,000 capita to 581,000 capita in 2035. However, there is no corresponding change in water demand as a result of this change in population growth because water demands are based on land use acreages and not on a per capita basis. The revised Figure 3 is provided below:

## Figure 3. Population and Water Demand Increase Over Time




Several comments were also made on the assumptions regarding surface water rights through SEWD and the DWSP. In consideration of these comments, the existing information currently shown on page 14 (under the heading "SEWD Surface Water Contract Entitlements") of the existing Water Supply Evaluation (see Appendix D of the draft EIR) will be replaced with the following text:

***SEWD Surface Water Contract Entitlements***

The COSMA currently receives surface water supplies (via SEWD) from five sources as indicated in Table 1. The SEWD provides surface water fro both agricultural and urban areas. Over the years since its formation in 1948, the SEWD boundaries have grown to encompass the agricultural areas in the Eastern San Joaquin region and the urbanized areas of the City of Stockton as the boundaries change over time. For purposes of the WSE, it is assumed that all areas inside the proposed updated General Plan area that lie outside the current boundaries of the SEWD will be conditioned to annex to SEWD through the San Joaquin County Local Agency Formation Commission (LAFCO) thereby permitting the use of SEWD surface water entitlements by the City of Stockton water retail providers.

Surface water supplies from SEWD can come from many sources in the eastern Sierra Nevada foothills. Total existing "firm" supplies for municipal and industrial (M&I) uses are approximated to yield 104.17 TAF/year under wet and above average hydrologic conditions. Including interim

supplies, the COSMA currently has 134.17 TAF/year. Its full entitlements in wet years (including interim and future supply sources) could yield as much as 180 TAF/year. As required by the State Water Code, the WSE only considers existing "firm" surface water contracts or the 104.17 TAF/year.

Currently, SEWD's ability to use its available water right amount is constrained by one or more of the following factors in any given year: 1) the hydrologic year type (i.e., dry year curtailment provisions in surface water contracts and reductions in surface water contracted from other agencies), 2) the COSMA M&I water demand, 3) the raw water delivery system to the SEWD WTP, 4) the rated SEWD WTP capacity, and 5) the treated water conveyance capacity from the WTP.

Further clarification on the nature of the Calaveras County Water District (CACWD) and SEWD water contracts came in response to questions posed as part of the comments received on the draft EIR prepared for the updated General Plan. A letter from CACWD noted that the WSE incorrectly treated as "firm" for water supply planning purposes a certain 10,000 AF/year of New Hogan Reservoir water. (See CACWD comment letter to the City of Stockton on the draft EIR for the General Plan Update, dated, January 26, 2007.) The letter claimed, more specifically, that the WSE erroneously treated unused CACWD water contract entitlements as a firm source of water within the defined place of use as set forth in a United States Bureau of Reclamation contract with SEWD and CACWD for New Hogan Reservoir. The CACWD comments also clarified the type of water right that was being addressed in the WSE and in previous water studies.

As the attached response letter from SEWD describes in some detail, COSMUD's prior understanding of the water right entitlements of the CACWD was in error, as COSMUD believed there were two separate contracts: one with the United States Bureau of Reclamation, and the other a senior appropriative water right on the Calaveras River. COSMUD now understands that there is only one contract with the United States Bureau of Reclamation and that SEWD has full entitlements to its apportionment. The water apportionment under the United States Bureau of Reclamation contract is based on SEWD receiving 56.5 percent and CACWD receiving 43.5 percent of the total 71,100 AF/year of contract water (note: this water is not subject to CVP deficiencies in dry hydrologic years and the actual amount of water under the contract provides 13,000 AF/yr of water to meet prior riparian rights for agriculture on top of the 71,100 AF/year). With CACWD's comments, and the written clarification by both CACWD and SEWD regarding the contract and use of any unused water entitlement, the definition and disposition of the CACWD and SEWD contracts and water entitlements has been revised from what was originally described in previous water studies.

The question of whether the COSMA can claim unused CACWD capacity as a firm water supply is addressed in the following quotation from SEWD's response to CACWD's comment letter:

> ***"There is no alternative use for the C[A]CWD New Hogan supply other than future development within the New Hogan Place of Use within C[A]CWD. The contract among the United States [Reclamation], SEWD and C[A]CWD expressly prohibits the use of New Hogan water outside of the boundaries of the two districts. Further, in Article 10 of the SEWD-C[A]CWD [contract], C[A]CWD expressly agreed that no water from the New Hogan Project shall be used by it or through it by a third party beyond the [Place of Use] boundaries."***

Consequently, it is a viable conclusion that if projected growth within Calaveras County does not require CACWD's full water entitlements, any unused CACWD water entitlements will be available to SEWD pursuant to the New Hogan agreements. For purposes of this WSE, the assumption assumes that a minimum of 10,000 AF/year of excess CACWD water entitlements appears to exist and will be available for transfer to SEWD for wholesale delivery to the urbanized lands within the City of Stockton. Currently, up to 24,000 AF/year of excess CACWD water entitlements is being used by SEWD that will gradually be reduce to 10,000 AF/year over time as demands for Calaveras County water use (in accordance with the current Calaveras County General Plan) grow. Additional CACWD water demands that may result as a consequence of an updated Calaveras County General Plan could have implications on the amount of available water; however, until an updated general plan is adopted by the County of Calaveras, the above assumptions will be used.

SEWD is also a United States Bureau of Reclamation Central Valley Project (CVP) contractor and has a contract on the Stanislaus River (New Melones Reservoir). Contract documents, agreements, and applications for these surface water supplies are available for review in Exhibit "D" of the WSE. A full description of each contract is provided below.

Calaveras River Contracts

The United States Bureau of Reclamation contract for water stored in New Hogan Reservoir is a repayment contract that provides a firm supply of water in all hydrologic year types. The amount available for M&I is approximately 40.171 TAF/year. The reliability of the unused portion of the CACWD contract is also firm; however, as development continues in Calaveras County, less of the CACWD water will be available to SEWD and its customers. CACWD's unused allocation currently yields 24 TAF/year but will diminish over time to an amount approximating 10 TAF/year (i.e., the 10 TAF/year is believed to be consistent with the contract and with the best available information on growth in Calaveras County).

## Table 1. Current SEWD Water Sources and Critical Year Availability

| Source | Annual Contract Amount Thousand Acre-feet (TAF) | Projected "Critical Year" Annual Availability (AF/year) | | | |
|---|---|---|---|---|---|
| | | Planning Year | | | |
| | | 2000 | 2010 | 2020 | 2035 |
| **Current and Future "Firm" Sources of Supply** | | | | | |
| Reclamation – New Hogan Water Supplies, SEWD entitlement | Total Yield 84.1 TAF[1] SEWD Entitled to M&I or Ag **40.171 TAF** | 20,000 | 12,000 | 12,000 | 12,000 |
| Reclamation – New Hogan Water Supplies, CACWD unused entitlement[2] | CACWD Entitled to 30.928 TAF and are currently using approximately 3 TAF with SEWD using slightly over 24.0 TAF of CACWD's unused portion. This amount is projected to decrease to 10 TAF at buildout of the General Plans of both Calaveras County and the City of Stockton | 24,000 | 24,000 | 10,000 | 10,000 |
| Reclamation – New Melones Interim Water Contract And Section 215 "Spill" Water | Total Contract 75 TAF (M&I) **40 TAF)** | Not Available in Dry Years | | | |
| SSJID Transfer – Stanislaus Water | (Interim M&I **15 TAF**) | 4,000 | 4,000 | 0 | 0 |
| OID Transfer – Stanislaus River (includes contract renewal to 2025) | (Interim M&I **15 TAF**) | 4,000 | 4,000 | 4,000 | 0 |
| **Total** | **(Firm M&I 104.1 TAF initially to 94.1 TAF at build-out) (Approximate Max Future M&I 180 TAF)** | **48,000** | **30,000** | **26,000** | **22,000** |

Notes

1. SEWD has a right to 56.5 percent of the yield, and CACWD has rights to the remaining 43.5 percent. The estimated New Hogan yield of 84,100 ac-ft is further reduced by 13,000 ac-ft annually for prior riparian rights. CACWD currently uses approximately 3,500 ac-ft of its allocation.

2. Based on an agreement between CACWD and SEWD, SEWD currently has use of the unused portion of CACWD';s appropriative water rights, and this yielded approximately 28 TAF to SEWD in 2005 and is expected to be reduced to 23 TAF by 2025.

### *Water Supply Issues: Surface Water Assumptions for the DWSP and SEWD*

This master response describes the sources and reliability of the surface water supplies from SEWD. Comments received on the draft EIR have been made regarding differences in surface water supply assumptions made with both SEWD and DWSP supplies and between those assumptions documented as part of the DWSP Feasibility Report, the DWSP EIR, and the General Plan Update WSE.

In comparing the information presented under all the previously identified documents, it is important to note that the water supply portfolio of the COSMA is constantly changing and may result in minor discrepancies between the various published documents only because better data becomes available over time. This is the case with the various surface water contracts, their yield, and their forecasted termination. Regardless, the WSE for the Proposed Project and the comments included herein incorporate the latest and most dependable information regarding the period of time that Phase 1 of the DWSP can provide sufficient water.

The last section of the WSE (included as Appendix D of the draft EIR) provides a discussion of the differences and concludes that a combination of increased groundwater yield due to a larger geographic area and higher surface water yields from SEWD result in the ability to extend Phase 1 of the DWSP Project to build out of the Proposed Project. It furthers qualifies that planning for Phase 2 of the DWSP Project will likely need to occur many years prior to build out of the General Plan Update (2035) so the next increment of surface water capacity and surface water entitlements are secured to provide the highest level of reliability to existing customers and any approved future growth beyond 2035.

### Delta Water Supply Project Planning Approach

The premise of Phase 1 of the DWSP and subsequent approval of the water right permit by the SWRCB was to provide a reliable replacement supply for lost supplies from SEWD, to provide for planned growth, and to manage groundwater supplies in perpetuity. In light of this premise, Phase I of the DWSP is intended to last until one of these basic premises is threatened. The WSE illustrates, with conservative assumptions in lost surface water supplies from SEWD, that Phase 1 of the DWSP is sufficient to meet build–out water demands of the Proposed Project, noting that at 2035, the groundwater sustainable yield is potentially at risk and that planning for Phase 2 of the DWSP will likely need to take place prior to 2035. These conclusions assume that proven programs such as groundwater recharge basins and direction groundwater injection have not been implemented, both of which have been deemed feasible for the region.

In summary, Phase 1 of the DWSP will provide replacement supplies, assist in managing groundwater through conjunctive use with surface water and provide additional water for new growth and demand to meet both the existing General Plan and the Proposed Project. Phase 2 of the DWSP is not tied to growth assumed under a general plan or specific demand, but rather a point in time when water demand and supplies warrant the construction of additional supplies from the DWSP. COSMUD is aware of the necessary requirements for expanding the Place-of-Use and securing additional water entitlements when it becomes apparent that DWSP water, on a water accounting basis, is providing water to areas outside the current Place-of-Use as depicted in the current SWRCB permit. It is true that development will have to seek other water supplies if the expanded Place of Use is not granted or is delayed by the SWRCB. Proven groundwater recharge programs may also be used to defer the need to expand the Place of Use or obtain additional surface water entitlements.

As to the question of obtaining area of origin water rights, the basis and uncertainty in obtaining area of origin water rights for purposes of the City's DWSP is clearly defined in the DWSP Feasibility Report as indicated by the following excerpt and footnotes from this report.

" Area of Origin Rights

The California Water Code contains a number of sections that address certain benefits and obligations of areas in which water originates. The "Area of Origin" provisions have not yet been thoroughly interpreted by the courts, so their operation and effect remain unclear.

For purposes of planning for a Delta surface water supply, it is assumed that the ability to divert water under the California Water Code Sections 11460 et seq. may be limited by conditions similar to those contained in Water Right Standard Permit Term 91. If the City's water right permit for area of origin water contains Term 91, no diversion would be allowed at times when the State Water Project (SWP) and CVP are required to release water from SWP/CVP storage in excess of export diversions, project carriage water, and project in-basin deliveries. In other words, a DWSP diversion would only be allowed at times when Delta outflow is greater than minimum regulatory requirements."

In consideration of the above understanding, COSMUD has no intent on claiming water rights held by CACWD or any other upstream diverter or water district as its own under State Water Code Sections 11460 et seq.; however, COSMUD has submitted a water rights application to the SWRCB that will be reviewed in light of the State and Federal Water Projects and all affected senior water right holders. COSMUD's application for an appropriative water right for beneficial uses within the Planning Area is no different than other appropriative water rights applications where seniority is based on when the application was filed. CACWD's claim for an appropriative water right would be reviewed in the context of other senior water right holders. If CACWD has not filed with the SWRCB an application for appropriative water (i.e. provided evidence of beneficial use within its district boundaries) with the SWRCB, COSMUD's water right could be senior to CACWD's. If CACWD has filed an application, COSMUD's water right could be junior.

### *Water Supply Issues: Conjunctive Use Water Balance*

In terms of the overall water balance, the existing and proposed water system will be operated in a conjunctive use manner. This means that the water system will maximize the use of surface water when it is available and purposefully reduce groundwater extractions to minimum operational needs; thereby allowing the groundwater basin to recover to above pre-existing conditions. This result is achieved through active recharge projects such as recharge basins or injection wells, and through in-lieu recharge (i.e., allowing natural recharge from deep percolation, streams and river beds, and subsurface inflow) which is to simply allow nature to recharge the groundwater basin as it has always done but with reduced groundwater extractions. In dry years and dry months, COSMUD's groundwater extractions will increase to compensate for the reduced availability of surface water but will not extract beyond certain managed thresholds so as to avoid local and regional impacts such as wells going dry and degradation of water quality.

Groundwater studies included as part of the WSE show that through a conjunctive use program the groundwater basin extractions can go as high as 0.87 AF/acre/year during dry year periods while maintaining a long term average of 0.60 AF/acre/year over multiple wet and dry year periods, and using the full surface water entitlements during wet years when availability of surface water is at its highest (note: the 0.87 AF/acre/year includes agricultural credits. A factor of 0.75 AF/acre/year factor would be used if no agricultural credits are assumed.).

Table 10 of the WSE provides the water balance in a single dry year as follows:

| | |
|---|---|
| Surface Water – | 13 TAF of SEWD New Hogan Water |
| | 8 TAF of CACWD Unused Water Entitlements |
| | 32 TAF of DWSP Phase 1 with D1485 Water |
| Groundwater (Ag Credit) – | 80 TAF of groundwater based on 0.87 * 90,000 acres |
| Water Conservation – | 23 TAF or 15% of total water demand |
| Total Water Supply – | **156 TAF/year** |
| Total Projected Water Demand – | 156 TAF/year total water demand |

In wet years the water balance shows significantly higher surface water volumes as follows:

| | |
|---|---|
| Surface Water – | 14 TAF of SEWD New Hogan Water |
| | 40 TAF of SEWD CVP New Melones Water |
| | 20 TAF of CACWD Unused Water Entitlements |
| | 32 TAF of DWSP Phase 1 with D1485 Water |
| Groundwater (Ag Credit) – | 50 TAF of groundwater |
| Water Conservation – | 0 TAF or 15% of total water demand |
| Total Water Supply – | **156 TAF/year** |
| Total Projected Water Demand – | 156 TAF/year total water demand |

The 40 TAF/year of groundwater identified in various comments is based on the 0.75 AF/acre/year groundwater extraction rate over the 1990 General Plan development area. Since the method of determining the sustainable yield for the COSMA is based on developed acres (which may include designated permanent open space), the additional area encompassed by the Proposed Project combined with the use of agricultural credits safely increases the amount of groundwater that is available to the COSMA. As mentioned above, the 80 TAF of groundwater is only used during dry year periods. In wet years as little as 50 TAF of groundwater may be used.

By its very nature, a conjunctive use water system has more redundancy than a system relying solely on surface water or groundwater. If an emergency shutdown of one of the surface water treatment plants were to occur, the system design provides sufficient redundant capacity in the other sources of treated water (plus groundwater) to meet peak water demands and fire flow. In addition, the DHS already requires a water system to be able to continue to operate with the largest source of supply off-line.

### *Water Supply Issues: Groundwater Use and Agricultural Groundwater Credits*

Commenters have also stated in numerous letters and oral testimony on the draft EIR that groundwater is in a current state of overdraft and that the Proposed Project will exacerbate the rate of groundwater decline and associated impacts such as saline intrusion, drying up of private wells, etc.

In addressing these concerns, the WSE prepared for the Proposed Project incorporates and provides references to many of the individual studies that have been prepared to address these various concerns (see Appendix D of the draft EIR). In addition, there are several on-going studies that are investigating salinity intrusion and source identification with the cooperation of the United States Geological Survey and the California Department of Water Resources along with a variety of other local partners that include COSMUD. The current state of the aquifer has been described in the San Joaquin Groundwater Management Plan (note: a copy of this plan can be found on the Northeast San Joaquin County Groundwater Banking Authority web site: http://www.gbawater.org) and through extensive monitoring and modeling completed by COSMUD and the Army Corps of Engineers for the Farmington Recharge Project in partnership with SEWD. COSMUD is participating in the Integrated Regional Water Management Plan for the San Joaquin hydrologic region and will be adopting this plan which will include specific actions to address water supply issues and specifically groundwater recharge in eastern San Joaquin County.

Current groundwater monitoring data indicates that the aquifer is in a state of equilibrium (i.e., natural recharge is equal to extractions) based on groundwater elevation hydrographs illustrating that fluctuations in groundwater elevation are from increased pumping in irrigation months and in-lieu recharge during the winter (or non-irrigation) months. The consecutive normal to above normal year hydrology of the previous ten years indicates a consistent rise in groundwater elevations and not a decline that would indicate an overdraft condition.

Given the current state of equilibrium and apparent recovery due to consecutive above normal hydrologic years, planned future use of surface water by either urban or agricultural users will only further increase groundwater elevations and benefit overall groundwater conditions. As with any groundwater basin that is operated in a conjunctive use manner, the change in groundwater elevations from wet to dry hydrologic conditions will be greater than a groundwater basin that is continuously pumped at a constant rate. The advantage of the proposed conjunctive use program within the City of Stockton is that groundwater elevations underlying and adjacent to City's growth areas will be higher in most years and will not go below an agreed upon managed level in critical years when surface water supplies are curtailed and groundwater that is banked in-lieu of pumping in the wet years is extracted. Private well owners benefit in the long term by having reduced pumping costs due to higher groundwater elevations and by overlying a managed groundwater basin.

The COSMA has consistently described its continued use of the aquifer in a very conservative manner as described in the many published documents and in the response prepared for Comment I19-1. Furthermore, the COSMUD has endeavored, and will continue to endeavor, to maintain groundwater extractions within the conservative sustainable yield of the aquifer underlying the COSMA sub-basin of the regional Central Valley groundwater basin. The sub-basin extends from the Mokelumne River to the north, the Stanislaus River to the south, the San Joaquin River and Delta to the west, and the Sierra Nevada foothills to the east. The COSMA also supports regional programs outside the COSMA. The monitoring of groundwater elevations (completed a minimum of twice a year) indicates the recovery and stabilization of the aquifer underlying the COSMA and adjacent areas for the past 10 year period (note: groundwater elevation graphs are included in the WSE for three control points in the sub-basin). As stated above, the portion of the groundwater basin underlying the COSMA is not critically over-drafted as suggested.

SEWD, COSMA, and agricultural users continue to seek opportunities and partnerships in groundwater management strategies (e.g., the Integrated Regional Water Management Plan), and the COSMA water purveyors continue to manage their portions of the groundwater basin within the existing partnership with SEWD. This combination of efforts results in an optimization of San Joaquin County's total water resources without affecting overall groundwater quality or quantity in the COSMA and surrounding areas.

Groundwater has been viewed and will continue to be viewed by the COSMA water retail providers as a valuable resource that needs protection for continued use by all public and private users in perpetuity. All recent documents and public presentations conducted by COSMUD have made this same statement with one of the three DWSP goals being the provision to create sustainable groundwater supplies for the region by providing an alternative water supply other than groundwater to meet existing and future water demands for the COSMA.

As written in the WSE and the related study of agricultural credits (see Appendix F of the WSE), the use of groundwater for municipal purposes in areas that have historically used groundwater for irrigation activities can result in a significant decrease in groundwater pumping, contrary to comments made that equate urban pumping with agricultural pumping. The comments have stated that agriculture uses anywhere from 2 to 4 AF/acre/year. Under self-imposed groundwater management programs, the not-to-exceed yield for vacant lands within the COSMA converted to urban development is 0.75 AF/acre/year (i.e., as each new acre of planned development occurs including permanent open space, a maximum of 0.75 AF/year of groundwater can be extracted in any one given year and the average over multiple years cannot exceed 0.60 AF/year). Granted, this level of pumping will constitute an increase for lands that have not historically used groundwater, but when averaged with lands that have used groundwater for agricultural or industrial uses, the management yield could be as little as one-fourth of the previous groundwater usage. With the conjunctive use methodology, wet years may result in no substantive groundwater use except for daily peaking demands, until annual average demands increase beyond 2030 when groundwater use increases to increasing water demands but does not go beyond established groundwater management policies as provided in the WSE where the analysis of groundwater extractions in 2035 are shown to not exceed the management thresholds as described above.

The assumptions used in the Agricultural Credit study that was completed in support of the WSE considered the entire groundwater basin and removed groundwater extractions only from agricultural areas that would be displaced by development resulting from implementation of the Proposed Project. Lands that were historically using 2 to 4 AF/acre/year went to zero. The benefits of this action were quantified through a regional groundwater model that covered all of San Joaquin County and included pumping from all users of the basin(s). Constraints to the groundwater basin were formulated for the protection of the basin as follows:

1. The gradient (or slope) of the groundwater piezometric surface (groundwater table) should not increase (or steepen) in the area of the existing salinity front,
2. groundwater elevations should not drop more than a foot in the agricultural area where the credit is applied, and
3. the lowest elevation of the regional cone of depression for San Joaquin County is not to be lowered.

The resulting groundwater yield based on meeting these criteria was determined to be 0.87 AF/acre/year (a 0.12 AF/acre/year increase from the 0.75 AF/acre/year factor) and resulted in an increase of approximately 4.5 feet in groundwater elevations in the agricultural areas previously irrigated with groundwater. The accounting of an agricultural credit is made at the time the irrigated lands develop to urban uses to avoid having the agricultural credit taken and used while agricultural irrigation is continuing to take place.

Decreased deep percolation from rainfall and applied irrigation from the surface soils through the vadose (unsaturated) zone to the underlying groundwater is a noted impact of urban development; however, the percentage of recharge from deep percolation is relatively small due to the predominance of tight clayey hardpan soils in areas that are typically outside the floodplain of major rivers and streams. Furthermore, deep percolation is not the major recharge mechanism for the COSMA's underlying groundwater especially compared with the amount of recharge coming from the adjacent rivers, streams, and reservoirs, and from boundary subsurface inflow from adjacent aquifers and through fractured rock aquifers at the boundary with the Sierra Nevada Foothills (see San Joaquin Groundwater Management Plan for full description of recharge sources and current groundwater demands).

# Individual Responses

## Public Agencies – Federal, State and Local (County, City, etc.)

### *Letter A1. Department of Energy, Western Area Power Administration*

**Response to Comment A-1:** Commenting agency states that it has no objection to the General Plan update where the project area crosses Western Area Power's Hurley-Tracy Number 1 and 2 transmission line easements. Commenter states that it will review and approve any future infrastructure improvements and local development projects where those projects occur within these easements. The comment is noted and does not raise any issues specific to the adequacy or completeness of the draft EIR. No further response is required.

### *Letter A2. U.S. Department of Homeland Security, FEMA Region IX*

**Response to Comment A2-1:** Commenter states that the City of Stockton should review the current Flood Insurance Rate Maps for the City. The commenter also provides a list of floodplain management building requirements. Flooding and floodplain impacts are discussed under Impacts PFS-11 and PFS-12 in the draft EIR on pages 9-48 through 9-52. These impact discussions refer to numerous General Plan policies that are designed to minimize flooding-related impacts (pages 9-48, 9-49, and 9-51). A revision to Implementation Measure #21 provides additional mitigation for flooding-related impacts.

### *Letter A3. Department of California Highway Patrol*

**Response to Comment A3-1:** Commenter acknowledges that future growth resulting from the proposed General Plan Update as well as other future plans within San Joaquin County will result in significant impacts to County roads, State Routes, and Interstate freeways. Commenter requests that the City coordinate with the CHP, Caltrans, and the San Joaquin County Department of Public Works in developing long range plans that will benefit citizens utilizing the highway

system. The proposed General Plan Update contains several policies related to the provision of law enforcement services including Policy HS-7.1, which requires the City to coordinate with local, state, and federal agencies to provide effective emergency response services (see page 11-13 of the draft Goals and Policies Report).

### *Letter A4. State of California, Department of Conservation, Division of Land Resource and Protection*

**Response to Comment A4-1:** Commenter provides background on the duties of the Department of Conservation Division of Land Resource Protection and also provides an introduction to the comments contained within the letter. This comment does not address the adequacy or completeness of the draft EIR. No further response is required.

**Response to Comment A4-2:** Commenter summarizes the Proposed Project description and its general location. This comment does not address the adequacy or completeness of the draft EIR. No further response is required.

**Response to Comment A4-3:** Commenter summarizes the Proposed Project's significant impacts resulting in the loss of agricultural lands and the Proposed Project's identified mitigation measures and programs (in the form of draft General Plan policies and implementation measures) that will be utilized to reduce (but not to less-than-significant levels) the severity of these impacts. Commenter recommends that the City consider mitigation fees at a minimum of 1:1 replacement ratio of similar quality land to that converted. Commenter also recommends that the fee include sufficient funds to address any administrative costs associated with implementation of the mitigation fees. Throughout the General Plan Update process, the City has been working with local stakeholders to develop an agricultural conservation program, which is summarized in the following new General Plan policy (see page 13-9 of the Goals and Policies Report):

- **NCR-4.4 "Agricultural Conservation Program (ACP)".** The City shall support an Agricultural Conservation Program (ACP) for the protection and conservation of agricultural lands. The ACP shall include the collection of an agricultural mitigation fee for acreage converted from agricultural to urban use, outside of the Enterprise Zone, Free Trade Zone, or Redevelopment Area, taking into consideration all fees collected for agricultural loss (i.e., AB1600).

  The mitigation fee collected shall fund agricultural conservation easements, fee title acquisition, research, the funding of agricultural education and local marketing programs, other capital improvement projects that clearly benefit agriculture (i.e., groundwater recharge projects) and administrative fees through an appropriate entity ("Administrative Entity") pursuant to an administrative agreement.

> The conservation easements and fee title acquisition of conservation lands shall be used for lands determined to be of statewide significance, or sensitive and necessary for the preservation of agricultural land, including land that may be part of a community separator as part of a comprehensive program to establish community separators. *[Source: New; GPAT Agricultural Subcommittee].*

To compliment this policy, the City of Stockton also prepared an Agricultural Nexus Fee Study in 2006. The study provided the necessary information or basis for the City to establish and impose a fee and described the uses to which the collected fees shall be applied. The City is currently in the process of implementing a 1:1 ratio agricultural mitigation fee that was approved by the City Council in January 2007.

**Response to Comment A4-4:** Commenter summarizes impacts to Williamson Act contracted lands resulting from implementation of the Proposed Project. Commenter recommends that orderly development under the General Plan include the use of Nonrenewal, a method of premature contract termination, and that the Agricultural Conservation Program fee be augmented to mitigate early termination of Williamson Act contracts. This recommendation is noted. Impact NCR-10 states that the procedures contained within the Williamson Act will be followed as development occurs (page 13-34 of the draft EIR). Regarding augmentation of the Agricultural Conservation Program fee to help mitigate early termination of an active Williamson Act contract, this policy recommendation will be forwarded to the decision-makers for their consideration. Please refer to Master Response #1.

**Response to Comment A4-5:** Commenter concludes the letter by stating that the agency is looking forward to receiving a response to this letter as well as a copy of the final EIR. Preparation of the final EIR will be completed in a manner consistent with CEQA guidelines and will include an opportunity to review the City's proposed responses to comments on the draft EIR (CEQA Guidelines Section 15089[b]).

### *Letter A5a. State of California, Department of Fish and Game*

**Response to Comment A5-1:** The commenting agency provides background information on the various wildlife habitat resources with potential to occur in the Study Area and provides background information on the objectives of the San Joaquin County Multi-Species Habitat Conservation Plan (SJMSCP). The commenting agency also acknowledges its understanding that the City's proposed sphere of influence for the Proposed Project is considerably larger than the area currently covered by the existing SJMSCP.

As stated in the letter, the California Department of Fish and Game is aware that the City is seeking a Major Amendment to the SJMSCP. A Major Amendment to the SJMSCP could conceivably extend take authority to the City's proposed sphere of influence and thereby provide

some level of mitigation to biological resource impacts resulting from implementation of the Proposed Project. However, as the commenting agency states, in the absence of a Major Amendment to the SJMSCP, the agency is looking to the draft EIR to discuss the Proposed Project's impacts to biological resources and provide adequate mitigation to off-set those impacts.

As a result of these comments, City staff met with representatives of the California Department of Fish and Game (March 2007) to discuss their concerns and agreed to the development of a new policy that would be designed to address these potential impacts to biological resources in the absence of a Major Amendment to the SJMSCP. This proposed approach would consist of addressing the impacts of individual development projects by mirroring the existing terms and conditions of the SJMSCP. The resulting policy is provided below:

- **Policy NCR-2.19 Interim SJMSCP Compliance for Biological Resources.** Until a Major Amendment to the existing SJMSCP is adopted to incorporate all areas of the City's proposed Sphere of Influence into the SJMSCP coverage area, the City shall use the requirements of the SJMSCP to ensure effective protection of natural resources and compliance with applicable Federal, State and City policies and regulations. This process is intended to mirror exactly, the existing SJMSCP requirements for all areas proposed to be included within the City of Stockton SOI, but not currently located in the SJMSCP coverage area.

  For impacts to biological resources outside the SJMSCP's current coverage area, the City shall require mitigation of these impacts in a manner fully consistent with the current SJMSCP requirements. These requirements would include: 1) the collection of fees (to be used for the acquisition of habitat preserves) equivalent to those specified in the current SJMSCP; 2) the imposition of SJMSCP ITMMs; and 3) consultation with resource agencies regarding incidental take coverage. *[New Policy - FEIR]*

As a result of this collaborative process, specific biological resources concerns have been identified and will be addressed through the adoption of Policy NCR-2.19 "Interim SJMSCP Compliance for Biological Resources". To confirm that these issues have been addressed, the California Department of Fish and Game submitted a follow-up letter (see Letter A5b, below) stating that with adoption of Policy NCR-2.19 their initial concerns regarding the draft General Plan would be withdrawn.

### *Letter A5b. State of California, Department of Fish and Game*

**Response to Comment A5b-1:** The commenting agency provides several statements regarding the status of the draft General Plan and identifies activities conducted to date in development of Policy NCR-2.19 "Interim SJMSCP Compliance for Biological Resources". The commenting agency follows this information with a statement that acknowledges the withdrawal of their initial concerns (identified above in the response to Comment A5a-1) with City adoption of new Policy NCR-2.19.

### *Letter A6. State of California, Department of Transportation*

**Response to Comment A6-1:** Commenter provides an introductory statement regarding their opportunity to review and provide comments on the draft EIR. No further response is required.

**Response to Comment A6-2:** Commenter requests an electronic copy of the travel demand forecast model files used in the draft EIR traffic analysis. These files were provided to the California Department of Transportation (Caltrans) on January 3, 2007.

**Response to Comment A6-3:** Commenter asks for a time extension for submitting comments on the draft EIR until four weeks after receipt of the electronic model files. As noted above, the files were provided on January 3, and Caltrans submitted a comment letter on the draft EIR on January 25, 2007.

**Response to Comment A6-4:** Commenter provides contact information for Caltrans. No further response is required.

### *Letter A7, State of California, Department of Transportation*

Letter A7 has been superseded by Letter A8 (see below), which corrected a typographical error in Letter A7.

### *Letter A8, State of California, Department of Transportation*

**Response to Comment A8-1:** The commenter introduces the revised letter to Letter A7 and identifies how the specific revisions have been bolded to highlight the modification. No further response is required.

**Response to Comment A8-2:** Commenter notes that long-range planning is a complex process involving many variables that are difficult to predict, and notes support for the principle embodied in the draft General Plan Update that land use and transportation are connected and coordinated. This comment does not address the adequacy of the draft EIR. No further response is required.

**Response to Comment A8-3:** Commenter requests a risk assessment and monitoring plan in the event that the expectations in the draft General Plan Update do not materialize. The land use and transportation programs in the draft General Plan Update are key parts of the project description that is analyzed in the draft EIR. Several alternative programs were also evaluated in the Alternatives chapter (see Chapter 14) of the draft EIR and the relative transportation effects of those alternatives were discussed. As a matter of course, the City conducts site-specific planning and CEQA analysis for every major development proposal (see Master Response #2), part of which involves determining whether the Proposed Project is consistent with the General Plan. These ongoing analyses will allow the City to track progress in implementing the General Plan

and to make changes or updates as necessary. In addition, the City is committing to implement a traffic monitoring program, to be conducted at least every three years, in which daily traffic volumes and levels of service on major roadways in the City will be monitored and reported. This new Transportation Implementation Measure #14 is described in further detail in the response prepared for Comment O5-12.

**Response to Comment A8-4:** Commenter recommends coordination between the City and the San Joaquin Council of Governments (SJCOG) on the use of the City's travel demand model for future projects. Such coordination has already occurred and is documented as part of the project development process for improvements to the State highway system. The City is reluctant, in any event, to enshrine in general plan policy any detailed directives regarding the use of computer modeling for traffic studies. The technologies behind transportation modeling programs are expected to evolve rapidly during the planning period covered by the General Plan, and it seems futile for current decision-makes (2007) to try to direct the technical work of experts years or even decades into the future.

**Response to Comment A8-5:** Commenter supports draft General Plan policies regarding efficiency of traffic flow. Commenter also expects traffic congestion to continue increasing and consequently supports notion of expanded planning for bus and rail services. This is a supportive comment that does not address the adequacy or completeness of the draft EIR. No further response is required.

**Response to Comment A8-6:** Commenter notes some discontinuity in the roadway system identified in the draft General Plan, particularly east of SR 99 around Mariposa Road and Austin Road, and encourages definition of a linear arterial network for greatest travel efficiency. In the areas east of SR 99, the City identified the most efficient roadway system possible given the constraints of existing roadway alignments, already-developed properties, and the location of the draft General Plan planning boundary and City limits.

**Response to Comment A8-7:** Commenter supports the draft General Plan policy to improve freeway interchanges to current design standards. This is a supportive comment that does not address the adequacy or completeness of the draft EIR. No further response is required.

**Response to Comment A8-8:** Commenter supports the draft General Plan policy to require highway right-of-way dedications at the initial stage of development. This is a supportive comment that does not address the adequacy or completeness of the draft EIR. No further response is required.

**Response to Comment A8-9:** Commenter notes several requirements for development project impact analysis review. The preparation of site-specific or project-related CEQA documentation in Stockton routinely addresses the transportation analysis requirements noted (see Master

Response #2). City staff and consultants are very familiar with the *Caltrans Guide for the Preparation of Traffic Impact Studies*, and routinely consult it in preparing traffic impact studies. Staff and consultants also typically consult other source of relevant information, including the latest reports on court cases interpreting CEQA requirements relevant to transportation issues.

**Response to Comment A8-10:** Commenter notes Caltrans requirements for select zone results for project-specific analyses. This comment does not address the adequacy or completeness of the draft EIR. No further response is required.

**Response to Comment A8-11:** Commenter notes requirements for commercial vehicle maps in project-specific analyses. This comment does not address the adequacy or completeness of the draft EIR. No further response is required.

**Response to Comment A8-12:** Commenter encourages the City to collect appropriate transportation mitigation fees. The City is undertaking a comprehensive update to its street improvement fee program to ensure consistency with the proposed General Plan. Periodic updates to the fee program are included in Implementation Measure 8.9-8, and participation in the Regional Transportation Impact Fee program is included in Implementation Measure 8.9-9. Both the City's street improvement fee program and the Regional Transportation Impact Fee program provide contributions to improvements on state highway facilities.

### *Letter A9, State of California, Department of Water Resources*

**Response to Comment A9-1:** The commenter states that given the limited information provided in the project description, it appears that the Proposed Project may partially be implemented on an adopted flood control plan. The commenter also states that if the project does encroach on a flood control plan, an encroachment permit will need to be obtained. Section 9.4, "Stormwater," of the draft EIR states that a majority of the General Plan Study Area is located outside of the 100-year and 500-year flood zones (please see pages 9-32 and 9-33). The Background Report for the General Plan is incorporated by reference in the draft EIR as Appendix B. Section 11.6, "Flood Hazards," beginning on page 11-84 describes the potential flooding hazards in detail and Figure 11-7, "Stockton Floodplains," on page 11-87 of the Background Report (Appendix B of the draft EIR) also shows floodplain areas within the Study Area. As more development is implemented under the General Plan, more detailed plans and subsequent project-level environmental documentation will be prepared to address localized flood plan impacts. Implementation of future development subject to the General Plan will also require compliance with a variety of federal, State, and local permitting requirements, which may also include working with the Reclamation Board to obtain an encroachment permit for those projects affecting flood plan areas. For additional information related to future project-specific environmental analysis resulting from implementation of the General Plan, please refer above to the description provided under Master Response #2.

### *Letter A10, State of California, Department of Water Resources*

**Response to Comment A10-1:** Commenting agency provides an introductory statement regarding its opportunity to review and provide comments on the draft EIR. No further response is required.

**Response to Comment A10-2:** Commenting agency provides background information on its role as a flood plain manager. The commenting agency also provides background information on the role of the Reclamation Board and the Federal Emergency Management Agency (FEMA). No further response is required.

**Response to Comments A10-3:** Commenting agency states that a Reclamation Board permit may be required for portions of the study area that encroach on an adopted plan of flood control. A permit may also be required for portions of the project outside of an adopted flood control plan if activities of the project could interfere with the plan. The need to comply with the regulations of the Reclamation Board is acknowledged. It is understood that these regulations require an encroachment permit from the Reclamation Board for any activity that affects the state plan of flood control. Potential project applicants include both private developers and the City of Stockton, which may sponsor flood control projects required to protect the City and its residents. It will be the responsibility of individual project applicants to apply for an encroachment permit should they require one. As applicable, the City will require that a Reclamation Board encroachment permit be obtained (as appropriate) as a condition of approval for development projects. Also, see the response prepared for Comment A9-1.

**Response to Comment A10-4:** Commenting agency provides background information regarding the potential uncertain conditions of existing levees. The commenting agency also states that consequences of urban development in a floodplain protected by levees can be significant in terms of public safety, property protection, and financial resources. Commenting agency also provides several recommendations for addressing the level of flood protection adequate to protect human habitation. These recommendations include providing information about levee certification status, re-evaluating the 100-year hydrology based on 1997 storm events, recertification of levees, and discussing implications of change in use.

The flood control system protecting the City of Stockton includes many miles of flood control levees. The levees are owned, operated and maintained by a number of different agencies including the State of California, the San Joaquin County Flood Control and Water Conservation District, local reclamation districts, or adjacent property owners. The City is a participant in the National Flood Insurance Program, which is administered by FEMA (see General Plan policy HS-6.6). FEMA has prepared floodplain mapping that identifies areas that are subject to inundation during a 100-year flood. According to current FEMA mapping, most of the levees protecting the City provide adequate protection against the 100-year flood. However, FEMA is

currently implementing a map modernization program that will re-evaluate the flood hazards across the country, including the City of Stockton. The re-evaluation of flood hazards will incorporate more stringent levee performance criteria and certification requirements that have been recently adopted by FEMA. For a levee to be recognized on new FEMA maps, the participating community must provide sufficient data for FEMA to recognize the levee as providing protection from the 100-year flood. Areas protected by uncertified levees will be mapped within the floodplain, triggering mandatory flood insurance purchase requirements for citizens. As a result, the City of Stockton will be responsible for providing the necessary data to demonstrate adequate levee protection. To meet this obligation, all levees that provide flood protection to the City will need to be identified, and certification data developed. Certification data includes the following:

- Minimum freeboard documentation.
- Documentation that all openings are protected with closures.
- Embankment protection sufficiency documentation.
- Embankment and foundation stability analysis.
- Settlement analysis.
- Interior drainage analysis.
- Operation and maintenance plan.
- Certified as-built plans.

The State of California has studies under way that will develop some of the required information for the Federal Flood Control Project levees that protect the City. The City is monitoring the status of the State's levee testing studies and will coordinate with the State to develop the required certification data for the Federal levees. The City will also gather or develop data required to certify the protection levels of the non-Federal levees protecting the City. Should deficiencies be found in the existing levees, the City will participate in the development and implementation of a plan to correct them (see General Plan policy HS-6.9). Future development projects will be required to provide adequate flood protection and will be required to participate in levee improvement projects, as appropriate (see General Plan policies HS-6.1, HS-6.8). To assist in these flood protection activities, the City shall adopt the following new policy:

- **HS-6.10 Develop Flood Protection Plan for Levee Systems.** The City shall coordinate with appropriate State, Federal, and local flood control agencies to develop a flood protection plan for the levee systems protecting the city. The plan shall identify the levees protecting the City and the entities responsible for operation and maintenance of the levees. The plan will determine the flood levels in the waterways and the level of

protection offered by the existing levees along the waterways. A long-term plan will be developed to upgrade the system as necessary to provide at least a 100-year level of flood protection to the city. The City also commits to considering and revising the plan to reflect future appropriate state or federally mandated levels of flood protection in an effort to meet these applicable levels of flood protection. The City will pursue funding from any available funding sources (which may including but not be limited to the State's Floodway Corridor Program or Proposition 1E) to cover the cost of the plan (including any related studies) and the recommended improvements. *[New Policy – Final EIR]*

**Response to Comment A10-5:** Commenting agency states that the General Plan should consider the potential impacts to the levee system brought about through global warming effects such as increased rain and snow melt as well as sea level rise.

Master Response #3 provides a discussion of global warming topics that includes some of the potential effects on the levee system protecting the City that could occur as a result of future climate change effects. Climate change could increase the flood threat to the City by increasing sea levels, increasing the precipitation that occurs as rain rather than snow, and potentially increasing the intensity of rainfall. As noted in Master Response #3, there are significant uncertainties associated with climate change and the potential effects to the City. Studies addressing the potential impacts have not produced quantitative and specific results that are sufficient for detailed planning and risk assessment by local governments. The Department of Water Resources July 2006 report, Progress on Incorporating Climate Change into Planning and Management of California's Water Resources, states that the results presented in its report "are preliminary, incorporate several assumptions, reflect a limited number of climate change scenarios, and do not address the likelihood of each scenario. Therefore, these results are not sufficient by themselves to make policy decisions."

One example of the uncertainty is reflected in the projections of sea level rise. The Intergovernmental Panel on Climate Change projects worldwide average sea level to rise between 0.3 of a foot to 2.9 feet from 1990 to 2100. Because the City lies at the upper end of the Delta and flood levels are higher than sea level, an increase in sea level would not translate into an equal increase in flood stage levels at the City. Any increase in flood levels at the City would be less than the overall sea level rise. As a result, it is unlikely that a 0.3 foot rise in sea level would result in a significant increase in flood stage levels in the waterways serving the City, while an increase of 2.9 feet could cause a significant increase that would encroach on levee freeboard.

There are currently no quantitative predictions of the potential increase in flood flows due to higher snow levels and potentially higher rainfall intensities. However, historical trends indicate that peak flood flows in California have been increasing over the last 100-years. The

California Department of Water Resources, Division of Flood Management plans to continue evaluating the potential increases in flood flows due to climate change. As more data becomes available, it will be incorporated into flood control planning for the City.

As indicated in Master Response #3, new policy HS-6.10 will result in the development of a flood control plan for the levee system to address upgrades to the system as necessary to provide at least a 100-year level of flood protection to the City. The policy also commits the City to considering and revising the plan to reflect future appropriate state or federally mandated levels of flood protection. The increased level of protection will provide a safety factor against uncertainties such as those associated with climate change until more quantitative information becomes available.

**Response to Comment A10-6:** Commenter provides several recommendations for addressing internal drainage impacts and changes in peak storm water flows. These recommendations include describing the fate of storm water runoff generated by the project as a result of converting permeable material to an impermeable surface, describing how the additional runoff from the project will be managed, and describing the details of the detention basin system.

As part of the General Plan Update process, a conceptual evaluation of the City's storm drainage infrastructure was performed. The evaluation identified the major existing drainage facilities serving the study area, identified the existing constraints of the major streams and channels serving the City, and provided a conceptual evaluation of the major storm drainage infrastructure required to serve future buildout.

The infrastructure evaluation revealed that most of the major streams and channels serving the City do not have the capacity to handle the potential increased runoff caused by the planned future development identified under the draft General Plan. Due to the large cost and potential environmental impacts of increasing stream capacities, it was determined that flood control detention was the most appropriate approach for mitigation of future increased runoff due to development.

Consistent with a programmatic EIR, future stormwater detention systems were analyzed at a conceptual level. The draft General Plan includes a policy requiring that watershed drainage plans be developed to identify the required drainage improvements and to estimate the associated construction costs (see draft General Plan policy PFS-4.2) Detailed calculations will be performed for those plans to define the potential increase in runoff due to development and the design details of the required detention systems. The plans will also identify a range of feasible measures than can be implemented to reduce all potential public safety and environmental impacts associated with the storm drainage system.

**Response to Comment A10-7:** Commenting agency provides contact information for the State of California, Department of Water Resources. No further response is required.

### *Letter A11, State of California, Governor's Office of Planning and Research, State Clearinghouse*

**Response to Comment A11-1:** Commenter states that the City of Stockton has complied with the State Clearinghouse review requirements for draft environmental documents pursuant to the requirements of CEQA. No further response is required.

### *Letter A12, State of California, Public Utilities Commission*

**Response to Comment A12-1:** Commenter recommends that future development projects planned adjacent to or near the rail corridor in the County be planned with the safety of the rail corridor in mind. Commenter suggests several safety factors that could be incorporated into the project. Although the City does not currently propose the collection of a specific fee to fund these types of rail infrastructure, the draft General Plan includes several policies that address the relationship between safety and railroad corridors as well as traffic flow and railroads (Policies TC-2.7, TC-6.1, HS-2.13, and HS-2.19). In particular, Policy TC-6.1 states that the City shall provide grade separations at railroad crossings in order to ensure public safety and minimize traffic delays.

**Response to Comment A12-2:** Commenter states that any project that proposes to modify an existing crossing or proposes a new crossing must obtain authority to construct from the Commission. As more specific development is implemented under the General Plan, more detailed plans and subsequent project-level environmental documentation will be prepared to address any potential impacts to existing railroad infrastructure (as applicable). Implementation of future development proposals subject to the General Plan will also require compliance with a variety of federal, State, and local permitting requirements, which may also include working with the Commission for those projects affecting railroad infrastructure. Where a particular project for which the City prepares a negative declaration or an environmental impact report will require a discretionary approval from the Public Utilities Commission (PUC), the City as lead agency, as required by CEQA, will consult with the PUC in its role as responsible agency for the project. For additional information related to future project-specific environmental analysis resulting from implementation of the General Plan, please refer above to the description provided under Master Response #2.

**Response to Comment A12-3:** Commenter states that safety improvements should be considered at the time approval for the development is requested. This comment is noted. Please see the response to Comment A12-2 for additional information regarding future project specific approvals.

**Response to Comment A12-4:** Commenter provides contact information for the Commission. No further response is required.

### *Letter A13, California Regional Water Quality Control Board, Central Valley Region*

**Response to Comment A13-1:** Commenting agency provides an introductory statement regarding its opportunity to review and provide comments on the draft EIR. The commenting agency also provides a summary of the various components that comprise the Proposed Project. No further response is required.

**Response to Comment A13-2:** New development in the City of Stockton must comply with the Stormwater Quality Control Criteria Plan (SWQCCP) prepared in November 2003. This plan outlines several best management practices (BMP's) that must be considered and/or implemented for the development to be approved. While not identified by the phrase "low impact development," these concepts have already been incorporated into the SWQCCP, including General Site Design Control Measures G-1 (conservation of natural areas) and G-3 (minimization of impervious area, and Treatment Control BMP's (vegetated buffer strips and/or swales, extended detention basins, wet ponds, porous pavement, and infiltration basins and trenches). Consequently, the City is currently providing opportunities and support for low impact development concepts. However, as the City intends to further promote this concept, the City has considered this comment and shall adopt the following new policy:

- **PFS-4.8 Low Impact Development.** The City shall incorporate low impact development (LID) alternatives for stormwater quality control into development requirements. LID alternatives will include: (1) conserving natural areas and reducing imperviousness, (2) runoff storage, (3) hydro-modification (to mimic pre-development runoff volume and flow rate), and (4) public education. *[New Policy – Final EIR]*

**Response to Comment A13-3:** The water quality based programs noted by the commenter are just a part of the overall stormwater program being implemented by the City of Stockton. The 2005-2006 Annual Report on the City's stormwater program is 670 pages. Duplication of even small portions of that report could add significantly to the documents suggested by the commenter. For updated information on these programs please refer to the City's website (http://stocktongov.com/mud/General/stormwater/stormwater_main.cfm) to review the 2005-2006 Annual Report. The Background Report prepared for the Proposed Project also provides information on the quality of stormwater runoff discharging to local creeks and sloughs (see page 9-94 of the Background Report provided as Appendix B of the draft EIR). Additionally, please see the response provided for Comment A13-2 for a discussion of policies developed for the Proposed Project to address stormwater quality concerns.

**Response to Comment A13-4:** The master planning efforts for water, wastewater, and stormwater are conducted as appropriate and necessary, and not on a specified time schedule, with the exception that major updates correspond to updates of the City's General Plan. The current master plans were completely revised in conjunction with the 1990 General Plan, and revisions are underway in coordination with the current General Plan Update process. In general,

master plans are updated based on the needs dictated by demand, and are typically not comprehensive in nature (except when in conjunction with General Plan updates). In general, public review is afforded on major revisions or updates by means of a presentation of the master plans to the City Council prior to their approval. Such approval allows for public comment directly to the City Council. The City believes that the information on updates to the utility master plans are sufficiently noted in the Background Report (see Appendix B of the draft EIR), specifically as they are noted in the section on City documents reviewed.

**Response to Comment A13-5:** The commenting agency states that the City's Phase I Storm Water NPDES permit Order No. R5-2002-0181 will expire in October 2007. The City of Stockton has submitted a Report of Waste Discharge to the Regional Water Quality Control Board. No further response is required.

**Response to Comment A13-6:** Commenting agency provides contact information for the Regional Water Quality Control Board. No further response is required.

### *Letter A14, East Bay Municipal Utility District*

**Response to Comment A14-1:** Commenting agency provides an introductory statement regarding its opportunity to review and provide comments on the draft EIR. No further response is required.

**Response to Comment A14-2:** Commenter states that all future individual development projects subsequently proposed under the General Plan in the vicinity of East Bay Municipal Utility District (EBMUD) right-of-way must adhere to EBMUD's requirements for use of the right-of-way. As more specific development is implemented under the General Plan, more detailed plans and subsequent project-level environmental documentation will be prepared to address any potential impacts to EBMUD infrastructure (as applicable). Implementation of future development proposals subject to the General Plan will also require compliance with a variety of federal, State, and local permitting requirements, which may also include working with EBMUD for those projects affecting its utility infrastructure. For additional information related to future project-specific environmental analysis resulting from implementation of the General Plan, please refer above to the description provided under Master Response #2.

**Response to Comment A14-3:** Commenter provides contact information for EBMUD. This comment is noted. No further response is required.

### *Letter A15, San Joaquin Valley Unified Air Pollution Control District*

**Response to Comment A15-1:** Commenting agency provides an introductory statement regarding its opportunity to review and provide comments on the draft EIR. No further response is required.

**Response to Comment A15-2:** Commenter states that the draft EIR has appropriately addressed the regulatory environment and existing air quality conditions impacting the City of Stockton. No further response is required.

**Response to Comment A15-3:** Commenter states that the draft EIR appropriately addresses the project's impacts to air quality. Commenter concurs with the draft EIR in that mitigation measures discussed in the draft EIR may not entirely mitigate significant air quality impacts. No further response is required.

**Response to Comment A15-4:** Commenter states that compliance with San Joaquin Valley Air Pollution Control District (SJVAPCD) rules and regulations is not considered mitigation. Commenter states that future individual projects may require additional review. Commenter also identifies additional rules that may apply to the General Plan Update. Future individual projects developed subsequent to the General Plan will be required to undergo additional environmental review that may lead to the adoption of additional mitigation measures. Future projects will also be required to comply with all applicable rules and regulations administered by the SJVAPCD. For additional information related to future project-specific environmental analysis resulting from implementation of the General Plan, please refer above to the description provided under Master Response #2.

**Response to Comment A15-5:** Commenter provides an additional emission-reducing option that future specific projects developed subsequent to the General Plan may employ to reduce their impacts on air quality. The City has considered this comment and shall adopt the following new policy:

- **HS-4.20 Support SJVAPCD Air Quality Guidance and Recommendations.** The City shall continue to review, support, and require implementation (as applicable) of SJVAPCD guidance and recommendations (including those identified in the GAMAQI) in regards to several key issues including:
    - Environmental Assessment;
    - Air Quality Mitigation Agreements;
    - Integrated Planning;
    - Air Quality Education;
    - Congestion Management/Transportation Control Measures;
    - Toxic and Hazardous Pollutant Emissions;
    - Fugitive Dust and PM10 Emissions;
    - Energy Conservation and Alternative Fuels. *[New Policy – Final EIR]*

**Response to Comment A15-6:** Commenter states that the SJVAPCD is available for discussion of regulatory requirements associated with the project. Commenter also provides contact information. No further response is required.

### *Letter A16, Calaveras County Water District*

**Response to Comment A16-1:** The commenting agency submitted a request to be included on the distribution list for the draft EIR, but was inadvertently left off the document distribution list. Comment noted. The CACWD will be added to the COSMUD's distribution list and will receive all correspondence related to the draft EIR along with the final EIR from the City.

**Response to Comment A16-2:** The commenting agency noted that the WSE was prepared to meet the requirements for "water supply assessments" as set forth in the California Water Code 10910 et seq. If the City determines that water supplies will not be sufficient to meet the project water demands including the existing and planned future uses, the City must include the determination that water supplies will not be sufficient in its findings for the project. The WSE made a determination under California Water Code 10910 that existing water supplies are insufficient to meet existing, reasonable foreseeable, and project water demands and stated this in the WSE.

Under the California Water Code 10911, the City has the ability to include planned water supplies to show sufficiency in water supplies so long as they meet certain minimum requirements.

> *"...the public water system shall provide to the city or county its plans for acquiring additional water supplies setting forth the measures that are being undertaken to acquire and develop those water supplies. If the city or county, if either is required to comply with this part pursuant to subdivision (b), concludes as a result of its assessment, that water supplies are, or will be, insufficient, the city or county shall include in its water supply assessment its plans for acquiring additional water supplies, setting forth the measures that are being undertaken to acquire and develop those water supplies. Those plans may include, but are not limited to, information concerning all of the following:*
>
> *(1) The estimated total costs, and the proposed method of financing the costs, associated with acquiring the additional water supplies.*
>
> *(2) All federal, state, and local permits, approvals, or entitlements that are anticipated to be required in order to acquire and develop the additional water supplies.*
>
> *(3) Based on the considerations set forth in paragraphs (1) and (2), the estimated timeframes within which the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), expects to be able to acquire additional water supplies.*
>
> *(b) The city or county shall include the water supply assessment provided pursuant to Section 10910, and any information provided pursuant to subdivision (a), in any environmental document prepared for the project pursuant to Division 13 (commencing with Section 21000) of the Public Resources Code.*

The City in its completion of the WSE fulfilled both Sections of the California Water Code and, with planned water entitlements and projects, makes a positive determination related to the sufficiency of adequate water supplies to meet the project.

**Response to Comment A16-3:** Commenting agency states that they have found substantial inaccuracies in the City's WSE according to their understanding of existing contracts for surface water rights and supplies held by CACWD and the availability of these supplies to SEWD and COSMA. More importantly the WSE completed for the draft EIR alludes to two types of CACWD -related water supplies:

- water available to SEWD under contacts with the United States Bureau of Reclamation (USBR) and CACWD for water developed through the New Hogan project (identified in the WSE at a year 2035 quantity of 12,000 AF/year), and

- water available to SEWD under CACWD "appropriative rights" called "unused CACWD rights" (identified in the WSE at p. 15, Table 3 at a year 2035 quantity of 10,000 AF/year, at p. 56, Table 12 at a year 2035 of 3,000 AF/year)

CACWD states two major concerns:

SEWD does not have access to any CACWD appropriative rights. At present, the only water supply agreement between SEWD and CACWD pertains to contractual entitlements to New Hogan supplies for which the appropriative water rights are presently held by USBR.

Although it is true that CACWD is not currently using its full New Hogan entitlement, and the SEWD may use some of this water on a temporary, year-to-year basis, CACWD may require that water at any time, and will use its full New Hogan entitlement in the future. Accordingly, as described in more detail below, it is inappropriate for the City to rely on CACWD 's New Hogan supplies for water supply planning purposes.

In response to these comments, the City shall replace the existing information in the WSE as indicated in Master Response #5 "Water Supply Issues, Corrections to the WSE".

**Response to Comment A16-4:** The commenting agency states that the description (page 15 of the WSE) of existing firm surface water contracts held by SEWD (which include a USBR Contract for New Hogan Reservoir and a CACWD contract on the Calaveras River based on an appropriative water right held by CACWD) are incorrect and should be revised.

In response to these comments, the City shall replace the existing information in the WSE as indicated in Master Response #5 "Water Supply Issues, Corrections to the WSE".

**Response to Comment A16-5:** The commenting agency states that Table 3 (page 15 of the Water Supply Evaluation) includes an incorrect description of CACWD Appropriative Water Rights that identify up to 10,000 AF/year for use by SEWD and the COSMA from unused water rights.

In response to these comments, the City shall replace the existing information in the WSE as indicated in Master Response #5 "Water Supply Issues, Corrections to the WSE".

**Response to Comment A16-6**: The commenting agency states that CACWD New Hogan Water is not available to SEWD in any given year and will not be available in the long-term.

In response to these comments, the City shall replace the existing information in the WSE as indicated in Master Response #5 "Water Supply Issues, Corrections to the WSE".

**Response to Comment A16-7:** The commenting agency states that CACWD New Hogan water is not available to SEWD in any given year, and will not be available in the long-term.

In response to these comments, the City shall replace the existing information in the WSE as indicated in Master Response #5 "Water Supply Issues, Corrections to the WSE".

**Response to Comment A16-8:** The commenting agency again states that COSMA cannot rely on CACWD New Hogan water since CACWD can call on its full 43.5% entitlement in any given year.

In response to these comments, the City shall replace the existing information in the WSE as indicated in Master Response #5 "Water Supply Issues, Corrections to the WSE".

**Response to Comment A16-9:** The commenting agency states that page 15 of the Water Supply Evaluation indicates that the WSE modeling assumed that New Hogan supplies are subject to Central Valley Project deficiencies. However, the commenting agency correctly states that the New Hogan contract is not part of the Central Valley Project and is not subject to deficiencies imposed by USBR.

In response to these comments, the City shall replace the existing information in the WSE as indicated in Master Response #5 "Water Supply Issues, Corrections to the WSE".

**Response to Comment A16-10:** The commenting agency states that pages 41-42 of the Water Supply Evaluation include a discussion of "Area-of-Origin" water rights. The commenting agency further states that the provisions of the State Water Code do not confer an independent right of appropriation, nor do they provide priority of right over all water users as indicated in the WSE. Where it applies and is granted, a priority under Section 11460 of the State Water Code provides for a priority over State and Federal Water Projects only. CACWD water rights would

be entitled to priority over an application by the City of Stockton municipal purveyors, regardless of whether Section 11460 applies to such application. Please see Master Response #5, "Water Supply Issues, Surface Water Assumptions for the DWSP and SEWD".

**Response to Comment A16-11:** Commenting agency provides a conclusion to their letter and offers further assistance if requested. No further response is required.

### *Letter A17, Manteca Unified School District*

**Response to Comment A17-1:** Commenting agency provides an introductory statement regarding its opportunity to review and provide comments on the draft EIR. No further response is required.

**Response to Comment A17-2:** Commenter provides updates to the environmental setting identified in the Background Report for the draft General Plan specific to various aspects of the Manteca Unified School District schools and programs. This background information is noted and will be forwarded to the City decision-makers for their consideration and use in updated the Background Report. Please refer above to Master Response #1. This incorporation of this information would not affect the original conclusions identified in the draft EIR.

**Response to Comment A17-3:** Commenter provides a conclusion to the letter and also gives contact information for any additional questions. This comment is noted. No further response is required.

### *Letter A18, San Joaquin Council of Governments*

**Response to Comment A18-1:** Commenter describes the City of Stockton's current involvement in the SJMSCP. This comment is noted. No further response is required.

**Response to Comment A18-2:** Commenter states that any development beyond the boundaries currently identified in the City's Compensation Map would not be covered under the SJMSCP unless a major amendment is conducted and approved by U.S. Fish and Wildlife Service and California Department of Fish and Game. Activities under the proposed General Plan outside of the boundaries in the Compensation Map will be required to contact U.S. Fish and Wildlife Service and CDFG for review of the projects. The City has developed policy guidance to address impacts to biological resources for the interim period until a major amendment to the existing SJMSCP is conducted and approved by the regulatory agencies. Please refer above to the responses prepared for Letter A5.

### *Letter A19, San Joaquin Council of Governments*

**Response to Comment A19-1:** Commenting agency provides an introductory statement regarding its opportunity to review and provide comments on the draft EIR. No further response is required.

**Response to Comment A19-2:** Commenter notes the ongoing update to the Regional Transportation Plan and the improvements to State highways in the Stockton area that are included in that 2030 plan. Commenter also encourages the City to consider policies to promote efficient freeway operations through options such as HOV lanes, ramp metering, auxiliary lanes and intelligent transportation systems (ITS). Commenter also supports the City's proposal to develop additional arterial capacity parallel to the freeway system and encourages consideration of Jack Tone Road as a major north-south connector.

The City has a long history of coordination with SJCOG and Caltrans to promote timely and effective improvements to the State highway system and those efforts are expected to continue. While the City has no direct jurisdiction over State highways, it is acknowledged that those facilities are of great importance in the City's overall transportation system and several policies in the General Plan address the need for close coordination in planning and funding future improvements (e.g., TC-1.2, TC-1.3, TC-1.5, TC-1.9, TC-2.10, etc.). In fact, in recent years, the City has often taken the lead role in conducting project development studies necessary to support capacity-enhancing improvements to the State highway system, such as new or modified interchanges and construction of new mainline freeway lanes. In addition, General Plan policies address the need to support and plan for new transit services in Stockton (TC-4.1, TC-4.6, TC-4.8). Actual implementation of new State highway system elements, such as HOV lanes and auxiliary lanes, is outside the City's control.

Jack Tone Road is an important north-south connector in San Joaquin County. However, given its location at the easternmost edge of the City's planning area, it does not directly serve the major development areas envisioned in this 2035 General Plan and thus is not emphasized in the City's circulation diagram.

**Response to Comment A19-3:** Commenter notes that the San Joaquin Council of Governments (SJCOG) will develop a regional Congestion Management Plan by 2008 that will monitor Level of Service standards and vehicle miles of travel (VMT) and will plan for improved regional transit services. The City supports the concepts noted in the comment and looks forward to participating in the development of the Congestion Management Plan. This comment does not address the adequacy or completeness of the draft EIR. No further response is required.

**Response to Comment A19-4:** Commenter suggests that the City conduct regular retiming of traffic signals as part of its traffic signal management program. Implementation Measure 8.9-3 calls for regularly-scheduled updates to the synchronization of traffic signals along major routes in the City. The process created by this measure will address the suggestion in the comment.

**Response to Comment A19-5:** Commenter notes the increase in trucking activities in San Joaquin County and suggests the City consider policies to establish designated truck routes in existing and new development areas, as well as to address the need for overnight truck parking. The City will add an element to policy TC-2.19 to explicitly state that truck routes will be established in existing and new development areas to minimize impacts on the neighborhoods. Policy TC-2.20 calls for a sufficient supply of off-street parking for all land uses, which could include specialized truck parking if that need arose. In considering this comment, the City shall adopt the following revisions to Policy TC-2.19:

- **TC-2.19 Truck Routes.** Truck routes shall be established in existing and new development areas as needed to efficiently serve truck traffic and to minimize impacts on neighborhoods The City shall direct truck traffic to designated truck routes. *[Source: GPAT Subteam meetings; professional best practice]*

Please see Chapter 4.0 "Modifications to the Draft EIR" of this final EIR for a description of where these changes occur in the draft EIR.

**Response to Comment A19-6:** Commenter requests that the City's policies related to park-and-ride lots be related and cross-referenced. Policy TC-3.1 will be modified to include coordination with SJCOG, and will make specific reference to the transit-related design features included in TC-4.4. In considering this comment, the City shall adopt the following revisions to Policy TC-3.1:

- **TC-3.1 Park and Ride Lots.** The City shall support development of park-and-ride lots at appropriate locations, in consultation with SJRTD, San Joaquin County, SJCOG, Caltrans, and other agencies, and in compliance with the design features related to park-and-ride facilities that are specified in Policy TC-4.4. *[New Policy, Staff/Consultants]*

Please see Chapter 4.0 "Modifications to the Draft EIR" of this final EIR for a description of where these changes occur in the draft EIR.

**Response to Comment A19-7:** Commenter expresses support for the City's policies related to facilitating smart growth and transit-oriented development and notes the Measure K funding available for such projects. The City looks forward to working with SJCOG to enhance neighborhood revitalization and alternative modes of transportation. This comment does not address the adequacy or completeness of the draft EIR. No further response is required.

**Response to Comment A19-8:** Commenter references the current Airport Land Use Plan (ALUP) and notes that policies in the General Plan comply with the ALUP. In consideration of the various comments that were directed at airport land use issues (including those identified in this letter), the City has reviewed the entire set of airport-related policies (i.e., land use, noise, safety, etc.) contained within the City's updated General Plan. As a result of this review, it was determined that several policies originally contained in the draft General Plan provided overlapping guidance which were therefore consolidated into a single set of airport compatibility planning policies that continue to be protective of the airport and its uses. Please see Master Response #4 for additional information regarding these airport-related issues. Also, please see Chapter 4.0 "Modifications to the Draft EIR" of this final EIR for a complete list of all the policies that have been revised as a result of this review.

### *Letter A20, San Joaquin County Office of Education*

**Response to Comment A20-1:** Commenting agency provides an introductory statement regarding its opportunity to review and provide comments on the draft EIR. No further response is required.

**Response to Comment A20-2:** Commenter states that designation of high school land uses at the general plan level is necessary to assure adequate infrastructure and compatible siting of land uses. The General Plan Land Use Map is not intended to be an inclusive inventory of proposed school sites nor does it determine the final locations for land uses such as roadway improvements and schools. Moreover, the need for additional school facilities beyond those identified on the General Plan Land Use Map is addressed in the draft EIR (see Impact PFS-21 on pages 9-81 and 9-82 of the draft EIR). Future development in the Village areas proposed under the General Plan will be required to prepare additional site specific infrastructure plans and undergo further environmental review that will determine any specific impacts to schools as well as feasible mitigation for these impacts.

**Response to Comment A20-3:** Commenter describes State law enabling cities to levy development fees for school facilities. Commenter states that the draft EIR should reflect impacts to school facilities are only partially mitigated and may be potentially significant. Impact PFS-21 on pages 9-81 and 9-82 of the draft EIR addresses impacts to public schools as a result of implementation of the General Plan. The impact discussion identifies several General Plan policies that address the need for the City to plan for and expand a variety of public services that include school facilities (Policies PFS-1.1, PFS-1.4, PFS-1.5, PFS-1.8, and PFS-1.9). Policies PFS-9.1, PFS-9.3, and PFS-9.4 specifically require the City to coordinate future planning, siting, and construction of new school facilities with the appropriate school district. Policies PFS-9.2 and PFS-9.5 require the City to coordinate with affected school districts in the collection of adequate developer fees for the construction of new school facilities.

As stated on page 9-82 of the draft EIR, the City will continue to ensure that future development projects mitigate impacts on school facilities (to the extent allowed by State law). State law, however, severely limits the City's ability to require proponents of new development to mitigate the impacts of new student populations on existing school facilities. Under Government Code Section 65996, the City of Stockton is limited to charging the statutorily created school impact fee to offset impacts to local school districts generated by Proposed Projects. Section 65996 also prohibits the disapproval of development projects based on the inadequacy of school facilities. The statute further provides that, with payment of the state-mandated school impact fees, impacts on school facilities are deemed to be mitigated to less than significant levels. For these reasons, the impact was determined to result in a less than significant impact to the provision of public school services.

**Response to Comment A20-4:** Commenter provides updated background information on various aspects of the schools located within the General Plan Study Area. This background information is noted and will be forwarded to the City decision-makers for their consideration. Please refer above to Master Response #1.

**Response to Comment A20-5:** Commenter provides a conclusion to the comment letter. This comment does not address the adequacy or completeness of the draft EIR. No further response is required.

### *Letter A21, San Joaquin County Public Works*

**Response to Comment A21-1:** Commenter requests that the City ensure that storm, water, and sewer capacities are available to County unincorporated areas and all County Service Areas and Maintenance Districts located within and/or adjacent to the City's General Plan Area should they be annexed to the City. As is the City's current custom and consistent with General Plan Goal PFS-1, the City shall continue to ensure the provision of adequate levels of public services and utilities by ensuring that these service levels are adequately funded and allocated strategically. Additionally, the draft General Plan contains several policies that ensure future development within the City (including areas that are annexed into the City) will have adequate public facilities, services, and utilities. These policies address development in urban expansion areas, development impacts to infrastructure, funding for public facilities, and conditions of approval for new development (see Policies PFS-1.2, PFS-1.4, PFS-1.5, PFS-1.8, and PFS-1.9 on page 9-19 of the draft EIR).

**Response to Comment A21-2:** Commenter notes that the General Plan proposes LOS F as acceptable on County segments of Benjamin Holt Drive and Swain Road and states that the County does not have the same LOS standard. Table 8-7 (beginning on page 8-56 of the draft EIR) was included in the draft EIR to recognize that some of the roadways discussed in the General Plan are not currently in the City's jurisdiction. This fact explains in part why the traffic

impacts of the draft General Plan were considered to be significant and unavoidable; because the City does not control all of the roadways that would need to be improved in order to serve the anticipated growth and the City may not be able to enforce mitigation needed to avoid or reduce traffic impacts to those roadways. It is anticipated that effective coordination between the City and County could help to avoid or address some of the impacts identified in the draft EIR, and Implementation Measure 8.9-2 specifically calls for the City to coordinate with the County on improvements to roads within the County's jurisdiction.

**Response to Comment A21-3:** Commenter notes that the LOS exception area on Benjamin Holt Drive shown in Figure 8-9 (see page 8-54 of the draft EIR) does not appear to entirely capture the segment described on page 8-8. Figure 8-9 "LOS Policy Exception Areas – 2035 Preferred Alternative" has been revised to accurately identify the roadway segments described in Policy TC-2.1 "Level-of-Service Standards" on page 8-8 of the draft EIR. Please see Chapter 4.0 "Modifications to the Draft EIR" of this final EIR to see the revised Figure 8-9.

**Response to Comment A21-4:** Commenter notes an apparent inconsistency between the transit system figures shown in the draft EIR and the draft Goals and Policies Report. As a result of this comment, both figures have been reviewed. It should be noted that Figure 8-2 "Preliminary 2035 Transit System" in the draft EIR is correct. The figure shown in the draft Goals and Policies Report will be updated.

**Response to Comment A21-5:** Commenter references Table 8-7 (see page 8-56 of the draft EIR) and notes that road improvements included in the draft General Plan should be the responsibility of the City. Table 8-7 was included in the draft EIR to recognize that some of the roadways discussed in the draft General Plan are not currently in the City's jurisdiction. This fact explains in part why the traffic impacts of the draft General Plan were considered to be significant and unavoidable; because the City does not control all of the roadways that would need to be improved in order to serve the anticipated growth and the City may not be able to enforce mitigation needed to avoid or reduce traffic impacts to those roadways. Implementation Measure 8.9-2 specifically calls for the City to coordinate with the County on improvements to roads within the County's jurisdiction. Please also note that policy TC-1.10 requires that new development pay its fair share of the cost of constructing needed transportation infrastructure.

**Response to Comment A21-6:** Commenter provides a conclusion to the comment letter. This comment does not address the adequacy or completeness of the draft EIR. No further response is required.

## Organizations

### *Letter O1, Building Industry Association of the Delta*

**Response to Comment O1-1:** Commenter expresses concerns regarding Mitigation Measure PFS-1.9 stating that the policy (as currently proposed) would impede expanding housing within the City and cause unnecessary delays. This comment does not address the adequacy or completeness of the draft EIR or otherwise raise significant environmental issues within the meaning of CEQA. Please refer to Master Response #1 for a discussion of how comments or proposed suggestions to revise the existing policies in the General Plan Update have been and will be considered by the City.

**Response to Comment O1-2:** Commenter states that Mitigation Measure PFS-2.2 represents a good example of a measure that lacks adequate detail. This comment does not address the adequacy or completeness of the draft EIR or otherwise raise significant environmental issues within the meaning of CEQA. Please refer to Master Response #1 for a discussion of how comments or proposed suggestions to revise the existing policies in the General Plan Update have been and will be considered by the City.

**Response to Comment O1-3:** Commenter expresses concern that Implementation Measure #21 is a tax instead of a fee. Commenter suggests that increasing the sales tax (Measure W) should be used instead. This comment does not address the adequacy or completeness of the draft EIR or otherwise raise significant environmental issues within the meaning of CEQA. Please refer to Master Response #1 for a discussion of how comments or proposed suggestions to revise the existing policies in the General Plan Update have been and will be considered by the City.

**Response to Comment O1-4:** Commenter asks whether the new policies in the draft EIR have been brought to the attention of the Planning Commission prior to being included in the draft EIR. Several new policies and revisions to existing draft General Plan policies were developed to address impacts identified in the draft EIR. This strategy for CEQA compliance reflects the statutory directive that, "in the case of the adoption of a plan," mitigation measures may be incorporated directly into the plan itself. (See Public Resources Code, Section 21081.6(b); CEQA Guidelines, Section 15097(b)) Because the "new policies" are the product of preparation of the draft EIR, they could not have been reviewed by the Planning Commission or any member of the public or other agency because they did not exist until the draft EIR was prepared. As with the entire Proposed Project, however, these new or revised policies and implementation measures must be reviewed by, and are subject to the approval of the City Council of the City of Stockton. Members of the public will have opportunities to offer additional comments on the "new policies" in the public hearings that will precede adoption of the General Plan.

**Response to Comment O1-5**: Commenter states that their review of the Goals and Policies Report will likely result in additional comments. This comment does not address the adequacy or completeness of the draft EIR or otherwise raise significant environmental issues within the meaning of CEQA. Please refer to Master Response #1 for a discussion of how comments or proposed suggestions to revise the existing policies in the General Plan Update have been and will be considered by the City.

### *Letter O2, Pacific Gas and Electricity Company (PG&E)*

**Response to Comment O2-1:** Commenter provides an introductory statement regarding PG&E's opportunity to review and provide comments on the draft EIR. No further response is required.

**Response to Comment O2-2:** Commenter describes City and PG&E future utility needs. Commenter also states that PG&E would like to be consulted when new bridge structures, road widening projects, and other development occurs so as to coordinate the design and siting of PG&E facilities. Commenter also offers assistance in providing the City with energy efficiency training opportunities. Impact PFS-15 of the draft EIR addresses the wasteful use of energy within Stockton and incorporates several general plan policies, including Policy PFS-6.1 "Expansion of Gas and Electricity Facilities" and PFS-6.2 "Appropriate Siting of Gas and Electric Systems", which are designed to encourage planning and coordination efforts between the City and gas/electricity service providers.

**Response to Comment O2-3:** Commenter expresses its support for many of the proposed policies identified in the draft General Plan, offers some modest suggestions for changes to proposed policies, and describes a number of the commenter's own practices intended to conserve energy and reduce the generation of greenhouse gases. This comment does not otherwise address the adequacy or completeness of the draft EIR or otherwise raise significant environmental issues. Please refer to Master Response #1 for a discussion of how comments or proposed suggestions to revise the existing policies in the General Plan Update have been and will be considered by the City.

**Response to Comment O2-4:** Commenter states that development under the Proposed Project will have a cumulative impact on PG&E's gas and electric systems. The City agrees with the commenter's recommendation that future environmental documents for proposed development projects and City Capital Improvement projects include adequate evaluation of cumulative impacts to utility systems, the utilities and facilities necessary to serve those developments and any potential environmental issues associated with extending, relocating, or constructing new utility services. Future projects subsequent to the City's General Plan could be required to undergo additional environmental review that would address impacts to a variety of resource topics including utilities. For additional information related to future project-specific environmental analysis resulting from implementation of the General Plan, please refer above to the description provided under Master Response #2.

**Response to Comment O2-5:** Commenter describes the duties of PG&E in supplying energy and requirements for PG&E to work with local governments. Commenter also provides a conclusion to the letter. No further response is required.

### *Letter O3, San Joaquin Farm Bureau Federation*

**Response to Comment O3-1:** Commenter provides an introductory statement regarding the opportunity to review and provide comments on the draft EIR. The introduction also provides background information regarding the agriculture industry in San Joaquin County. No further response is required.

**Response to Comment O3-2:** Commenter expresses support for contiguous urban development that utilizes existing infrastructure and infill opportunities. Commenter also states that urban development should not be allowed to exceed infrastructure capacity and that people affected by a current or proposed Sphere of Influence need to be given the opportunity to participate in a governmental process that may affect their property rights. The commenter does not provide a comment regarding the adequacy or completeness of the draft EIR or otherwise raise significant environmental issues and this comment is noted.

**Response to Comment O3-3:** Commenter states that the Stockton agriculture mitigation ordinance should mirror the agriculture mitigation ordinance adopted by San Joaquin County. The City of Stockton adopted its Farmland Mitigation Program in January 2007. This program requires projects over 40 acres to mitigate the loss of important or prime farmland at a 1:1 ratio. Projects less than 40 acres are required to mitigate the loss of important or prime farmland by paying a fee.

**Response to Comment O3-4:** Commenter states that local water agencies should be required to demonstrate that there is a sufficient, sustainable water supply that does not compete with agricultural water sources for a proposed urban development project prior to its approval by the planning agency. Impacts to water supply and requirements for future projects to identify an adequate water supply and infrastructure prior to development are addressed in the discussion of Impact PFS-2 on pages 9-12 through 9-14 of the draft EIR. This impact analysis identifies several General Plan policies that require proof of adequate water supply and infrastructure prior to development as well as policies that require the City to plan for long-term water supply sources (General Plan Policies PFS-2.4, PFS-2.7, PFS-2.8, and PFS-2.10). Impact PFS-2 also identifies several mitigation measures addressing water supply requirements for new development (new Policy PFS-2.13 on page 9-13 of the draft EIR).

**Response to Comment O3-5:** While the commenter supports urban phasing boundaries and limit lines, the commenter suggests several additional provisions (e.g., preservation of water rights, land owner compensation, etc.) designed to preserve agricultural operations. This comment is

noted. Land use conflicts with agricultural operations and the loss of agricultural land are addressed in Impacts NCR-9, NCR-10, and NCR-11 on pages 13-32 through 13-36 of the draft EIR. These impacts identify a variety of General Plan policies (and mitigation measures) that support continued agricultural uses, seek to reduce conflicts between agricultural and urban uses, provide funding for agricultural and open space programs, and coordinate regional efforts to preserve farmland (see General Plan Policies NCR-4.1, NCR-4.2, NCR-4.3, NCR-4.4, NCR-4.5, NCR-4.6, LU-1.9, LU-2.1, LU-2.2, and LU-2.3 on pages 13-29 through 13-31 of the draft EIR).

**Response to Comment O3-6:** Commenter expresses an opinion regarding the importance of agricultural activities to the local and regional economy. The commenter does not provide a comment regarding the adequacy or completeness of the draft EIR or otherwise raise significant environmental issues and this comment is noted.

### *Letter O4, San Joaquin Farm Bureau Federation*

**Response to Comment O4-1:** Commenter provides an introductory statement regarding the opportunity to review and provide comments on the draft EIR. No further response is required.

**Response to Comment O4-2:** Commenter states that the draft EIR fails to fully and adequately consider significant and cumulative environmental impacts pursuant to CEQA. Commenter states that the draft EIR also fails to provide a legally adequate mitigation plan pursuant to CEQA.

The environmental setting for cumulative analysis is discussed in Chapter 15.0 "Additional Statutory Considerations" (page 15-5) of the draft EIR. Consistent with the CEQA Guidelines (Section 15130[b][1]), the analysis was based primarily on a summary of projections contained in the existing general plan documents for jurisdictions surrounding the City (including the County of San Joaquin). These various general plans and EIRs used in the analysis are identified below:

- City of Escalon General Plan 2005 to 2035 and EIR (updated in 2005);
- City of Lathrop 1991 General Plan and EIR (amended in 2004);
- City of Lodi 1991General Plan and EIR (update in progress);
- City of Manteca 1993 General Plan and EIR;
- City of Ripon 2040 General Plan and EIR (updated in 2005);
- City of Tracy 2025 General Plan and EIR (updated in 2006);
- County of San Joaquin General Plan and EIR; and
- SJCOG 2004 Regional Transportation Plan and EIR (updated in 2004).

Chapter 15.0 "Additional Statutory Considerations" (pages 15-6 through 15-29) describes the Proposed Project's contribution to each potential cumulative effect. Where the Proposed Project's incremental effect is not cumulatively considerable, or is rendered less than cumulatively considerable through mitigation, this is noted in the discussion, per CEQA Guidelines Section 15130(a) and (a)(3).

As described on page 15-6 of the draft EIR, with the implementation of the Proposed Project there would be a loss of existing agricultural lands within the City's proposed Sphere of Influence. The loss of agricultural land within the City's proposed Sphere of Influence as a result of urban development is part of an overall trend within San Joaquin County and the County will continue to face development pressure in the foreseeable future. Consequently, the draft EIR concluded that the loss of agricultural lands as a result of the Proposed Project would contribute considerably to a significant and unavoidable cumulative impact to agricultural resources. The City of Stockton will consider the significant unavoidable cumulative effects of the project, as they will all potentially significant environmental effects, in determining whether or not to approve the Proposed Project.

Consistent with CEQA Guidelines Section 15097(a), the City will prepare a mitigation monitoring and reporting plan concurrent with preparation of its findings. As is appropriate for an update to a general plan, the City will prepare a mitigation monitoring and reporting plan (MMRP) that will consist of the policies listed in the General Plan. The City may use the annual report on general plan status (required pursuant to the Government Code) as an appropriate report plan.

**Response to Comment O4-3:** Commenter states that the draft EIR fails to fully and adequately consider potentially significant direct, indirect, and cumulative environmental impacts, fails to perform an adequate alternatives analysis, and fails to evaluate adequate mitigation or prepare a legally adequate mitigation plan under CEQA. For a response addressing the commenter's concerns regarding cumulative environmental impacts and the lack of a legally adequate mitigation plan, please see the response prepared for Comment O4-2 above.

The draft EIR considers a reasonable range of potentially feasible alternatives, as required by CEQA Guidelines Section 15126.6. CEQA does not require an EIR to consider every conceivable alternative that could be devised for the Study Area. The range of alternatives discussed is therefore governed by the "rule of reason" (CEQA Guidelines §15126.6(f)). The "rule of reason" requires that the alternatives chosen for evaluation could attain most of the project objectives, while avoiding or substantially lessening any of the significant impacts of the project. Of this range of alternatives, the draft EIR should consider in detail only those alternatives that are considered potentially "feasible." "Feasibility" depends on a variety of economic, environmental, legal, social, technological and other factors, including, among other things, site suitability,

economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, land ownership or control, and the provision of employment opportunities. The rationale for selecting the alternatives discussed in the draft EIR can be found in Chapter 14.0 "Alternatives to the Proposed Project".

The intent of the updated General Plan is to provide the City with a framework for future orderly growth and development, provide its citizens with necessary services, and protect natural and cultural resources within and around the City. The draft goals and policies of the General Plan were created through a variety of methods and included consideration of input from the General Plan consulting team, City staff, the General Plan Action Team, several State agencies, the Campaign for Common Ground, and others. In the course of preparing the draft EIR, additional policies and implementation measures were identified and/or existing policies were modified to mitigate impacts resulting from implementation of the General Plan Update. However, even with implementation of the policies included in the General Plan and those identified in the draft EIR, certain impacts would remain significant and are therefore considered unavoidable.

**Response to Comment O4-4:** Commenter describes agricultural land and water as unique and finite resources to be recognized independently from other environmental resources. Agricultural impacts are specifically discussed under Impacts NCR-9 through NCR-11 on pages 13-31 through 13-36 of the draft EIR. This comment does not address the adequacy or completeness of the draft EIR or otherwise raise significant environmental issues. No further response is required.

**Response to Comment O4-5:** Commenter states that the draft EIR failed to consider numerous state, federal, and private projects currently underway or funded for future completion that would cause or are causing significant effects on agricultural resources. For a response addressing the commenter's concerns regarding cumulative environmental impacts, please see the response prepared for Comment O4-2 above. The documents consulted during the preparation of analyses of cumulative impacts recognized the effects of project such as those described (in very general terms only) by the commenter.

**Response to Comment O4-6:** Commenter states that the draft EIR must address the growth-inducing impacts, including cumulative growth-inducing impacts, of the Proposed Project. Commenter states that the Proposed Project will have growth-inducing and cumulative growth-inducing impacts on agricultural resources.

The CEQA Guidelines provide that an EIR should "discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment [CEQA Guidelines Section 15126.2(d)]." Consistent with this direction, Chapter 15.0 "Additional Statutory Considerations" of the draft EIR includes a discussion of the ways the Proposed Project could foster growth.

As discussed in the draft EIR (see pages 15-3 and 15-4), during the next 30 years, based on land use designations, available acres and existing building allotment regulations, 100,000 new housing units will be built in the City and the population is estimated to reach 580,000. Implementation of the Proposed Project would induce some of the population and housing growth in the City, in part because it increases intensity of uses and densities in future urban centers, close to transportation nodes. While growth would be allowed under the Proposed Project, population projections based on State and local government data indicate that similar growth would occur in the City under the existing General Plan and existing SOI but without the benefit of concentrating growth in specified residential areas (the proposed Village concept), updating polices to incorporate current environmental and regulatory trends, and identifying opportunities for increased economic sustainability.

As identified throughout the draft EIR, the Proposed Project contains goals and policies to maintain the character of the City and minimize the environmental impacts of anticipated growth. Proposed policies are considered feasible and as such, take into account market conditions and realistic growth assumptions that are consistent with the land use principles/concepts of the region and that discourage undesirable development in areas with sensitive natural resources, critical habitats and important scenic resources. In addition, the Proposed Project encourages orderly growth by encouraging new development to occur in areas adjacent to existing urban uses and requires developers to provide service extensions.

While the Proposed Project would induce growth locally, the policies included in the Proposed Project reduce the potential for negative impacts associated with directly induced growth. However, because growth resulting from the Proposed Project would significantly affect existing visual resources and result in an overall reduction of existing open space and agricultural lands, the growth inducing impacts of the Proposed Project are considered significant and unavoidable.

**Response to Comment O4-7:** Commenter states that the draft EIR provides legally insufficient findings and statement of overriding considerations. These allegations are premature, in that they address documents that did not exist at the time the draft EIR was released and were not part of the draft EIR. Preparation of findings and a statement of overriding considerations are not required to be prepared in conjunction with the draft EIR. Once the City Council has certified the final EIR, it may then consider project approval. If the City decides to approve the Proposed Project it must make written findings for each significant impact identified in the final EIR specifying whether the impact can be mitigated (CEQA Guidelines Section 15091[a]). Because the Proposed Project would result in significant impacts that cannot be mitigated and that are therefore unavoidable, the City Council must balance against those impacts any economic, legal, social, technological, or other applicable benefits that the Proposed Project would provide. The City Council must also adopt and include in the record of project approval a statement of

overriding considerations explaining the factors supporting its decision to approve the Proposed Project despite the environmental impacts identified in the final EIR as significant and unavoidable (CEQA Guidelines, Section 15093).

**Response to Comment O4-8:** Commenter states that the City of Stockton is required to resolve the Project's inconsistencies with both the City's General Plan and the San Joaquin County General Plan. Commenter describes the requirements of planning and zoning law with respect to the preparation of a general plan. The City's General Plan need not conform with policies in the County's General Plan because the County's General Plan does not apply to incorporated lands within the City; and, even though County policies do apply to land outside the unincorporated area but within the City's sphere of influence and planning area, the City recognizes that its own General Plan policies will not truly apply in those areas until they are annexed to the City. The draft EIR addresses land use inconsistencies in Impact LU-2 on pages 3-11 and 3-12 of the document. As stated in the impact discussion, and notwithstanding the fact that the City has no legal obligation to confirm its own General Plan to those of surrounding or nearby jurisdictions (although the municipal services review process does include coordination with San Joaquin County), the General Plan was designed to achieve and promote consistency with the planning documents of other key neighboring land use agencies. Specifically, Policies LU-1.6, LU-1.7, and LU-1.9 require the City to prevent land use conflicts and work with neighboring land use agencies to promote and achieve consistency with the planning documents of those agencies (see pages 3-2 and 3-3 of the draft EIR).

**Response to Comment O4-9:** Commenter states that the mitigation plan contained in the draft EIR is legally insufficient and that the City must adopt, in full, the Agricultural Mitigation Ordinance (Ordinance 4308) as chaptered by San Joaquin County on November 21, 2006. The City of Stockton adopted its own Farmland Mitigation Program in January 2007. This program requires projects over 40 acres to mitigate the loss of important or prime farmland at a 1:1 ratio. Projects less than 40 acres are required to mitigate the loss of important or prime farmland by paying a fee. The commenter may have been unaware of the City's action in this regard when they submitted his comments.

**Response to Comment O4-10:** Commenter states that impacts to Williamson Act lands are significant. Commenter provides background on the requirements and purpose of the Williamson Act. The draft EIR states that impacts to Williamson Act lands are difficult to quantify at the program level (for the General Plan) when specific development projects are not identified. Future individual projects subsequent to the General Plan could be required to undergo further environmental review and to identify specific impacts as a result of that future development (please see Master Response #1). Additionally, future individual projects will be required to comply with the procedures specified in the Williamson Act for nonrenewal or cancellation of a Williamson Act contract. The Background Report, Appendix B of the draft EIR, provides a description of the Williamson Act (and its requirements) on page 13-46.

**Response to Comment O4-11:** Commenter states that General Plan Policy NCR-4.1 should be clarified to define the term "needed." Commenter feels that there should not be any planned urban expansion for land with existing agricultural operations until all other land has been used. The comment does not address the adequacy or completeness of the draft EIR or otherwise raise significant environmental issues and this comment is noted. Please refer to Master Response #1 for a discussion of how comments or proposed suggestions to revise the existing policies in the General Plan Update will be considered by the City.

**Response to Comment O4-12:** Commenter reiterates earlier comments in the letter (comments numbered O4-2 through O4-11). Please refer to the responses prepared for these comments (O4-2 through O4-11) above.

**Response to Comment O4-13:** Commenter provides a conclusion to the letter. No further response is required.

### *Letter O5. Sierra Club – Mother Lode Chapter*

**Response to Comment O5-1:** Commenter provides an introduction to the comment letter and provides his opinion, and apparently that of his organization, regarding the nature of the process of preparing the draft General Plan and EIR. Although the City does not agree with his characterizations, in that it believes it has undertaken a very inclusive – and legitimate – public process in formulating the draft General Plan, the City nevertheless respects the commenter's right to express his opinions, even in harsh terms. No further response is required. Whether the Project would allow "sprawl", as the commenter contends, is addressed on issue-specific bases below.

**Response to Comment O5-2:** Commenter expresses disagreement with the conclusion of the draft EIR that many of the significant unavoidable adverse impacts of the proposed project cannot be mitigated to less than significant levels. Commenter claims that the City is not recommending mitigation measures, revising policies, or changing the proposed growth patterns in the Draft General Plan in an attempt to mitigate environmental impacts of the General Plan to the extent feasible as required by CEQA.

The City is not "throwing up its hands" and "saying there is nothing we can do about" the impacts of growth. Rather, the City has comprehensively addressed the environmental challenges associated with long-term planning for population growth, and has developed detailed policies and implementation measures intended to reduce environmental effects to less than significant levels where feasible. The seemingly large number of "significant, unavoidable, and adverse" environmental impacts is a function of (i) the City's conservative approach in characterizing the significance of impacts (i.e., calling effects significant in close situations); (ii) the long-term time horizon of the General Plan and EIR; (iii) the size of the City's expanding footprint under any

realistic long-time planning scenario, given projected population growth; (iv) the specificity used in the EIR in formulating categories of environmental impacts; (v) the magnitude of development pressures in the region, regardless of the actions of the City; and (vi) the nature of the existing environmental conditions within the region. It is very rare in California urban areas anymore to adopt significant planning documents with only "1 or 2 impacts that cannot be mitigated to a less than significant level." Although the commenter states that, in his 25 years as a professional planner, they have never seen an EIR like the City's draft EIR, the City notes that its team of consultants includes some of the top planning and environmental consultants in the State (e.g., Mintier and Associates, with vast experience preparing general plans and general plan EIRs throughout California, Environmental Science Associates, one of the original environmental consulting firms in the State, West Yost Associates, well-regarded specialists in water and water quality issues. The City recognizes that the format of the draft EIR, which functions as part of a package of three documents that also includes the Goals and Policies Report and the Background Report, is not the standard format for an EIR. The law is flexible, however, with respect to the precise form of EIRs, so long as they satisfy all content requirements. The draft EIR has been carefully drafted to refer readers to relevant Policies in the Goals and Policies Report or to relevant background information in the Background Report).

The draft EIR has also sufficiently analyzed impacts of the proposed project and mitigated those impacts to the extent feasible pursuant to the requirements of CEQA for a Program EIR (CEQA Guidelines Section 15168). The draft EIR is intended to analyze impacts of the proposed General Plan and must identify measures to minimize any significant impacts (State Guidelines Section 15121[a]). Although the General Plan is intended to be a self-mitigating document, many of the impacts remain significant and unavoidable despite the implementation of mitigating policies and implementation measures found in the existing General Plan and those modified through the environmental analysis.

As the commenter clearly states, EIRs are required to identify potentially significant issues, and then recommend and adopt mitigation measures to reduce the impacts to less than significant, or acceptable levels. However, the CEQA Guidelines do not limit or provide guidance on the specific number of "significant and unavoidable" impacts that an EIR must identify. Typically, general plans are broad in scope and scale in terms of land coverage, population, and impacts to resources and services. It is often likely that impacts to resources and public services are considered significant and unavoidable at this stage due to individual project specific details that are currently unknown at this time and will likely become available as specific projects are brought forward for their own consideration. Future individual projects subsequent to the draft General Plan may be required to undergo additional environmental review that will determine site-specific impacts and accompanying mitigation measures pursuant to policies of the General Plan and other local, State, and federal regulatory requirements (please see Master Response #2).

In a further attempt to minimize or avoid significant impacts of the Proposed Project and comply with the requirements of CEQA Guidelines Section 15126.6, the draft EIR compares five alternatives with the Proposed Project. As more fully described in Chapter 14.0 "Alternatives to the Proposed Project", public input received during community workshops and from the General Plan Action Team and Subteams contributed to the development of these alternatives. Public comments submitted by the Sierra Club and the Campaign for Common Ground also influenced the development of the Proposed Project and the alternatives during the NOP public scoping phase. In addition, the City incorporated suggested policy ideas from the Sierra Club and the Campaign for Common Ground into the Proposed Project in an attempt to mitigate impacts to the extent feasible. The resulting changes to the Proposed Project from public and stakeholder input included reducing the planning horizon from 2050 to 2035, reducing the target population, modifying the infill strategy to cover 100% infill development, reducing Village acreage, and reducing the size of the Sphere of Influence (see page 14-6 of the draft EIR). Chapter 14.0, "Alternatives to the Proposed Project", of the draft EIR also includes a general description of the five alternatives to the proposed project, describes each alternative's ability to meet the project objectives, and describes the environmental impacts associated with each alternative. The five alternatives are based on three different conceptual land use alternatives. These conceptual land use alternatives vary from low to high land use densities and vary in how the land uses are distributed around and within the City. The five alternatives analyzed in the draft EIR represent a reasonable range of alternatives to the proposed project by encompassing various population levels, a range in number of residential areas, and total acreage of the Sphere of Influence. Ultimately, as more fully described in Chapter 14.0 of the draft EIR, given the similar broad scale of the alternatives, many of the alternatives resulted in similar significant and unavoidable impacts to those identified for the Proposed Project.

**Response to Comment O5-3:** Commenter requests that the City and EIR consultants respond to and explain why some policies proposed by the Campaign for Common Ground were not incorporated as mitigation measures in order to reduce identified impacts. The following responses to Letter O5 address this commenter's request.

**Response to Comment O5-4:** Commenter states that the draft EIR must be revised and recirculated for public review and comment in order to adequately analyze impacts, provide mitigation measures, and identify an acceptable range of alternatives to the proposed project. Please see the responses prepared to Comments O5-2 and Comments O4-1 through O4-6 for information on how the impacts, mitigation measures, and alternatives were addressed in the draft EIR consistent with the requirements of CEQA. The City does not agree that the draft EIR must be revised and recirculated, in that the City believes that both the draft EIR and the final EIR fully comply with CEQA and because the City knows of no "significant new information" (e.g., new significant impacts or substantial increases in the severity of previously identified significant impacts) that would trigger the need to recirculate some or all of the draft EIR. (See Public Resources Code, Section 21092.1; CEQA Guidelines, Section 15088.5)

**Response to Comment O5-5:** Commenter states that the project description does not meet established legal standards for the contents of a project description. The commenter suggests that specific densities be defined for development of the villages and residential development under the General Plan, especially given that several projects are currently being processed by the City. Additionally, the commenter states that if the draft EIR does not identify specific land use projects with pending applications or specific densities applicable to undeveloped properties at this time, then it must evaluate the environmental impacts from the maximum densities allowable under the General Plan. As shown on page 2-19 of the draft EIR, the General Plan Districts and Villages Element provides an overview of the land uses and their densities that may occur within the City's future growth areas within the 2035 planning horizon.

In conducting the impact analysis for the draft EIR several established and technically sound methodologies were implemented to determine the various impacts resulting from implementation of the Proposed Project. For those quantitative impacts associated with the generation of traffic volumes (and their resultant use in conducting transportation, air quality, and noise assessments), the impact methodologies included a number of necessary assumptions using the various population projections and building densities that were used as the basis for the Proposed Project's project description (see Chapter 2.0 "Project Description"). These key assumptions relative to the development of future year travel forecasts included the following:

- The amount of traffic traveling through the Study Area (without stopping in Stockton) was assumed to grow at 1.5% per year, which is consistent with the average data provided by the SJCOG regional model for all Stockton-area gateways. This reflects the effects of regional growth throughout San Joaquin County and beyond.

- After reviewing data from the SJCOG model and the statewide model, the same external gateway percentages developed in the base year were also applied to the future scenarios. This essentially assumes that future Stockton-generated traffic will access each gateway in the same relative proportion as the current condition.

- Adjustments were made to account for lower levels of trip generation within proposed villages. Specifically, a 5% reduction was applied to the trip generation rates for villages identified under the Proposed Project. This adjustment, along with the model's process for capturing very short distance (intrazonal) trips, accounts for the somewhat higher level of trip internalization expected within a village due to the mix of land uses within each village.

In reviewing the initial model runs using the land use data for the Proposed Project, an imbalance between housing and jobs in the City was observed. The number of employment and commercial destinations substantially exceeded the number of commuting and shopping trips being generated by the residential development.

Two model adjustments were made to address this issue. First, the trip generation rates for all new residential development in the City, both single-family and multi-family, were increased by approximately 12%. This adjustment is consistent with recent trip generation surveys conducted in the City and other cities indicating that trip-making from residential areas is increasing over time. Overall, the traffic analysis is considered to be conservative because the maximum level of development is unlikely to occur throughout the entire City downtown area.

For impacts to other resources (including those for a variety of open space and agricultural lands) that were triggered by the conversion of an existing resource to a developed use, the analysis contained in the draft EIR was conducted using the methods indicated by the commenter. Impacts resulting from the conversion of existing agricultural and open space lands did reflect a more conservative approach that included an evaluation of the maximum possible impact footprint for each affected resource within the Study Area.

Overall, use of these methods is based on legitimate, technically sound, and commonly used methods currently being used by the City and other jurisdictions in the region and for other similar general plan update projects. In no way was the analysis presented in the General Plan EIR designed to intentionally understate the impacts of the proposed General Plan.

As previously described above under the response prepared for Comment O5-2, the General Plan is a broad planning document that does not propose any individual project-level development but instead lays out the foundation for individual projects that would be developed pursuant to the draft General Plan. Additionally, the draft EIR was prepared as a Program EIR. Please refer to Master Response #2 for a discussion of the requirements of a Programmatic EIR.

**Response to Comment O5-6:** Commenter states that the draft EIR must analyze the environmental impacts of fully developing the 17,070 acres of land identified for industrial development under the draft General Plan. Commenter also states that the draft EIR incorrectly identifies industrial land acreage expected to be built out in 2035 (3,970 acres) as comprising 49% of the total land designated as "Industrial" by the General Plan. The draft EIR references both the Planning Area, which covers approximately 122,000 acres, and the Urban Services Boundary/Sphere of Influence, which covers approximately 85,000 acres. Development of all 17,070 acres of land designated as "Industrial" land was considered as part of the total land area that would be converted to urbanized uses through implementation of the draft General Plan. The EIR analysis did not exclude any portion of this land from the analysis; however, it did make the statement that (realistically) only 48%, or 8,200 acres, of "Industrial" land will actually be developed by 2035 and the remaining Industrial land will be developed at some unknown time thereafter in response to market conditions. This key assumption (along with others) is more fully described in Chapter 1.0 "Introduction and Reader's Guide to the EIR" of the draft EIR. The City believes an EIR should try to portray the future as accurately as possible, not employ an unrealistic strategy of assuming theoretical worst-case scenarios that, according to best existing information, are very unlikely to occur.

The commenter is correct in stating that the draft EIR inaccurately identifies 3,970 acres as 49% of the total Industrial land acreage. The discussion beginning in the first paragraph on page 2-20 of the draft EIR will be revised to reflect 8,364 or the correct number of acres. Please see Chapter 4.0 "Modifications to the Draft EIR" of this final EIR.

**Response to Comment O5-7:** Commenter describes the informational requirements of CEQA and the requirements for providing mitigation measures pursuant to CEQA. Commenter states that the draft EIR fails to provide an accurate baseline from which to analyze impacts, sufficiently describe the methodology and assumptions used for environmental analysis, and identify mitigation measures capable of mitigating or avoiding substantial environmental impacts. The draft EIR was prepared in accordance with CEQA (Public Resources Code Section 21000 et seq.) and the State CEQA Guidelines (14 CCR 15000 et seq.).

The following table (Table 1-3, page 1-13 of the draft EIR) from Chapter 1.0 "Introduction and Reader's Guide to the EIR" identifies all of the sections required by CEQA and identifies where they can be located in the draft EIR.

**TABLE 1-3**
**REQUIRED ENVIRONMENTAL IMPACT REPORT CONTENTS AND ORGANIZATION**

| Location in the Environmental Impact Report | Requirement (CEQA Section) |
|---|---|
| Table of Contents | Table of Contents (Section 15122) |
| Executive Summary | Summary (Section 15123) |
| Chapter 2.0 Project Description | Project Description (Section 15124) |
| Chapter 3.0 Land Use<br>Chapter 4.0 Housing<br>Chapter 5.0 Economic Development<br>Chapter 6.0 Community Design<br>Chapter 7.0 District and Villages<br>Chapter 8.0 Transportation and Circulation | Significant Environmental Effects of the Project (Section 15126[a])<br><br>Unavoidable Significant Environmental Effects (Section 15126[b])<br><br>Mitigation Measures (Section 15126[e]) |
| Chapter 9.0 Public Facilities and Services<br>9.1 General<br>9.2 Water Supply and Delivery<br>9.3 Wastewater<br>9.4 Stormwater<br>9.5 Solid and Hazardous Waste<br>9.6 Gas and Electric Services<br>9.7 Law Enforcement<br>9.8 Fire Protection<br>9.9 Schools<br>9.10 Communication Systems<br>9.11 Libraries | |
| Chapter 10.0 Recreation and Waterways | |
| Chapter 11.0 Health and Safety<br>11.1 General<br>11.2 Noise<br>11.3 Geologic and Seismic Hazards<br>11.4 Air Quality<br>11.5 Human-Made Hazards<br>11.6 Flood Hazards<br>11.7 Emergency Operations Plan | |

**TABLE 1-3**
**REQUIRED ENVIRONMENTAL IMPACT REPORT CONTENTS AND ORGANIZATION**

| Location in the Environmental Impact Report | Requirement (CEQA Section) |
|---|---|
| Chapter 12.0 Youth and Education | |
| Chapter 13.0 Natural and Cultural Resources<br>13.1 General<br>13.2 Biological Resources<br>13.3 Cultural Resources<br>13.4 Agricultural Resources<br>13.5 Soil Resources<br>13.6 Scenic Resources<br>13.7 Mineral Resources<br>13.8 Energy Resources | |
| Chapter 14.0 Alternatives to the Project | Alternatives to the Project (Section 15126[f]) |
| Chapter 15.0 Additional Statutory Considerations | Cumulative Impacts (Section 15130)<br>Growth-Inducing Impacts (Section 15126[d])<br>Effects Found Not To Be Significant (Section 15128) |
| Chapter 16.0 Report Preparation | List of Preparers (Section 15129) |
| Chapter 17.0 Acronyms | |
| Chapter 18.0 Bibliography | Organization and Persons Consulted (Section 15129) |

Note: CEQA = California Environmental Quality Act

**Response to Comment O5-8:** Commenter believes the General Plan does not truly pursue a smart growth/transit-oriented approach. Commenter also interprets certain technical data to conclude that the City will not be a livable community by 2035.

While the City concurs with the commenter's interpretation of the technical data cited from draft EIR Table 8-2 (see page 8-27), it does not concur that the City will not be livable in 2035. In fact, as has historically been the case in many larger and desirable urban areas, the City believes that a certain amount of increased traffic and congestion is inevitable due to various factors – many of which are outside the City's control. Examples include growth in immediately adjacent jurisdictions, increased regional traffic, increased truck traffic, demographic trends for auto ownership and commuting, etc. In addition, increased congestion actually serves to increase the attractiveness and viability of alternative forms of transportation. The draft General Plan Circulation Element reinforces this vision in many ways ranging from the proposed transit system (Figure 8-1B of the Goals and Policies Report) that includes several new and innovative forms of transit service, to the comprehensive bicycle network (Figure 8-1C of the Goals and Policies Report), to the new policies that lower the LOS standard in areas where non-auto travel is to be encouraged such as downtown Stockton.

**Response to Comment O5-9:** Commenter identifies three areas in which it believes the draft EIR does not provide a realistic assessment of conditions in 2035. Commenter also believes the draft EIR understates the severity and extent of the impacts.

First, the commenter believes that the draft EIR is flawed because it does not include evidence that the proposed roadway improvements are funded. Other than those listed on page 8-24 of the draft EIR, the roadway improvements identified in the draft General Plan Circulation Element are in fact part of the project description being evaluated in the draft EIR, not proposed as mitigation measures. Therefore, the draft EIR is not required to include an assessment of whether construction of such improvements is reasonably certain to any greater degree than it must show the financial certainty and viability of the proposed land developments or other Plan features. The improvements shown on page 8-24 were identified as baseline assumptions (i.e., not part of the project description) because they are shown on the City's current Capital Improvement Program (CIP). The City's CIP is a five-year program that defines the expenditure of funds for infrastructure improvements (e.g., buildings, streets, parks, water, and sewer). The CIP is the link between comprehensive fiscal plans and the physical development of capital projects. The CIP provides the mechanism for estimating capital requirements and for planning, scheduling, and implementing projects during a five-year period; develops revenue policy for proposed improvements; estimates the budget for capital projects; and informs the public of proposed capital improvements. The City updates the CIP annually (the most recent was adopted on May 22, 2007) to stay up to date on funding availability and project needs. The City believes that inclusion of a roadway improvement project on its CIP is sufficient evidence to support the assumption of its likelihood for implementation. The City will implement the capital improvements envisioned in the General Plan through the CIP process.

With regard to the issue of ultimate plans for State Route 99, the commenter is correct that both the draft General Plan/EIR and the Caltrans Transportation Concept Report identify the ultimate need for ten through lanes in portions of Stockton. While both documents also note the right-of-way restrictions in the corridor, the draft General Plan/EIR retains the plan for the ten-lane configuration, while the Caltrans document cites eight lanes. It is the City's conclusion that the construction of ten lanes is feasible and that any widening of SR 99 beyond a six-lane cross-section will require acquisition of right-of-way, some of which is already developed with homes and businesses. Therefore, whether SR 99 is widened to eight or ten lanes, there will be environmental impacts to adjacent parcels that will require analysis and mitigation. For reasons further described in the response to comment O5-16, the City feels it is most prudent to plan for the freeway improvements that will support the overall General Plan objectives.

To address these future environmental impacts, the draft EIR provides analysis and identifies a variety of environmental impacts that could occur through implementation of the Proposed Project, including the preferred land use/circulation diagram. As more fully described in Chapter

2 "Project Description", the Proposed Project is comprised of a variety of components including the draft Goals and Policies Report, a preferred land use diagram (see Figure 2-3) and a circulation diagram (see also Figure 2-3), which identifies a variety of new roadways, transit hubs, multi-modal corridors, and other infrastructure improvements. Consequently, the impact analysis prepared for the draft EIR evaluates (at a program-level) the range of environmental impacts that would result from implementation of all the components that comprise the Proposed Project. As an example, the impact discussion specific to biological resources (see Impact NCR-1 on pages 13-9 and 13-10) identifies that the primary impacts to sensitive habitats will occur through the future development of building pads and the construction of buildings, infrastructure, and roadways.

As is appropriate, the draft EIR represents a programmatic overview of the Proposed Project consistent with environmental analysis required for a general plan update project. As individual projects (including transportation projects) with specific site plans and facilities are planned, the City will evaluate each project to determine the extent to which this EIR covers the potential impacts of the project and to what extent additional environmental analysis may be required for each specific future project. (see Public Resources Code, Sections 21083.3, 21093, 21094; CEQA Guidelines, Sections 15152, 15168, 15183.) Additionally, because some transportation projects may require involvement with other jurisdictions (including both State and federal transportation agencies), future environmental analysis may require compliance with the National Environmental Policy Act as well. These future environmental compliance activities will address the full range of environmental issues including environmental justice, socioeconomic, and building relocation impacts resulting from these future project specific roadway widenings and interchanges.

**Response to Comment O5-10:** Commenter identifies a second area in which it believes the draft EIR fails to realistically assess conditions in 2035 – that is the use of average daily traffic rather than peak hour traffic in analyzing traffic conditions. Policy TC-2.1 identifies level of service (LOS) standards as the measure of performance for the roadway system under both average daily and peak conditions. As such, the travel demand model developed concurrently with this draft General Plan update is calibrated to both average daily and peak hour conditions. The City believes the question of which method to use relates to a decision about the level of detail that is appropriate for a given type of analysis.

The City elected to use average daily traffic for this application because it believes a more detailed analysis is not appropriate at a general-plan level. The average daily traffic analysis approach is commonly used in general plans to evaluate impacts and compare land use alternatives, especially for a large jurisdiction expecting to experience substantial growth, as is the case with Stockton. General plans are, by definition, general in nature. Given the amount of growth anticipated in the Stockton General Plan, it would be practically impossible to develop detailed information on

specific locations and combinations of land uses that would be needed for comprehensive peak hour analysis. The average daily traffic capacities used in the General Plan EIR to define roadway level of service (LOS) were developed using industry-standard techniques based on the Highway Capacity Manual (HCM) that account for typical intersection spacing, land widths, terrain, and other characteristics that affect the capacity of the roadway system. The analytical approach used in the General Plan EIR is a standard transportation planning practice and in no instance does the analysis intentionally understate the impacts of the proposed General Plan.

The City also disagrees with the commenter's statement that the project's traffic impacts would be more severe than shown if peak hour intersection analyses were conducted. Such an analysis would have required a series of highly speculative assumptions far too detailed for a general-plan level and would have likely resulted in an inaccurate assessment (perhaps more or less severe) of impacts, potentially misinforming the public and decision-makers. Peak hour analyses are appropriate for project-level assessments such as those conducted for site-specific EIRs where much more detail is available for items highly influential in peak-hour analyses including precise land uses, driveway locations, traffic signal timing and phasing, etc. As a matter of course, the City employs peak hour models and intersection analyses for a variety of more detailed applications such as signal timing improvements, project-level EIRs, Public Facilities Fee (PFF) updates, site plan reviews, roadway precise plans (see draft General Plan Implementation Measures 8.9-3, 8.9-4, 8.9-5, 8.9-8, and 8.9-10). In no way was the roadway segment-based analysis presented in the General Plan EIR designed to intentionally understate the impacts of the proposed General Plan.

With regard to the list of exceptions to LOS standards, it is unclear as to what discrepancy the commenter is referencing. Both the draft General Plan (page 8-12) and the draft EIR (page 8-8) list the same roadway locations in which LOS exceptions are identified. Perhaps the commenter is referring to earlier versions of the list that may have been circulated through preliminary drafts or public presentations. There have been some refinements to the list throughout the analysis process due to such situations as more detailed review by City staff and changes to land use assumptions. This list is certainly subject to further modification if certain aspects of the Plan, such as land uses or transportation improvements, change throughout the remainder of the process.

**Response to Comment O5-11:** Commenter identifies a third area in which it believes the draft EIR fails to realistically assess conditions in 2035 – that is the fact that no interim years were analyzed between existing conditions and 2035. Similar to the response provided above, the City's decision to exclude interim-year analyses was based on the level of detail it felt was appropriate at this stage of the planning process. While it may at first seem counter-intuitive, the fact is that there is more speculation involved in analyzing interim year scenarios (whether 2015, 2025, or some other year), than there is in analyzing the 2035 scenario. The 2035 scenario

reflects a full buildout of the proposed General Plan; one can think of the plan as a puzzle, and the 2035 scenario assume that every puzzle piece is in place. An interim year scenario would require that the City speculate about the timing, location, and extent of new development that would occur by that specific year; only some of the puzzle pieces would be in place, and the City would have to speculate about which ones. This inappropriate level of speculation may lead to conclusions that misinform the public and decision-makers about the impacts of the proposed General Plan. As a matter of course, the City requires interim-year analyses, such as an assessment of existing conditions plus approved projects, for more detailed applications such as project-level EIRs. In addition, the City has added Transportation and Circulation Implementation Measure #14 (described further in the response prepared for Comment O5-12) that calls for regular monitoring of traffic conditions throughout the City to ensure that transportation-related challenges are being addressed as the General Plan is implemented.

**Response to Comment O5-12:** Commenter poses a series of questions about issues related to the timing and implementation of road improvements. The draft General Plan provides the policy-level framework for answers to these questions with sufficient flexibility to define priorities and optimize resources. The City believes further specificity would potentially limit its discretion to act in the City's best interests on a case-by-case basis.

The following responds to the specific questions raised by the commenter.

Trigger for implementing improvements – Policy TC-2.1 defines the LOS standards that serve as thresholds for triggering improvements. Policy TC-1.10 states "All essential facilities shall be installed prior to or concurrent with such new development or phased as specified in applicable environment documents." In addition, Policy TC-2.14 defines concurrency for dedication of rights-of-way needed to construct the improvements.

Monitoring of traffic conditions – Implementation Measures 8.9-3, 8.9-4, 8.9-8, and 8.9-10 require on-going monitoring of traffic conditions and updating improvement plans. In addition, the City is adding an implementation measure in which, at least every three years, the City will complete a traffic monitoring report which will summarize daily traffic volumes and levels of service on up to 30 major road segments throughout the City. This report will be provided to the Planning Commission and City Council and will be available to the public. In considering this comment, the City shall adopt the following new implementation measure:

- **Implementation Measure #14.** The City shall, at least every three years, conduct a traffic monitoring study of up to 30 major road segments throughout the City, and will provide the resulting traffic volumes and levels of service to the Planning Commission and City Council. *[New Implementation] [Response to Comments]*

Concurrency – As stated above, Policy TC-1.10 requires concurrency of improvements with new development.

Traffic impact fee issues – The draft General Plan requires implementation of a PFF to fund development's fair share of needed improvements (see Policy TC-1.10 and Implementation Measure 8.9-8). The commenter's questions are answered on a case-by-case basis as the impact fee is implemented and as land development projects are evaluated through project-specific plans and EIRs. Typically, developers are required to install major infrastructure within their project areas and, in may instances, on lands adjacent thereto. Sometimes the developers' direct investments in infrastructure will give them credits towards their fair share obligations with regard to other improvements, typically those occurring off-site. Sometimes the developers' direct investments may so far exceed their fair share contributions that they will be entitled to reimbursements from fees paid by other future developers whose projects will also benefit from the improvements. The precise combination of funding strategies for specific improvements will be developed on a project-by-project basis, and cannot be dictated through an inflexible formula imposed at the time of General Plan approval. The guiding principle in all future proceedings (as codified in Policy TC-1.10) will be to require new development, to the extent permitted by law, to pay its full fair share of the costs of all infrastructure needed to serve the new development.

**Response to Comment O5-13:** The commenter suggests an analysis of two interim-year scenarios, as well as a comparison of the project to the existing condition. With regard to the interim-year analyses, please see response to Comment O5-4 above. With regard to the comparison of the project to the existing condition, the draft EIR already provides the information needed for such a comparison in Table 8-3 (see page 8-28), Table 8-6 (see page 8-51), and the related text discussions.

**Response to Comment O5-14:** The commenter finds the proposed policies inadequate and suggests a series of modifications, additions, and deletions. This comment deals specifically with the issue of concurrency between the timing of new development and the timing of transportation improvements.

The City believes that its proposed General Plan already includes a concurrency policy that should achieve most of the commenter's articulated objectives. As stated above, Policies TC-1.10 and TC-2.14 define a level of concurrency the City believes offers the necessary amount of flexibility to ensure improvements are implemented within the Plan's policy framework to a degree that is within the City's control on a case-by-case basis. New development projects can bring substantial benefits to the City and further the City's stated goals of job creation, enhanced economic opportunities, housing diversity, etc. Many of the critical transportation improvements defined in the draft General Plan to support the new development would inevitably require coordination and/or approval from other agencies that are outside of the City's control. The City

attempts to ameliorate this situation to the greatest extent possible; for example, the City takes a proactive stance in ensuring timely improvements to the state highway system by routinely taking responsibility for funding and leading project development studies required by Caltrans for any mainline or interchange improvements. However, since the City cannot guarantee the timing of implementation of these improvements, it does not feel a more stringent policy, such as that proposed by the commenter, would be realistic, practical, or in the City's best overall interests.

**Response to Comment O5-15:** The commenter suggests alternative policy language related to transportation management.

The City is adding an implementation measure in which, at least every three years, the City will complete a traffic monitoring report which will summarize traffic volumes and levels of service on up to 30 major roads throughout the City. This report will be submitted to the Planning Commission for review and will be available to the public.

**Response to Comment O5-16:** The commenter requests clarity on the reasons why certain policy changes suggested by Campaign for Common Ground were not incorporated. The following responds to each item.

Demand Reduction and Capacity Expansion – Policy TC-1.9 gives strategies to reduce vehicle demand due consideration in the planning process. The City does not believe giving these strategies higher priority than capacity expansion is practical or feasible given past experience that most capacity expansion projects provide far greater levels of congestion relief than do strategies designed to reduce vehicle demand. As shown in Table 8-3 of the General Plan Background Report, the current transit mode share for all work-related trips in Stockton is less than 2%, whereas automobiles carry almost 92% of work trips. Similarly, the City elected not to include the reference to de-emphasizing road widenings because the draft EIR analyses demonstrate their importance in reducing delay and congestion, and attaining the specified LOS objectives. The City elected not to include a reference to budgeting for Bus Rapid Transit (BRT) because similar language is already included in Policy TC-1.9. Therefore, no further changes are proposed.

Ultimate Freeway Widening – The City disagrees with the proposed language to limit Interstate 5 and State Route 99 to eight through lanes for the following reasons. First, analyses conducted for the draft General Plan and EIR indicate that the ten-lane sections proposed are crucial to achieving the desired LOS objectives. Without them, not only would congestion and air quality impacts become ever more extensive by 2035, but the level of regional traffic diverting through the City's neighborhoods and onto local streets would reach unacceptable levels. Second, the City recognizes that Interstate 5 and State Route 99 are facilities of state-wide significance that route substantial amounts of regional traffic through the City each day. This amount of traffic will consume a portion of the available capacity of both facilities, regardless of how many lanes

the roadways provide. Therefore, the City believes providing ten through lanes will yield the proper balance between accommodating both the local and regional needs. Finally, the City believes ten through lanes on major multi-modal corridors in urban areas such as these will be more commonplace throughout California by 2035. This view is based on recent trends of similarly-sized segments of major freeways in larger urban areas such as Sacramento and the Bay Area. Certainly there will be impacts associated with widening the freeways to ten lanes, which will be addressed in the environmental review of each specific infrastructure project. However, the City believes that construction of ten lanes is feasible and that it would be short-sighted not to plan accordingly in terms of right-of-way preservation, construction, and environmental mitigation. Therefore, no further changes are proposed. Please see the response prepared for Comment O5-9 for a description of how the environmental impacts of these future roadway projects are addressed in the draft EIR.

Alternative Transportation Strategies – The City believes that Policies TC-3.1 through TC-3.9 and Implementation Measure 8.9-11 already capture the essence of the commenter's suggested language. The commenter's suggested additional language pertaining to the approval process is unnecessary and potentially limits the City's discretion to act in its best interests on a case-by-case basis. With regard to the requirements of development projects within the unincorporated areas of the County, the City has no jurisdiction over such decisions and therefore sees no reason to make such a reference in its General Plan. Therefore, no further changes are proposed.

Project Review by Transit Agencies - The City believes that Policies TC-4.1 through TC-4.13 and Implementation Measure 8.9-12 already capture the essence of the commenter's suggested language. The commenter's suggested additional language pertaining to the approval process is unnecessary and potentially limits the City's discretion to act in its best interests on a case-by-case basis. Therefore, no further changes are proposed.

Programs for Smart Growth/Transit-Oriented Development – The City may well choose to offer incentives to smart growth/transit-oriented development projects on a case-by-case basis, depending on a myriad of other factors that will likely affect decision-making in the development review process. However, the City elects not to specify such actions in Policy TC-3.9 so as maintain an appropriate degree of discretion and flexibility in the project review/approval process. Therefore, no further changes are proposed.

**Response to Comment O5-17:** The commenter suggests specific mitigation measures related to public transit for inclusion in the EIR. Suggestions include increased transit mode share, creation of a fare-free zone in the downtown core, alternative transit impact fees, enhancing streetscapes along transit corridors, and implementing a downtown shuttle service.

The proposed General Plan already includes several policies committing the City to coordinate with the local and regional transit providers to ensure that transit service will be encouraged and supported throughout the City (e.g., TC-4.1, TC-4.6, TC-4.8, TC-4.10, TC-4.13). In addition, there are a number of policies related to transit-supportive land use decisions and urban design (e.g., TC-4.3, TC-4.4, CD-1.3, CD-3.4, CD-6.1). The City does not directly provide any transit services itself, and therefore does not have direct control over how or whether such services are offered. Although the commenter's suggestion may have policy merit, the City sees no need to enshrine them in the General Plan, which functions as a kind of constitution or charter of land use, but which leaves many detailed implementation criteria to subsidiary policy documents or codes. This is not to say that the commenter's policy concepts cannot be explored later, with full opportunity for public debate and discussion, on an item by item basis. The City is not in a position, for example, to adopt inflexible "mode share" targets in response to a single comment on a General Plan EIR. The fiscal, economic, and planning consequences of such inflexible commitments could be far-reaching, and deserve a full public debate, based on all reasonably available relevant data prior to adoption. If the City were to adopt the commenter's precise recommendations in all instances, the results would be to make binding policy commitments with far-reaching consequences with a minimum of public input and vetting, and in the absence of any supporting data demonstrating the wisdom and practicality of the suggestions.

**Response to Comment O5-18:** The commenter suggests policy changes related to transit. The following responds to each item.

Transit-Related Goal TC-4 - It already reads exactly as suggested by the commenter. Therefore, no further changes are proposed.

Bus Rapid Transit – Section 8.4 of the draft General Plan includes a comprehensive policy discussion of the City's plans relative to BRT. Policies TC-1.9 and TC-4.8 make specific reference to the City intent to implement a BRT system, and specific corridors are shown on Figure 8-1B. Therefore, no further changes are proposed.

Light Rail Transit – Policy TC-4.12 already reads virtually the same as that suggested by the commenter. Therefore, no further changes are proposed.

Support and Plan for Bus and Rail Transit – Policy TC-4.1 already reads exactly as suggested by the commenter. Therefore, no further changes are proposed.

Support Heavy Rail Passenger Connections - Policy TC-4.13 already reads virtually the same as that suggested by the commenter. Therefore, no further changes are proposed.

Transit-Related Public Improvements – The City does not feel a specific reference to a contribution is warranted in this policy (TC-4.2). Many other policies and implementation measures already require new development to make such a contribution including the provision of transit-related improvements such as bus turnouts and shelters (TC-4.2), park-and-ride facilities (TC-4.4), pedestrian access (TC-4.4), and transit corridor rights-of-way (TC-4.7). Therefore, no further changes are proposed.

Clustering of Land Uses in Transit-Served Areas - Policy TC-4.3 already reads exactly as suggested by the commenter. Therefore, no further changes are proposed.

Rail Service and Economic Development – The City has elected to leave the language unchanged because it cannot control issues or conflicts between rail services. Therefore, no further changes are proposed.

**Response to Comment O5-19:** The commenter suggests policy changes related to aviation and port access. The following responds to each item.

Aviation Services – Policy TC-7.1 already reads exactly as suggested by the commenter. Therefore, no further changes are proposed.

Van or Limousine Service to Airports - Policy TC-7.2 already reads virtually the same as that suggested by the commenter. Therefore, no further changes are proposed.

Port Access – The City believes that references to mitigating environmental impacts are not necessary in Policy TC-8.2 because this concept is already addressed in other locations of the Plan such as Policy TC-2.13. Therefore, no further changes are proposed.

**Response to Comment O5-20:** The commenter suggests policy changes related to parking and transportation systems management. The following responds to each item.

Parking – Policies TC-2.20 and TC-2.21 define the City's policies relative to parking supply for land developments. Neither policy calls for parking "minimums" or "maximums". The City elected not to include a reference to parking "maximums" because such action may not always be the ideal solution. For example, limits on parking have proven effective in terms of promoting use of transit, but only in locations where highly-effective transit services are available. Parking limitations in areas where modal alternatives are not available could result in adverse effects such as overflow parking in residential neighborhoods. Therefore, no further changes are proposed.

Transportation Systems Management – The suggested items (implementing curb extensions where there are high volumes of pedestrians, filling in gaps in the pedestrian network, and studying opportunities for transit signal priority) are already being investigated and/or implemented by the City. The City has published guidelines for pedestrian safety as well as for

traffic calming, both of which address street design treatments that can enhance pedestrian safety. Policy TC-5.8 specifically gives priority to bicycle and pedestrian facilities that close gaps in the existing networks. The City has already begun implementing a signal priority system (see response to Comment I9-16) that could give priority both to emergency response and transit vehicles at congested intersections.

**Response to Comment O5-21:** The commenter suggests specific mitigation measures for inclusion in the EIR. The following responds to each suggestion.

Transportation Demand Management Goal TC-3 - It already reads exactly as suggested by the commenter. Therefore, no further changes are proposed.

VMT Reduction – The City believes that Policy TC-2.17, as well as many other transportation policies of the Plan, already capture the essence of the commenter's suggestions. The City elected not to include the quantitative measures suggested because the City does not have control of all of the factors that will influence these outcomes. Examples include the quantity of through travel, the availability and pricing of fuel, socioeconomic trends, income levels, commuting characteristics, etc. Therefore, no further changes are proposed. This is not to say that the commenter's policy proposal to adopt aggressive goals for reducing the rate of VMT growth and increased "average vehicle ridership" ("AVR") cannot be explored later, with full opportunity for public debate and discussion. At present, the City does not possess empirical data and other information showing that the proposed goals are realistic, and the potential consequences of the pursuit of such goals deserve a full public debate, based on all reasonably available relevant data, prior to adoption.

Roadway Monitoring Program – The City will include a new implementation measure that will require a traffic monitoring report be prepared at least every three years in which the traffic volumes and levels of service on up to 30 major road segments throughout the City are monitored and documented. This information will be provided to the Planning Commission and City Council and will be available to the public.

Performance Standards – The City believes that the various items raised in the commenter's suggested language are already captured in other policies. Specifically, daily traffic is addressed in Policy TC-2.1, functional classifications are addressed in Section 8.2, LOS standards for peak hour traffic are addressed in Policy TC-2.1, and concurrency is addressed in Policy TC-1.10. The only exception is the reference to County roads, which will not be included because the City has no jurisdiction over County-maintained roadways. Therefore, no further changes are proposed.

LOS Standards – The City believes that Policy TC-2.1 already addresses the issue of LOS policy in a manner consistent with its Draft Land Use Diagram. The commenter suggests eliminating reference to LOS exceptions for specific roadway segments shown in Section 2 under Policy TC-2.1. Such an action would lead to an inconsistency between the Land Use and Circulation Diagrams. Therefore, no further changes are proposed.

Environmental Impacts of Roadway Projects – Policy TC-2.13 already reads virtually the same as that suggested by the commenter. Therefore, no further changes are proposed.

VMT Reduction – The City believes that Policy TC-2.17 captures the essence of the commenter's suggestions. Therefore, no further changes are proposed.

**Response to Comment O5-22:** The commenter makes certain suggestions regarding the Bicycle Plan and urban design mitigation relative to walking, bicycling, and transit. The following responds to each.

Bicycle and Pedestrian Plan – The Draft General Plan addresses bicycle and pedestrian circulation in a variety of areas including Section 8.5, Figure 8.1C, and Policies TC-5.1 through TC-5.13. The concepts mentioned by the commenter (i.e., bicycle lanes, bicycle boulevards, and off-street paths) are addressed in those sections. In addition, Implementation Measure 8.9-13 requires the City to update and maintain its Bicycle Facilities Master Plan for consistency with the new General Plan. Therefore, no further changes are proposed.

Urban Design Mitigation – The Draft General Plan already addresses streetscape design issues in a number of ways, particularly in the Community Design section (such as CD-1.3, CD-1.5, CD-3.4, CD-3.5, CD-4.4, CD-6.1, CD-6.2) and in the Districts and Villages section (such as DV-1.1, DV-1.2, DV-1.3, DV-4.4). The City considers the language proposed by the commenter to be unnecessary.

**Response to Comment O5-23:** The commenter is directed to the discussion of Impact HS-8 on page 11-40 of the draft EIR, which states that total air quality emissions associated with build-out of the draft General Plan, even after adoption and implementation of policies and implementation measures designed to address air quality issues and compliance with SJVAPCD permitting and vehicle trip reduction programs, would still result in a net increase of criteria pollutants for which the region is non-attainment and that the impact would be significant and unavoidable.

**Response to Comment O5-24:** The air quality analysis methodology is described on page 11-34 of the draft EIR. In regards to the air quality analysis itself, the SJVAPCD asserted that "the draft EIR appropriately addresses the project's potential impact on Air Quality", as described on page 1 of Letter A-15 included in this final EIR.

Regarding further carbon monoxide (CO) analysis, CO concentrations have declined dramatically in California due to existing controls and programs. The U.S. Environmental Protection Agency designated the San Joaquin Valley Air Basin as in attainment for carbon monoxide in 1998 and CO concentrations are expected to continue declining due to the ongoing retirement of older, more polluting vehicles from the mix of vehicles on the roadway network. The Proposed Project is a broad, generalized analysis of the City's development and subsequent CEQA documentation for individual projects may be required to address project-specific impacts in greater detail, including localized CO and particulate matter emissions if recommended by the SJVAPCD. Commenter is also directed to Master Response #2.

**Response to Comment O5-25:** As more fully described on pages 3 and 4 of Letter A-15 included in this final EIR, the SJVAPCD stated that "as the General Plan is the blueprint for future growth in Stockton, it correctly provides a broad, generalized approach to the city's development… however, as individual projects are developed and brought forward for review, further environmental review may be necessary." Also, the commenter is directed to the discussion of sensitive receptor exposure to air pollutants under Impact HS-10 on pages 11-42 through 11-45 of the draft EIR.

**Response to Comment O5-26:** The commenter is directed to the discussion of cumulative air quality impacts under Impact HS-7 on pages 11-36 through 11-38 of the draft EIR.

**Response to Comment O5-27:** The commenter suggests that the draft EIR should consider additional policies to address air quality impacts along with local air district regulations. The City has considered this comment and shall adopt the following new policy:

- **HS-4.20 Support SJVAPCD Air Quality Guidance and Recommendations.** The City shall continue to review, support, and require implementation (as applicable) of SJVAPCD guidance and recommendations (including those identified in the GAMAQI) in regards to several key issues including:
    - Environmental Assessment;
    - Air Quality Mitigation Agreements;
    - Integrated Planning;
    - Air Quality Education;
    - Congestion Management/Transportation Control Measures;
    - Toxic and Hazardous Pollutant Emissions;
    - Fugitive Dust and PM10 Emissions;
    - Energy Conservation and Alternative Fuels. *[New Policy – Final EIR]*

**Response to Comment O5-28:** Commenter states that the draft EIR fails to provide an adequate discussion of the land use impacts related to village development as opposed to encouraging more infill growth and revitalization of existing neighborhoods and downtown. Contrary to this claim, the draft EIR provides a comprehensive assessment of this trade-off by clearly identifying within each section of the draft EIR the implications of the Proposed Project (including the entire Preferred Land Use Alternative). For example, Sections 13.2 "Biological Resources", 13.4 "Agricultural Resources", and 13.6 "Scenic Resources" clearly identify the resultant impacts associated with the conversion of existing open space areas to developed "village" uses.

Simultaneously, the draft General Plan clearly identifies the need to balance this new "village" growth by encouraging opportunities for increased "infill"development. In developing the key objectives of the draft General Plan, the City considered a variety of input from local stakeholders (including input from public interest groups [Campaign for Common Ground]), which included requests to consider denser levels of development within the existing urban areas of the City beyond those historically occurring in the City. This input lead to the incorporation of several key "Community Development" objectives (see page 2-7 and 2-8 of the draft EIR) calling for the encouragement of maximized infill (100%) development as part of the orderly expansion of the City. These objectives formalizes local development trends that have been occurring within the City's downtown area (i.e., Weber Point, Stockton Arena, etc.) over the past several years and reinforces the City's objectives for additional "infill" development which balances the desire for newer "village" development in response to projected growth patterns that require an expanded City footprint under any realistic long-time planning scenario.

**Response to Comment O5-29:** The commenter suggests specific mitigation measures for inclusion in the EIR. The following responds to each suggestion.

LU-1.X Regional Housing Needs and Growth Projections - The growth rate identified in the proposed policy is inconsistent with the growth rate projected for the region and with that used to develop the Proposed Project. The objectives of the policy also conflict with the RHNA requirements outlined in the City's adopted Housing Element. Therefore this policy was not included as part of the Proposed Project.

LU-1.3 Expanding the Urban Service Area – The Proposed Project includes several key objectives to maximize infill development (100%) within the existing portions of the City (see pages 2-7 and 2-8 of the draft EIR). The City felt that this proposed revision would artificially constrain the City's real estate market and inhibit the City's choices to provide a range of development options that would ensure a vibrant local economy. Therefore this policy was not included as part of the Proposed Project.

LU-1.6 Building Intensity, and Population Density, and "Form Based" Code - The City has recently adopted (August 2004) a new comprehensive Development Code which provides adequate development standards and procedures for the City's future growth. In addition, the City has recently implemented Citywide Design Guidelines and Form and Content Guidelines for Master Development Plans and Specific Plans. The City considers this development guidance adequate and therefore did not include these revisions to Policy LU-1.6.

LU-1.9 City/County/Lodi/Manteca/Lathrop Buffers and Uniform Land Use Policy - The existing policy is broadly written to include both the County and other regional cities, which provides the City flexibility in working with all its neighbors to address uniform land use policy issues that may arise over time. These regional cities would obviously include the City's immediate neighbors including the Cities of Lodi, Manteca, etc.) Therefore this policy was not revised as part of the Proposed Project.

LU-1.X Community Separators/Agricultural Buffers – Existing Policy LU-1.9 "City/County Uniform Land Use Policy and Policy LU-2.2 "Agricultural Buffer" adequate address the establishment of permanent buffers and the need to establish a uniform land use policy between the City and its surrounding neighbors. Therefore this policy was not included as part of the Proposed Project.

LU-1.12 Commuting Distances – In considering the suggested revision to the policy, the City modified the suggested language to indicate "a mix of residential densities" rather than "discouraging low density subdivisions". This modified language was selected because it more adequately represents the City's commitment to providing a range of housing choices and reflects realistic market conditions in the City.

LU-1.13 Growth Phasing - In considering the revisions to the policy, the City modified the suggested language to maintain flexibility in the identification of future water supply sources. Because the City is responding to regional growth pressures beyond its own control and given the difficulty in identifying what is considered an "acceptable" annual growth rate, the suggested revision referring to "an acceptable annual growth rate" was not included in the policy.

LU-1.X New Urban "Villages" – The proposed policy was considered inconsistent with the City's existing Housing Element's regional housing needs. The draft General Plan proposes a balanced approach to continued revitalization of downtown and other infill areas allowing for the planning of a limited number of villages. This policy was not included in the draft General Plan because several existing policies (i.e., DV-3.1, DV-3.2, DV-3.3, DV-3.4, DV-2.1, DV-2.3, and DV-2.4) capture the intent of the proposed policy as it relates to village development that is balanced with City-wide growth.

LU-5.8 Redesignation of Industrial Lands for Housing East of Route 99 – In developing the draft General Plan, the evaluation of land use incompatibility issues related to mixing housing and industrial development determined that the interrelationship of these uses is constrained by the presence of new or existing sensitive land uses (including residential) near existing industrial uses (e.g., rendering plant, auto dismantling operations, etc.) within the proposed area. Consequently, this policy was not included in the draft General Plan.

DV-2.4 High Employment Commercial Development – This slightly modified policy is included in the draft General Plan as Policy DV-2.6 "High Employment Commercial Development".

DV-2.5 Government Uses - This slightly modified policy is included in the draft General Plan as Policy DV-2.7 "Government Uses".

DV-2.6 Tourism, Lodging, and Convention Facilities – This slightly modified policy is included in the draft General Plan as Policy DV-2.8 "Tourism, Lodging, and Convention Facilities".

DV-2.7 Entertainment Center - This policy is included in the draft General Plan as Policy DV-2.9 "Entertainment Center".

DV-3.1 Vacant Bypassed Parcels - This slightly modified policy is included in the draft General Plan.

DV-3.2 Development Priority to Infill - The City believes that the existing policy provides sufficient detail to both encourage and demonstrate its commitment to prioritizing infill development without including the additional detail provided by the suggested revised policy. Consequently, the revised policy was not included in the draft General Plan.

DV-3.10 Compatible Scale and Character - This slightly modified policy is included in the draft General Plan.

DV-4.X Public Participation – As required by the California Government Code and Stockton Municipal Code, the City currently uses general notices in the local newspaper (i.e., Record) to notify residents and businesses of changes proposed for the City. The City also posts meeting information on its website and has developed and used a specific website for the General Plan Update to provide information specific to the update process. Hardcopies of all posted information are also available at all branch libraries. Because of the various commonly used City public participation practices, this policy was not included in the draft General Plan.

DV-4.X Use of Eminent Domain – Because the City only uses eminent domain as a last resort, this specific policy was not included in the draft General Plan.

DV-5.X Limit New Village Development on Prime Agricultural Lands – This slightly modified policy is included in the draft General Plan as DV-4.8 "Infill and Villages". The City did not include information specific to the conversion of agricultural resources as this objective is currently included as part of several other existing policies including LU-2.1 "Agricultural Land Preservation" and LU-2.3 "Land Conversion within the Urban Service Area".

DV-5.X New Village Development Shall Benefit City Residents - This slightly modified policy is included in the draft General Plan as DV-5.2 "New Village Development Shall Benefit City Residents". Existing policies and implementation measures (such as Public Facilities and Services Implementation Measure #21) compliment the intent of this revised policy to address the funding of necessary infrastructure requirements.

**Response to Comment O5-30:** Commenter describes CEQA requirements for the review and mitigation of affordable housing impacts. Commenter states that the draft EIR does not meet the minimum requirements for affordable housing impact analysis and mitigation, which includes:

- Identifying the number and type of housing units that persons working in the study area can be anticipated to require,
- Identifying the probable location of those units, and
- Considering whether the identified communities have sufficient housing units and sufficient services to accommodate the anticipated increase in population.

Chapter 2.0, "Project Description", in the draft EIR identifies the number of expected housing units and additional population associated with these housing units. Table 2-6 on page 2-21of the draft EIR states that the General Plan expects 100,000 additional housing units. The General Plan assumes each housing unit would be occupied by an average of 3 people, which adds a population of 300,000 people at buildout of the draft General Plan from the proposed new housing units. Table 2-4 on page 2-20 of the draft EIR identifies the types of new residential land uses that are proposed as part of the Proposed Project. The General Plan land use diagram (figure 2-3 on page 2-15 of the draft EIR) generally identifies where residential land uses would occur as part of the Proposed Project. Chapter 4.0, "Housing", directs the reader to the applicable draft EIR sections where any impacts to or from housing may be addressed (please see page 4-1 of the draft EIR).

**Response to Comment O5-31:** The commenter suggests specific mitigation measures for inclusion in the EIR. The following responds to each suggestion.

LU-3.X Affordable Inclusionary Housing - Consistent with the State-mandated timeline for completion of the updated Housing Element, the updated Housing Element was adopted by the City on September 14, 2004 and was subsequently certified by the California Department of

Housing and Community Development. In considering the proposed policy, the City felt that inclusion of the proposed policy would prematurely require the City to revisit its currently approved Housing Element. Consequently, the proposed policy was not included in the draft General Plan. However, the policy as currently proposed is subject to consideration by the City Planning Commission and City Council.

LU-3.8 Residential Conversion - This slightly modified policy is included in the draft General Plan. However, in consideration of the proposed revisions to the existing policy, the City felt that the primary intent of the policy (residential conversion as appropriate to avoid incompatible uses) was clearly stated in the existing policy and that the proposed modification (as suggested) would be too restrictive.

LU-4 Commercial/Mixed Use Development Goal - As requested, the modified goal is included in the draft General Plan.

LU-4.9 New Residential Uses in Commercial Areas - As requested, the modified policy is included in the draft General Plan.

DV-2.3 Reserve Downtown High Density Residential Sites - In considering the suggested policy, the City felt that the primary intent of the policy (reserving appropriate sites for necessary high density residential uses) was adequately stated in existing policies DV-2.3 "Downtown Housing Goals", DV-2.4 "Incentives to Create Downtown Housing", and DV-2.5 "Downtown Residential Development". Consequently, the proposed policy was not included in the draft General Plan.

DV-2.X Downtown Housing Goals - As requested, the modified policy is included in the draft General Plan as Policy DV-2.3 "Downtown Housing Goals".

DV-2.X Incentives to Create Downtown Housing - As requested, the modified policy is included in the draft General Plan as Policy DV-2.4 "Incentives to Create Downtown Housing".

DV-4.2 Revitalized Corridors - As requested, the modified policy is included in the draft General Plan.

**Response to Comment O5-32:** Commenter states that the draft EIR fails to adequately address direct and indirect impacts from economic development policies in the proposed General Plan. As stated in Chapter 5.0, "Economic Development", impacts from economic development policies of the proposed General Plan are discussed in the appropriate resource sections of the draft EIR.

In developing the Proposed Project (including the preferred land use map), the City balanced various objectives including the need to maximize infill development, while revitalizing the downtown area; the provision of new and expanding employment opportunities; and the need to provide commercial and institutional services that support the City's population in a way that

integrates these land uses in a manner that is consistent with the scope and scale of surrounding development. The City also understands that a diversified retail base (e.g., neighborhood, community, and regional retail) will work to provide the City with increased sales tax revenue that will support a higher level of municipal services for its residents. Given the speculative nature of future City-wide economic forecasting, the City is not aware of any studies or has developed empirical data identifying the role of future proposed "power centers" and their specific economic effects to the City's downtown area. However, the City understands that despite historic attempts to encourage regional retail to develop in the downtown area, most large format retailers are more interested in locating near future growth areas adjacent to regional transportation corridors. By focusing these larger retail centers in new growth areas, the City can encourage the development of more appropriate service and retail providers (including restaurants, specialty stores, etc,) that are considered compatible with existing land uses within the downtown area. Downtown development that is considered compatible with its surrounding uses can minimize design, visual resource, traffic, noise, and air quality impacts that could result with the development of large big box development within areas constrained by available developable space, access, and parking opportunities. Designation of these proposed "power centers" will result in the conversion of existing open space areas to developed uses. However, as described in the EIR, development of these areas will occur in an orderly fashion, consistent with several of the key objectives identified in the draft Goals and Policies Report. The impacts of this growth include the conversion of existing agricultural and open space lands which are disclosed in the draft EIR.

**Response to Comment O5-33:** The commenter suggests specific mitigation measures for inclusion in the EIR. The following responds to each suggestion.

ED-3.12 Regional Commercial Centers – A modified version of this policy is included in the draft General Plan. The City did not incorporate suggested revisions in the policy that would artificially limit the extent and location of where future retail growth would be allowed given that existing City policy currently encourages regional retail to develop downtown in a manner consistent with the scope and scale of the City's downtown area. The City understands that despite attempts to encourage regional retail to develop in the downtown area, most large format retailers are more interested in locating near future growth areas adjacent to regional transportation corridors.

DV-4.7 Limit New Commercial Centers – The existing policy DV-4.7 "Limit New Commercial Centers" was not revised as suggested. However, the proposed wording was incorporated into a new implementation measure for the City's Districts and Villages Element. This new implementation measures is identified as District and Villages Implementation Measure #8.

LU-4 Commercial/Mixed Use Development Goal - As requested, the modified goal is included in the draft General Plan.

LU-4.10 Commercial Cluster Encouragement/Protection – In considering the proposed revision to existing Policy LU-4.10, the City felt that the proposed wording was too restrictive and that existing Policy LU-1.9 adequately provided policy guidance on the development of a uniform city/county land use policy to address future inconsistencies. Consequently, the proposed policy revision was not included in the draft General Plan.

LU-4.11 Medical Clusters Near Hospitals - In considering the policy, the City felt that the proposed wording lacked the flexibility in allowing medical-related land uses to be established closer to where people actually live rather than having them just focus near an existing hospital. Consequently, the proposed policy was not included in the draft General Plan. It should be noted, that lack of this specific policy does not preclude these types of land uses from located near hospitals if appropriate

LU-4.12 Mixed Use Development - In considering the proposed revision to existing Policy LU-4.11 "Mixed Use Development", the City felt that maintaining the existing policy language (including the reference to the MDP and MX Planning tools) was necessary to provide the City with the ability to design and implement multi-use and mixed-use development principles. Consequently, the proposed policy revision was not included in the draft General Plan.

**Response to Comment O5-34:** Commenter disagrees with the findings of the draft EIR that impacts to historic structures are significant and unavoidable because no feasible mitigation or project alternatives existing to avoid or reduce the impacts. Commenter lists several policies provided by the Campaign for Common Ground to the City for inclusion in the draft Goals and Policies report and states that the draft EIR must discuss why these policies were not included in the draft General Plan. It is the commenter's opinion that the proposed revisions to these policies would reduce the severity of the impacts to historic resources identified in the draft EIR.

The intent of the updated General Plan is to provide the City with a framework for orderly future growth and development, provide its citizens with necessary services, and protect natural and cultural resources within and around the City. The draft goals and policies of the General Plan were developed with careful consideration of input from the General Plan consulting team, City staff, the General Plan Action Team, and other stakeholders (including input from various State and local agencies and public interest groups [Campaign for Common Ground]). New policies and suggested revisions to existing policies were submitted by the Campaign for Common Ground (including those outlined in the March 2006 "Citizens Alternative General Plan Policy" report) for consideration by the City, and several were incorporated into the General Plan goals and policies. For example, the following policies include suggested revisions (in underline) that were incorporated by the City:

- **DV-3.5 Older Neighborhoods.** The City shall aggressively facilitate the conservation and rehabilitation of older neighborhoods by utilizing all federal, state and local programs, aimed at preservation; by encouraging private investment; and through joint public-private cooperation. *[Source: Section 1, Urban Growth and Overall Development; Goal 2, Policy 6].*

- **DV-3.10 Compatible Scale and Character.** New infill residential and commercial development in existing neighborhoods shall reflect the character and form of the neighborhood while striving to meet citywide density and transit objectives. The City shall continue to implement ~~develop~~ Design Guidelines for each district or neighborhood that will guide new infill growth. Infill development shall be planned to reflect traditional scale and pattern of block and lot sizes, as well as prevailing heights, setbacks, landscaping, and location of garages on the lots. The walkable scale and pattern of existing neighborhoods shall be reflected in new infill development. *[New Policy].*

Additionally, during preparation of the draft EIR, other policies and implementation measures were proposed (and/or existing policies were modified) in an effort to help mitigate impacts resulting from implementation of the General Plan Update. Policy NCR-3.2 "*Historic Structures and Sites*" (see Impact NCR-7, page 13-25 of the draft EIR) provides an example of a new policy that was developed in response to the impact analysis for historic resources:

- **NCR-3.2 Historic Structures and Sites.** The City shall support public and private efforts to preserve, rehabilitate, and continue the use of historic structures, sites, and districts. Where applicable, preservation efforts shall conform to the current Secretary of the Interior's Standards for the Treatment of Historic Properties and Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings. *[New Policy – Draft EIR Analysis].*

However, as the commenter indicates, not all of the suggested policy revisions from the Campaign for Common Ground (and other stakeholders) considered by the City were incorporated into the draft General Plan and EIR. In consideration of these various policy revisions, City staff and consultants (1) analyzed whether the suggested policy information provided new information not currently contained in the draft Goals and Policies report, (2) determined whether the proposed revisions addressed impacts that the draft EIR identified as significant and unavoidable, (3) considered whether or not the suggested policy revisions would strengthen the mitigating intent of the policies already contained within the General Plan, and (4) if so, considered whether the proposed language was potentially feasible in light of the goals and objectives of the General Plan, as well as other considerations (see also Master Response #1 for additional relevant criteria). Where City staff and consultants answered each of these inquiries in the affirmative, or where they determined that the commenter's concerns and suggestions were already essentially in place in already-existing (draft)

policy language, they either accepted the language as proposed or modified the language to conform to existing language in the draft Goals and Policies Report. On the other hand, in most cases in which proposed policy information did not meet these requirements, staff and consultants did not further consider the proposed language for incorporation as part of the draft Goals and Policies Report. In the later circumstance, staff concluded that the existing language developed through the public over a long period of time with public input should stand. Staff also wanted to avoid creating internal tensions within the overall draft General Plan by incorporating concepts arguably at odds with concepts already found in the draft Goals and Policies Report. Although one of the key goals for the City was to develop a comprehensive General Plan that comprises an integrated, internally consistent, and compatible statement of local development policies, the City can adopt a general plan in the format that best fits its unique circumstances (Government Code Section 65300.5) and in a format that minimizes redundancy or avoids the duplication of information.

The City considered the proposed revisions to Policy DV-2.11, "*Building Rehabilitation and Historic Preservation*," but did not revise the policy as suggested because existing policies provide similar or stronger policy direction addressing historic preservation requirements. For example, implementation of the existing Policy DV-2.13 along with Policies DV-3.5, DV-3.7, NCR-3.1, NCR-3.2, and NCR-3.3 serve to provide similar resource identification, preservation, and rehabilitation guidance for historic structures to that Campaign for Common Ground identifies in its revisions to existing Policy DV-2.11. Additionally, as described in the Background Report, the City's municipal code (Chapter 16, Article VII, Section 16-730.120) establishes rules and procedures for the Cultural Heritage Board, which assists in preserving the City's historic districts and landmarks (see page 13-26 of the General Plan Background Report incorporated in the draft EIR by reference). The Cultural Heritage Board is an entity of the City of Stockton that designates landmarks, historic preservation districts, historic sites, and structures of merit. The City's inclusion of the new Policy NCR-3.2 "*Historic Structures and Sites*" also requires the City to support both future public and private efforts to preserve, rehabilitate, and continue the use of historic structures, sites, and districts. The policy also states that these preservation efforts shall conform to the current Secretary of the Interior's Standards for the Treatment of Historic Properties and Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings.

The City also considered the Campaign for Common Ground's proposed revisions to Policy DV-3.7, "*Historic Resources*", but did not revise the policy as suggested because existing policies provide similar or stronger policy direction addressing the inventory of local historic neighborhood structures. Essentially, the proposed revisions would require an inventory of historic neighborhood structures that would include a priority list of properties. The proposed goals and policies of the General Plan include an existing policy that requires the City to continue its maintenance of an updated historical resources inventory (see Policy NCR-3.3). The inventory system is in place, has been utilized by the City, and does not exclude listing historic neighborhood structures. Consequently, these proposed revisions to Policy DV-3.7 were not incorporated.

Similarly, the City considered the Campaign for Common Ground's proposed revisions to Policy NCR-3.3, "*Historic Resources Inventory and Preservation*", but did not revise the policy as suggested because existing policies, as described above, provide similar or stronger policy direction addressing both the inventory and preservation of local historic neighborhood structures. In considering the proposed revisions, the City came to the conclusion that the proposed revisions reflect the original intent of the policy and do not provide additional mitigation beyond that contained in the existing version of this policy and in others proposed in the draft Goals and Policies Report.

Overall, as described above, in considering the various proposed revisions to these policies, the City did not revise the various historic preservation policies as suggested because existing proposed policies already provide similar or stronger policy direction addressing historic preservation and inventory requirements. Because these suggested revisions did not contain feasible mitigation substantially different from that provided in existing and proposed General Plan policies, the City did not incorporate these revisions. The potential impact of the proposed General Plan to historic structures remains significant and unavoidable.

**Response to Comment O5-35:** The commenter states that they have incorporated the various comments provided by Jason R. Flanders on behalf of the Morada Area Association (see letter dated January 26, 2007, pp. 15-21, and 26-28). No further response is required.

**Response to Comment O5-36:** The commenter states that the WSE notes that the first 33,600 AF/year of water from the DWSP is confined to the current 1990 General Plan boundary. The commenter further states that the draft EIR discussion seems to state that the initial Phase 1 portion of the DWSP project will meet short term needs of the 1990 General Plan and build out of the Proposed Project. However, the proposed mitigation measure (Policy PFS-2.8 "Delta Water Supply") on page 9-14 of the draft EIR does not ensure that development associated with the Proposed Project is not approved until the Place-of-Use of the DWSP surface water entitlements is enlarged by the SWRCB. In response to these comments, please refer to Master Response #5 "Water Supply Issues, Surface Water Assumptions for the DWSP and SEWD".

**Response to Comment O5-37:** The commenter states that the draft EIR needs to provide an evaluation of the OMI/Thames privatization contract that was approved by the City in 2003.

In 2003, the City contracted with OMI/Thames Water Stockton, Inc. to provide water, wastewater, and stormwater maintenance and operation services. The contract also included the potential for a number of construction projects. The City completed CEQA reviews of each of these improvements prior to initiating notices to proceed. With few exceptions, these construction projects are nearly all complete. The validity of the contract has been challenged in Court. As of the date of this response, the superior court had issued a decision against the City. However, that decision is under appeal. The discussion of completed projects is moot, and the merits of the operations contract with OMI/Thames are independent of the Proposed Project. No further changes to the draft EIR are necessary as a result of this comment.

**Response to Comment O5-38:** The commenter expresses doubt with the conclusions of the draft EIR which state that the Proposed Project would not result in an exceedance of wastewater treatment requirements of the CVRWQCB.

Stockton's Regional Wastewater Control Facility (RWCF) is designed to comply with current applicable discharge requirements (and other regulatory requirements). As the treatment plant is expanded or water quality standards change in the future, the City will continue to comply with applicable regulatory requirements. Although some of these requirements, for distant future years, have not yet been formulated, the City has presumed compliance with such future requirements, as the City could not lawfully operate without meeting such requirements. Like existing requirements, future regulatory requirements will be designed to be protective of the beneficial uses of the receiving water. As no exceedances of permit requirements are anticipated, the water quality impacts on the receiving water will be less than significant, as stated in the draft EIR. Specifically of note, any changes in RWCF discharge permit requirements requiring more advanced treatment facilities are independent of the any increase in wastewater flow as a result of the Proposed Project .

**Response to Comment O5-39:** Commenter questions how Impact PFS-6 (see pages 9-30 through 9-31 of the draft EIR) can be considered a less-than-significant impact.

The City of Stockton funds improvements to the RWCF and the wastewater collection system through collection of connections fees. The connection fees are determined based on periodic planning activities (treatment plant facilities planning and collection system master planning), which are used to predict the cost of the facilities needed to accommodated anticipated growth. This process has historically provided sufficient funding to construct facilities with capacity to accommodate growth as it has occurred. All development projects are subject to connection fees, and will continue to be subject to connection fees under existing policy. Consequently, no further changes to the draft EIR are necessary as a result of this comment.

**Response to Comment O5-40:** The commenter suggests specific mitigation measures for inclusion in the EIR. The following responds to each suggestion.

PFS-1.9 Conditions of Approval - In considering the proposed revision to existing PFS-1.9, the City felt that the existing wording requiring a project to be adequately financed by the project applicant was sufficient to meet the intent and purpose of the suggested revision. Consequently, the proposed policy revision was not included in the draft General Plan.

DV-5.9 Infrastructure Master Plans – In the draft General Plan, this policy is referenced as DV-5.10. Similarly, in considering the proposed revision to DV-5.10 "Infrastructure Master Plans", the City felt that the existing wording provided in PFS-1.9 sufficiently described the City's commitment to infrastructure funding that would be required to ensure that project applicants

demonstrate that all necessary infrastructure needed to serve a new development are adequately financed and installed prior to project occupancy. Consequently, the proposed policy revision was not included in the draft General Plan.

DV-5.10 Area Infrastructure Master Plans – In the draft General Plan, this policy is referenced as DV-5.11. Similar to the discussion provided above for DV-5.10, in considering the proposed revision to DV-5.11 "Area Infrastructure Master Plans", the City felt that the existing wording provided in PFS-1.9 sufficiently described the City's commitment to infrastructure funding that would be required to ensure that project applicants demonstrate that all necessary infrastructure needed to serve a new development are adequately financed and installed prior to project occupancy. The existing policy DV-5.11 also clearly identifies the need for future City master plans to include information specific to project financing. Consequently, the proposed policy revision was not included in the draft General Plan.

**Response to Comment O5-41:** The commenter suggests specific mitigation measures for inclusion in the EIR. The following responds to each suggestion.

DV-5.16 Parkland Distribution - In the draft General Plan, this policy is referenced as DV-5.18. As requested, a slightly modified version of the policy is included in the draft General Plan.

**Response to Comment O5-42:** The commenter suggests specific mitigation measures for inclusion in the EIR. The following responds to each suggestion.

HS-1.X Emergency Support Groups – A version of this policy is included in the draft General Plan as Policy HS-1.8. In considering the suggested revisions, the City did not include the suggested last two sentences. The City felt that the suggested revisions specific to the development of maps and a public awareness program were adequately contained in existing policies HS-7.4 "Coordinated GIS Planning for Emergency Response" and HS-7.2 "Update of Emergency Operations Plan".

HS-3.1 Seismic Safety of Structures and Public Facilities - As requested, a slightly modified version of the policy is included in the draft General Plan.

HS-3-X Comprehensive Update of Hazards – A version of this policy is included in the draft General Plan as HS-3.3. In considering the suggested revisions, the City felt that the policy adequately identifies the need to plan for both geologic and flooding hazards. Consequently, the proposed policy revision was not included in the draft General Plan.

HS-3.5 Development within the Primary Zone and Secondary Zone of the Delta - Consistent with the intent and policies of the Delta Protection Act, the Proposed Project does not support development within the Primary Zone of the Delta. Policy HS-3.5 states this intent. In

considering the suggested revisions, the existing City boundaries (including a portion of the City's existing downtown area) already encompass portions of the Secondary Zone of the Delta. The City felt that restricting development within the Secondary Zone of the Delta would result in land use conflicts with existing development currently allowed in the Secondary Zone of the Delta, which could also conflict with several objectives of the Proposed Project which call for increasing infill development opportunities. The City will continue to support the intent of the Delta Protection Act. Consequently, the proposed policy revision was not included in the draft General Plan.

HS-3.X Earthquake Danger and Delta Levee Failure Modeling – A modified version of this policy is included as Policy HS-3.7 "Earthquake Danger and Delta Levee Failure Modeling"of the draft General Plan.

HS-6.1 New Urban Development – This policy is included in the draft General Plan.

HS-6.2 Existing Urban Development – This policy is included in the draft General Plan.

HS-6.3 Preservation of Floodway and Floodplains – This policy is included in the draft General Plan.

HS-6.1 Immediate Identification of 500-Year Flood Hazards – The intent of this policy is contained in the City proposed new policy HS-6.10 "Develop Flood Protection Plan for Levee Systems". Please see the response for Comment A10-4 for additional information.

HS-6.3 Certification of Levee Safety for New Urban Development – In consideration of the suggested new policy, the City does not currently have the authority to certify levee safety. Additionally, certification of levees by applicable authorities is frequently so expensive that it is beyond the ability of many individual property owners to consider. Because the City does not currently possess this authority and did not want to assume a new authority that would conflict with other regional/State authority, the proposed new policy was not included in the draft General Plan. However, as more fully described in the response to Comment A10-4, the City is proposing a new policy that would identify the City's role as a cooperating agency to address the issue of levee safety.

HS-6.5 Levee Maintenance – The City does not currently have a nexus for a levee improvement program. Consequently, the proposed policy revision was not included in the draft General Plan.

HS-6.6 Flood Insurance Program – In consideration of the suggested revision to policy HS-6.6, the City felt that the existing policy along with existing Policy HS-6.8 "Prohibited Uses Within a 100-Year Floodplain adequately addressed the intent of the proposed revision. Consequently, the proposed policy revision was not included in the draft General Plan.

HS-6.X Cooperate and Support Regional Programs – The intent of this policy is already contained in the direction provided under existing Policy HS-6.9 "Cooperate with Flood Control Agencies and Support Regional Programs". Consequently, the proposed new policy was not included in the draft General Plan.

HS 7-1 Coordinated Emergency Response System – As part of the actual implementation of Policy HS 7-1 and other existing City policies designed to address a variety of emergency response situations, the City and other service providers currently conduct a variety of activities (including real life simulations, etc.) to ensure emergency preparedness. In consideration of the proposed policy revision, the City felt it was unnecessary to provide additional detail regarding all the specific activities conducted by each service provider to address emergency preparedness. Consequently, the proposed policy revision was not included in the draft General Plan.

**Response to Comment O5-43:** Commenter states that the draft EIR fails to discuss impacts and provide mitigation for any impacts to listed species and other natural resources. For example, the riparian brush rabbit, a federal and State-listed species. Additionally, the commenter states that the riparian brush rabbit is not covered by the current SJMSCP. Impact NCR-1 in the draft EIR identifies significant and unavoidable impacts to several federal and State-listed species that includes, but is not limited to, the riparian brush rabbit (see pages 13-9 through 13-11). The impact analysis identifies numerous General Plan policies intended to address impacts to biological resources, including federal and State-listed endangered, threatened, candidate, sensitive, and special status species (see page 13-10). These policies are identified below:

| Natural & Cultural Resources Element | Recreation & Waterways Element |
|---|---|
| Policies designed to protect and preserve sensitive habitats and address biological resource impacts include the following: | |
| NCR-1.1 Protect Natural Resources<br>NCR-1.3 Preserve Open Space<br>NCR-2.1 Protect Sensitive Habitats<br>NCR-2.2 Management of Wetlands<br>NCR-2.3 Management of Sensitive Habitats<br>NCR-2.11 Maintain Biological Resources Database<br>Implementation measure #2 | RW-5.2 Improve Riparian Corridors |
| Policies designed to protect and preserve the unique habitats of the Delta include the following: | |
| NCR-2.14 Protect Delta Habitats<br>NCR-2.16 Fisheries and Riparian Habitat<br>NCR-2.17 Development within the Primary Zone of the Delta | RW-5.2 Improve Riparian Corridors |
| Policies designed to mitigate the impact of development on key biological resources include the following: | |
| NCR-2.4 Impacts to Sensitive Habitats<br>NCR-2.5 SJCOG Multi Species Habitat Conservation and Open Space Plan<br>NCR-2.6 New Development in Sensitive Areas<br>NCR-2.7 Development Review<br>NCR-2.8 Development Review<br>NCR-2.9 Appropriate Mitigation Measures<br>NCR-2.10 Wetland Resources<br>NCR-2.12 Requirements for Biological Studies<br>NCR-2.13 Encourage Planting of Native Vegetation<br>Implementation Measure #1<br>Implementation Measure #3<br>Implementation Measure #4 | |

In addition to these policies, the City has been coordinating with the California Department of Fish and Game and intends to adopt an additional policy (Policy NCR-2.19 "Interim SJMSCP Compliance for Biological Resources"). Please see the response prepared for Comment A5-1.

**Response to Comment O5-44:** Commenter states that the draft EIR dismisses impacts to endangered habitats and species. Commenter states that the draft EIR downplays the difficulty of obtaining regulatory agency approval of major amendment(s) to the plan. The City has been coordinating with the California Department of Fish and Game and intends to adopt an additional policy (Policy NCR-2.19 "Interim SJMSCP Compliance for Biological Resources"). To date, the City has developed a policy outlying interim compliance and received positive feedback from the California Department of Fish and Game (see response to Comments A5a and A5b).

**Response to Comment O5-45:** Commenter states that the draft EIR must include a map of the extent of the area covered by the SJMSCP and identify in the text how many acres of each habitat type in the study area would not be covered by the SJMSCP. Pages 13-2, 13-3 and 13-4 of the draft EIR provide the requested information. On page 13-2, the SJMSCP is described, including discussion of the SJMSCP land use categories. Figure 13-1, on page 13-3 identifies habitat areas within the study area, and Table 13-1 on page 13-4 identifies acreages of each SJMSCP Land Use Category in the Study Area. As described above in the response to Comment O5-44, the City has also developed a policy outlying interim SJMSCP compliance and received positive feedback from the California Department of Fish and Game.

**Response to Comment O5-46:** Commenter disagrees with the less than significant impact conclusions of Impact NCR-6 in the draft EIR. The commenter states that the draft EIR must further describe the requirements for future development subsequent to the General Plan outside of the SJMSCP coverage boundaries. The commenter also states that the impact analysis in the draft EIR recommend additional mitigation measures to address how the approval process for future development will occur in the event that a major amendment to the SJMSCP is delayed for an unknown number of years. As stated in Impact NCR-6, future development subsequent to the General Plan is only covered by the SJMSCP to the extent of the existing General Plan boundary (see page 13-18 of the draft EIR). This impact discussion addresses the need for development, subsequent to the proposed General Plan and beyond the boundaries of the existing General Plan, to consult directly with the applicable local, State, and federal agencies. This impact discussion also identifies policies proposed as part of the General Plan which ensures that future development effectively protect natural resources and complies with federal, State, and local agency regulations (General Plan Policies NCR-1.4, NCR-2.8, and NCR-2.9). Additionally, the City has been coordinating with the California Department of Fish and Game and intends to adopt an additional policy (Policy NCR-2.19 "Interim SJMSCP Compliance for Biological Resources"). As described above in the response to Comment O5-44, the City has also developed a policy outlying interim SJMSCP compliance and received positive feedback from the California Department of Fish and Game.

**Response to Comment O5-47:** Commenter recommends new and revised policies to be considered for incorporation into the General Plan. Commenter states that the draft EIR discuss why these policies are not acceptable to mitigate impacts. As described above in the response to Comment O5-44, the City has also developed a policy outlying interim SJMSCP compliance and received positive feedback from the California Department of Fish and Game.

**Response to Comment O5-48:** Commenter states that the draft EIR fails to adequately address climate change and global warming and how the City will respond to rising water levels in the Delta and increasing flooding dangers to existing and planned urban neighborhoods of Stockton. Commenter also provides background information regarding the effects of climate change. Master Response #3 provides a discussion of global warming topics that includes potential effects on the levee system. As part of the response, the City is proposing to adopt the following new policies (in addition to those identified in the draft EIR) as part of the "Energy Resources" section of the Natural and Cultural Resources" Element of the draft General Plan.

- **Policy NCR-8.6 Tree Planting Informational Packet.** The City will develop a tree planting informational packet to help future residents understand their options for planting trees that can absorb carbon dioxide. *[New Policy – FEIR]*

- **Policy NCR-8.7 Shade Tree Planting.** The City will encourage the planting of shade trees within residential lots to reduce radiation heating and encourage the reduction of greenhouse gases. *[New Policy – FEIR]*

- **Policy NCR-8.8 Alternative Fuels Vehicle Parking.** The City shall prioritized parking within commercial and retail areas for electric vehicles, hybrid vehicles, and alternative fuel vehicles as well as provide electric charging stations. *[New Policy – FEIR]*

- **Policy NCR-8.9 Passive and Active Solar Devices.** The City shall encourage the use of passive and active solar devices such as solar collectors, solar cells, and solar heating systems into the design of local buildings. *[New Policy – FEIR]*

- **Policy NCR-8.10 Solar Orientation and Building Site Design.** The City shall encourage building and site design that takes into account the solar orientation of buildings during design and construction. The incorporation of energy-efficient site design shall be incorporated into City-wide master planning efforts when feasible. *[New Policy – FEIR]*

- **Policy NCR-8.11 Energy-Efficient Buildings.** The City will encourage the development of energy-efficient buildings and communities. *[New Policy – FEIR]*

- **Policy NCR-8.12 Solar Photovoltaic Systems.** The City will promote voluntary participation in incentive programs to increase the use of solar photovoltaic systems in new and existing residential, commercial, institutional and public buildings. *[New Policy – FEIR]*

- **Policy NCR-8.13 California Title 24 Energy Efficiency Standards.** The City will explore offering incentives such as density bonus, expedited process, fee reduction/waiver to property owners and developers who exceed California Title 24 energy efficiency standards. *[New Policy – FEIR]*

**Response to Comment O5-49:** Commenter states that mitigation measure HS-4.20 is weak and vague and should be clarified to indicate specific actions that will be taken by the City to ensure that new and existing residents are not exposed to increased flood hazards among other forecast outcomes of climate change. Master Response #3 provides a discussion of global warming topics that includes potential effects on the levee system and flooding.

**Response to Comment O5-50:** Commenter states that the draft EIR needs to justify why Campaign for Common Ground policies were not included in the General Plan or in the draft EIR. The various responses to Letter O5 provide justification.

As the commenter indicates, not all of the suggested policy revisions from the Campaign for Common Ground (and other stakeholders) considered by the City were incorporated into the draft General Plan and EIR. In consideration of these various policy revisions, City staff and consultants (1) analyzed whether the suggested policy information provided new information not currently contained in the draft Goals and Policies report, (2) determined whether the proposed revisions addressed impacts that the draft EIR identified as significant and unavoidable, (3) considered whether or not the suggested policy revisions would strengthen the mitigating intent of the policies already contained within the General Plan, and (4) if so, considered whether the proposed language was potentially feasible in light of the goals and objectives of the General Plan, as well as other considerations (see Master Response #1 for additional criteria). Where City staff and consultants answered each of these inquiries in the affirmative, they either accepted the language as proposed or modified the language to conform to existing language in the draft Goals and Policies Report. On the other hand, in most cases in which proposed policy information did not meet these requirements, or where they determined that the commenter's concerns and suggestions were already essentially in place in already-existing (draft) policy language, staff and consultants did not further consider the proposed language for incorporation as part of the draft Goals and Policies Report. In the later circumstance, staff concluded that the existing language developed through the public over a long period of time with public input should stand. Staff also wanted to avoid creating internal tensions within the overall draft General Plan by incorporating concepts arguably at odds with concepts already found in the draft Goals and Policies Report.

Although one of the key goals for the City was to develop a comprehensive General Plan that comprises an integrated, internally consistent, and compatible statement of local development policies, the City can adopt a general plan in the format that best fits its unique circumstances (Government Code Section 65300.5) and in a format that minimizes redundancy or avoids the duplication of information.

To address a variety of issues associated with future global warming conditions, the City is proposing to adopt the following new policies (in addition to those identified in the draft EIR) as part of the "Energy Resources" section of the Natural and Cultural Resources" Element of the draft General Plan.

- **Policy NCR-8.6 Tree Planting Informational Packet.** The City will develop a tree planting informational packet to help future residents understand their options for planting trees that can absorb carbon dioxide. *[New Policy – FEIR]*

- **Policy NCR-8.7 Shade Tree Planting.** The City will encourage the planting of shade trees within residential lots to reduce radiation heating and encourage the reduction of greenhouse gases. *[New Policy – FEIR]*

- **Policy NCR-8.8 Alternative Fuels Vehicle Parking.** The City shall prioritized parking within commercial and retail areas for electric vehicles, hybrid vehicles, and alternative fuel vehicles as well as provide electric charging stations. *[New Policy – FEIR]*

- **Policy NCR-8.9 Passive and Active Solar Devices.** The City shall encourage the use of passive and active solar devices such as solar collectors, solar cells, and solar heating systems into the design of local buildings. *[New Policy – FEIR]*

- **Policy NCR-8.10 Solar Orientation and Building Site Design.** The City shall encourage building and site design that takes into account the solar orientation of buildings during design and construction. The incorporation of energy-efficient site design shall be incorporated into City-wide master planning efforts when feasible. *[New Policy – FEIR]*

- **Policy NCR-8.11 Energy-Efficient Buildings.** The City will encourage the development of energy-efficient buildings and communities. *[New Policy – FEIR]*

- **Policy NCR-8.12 Solar Photovoltaic Systems.** The City will promote voluntary participation in incentive programs to increase the use of solar photovoltaic systems in new and existing residential, commercial, institutional and public buildings. *[New Policy – FEIR]*

- **Policy NCR-8.13 California Title 24 Energy Efficiency Standards.** The City will explore offering incentives such as density bonus, expedited process, fee reduction/waiver to property owners and developers who exceed California Title 24 energy efficiency standards. *[New Policy – FEIR]*

**Response to Comment O5-51:** Commenter provides a background for the CEQA and case law based requirements for alternatives analysis in an EIR. Commenter states that the draft EIR fails to provide alternatives to the proposed project that would avoid or substantially lessen key environmental impacts of the proposed project pursuant to the requirements of CEQA and case law. Commenter states that the draft EIR needs to identify alternatives that would substantially reduce the proposed project's environmental impacts.

The alternatives were developed in an attempt to reduce environmental impacts as well as to meet most of the basic objectives of the proposed project. The alternatives are variations of the proposed General Plan. Since the General Plan is a broad document with no proposed individual projects, many of the impacts are assumed to be significant and unavoidable because site-specific mitigation measures are unavailable. Instead, the impact analysis in the draft EIR for the alternatives and the General Plan can only provide broad policies and mitigation measures intended to lessen the impacts of the proposed project to the extent feasible. As stated in response to Comment O5-2, the draft EIR does include a reasonable range of alternatives and meets all the requirements of CEQA. However, in order to attain many of the objectives of the General Plan, the alternatives will still result in significant impacts that may or may not be less than the impacts of the proposed project. As more fully described in Chapter 14 Alternatives to the Proposed Project", many of the impacts (i.e., conversion of important farmlands, habitats, and visual resource impacts) are reduced through the conversion of fewer open space areas to a developed use. Additionally, lower population levels associated with several of the alternatives would also result in fewer vehicle trips, which would reduce the severity of some of the air quality and traffic-related impacts

**Response to Comment O5-52:** Commenter states that the draft EIR erroneously analyzes impacts of Alternative 4. Commenter states that the draft EIR must provide a comprehensive analysis of the feasibility of this alternative as submitted by the Sierra Club and Campaign for Common Ground or the draft EIR must summarize all of the Campaign for Common Ground policies that differ from the City's proposed project.

In developing both the Proposed Project and the various alternatives analyzed in the draft EIR, the City considered several sources in developing a range of reasonable alternatives to the project. One of these sources included public input (including information provided by the Campaign for Common Ground) received during both Notice of Preparation (NOP) public scoping phases for the draft EIR. As a result of comments received during the first NOP public scoping phase, the City revised its originally proposed General Plan as follows:

- Planning horizon reduced from 2050 to 2035;
- Target population reduced by 83,000 people to 580,000;
- Infill strategy adopted calling for 100% infill development within the existing portions of the City; and
- Village acreage reduced by an estimated 8,280 acres (reduced from 20 to 14 village areas).

The proposed Sphere of Influence for the City was also reduced in size from 97,000 acres (under the original proposed General Plan) to an estimated 84,000 acres under the currently Proposed Project.

In developing Alternative 4, the City also considered input from a variety of sources including the Campaign for Common Ground's recommended alternative to the Proposed Project. Although not obligated to do so, the City did coordinate preparation of the draft EIR with release of the Campaign for Common Ground's "Citizens Alternative Stockton General Plan" in an effort to review the proposed alternative and craft a project alternative similar to that proposed by the Campaign for Common Ground for consideration with the other alternatives identified in the EIR. As more fully described in Chapter 14 "Alternatives to the Proposed Project", the draft EIR provides analysis for up to five project alternatives (including the No-Project Alternative) and identifies impacts for each of the alternatives consistent with the requirements of CEQA (Section 15126.6(d)).

The commenter also provides an opinion regarding the draft EIR's use of the "significant and unavoidable" impact conclusion. Although several of the alternatives (including Alternative 4) analyzed in the draft EIR do propose smaller sphere of influences (or impact footprints), all the project alternatives represent significant changes from conditions currently found in the City. Growth and development proposed under all the alternatives would result in the significant conversion of existing open space land to a developed use, thereby resulting in significant and unavoidable losses of prime agricultural land, wildlife habitat areas, and impacts to local viewsheds. Similarly, the increase in population resulting from each of the alternatives would result in substantially greater numbers of vehicle traffic, thereby contributing to significant and unavoidable traffic, air quality, and noise impacts (please see Table 14-4 on pages 14-11 through 14-18 of the draft EIR). Contrary to the commenter's claim, keeping the existing 1990 General Plan in place would result in similar types of impacts as identified in the draft EIR.

Regarding the commenter's claim that the draft EIR analysis specifically omitted many of the critical policies presented by the Campaign for Common Ground to substantially reduce the significant impacts of the Proposed Project, the commenter is directed to the various responses

prepared for Comments O5-18, O5-20, O5-21, O5-29, O5-31, O5-33, O5-40, and O5-42. As indicated in the responses, all of the suggested policies have been considered by the City, with many of the suggested policies (or suggested revisions) having been incorporated into the Proposed Project.

**Response to Comment O5-53:** Commenter asks that the draft EIR provide a more extensive and accurate description of the General Plan that includes as a minimum the membership and history of the General Plan Action Team and should summarize the results of the General Plan Community Workshops in 2003 and 2004. Commenter also provides a description of some of the activities of the General Plan workshops.

The draft EIR provides a discussion of the EIR process in Chapter 1.0 (Introduction and Reader's Guide to the EIR). Additionally, Chapter 2.0 (Project Description) provides a thorough summary of the General Plan purpose, objectives, guiding principles and planning concepts. However, as the project description for the EIR is the entire General Plan, it would be infeasible to include all information from the General Plan in the EIR project description. The General Plan is incorporated by reference as the project description of the EIR. Regarding discussion of the General Plan Action Team (GPAT) and the Community Workshops, the Goals and Policies Report includes this discussion, and is therefore incorporated into the draft EIR by reference. Please refer to the following pages of the Goals and Policies Report for information on the GPAT and the General Plan process: page A-1, 1-2, 1-4, 1-5 and 1-6.

**Response to Comment O5-54:** Commenter provides a description of the CEQA requirements for cumulative impact discussion as part of a Program EIR. Please see the response prepared for comment O4-2.

**Response to Comment O5-55:** Commenter states that the draft EIR fails to include a complete list of projects within the City of Stockton and the draft EIR fails to quantify cumulative impacts. The draft EIR provides a summary of impacts for similar projects in the vicinity of the City of Stockton in Table 15-3 on pages 15-7 through 15-14 of the draft EIR. The project list consists of General Plans for the cities of Escalon, Lathrop, Lodi, Manteca, Ripon, and Tracy and projects within unincorporated San Joaquin County and the San Joaquin Council of Governments Regional Transportation Plan. This project list consists of projects that are similar to the proposed project and have the potential for resulting in cumulative impacts within the same region. Given the nature of the Proposed Project at issue – a long-term General Plan – it is not feasible or desirable to include a list of specific development projects expected to be pursued over a long planning period. Reliance on the long-term projections in various General Plan EIRs from nearby jurisdictions is a better method of assessing how much growth is expected, and where, during the planning period for the proposed General Plan. Please also see the response prepared for comment O4-2.

**Response to Comment O5-56:** Commenter states that the draft EIR fails to mention that over one half of the growth in the Proposed Project is already being processed by the City and that the City has already adopted a Sphere of Influence for growth north of 8 Mile Road. Commenter states that the City is in the process of approving projects that are included in the proposed project. Commenter states that the draft EIR must list, analyze, and mitigate to the extent feasible the cumulative impacts from these development projects. As stated in response to Comment O5-5, because the General Plan is intended to provide a broad planning framework for the City, thus no individual projects are identified and analyzed in the EIR. Consequently, the cumulative impact analysis for the proposed project only identifies the cumulative impacts that may occur from buildout of the potential land uses within the USB/SOI for the General Plan. Given the timeframe for consideration of the Proposed Projects approval by City decision-makers, it is anticipated that a majority of the development associated with the Proposed Project would occur after adoption of the updated General Plan. In doing so, the City will have established a solid framework (i.e., updated policies and land use map) from which to consider and evaluate future individual projects associated with implementation of the Proposed Project.

**Response to Comment O5-57:** Commenter reiterates inadequacies of the Proposed Project identified earlier in the comment letter. Commenter states that a revised draft EIR must be prepared and recirculated. Commenter also states that it is unacceptable for the City to approve the Proposed Project which causes serious environmental impacts. This comment is noted. Please refer to responses to comments O5-2 through O5-47.

## Individuals

### *Letter I1, Mary Ellen Dunbar*

**Response to Comment I1-1:** Commenter asks where water and power will come from to supply new development. Commenter further states that the area has only had half the normal rainfall and the snow pack and water table are being depleted. Normally, a single dry year is not cause for concern that water supplies reliable in the past will no longer be reliable in the future. Notably, California history shown a pattern of dry or below average years or a series of dry or below average years followed by wet or wetter than average years of a series of wet or wetter than average years, with relatively few truly "average" years in between. Water supply and delivery is discussed in the draft EIR in Chapter 9, Section 9.2. Specifically, Impacts PFS-1, PFS-2 and PFS-3 on pages 9-7 through 9-17 address the issue of water treatment facilities, water supply entitlements and the depletion of groundwater. General Plan Policies PFS-2.13 (Timing of Future Development), PFS-2.2 (Water Supply), PFS-2.8 (Delta Water Supply), PFS-2.11 (Sustainability of Groundwater Supplies) and Implementation Measure #21 (all described on page 9-11) are included to address these impacts. In addition, see Master Response #3 on the subject of how climate change could affect long-term water reliability.

### *Letter I2, Mathilda Buhrkuhl*

**Response to Comment I2-1:** Commenter states that water, traffic, pollution, police and fire protection have been addressed in the document, but the City must consider the lack of medical facilities in the area. This comment does not address the adequacy or completeness of the draft EIR or otherwise raise significant environmental issues. However, to the extent feasible, the City's draft General Plan includes a land use diagram and several policies (including LU-4.11 "Mixed Use Development") that support a variety of services and mixed use commercial (which includes medical and professional offices/services) land uses at locations that provide convenient neighborhood services.

### *Letter I3, Sally Galiste*

**Response to Comment I3-1:** Commenter states that they attended the January 10, 2007 public comment meeting and requested a copy of the map outlining the proposed General Plan boundaries and has yet to receive the map. The commenter does not provide any specific comment regarding the adequacy or completeness of the draft EIR or otherwise raise significant environmental issues within the meaning of CEQA and this comment is noted.

**Response to Comment I3-2:** Commenter states that after attending the public comment meeting and viewing the draft document, commenter decided to provide comments on the Proposed Project. The commenter does not provide any specific comment regarding the adequacy or completeness of the draft EIR or otherwise raise significant environmental issues within the meaning of CEQA and this comment is noted.

**Response to Comment I3-3:** Commenter expresses frustration regarding the sphere of influence being proposed northward by the City. Commenter states concern regarding urban sprawl, deteriorating air quality, traffic, water supply, levee failure, inadequate law enforcement, overcrowded schools, and the impact that additional urban developments will create. Commenter states that these issues must be addressed before the Proposed Project move to the final approval stage.

The purpose of an EIR is to inform public agency decision makers and the public generally of the significant environmental effects of a project. In addition the EIR identifies possible ways to minimize the significant effects (mitigation) and describes a reasonable range of alternatives to the Proposed Project [CEQA Guidelines §15121(a)]. An EIR is an informational document. Thus, technical perfection is not required, but the EIR must be complete, adequate, and represent a good-faith effort at full disclosure [CEQA Guidelines §15003(i)].

The EIR prepared for the Proposed Project provides a summary (see Table S-3 of the Executive Summary) of the environmental effects analyzed in the draft EIR and identifies the mitigation (General Plan policies) that would minimize the Proposed Project's significant effects. Consistent with CEQA Guidelines, the draft EIR addresses a range of environmental issues

including air quality, traffic, water supply, levee failure, and the provisions of a range of public services. The City believes that, while the commenter may disagree, as a matter of public policy, with the draft General Plan as proposed, they have not identified any legal infirmity in the EIR. Here disagreement with the draft General Plan as proposed will be forwarded to the City Council for its considerations as part of its deliberations on the project.

**Response to Comment I3-4:** Commenter states that mitigation must be given higher priority and not easily dismissed. Commenter expresses concern that the City considers development of bordering farmland as "unavoidable." Commenter states that such development is avoidable since the City can choose to approve or deny developers requests to rezone/convert agricultural land through the General Plan process. Commenter further states that land that remained in San Joaquin County hands would require developers to work with county officials for approval of projects. Notably, the term "unavoidable," under CEQA, does not mean "unavoidable despite all possible human efforts to avoid." Rather, CEQA permits lead agencies to approve projects, notwithstanding their significant effects on the environment, provided that the agencies: first determine that there are no *feasible* means to substantially lessening or avoiding such effects; and then, secondly, determine that there are specific economic, social, or other considerations that make the identified, unmitigated significant effects "acceptable." (See CEQA Guidelines, Sections 15091 – 15093.) Any such "acceptable" significant effects are considered "unavoidable" under CEQA. What is "unavoidable," then, is often a function of whether mitigation or alternatives are "infeasible"; and this judgment is a matter of considerable discretion for agency policy-makers. "Feasible" is defined as "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors." (CEQA Guidelines, Section 15364.) Furthermore, "'feasibility' under CEQA encompasses 'desirability' to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors." (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417.) While the commenter may disagree, as a matter of public policy, with the General Plan as proposed, the commenter does not provide any specific comment regarding the adequacy or completeness of the draft EIR or otherwise raise significant environmental issues within the meaning of CEQA and this comment is noted. More specifically, they have not identified any specific mitigation measures purported to be inadequate. Her disagreement with the General Plan as proposed will be forwarded to the City Council for its consideration as part of its deliberations on the project.

**Response to Comment I3-5:** Commenter states that the City does not have to grow in every direction, especially at the rate it has been growing in the past decade. Commenter states that the strategy of a General Plan is to determine and then fix the rate of control, the direction of growth of existing City boundaries, and to do so while addressing the concerns of both the County and City. The commenter does not provide any specific comment regarding the adequacy or completeness of the draft EIR or otherwise raise significant environmental issues within the meaning of CEQA and this comment is noted. Her disagreement with the General Plan as

proposed will be forwarded to the City Council for its consideration as part of its deliberations on the project. Her observation that a general plan need not require a city to "grow out in every direction" is accurate from a legal standpoint, but does not reflect the further legal realities that general plans must provide lands for a certain amount of new housing (see Government Code, Section 65583, subds. (a)(3), (c)(1)) and that, in any event, elected city councils have considerable policy discretion in formulating cities' general plans. (See *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal. 3d 553, 576 (*Goleta II*) ("[t]he wisdom of approving...any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions"; "[t]he law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced").) The CEQA process is intended to crystallize the manner in which elected officials balance competing policy considerations, such as economic growth and environmental protection. (CEQA Guidelines, Section 15003(e).) The commenter's participation in both the CEQA process and the local political process will allow them to make her own preferences known to her representatives.

**Response to Comment I3-6:** Commenter provides background information about the City of Lodi and the City of Galt planning strategies. Commenter states that it is clear that growth between cities is a contentious issue. The commenter does not provide any specific comment regarding the adequacy or completeness of the draft EIR or otherwise raise significant environmental issues within the meaning of CEQA. However, it should be noted that the City supports development of greenbelts and agricultural buffer areas. Policy LU-2.2 "Agricultural Buffer" states that the City shall support the establishment of a permanent agricultural/open space buffer along the ultimate edge of the Urban Service Area..

**Response to Comment I3-7:** Commenter states that the City needs to be guided by average citizens and less by influential developers when determining new sphere of influence and City boundaries. Commenter asks the City planners and council members to consider all of the points previously mentioned (Comments I3-1 through I3-6) during the decision making process on the General Plan's new sphere of influence. Commenter describes the distance between various locations in and adjacent to Stockton and indicates that the City is becoming a drawn-out metropolis, expanding northward. Commenter asks that the City reconsider adding the land north of Eight Mile Road into the General Plan. Please refer to Master Response #1 for a discussion of how comments or proposed suggestions to revise the existing policies in the General Plan Update will be considered by the City. As noted above, City government values input from all of its citizens, whether they be professional developers or average persons with preferences about how they envision the City in the future. The City Council will weigh and consider all such input in making its final decision with respect to the project.

**Response to Comment I3-8:** Commenter concludes the letter by restating concerns regarding water quality/aquifer deletion, air quality, traffic, levee failure, school needs, law enforcement, impacts of urban development, and developing farmland. Commenter also expresses concern that the City isn't responding to citizen suggestions, comments and complaints in the planning process. Please refer to the response prepared for Comment I3-3 for a general discussion related to the purpose of an EIR and the information provided in the draft EIR prepared for the Proposed Project.

The City began its General Plan update process in the Fall of 2002, after undertaking a review of the existing General Plan. Given the significant nature of the Proposed Project (future 30 year planning framework), the City has refused to set arbitrary deadlines designed to speed the planning process forward. Rather, the City has taken the time to complete the process in a manner that has consistently collected and considered stakeholder input over the course of the planning process that continues today (June 2007). Consideration of this stakeholder input has lead to several significant changes in the Proposed Project. As more fully described in the response to Comment O5-52, public input (including information provided by the Campaign for Common Ground) received during the first NOP public scoping phase revised the originally proposed General Plan as follows:

- Planning horizon reduced from 2050 to 2035;
- Target population reduced by 83,000 people to 580,000;
- Infill strategy adopted calling for 100% infill development within the existing portions of the City; and
- Village acreage reduced by an estimated 8,280 acres (reduced from 20 to 14 village areas).

The City continues to collect and consider public input on the draft General Plan through the public review period for the draft EIR on the Proposed Project. Consideration of public input on both the draft General Plan and the draft EIR forms the basis of this final EIR, with preparation of the various responses contained in this chapter of the final EIR.

### *Letter I4, Kurt W. Cooper.*

**Response to Comment I4-1:** Commenter provides an introductory statement regarding their opportunity to review and provide comments on the draft EIR. No further response is required.

**Response to Comment I4-2:** Commenter restates a portion of the impact analysis provided for Impact HS-1 along with several of the policies provided in the draft General Plan and EIR regarding road and highway noise. The commenter does not provide any specific comment regarding the adequacy or completeness of the draft EIR or otherwise raise significant environmental issues within the meaning of CEQA and this comment is noted.

**Response to Comment I4-3:** Commenter states that policies identified previously (in Comment I4-2) seek to mitigate new development/construction, but ignore existing development/residential areas. Commenter states that the study identifies a potential for significant increase in noise due to build out of the Preferred Land Use Alternative and that because the General Plan offers to partially mitigate new development it should offer the same mitigation to existing residential and other sensitive noise receptors such as churches and schools.

Commenter refers to the summary provided in Comment I4-2. However, the commenter left out a portion of the impact analysis for Impact HS-1 that is important to the discussion of on-road mobile source noise impacts as it relates to both new and existing sensitive receptors. Specifically, page 11-11 of the draft EIR states that:

> "However, the actual level of impact would depend on the presence and location of any existing or proposed land uses in relation to the noise source. While an increase of 3 to 5 dBA is considered potentially significant, it is only significant if it affects sensitive land uses. It is expected that subsequent CEQA documentation prepared for individual projects would have project-specific data and will be required to address, and if possible, mitigate any potential operations-related noise impacts to a less-than-significant level. Examples of mitigation that may be proposed include various types of shielding (e.g., vegetation, etc.) or sound walls."

Thus, although the policies referenced by the commenter do refer to new development, which is consistent with the broad, generalized analysis of the City's development provided in the General Plan, subsequent CEQA documentation for individual project-specific analysis would focus on impacts to existing sensitive receptors. The City's draft General Plan includes a number of policies (including HS-2.1 "Sensitive Receptors" and HS-2.2 "Noise Compatibility Guidelines") that highlight the importance of sensitive receptors by prohibiting the development of noise-generating land uses near sensitive land uses.

**Response to Comment I4-4:** Commenter states that no implementation measures are provided to ensure that appropriate actions are taken to implement Policies HS-2.5 and HS-2.13. Commenter further states that City departments must be identified as responsible entities to ensure that the policies are implemented and that there is assignment of a timeline for the completion of the policies. Commenter refers to guidance in Chapter 1.5 of the Goals & Policies Report. Implementation Measure #3, on page 11-6 is provided to ensure that Policies HS-2.5 and HS-2.13 are implemented.

**Response to Comment I4-5:** Commenter states that the overall conclusion of the road and highway noise section of the draft EIR reaches an unacceptable conclusion. Specifically, commenter points to Impact HS-1 and states that a determination of "Significant and Unavoidable" does not keep with the spirit or intent of CEQA because it does not protect the health and safety of the community against adverse impacts of the project. Commenter further

states that the city must seek an acceptable solution and not leave the public with an adverse impact for which there are suitable alternatives. Commenter suggests draft EIR Alternatives #4 and #5 as options that would mitigate Impact HS-1 and suggests that the city take a more serious look at the alternatives in the draft EIR.

As stated on page 11-14 of the draft EIR, the City will implement a variety of policies and implementation measures designed to address noise issues and continue to discourage the siting of industrial uses near sensitive land uses. Additionally, the City will ensure that future CEQA documentation be prepared for individual projects (with project-specific data) that will (if technically possible) mitigate any potential noise impacts to a less-than-significant level. However, given the uncertainty as to whether future noise impacts could be adequately mitigated for all the individual projects that could be implemented as part of the updated General Plan, the impact remains significant and unavoidable. On the subject of what constitutes "unavoidable" impacts under CEQA, see the response prepared to Comment 13-4.

Regarding the Alternatives Analysis, both Alternative #4 and Alternative #5 were evaluated in Chapter 14 "Alternatives to the Proposed Project" of the draft EIR. While these alternatives do reduce the severity of some of the significant impacts of the Proposed Project, they do not necessarily meet all of the objectives of the project and would continue to result in significant and unavoidable noise impacts (similar to the Proposed Project).

### *Letter I5, Kurt W. Cooper*

**Response to Comment I5-1:** Commenter thanks the City for the opportunity to comment on the draft EIR and indicates that the comments in his letter will address airport noise. Commenter further states that they are pleased to note the City's commitment to maintain the Stockton Metropolitan Airport and would like to point out areas in the draft EIR and Goals & Policies Report that need further attention. No further response is required.

**Response to Comment I5-2:** Commenter quotes Policy TC-7.6 and states that the phrase "two miles", when referring to development near the airport, must be consistent throughout the General Plan. Commenter further states that the definition of the Airport Influence Area (AIA) on page 3-16 of the Goals & Policies Report does not match with the same definition on page 3-2 of the same report. Commenter urges the City to correct all references to match the LU-6.1 policy statement. In consideration of these comments, policies TC-7.6 and LU-6.1 were further reviewed and it was determined that the overlapping concepts of each policy could be eliminated through the consolidation of both policies into a single Land Use policy (LU-6.1) that defines the AIA. Please see Chapter 4.0 "Modifications to the Draft EIR" of this final EIR.

The definition of the AIA provided on page 3-16 is not intended to match verbatim the description of an AIA provided in the "Key Terms" section found on page 3-2 of the Goals and Policies Report. The definition included as part of Policy LU-6.1 is intended to provide a brief summary of what an AIA is intended to encompass for the purposes of providing direction on land use policies in and around the Stockton Metropolitan Airport.

**Response to Comment I5-3:** Commenter states that there is an error at the end of the last sentence of Policy TC-7.6. Commenter states that the policy reads, "and welfare by minimizing the public's exposure to excessive and safety hazards," but that it should read "excessive noise and safety hazards." As more described above under the response prepared for Comment I5-2, Policy TC-7.6 has been replaced by new Policy LU-6.1.

**Response to Comment I5-4:** Commenter provides background information on his own experience working in the Federal Aviation Administration and in Air Traffic Control in various locations. The commenter does not provide any specific comment regarding the adequacy or completeness of the draft EIR and this comment is noted.

**Response to Comment I5-5:** Commenter states that airport noise can be a very subjective, subtle and often eventful environmental impact. The commenter describes airport noise studies in general and suggests that "the reality of airport noise to sensitive receptors is truly a function of single event noise sources". The commenter is correct in stating that the effects of aircraft noise are complex and variable, depending on the type of noise, the circumstances in which the noise is experienced, and the characteristics of the population exposed to the noise. The type of noise made by aircraft engines varies with equipment type (piston engine, jet), operational mode (taxi, take-off, climb, landing), altitude, and distance. The circumstances in which the noise is experienced also vary and include time of day, meteorological conditions, and noise from other sources (or lack thereof). The age, health, and activity states (sleeping, awake) of people exposed to aircraft noise further influence how the noise is perceived.

The noise made by a single aircraft departure, overflight, or landing may be extremely intrusive, depending on noise level, time of day, and the presence or absence of other noise sources. However, it is exposure to repeated aircraft noise over extended periods that will predictably result in high levels of annoyance. There are several noise metrics that can be considered in a detailed evaluation of the noise impacts of airport operations (i.e., Sound Exposure Level [SEL], Single Event Noise Exposure Level [SENEL]; Maximum A-weighted Sound Level [Lmax], Time Above Threshold [TAT], Day-Night Average Sound Level [DNL], and Community Noise Equivalent Level [CNEL]). The most important are the DNL and CNEL, because they consider the entire 24-hour noise profile and therefore actually incorporate all the sound energy represented by the other metrics.

The draft General Plan includes several "Airport Compatibility Planning" policies, including Land Use Implementation Measure #6, which would allow the City to require the use of SEL or SENEL in addition to DNL or CNEL in analyzing the potential impacts of aircraft noise on proposed development. These various "Airport Compatibility Planning" policies originally appeared in the draft EIR as policies that would partially mitigate several land use, public safety, and noise issues associated with development in the vicinity of the airport. Please see Master Response #4 for additional information regarding the changes that these policies have undergone in preparation of this final EIR and for a description of other airport-related issues.

**Response to Comment I5-6:** Commenter provides background information about military aircraft flying into and out of the Stockton Airport. Commenter indicates that during non-war times, the frequency of large aircraft flying overhead near the airport will increase and that this increase can cause substantial distress to residents near the airport. Commenter emphasizes the importance of segregating the noise sensitive receptors from the airport. Commenter states that development north of the Arch Road Commercial area and adjacent to State Route 99 may become a problem in relation to airport noise. Commenter closes by stating agreement that Impact HS-3 is significant, but further states that it is not unavoidable. Commenter believes that segregating the sensitive noise receptors from the airport will assist in avoiding this impact. Commenter suggests Land Use Alternative #5 to address this problem, because it would convert the residential "Village" area immediately south of the Stockton Airport to an "Industrial" land use designation. The commenter does not provide any specific comment regarding the adequacy or completeness of the draft EIR and this comment is noted.

### *Letter I6, David A. Gold, Morrison Foerster.*

**Response to Comment I6-1:** Commenter states that they are submitting comments on the draft City of Stockton General Plan for their client, River Run Partners, LLC. Commenter further states that the City has prepared a comprehensive planning document and appreciates the thorough analysis. Commenter describes the participation of River Run Partners, LLC, in the planning process in regards to the River Run project. The commenter does not provide any specific comment regarding the adequacy or completeness of the draft EIR or otherwise raise significant environmental issues within the meaning of CEQA and this comment is noted.

**Response to Comment I6-2:** Commenter asks for confirmation that the build-out assumption for residential units for River Run is approximately 7,960 units. The commenter does not provide any specific comment regarding the adequacy or completeness of the draft EIR or otherwise raise significant environmental issues within the meaning of CEQA and this comment is noted. It should be noted, that the draft EIR is analyzing the environmental impacts resulting from implementation of the Proposed Project as a whole and is not identifying the environmental impacts of specific projects.

Commenter states that the River Run project proposes four new K-8 school sites and one new high school, based on initial discussions with the Manteca Unified School District. Commenter asks for confirmation that the actual number of schools to be constructed for the Villages designation will be determined pursuant to the Specific Plan/Master Plan process. The commenter is correct in their understanding that the actual number of schools to be constructed within each Village area will be finalized as part of the more detailed specific plan process for each Village area. The City anticipates that development of each individual specific plan will be coordinated with the affected school districts within each Village area.

Commenter asks for clarification that development within the USB does not constitute "leapfrog expansion." As more fully described in the response prepared for Comment O5-28, public input on the draft General Plan lead to the identification of several key objectives (including: discouraging "leapfrog" expansion over "problem areas" and encouraging the orderly expansion of the city) that led to the development of the draft land use diagram and served as the foundation for the draft Goals and Policies Report. These objectives also formalize local development trends that have been occurring within the City's downtown area (i.e., Weber Point, Stockton Arena, etc.) over the past several years while balancing the desire for newer "village" development in response to projected growth patterns that require an expanded City footprint under any realistic long-time planning scenario. Consistent with these various objectives, the draft General Plan has been developed to ensure that future growth is conducted in an orderly fashion, as evidenced by the specific guidance outlined in the Districts and Villages Element. Guidance provided for the City's USB has been broken down by specific area with particular attention given to the City's downtown area, surrounding neighborhoods, corridors, and proposed Village areas. Goals and policies contained within the Districts and Villages Element provide specific development criteria and standards that have been designed to maintain and enhance the existing neighborhood fabric within the City and avoid the effects of "leapfrog" development. Examples of these standards are contained on pages 7-12 through 7-25 of the draft Goals and Policies Report.

Commenter includes text of Policies LU-1.4 and LU-2.2 and asks for confirmation that these policies regarding setbacks would not apply to properties designated Village under the General Plan, properties within the SOI of an adjacent city, or properties designated Village adjacent to the River Run property. Policy LU-1.4 is intended to be applicable to lands outside the USB boundary. Policy LU-2.2 is intended to be applicable to Village areas and their transitional neighborhoods. Lower density development can transition to an agricultural or open space use, in effect, resulting in a buffer.

**Response to Comment I6-3:** Commenter asks that the City modify Policy CD-1.4 to modify the beginning of the sentence starting "...Soundwalls and utilitarian edges of developments shall not be allowed as an interface between development and rural landscapes," to include the following text: "Except as determined appropriate pursuant to a Specific Plan or Master Development Plan,

soundwalls and utilitarian edges..." Please refer to Master Response #1 for a discussion of how comments or proposed suggestions to revise the existing policies in the General Plan Update will be considered by the City.

**Response to Comment I6-4:** Commenter includes text of Policy DV-5.1 and asks for confirmation from the City that this policy is not intended to create another discretionary approval for Village areas, but is intended to direct the City Planning Director to officially modify the General Plan Land Use Diagram once a Village area Specific Plan or Master Development Plan is adopted which the City Council has determined is consistent with the General Plan Update. The commenter is correct. It is assumed that a general plan amendment may be required once a Village area, Specific Plan, or Master Development Plan is developed. However, it is anticipated that the approval processes would occur concurrently.

**Response to Comment I6-5:** Commenter includes text of Policy DV-5.11, which requires an Area Infrastructure Master Plan prior to the approval of any Village specific plan. Commenter states that State law requires an equivalent analysis and discussion of infrastructure improvements, phasing, and financing in the requirements of a Specific Plan and commenter recommends that the City require the same level of infrastructure planning be included exclusively in a Village Area Specific Plan or Master Development Plan. Please refer to Master Response #1 for a discussion of how comments or proposed suggestions to revise the existing policies in the General Plan Update will be considered by the City.

**Response to Comment I6-6:** Commenter refers to General Plan Roadway System Diagram, Figure 8-1A and asks for confirmation that the draft General Plan is assuming six lanes, rather than two, on the portion of Howard Road just west of South Wolfe Road. Commenter further states that the River Run project has assumed the larger number of lanes for this roadway segment and wants to ensure consistency with the 2035 General Plan. The circulation diagram included in the draft General Plan is, by definition, general in nature, dealing with major road segments and not attempting to guess the ultimate widths and points of connection between future developments and the existing roadway system. In the circulation diagram, the entire length of Howard Road from Wolfe Road to the river crossing is treated as a single study segment and is identified as a 2-lane road. Future site-specific analyses may show that the segment should be subdivided into two or more segments and/or widened in order to better reflect the actual site designs proposed for that development area.

Commenter cites public facilities and services text from page 9-1, 3rd paragraph and page 9-8, Section 9.3 Wastewater of the Goals & Policies Report, which states "Improvements anticipated to be completed by 2006." Commenter asks if improvements are presently completed or, if not, asks for an estimated completion date. The City estimates that construction of the various improvements identified for the RWCF will be completed by summer 2007.

**Response to Comment I6-7:** Commenter includes text of Policy PFS-2.8 and recommends that the language for this policy track with State law SB 610 and SB 221 requirements. Commenter is concerned that the policy language "not approve new development" could create uncertainty whether all development entitlements are precluded, and potentially create conflicts with State law. Commenter also includes text of Policy PFS-4.2, regarding watershed drainage plans for proposed developments and requests clarification whether this takes the place of currently required Master Storm Drain Master Plans and whether the City will be responsible for preparing these plans. Commenter points to comment regarding PGU Policy DV-5.11 [Comment I6-5, above], and states that Specific Plans are already required to include detailed information regarding "[t]he proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan" and "[a] program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry [these] out," pursuant to California Government Code 65451(a)(2),(4). Commenter states that because of this requirement under State law, it would be an unnecessary and duplicative step to require a "stand alone" Watershed Drainage Plan separate from a Village Specific Plan. Commenter recommends that the City require watershed drainage plans be included exclusively in a Village Area Specific Plan or Master Development Plan. Although the City has independent power under its General Plan, the City did not intend to create an updated general plan with complicated and overlapping policies that conflict with State law or the requirements of other jurisdictions. The intent of the various policies described above is to provide broad guidance on the range of future development that could occur through out the planning timeframe of the draft General Plan. As specific projects are implemented under the Proposed Project, the City will individually review the requirements of each specific project in context of the applicable policies contained in the updated General Plan.

**Response to Comment I6-8:** Commenter includes text of Policies PFS-4.3 and PFS-4.5 and states that the two policies appear to conflict with one another. Commenter requests clarification on whether the developer would be responsible for establishing funding per PFS-4.3, or, in the alternate, whether the City would be responsible for establishing a fee to fund maintenance measures, per PFS-4.5. As indicated in Policy PFS-4.3, the commenter is correct in stating that future owners, developers, and/or successors-in-interest must establish funding. The commenter does not provide any specific comment regarding the adequacy or completeness of the draft EIR or otherwise raise significant environmental issues within the meaning of CEQA and this comment is noted.

**Response to Comment I6-9:** Commenter includes text of Policy PFS-8.4, Implementation Measure #21 and Implementation Measure #3. Commenter recommends that the City consider the total fiscal impact of a project when determining what type of additional financing mechanism

may be required, if any, to cover General Fund budget items such as Police, Fire, or Park and Recreation maintenance. Commenter states that the total fiscal impact of a project should consider both General Fund costs as well as General Fund revenues, such as property tax and sales tax revenues. Commenter suggests that a more comprehensive analysis of a project's total fiscal impact will provide more effective financial planning and ensure long-term fiscal responsibility. Please refer to Master Response #1 for a discussion of how comments or proposed suggestions to revise the existing policies in the General Plan Update will be considered by the City. The commenter does not provide any specific comment regarding the adequacy or completeness of the draft EIR or otherwise raise significant environmental issues within the meaning of CEQA and this comment is noted.

Commenter includes text of Policy RW-3.6. Commenter requests modification to this policy because commenter believes that within Villages, improved utility easement property which is usable as public parkland should be credited towards meeting parkland dedication standards in Policy RW-2.1 and be eligible for parkland fee reimbursement. The City shall consider modifying Policy RW-3.6 "Development of Utility Easements for Open Space" to provide limited park land acreage dedication credit for the utility easement land if adjacent, unencumbered land is also dedicated which can be developed with those amenities not allowed to be installed within the utility easement property. Though the developer would not receive any reduction in the park land fee, there would possibly be a partial reduction in the total amount of land dedicated for park land. The degree of credit would be based on usability and subject to the discretion of the Parks and Recreation Director.

Commenter includes text from page 11-3 of the Goals and Policies Report that states "Earthquake-induced liquefaction most often occurs in low-lying areas with soils or sediments composed of unconsolidated, saturated, clay-free sands and silts, but it can also occur in dry, granular soils or saturated soils with some clay content." Commenter requests the City eliminate the following from the text, "but it can also occur in dry, granular soils," because dry soils cannot liquefy. The City has considered this comment and will revise the definition of "Liquefaction" on page 11-3 of the Goals and Policies Report as follows:

- **Liquefaction.** Liquefaction in soils and sediments occurs during some earthquake events, when material is transformed from a solid state to a liquid state because of increases in pressure in the pores (the spaces between soil particles). Earthquake induced liquefaction most often occurs in low-lying areas with soils or sediments composed of unconsolidated, saturated, clay-free sands and silts. ~~, but it can also occur in dry, granular soils or saturated soils with some clay content.~~

Commenter includes the following text from Policy HS-6.5, "The City shall encourage reclamation districts to institute a levee maintenance program to reduce levee failures." Commenter proposes to revise the sentence as follows, "The City shall encourage reclamation

districts or other perpetually funded government agency (e.g. Geologic Hazard Abatement District) to institute..." Please see the response prepared for Comment A10-4. To address the broader issues regarding levee protection (including studies, types of infrastructure required, and potential funding sources) the City is considering inclusion of the following new policy:

- **HS-6.10 Develop Flood Protection Plan for Levee Systems.** The City shall coordinate with appropriate State, Federal, and local flood control agencies to develop a flood protection plan for the levee systems protecting the city. The plan shall identify the levees protecting the City and the entities responsible for operation and maintenance of the levees. The plan will determine the flood levels in the waterways and the level of protection offered by the existing levees along the waterways. A long-term plan will be developed to upgrade the system as necessary to provide at least a 100-year level of flood protection to the city. The City also commits to considering and revising the plan to reflect future appropriate state or federally mandated levels of flood protection in an effort to meet these applicable levels of flood protection. The City will pursue funding from any available funding sources (which may including but not be limited to the State's Floodway Corridor Program or Proposition 1E) to cover the cost of the plan (including any related studies) and the recommended improvements. *[New Policy – Final EIR]*

Commenter includes the following text from Policy NCR-2.1, "The City shall support preservation, restoration, and enhancement of the designated habitats of State or Federally-listed..." Commenter recommends that the City preserve its lead agency status and that this be rewritten as follows, "The City shall support preservation, restoration, and enhancement of habitats of State or Federally-listed..." The City has considered this comment and will revise the text of Policy NCR-2.1 as follows:

- **NCR-2.1 Protect Sensitive Habitats.** The City shall support preservation, restoration, and enhancement of ~~the designated~~ habitats of State or Federally listed rare, threatened, endangered and/or other sensitive and special status species. *[New Policy].*

Also, please see Chapter 4.0 "Modifications to the Draft EIR" of this final EIR.

Commenter includes the following text from Policy NCR-2.4, "The City shall consider the loss of sensitive habitat due to development to be a significant environmental impact. All development that is proposed to disturb or remove sensitive habitat shall demonstrate mitigation for this loss." Commenter expresses concern that this proposed new policy may impair the City's ability to adopt overriding considerations as lead agency. Commenter is concerned with the phrase "demonstrate mitigation." Commenter asks what will happen if no feasible mitigation is available and an override is needed. Commenter recommends the text be revised as follows: "The City shall consider the loss of sensitive habitat due to development to be a significant environmental impact. The City shall ensure that all feasible mitigation options be demonstrated

for development that is proposed to disturb or remove sensitive habitat." The commenter does not provide any specific comment regarding the adequacy or completeness of the draft EIR or otherwise raise significant environmental issues within the meaning of CEQA and this comment is noted.

**Response to Comment I6-10:** Commenter includes the following text from Policy NCR-2.5, "The City shall continue to coordinate with the [SJCOG] and comply with the terms of the [HCP] to protect critical habitat areas that support…" Commenter asks for clarification of what is meant by "critical habitat areas." Commenter asks if this is referring to federally designated critical habitat. Commenter suggests that the sentence be rewritten as follows, "The City shall continue to coordinate with the [SJCOG] and comply with the terms of the [HCP] to protect important habitat areas that support…" The commenter is correct in that the policy is referring to federally designated critical habitat. In consideration of the suggested revision, the City felt it was important to acknowledge "critical habitat areas" and has not incorporated the suggested revision.

**Response to Comment I6-11:** Commenter includes the following text from Policy NCR-2.9, "The City shall impose appropriate mitigation measures using protocols defined by the applicable statute (e.g., USFWS, CDFG, etc.)." Commenter recommends the sentence be revised as follows: "The City, in its lead agency role, shall take into consideration mitigation standards and policies of resource and regulatory agencies with jurisdiction over biological resources (e.g., USFWS, CDFG, and Corps of Engineers)." The City has considered this comment and will revise the text of Policy NCR-2.9 as follows:

- **NCR-2.9 Appropriate Mitigation Measures**. The City, in its lead agency role, shall ~~impose~~ take into consideration ~~appropriate~~ mitigation standards and policies of resource and regulatory agencies with jurisdiction over biological resources ~~measures using protocols defined by the applicable statute~~ (e.g., USFWS, CDFG, etc.). *[New Policy].*

Also, please see Chapter 4.0 "Modifications to the Draft EIR" of this final EIR.

**Response to Comment I6-12:** Commenter expresses appreciation for the opportunity to comment on the City's draft General Plan and applauds the City for advancing the General Plan update to provide long range planning vision for Stockton. The commenter does not provide any specific comment regarding the adequacy or completeness of the draft EIR or otherwise raise significant environmental issues within the meaning of CEQA and this comment is noted.

### *Letter I7, Kurt W. Cooper*

**Response to Comment I7-1:** Commenter thanks the City for the opportunity to comment on the draft EIR and states that the following comments will be in response to Chapter 11.7 Emergency Operations Plan. Commenter further states that after recent terrorist activities and natural disasters, the best possible emergency response planning must be put in place. No further response is required.

**Response to Comment I7-2:** Commenter states that under the Preferred Land Use Alternative the current and envisioned transportation infrastructure will not support an emergency response plan or evacuation plan. Commenter further states that the draft EIR indicates that the policies of the draft General Plan will interfere with and physically impede emergency response vehicles and that this is a significant and unavoidable impact. Commenter states that this is unacceptable and that the study must provide alternatives to this conclusion. Commenter then includes text from the following sections of the draft EIR: Impact HS-17, Policy HS-7.3, Impact analysis for Policy HS-7.3, Mitigation for HS-7.3, Policy HS-1.7, and text from page 8-55 of the Traffic and Circulation section. Commenter states that the Preferred Land Use Alternative does not provide adequate emergency response management and that Alternative #5 would mitigate many of the deficiencies of Chapter 11 (Emergency Operations Plan) of the draft EIR.

The City takes public safety issues very seriously and has developed updated policies and implementation measures designed to address the continued provision of superior levels of emergency response (see the Public Facilities and Services Element), support for clearly defined emergency response/evacuation plans (see the Health and Safety Element), and the management of local/regional roadways (see the Transportation and Circulation Element) to address traffic congestion and level of service issues that could affect emergency response or evacuation. Specific policies included as part of the Proposed Project that identifies how the City continues to support emergency response plans and service include the following:

- HS-7.1 Coordinated Emergency Response System,
- HS-7.2 Update of Emergency Operations Plan,
- HS-7.3 Access and Evacuation Corridors,
- HS-7.4 Coordinated GIS Planning for Emergency Response, and
- HS-7.5 Siting of Critical Emergency Response Facilities.

In addressing these potential impacts, the City's draft EIR takes a conservative approach in evaluating the Proposed Project's potential impact on emergency response and evacuation plans as evaluated in Impact HS-17 (see pages 11-64 through 11-65 of the draft EIR). Here, the draft EIR notes that continued growth and development resulting from implementation of the Proposed Project would more than double the current number of vehicle trips and the number of miles of vehicular travel within the study area. Consequently, several local roadway facilities would experience deterioration in their levels of service to an unacceptable level. Contrary to the commenter's statement, the draft EIR does not indicate that the proposed policies of the draft General Plan will interfere with and/or physically impede emergency response vehicles. In fact, the policies strive to mitigate these impacts by identifying a combination of emergency response measures and specific roadway improvements that are identified in the Circulation Diagram of the draft General Plan. However, the impacts of the Proposed Project on intersection LOS would

remain significant even with implementation of the proposed transportation and emergency response policies (described above). Roadways operating at unacceptable levels of service could contribute to a physical interference with procedures specified in an adopted emergency response plan or evacuation plan. Therefore, the impact on emergency response and evacuation plans is considered significant and unavoidable. However, having stated this, City emergency service providers can implement a variety of measures designed to address localized traffic congestion or navigation through transportation corridors undergoing repair/improvements. These measures may include traffic light changers and the ability to drive along roadway shoulders or center lanes (when appropriate).

Alternative #5 is evaluated in Chapter 14 "Alternatives to the Proposed Project" of the draft EIR. While this alternative would reduce the severity of some of the significant impacts of the Proposed Project, it would not meet most of the basic objectives of the project and growth/increases in traffic congestion under Alternative #5 would result in significant and unavoidable impacts on emergency response and evacuation plans similar to those of the Proposed Project).

### *Letter I8, Kurt W. Cooper*

**Response to Comment I8-1:** Commenter thanks the City for the opportunity to comment on the draft EIR and states that the following comments will be in response to Chapter 9.7, Law Enforcement. No further response is required.

**Response to Comment I8-2:** Commenter includes text from Policy PFS-1.1, regarding law enforcement levels of services, and asks if it is the intent of the draft EIR to provide priority law enforcement services to existing portions of the City at the expense of newly developed areas. Commenter asks if the newly developed areas will receive a lower priority of service in order to maintain current levels of service to existing urban areas. As more fully described in Section 9.7 of the Public Facilities and Services Element, the City shall continue to ensure that the provision of law enforcement service to both existing and newly developing areas is not diminished at the expense of one area over another.

**Response to Comment I8-3:** Commenter includes text from Policy PFS-7.2, regarding law enforcement staffing ratios and states that given the high rate of crime, the staffing ratio is insufficient. Commenter further states that Sacramento and Fresno maintain a higher ratio of 1.6 to 1,000 (versus 1.5 to 1,000) and describes a reported Federal Bureau of Investigation recommendation of 3.0 to 1,000 for an urban city of Stockton's size and crime problems. A number of factors were considered in developing the identified staffing ratios. The staffing levels were developed in consultation with City staff and in consideration of the City budget. The staffing levels were also developed in consideration of the staff levels of other service providers for similar jurisdictions.

**Response to Comment I8-4:** Commenter includes text from Policy PFS-7.5 (Design Features for Crime Prevention and Reduction) and states that although the policy is theoretically smart, much stronger policies are needed. The comment is noted. Specifics on updated design parameters would be addressed as part of updated City Design Guidelines. Please refer to Master Response #1 for a discussion of how comments or proposed suggestions to revise the existing policies in the General Plan Update will be considered by the City.

**Response to Comment I8-5:** Commenter includes text from Policy HS-7.5 (Siting of Critical Emergency Response Facilities) and asks if the draft EIR proposes the construction of new hospitals. Commenter further states that the two hospitals in Stockton and the County hospital are heavily overburdened and that a city the size of the Preferred Land Use Alternative with a population of 600,000 will need more hospitals. Although the City is not responsible for the development of hospitals, the City supports the designation of land for the development of hospitals and medical facilities. Also, please see the response developed for Comment I2-1.

**Response to Comment I8-6:** Commenter states that with the exception of Implementation Measure #21, there are no implementation measures provided to ensure adoption and implementation of the policies. Commenter includes text from the Goals and Policies Report regarding implementation and states that City departments have not been designated as responsible entities to ensure implementation of these policies and that there is no plan or schedule for implementation of these policies.

The Goals & Policies Report includes implementation measures at the end of each General Plan section. The tables summarizing the implementation measures include a column identifying the responsible entities and the implementation dates. An example can be found on page 3-19 of the Goals & Policies Report. This table provides Land Use Implementation Measures 1-9, of which the first three are provided below as an example.

**LAND USE IMPLEMENTATION MEASURES**

| *Implementation* | *Implements What Policy* | *Who is Responsible* | *2007-2008* | *2009-2010* | *2010-2015* | *2015-2035* | *Ongoing* |
|---|---|---|---|---|---|---|---|
| 1. The City shall request that the San Joaquin County Local Agency Formation Commission (LAFCO) modify Stockton's sphere of influence consistent with the long-term growth plans reflected in the General Plan. *[New Implementation]* | LU-1.2 | Community Development Department | X | | | | |
| 2. The City shall work with San Joaquin County to develop a uniform land use policy for the urbanized lands adjacent to the City. *[New Implementation]* | LU 1.9 | Community Development Department | X | | | | |

**LAND USE IMPLEMENTATION MEASURES**

| *Implementation* | *Implements What Policy* | *Who is Responsible* | *2007-2008* | *2009-2010* | *2010-2015* | *2015-2035* | *Ongoing* |
|---|---|---|---|---|---|---|---|
| 3. The Planning Commission shall review the General Plan annually, focusing principally on actions undertaken in the previous year to carry out the implementation programs of the Plan. The Planning Commission's report to the City Council shall include, as Commission deems appropriate, recommendations for amendments to the General Plan. This annual report shall also be used to satisfy the requirements of the Public Resources Code (Section Number §2108.6) for a mitigation monitoring program. | LU□1.14 | Community Development Department Planning Commission | | | | | X |

**Response to Comment I8-7:** Commenter includes text from Impact PFS-17, including required mitigation measures (Implementation Measure #21), and significance after implementation of mitigation (less-than-significant). Commenter states that provision of police services is not simply a monetary issue and that Stockton has a problem recruiting well-qualified candidates for police officer positions to serve the current population. Commenter further asks how much more the problem will be compounded as the population doubles and states that Impact PFS-17 is significant.

As more fully described on page 9-67 of the draft EIR, Impact PFS-17 was found to be potentially significant. However, with implementation of several draft General Plan policies, the impact was determined to result in a less-than-significant impact. Policies and implementation measures included as part of the draft General Plan that address the need for additional law enforcement services include Policies PFS-1.1, PFS-1.4, PFS-1.5, PFS-1.8, and PFS-1.9, which require the City to plan for and expand a variety of public services (including law enforcement services and facilities) consistent with community needs. Policy PFS-7.3 calls for the continued promotion of public fire safety and emergency life support education programs. Policies PFS-7.1, PFS-7.2, PFS-7.3, and PFS-7.5 identify specific law enforcement standards, response times, staffing ratios and other siting criteria to be followed by the City.

**Response to Comment I8-8:** Commenter includes text from the draft Goals and Policies Report and the Background Report stating that there has been a "slight increase in crime" within the City in the last decade. Commenter states that a study of the included crime statistics reveals that Stockton's crime rate has increased by 6.1% according to the FBI and this is not considered "slight." Commenter states that the report also states that Stockton's crime rate increased by 32.9% in the last five years of that same decade. Commenter states that the method used to report the 6.1% information appears to be deliberately misleading. Commenter asks that this subject

undergo a reanalysis to adequately and honestly inform the public and the decision makers. As more fully described in Section 9.7 of the Public Facilities and Services Element, the City shall continue to ensure that the provision of law enforcement service to both existing and newly developing areas is not diminished at the expense of one area over another. Also, please see the response prepared for Comment I8-3.

**Response to Comment I8-9:** Commenter states that the problems on Stockton's streets are real and Stockton will need substantial law enforcement help soon. Commenter further states that the draft EIR downplays facts and undermines a significant element of public safety. Please see the response prepared for Comment I8-7.

### *Letter I9, Hefner, Stark, and Marois, LLP*

**Response to Comment I9-1:** Commenter states that they are submitting comments on behalf of their client, the Arnaiz Companies and that the comments are focused on airport land use planning issues. Commenter states that the following comments are intended to apply to the proposed Village "L" within the planning area, however, many are applicable to other lands within the Airport Influence Area as well.

In consideration of the various comments that were directed at airport land use issues (including those identified in this letter related to the proposed Village "L"), the City has reviewed the entire set of airport-related policies (i.e., land use, noise, safety, etc.) contained within the City's updated General Plan. As a result of this review, it was determined that several policies originally contained in the draft General Plan provided overlapping guidance which were therefore consolidated into a single set of airport compatibility planning policies that continue to be protective of the airport and its uses. Please see Master Response #4 for additional information regarding these airport-related issues. Also, please see Chapter 4.0 "Modifications to the Draft EIR" of this final EIR for a complete list of all the policies that have been revised as a result of this review.

**Response to Comment I9-2:** Commenter provides feedback regarding Policy LU-6.1 (Airport Influence Area). Commenter provides background information on the responsibilities of the Airport Land Use Commission and states that the San Joaquin County Council of Governments (SJCOG) is the ALUC in San Joaquin County. Commenter further provides background information on the Airport Land Use Compatibility Plan (ALUCP) adopted by SJCOG in 1983 and amended in 1993 and information on how the General Plan must comply with the ALUCP. Commenter states that under the AIA and the policies of the 1993 ALUCP, the land uses proposed in Village L are fully consistent and compatible with airport operations at the Stockton Metropolitan Airport. Please see the responses prepared for Comment I9-1.

**Response to Comment I9-3:** In this comment, the commenter provides feedback regarding Policy LU-6.2 (Consistency with Airport Land Use Commission Policies). Commenter states that to be a legally correct statement, LU-6.2 should expressly note that the policies adopted in the 1993 ALUCP are controlling. Commenter additionally states that the language of the policy is incomplete as compared to the same policy in the Goals and Policies Report and that the following language has been omitted from the end of the policy: "...the City Council, pursuant to a two-thirds vote, exercises its option to conclude that, notwithstanding a negative recommendation from the ALUC, the Council's proposed action is consistent with the purposes of providing for the orderly development of the Airport (sic) and the areas surrounding the airport while protecting the public health, safety, and welfare by minimizing the public's exposure to excessive [noise] (sic) and safety hazards." Commenter further states that under the AIA and the policies of the 1993 ALUCP, the land uses proposed in Village L are fully consistent and compatible with airport operations at the Stockton Metropolitan Airport. As more fully described above in the response prepared for Comment I9-1, the City has revised the airport compatibility policies to ensure their consistency through out the Goals and Policies Report. Please see Chapter 4.0 "Modifications to the Draft EIR" of this final EIR.

**Response to Comment I9-4:** In this comment, the commenter provides feedback regarding Policy LU-6.3 (Interim Land Use Compatibility). Commenter states that prior to the adoption of a new Airport Land Use Compatibility Plan, the city cannot utilize criteria other than those contained within the 1993 ALUCP by which to determine airport consistency and compatibility. Commenter states that LU-6.3 should be deleted because it is contrary to state law. Commenter further states that LU-6.3 is arbitrary and nonsensical because of the more restrictive criteria within the Horizontal Zone. Commenter provides regulatory information regarding acceptable noise levels and states that the limitations contained within LU-6.3 upon residential and other similar land uses are contrary to existing regulations and policies. Commenter further states that Village L is located in an area which is suitable for development around most airports. Commenter again states that policy LU-6.3 should be deleted from the General Plan. In consideration of these comments, the City has reviewed Policy LU-6.3 "Interim Land Use Compatibility" and has replaced this policy with Policy LU-6.3 "Obstructions", which ensures continued conformance with Federal Aviation Administration Part 77 requirements. As more fully described above in the response prepared for Comment I9-1, the City has revised the airport compatibility policies to ensure their consistency through out the Goals and Policies Report. Please see Chapter 4.0 "Modifications to the Draft EIR" of this final EIR.

**Response to Comment I9-5:** In this comment, the commenter provides feedback regarding Policy LU-6.5 (Avigation Easement with AIA). Commenter states that standard land use planning involves the use of reasonable avigation easements where doing so are consistent with Caltrans policy. This comment does not address the adequacy or completeness of the draft EIR. No further response is required.

**Response to Comment I9-6:** In this comment, the commenter provides feedback regarding Policy LU-6.7 (Noise Analysis). Commenter states that only reasonable or likely single event noise events for which clear data are available should be considered and analyzed. In consideration of these and other comments, the City has reviewed Policy LU-6.7 "Noise Analysis" and has replaced this policy with Policy LU-6.7 "Interior Noise Within Adopted AIA". The new policy focuses on requirements to include appropriate sound attenuation measures for new projects to provide interior noise levels (attributable to exterior sources) that do not exceed 45 dB. As more fully described above in the response prepared for Comment I9-1, the City has revised the airport compatibility policies to ensure their consistency through out the Goals and Policies Report. Please see Chapter 4.0 "Modifications to the Draft EIR" of this final EIR.

**Response to Comment I9-7:** Commenter provides feedback regarding Implementation Measure #12. Commenter states that the language referring to "any ALUCP adopted after 2006" is an incorrect statement of law and should be deleted. As more fully described above in the response prepared for Comment I9-1, the City has revised the airport compatibility policies to ensure their consistency through out the Goals and Policies Report. Please see Chapter 4.0 "Modifications to the Draft EIR" of this final EIR.

**Response to Comment I9-8:** The commenter is referring to the description of Policy TC-7.1 "Aviation Services" provided on page 8-17 of the draft EIR. The commenter also states that the land uses proposed in Village L are fully consistent and compatible with airport operations at the Stockton Metropolitan Airport. Please see the response prepared for Comment I9-1.

**Response to Comment I9-9:** The commenter provides feedback regarding Policy TC-7.3 (Aviation Services). Although the commenter is referring to Policy TC-7.3 "Aviation Services", the comments are assumed to be directed at the correctly titled policy: TC-7.3 "Aviation Easement". Policy TC-7.3 has been removed from the Goals and Policies Report. Please see the responses prepared for Comment I9-1. Please see Chapter 4.0 "Modifications to the Draft EIR" of this final EIR.

**Response to Comment I9-10:** Referring to TC-7.4, the commenter states that the land uses proposed in Village L are fully consistent and compatible with airport operations at the Stockton Metropolitan Airport. Please see the response prepared for Comment I9-1.

**Response to Comment I9-11:** In referring to TC-7.5, the commenter states that only reasonable likely single event noise events for which clear data is available should be considered and analyzed. Please refer above to the response prepared for Comment I9-6.

**Response to Comment I9-12:** The commenter states that to be legally correct and un-ambiguous, Policy TC-7.6 should expressly note that the policies adopted in the 1993 ALUCP are controlling and that the last sentence of the mitigation is incomplete and missing text (missing text provided

in comment). The commenter also states that the land uses proposed in Village L are consistent and compatible with airport operations at the Stockton Metropolitan Airport. Policy TC-7.6 has been removed from the Goals and Policies Report. Please see the response prepared for Comment I9-1. Please see Chapter 4.0 "Modifications to the Draft EIR" of this final EIR.

**Response to Comment I9-13:** Referring to Impact HS-3 and policies LU-6.1, 6.2, 6.3, 6.5, 6.7, and Implementation Measure #12, the commenter states that under the CTHB, AIA and the policies of the ALUCP, the land uses proposed in Village L are fully consistent and compatible with airport operations at the Stockton Metropolitan Airport. Please see the response prepared for Comment I9-1. Please see Chapter 4.0 "Modifications to the Draft EIR" of this final EIR.

**Response to Comment I9-14**: The commenter states that Policy HS-2.20 is inconsistent with proposed General Plan policies LU-6.1 through 6.3. The commented also states that this inconsistency calls into question the validity of the mitigation measures and questions the internal consistency of the proposed 2035 General Plan. Please see the response prepared for Comment I9-1. Please see Chapter 4.0 "Modifications to the Draft EIR" of this final EIR.

**Response to Comment I9-15:** In referring to Impact HS-16 and policies LU-6.1, 6.2, 6.3, 6.5, 6.7, and Implementation Measure #12, the commenter states that under the CTHB, AIA and the policies of the ALUCP, the land uses proposed in Village L are fully consistent and compatible with airport operations at the Stockton Metropolitan Airport. Please see the response prepared for Comment I9-1. Please see Chapter 4.0 "Modifications to the Draft EIR" of this final EIR.

**Response to Comment I9-16:** Commenter thanks the City for the opportunity to provide comments. Commenter asks that the General Plan and draft EIR be revised as proposed in Comments I9-1 through I9-15 and asks that the City contact the commenter with any questions or for additional information. This comment is not related to the adequacy or completeness of the draft EIR or General Plan and the comment does not otherwise raise significant environmental issues within the meaning of CEQA.

### *Letter I10, Law Office of J. William Yeates*

**Response to Comment I10-1:** Commenter provides an introduction to the comment letter and states they are submitting comments on behalf of their clients, the Morada Area Association. This comment is not related to the adequacy or completeness of the draft EIR.

**Response to Comment I10-2:** Commenter states that the proposed project's target population is too high and will result in unnecessary environmental impacts. The commenter provides background regarding various population growth estimates provided by the State and by San Joaquin County and states that a population target of 460,000 based on the historic growth rate identified in the Background Report meets the population target of Alternatives 4 and 5. The commenter's discussion of population growth estimates must be understood in light of projected

population growth in the state and region. For additional information specific to this request and the issue of "growth-inducement", please see the responses developed for Comments O5-55, I6-2, I10-8, I10-15, and I10-88.

**Response to Comment I10-3:** Commenter questions how the City's General Plan can encourage 100% infill development while also directing new growth into the non-urban areas outside the City's jurisdiction. Commenter states that the General Plan's goals and policies for maximizing infill are contradictory to the General Plan's placement of Village areas on the outskirts of the existing jurisdiction of the City. In order to meet the target population of 580,000 expected under the 2035 buildout year for the General Plan, it is necessary for the General Plan to plan for development at the periphery of the existing urban land within the City. At the same time, the City will implement a variety of policies and programs to encourage and maximize infill and high-density development within the City boundaries. These policies formalize local development trends that have been occurring within the City's downtown area (i.e., Weber Point, Stockton Arena, etc.) over the past several years and reinforces the City's objectives for additional "infill" development which balances the desire for newer "village" development in response to projected growth patterns that require an expanded City footprint under any realistic long-time planning scenario.

**Response to Comment I10-4:** The commenter makes a reference to the amount of vacant land proposed for high-density development identified in the Background Report and inquires as to why there is such a large percentage of vacant land that is supposed to be high-density. Commenter suggests an alternative to converting agricultural lands to urban land uses is to encourage development on existing vacant land available for high-density and infill. One of the objectives of the General Plan is to maximize infill development within the existing portions of the City, which includes utilizing vacant parcels identified for high-density development (see Table 2-2 on page 2-8 of the draft EIR). Buildout of the General Plan includes development of vacant infill and high-density land uses in addition to developing Villages along the periphery of the existing urban land uses. The City is responding to market demand and is limited to the extent that it can fully influence market demand for higher density development in the downtown area. However, the City does acknowledge the importance of infill development. As previously stated, proposed policies have been created to formalize local development trends that have been occurring within the City's downtown area (i.e., Weber Point, Stockton Arena, etc.) over the past several years and reinforce the City's objectives for additional "infill" development which balances the desire for newer "village" development in response to projected growth patterns.

**Response to Comment I10-5:** Commenter requests that Policy LU-2.1, which limits inefficient urban sprawl, to be clarified to define how inefficient urban sprawl would be limited. The commenter reiterates the number of acres of vernal pools, natural lands, and agricultural lands converted to urban uses. Please refer to Master Response #1, which addresses comments regarding policies of the General Plan and requirements for a Final EIR.

**Response to Comment I10-6:** Commenter states that Policy DV-2.5 should be revised to prohibit or set limits on non-residential land uses in areas designated for high-density residential. The commenter is directed to Policy DV-2.2 which has been included to encourage the development of high-density residential land uses in appropriately designated areas.

**Response to Comment I10-7:** The commenter states that the Background Report fails to fully describe the existing environment in terms of the amount of land currently under construction or proposed for construction. The commenter inquires as to whether this land will be utilized for infill development or if any of the development proposed for it will be inconsistent with the proposed General Plan. The Background Report fully discloses the amount of existing open space that is now under development or for which development had been approved at the time the environmental analysis was performed. The baseline estimates of existing development used in the draft EIR for the impact analysis include all properties of both types. Specifically, Table 3-6 on page 3-18 of the Background Report provides land acreages for various types of existing residential, commercial, and industrial land uses. Lands categorized as "Other Land" include "Agricultural" use (25,375 acres, of which 761 are currently vacant), "Institutional" use (6,496 acres, of which 1,744 acres are currently vacant), "Parks and Recreation" use (972 acres, of which 34 acres are currently vacant), "Mixed Use" (1,038 acres, of which 793 acres are currently vacant), and "Open Space" use (158 acres, of which 60 are currently vacant). Within developed areas, the City will continue to encourage infill development consistent with the various objectives outlined in the General Plan, taking into consideration various conditions including market demand.

**Response to Comment I10-8:** Commenter states that the draft EIR fails to specifically describe the densities and types of development that will actually occur within each land use designation. Commenter states that the draft EIR should evaluate the environmental impacts of the various land use intensities that may occur within the zoning designations identified in the Background Report.

In some respects, the commenter is seeking a greater level of detail than is typically found in a draft General Plan. The draft General Plan provides a range of densities and development types that is intended to represent the potential estimated range of housing units or development that could occur through implementation of the City's Preferred Land Use Map. The draft General Plan policies anticipate that with the requirement to develop future growth areas more precise determinations of land use and acreage will occur through development of these Village or District areas than would likely be conducted through the preparation of future specific plans. The approved specific plans will be formal amendments to the General Plan in terms of adopted land uses.

A specific plan for the Villages and District areas will consider opportunities and constraints such as floodplains, wetlands, vernal pools, heritage trees, sensitive habitats, buffers, conservation easements, topography, etc when preparing the detailed land use plan. These plans will identify

the specific location and type of land uses as well as identify detailed alignments for streets and the necessary infrastructure as well as the financial funding for these improvements. Each specific plan will be environmentally analyzed pursuant to CEQA and there will be public hearings with the Planning Commission and City Council to consider the merits of each of the specific plans. As a result, each specific plan's land use acreages and/or residential dwelling units may change through the entitlement and environmental process.

**Response to Comment I10-9:** The commenter states that the broad range of residential land uses identified in the General Plan warrants an analysis of the maximum amount of low density possible and the maximum amount of medium density possible. In conducting the impact analysis for the draft EIR several established and technically sound methodologies were implemented to determine the land use assumptions that would be used and how the impact analysis for the Proposed Project would be conducted. Please see the response prepared for Comment O5-5.

**Response to Comment I10-10:** Commenter inquires as to why the "residential estates" land use designation is in the village area, what project goal this serves, and whether or not this policy encourages sprawl. As more fully described in the Villages and Districts Element, the City is using the "village" concept to help plan and organize large land areas designed in the City's Land Use Diagram. Because the guidance provided in this element is intended to build on the basic land use classifications described in the Land Use Element (of which "residential estates" is a designated land use), the City is incorporating land use guidance for "residential estates" as part of individual village areas. It should be noted that as individual planning (e.g., specific plans, etc.) is conducted for each "village" area, the exact use of the "residential estates" land use category would be determined at that time.

**Response to Comment I10-11:** Commenter describes Policy LU-1.2 and provides an assumption as to how this policy affects growth and contradicts infill policies of the General Plan. Commenter states that the draft EIR fails to analyze impacts of this policy. Commenter suggests that the draft EIR should identify General Plan policies that cause growth, significant impacts resulting from these policies, and compare those policies with those policies that encourage infill along with significant effects of infill development. Commenter is correct in stating that implementation of the General Plan Update, which includes Policy LU-1.2, will induce growth by establishing an Urban Service Area Boundary outside of the existing City limits. It is typically part of a general plan update to allow for additional growth; indeed, accommodation of additional growth consistent with City goals and policies is an essential function in general plan updates. By establishing this Urban Service Area Boundary as part of implementing the General Plan Update and Policy LU-1.2, the City can effectively direct growth of the City's population in a orderly pattern at the edge of the existing urban uses. The draft EIR addresses growth impacts from Policy LU-1.2 since this policy is considered a part of the Proposed Project. Please see the responses prepared for Comments O4-6 and I10-2.

**Response to Comment I10-12:** Commenter asks if Policy LU-3.1 discourages infill, high density, and mixed use development within the City. The guidance provided in Policy LU-3.1 is based on land use patterns found in similar jurisdictions. The policy is intended to guide future growth in the City consistent with local market forces. The policy is not intended to conflict with City policies and objectives that encourage a range of infill opportunities that include high density residential land uses.

**Response to Comment I10-13:** Commenter requests that Implementation Measure #2 be explained to define its purpose. The implementation measure has been developed to compliment various draft General Plan policies and objectives designed to encourage cooperation and joint land use planning between the City and its neighbors to ensure compatibility on surrounding adjacent lands.

**Response to Comment I10-14:** The commenter asks why the draft EIR assumes that only 49% of the land designated as Industrial will develop and if this amount of Industrial land is sufficient to support 580,000 people. Please see the response prepared for Comment O5-6.

**Response to Comment I10-15:** Commenter states that the draft EIR acknowledges the potential for the General Plan to divide the physical arrangement of an established community and identifies mitigating policies in the General Plan that address this impact. Commenter inquires as to whether the draft EIR identifies specific policies that could have such effects and cites Policy LU-1.2 as an example.

The draft EIR does not conclude that the potential exists for the draft General Plan to divide the physical arrangement of an established community (see the discussion for Impact LU-1 on page 3-9 of the draft EIR). The City is responding to regional growth pressures not caused by its implementation and beyond its control. The Proposed Project (including the Preferred Land Use Alternative) has been developed with the primary goal of ensuring that this future growth will occur in an orderly manner, which will help to prevent urban sprawl and maintain compatible land use patterns throughout the City.

Policy LU-1.2 (Urban Service Area Boundary) states that, "The City shall designate an Urban Service Area boundary beyond the existing City limits within which City services and facilities will be available for extension upon annexation and where future urban development shall be in conformance with City Council adopted master utility and circulation plans". Overall, new development associated with the Proposed Project, including that within the Urban Service Area boundary, would represent an organic extension of the existing urban area of the City. Extension of the existing urban area of the City, per the General Plan Update, would not physically divide the existing community, as it would not plan for a dividing feature (such as a new highway through an existing community), or exclude a portion of the existing community by the development of a dividing land use (such as construction of a military base between a neighborhood and the nearest shopping center).

**Response to Comment I10-16:** Commenter reiterates the draft EIR conclusion that the division of established communities impact is determined to be less than significant because the proposed General Plan prevents urban sprawl. The commenter requests that "urban sprawl" be defined. Urban sprawl can be loosely described as the spreading of urban developments on undeveloped land near a city. The commenter asks if policies that encourage expansion of new growth outside the existing City boundaries prevent urban sprawl. The commenter also asks how the proposed General Plan prevents urban sprawl. The policies identified by the commenter as policies that promote urban sprawl and expand new growth outside existing City boundaries in fact work to encourage orderly expansion of the City to meet the future needs of the population expected in 2035. The proposed project proposes that to meet the needs of the target population, development in the General Plan must consist of maximizing infill development as well as expanding the City's urban service area boundary and sphere of influence. While it is necessary to expand the City's boundaries in an attempt to meet the needs of future growth, the City plans on timing the expansion of city services and public utilities to meet market demand. By nature, the General Plan is an overarching planning document that guides orderly development, and within its City boundaries. The use of a land use map as well as placing villages along the existing urban areas of the City is an attempt to guide orderly development within the defined urban service area boundary. Policies included in the General Plan that provide for orderly growth and logical expansion of City services and public utilities, while minimizing urban sprawl, include Policies LU-1.1, LU-1.6, LU-1.9, LU-1.10, LU Implementation Measure #2, CD-4.1, CD-4.2, CD-4.4, CD-7.1, DV-1.1, DV-1.2, DV-1.3, DV-1.3, DV-1.4, and DV-1.5. Please refer to Impact LU-1 on pages 3-9 and 3-10 of the draft EIR for additional discussion of the potential for the proposed project to divide an established community and its potential ability to minimize urban sprawl.

Not all new development, even on previously undeveloped land, is "sprawl" – a word with negative connotations. Not all single family development, a favorite in the marketplace, is sprawl. Well-planned and well-designed new development can provide residents the privacy and space they seek for themselves and their families without repeating past planning and design mistakes resulting in over-dependence on automobiles. Recent development trends favor increased mixed use, greater aesthetic controls, better landscaping, and a greater orientation towards transit usage than has been typical in the last half century. Trends also favor diminishing lot sizes, due to the value of land and increasing mitigation requirements. Newly developing areas give the City the chance to impose the most modern and sophisticated planning concepts, including those intended to decrease energy usage and greenhouse gas generation. The City is very committed to ensuring that new development areas will not be "sprawl."

**Response to Comment I10-17:** Commenter states that Village I in the draft General Plan will alter the rural character and lifestyle of the Morada Waterloo Linden Area (MWLA) and result in aesthetic, noise, traffic, and groundwater impacts to this area. Commenter states that Village I is not compatible with the land uses in the MWLA and threatens to physically divide an established community.

As noted in previous responses, the City is responding to regional growth pressures beyond its own control and not caused by it. The Proposed Project (including the Preferred Land Use Alternative) has been developed with the primary goal of ensuring that this future growth will occur in an orderly manner, which will help to prevent urban sprawl and achieve consistency with General Plan infrastructure, circulation and environmental objectives. The City has created the Villages designation to direct Stockton's growth back to pre-WW II style development that emphasized development of neighborhoods with walkable tree-lined streets connected by transit. These neighborhoods included commercial and institutional uses that supported their inhabitants and fostered variety in the mix of housing, community parks, and schools available. Like many other communities, post-WW II Stockton has grown rapidly, spread out, and has been shaped dramatically by the influence of the automobile, losing some of its character as a livable community in the process.

The Goals and Policies Report directs that Villages meet the following objectives:

- Connect each district and village to the city's overall circulation and open space systems to contribute to the design of the entire city.
- Create a mix of housing and supporting uses in every district and village.
- Provide a scale and pattern that is conducive to walking and using transit.
- Connect districts and villages and their neighborhoods through future parkways and civic corridors.
- Provide commercial and institutional services that support the local population.
- Maintain a cohesive City development pattern that focuses new urban development in a "Village" pattern, while encouraging existing neighborhood revitalization and 100% infill development.
- Make new parks and open space an integral part of new development using Quimby Act maximum park standards for new development and through the establishment of open space buffers along both the northern and eastern boundaries of the City.

While the commenter is correct in stating that the Villages designation and future development may change the character of some areas (including the Morada Waterloo Linden Area), objectives of the Villages designation are intended to support and will allow the City to encourage infill and revitalization of the communities and to re-establish the mixed-use neighborhood style of the past integrated with the infrastructure system needs and realities of a modern community.

Regarding the potential for the proposed project to physically divide an established community, please refer to Response to Comment I10-15 and to Impact LU-1 on pages 3-9 and 3-10 of the draft EIR. Impact LU-1 provides details on how development will be directed and finds that

overall, new development associated with the Proposed Project would represent an organic extension of the existing urban area of the City and would not result in the physical division of the existing community.

Policies and implementation measures included as part of the Proposed Project that would minimize this impact are summarized on page 3-10, with a complete description of these policies and implementation measures provided at the beginning of the Land Use section. For example, the Draft Land Use, Community Design, and Districts & Villages Elements also provide guidance on development, redevelopment, and reinvestment within development portions of the Study Area to ensure the orderly placement of compatible land uses (see policies LU-1.3, CD-4.1, CD-4.2, CD-4.4, and CD-7.1) and the preservation of older neighborhoods (see policies CD-2.1 and CD-2.4). Similarly, the Preferred Land Use Alternative clusters future industrial uses near existing industrial facilities and complexes such as the Port of Stockton and the Stockton Metropolitan Airport (see policies TC-7.4, TC-7.6, and TC-8.1). Future multimodal corridors are also proposed for areas that minimize direct exposure of more sensitive land uses (i.e., residential uses, etc.) to transportation systems and their potential impacts (i.e., noise, visual, odor, air quality, etc.).

**Response to Comment I10-18:** Commenter states that "New Road G" will physically impact and divide the Morada, Waterloo, and Linden areas. The commenter states that this growth does not fit the rural character of these areas and would lead to significant physical changes to the area that would include constructing a bridge over Calaveras River. The commenter states that the draft EIR must discuss the impacts of New Road G and its bridge over the Calaveras River. For additional information regarding the environmental impacts resulting from implementation of the General Plan Circulation Diagram, please see the response prepared for Comment O5-9. .

**Response to Comment I10-19:** The commenter describes the proposed SOI and USB boundaries east of State Route 99. The commenter states that the movement of the boundary east of State Route 99 will remove any physical boundary that would serve as a City limit boundary. The commenter describes potential spillover effects from this boundary change and how this might impact the Morada, Waterloo, and Linden areas. Commenter is correct in noting that it is possible that the character of some rural areas may be affected by the spillover effects of future development. This issue is addressed in the Scenic Resources section of the draft EIR (Chapter 13, Section 13.7 on pages 13-40 through 13.53). Specifically, Impact NCR-13 (page 13.47 and 13.48) addresses how the project would substantially degrade the existing visual character or quality of the site and its surroundings. Policies designed to reduce this impact are noted on page 13-48 and 13-49, and include policies such as Policy CD-1.2 "Contrast Between Urban and Rural", Policy CD-1.4 "Transition to Rural Landscapes", and Policy CD-2.4 "Respect Historic Neighborhood Patterns." However, even with implementation of the policies and implementation measures listed in the draft EIR, new development along the periphery of the existing City

boundary would substantially degrade the existing visual character or quality of the site and its surroundings through the introduction of developed uses within areas currently used for open space/agricultural activities. As a result, the impact remains significant. No additional feasible mitigation is currently available.

The commenter states that the draft EIR must evaluate the potential effects of the proposed General Plan Update boundaries. These comments basically describe potential growth effects of the proposed project. Growth induced impacts of the proposed project are discussed in Section 15.1, "Growth Inducing Effects of the Proposed Project", on pages 15-1 through 15-4 of the draft EIR. Direct and indirect growth inducing impacts are determined by the draft EIR to be significant and unavoidable (see page 15-4 of the draft EIR). Please see the response prepared for Comment O4-6.

**Response to Comment I10-20:** The commenter reiterates the draft EIR statement that several General Plan policies will prevent the proposed project from physically dividing an established community. The commenter believes that only some of the identified policies prevent this impact and none of those policies provide protection for the Morada, Waterloo, and Linden areas since they are in the County. The commenter also believes these policies are inadequate mitigation because they only mitigate the impact to the extent possible. The commenter correctly identifies the General Plan policies intended to address impacts to established communities. Please see the response to Comment I10-15.

**Response to Comment I10-21:** Commenter cites Policy CD-2.2 as requiring new infrastructure to reflect the image and character of historic neighborhoods and districts. The commenter states that the General Plan Update will result in the expansion of several roadways and increase traffic in the rural area near the Morada, Waterloo, and Linden areas. Commenter states that increased traffic volumes and congestion among the other land use changes that will occur in that area will result in substantially and adversely change the image and character of the Morada, Waterloo, and Linden areas. Impacts to a variety of scenic resources (including community character) through out the study area are clearly identified in Chapter 13.0 "Natural and Cultural Resources".

**Response to Comment I10-22:** The commenter states that policies LU-1.3 and CD-7.1 do nothing to prevent the physical division of an existing community, but that they rely on other policies of the General Plan to do so. The commenter also states that policies CD-4.1, CD-4.2, and CD 4.4 do not prevent substantial changes to the MWLA or address the preservation of existing places. Impacts to historic resources and places through out the study area are clearly identified in Chapter 13.0 "Natural and Cultural Resources". Additionally, please see the response prepared for Comment O5-34 for a thorough description of which General Plan policies have been developed to address the preservation of existing places within the City's proposed SOI.

**Response to Comment I10-23:** Commenter states that the draft EIR fails to evaluate the indirect physical impacts the General Plan will create through agricultural land conversion. The commenter also questions how economic and social impacts resulting from the loss of agricultural land will affect the area physically.

CEQA does not require that an EIR evaluate economic impacts, but only the physical changes that may occur from such impacts. Physical impacts related to economic impacts of the proposed project are evaluated in the draft EIR throughout the document. Indirect physical impacts are also evaluated in each section. Policies are included throughout the document to mitigate such impacts. Some examples of policies that would apply to indirect impacts of agricultural conversion include LU-1.7 and LU-3.7 on page 11-30 of the draft EIR.

**Response to Comment I10-24:** Commenter provides background information about the economic impact of "big box" retail centers on local businesses and cites General Plan Policy ED-3.12 as providing for "larger scale regional retail development." Commenter states that the draft EIR must evaluate the proposed General Plan's impact of urban decay resulting from low density and big box retail development. In developing the Proposed Project (including the preferred land use map), the City balanced various objectives including the need to maximize infill development, while revitalizing the downtown area; the provision of new and expanding employment opportunities; and the need to provide commercial and institutional services that support the City's population in a way that integrates these land uses in a manner that is consistent with the scope and scale of surrounding development. For a more detailed response describing economic and "urban decay" issues, please see the response prepared for Comment O5-32.

**Response to Comment I10-25:** The commenter states that the revenue generated from new residential and commercial developments in formerly agricultural areas should not be considered mitigation for the loss of agricultural business. Commenter also states that the agricultural industry is sustainable, perpetual, and renewable source of revenue, while new home construction only generates revenue at the time of construction. Commenter questions whether the City's model of expansion is economically sustainable, as well as what potential physical impacts could result by replacing an agricultural economy with a construction economy. Although the ability to predict future economic conditions is extremely speculative, the City understands that a diversified retail base (e.g., neighborhood, community, and regional retail) will work to provide the City with increased sales tax revenue that will support a higher level of municipal services for its residents. In responding to regional growth pressures beyond its control, the Proposed Project (including the Preferred Land Use Alternative) has been developed with the primary goal of ensuring that this future growth will occur in an orderly manner, which will help to prevent urban sprawl and maintain compatible land use patterns throughout the City. However, as described in the EIR, development of these future growth areas will result in the conversion of existing agricultural and open space lands. Please see the response prepared for Comment O5-32.

**Response to Comment I10-26:** Commenter asks whether policies DV-2.2 and DV-2.5 reduced vehicle miles of travel (VMT) under the current General Plan. The intent of the cited policies is to encourage higher-density residential uses to be located in the downtown area and along designated transit corridors. Placing higher-density housing in relatively close proximity to shopping and office destinations, as well as to public transit services, should result in a reduction in overall travel for those residents as compared to residents of single-use, low-density neighborhoods. As far as the City is aware, there have been no direct surveys of developments that were built consistent with these two policies to determine the magnitude of the travel response.

**Response to Comment I10-27:** Commenter asks for additional information on what the Level of Service (LOS) categories represent. The LOS thresholds used in the draft EIR are shown on page 8-23 of the document. Level of Service is a metric that has been used in traffic analysis for more than 50 years to qualitatively describe operating conditions on existing or planned roadways. Level of Service is defined in the Highway Capacity Manual, and includes a variety of transportation characteristics (speed, travel time, amount of delay, ability to maneuver in traffic, driver comfort, etc.) in a single qualitative scale.

The comment implies that any movement down the LOS scale would have adverse effects and significant impacts, especially safety-related impacts, which "the draft EIR fails to disclose." This draft EIR, as any environmental document, sets standards of significance to define significant impacts; for transportation, these standards are shown on page 8-45 of the draft EIR. The analysis presented in the draft EIR was consistent with those standards. Further, the presumption that any downward trend in LOS would necessarily have negative consequences is an oversimplification. Up to a point, increasing traffic volumes may actually have some important positive consequences, several of which are listed here:

- Having more vehicles on a roadway tends to moderate speeds, such that there would be less opportunity for vehicles to travel at dangerously high speeds. Slower speeds are also correlated with less severe automobile accidents.

- Higher traffic volumes usually reflect higher levels of economic activity and the associated benefits (higher sales tax revenues, more job creation) that come along with that. A downtown area without relatively high levels of transportation use (for all modes, including transit and pedestrians as well as cars) is not a vibrant, thriving downtown.

- More vehicles driving on local streets means there are more people observing the activities on and around the streets, which may translate into greater safety and security for pedestrians, shoppers, etc.

- A reasonably busy transportation system reflects an efficient public investment. Building enough infrastructure so that all streets always operated at LOS A would require immense amounts of public and private resources, and would have substantial negative effects such as taking large swaths of land out of productive use and converting them to roadways.

Clearly, there is some point at which the negative consequences of higher traffic volumes start to outweigh the potential benefits. Defining this point is a policy decision that each city makes. For the City of Stockton, this is defined in the standards of significance used in the draft EIR and in policy TC-2.1.

**Response to Comment I10-28:** Commenter states that the draft EIR assumes the Empire Ranch specific plan is part of the existing baseline based on the draft EIR's assumptions about widening SR 99 between SR 4 and Hammer Lane and the improvements to the Hammer Lane interchange. The Empire Ranch specific plan is not assumed as part of the existing baseline. The widening of SR 99 between SR 4 and Hammer Lane and the Hammer Lane interchange improvements are part of a planned project that is not directly tied to the Empire Ranch project. The Empire Ranch area is part of Village I in the General Plan, and the levels of development associated with that Village were included in the analysis of the General Plan project itself.

**Response to Comment I10-29:** Commenter states that the draft EIR should evaluate the potential impacts of specific improvements to the SR 99/Morada Lane and SR 99/Eight Mile Road interchanges. The circulation diagram included in the General Plan is an integral part of the General Plan itself, and as such is included in the General Plan impact analysis. The impacts of transportation infrastructure construction (such as noise, traffic disruption, aesthetics, etc.) will be addressed as each specific infrastructure project goes through the project development and environmental review process (reference policy TC-2.13). For additional information regarding the environmental impacts resulting from implementation of the General Plan Circulation Diagram, please see the response prepared for Comment O5-9.

**Response to Comment I10-30:** Commenter states that transportation improvements included in the General Plan will have effects on local roads in the Morada, Waterloo, and Linden Areas (MWLA) and that those effects should be discussed in the draft EIR. For additional information regarding the environmental impacts resulting from implementation of the General Plan Circulation Diagram, please see the response prepared for Comment O5-9.

**Response to Comment I10-31:** Commenter asks for basis of assumption of 5% vehicle trip generation reduction in village areas. Because of the close linkage between land use patterns and transportation use, the City wanted the General Plan traffic analysis to reflect the effects of the clustering of uses anticipated in the designated villages, in which homes, schools, shops and workplaces would be located within relatively close proximity and thus would require less

vehicle travel. However, in a planning process that is, by definition, very general in nature, it is not possible to determine the exact mixture, intensity, and design of land uses that will occupy each individual village. Therefore, the traffic analysis applied a very modest (5%) reduction in vehicle trip generation to all villages, in order to conservatively approximate the interrelated effects of transportation and land use. The 1992 Stockton General Plan Revision also included the concept of village centers, which would include a concentration of commercial and office uses along with residential development. The 1992 General Plan Revision EIR noted that "village centers may achieve trip generation reductions of 10-30 percent over typical suburban development of similar size," and the traffic analysis conducted for the EIR assumed a 20 percent trip reduction (page H-22 of the 1992 General Plan Revision draft EIR).

Commenter also asks for background information on the trip generation surveys used to estimate the increased trip generation rate for future residential development. Surveys were conducted at about six residential neighborhoods throughout the City to calculate the local vehicle trip generation per household. The trip generation survey information is provided below in Figure 3-1.

**Response to Comment I10-32:** Commenter questions the feasibility of ten lanes on SR 99. Analyses conducted for the draft General Plan and EIR indicate that the ten-lane freeway sections proposed are crucial to achieving the desired LOS objectives. Without them, not only would congestion and air quality impacts become ever more extensive by 2035, but the level of regional traffic diverting through the City's neighborhoods and onto local streets would reach unacceptable levels. The City also recognizes that Interstate 5 and State Route 99 are facilities of state-wide significance that route substantial amounts of regional traffic through the City each day. This amount of traffic will consume a portion of the available capacity of both facilities, regardless of how many lanes the roadways provide. Therefore, the City believes providing ten through lanes will yield the proper balance between accommodating both the local and regional needs. Further, it is the City's conclusion that construction of ten lanes is feasible and that, for many segments of SR 99, any capacity expansion beyond six lanes would require right-of-way acquisition. If such acquisition is going to be necessary even to provide eight lanes, the City feels it would be short-sighted not to plan for ten lanes when all available long-range planning documents show that amount of capacity to be needed. Please see the response to Comments O5-9 and O5-16 for further information related to this topic. Certainly there will be impacts associated with widening the freeways to ten lanes, which will be addressed in the environmental review of each specific infrastructure project.

The Commenter also references the transportation improvements listed on pages 8-26 and 8-27 of the draft EIR and asks which of these were required for maintenance of an LOS D standard. The circulation diagram is an integral part of the General Plan. The General Plan analysis was conducted using the LOS D standard, and improvements were identified in order to meet that standard. In the few instances where it was not feasible to meet the LOS D standard, a policy exception was drafted (as reflected in policy TC-2.1).

| Neighborhood | # Parcels | AM Peak Hour In | AM Peak Hour Rate | AM Peak Hour Out | AM Peak Hour Rate | PM Peak Hour In | PM Peak Hour Rate | PM Peak Hour Out | PM Peak Hour Rate | 24-Hour In | 24-Hour Rate | 24-Hour Out | 24-Hour Rate | Combined |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Brookside Estates | 94 | | | | | | | | | | | | | |
| Day 1 | | 31 | 0.33 | 80 | 0.85 | 78 | 0.83 | 37 | 0.39 | 655 | 6.97 | 487 | 5.18 | 12.15 |
| Day 2 | | 24 | 0.26 | 68 | 0.72 | 83 | 0.88 | 34 | 0.36 | 620 | 6.60 | 472 | 5.02 | 11.62 |
| Day 3 | | 39 | 0.41 | 72 | 0.77 | 79 | 0.84 | 56 | 0.60 | 681 | 7.24 | 529 | 5.63 | 12.87 |
| Average | | | 0.33 | | 0.78 | | 0.85 | | 0.45 | | 6.94 | | 5.28 | 12.21 |
| La Morada | 94 | | | | | | | | | | | | | |
| Day 1 | | 40 | 0.43 | 92 | 0.98 | 66 | 0.70 | 44 | 0.47 | 643 | 6.84 | 683 | 7.27 | 14.11 |
| Day 2 | | 38 | 0.4 | 86 | 0.91 | 64 | 0.68 | 48 | 0.51 | 658 | 7.00 | 687 | 7.31 | 14.31 |
| Average | | | 0.42 | | 0.95 | | 0.69 | | 0.49 | | 6.92 | | 7.29 | 14.21 |
| Southpark | 62 | | | | | | | | | | | | | |
| Day 1 | | 26 | 0.42 | 35 | 0.56 | 60 | 0.97 | 39 | 0.63 | 472 | 7.61 | 447 | 7.21 | 14.82 |
| Day 2 | | 20 | 0.32 | 37 | 0.60 | 60 | 0.97 | 34 | 0.55 | 476 | 7.68 | 442 | 7.13 | 14.81 |
| Average | | | 0.37 | | 0.58 | | 0.97 | | 0.59 | | 7.65 | | 7.17 | 14.82 |
| Twin Creeks | 385 | 119 | 0.31 | 178 | 0.46 | 133 | 0.35 | 110 | 0.29 | 1672 | 4.34 | 1653 | 4.29 | 8.64 |
| Weber Ranch | 163 | | | | | | | | | | | | | |
| Day 1 | | 60 | 0.37 | 105 | 0.64 | 88 | 0.54 | 64 | 0.39 | 930 | 5.71 | 935 | 5.74 | 11.44 |
| Day 2 | | 64 | 0.39 | 114 | 0.70 | 93 | 0.57 | 70 | 0.43 | 954 | 5.85 | 937 | 5.75 | 11.60 |
| Average | | | 0.38 | | 0.67 | | 0.56 | | 0.41 | | 5.78 | | 5.75 | 11.52 |
| Weston Ranch | 183 | | | | | | | | | | | | | |
| Day 1 | | 46 | 0.25 | 52 | 0.28 | 117 | 0.64 | 75 | 0.41 | 1072 | 5.86 | 1006 | 5.50 | 11.36 |
| Day 2 | | 100 | 0.55 | 118 | 0.64 | 98 | 0.54 | 91 | 0.50 | 1172 | 6.40 | 1122 | 6.13 | 12.54 |
| Average | | | 0.4 | | 0.46 | | 0.59 | | 0.46 | | 6.13 | | 5.82 | 11.95 |
| **Overall Average** | **981** | | **0.37** | | **0.65** | | **0.67** | | **0.45** | | **6.29** | | **5.93** | **12.23** |

SOURCE: Feer & Peers, 2007; and ESA, 2007



**Figure 3-1**
Residential Trip Generation Rates

Commenter asks about evaluation of specific roadway modification projects along Eight Mile Road. As more fully described in the responses to Comments O5-9 and I10-29, the impacts of transportation infrastructure construction (such as noise, traffic disruption, aesthetics, etc.) will be addressed as each specific infrastructure project goes through the project development and environmental review process (reference policy TC-2.13).

**Response to Comment I10-33:** Commenter suggests reducing low-density residential development in order to increase public transit usage. An increased density alternative (Alternative 3) was evaluated in the draft EIR. Overall, the alternative would continue to result in significant and unavoidable traffic impacts. The discussion of the alternative does point out that the increased density would tend to encourage and support the use of a variety of alternative forms of transportation. In determining the appropriate mix of land uses for the Proposed Project, the City considered a number of variables including the appropriate amount of development that would support a range of municipal services (including transit service) and provide a diversity of uses required by future residents.

**Response to Comment I10-34:** Commenter asks whether Bus Rapid Transit (BRT) is a good fit with Stockton's demographic characteristics. The population and employment characteristics shown on page 8-36 of the draft EIR are typical values and are not absolute requirements. Much of the research on the linkage between transit usage and urban form (such as Pushkarev and Zupan, 1982, and Newman and Kenworthy, 1989) have discussed the interrelationships between residential densities, employment concentrations and locations, transit service characteristics, and public policies. Throughout the General Plan process, consideration was given to alternate forms of transit and there was extensive discussion of the opportunities for light rail transit in Stockton. The City's demographic characteristics and land use patterns were not found to be a good fit with the light rail transit option. Instead, it was felt that BRT provided the right combination of service quality and flexibility that would serve Stockton's needs well into the future as circumstances change. The General Plan defines three categories of BRT service. An example of the first category (Type 1, with more limited stops and higher speeds than typical bus service) is already in operation on Pacific Avenue in Stockton.

**Response to Comment I10-35:** Commenter asks for clarification on how the LOS standard of significance was applied. As shown on page 8-45 of the draft EIR, a standard of LOS D was applied to the roadway analysis of the draft General Plan. That means that deterioration from LOS D or better to LOS E or F would be considered a significant impact. A change from LOS A to LOS B, C or D, however, would not be a significant impact. Please see response to comment I10-27 for further detail on the subject of LOS standards.

**Response to Comment I10-36:** Commenter asks for clarification of the baseline used in the traffic analysis. Within the draft EIR, traffic analysis results are presented for the Proposed Project (the 2035 General Plan) and compared to both existing conditions and to the No Project scenario, which reflects build-out of the current General Plan. The comparison with existing conditions is presented in Chapter 8 of the draft EIR, while the comparison with the No Project scenario is presented in Chapter 15, Cumulative Impacts. In both cases, the Proposed Project is placed in its realistic regional context, reflecting the fact that neighboring cities in San Joaquin County and the rest of the region will continue to grow over the implementation period of the Stockton General Plan. The City's approach here is to acknowledge that the impacts of a General Plan are inherently cumulative in nature. To identify project-specific transportation impacts, the existing conditions are used as a baseline for the Proposed Project (which includes the other expected regional growth). To identify cumulative impacts, buildout of the current General Plan is used as the baseline for the Proposed Project (again including the other expected regional growth). Please see the discussion on pages 8-46 through 8-49 of the draft EIR for a comprehensive description of the analysis scenarios. In all cases, impacts are identified based on the standards of significance described on page 8-45 of the draft EIR; as defined by those standards, a significant impact is identified whenever a roadway segment is projected to operate below the LOS D threshold set by City policy. This is a conservative approach in which all roadways projected to operate below LOS D are highlighted as impacts of the project (as shown in Tables 8-6 and 15-4 of the draft EIR), even if those segments are already operating at deficient levels under existing conditions or the No Project scenario.

**Response to Comment I10-37:** Commenter asks about the impacts of policy TC-2.1, which defines specific locations where LOS standards different from the overall city-wide LOS D will be allowed. The discussion of Impact TC-1 in the draft EIR acknowledges that policy TC-2.1 would allow for deterioration in the level of transportation operations in certain defined areas as compared to current conditions, and that is one reason why this impact was considered to remain significant and unavoidable. Policy TC-2.1 does not really cause impacts to occur, but would allow them to occur. The policy is necessary to correlate the land use and circulation elements of the General Plan (see Government Code, Section 65302(b)). Buildout of the land use diagram would not be possible without a recognition that congestion will result in certain specified areas. Whether to accept such congestion is a policy question for the City Council.

**Response to Comment I10-38:** Commenter asks about the potential impacts of higher traffic volumes and LOS E or F operating conditions on emergency response. The draft EIR acknowledges that the increase in traffic expected from implementation of the General Plan will have an effect on emergency response. This is specifically addressed in Impact HS-17 in the Health & Safety chapter, which is classified as a significant and unavoidable impact.

The City takes public safety issues very seriously and has developed updated policies and implementation measures designed to address the continued provision of superior levels of emergency response (see the Public Facilities and Services Element), support for clearly defined emergency response/evacuation plans (see the Health and Safety Element), and the management of local/regional roadways (see the Transportation and Circulation Element) to address traffic congestion and level of service issues that could affect emergency response or evacuation. Please see the response to Comment I7-2 for additional information.

Additionally, it is also important to note that the City is currently working to address issues of emergency response time through installation of a traffic signal priority system, in which traffic signal cycles would be modified to give priority to emergency vehicles when those vehicles are detected by the system. Installation is underway and is targeted to major intersections in the City where traffic congestion is anticipated.

**Response to Comment I10-39:** Commenter suggests reducing impacts by increasing densities of land use development, and asks if a policy of LOS C would be feasible under the reduced growth alternatives (Alternatives 4 and 5). The alternatives analysis (documented in Chapter 14 of the draft EIR) looked closely at scenarios that involved higher densities than the proposed project. This included Alternative 3, which emphasized infill development within existing City limits. As described on pages 14-47 and 14-48 of the draft EIR, Alternative 3 would be expected to slightly reduce the number of vehicle trips generated in the City, but would produce somewhat higher levels of delay and congestion because of the clustering of land uses in areas where transportation improvements are more difficult to implement. Alternative 3 may encourage the use of alternate modes due to the higher land use densities; however, the alternative would still result in significant and unavoidable transportation impacts. As shown in the Alternatives Chapter of the draft EIR (on page 14-18), the analysis concluded that all transportation impacts identified for the Proposed Project (under a standard of LOS D) would remain significant and unavoidable with either Alternatives 4 or 5. Therefore, it is reasonable to conclude that a standard of LOS C would not be feasible with either of these alternatives.

**Response to Comment I10-40:** In regards to Policy HS-2.11, the commenter asks what the criteria are for a permit to be issued for construction activities during Sundays and national holidays and what construction activities are applicable to this policy. Construction-related noise impacts are addressed in Chapter 11.0 "Health & Safety". The specific criteria for a permit would depend on variety of factors include the type of project, types of equipment to be used, noise impacts, and the types of land uses surrounding the project site. Some projects, such as will drilling, cannot be stopped until they are completed, regardless of the day of the week. Future individual projects subsequent to the draft General Plan may be required to undergo additional environmental review that will determine site-specific noise impacts and accompanying mitigation measures.

**Response to Comment I10-41:** Commenter states that the draft General Plan establishes its own threshold of significance for noise impacts and that the General Plan's threshold of significance has to be based upon some objective standard in order to evaluate changes in noise levels. The commenter is directed to the discussion of significance criteria on pages 11-8 through 11-9 of the draft EIR. The significance criteria adopted by the City for use in the draft EIR are based on two considerations: whether increases in noise resulting from the General Plan would be "barely perceptible" (3 dBA) or "readily perceptible" (5 dBA) and whether existing ambient noise levels (or absolute sound levels) for a given land use are within the "normally acceptable range." The standards both for noise increases considered perceptible and for ambient noise levels determined to be within the normally acceptable ranges for various land uses are based on empirical evidence collected and analyzed in numerous scientific studies over many years (Caltrans, 1998). The draft EIR significance criteria incorporate a sliding scale in recognition of the fact that the two factors, perceptible noise increases and existing ambient noise levels, have complex interactions. Equivalent increases in noise are not experienced as equal in effect, depending on differences in ambient noise levels as well as other variables. All other factors being equal, a 5 dBA increase in noise is less likely to be experienced as objectionable at lower ambient noise levels than at higher ambient noise levels. The sliding scale approach dates back to extensive research published in 1992. In 1992, the Federal Interagency Committee on Noise (FICON) published its findings in a report entitled Federal Agency Review of Selected Airport Noise Analysis Issues (FICON, 1992). The FICON report recommended supplemental noise analysis and consideration of mitigation for noise-sensitive areas that would experience 3 dBA or greater increases in the DNL 60-65 dBA contour or experience a 1.5 dBA or greater increase within the DNL 65 dBA contour.

Please also see Figure 11-2 of the Background Report, included in the draft EIR as Appendix B for the acceptable ranges for various land uses.

**Response to Comment I10-42:** The SJVAPCD has not established thresholds of significance for PM10 or CO. The effects of these and other criteria pollutants are summarized in Table 11-8 of the Background Report, included in the draft EIR as Appendix B. Although CO and PM10 would be generated by development identified under the Proposed Project, the General Plan Update is a broad, generalized analysis of the city's development and subsequent CEQA documentation for individual projects could be required to address project-specific impacts in greater detail, including localized CO and particulate matter emissions if recommended by the SJVAPCD. Commenter is also directed to Master Response #2 regarding the Programmatic Nature of the EIR.

**Response to Comment I10-43:** Commenter suggests that the effects of NOx and ROG, which are ozone precursors, are not included in the draft EIR. The commenter is directed to Table 11-8 of the Background Report, included in the draft EIR as Appendix B. NOx are a group of gaseous compounds consisting of one molecule nitrogen and varying molecules of oxygen, such as NO, NO2, and NO3. ROG (reactive organic gases) are any gaseous compounds of carbon, excluding

carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, ammonium carbonate, and additional exemptions specified by the ARB and EPA. Increased NOx and ROG emissions would result in increased ozone and would potentially result in increased respiratory problems or damage to vegetation. Notably, however, any level of city growth above the Small Project Analysis Level specified in the SJVAPCD GAMAQI (e.g., 152 single family homes) could potentially result in emissions above the SJVAPCD thresholds of significance. Since California is growing, if the City of Stockton does not grow accordingly, that void may be filled by development in nearby communities, which may in turn result in greater NOx and ROG emissions from on-road vehicles due to greater commute distances and subsequent increased respiratory problems and damage to vegetation. Commenter is also directed to Master Response #2 regarding the Programmatic Nature of the EIR.

**Response to Comment I10-44:** The commenter is referred to the response prepared for comment O5-13 regarding URBEMIS 2002 model assumptions and results, as well as the SJVAPCD's perspective of the air quality analysis. The URBEMIS User's Manual can be accessed at: http://www.urbemis.com/support/manual.html

**Response to Comment I10-45:** The General Plan development will exceed the SJVAPCD thresholds of significance for NOx and ROG. These thresholds are set to identify projects that may contribute to air quality violations. The City can move forward with a statement of overriding considerations. The commenter is also directed to the response prepared for Comment I10-43 regarding City of Stockton growth and lack of growth and associated emissions of ozone precursors. The General Plan Update is a broad, generalized analysis of the city's development and subsequent CEQA documentation for individual projects would address project-specific impacts and mitigation in greater detail, including the SJVAPCD Rule 9510 if applicable to each individual project, which was adopted to fulfill the District's emission reduction commitments in the PM10 and Ozone Attainment Plans. Commenter is also directed to Master Response #2 regarding the Programmatic Nature of the EIR. The commenter suggests that the use of a 30-year planning horizon somehow almost invites the occurrence of significant air quality impacts. In response, the City notes that the next 30 years will come and go regardless of whether the City properly plans for them and regardless of whether contemplating the future is a source of comfort or concern.

**Response to Comment I10-46:** As indicated by the commenter, there are several misspellings in Policy HS-4.5 on page 11-32 of the draft EIR. As a result, Policy HS-4.5 will be revised. Please see Chapter 4.0 "Modifications to the Draft EIR" of this final EIR.

The SJVAPCD GAMAQI (2002 revision) is an advisory document for environmental review of projects within the SJVAPCD jurisdiction, not just projects that require an air quality permit. Examples of projects requiring SJVAPCD air quality permits are listed in Figure 1-2 of the

GAMAQI. The content of the GAMAQI is based on the most frequently encountered land use projects. The GAMAQI also includes guidance for the analysis of cumulative impacts for projects to be developed in the District's jurisdiction. As for mitigation, the GAMAQI recommends plan level as well as project level measures. Specific project level measures are categorized by type and include mitigation for construction impacts, motor vehicle use, area source impacts, toxic air contaminant impacts, and odor impacts.

The commenter suggests that the City address potential air quality issues early in project development. The commenter is directed to Implementation Measure #7 included in the draft EIR on page 11-34.

The commenter also asks why certain energy conservation measures and air quality guidelines recommended by the SJVAPCD were not included in the draft EIR. The City has considered these comments and has reviewed the SJVAPCD's NOP comment letters (dated September 14, 2004 and June 23, 2005) and the SJVAPCD Air Quality Guidelines for General Plans (June 2005) and shall adopt the following policy:

- **HS-4.20 Support SJVAPCD Air Quality Guidance and Recommendations.** The City shall continue to review, support, and require implementation (as applicable) of SJVAPCD guidance and recommendations (including those identified in the GAMAQI) in regards to several key issues including:

    - Environmental Assessment;
    - Air Quality Mitigation Agreements;
    - Integrated Planning;
    - Air Quality Education;
    - Congestion Management/Transportation Control Measures;
    - Toxic and Hazardous Pollutant Emissions;
    - Fugitive Dust and PM10 Emissions;
    - Energy Conservation and Alternative Fuels. *[New Policy – Final EIR]*

**Response to Comment I10-47:** The commenter suggests that the proposed village land uses, rather than attain the goal of reduced VMT by developing new commercial uses closer to new residential uses, will cater to Bay Area commuters and would not decrease VMT. This comment, which is based on speculation, has been noted. The City cannot control personal behavior to such a degree as to prevent people with jobs in the Bay Area from purchasing housing in Stockton. All that the City can accomplish, through its land use planning, is to try to designate sufficient land to create both job opportunities and housing opportunities within the City. If, as the commenter

seems to fear, regional congestion continues to worsen, some Bay Area workers living in Stockton may eventually seek employment in Stockton. At such a time, the City will have to have job opportunities available.

**Response to Comment I10-48:** Commenter asks if Implementation Measure #9 in the Health and Safety section of the draft EIR can be made firmer with a timeframe of when the City will upgrade its vehicle fleet to more energy efficient vehicles. In developing the measure, the City did consider a timeframe. However, the City would like to retain flexibility as it relates to a set timeframe given the realities of the City's budget and its changing fiscal situation.

**Response to Comment I10-49:** The commenter asks if there is a grammatical error in Policy NCR 8.1 included in the Goals and Policies Report and whether the policy is mandatory. In consideration of this comment, the City has revised Policy NCR-8.1 as follows:

- **NCR-8.1 Energy Conservation for New Development.** All new development, including rehabilitation, renovation, and redevelopment, shall incorporate energy conservation and green building practices to the maximum extent feasible. Such practices include, but are not limited to: building orientation and shading, landscaping, and the use of active and passive solar heating and water systems. The City may implement this policy by adopting and enforcing a green Building Ordinance. *[New Policy, Public Comment]*

**Response to Comment I10-50:** Exposure to toxic air contaminants is considered significant if the probability of contracting cancer for the Maximally Exposed Individual (MEI) exceeds 10 in one million, as described in Table 4-3 on page 28 of the SJVAPCD GAMAQI. The thresholds of significance depicted in Table 4-3 of the GAMAQI were also included in the draft EIR on page 11-35.

**Response to Comment I10-51:** The commenter provides input on global warming and increased CO2 emissions resulting from implementation of the Proposed Project. Please see Master Response #3 for information specific to global warming issues.

**Response to Comment I10-52:** The commenter provides input on global warming and increased CO2 emissions resulting from implementation of the Proposed Project. Please see Master Response #3 for information specific to global warming issues.

**Response to Comment I10-53:** The commenter provides input on global warming and increased CO2 emissions resulting from implementation of the Proposed Project. Please see Master Response #3 for information specific to global warming issues.

**Response to Comment I10-54:** The commenter states that the City should identify and include additional measures to help reduce global warming impacts that could result from implementation of the Proposed Project. Please see Master Response #3 for information specific to global warming issues. As part of the response, the City is proposing to adopt the following new policies (in addition to those identified in the draft EIR) as part of the "Energy Resources" section of the Natural and Cultural Resources" Element of the draft General Plan.

- **Policy NCR-8.6 Tree Planting Informational Packet.** The City will develop a tree planting informational packet to help future residents understand their options for planting trees that can absorb carbon dioxide. *[New Policy – FEIR]*

- **Policy NCR-8.7 Shade Tree Planting.** The City will encourage the planting of shade trees within residential lots to reduce radiation heating and encourage the reduction of greenhouse gases. *[New Policy – FEIR]*

- **Policy NCR-8.8 Alternative Fuels Vehicle Parking.** The City shall prioritized parking within commercial and retail areas for electric vehicles, hybrid vehicles, and alternative fuel vehicles as well as provide electric charging stations. *[New Policy – FEIR]*

- **Policy NCR-8.9 Passive and Active Solar Devices.** The City shall encourage the use of passive and active solar devices such as solar collectors, solar cells, and solar heating systems into the design of local buildings. *[New Policy – FEIR]*

- **Policy NCR-8.10 Solar Orientation and Building Site Design.** The City shall encourage building and site design that takes into account the solar orientation of buildings during design and construction. The incorporation of energy-efficient site design shall be incorporated into City-wide master planning efforts when feasible. *[New Policy – FEIR]*

- **Policy NCR-8.11 Energy-Efficient Buildings.** The City will encourage the development of energy-efficient buildings and communities. *[New Policy – FEIR]*

- **Policy NCR-8.12 Solar Photovoltaic Systems.** The City will promote voluntary participation in incentive programs to increase the use of solar photovoltaic systems in new and existing residential, commercial, institutional and public buildings. *[New Policy – FEIR]*

- **Policy NCR-8.13 California Title 24 Energy Efficiency Standards.** The City will explore offering incentives such as density bonus, expedited process, fee reduction/waiver to property owners and developers who exceed California Title 24 energy efficiency standards. *[New Policy – FEIR]*

**Response to Comment I10-55:** Commenter states that groundwater is in a current state of overdraft and the Proposed Project will exacerbate the rate of groundwater decline and associated impacts such as saline intrusion, drying up of private wells, etc. Please refer to Master Response #5 "Water Supply Issues, Groundwater Use and Agricultural Groundwater Credits" for additional information related to the current and future state of groundwater conditions in the City.

**Response to Comment I10-56:** Commenter states that Phase I of the DWSP project is only being designed to handle buildout under the City's existing General Plan and would not provide water for the population expected as part of the Proposed Project. Please refer to Master Response #5 "Water Supply Issues: Surface Water Assumptions for the DWSP and SEWD" for additional information related to the water supply assumptions developed for the Delta Water Supply Project.

The WSE does not hide the fact that there will be a short term need for increased groundwater supplies in dry years to sustain growth until the DWSP is constructed. It should also be noted that in above average rainfall years there will be less groundwater pumping than historically pumped because of increased use of surface water. The probability of having one or more dry years between now and 2011 is about 35%. A given dry year occurrence does not translate into significant impacts other than a slight increase in pumping costs for all groundwater pumpers in the basin.

The COSMA (as documented in its WSE, the DWSP Feasibility Report, and technical groundwater studies, all available for review at COSMUD) has imposed a sustainable yield of the aquifer based on historical fact and groundwater modeling results. Through management of its own groundwater resources, the COSMA, being an overlying appropriator of groundwater for beneficial uses to its retail customers, has stabilized groundwater elevations and achieved recovery in the portion of the groundwater basin underlying the COSMA service area. The continued use of this program until the DWSP is operational is expected to provide benefits to the groundwater basin on average.

Dry year events are clearly shown to exceed the sustainable groundwater supply in the WSE prepared for the Proposed Project until the DWSP is constructed. This will occur regardless of the Proposed Project since it is the severe shortages in surface water from SEWD that create the need to rely on groundwater in the dry years. The impacts, however, of pumping more than the sustainable yield in a dry year(s) between now and the operational year of the DWSP are likely to range from little to nothing except a decline of groundwater elevations to conditions similar to what may have existed in the early 1990's before the SEWD conjunctive use program was fully operational and the region was coming out of a 5 year drought cycle with groundwater elevations already at their lowest historical point.

All groundwater pumpers, including the municipal water purveyors, understand the implications of dry year hydrology and the associated impacts of higher pumping costs due to lower groundwater elevations. With the conjunctive use program in place, and the imminent construction of the DWSP, groundwater elevations will rise faster in wet years and likely remain at elevated levels until below normal rainfall hydrology occurs. After construction of the DWSP, groundwater extractions will stay within the groundwater management goals set forth for the DWSP.

The commenter further states that the Delta may be quite different in 2035 due to global warming conditions. Issues such as global warming and their direct impacts to the region have not matured enough to make definitive decisions on future planning decisions; however, the comment is noted and will continually be considered and reviewed with state and federal regulatory agencies as the planning process for Phase II of the DWSP project moves forward. Additionally, please see Master Response #3 for additional information specific to global warming issues.

**Response to Comment I10-57:** Commenter states that Term 91 was created to avoid appropriative water holders junior to the State and Federal Water Projects from diverting water when these projects are releasing water for environmental uses in the Delta. The commenter further questions how this limitation may affect the availability of water under the Proposed Project and what the COSMUD's policy on Term 91 priority may be, which serves to limit appropriative water right diversions when CVP and State Water Projects are releasing flows for Delta fisheries.

Phase 1 of the DWSP will meet the Proposed Project's water demands and will only use D1485 water that, by law and existing City water rights, is not subject to Term 91 restrictions. However, D1485 water is subject to conditions of the Endangered Species Act (ESA) and mitigation for limited diversions during certain times of the year, all of which have been accounted for in the WSE analysis (provided in Appendix D of the draft EIR). California Water Code Section D1485 can be summarized as follows: any municipality disposing of treated wastewater into the San Joaquin River may seek a water right to divert a like amount of water, less losses, from the river or Delta downstream of the point of wastewater discharge.

Term 91 will be in effect once Phase 2 of the DWSP is constructed. While not considered to be a requirement for serving the Proposed Project, Phase 2 of the DWSP will use area of origin water and will be subject to Term 91 as stated in the DWSP Feasibility Report and as a condition of the City's Phase 1 water right. For this reason, area of origin water is not as reliable as D1485 water.

**Response to Comment I10-58:** The commenter states that it is not uncommon that a surface water treatment plant shut down a portion of its treatment process once a year for maintenance operations and upgrades. The commenter questions whether this has been considered in the analysis.

In the past, the practice of shutting portions of the surface water treatment plant was necessary to replace worn parts and to clean the various treatment plant process tanks. Current design practices have almost reduced the need for a large-scale shut down for maintenance activities. If a maintenance shut down were required, it would be planned during the low demand months when the remaining portion of plant capacity along with other sources of supply are adequate to meet water demands. By its very nature, a conjunctive use water system has more redundancy than a system relying solely on surface water or groundwater. If an emergency shutdown of one of the surface water treatment plants was to occur, the system design provides sufficient capacity in the other sources of treated water (plus groundwater) to meet peak water demands. In addition, the State Department of Health Services already requires a water system to continue its operations with the largest source of supply off-line.

**Response to Comment I10-59:** The commenter states that the City has sought water from the DWSP for nearly a decade with no project in operation. The commenter questions how the draft EIR can make assertions based on the DWSP being operational given the long history and uncertainty that has plagued the DWSP.

Under the State Water Code section 10910 et seq. (commonly known as SB 610), it is interpreted that planned water supplies can be included in the water supply evaluation if all necessary environmental documentation has been certified, and regulatory permitting of the water supply is completed. Phase 1 of the DWSP has a certified EIR and a SWRCB permit for D1485 water. This is deemed sufficient evidence to allow COSMUD to use the DWSP as a planned water supply project in the determination of water supply sufficiency for future development projects and the Proposed Project.

See Master Response #5 "Water Supply Issues, Surface Water Assumptions for the DWSP and SEWD" for additional information regarding the need for an expanded place of use and additional water entitlements.

**Response to Comment I10-60:** As stated in comments on the Notice of Preparation (NOP) by Stockton East Water District and the Cities of Ripon, Lathrop, Manteca, and Lodi, a variety of jurisdictions plan on using groundwater for expanded urban development. The commenter questions if this has been considered in the continued use of groundwater for the Proposed Project. Please see Master Response #5 "Water Supply Issues, Groundwater Use and Agricultural Groundwater Credits" for more information pertaining to groundwater assumptions and documented publicly available reports and studies.

**Response to Comment I10-61:** Commenter states that recharge areas such as marshlands and open vacant property will be replaced with impervious roads and roof tops that do not allow water from precipitation to deep percolate into the groundwater basin. Please see Master Response #5 "Water Supply Issues, Groundwater Use and Agricultural Groundwater Credits" for more information pertaining to groundwater assumptions and documented publicly available reports and studies.

**Response to Comment I10-62:** The commenter states that global warming, as described by the State Department of Water Resources, will cause a rise in sea levels and will adversely impact the Delta. The commenter further states that impacts such as salt water intrusion, levee failures, and an overall degradation of the quality of water that is taken from the Delta can occur. The commenter further states that the State Department of Water Resources lists crop irrigation, landscape irrigation, domestic water use, commercial water use, evaporation losses, and environmental water requirements as activities or identified needs of water that will be impacted by global warming. Please see Master Response #3 for additional information related to global warming issues and the potential impacts of global warming conditions on California water supply and operations.

As with any planning activity, water supply planning is adaptive and based on historical and forecasted information. If water demands increase to above forecasted amounts, future phasing of the DWSP WTP and the SEWD WTP may need to be accelerated. Losses of water supplies to support the environment may necessitate finding alternative water supplies for the COSMA or implementing technologies in groundwater recharge and extraction to produce more water during dry and critical years.

**Response to Comment I10-63:** The commenter states that the draft EIR fails to consider the impacts of global warming that will alter or increase flooding potential in the Delta. Please see Master Response #3 for information specific to these global warming issues.

**Response to Comment I10-64:** Commenter questions how Impact PFS-8 (see pages 9-42 through 9-43 of the draft EIR) can be considered a less-than-significant impact. Please see the response prepared for Comment O5-39.

**Response to Comment I10-65:** The commenter claims that policy NCR-5.3 fails to mitigate the potentially significant impact of soil erosion and loss of topsoil caused by new development. The various soil erosion prevention methods (best management practices) described in policy NCR-5.3 are common and widely accepted methods used to minimize soil erosion. As is current standard practice, the text provided in Policy NCR-5.3 states that the City shall require new development to implement a variety of soil erosion measures that includes the use of best management practices. Existing State regulations currently require compliance with a National Pollutant Discharge Elimination System (NPDES) permit and consequently the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP), which identifies the use of various best management practices.

**Response to Comment I10-66:** The commenter states that the Proposed Project will encourage and cause growth outside of the City's proposed Urban Services Boundary and that the draft EIR has not fully mitigated the growth inducing aspects of the project. Please see the response to Comment A13-2 for a discussion of compliance with the City's Stormwater Quality Control Criteria Plan (SWQCCP). All jurisdictions in California (including counties) must comply with similar stormwater quality criteria.

**Response to Comment I10-67:** Commenter states that the draft EIR fails to define what an "unnecessary consumption of energy" is. The term "unnecessary consumption of energy" can be defined in several ways including the "inefficient use of materials or energy" to complete a process or activity. An example of this may include the continued use of outdated technology or equipment that uses energy less efficiently. The "unnecessary consumption of energy" is a threshold developed in order to determine the level of significance of an environmental effect. Public agencies are entitled to develop thresholds of significance that can be used in the determination of environmental effects (CEQA Guidelines Section 15064.7); these thresholds can be quantitative, qualitative or performance level in nature. Health and Safety Implementation Measure #9 states that the City shall replace City fleet vehicles with low-emission technology vehicles wherever possible. This implementation measures provides an example of how the City would strive to use energy more efficiently and work to reduce the unnecessary consumption of energy through the replacement of older less efficient equipment.

**Response to Comment I10-68:** The commenter asks what the proposed General Plan means by "ensure effective protection" in policy NCR-1.4, when the draft EIR admits that the project will have significant and unavoidable impact to natural resources. As with most policies provided in the draft General Plan, this policy is intended to provide broad guidance on a specific issue pertinent to the City. Policy NCR-1.4 includes a broad statement regarding the City's intent to develop specific criteria necessary to protect its natural resources. This criteria would be developed in consideration of the various resources that comprise the environmental setting of the City and in consultation with existing programs and regional agencies with similar jurisdiction over these natural resources.

**Response to Comment I10-69:** The Commenter asks how the draft EIR reconciles the project's adverse impacts on fish and wildlife with policy NCR-2.1. The commenter also states that the draft EIR should evaluate whether proposed General Plan policies will offer any protection to open space and natural areas. Policies designed to help protect biological resources (including open spaces and natural areas) are noted on pages 13-5 through 13-7 of the draft EIR. Specifically, the following policies apply to these resources: NCR-1.1, NCR-1.3, NCR-1.4, NCR-2.1, NCR-2.2, NCR-2.3, NCR-2.4, NCR-2.5, NCR-2.6, NCR-2.7, NCR-2.8, NCR-2.9, NCR-2.10, NCR-2.11, NCR-2.12, NCR-2.13, NCR-2.14, NCR-2.15, NCR-2.16, NCR-2.17, RW-5.2, and Natural & Cultural Resources Implementation Measures #1, #2, #3, and #4. Additionally, the City has developed a policy (Policy NCR- 2.19 "Interim SJMSCP Compliance for Biological Resources") outlying interim compliance and received positive feedback from the California Department of Fish and Game (see response to Comments A5a and A5b).

**Response to Comment I10-70:** The commenter states that the draft EIR should evaluate whether policy NCR-1.3 conflicts with other proposed General Plan policies that promote low/medium density residential development. In developing the Proposed Project, the City did not intend to

create an updated general plan with contradictory policies. In responding to regional growth pressures beyond its control, the Proposed Project (including the Preferred Land Use Alternative) has been developed with the primary goal of ensuring that this future growth will occur in an orderly manner, which will help to prevent urban sprawl and maintain compatible land use patterns throughout the City. However, as described in the EIR, development of these future growth areas will result in the conversion of existing agricultural and open space lands. As with other policies in the Natural and Cultural Resources Element, the intent of Policy NCR-1.3 is to demonstrate the City's commitment to identifying ways to organize future development in a manner that preserves as much open space land as possible given the growth pressures of the region.

**Response to Comment I10-71:** The commenter states that policy NCR-2.4 is unclear and should be strengthened. The commenter also asks how the City, under policy NCR-2.4 plans to mitigate for the loss of vernal pools. Please see the response provided for Comment I10-70. Additionally, the City has developed a policy (Policy NCR- 2.19 "Interim SJMSCP Compliance for Biological Resources") outlying interim compliance with the SJMSCP and received positive feedback from the California Department of Fish and Game (see response to Comments A5a and A5b).

**Response to Comment I10-72:** The commenter states that the draft EIR should discuss the impact of policy NCR-2.9. The commenter also asks what the General Plan means by "appropriate" measures in the policy. The commenter also suggests that the City remove the word "appropriate" from the policy to ensure that all mitigations recommended will be required. Please see the response provided for Comment I10-70. The City has also developed a policy (Policy NCR- 2.19 "Interim SJMSCP Compliance for Biological Resources") outlying interim compliance with the SJMSCP and received positive feedback from the California Department of Fish and Game (see response to Comments A5a and A5b). The City has also clarified the intent of Policy NCR-2.9. Please see the response to Comment I6-11.

**Response to Comment I10-73:** The commenter states that Implementation Measure #1 fails to include specific criteria to protect natural resources, and that there is no commitment to implement this measure.

Each General Plan Element (including the Natural and Cultural Resource Element) provide a list of implementation measures and identifies who would be responsible for implementation of each measure and when implementation will occur. Natural and Cultural Resources Implementation Measure #1 states that "the City shall adopt specific criteria for the protection of natural and cultural resources as part of the City's environmental review process" and directs the Community Development Department (CDD) to do so within the indicated 2007-2008 timeframe. This measure ensures that the City's CDD will implement the referenced policies (Policy NCR-1.1 and NCR-1.4) by requiring CDD to develop specific criteria to protect the concerned resources.

Criteria would be developed in consideration of the various resources that comprise the environmental setting of the City and in consultation with existing programs and regional agencies with similar jurisdiction over these natural resources.

**Response to Comment I10-74:** The commenter states that the draft EIR fails to discuss the impacts related to policy NCR-4.1. The impacts resulting from the need to convert existing agricultural land to non-agricultural uses is described in Impact NCR-9 (see page 13-32 of the draft EIR).

**Response to Comment I10-75:** The commenter states that policy DV-4.8 is too vague to offer any meaningful protection to agricultural lands. The commenter also asks what amount of infill constitutes "a significant portion of development activity in the city" and suggests requiring a percentage of infill development. As the commenter suggests, the draft General Plan places a heavy emphasis on maximizing infill development, with many of the draft General Plan objectives emphasizing 100% infill of the downtown area. Please see the responses prepared for Comments O5-28 and I10-3.

**Response to Comment I10-76:** The commenter states that there is nothing in policy NCR-4.4 which creates the Agricultural Conservation Program (ACP) that requires the preservation of "equivalent" farmlands. The commenter also asks what the draft EIR means by "equivalent". The commenter states that the draft EIR should evaluate alternative growth patterns, other mitigation measures, and altering the proposed projects land use designations. Please see the response prepared for comment A4-3, which describes the City's recently adopted agricultural impact fee ordinance.

**Response to Comment I10-77:** The commenter states that the draft EIR does not appear to fully mitigate the indirect impacts of urban effects leading to agricultural land conversion. The commenter suggests that policy LU-2.2 state that the City "shall establish"' rather than "shall support" the establishment of an agricultural buffer. The commenter asks for a full evaluation of policy LU-2.2 and also for the City to permanently fix the Urban Services Boundary (USB) for the life of the proposed general plan. Policy LU-2.2 is worded as such because the City understands that establishment of an agricultural buffer is a shared responsibility with other neighboring jurisdictions. Policy LU-2.2 is intended to provide guidance for setbacks within the Village areas and their transitional neighborhoods.

**Response to Comment I10-78:** The commenter states that the draft EIR misrepresents the intent of policy DV-4.8 and that the policy is vague, never defining it's "limit", and is non-binding. As previously described, most policies (including DV-4.8) provided in the draft General Plan are intended to provide broad guidance on a specific issue pertinent to the City. As the draft EIR states on page 13-34, City policies (when taken together) will (1) support continued agricultural uses; (2) seek to reduce conflicts between agricultural and urban uses; (3) provide funding for

agricultural and open space programs; and (4) coordinate regional efforts to preserve farmland within San Joaquin County. Policy DV-4.8 is included because the intent of the policy is to encouraging infill development which could reduce new development in village areas and possibly reduce the conversion of prime agricultural lands to a developed use. As stated in Chapter 2 "Project Description" of the draft EIR, the City supports 100% infill development. The policy is binding in its reaffirmation of the draft General Plan's primary objective to support 100% infill development.

**Response to Comment I10-79:** The commenter claims that Policy NCR-5.3 and Policy NCR-5.2 fail to mitigate potentially significant impacts of soil erosion and loss of topsoil that would be caused by new development. Policy NCR-5.3 states "The City shall require new development to implement measures that minimize soil erosion from wind and water related to construction. Measures shall include, but not be limited to the following:

- Grading requirements that limit grading to the amount necessary to provide stable areas for structural foundations, street rights-of-way, parking facilities, or other intended uses; and/or

- Construction techniques that utilize site preparation, grading, and best management practices that provide erosion and sediment control to prevent construction-related contaminants from leaving development sites and polluting local waterways."

As noted in this policy, the City will ***require*** new development to utilize best management practices to provide erosion and sediment control. Best management practices are defined as any program, technology, process, siting criteria, operating method, measure, or device, which controls, prevents, removes, or reduces pollution. Erosion control consists of preparing the soil surface and implementing one or more BMPs. Some examples of commonly used erosion control BMPs include preservation of existing vegetation, hydroseeding, using soil binders, wood mulching, using slope drains or providing streambank stabilization. These BMPs, and others, used alone or in combination, prevent erosion by intercepting, diverting, conveying, and discharging concentrated flows in a manner that prevents soil detachment and transport. Compliance with local air district permitting requirements (including SJVAPCD's Regulation VIII) also provide similar types of measures to control dust emissions.

**Response to Comment I10-80:** The commenter states that there is a discrepancy in the language of policy NCR-5.3 between the draft EIR and the General Plan; the draft EIR says "shall" and the General Plan says "may". Policy NCR-5.3 is correctly stated in the draft EIR and shall be corrected in the Goals and Policies Report.

**Response to Comment I10-81:** The commenter states that policy NCR-5.2 does not ensure mitigation of soil erosion because the policy is not mandatory or concrete. The commenter suggests changing the language to say "shall require", rather than "promote". Please see the response to Comment I10-79.

**Response to Comment I10-82:** The commenter states that the draft EIR fails to describe what the significant impact of expanding the Stockton Regional Wastewater Control Facility (RWCF) would be, and why it would be cumulative. Please see the response prepared for Comment O5-38.

**Response to Comment I10-83:** The Commenter asks to what extent significant air pollution in the region and city will affect surface water quality through precipitation. Surface water sources are at risk of water quality constituents both natural and manmade that may require specialized treatment at some point. Similar to other water quality constituents (i.e., Chloride), arsenic may require treatment by DHS at some point in the future. With the current regulatory framework on both the discharge side and the drinking water source protection side, there is little to no concern that new contamination sources will be introduced as a result of the new development.

**Response to Comment I10-84:** Commenter states that the draft EIR does not appear to evaluate potential groundwater contamination resulting from the proposed project. The commenter also states that the draft EIR must describe what groundwater quality impacts the proposed project would have without the existence of the Delta Water Supply Project.

Current regulatory permitting processes for industries and the disposal of waste products has and will continue to be very strict with very high penalties and criminal charges to parties responsible for illicit discharge or disposal practices. With the current regulatory framework on both the discharge side and the drinking water source protection side, there is little to no concern that new contamination sources will be introduced as a result of the new development. Known contamination sites that exist today are always avoided in the siting of new wells and in projecting the water capture zone of the new wells over time. It should be noted that, while it may seem beneficial, a significant increase in groundwater elevations may result in contaminants currently in the unsaturated zone soils becoming suspended in the water and moving away from the site in a down gradient direction contaminating public and private wells. This too should also be avoided. No activities in the treatment of surface water planned to take place at the DWSP pose any risk to the groundwater.

**Response to Comment I10-85:** The commenter states that water levels in the Central Valley Groundwater Basin have declined and that chloride concentrations have increased in a number of wells. The commenter also states that lowering the groundwater table will make the chloride problem worse.

As previously discussed, public and private wells are both at risk of water quality constituents both natural and manmade that may require specialized treatment at some point. There is no direct nexus that the act of groundwater pumping due to increased municipal water demands is exacerbating the concentration of Chloride but merely that Chloride is becoming a constituent of concern (similar to arsenic) throughout the basin and, for public water systems, may require treatment by the DHS at some point in the future. If pumping is determined to be the cause for increased concentrations of Chloride, all basin pumpers will be required to reduce their pumping levels and collectively support the cost for importation of raw surface water for irrigation of agricultural lands and agricultural-residential developments with high outdoor water use, as originally proposed with the creation of SEWD back in the 1970's. The City is doing all it can to reduce the salinity intrusion condition by importing as much surface water as is available to the COSMA and working cooperatively in the region to develop programs that use surface water supplies over groundwater to slow the salinity front caused by depressions in the groundwater table to the east of the COSMA.

**Response to Comment I10-86:** Commenter states that the draft EIR never discusses whether additional pollutants could be introduced into the groundwater from the Proposed Project. Commenter also claims that the proposed General Plan will increase the impact of urban uses on groundwater and that the draft EIR must discuss these potential impacts.

The statement that less recharge from deep percolation increases concentrations of existing groundwater contamination is not substantiated. Much of the fertilizers are bound up in the soil and not the groundwater. If less water percolates through the high nitrate soil due to impervious surfaces there would be a positive effect by not suspending the nitrates in the water that percolates through the vadose zone (unsaturated zone) to the regional aquifer. For additional information, please see the response prepared for Comment I10-84. Given that urban runoff is regulated and treated prior to discharge to receiving waters, any contaminants will be isolated, monitored, and removed as required under the City of Stockton's National Pollution Discharge Elimination (NPDES) Permit.

**Response to Comment I10-87:** Commenter states that the draft EIR fails to disclose the actual environmental impacts of induced growth. Commenter also states that the impacts from agricultural land conversion were not addressed in the draft EIR, and that they must be disclosed in order to be fully mitigated. Please see the response prepared for comment O4-6.

**Response to Comment I10-88:** Commenter states that the draft EIR should evaluate the growth inducing impacts of an alternative that moves the City's USB and SOI east of SR 99. Commenter states that growth inducing impacts resulting from development east of SR 99 will lead to the conversion of important farmland.

The purpose of a general plan is to guide the growth and development of a community. Accordingly, the City's proposed General Plan is premised on projected future growth occurring. The City, San Joaquin County, and the larger San Joaquin Valley region have all experienced dramatic growth over the past decade and this trend is expected to continue. Consequently, the focus of the City's General Plan is to provide a framework within which projected growth can be accommodated and managed consistent wit the City's overall planning responsibilities and objectives.

The City's willingness to accept new growth is consistent with the Planning and Zoning Law, as recently described by the California Supreme Court:

> The population of California is ever increasing. Our legislature has declared that "[t]he availability of housing is of vital statewide importance, and the early attainment of decent housing and a suitable living environment for every California family is a priority of the highest order." (Gov. Code, Section 65580, subd. (a).) In order to "assure that cities and counties recognize their responsibilities in contributing to the attainment of the state housing goal" (*id.*, Section 65581, subd.(a).) the Legislature requires that local jurisdictions in their land use planning "identify adequate sites for housing...and...make adequate provision for the existing and projected needs of all economic segments of the community" (*id.*, Section 65583), including "the locality's share of the regional housing need" (*id.*, Section 65583, subd. (a)(1).). Thus, no California locality is immune from the legal and practical necessity to expand housing due to increasing population pressures. (*Muzzy Ranch Co. v. Solano County Airport Land Use Commission* (June 21, 2007) Slip Opinion, p.8.)

The potential impacts resulting from changes to the Urban Service Area boundary and Sphere of Influence are considered in the analyses presented in the draft EIR for the relevant resource topics. These analyses also include a description of the proposed growth-inducement effects, which is addressed in Chapter 15.0 "Additional Statutory Considerations", on pages 15-1 through 15-4 of the draft EIR. This section describes that implementation of the Proposed Project would induce some of the population and housing growth in the City, in part because it increases intensity of uses and densities in future urban centers, close to transportation nodes.

Still, the notion that the Proposed Project is "growth-inducing" must be understood in light of project population growth in the state and region. While growth would certainly be allowed and even anticipated under the Proposed Project, the market and demographic realities facing the region indicate that even without the new, updated General Plan, considerable amounts of growth would continue to occur either in the City under the existing General Plan and existing Sphere of Influence or within surrounding areas similarly proximate to Bay Area jobs, major transportation infrastructure, productive agricultural lands, and unique open space areas that make the region an attractive place for people to live and work. Such growth would occur, however, without the

benefit of new City General Plan policies intended to minimize the environmental effects of new development. Within the updated General Plan, such impacts are minimized, for example, through the proposed Village concept, which is intended to minimize automobile use, as well as through updated polices that reflect current environmental and regulatory trends, while creating, the opportunity for increased economic sustainability. Additionally, the City's commitment to 100% "infill" development of the downtown area will also help to minimize the conversion of some existing open space areas to a developed use. In other words, while the Proposed Project would result in an increase of growth locally, the policies included in the Proposed Project reduce the potential for negative impacts associated with directly induced growth. However, because this growth resulting from the Proposed Project would still significantly affect existing visual resources and result in an overall reduction of existing open space and agricultural lands, the growth inducing impacts of the Proposed Project are also considered significant and unavoidable.

Indirect impacts of growth are discussed on page 15-4, under the heading "Indirect Impacts." While the Proposed Project does allow additional growth, it also includes specific policies that limit that growth to the proposed Sphere of Influence. However, the City's proposed policies would not preclude – nor could they preclude - other surrounding jurisdictions from developing areas adjacent to the City's proposed SOI. Consequently, indirect growth inducing impacts of the Proposed Project are also considered significant and unavoidable. The City's hope, however, is that by encouraging new residents and workers to locate within the City itself, as opposed to on unincorporated lands or within other municipalities in the region. The City will reduce the extent to which long-term growth will continue to consume open space, farm land, habitats, and will reduce per capita land and resource consumption, per capita generation of wastewater and solid waste, per capita vehicle miles driven, and per capita air pollution.

The five alternatives analyzed in the draft EIR represent a reasonable range of alternatives to the Proposed Project by encompassing various population levels, a range in number of residential areas, and total acreage of the Sphere of Influence. The City has chosen to continue with the Proposed Project to meet the outlined objectives.

**Response to Comment I10-89:** Commenter asks to what extent the development of "New Road G" will induce growth in currently rural areas. Please see the response to Comment I10-18.

**Response to Comment I10-90:** Commenter states that the draft EIR fails to discuss projects with pending approval prior to, or shortly after approval of the proposed project which could create cumulative impacts. The discussion of cumulative impacts was prepared pursuant to CEQA requirements (CEQA Guidelines Sections 15126.2[d], 15150[a], and 15150[b]) and is included in Chapter 15.0, "Additional Statutory Considerations", in the draft EIR. The draft EIR provides a summary of impacts for similar projects in the vicinity of the City of Stockton in Table 15-3 on pages 15-7 through 15-14 of the draft EIR. The project list consists of General Plans for the cities

of Escalon, Lathrop, Lodi, Manteca, Ripon, and Tracy and projects within unincorporated San Joaquin County and the San Joaquin Council of Governments Regional Transportation Plan. This project list consists of projects that are similar to the proposed project and have the potential for resulting in cumulative impacts within the same region. Because it would be unrealistic to expect the City to hold development applications during the preparation of the draft General Plan, the draft EIR assumes that a certain amount of development will be planned during preparation of the draft General Plan. As previously described, preparation of the draft General Plan has included a great degree of public involvement and input. Presumably, newer large scale projects have been planned so as to be consistent with the overall direction of the draft General Plan and the draft Land Use Diagram. Assuming other development scenarios would be highly speculative and would not provide a useful assessment of the overall cumulative impact associated with the Proposed Project.

**Response to Comment I10-91:** Commenter asks if it is correct that no alternative would reduce any significant impacts to a less than significant level. Commenter also states that the plus/minus symbol system for evaluating alternatives should be expanded in order to further differentiate between the alternatives. Alternative #5 would reduce Impact HS-16 to a less-than-significant level. The plus/minus symbol for evaluating alternatives is included in Table 14-4 as an overview comparison of the proposed project and the five alternatives. An expanded discussion of the impacts of each alternative is included on subsequent pages of Chapter 14.0 "Alternatives to the Proposed Project" under the headings "Environmental Impacts of the Alternative."

**Response to Comment I10-92:** Commenter states reasons why Alternative 5 is the environmentally superior alternative and suggests that the City consider this alternative. Alternative #5 is evaluated in Chapter 14.0 of the draft EIR (Alternatives to the Proposed Project). While this alternative does reduce the severity of some of the significant impacts of the project, it does not necessarily meet all of the objectives of the project and does not eliminate a majority of the significant impacts. The City has chosen to continue with the Proposed Project to meet the outlined objectives.

**Response to Comment I10-93:** The Commenter states that the draft EIR fails to fully describe the village areas included with Alternatives 4 and 5. Commenter also states that the draft EIR should evaluate the potential cumulative impacts of projects receiving approvals under the existing General Plan and that the population comparisons of Alternatives 4 and 5 should be revised.

As noted in Table 14-3 on page 14-8, Alternative 4 (Reduced Growth Alternative) includes 7 Villages and a population of 461,700. Alternative 5 (Reduced Growth Alternative – Optional Land Use Scenario) includes 6 Villages and a population of 461,700.

The discussion of cumulative impacts was prepared pursuant to CEQA requirements (CEQA Guidelines Sections 15126.2[d], 15150[a], and 15150[b]) and is included in Chapter 15.0, "Additional Statutory Considerations", in the draft EIR. The draft EIR provides a summary of impacts for similar projects in the vicinity of the City of Stockton in Table 15-3 on pages 15-7 through 15-14 of the draft EIR. The project list consists of General Plans for the cities of Escalon, Lathrop, Lodi, Manteca, Ripon, and Tracy and projects within unincorporated San Joaquin County and the San Joaquin Council of Governments Regional Transportation Plan. This project list consists of projects that are similar to the proposed project and have the potential for resulting in cumulative impacts within the same region. Please see the response prepared for Comment I10-90.

**Response to Comment I10-94:** Commenter asks why the draft EIR fails to include Alternatives 4 and 5 in Table 14-6. Commenter also states that the draft EIR should be revised to accurately reflect that Alternatives 4 and 5 would have lower impacts on water, wastewater, and other public services. Qualitative data is not available for Alternatives 4 or 5. Although alternatives 4 and 5 are associated with lower population rates or SOI boundaries they would still result in similar impacts to the full range of public services as more fully described in Chapter 14.0 and summarize in Table 14-6.

**Response to Comment I10-95:** Commenter asks how growth inducing impacts relating to natural and agricultural land conversion would be lessened by Alternatives 4 and 5. Growth inducing impacts may be lessened due to land conversion/population growth differences between the alternatives and the Proposed Project. However, given the overall magnitude of all the alternatives, each alternative is expected to result in similar types of impacts.

**Response to Comment I10-96:** Commenter stats that the environmentally superior alternative should be adopted because it meets a majority of the project goals. Commenter also gives reasons why a target population of 580,000 should be revised. Alternative #5 (the Environmentally Superior Alternative) is evaluated in Chapter 14.0 of the draft EIR (Alternatives to the Proposed Project). While this alternative does reduce the severity of some of the significant impacts of the project, it does not necessarily meet all of the objectives of the project and does not eliminate a majority of the significant impacts. The City has chosen to continue with the Proposed Project to meet the outlined objectives.

**Response to Comment I10-97:** The commenter states that the draft EIR should evaluate whether the project's goal of creating "multi-modal loop roads" would be necessary given the smaller population created by Alternative 5. The commenter also asks what would be the impacts of failing to meet this project goal. Alternatives 4 and 5 both include the same City population; as described in Table 14-20 in the draft EIR, these alternatives would have about 20% lower population than the Proposed Project and would generate about 11% fewer vehicle trips.

However, these reduced growth alternatives would require only 4% fewer lane-miles of roadway in order to accommodate the expected travel demand. This would imply that almost all of the roadway infrastructure identified in the proposed project would still be needed with the reduced growth alternatives. The intent of the multi-modal loop roads and corridors is to support the plan's policy emphasis on multiple transportation modes by indicating that these roads are explicitly intended for use by more than just automobiles; in many cases, they will host regional and/or local bus services, and they will also be used by pedestrians and cyclists traveling within and between villages. If the roads were developed with only automobile users in mind, some level of connectivity and support of alternate modes would be lost from the proposed General Plan.

**Response to Comment I10-98:** The commenter asks if the Proposed Project meets each of the project objectives and comments that Alternative 5 does a better job of fulfilling project goals than the Proposed Project does. The commenter states that a comparison of the Proposed Project to the project goals should be placed along side the comparison of the alternatives with the project goals in order to better inform decision makers and the public about which goals each alternative will and will not meet. Table 14.4 on pages 14-9 and 14-10 provides a comparison of the five alternatives abilities to meet the project objectives. The Proposed Project meets all but one of the project objectives.

**Response to Comment I10-99:** Commenter concludes the comment letter by thanking the City for consideration of the comments contained in the letter and by stating that they look forward to hearing the City's plans to provide growth while ensuring protection of Stockton's agricultural areas and water supply. No further response is required.

### *Letter I11, Sharon D. Stewart*

**Response to Comment I11-1:** Commenter provides an introduction to the comment letter. No further response is required.

**Response to Comment I11-2:** Commenter expresses appreciation that the built up area of Morada has been removed from the Proposed Project. Commenter points out that Village I and the east side of the Eight Mile Road interchange appears to be within portions of the Morada Area as surveyed by San Joaquin County. The commenter states that any portion of the Morada Area within the Proposed Project should remain under the jurisdiction of San Joaquin County. The City interprets these statements as policy recommendations on the footprint of the draft General Plan, and as such they will be forwarded to the City Council for its consideration at the time of action on the updated General Plan. Additionally, please see the responses prepared to Comments O4-6, I10-2, I10-11, I10-15, I10-17, and I10-88 for discussions of growth issues.

**Response to Comment I11-3:** Commenter would like to know if the City of Stockton plans on adding the east side of Morada Lane Interchange to the General Plan. Commenter can provide the City with another map of the Morada MAC boundaries if needed. The City interprets the commenter's articulated concerns as relating to the policy decisions the City Council will face at the time of action on the updated General Plan. For additional information regarding the draft Circulation Diagram, please see the response provided for Comment O5-9.

**Response to Comment I11-4:** Commenter suggests that the City provide more affordable housing for families and seniors. Commenter states that less growth would minimize impacts to agriculture, traffic, schools, crime, water supply, and fire protection. Commenter also states that Stockton should attract more industry with well paying jobs. The City interprets these statements as policy recommendations on the amount of population growth the updated General Plan should anticipate, and as such they will be forwarded to the City Council for its consideration at the time of action on the updated General Plan.

The purpose of a general plan is to guide the growth and development of a community. Accordingly, the City's proposed General Plan is premised on a certain amount of growth taking place. The City of Stockton, San Joaquin County, as well as the larger San Joaquin Valley region, has experienced dramatic growth over the past decade and this trend is expected to continue. Consequently, the focus of the City's General Plan is to provide a framework in which the growth can be managed in order to best suit the needs of the City and the surrounding San Joaquin Valley area. Additionally, please refer to the responses prepared to Comments O4-6, I10-2, I10-11, I10-15, I10-17 and I10-88.

**Response to Comment I11-5:** Commenter states that the draft EIR discuss the locations of well fields identified for the Empire Ranch project and describe the impacts these wells might have on surrounding wells and the water table. While it is true that pumping from one location can have an effect on groundwater elevations at numerous other well locations, the COSMUD undertakes significant time and studies to insure the safety of existing and planned future wells. Each new municipal well site is based on findings of a test hole where a small diameter well is drilled to a desired depth for use as a municipal well. With this test hole, the safe water bearing strata are identified and the aquifer is exercised through a series of tests to determine how much yield can be extracted from the well with a given foot of drop in groundwater elevations in the well and in existing wells near to the test hole. If the yield of the aquifer is deemed safe and sustainable for both existing and new wells, the test hole is properly abandoned and a larger diameter well is constructed with screens that target the highest quality raw water supply for beneficial use in serving COSMUD's retail customers.

**Response to Comment I11-6:** Commenter states that the draft EIR needs to include additional detail regarding the City's requirement for using nonpotable water for irrigation of large landscaped areas, including what areas this includes, how the water will be treated, and if it will be cost effective. Several large project developments have submitted Integrated Water Management Plans that include a detailed evaluation on the use of raw surface water supplies and recycled water for non-potable uses. As noted in the various DWSP documents, maximizing use of recycled water is not in the COSMA's best interest given that their Delta water entitlement under D1485 is based on the treated effluent discharge to the Delta or San Joaquin River. A decrease in effluent discharge has a direct impact on the amount of water that can be diverted for potable uses by the DWSP. Use of raw surface water supplies is the most cost-effective use of available water supplies to be supplemented by either potable water or raw groundwater in dry years.

**Response to Comment I11-7:** Commenter requests that Policy PFS-2.8 on page 9-11 of the draft EIR be modified to read: "The City should not approve new development that relies on the Delta Water Supply Project to supply the water until the DWS is constructed and fully operational." The commenter also requests additional information regarding Phase II of the Delta Water Supply project. This comment focuses on changing a proposed policy and providing additional background information for the proposed project. Please refer to Master Response #5 "Water Supply Issues, Surface Water Assumptions for the DWSP and SEWD".

**Response to Comment I11-8:** Commenter observes that two or more versions of Implementation Measure #21 are used in the draft EIR. Commenter inquires as to whether or not the irrelevant topics should be removed when discussing one topic. Public Facilities and Services Implementation Measure #21 is included in the draft EIR in two contexts. The first context occurs at the beginning of the EIR sections, before the impact discussion. This version of Public Facilities and Services Implementation Measures #21 is the original measure. The second context is when the implementation measure is identified as a revised measure under "Required Mitigation Measures" for each of the potentially significant impacts. The draft EIR quoted the revised version of Implementation Measure #21 a number of times, in different resource contexts, to show that the City had policy language already written demonstrating its awareness of the need to raise funds for a variety of services and items of infrastructure. These include emergency services, libraries, recreation, police, and utility infrastructure. It made sense to have one policy statement addressing this whole variety of needs, rather than a series of discrete policy statements dealing individually with only one type of service or only one item of infrastructure. Taken together, these statements would have been repetitive and would have included unnecessary verbiage, viewed from a holistic standpoint. The City did not find any contradictions or inconsistencies within the various quotations of Implementation Measure # 21, which appear to be consistent with each other.

**Response to Comment I11-9:** Commenter provides background on groundwater and water supply for the City of Stockton. Commenter refers to Impact PFS-3 in the draft EIR and inquires as to what percentage of the water for City of Stockton Metropolitan Area (COSMA) will be supplied by groundwater. Please refer to Master Response #5 "Water Supply Issues, Surface Water Assumptions for the DWSP and SEWD" for additional information.

As discussed in Impact PFS-1 on pages 9-7 through 9-12 of the draft EIR, future water supply for the City will be based on a variety of sources, including groundwater. The DWSP will serve as one of three potable drinking water sources for the City and allow for reduced dependence on groundwater in the wet through conjunctive use operations (refer to Master Response #5 "Water Supply Issues, Conjunctive Use Water Balance"). The DWSP will be a conjunctive use program that will utilize both surface water and groundwater. After implementation of the DWSP, the City will pump less groundwater (AF/acre/year) on average over the course of the General Plan in perpetuity.

**Response to Comment I11-10:** Commenter states that small lot subdivisions of 500 homes or less should not be allowed since this requires less mitigation. Commenter states that instead, small lot subdivisions should be a few homes in a small area not 500 or less. This comment is not related to the adequacy or completeness of the draft EIR or General Plan. The City is not certain of exactly the circumstances in which the commenter would allow subdivision approvals, as the commenter indicates a fear that subdivisions of fewer than 501 units would escape certain mitigation requirements (presumably those of Senate Bill [SB] 221 [see Government Code, section 66473.7]), but the commenter at the same time feels comfortable with subdivisions of just a "few homes." Regardless of where the commenter might draw the line between suitably small subdivisions and those that, though less than 501 lots, are nevertheless considered too big, the City does not believe that the commenter's suggested change to the City subdivision practices would be practical or fair, or that they could be squared with the Subdivision Map Act (Gov. Code, Section 66410 et seq.). State law allows property owners to seek the City's approval of parcel maps for subdivisions of four or fewer new parcels or tentative subdivision maps for subdivisions of five or more parcels. The City does not believe that state law allows cities to exclude or reject outright any requests for subdivisions of less than 501 lots but more than some number that the commenter did not supply to the City. Nor should the commenter fear that subdivisions of 500 or fewer units would escape meaningful mitigation requirements related to water supply. As shown on page 9-13 of the draft EIR, the City proposes new General Plan Policy PFS-2.13, which would require the City, in approving an application for a tentative map of 500 or fewer units, to "make a factual showing or impose conditions similar to those required by [SB 221] in order to ensure an adequate water supply for development authorized by the map." The policy goes on to say that, before the City can approve a final map for any such project, or before the City can grant any project-specific approval or entitlement required for nonresidential land uses, "the City or the project proponent shall demonstrate, based on substantial evidence, the

availability of a long-term reliable water supply from a public water system for the amount of development that would be authorized by the final map or project-specific discretionary nonresidential approval or entitlement. Such a demonstration shall consist of a written verification that existing sources are or will be available and that needed physical improvements for treating and delivering water to the project site will be in place prior to occupancy." These stringent new requirements would go well beyond Senate Bill 221 by applying its kinds of protections to subdivision approvals of fewer than 501 lots and to virtually all kinds of nonresidential development requiring discretionary city approvals.

**Response to Comment I11-11:** Commenter refers to a 2006 completion date for upgrades to the Regional Wastewater Control Facility for Stockton cited on page 9-21 of the draft EIR. Commenter inquires as to whether or not this has in fact been completed. The City estimates that construction of the various improvements identified for the RWCF will be completed by summer 2007.

**Response to Comment I11-12:** Commenter refers to the need to treat stormwater before it reaches waterways. Commenter asks how the City plans to treat polluted stormwater and when the city plans to cleanup existing polluted waterways in Stockton. In regards to the treatment of stormwater, the draft General Plan Update contains several policies that address stormwater treatment. Specifically, draft General Plan Policies PFS-4.2 and PFS-4.3 require the preparation of watershed drainage plans that utilize Best Management Practices identified in the City's Phase I Stormwater NPDES permit for new development (see page 9-35 of the draft EIR).

**Response to Comment I11-13:** Commenter inquires as to how the City would be able to evacuate in case of dam failure or levee break when the roadways are predicted to be LOS F on major city streets and State highways in the area. The City takes public safety issues very seriously and has developed updated policies and implementation measures designed to address the continued provision of superior levels of emergency response (see the Public Facilities and Services Element), support for clearly defined emergency response/evacuation plans (see the Health and Safety Element), and the management of local/regional roadways (see the Transportation and Circulation Element) to address traffic congestion and level of service issues that could affect emergency response or evacuation. Please see the response prepared for Comment I7-2 for additional information.

**Response to Comment I11-14:** Commenter refers to a statement in the draft EIR that the City shall limit the wasteful and inefficient sprawl of urban uses onto agricultural land. Commenter states that the General Plan does not reflect this policy. The City acknowledges what it understands to be the commenter's view that the General Plan footprint does not appear to match the spirit of the General Plan's agricultural preservation policies. The City notes, however, that regardless of how big a footprint the City seeks to create, the City exists within a larger regional context in which population increases are projected to occur regardless of what the City does in

its long-term planning. Please refer to responses to comments O4-6, I10-2, I10-11, I10-15, I10-17 and I10-88. The City has therefore determined that some of this regional growth should occur in areas subject to its control, and that the loss of agricultural lands should require mitigation. As noted in response to comment O3-3, the City of Stockton adopted their Farmland Mitigation Program in January 2007. This program requires projects over 40 acres to mitigate the loss of important or prime farmland at a 1:1 ratio. Projects less than 40 acres are required to mitigate the loss of important or prime farmland by paying a fee. The draft General Plan also includes several policies that support continued agricultural uses in areas outside urban development through the establishment of an agricultural buffer, right to farm ordinance, agricultural conservation program, and the discouragement of premature conversion of agricultural land (Policies LU-2.2, LU-2.3, NCR-4.1, NCR-4.2, NCR-4.4, and NCR Implementation Measure #2). Impacts to agricultural land are addressed on pages 13-28 through 13-36 of the draft EIR.

**Response to Comment I11-15:** Commenter states that LOS F and LOS E are not acceptable for traffic on City streets and the State highways. Commenter suggests that the General Plan take another look at how traffic can be improved. Commenter inquires about the opinions of Caltrans and San Joaquin County on the traffic study. LOS F and LOS E are indeed below the City standard of LOS D on streets and highways. Policy TC-2.1 defines specific locations where LOS standards different from the overall city-wide LOS D will be allowed. Please see the response to comment I10-37 for more information. As described in that response, buildout of the land use diagram would not be possible without a recognition that congestion will result in certain specified areas. Whether to accept such congestion is a policy question for the City Council. Caltrans and San Joaquin County submitted comment letters on the draft EIR. Please see the responses prepared for Letters A6 through A8 and A21.

**Response to Comment I11-16:** Commenter states that recreation and waterways need to be open and free to all. Commenter states that the draft EIR need to address putting in handicapped facilities along major waterways for fishing and other activities. Commenter also states that the City must have a policy that does not allow the City to raid parks and recreation funds for the downtown arena, ballpark, and other future projects. The commenter discusses the need for more police officers in the City to accommodate the growth in the City. The City includes a "Recreation and Waterways" Element as part of the draft General Plan and impacts to these resources are addressed in Chapter 10 "Recreation and Waterways" of the draft EIR. Chapter 9.0 "Public Facilities and Services" identifies impacts associated with the provision of law enforcement services.

**Response to Comment I11-17:** Commenter requests that the draft EIR identify actual miles in addition to nautical miles around the airport. Please refer to the analysis and mitigation measures associated with Impact LU-2 on pages 3-11 through 3-15 of the draft EIR. The analysis and mitigation measures identify areas within two miles of the airport as within the Airport Influence Area. For additional information, please see Master Response #4.

### *Letter I12, William Van Amber Fields*

**Response to Comment I12-1:** Commenter describes the physical boundaries of Morada and states the desire of the community to remain separate from the City of Stockton. Commenter states that their main concern is regarding water resources. The City interprets these statements as policy recommendations on the proposed footprint of the draft General Plan, and as such, they will be forwarded to the City Council for its consideration at the time of action on the draft General Plan. Please refer to Master Response #1 for a discussion of how comments or proposed suggestions to revise the proposed boundaries of the draft General Plan will be considered by the City.

**Response to Comment I12-2:** Commenter inquires about the connection between the General Plan and the City of Stockton Delta Water Supply Project, and the potential impacts to the General Plan if the DWSP fails to come to fruition. The commenter is directed to Impacts PFS-1 through PFS-3 (pages 9-7 through 9-17) for a complete discussion of the General Plan and water supply issues. Additionally, please refer to Master Response #5 for additional information specific to the draft General Plan and a variety of water supply issues. Also, please see Master Response #3 for information regarding potential global warming issues and their possible effects to local water supplies.

**Response to Comment I12-3:** Commenter notes concern over the availability of surface water resources and the need to responsibly maintain and protect the groundwater resources in the face of potential future growth. Commented suggests curtailing growth until resources can support the projected growth. Additionally, please refer to Master Response #5 for additional information specific to the draft General Plan and a variety of water supply issues. Also, please see Master Response #3 for information regarding potential global warming issues and their possible effects to local water supplies.

**Response to Comment I12-4:** Commenter questions whether or not saline intrusion from the west under the San Joaquin Delta is moving easterly at a rate of 143 feet per year, as described in the USGS Salinity study. Prior to the active conjunctive use program currently taking place in the COSMA, the rate of movement of the saline groundwater was identified to be upwards of 150 feet per year. Given the reduction in pumping from both agricultural and municipal uses, stabilization and reduction in the slope of the pieziometric surface (i.e., slope of the water table) have both contributed to decreased rates of movement and, in some cases, halted and reversed the

movement of the salinity over some reaches of the delineated line separating potable groundwater supplies and groundwater that is high is salt requiring treatment. Quantification of the exact mechanism and source of salinity movement is currently under investigation through joint studies by the COSMSA water retailers, the USGS, and San Joaquin County to better understand these important variables that contribute to salinity movement.

**Response to Comment I12-5:** Commenter questions whether the development west of Interstate 5 has no potable water supply beneath it to support its existence and depends on the City of Stockton water grid. Please refer to Master Response #5 "Water Supply Issues, Surface Water Assumptions for the DWSP and SEWD". COSMUD does not distinguish between areas that overlie saline groundwater and those that do not (i.e., there are existing portions of the service area that currently overlie saline groundwater); rather COSMUD looks at the sustainability of the overall water system and its various sources of surface water and groundwater supplies to make a determination of sufficiency for any project that requires a Water Supply Assessment.

**Response to Comment I12-6:** Commenter questions whether the Oak Grove Regional Park had to abandon wells because of this saline intrusion and needed city services, specifically the City of Stockton water grid. While it is true that wells at the County park were abandoned due to salinity intrusion and water is now served by the City of Stockton, it is clearly shown that with a conjunctive use system of surface and groundwater supplies, an important regional facility has been saved by the importation of surface water.

**Response to Comment I12-7:** Commenter questions whether or the City of Stockton has large municipal wells on the east side by Highway 99 that pumps water from the aquifer to the development on the west side via the City of Stockton water grid.

Please see response to Comment I12-5. Many factors are considered when the COSMA water retailers site new wells. In most cases, the wells are located within the developed areas of the City, provide the highest quality water, do not impede the flow of treated surface water, and minimize impacts of increased pumping on adjacent wells and salt water intrusion. Figure 16 of the WSE (see Appendix D of the draft EIR) provides the approximate location of all existing municipal wells some of which are located east of Highway 99.

**Response to Comment I12-8:** Commenter questions whether Caltrans had abandoned at least 8 wells due to arsenic contamination, resulting in the need for additional groundwater to dilute contamination to acceptable limits.

While not aware of direct actions taken by Caltrans, the COSMA water retail providers are regulated by DHS to meet the new arsenic Maximum Contaminant Limit (MCL) that was effective January 2006. DHS is working with multiple retail providers in the Central Valley to

obtain compliance within a reasonable time span. Many of the older wells that were not designed to "screen out" naturally occurring arsenic will either be phased out due to exceeding the modified MCL or be treated using conventional treatment methods.

**Response to Comment I12-9:** Commenter commented that if any of the previous question were indeed true then growth should be redirected in order to promote agriculture in the County, and asks how mitigation should account for the loss of farm land and open space needed to act as "recharge land" for the aquifer. Please see Master Response #5 "Water Supply Issues, Groundwater Use and Agricultural Groundwater Credits'.

**Response to Comment I12-10:** Commenter questions whether the aquifer is over drafted close to 300,000 acre feet per year. Please refer to Master Response #5 "Water Supply Issues, Groundwater Use and Agricultural Groundwater Credits". Especially look to the San Joaquin Groundwater Management Plan for the current state of the regional aquifer and programs that are currently being implemented to reduce groundwater extractions on average in the region.

**Response to Comment I12-11:** Commenter questions whether residents are receiving less surface water and recharge from the foothills due to increased development in those areas, and whether that equates to less surface water and groundwater for use in the future.

Please refer to Master Response #5 "Water Supply Issues, Groundwater Use and Agricultural Groundwater Credits" for a complete description of the regional aquifer underlying San Joaquin County and its numerous recharge mechanisms. Subsurface recharge from the eastern foothills is a significant source of supply, and the impacts from development on that recharge source are difficult to quantify. The drop of rain that lands on a roof still makes it into a pipeline, creek, stream, and reservoir. While in any of these modes of surface water conveyance, the water still has the opportunity to deep percolate into the fractured rock aquifers present in the Sierra Nevada Foothills which become sources of recharge for the alluvial aquifers underlying San Joaquin County.

**Response to Comment I12-12:** Commenter questions whether the planned expansion of the City's footprint is intended to take over the water of those annexed areas to provide water for planned development projects. Please refer to Master Response #5 "Water Supply Issues, Surface Water Assumptions for the DWSP and SEWD". No, it is not the intent of the COSMA water retail providers to take over water rights or land area from existing irrigation districts or riparian water right holders. This is not to say that the COSMA providers will not recognize the existing surface water rights and be positioned to work with and, in some cases, pay for water used to serve potable and non potable water demands for existing and future development.

**Response to Comment I12-13:** Commenter questions what the city is doing to protect property owner's water rights from over use by development. Current state water law does not regulate groundwater unless the groundwater basin is adjudicated or flows in an underground stream. This is not the case in San Joaquin County. Given that the San Joaquin portion of the Central Valley aquifer is characterized by alluvial deposits that store and transmit groundwater at volumes and rates of movement typically associated with groundwater aquifers, and are not described as an underground stream where the quality of water extracted from the ground is similar to surface water supplies, each land owner or overlying appropriator has an equal right to the groundwater for beneficial uses. The COSMA recognizes the need to manage the groundwater basin to sustain this supply in perpetuity (please refer to Master Response #5 "Water Supply Issues, Groundwater Use and Agricultural Groundwater Credits"). Through prudent planning and recognition of the need to manage this resource, the COSMA and its customers have implemented a conjunctive use program that protects the groundwater underlying and immediately adjacent to the General Plan growth areas.

**Response to Comment I12-14:** Commenter questions whether the city adheres to its claim of the percentage of "conjunctive water use" as 60% surface water to 40% groundwater. Please refer to Master Response #5 "Water Supply Issues, Conjunctive Use Water Balance". There is no single percentage apportionment between surface water and groundwater for the COSMA that will be followed inflexibly in the future. The COSMA has used significant resources to build a water system that can adapt to hydrologic conditions through conjunctive use operations that protect both surface water and groundwater resources to the maximum extent practicable. In a dry year at 2035 levels of water demand, the percent split could be 63 percent and 37 percent surface water to groundwater, respectively, and in a wet year 70 percent and 30 percent.

**Response to Comment I12-15:** Commenter noted concern regarding overuse of the aquifer, and the future economic impacts to local farmers and the local economy if water resources become too scarce. Please refer to Master Response #5 "Water Supply Issues". Based on current studies and on-going programs, overuse of the aquifer by COSMA will not occur. There are numerous efforts taking place outside the COSMA including a IRWMP that is being developed and will ultimately be adopted by the City of Stockton that will include regional projects and programs to assist in managing the groundwater basin outside of the General Plan area where the COSMA's management of groundwater does not extend.

**Response to Comment I12-16:** Commenter questions why the draft EIR fails to address alternatives for the potential failure or interruption of the DWSP or the failure of the aquifer. Please refer to Master Response #5 "Water Supply Issues, Groundwater Use and Agricultural Groundwater Credits". If the groundwater basin is managed in accordance with the DWSP goals and the basin management objectives of the San Joaquin Groundwater Management Plan, groundwater elevations should not go lower than historical lows in the early 1990's.

**Response to Comment I12-17:** Commenter states that the proposed mitigation measures for the cumulative impact on water resources are insufficient, and that restoring and preserving the groundwater basin should be a priority. Commenter also states that the draft EIR and General Plan fail to adequately acknowledge impacts to neighboring communities. Please refer to Master Response #5 "Water Supply Issues, Groundwater Use and Agricultural Groundwater Credits". Also note the goals of the DWSP as set forth in Master Response #5 "Water Supply Issues, Surface Water Assumptions for the DWSP and SEWD".

### *Letter I13, Kurt W. Cooper*

**Response to Comment I13-1:** Commenter states that the letter addresses the topic of Alternatives to the Proposed Project in Chapter 14.0 of the draft EIR. Comment noted.

**Response to Comment I13-2:** Commenter promotes Alternative 5, "The Environmentally Superior Alternative," which does not meet the City's key project objectives related to a target population level and the creation of multi-modal loop roads. Commenter states that the Proposed Project overestimates population growth (arguing for 460,000 as opposed to 580,000), and that a multi-modal loop road is unnecessary in the lone Village group on the east side of Hwy 99. The commenter states that in light of these points, Alternative 5 meets the standard of the project goals as stated in the draft EIR. The commenter's opinion regarding the merits of Alternative 5 will be forwarded to the City Council for its consideration as it weighs the potential pros and cons of the various project alternatives. As part of that process, the City Council, acting in a legislative capacity in which it possesses considerable policy-making discretion, will inevitably weigh and balance competing economic, social, environmental, legal, and other considerations. The City Council, undoubtedly, has discretion to reach conclusions consistent with the commenter's preferences. This same discretion, however, gives the City Council the latitude to reach different conclusions, provided that they are supported by substantial evidence. Please see the response prepared for Comment O5-2.

**Response to Comment I13-3:** Commenter states that it is difficult to compare the goals of the Proposed Project, as they are not included within the Alternatives comparison, and that the Proposed Project provides for incompatible land uses around the airport. Please refer to Table 14-4 in the Alternatives to Proposed Project section, for a comparison of the alternatives and their ability to achieve the City's objectives. Also, please refer to Master Response #4 for additional information specific to land use planning in the vicinity of the airport.

**Response to Comment I13-4:** Commenter states that the Proposed Project fails to meet its goal of avoiding or minimizing impacts to natural resources such as agricultural land, and fails to analyze the cultural or economic impacts of the loss of open space and farm land, as agriculture is the number one economy in San Joaquin County. Commenter notes concern over the lack of proposed infill growth, as 13 of the 14 proposed villages are planned to occur outside of current city limits, which would impact agricultural land.

Impacts to both agricultural and biological resources are addressed in Chapter 13.0 "Natural and Cultural Resources" of the draft EIR. In regards to growth, the purpose of a general plan is to guide the growth and development of a community. Accordingly, the City's proposed General Plan is premised on a certain amount of growth taking place. The City of Stockton, San Joaquin County, as well as the larger San Joaquin Valley region, has experienced dramatic growth over the past decade and this trend is expected to continue. Consequently, the focus of the City's General Plan is to provide a framework in which the growth can be managed in order to best suit the needs of the City and the surrounding San Joaquin Valley area. Please refer to responses to comments O4-6, I10-2, I10-11, I10-15, I10-17 and I10-88 for discussions of growth issues. Given the market pressures likely to persist, it is realistic to expect infill development to occur simultaneously with Greenfield development. Within developed areas, the City will continue to encourage infill development consistent with the various objectives outlined in the draft General Plan, taking into consideration various conditions including market demand.

**Response to Comment I13-5:** Commenter states that it is difficult to compare the negative impacts of the Proposed Project against the alternatives, and that the draft EIR fails to compare the data in a quantitative fashion. Commenter asks that the draft EIR justify the selection of the Proposed Project, and reiterates support for Alternative 5. Please refer to Table 14-5 in Chapter 14.0 "Alternatives to Proposed Project", for a comparison of the alternatives and their impacts. Additionally, quantitative impacts (to the extent feasible for a program-level EIR) are provided for the agricultural resources (see Impact NCR-9 on page 13-32 of the draft EIR), air quality (see Impact HS-7 and Table 11-3 on pages 11-36 through 11-38), noise (Impact HS-1 on pages 11-9 through 11-15 and Impact HS-3 on pages 11-17 through 11-22) , and traffic impact analyses (see Impact TC-1 on pages 8-49 through 8-64). In addition, see the response prepared for Comment I13-2 on the subject of the discretion of the City Council to adopt an alternative that reflects its own careful balancing of competing considerations.

### *Letter I14, Lorne & Janet Truscott*

**Response to Comment I14-1:** Commenter states that as residents of Morada, they would be affected by the proposed relocation of the frontage road at Highway 99 and Morada Lane. This comment is not related to the adequacy or completeness of the draft EIR and does not otherwise raise a significant environmental issue requiring a specific response.

**Response to Comment I14-2:** Commenter acknowledges that the draft General Plan covers a large area, but state that they nevertheless want to express their concerns. This comment is not related to the adequacy or completeness of the draft EIR and does not otherwise raise a significant environmental issue requiring a specific response.

**Response to Comment I14-3:** Commenter questions what the City is doing to address the impact of Empire Ranch, improving the Morada Lane overpass on Highway 99, and the relocation of the frontage road on the following areas of concern. Empire Ranch is an individual project subject to its own project-specific environmental compliance and review. Please see the response to Comment O5-9.

**Response to Comment I14-4:** Commenter notes concern over the creation of new wells on the east side of Highway 99 and the potential impact on the water supply and owner water rights. Please see the response prepared for Comment I12-7.

**Response to Comment I14-5:** Commenter inquires about the creation of a sound wall to mitigate noise from increased traffic. As described in Impact HS-1 on pages 11-9 through 11-15, the potential exists for a significant increase in noise due to buildout of the Proposed Project. However, the actual level of impact would depend on the presence and location of any existing or proposed land uses in relation to the noise source. While an increase of 3 to 5 dBA is considered potentially significant, it is only significant if it affects sensitive land uses. It is expected that subsequent CEQA documentation prepared for individual projects would have project-specific data and will be required to address, and if possible, mitigate any potential operations-related noise impacts to a less-than-significant level. Examples of mitigation that may be proposed include various types of shielding (e.g., vegetation, etc.) or sound walls. However, it should be noted, the ability to mitigate this potential impact is contingent on a variety of factors including the severity of the noise impact, existing land use conditions and the technical feasibility of being able to implement any proposed mitigation measures.

**Response to Comment I14-6:** Commenters question what will be done to minimize the effect of the introduction of more cars and houses on air quality. As discussed on pages 11-37 through 11-19 of the draft EIR, the City intends to implement various policies in order to discourage single occupant trips, such as HS-4.13 Location of Support Services, HS-4.14 Parking Controls, and HS-4.15 Infill Near Employment, as well as encourage the use of public transportation and alternate fuel vehicles.

**Response to Comment I14-7:** Commenter notes concern over the encroachment of dense residential neighborhoods on the rural setting of Morada.

Commenter is correct in noting that it is possible that the character of some rural areas may be affected by future development. This issue is addressed in the Scenic Resources section of the draft EIR (Chapter 13, Section 13.7 on pages 13-40 through 13.53). Specifically, Impact NCR-13 (page 13.47 and 13.48) addresses how the project would substantially degrade the existing visual character or quality of the site and its surroundings. Policies designed to reduce this impact are noted on page 13-48 and 13-49, and include policies such as Policy CD-1.2 "Contrast Between Urban and Rural", Policy CD-1.4 "Transition to Rural Landscapes", and Policy CD-2.4 "Respect

Historic Neighborhood Patterns." However, even with implementation of the policies and implementation measures listed in the draft EIR, new development along the periphery of the existing City boundary would substantially degrade the existing visual character or quality of the site and its surroundings through the introduction of developed uses within areas currently used for open space/agricultural activities. As a result, the impact remains significant. No additional feasible mitigation is currently available.

Impact NCR-14 (pages 13-49 through 13-51) addresses how the project would have a substantial adverse effect on a scenic vista or substantially damage scenic resources. Policies included to reduce this impact are noted on pages 13-50 and 13-51, and include Policy CD-2.3 "Incorporate Historic Features," Policy CD-1.3 "Travel Experience," Policy CD-3.6 "Support District Open Space Concepts," and Policy DV-3.6 "Neighborhood Preservation." Similar to Impact NCR-13, buildout of the Preferred Land Use Alternative would result in temporary changes in local visual conditions during construction of specific projects in the Study Area that may affect a scenic vista or other scenic resources. However given the relatively short-term nature of these construction-related activities, construction-related visual impacts are considered less-than-significant. However, new development along the periphery of the existing City boundary would substantially degrade the existing visual character or quality of the area and may result in a substantial adverse effect on a scenic vista or substantially damage local scenic resources (i.e., agricultural/open space, etc.). As a result, on a long term basis, the impact remains significant.

**Response to Comment I14-8:** Commenter asks about their inclusion on the mailing list. The City will add commenter to the mailing list for all future mailings regarding the draft General Plan.

**Response to Comment I14-9:** Commenter asks to be informed about the changes to the roads in their area before they occur. Please refer to Impact TC-1 on pages 8-49 through 8-64 for a discussion and graphical representation of planning roadway improvements and changes. Additionally, individual projects identified in the General Plan will be subject to subsequent CEQA documentation which requires public noticing.

### *Letter I15, Woody Alspaugh – 1*

**Response to Comment I15-1:** Commenter is providing an introduction to their comment letter. No further response is required.

**Response to Comment I15-2:** Commenter asks for an explanation of "loops", and comments that there are too many dead end streets now and planned. This comment is not related to the adequacy or completeness of the draft EIR and does not raise any other significant environmental issues associated with the project. No further response is required.

**Response to Comment I15-3:** Commenter complains about the placement of the downtown Stockton bus center. The City interprets the comment as indicating the commenter's policy preferences, and for that reason the comment will be forwarded to the City Council for its consideration as part of its process of adopting an updated General Plan. Please see Master Response #1.

**Response to Comment I15-4:** Commenter notes that there are no plans for infill, and that the suggested alternative routes are insufficient. In developing the Proposed Project (including the preferred land use map), the City balanced various objectives including the need to maximize infill development, while revitalizing the downtown area; the provision of new and expanding employment opportunities; and the need to provide commercial and institutional services that support the City's population in a way that integrates these land uses in a manner that is consistent with the scope and scale of surrounding development. Please see the responses prepared for Comments O5-28, O5-32, and I10-4 for additional information describing the importance of an infill strategy to the draft General Plan.

**Response to Comment I15-5:** Commenter states that sewers and water pipelines should be planned and installed before construction of buildings. Comment noted. Several policies (including Policies LU-1.13 "Growth Phasing, PFS-2.7 "Water Supply For New Development" and PFS-2.13 "Timing of Future Development") highlight the City's commitment to ensuring that new infrastructure is planned and installed as development is proposed for the City. The commenter is also directed to the various appendices of the EIR (see Appendix D, E, and F) for additional information related to infrastructure planning.

**Response to Comment I15-6:** Commenter asks for an explanation of "best practice" in relation to drainage. Best practices are techniques or methods that have been proven through experience to provide a desired result. In this case, the "best practice" reference is used to describe the requirement for future development to provide stormwater quality treatment for storm runoff prior to discharge into a stream or channel. Some examples may include the use of vegetated buffer strips and/or swales, extended detention basins, wet ponds, porous pavement, and/or infiltration basins and trenches.

**Response to Comment I15-7:** Commenter states that parks, open spaces and waterways should be planned along with bridges before any construction. Impact RW-2 on pages 10-11 through 10-13 provides analysis of the impacts of the Proposed Project on parks, recreation and waterways. Part of this impact discussion includes information regarding the Recreation & Waterways Element of the draft General Plan. To highlight the importance of parks and recreation programs and to help protect and enhance local waterways, the City has developed a special Recreation & Waterways Element as part of the Proposed Project, with the larger goal to promote the continued enhancement and maintenance of both existing and future parks and waterways. Several policies

included in the draft Goals and Policies Report specifically address the planning of recreational facilities in relation to waterways. These policies include RW-5.1, RW-5.2, RW-5.3, RW-5.4, RW-5.5 and RW-5.6 on page 10-7 of the draft Goals and Policies Report.

**Response to Comment I15-8:** Commenter states that all infrastructure should be planned before construction. Several policies of the draft General Plan provide direction for planning and infrastructure. Specifically, Policy LU-1.13 "Growth Phasing" (page 9-3 of the draft EIR), which states,

> "the City shall phase growth based on the availability of adequate water supplies, market forces, infrastructure financing capacity, and the timing of the design, approval, and construction of water supply, transportation facilities, and other infrastructure."

Additional policies that provide direction for infrastructure planning include, Policy HE-3.2 "Public Improvements" (page 9-3 of the draft EIR), Housing Implementation Measure #20 (page 9-3 of the draft EIR), Policy PFS-1.10 " Utility Master Planning" (page 9-3 of the draft EIR), Policy PFS-2.3 "Water Treatment Capacity" (page 9-3 of the draft EIR), Policy PFS-2.6 "Level of Service" (page 9-4 of the draft EIR) and Policy PFS-2.7 "Water Supply for New Development" (page 9-4 of the draft EIR).

**Response to Comment I15-9:** Commenter says there should be a direct rail link between Sacramento, Stockton, Lathrop, Tracy and San Francisco. As described in the Background Report (pages 8-36 through 8-41), Stockton is served by the Altamont Commuter Express (ACE) heavy rail service connecting to the San Francisco Bay Area, as well as Amtrak service connecting to the Bay Area, Sacramento, and other cities in the Central Valley. Proposed policy TC-4.13 emphasizes the City of Stockton's support for rail transportation and places a high priority on studying the feasibility of additional rail connections with the Bay Area and Sacramento. In addition, policy TC-4.9 expresses the City's support for the concept of High-Speed Rail, which has the potential for providing efficient rail services between the major population centers of California.

**Response to Comment I15-10:** Commenter suggests alternatives to building on farm land, including access to medium rise housing by rail. The City agrees that alternative methods for community growth planning exist throughout the world. However, no successful projects of the kind recommended by the commenter are known to exist or currently feasible in this part of the world. These alternative recommendations will be forwarded to the City Council for its consideration at the time of action of the draft General Plan.

**Response to Comment I15-11:** Commenter repeats previous concerns 1 through 8. This comment is not related to the adequacy or completeness of the draft EIR.

### *Letter I16, Woody Alspaugh - 2*

**Response to Comment I16-1:** Commenter lists objections to the Draft General Plan, repeats comments 1-7 found in letter I15, and objects to the use of the words "shall" and "village." Please see the response prepared to letter I15.

### *Letter I17, Amaiz Companies*

**Response to Comment I17-1:** Commenter appreciates opportunity to comment, and divides correspondence into sections pertaining to the General Plan Goals and Policies Report and the Proposed 2035 General Plan Draft Environmental Impact Report. This comment is not related to the adequacy or completeness of the draft EIR and does not otherwise raise significant environmental issues necessitating a further response.

**Response to Comment I17-2:** Commenter states that the definition of the "Airport Influence Area" in the draft Goals and Policies Report (pages 3-1 and 3-2) are inconsistent with Caltran's 2002 California Airport Land Use Handbook. Please see Master Response #4 for additional information regarding these airport-related issues. Also, please see Chapter 4.0 "Modifications to the Draft EIR" of this final EIR for a complete list of all the policies that have been revised as a result of this review.

**Response to Comment I17-3:** Commenter notes that, in the draft Goals and Policies Report on page 3-9, the school symbols illustrated in Figure 3-1 are inconsistent with the Lodi Unified School district, specifically the location of facilities and the number of facilities within specific villages. Please see the responses prepared for Comments A20-2 and I6-2.

**Response to Comment I17-4:** Commenter requests that the word "wasteful" on page 3-12 of the draft Goals and Policies Report be clarified. Please see the response for Comment I10-67 for additional information related to the use of the term "wasteful".

**Response to Comment I17-5:** Commenter asks whether the permanent agriculture/open space barrier, on page 3-12 of the draft Goals and Policies Report, refers to the edge of the Urban Service Area as proposed in the draft document, and if not asks for clarification. The commenter is correct.

**Response to Comment I17-6:** Commenter asks how the ratio of single family use to multifamily use, as referred to on page 3-13, will be maintained. Ultimately, buildout of the Proposed Project is contingent on a number of factors including market demand. However, the ratio of single family use to multifamily use described in the draft Goals and Policies Report would be achieved through implementation of the Proposed Project and approval of projects consistent with the draft General Plan.

**Response to Comment I17-7:** Commenter asks for clarification on the City's policy of commercial strip center development, as referred to on page 3-14, Policy LU-4.6. To clarify the intent of Policy LU-4.6, the designation is intended to apply Citywide.

**Response to Comment I17-8:** Commenter asks what incentives are provided to facilitate the redevelopment and conversion of distressed commercial strips into housing and mixed use areas. This comment is not related to the adequacy or completeness of the draft EIR and does not otherwise raise significant environmental issues necessitating a further response.

**Response to Comment I17-9:** Commenter suggests that, on page 3-14 regarding Policy LU-4.9, Commercial Cluster Encouragement, it would be more effective to address their orientation to the roadway and buffering and design elements than to artificially determine location. Please see Master Response #1 for a discussion of comments regarding the General Plan Update and specific policies of the General Plan.

**Response to Comment I17-10:** Commenter asks for clarification on the use of the word "policies" as referred to in the Policy in regard to the Airport Land Use Commission. Please see Master Response #4 for additional information regarding the airport land use policies contained in the draft General Plan.

**Response to Comment I17-11:** Commenter notes that there is a more recent version of the noise contours referenced on Page 3-16 of the draft Goals and Policies Report. This comment is noted.

**Response to Comment I17-12:** Commenter states that, in regard to draft Goals and Policies Report (Page 3-16), there is no longer a reason to question the age of the ALUP and the assumption used in the development of noise contours for its environs. Please see Master Response #4 for additional information regarding these airport-related issues. Also, please see Chapter 4.0 "Modifications to the Draft EIR" of this final EIR for a complete list of all the policies that have been revised as a result of this review.

**Response to Comment I17-13:** Commenter states that the Airport Influence Area (AIA) described in the adopted ALUP should be recognized by the 2035 General Plan. Please see Master Response #4 for additional information regarding these airport-related issues. Also, please see Chapter 4.0 "Modifications to the Draft EIR" of this final EIR for a complete list of all the policies that have been revised as a result of this review.

**Response to Comment I17-14:** Commenter states that the phrase "Government Code 21675.1(b)" should be changed to "Public Utilities Code 21675.1(b)". The City thanks the commenter for catching this error and will make this change to the draft Goals and Policies Report in the last sentence on the second paragraph of page 3-16.

**Response to Comment I17-15:** Commenter asks why, on Page 3-16, the City would use a smaller AIA on the interim basis than the existing AIA for the Stockton Metropolitan Airport. Please see Master Response #4 for additional information regarding these airport-related issues. Also, please see Chapter 4.0 "Modifications to the Draft EIR" of this final EIR for a complete list of all the policies that have been revised as a result of this review.

**Response to Comment I17-16:** Commenter states that on Page 3-16, LU-6.2, the word "noise" should be added after "excessive", and asks for clarification for the meaning of excessive noise.

The commenter is correct; the City did inadvertently omit the word "noise" after "excessive." The City thanks the commenter for catching this omission and will update the Goals & Policies Report, page 3-16, Policy LU-6.2 to reflect this omission. The draft EIR does not contain the same omission, as the Revised Policy LU-6.2 does not contain the sentence with the missing word.

It is not possible to provide a precise definition of what constitutes "excessive noise," because the City, in fashioning Policy LU-6.2, borrowed the term from state law. The term appears in Public Utilities Code section 21670, which describes state legislative policy as being "to protect public health, safety, and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public's exposure to *excessive noise and safety hazards* within areas around public airports to the extent that these areas are not already devoted to incompatible uses." These purposes are referenced in Public Utilities Code section 21676, which allows the governing body of a city or county, by a two thirds vote, to reject an airport land use commission's finding that a proposed general plan amendment, specific plan, zoning action, or building regulation is inconsistent with an adopted airport land use plan. By using the broad term "excessive noise and safety hazards," and by allowing legislative bodies to overrule ALUC inconsistency determinations by making findings relating to the purposes of the legislation creating Airport Land Use Plans and Airport Land Use Commissions, the Legislature apparently intended to create fairly elastic concepts that could be applied on a case by case basis.

**Response to Comment I17-17:** Commenter asks for clarification, in reference to item #3 on page 3-18; LU-6.3, to the statement "[a]pplications for the following land uses will not be allowed. Commenter also asks for the definition of the content for an Aviation Compatibility Study and to correct the inconsistency between the reference in the policy to the compatibility study and in the draft EIR to a safety study. Please see Master Response #4 for additional information regarding these airport-related issues. Also, please see Chapter 4.0 "Modifications to the Draft EIR" of this final EIR for a complete list of all the policies that have been revised as a result of this review.

**Response to Comment I17-18:** Commenter states that the City should be more specific as to which types/densities of residential uses should be encouraged located near transportation routes, as referred to on draft Goals and Policies Report (see page 4-1), and also provide greater specificity as to the distance these residential uses should be placed from the transportation route. Please see Master Response #1 for a discussion of comments regarding the General Plan Update and specific policies of the General Plan.

**Response to Comment I17-19:** Commenter states that, on page 4-2 of the draft Goals and Policies Report, the Housing Element lacks a specific implementation measure to address the streamlining of the permit process. In consideration of this comment, the City proposes to modify Housing Element Implementation Measure #9 as follows:

- **Implementation Measure #9:** Develop and Administer Fair Review Processes: The City shall continue to develop and administer review processes in a manner that encourages affordable housing development and streamlines the overall permitting process.

**Response to Comment I17-20:** Commenter asks what the City intends to do to promote green building concepts and processes, as referred to on page 4-3 of the draft Goals and Policies Report. Impact HS-12 on pages 11-46 through 11-48 of the draft EIR addresses greenhouse gas emissions and global warming. Additionally, Master Response #3 provides additional information regarding these issues and identifies several additional policies that the City is considering to incorporate as part of its draft General Plan. Specific policies encourage the planting of shade trees, use of solar energy devices, energy-efficient buildings, and compliance with California Title 24 Energy Efficiency Standards.

**Response to Comment I17-21:** Commenter asks for some examples of signage and graphic identity concepts for commercial buildings and centers that support project and commercial corridor design objectives, as referred to on page 6-3 of the draft Goals and Policies Report. This comment is not related to the adequacy or completeness of the draft EIR and does not otherwise raise significant environmental issues necessitating a further response. Please see Master Response #1 for a discussion of comments regarding the General Plan Update and specific policies of the General Plan.

**Response to Comment I17-22:** Commenter asks for clarification of the meaning of "district urban design objectives" as used in CD-6.5 on page 6-5 of the draft Goals and Policies Report. The term "district urban design objectives' refers to the policy guidance provided in Section 7.2 of the draft Districts and Villages Element. This comment is not related to the adequacy or completeness of the draft EIR and does not otherwise raise significant environmental issues necessitating a further response.

**Response to Comment I17-23:** Commenter asks if the City will develop criteria which can be used to guide the types and locations of joint use facilities between institutional and park space, as referred to on page 7-2 of the draft Goals and Policies Report. As previously described, the intent of the various policies described in the draft General Plan are intended to provide broad guidance on the range of future development that could occur through out the planning timeframe of the draft General Plan. As specific projects are implemented under the Proposed Project, the City will individually review the requirements of each specific project in context of the applicable policies contained in the updated General Plan. At that time more specific criteria may be used to guide individual land use decisions for specific projects.

**Response to Comment I17-24**: Commenter notes that the description of colors on page 7-3 of the draft Goals and Policies Report doe not match with the colors used in Figure 7.1.

**Response to Comment I17-25:** Commenter states that the second half of DV-2.6, on page 7-13, which mentions that the city will discourage high-rise office uses with large numbers of employees to locate outside of downtown, is inconsistent with Economic Development politics ED-4.13, ED-4.15, and ED-4.16.

**Response to Comment I17-26:** Commenter asks for an explanation as to what kind of development priority will be given to vacant land already served by City services over vacant unserved land, as referred to on page 7-14, DV-3.2 of the draft Goals and Policies Report. One of the objectives of the General Plan is to maximize infill development within the existing portions of the City that are currently served by City services. The City considers infill development a high priority. As previously stated, proposed policies have been created to formalize local development trends that have been occurring within the City's downtown area (i.e., Weber Point, Stockton Arena, etc.) over the past several years and reinforce the City's objectives for additional "infill" development which balances the desire for newer "village" development in response to projected growth patterns.

**Response to Comment I17-27:** Commenter notes that it is incorrect to say that a Master Development Plan must meet requirements of State Law, as referred to on page 7-18 of the draft Goals and Policies Report. The City interprets these statements as policy recommendations, and as such, they will be forwarded to the City Council for its consideration at the time of action on the updated General Plan.

**Response to Comment I17-28:** Commenter notes that transitional neighborhoods are not shown on the illustration on page 7-20 of the draft Goals and Policies Report. The City interprets these statements as policy recommendations, and as such, they will be forwarded to the City Council for its consideration at the time of action on the updated General Plan.

**Response to Comment I17-29:** Commenter states that the requirement for commercial to be centrally located with a Village, as stated on page 7-21 of the draft Goals and Policies Report, does not take into account the future economic viability for the commercial component. As previously described, the intent of the various policies described in the draft General Plan are intended to provide broad guidance on the range of future development that could occur through out the planning timeframe of the draft General Plan. As specific projects are implemented under the Proposed Project, the actual placement of land uses to be constructed within each Village area will be finalized as part of the more detailed specific plan process for each Village area.

**Response to Comment I17-30:** Commenter states, regarding page 7-21 of the draft Goals and Policies Report, that if there is already an existing commercial center that can serve the Village, then that commercial area should take the place of the required Village component. As previously described, the intent of the various policies described in the draft General Plan are intended to provide broad guidance on the range of future development that could occur through out the planning timeframe of the draft General Plan. As specific projects are implemented under the Proposed Project, the actual placement of land uses to be constructed within each Village area will be finalized as part of the more detailed specific plan process for each Village area.

**Response to Comment I17-31:** Commenter states that the text on page 7-23, which reads "Unlike typical village design, the Village Center here can be located at the intersection of two arterials, but only on one corner," is inconsistent with the location criteria for villages as described on page 7-21 of the draft Goals and Policies Report. . As previously described, the intent of the various policies described in the draft General Plan are intended to provide broad guidance on the range of future development that could occur through out the planning timeframe of the draft General Plan. As specific projects are implemented under the Proposed Project, the actual placement of land uses to be constructed within each Village area will be finalized as part of the more detailed specific plan process for each Village area.

**Response to Comment I17-32:** Commenter asks how the City will address the housing mix percentages described on page 7-23 of the G&PR if a plan is being prepared for only a portion of a Village. As previously described, the intent of the various policies described in the draft General Plan are intended to provide broad guidance on the range of future development that could occur through out the planning timeframe of the draft General Plan. As specific projects are implemented under the Proposed Project, the actual placement of land uses to be constructed within each Village area will be finalized as part of the more detailed specific plan process for each Village area.

**Response to Comment I17-33:** Commenter questions, regarding the statement on page 7-24 that "Every village will be required to provide one or more community centers based on a ratio of one center for every 10,000 population in that village," what is the nexus for this requirement and

how will the community center be financed. The City currently has a Public Facilities Fee for "Community Recreation Centers". The nexus for this requirement is that new residents require places to recreate within a location that is not too far from where they reside in the City. The original nexus report for this fee was completed in 1987 and 1988. This report is on file with the City Clerk.

**Response to Comment I17-34:** Commenter asks for a description of the analysis that was conducted to arrive at the various percentages of land dedication that will be considered usable when combining storm water basins and park facilities, as described on page 7-24 of the draft Goals and Policies Report. An observation of the slope characteristics in existing parks developed within Stockton over the past 10 years was made and interpreted as percentages of a typical park site. Then, in an attempt to provide some type of credit for sites developed for storm water control, those slopes were applied to define parameters for determining usability of the storm water utility site as compared to a non-impacted park site.

**Response to Comment I17-35:** Commenter asks for a clarification for what qualifies as common open space regarding the comment on page 7-24, "Within each village, a minimum of ten percent of the gross village area will be reserved for common open space." As defined in the draft Goals and Policies Report (see page 3-7 of the Land Use Element), lands designated as open space are intended to include a variety of uses including agriculture, parks, single family residential units, farmworker housing, wetlands, wildlife reserves and other similar and compatible uses and structures related to the primary use of the property for preservation of natural resources or agriculture.

**Response to Comment I17-36:** Commenter asks for clarification of the statement on page 7-25 that "each village development shall contribute to the creation of City regional parks." Consistent with City requirements, the statement is intended to highlight the requirements that future development contribute its fair share of infrastructure and public services according to City standards.

**Response to Comment I17-37:** Commenter asks for verification of the classification given to the "multi-modal" roadway transecting the villages north of Eight Mile Road, as the diagram on page 8-5 of the draft Goals and Policies Report states that the road is a 4 lane arterial, but it should show a 6 lane arterial. The circulation diagram (along with Table 8-3 of the draft EIR) has been updated to reflect that adequate right-of-way would be reserved for 6 lanes. Please see Chapter 4.0 "Modifications to the Draft EIR" of this final EIR.

**Response to Comment I17-38:** Commenter asks for verification of the classification given to the extension of Micke Grove Road north of Eight Mile Road, as the diagram on page 8-5 of the Goals and Policies Report states that the road is a 4 lane arterial, but it should show a 6 lane arterial. The circulation diagram (along with Table 8-3 of the draft EIR) has been updated to reflect that adequate right-of-way would be reserved for 6 lanes. Please see Chapter 4.0 "Modifications to the Draft EIR" of this final EIR.

**Response to Comment I17-39:** Commenter asks for clarification of the statement "Provide grade separations at all major railroad crossings with arterials" on page 8-13 of the draft Goals and Policies Report. This policy (TC-2.7, sub-part c) has been modified to clarify that grade-separated crossings should be provided, where feasible, at locations where the railroad crosses an arterial roadway of at least 4 lanes.

**Response to Comment I17-40:** Commenter suggests, regarding page 8-15 of the draft Goals and Policies Report, the creation of park and ride facilities within already existing parking lots, as stand alone park and ride facilities are costly to maintain and have security problems. The City interprets these statements as policy recommendations, and as such, they will be forwarded to the City Council for its consideration at the time of action on the updated General Plan.

**Response to Comment I17-41:** Commenter asks what the nexus is for the requirement for bus shelters in all new development areas, as referenced on page 8-16 of the draft Goals and Policies Report, and asks how provisions of these shelters will be funded. SMART is responsible for the construction of new bus shelters. Consequently, the City does not have a nexus report or collect a fee for their development. However, the City can require developers to designate space within the right-of-way for bus shelters, so that SMART can install them. The nexus for requiring developers to build them is that new developments can be located some distance from the primary employment and commercial areas of the City. In an effort to reduce traffic congestion and encourage the continued use of public transportation, bus shelters should be provided by the developers.

**Response to Comment I17-42:** Commenter asks for the definition of a "Major new development", as discussed on page 8-17 of the draft Goals and Policies Report. This comment is not related to the adequacy or completeness of the draft EIR and does not otherwise raise significant environmental issues necessitating a further response. Please see Master Response #1 for a discussion of comments regarding the General Plan Update and specific policies of the General Plan.

**Response to Comment I17-43:** Commenter asks for clarification as to how the City envisions the implementation of the policy for recreational bikeways along French Camp Slough Road, and suggests the bikeway be placed along the levee maintenance road. To the extent feasible and consistent with the appropriate use of the road, the City will take into consideration the proposed suggestion for recreational bikeways along French Camp Slough Road.

**Response to Comment I17-44:** Commenter states that the draft EIR should include a single event noise analysis for the proposed 2035 General Plan, including the measurement of the worst case noise events at the Stockton Metropolitan Airport. As appropriate, single event noise impacts could be addressed as each specific project near the airport goes through the project development and environmental review process. For additional information related to future

project-specific environmental analysis resulting from implementation of the General Plan, please refer above to the description provided under Master Response #2. Additionally, please see the responses prepared for Comments I5-5 and I17-46 for additional information related to single event noise analysis. Also, please see Master Response #4 for additional information regarding the various policies that have been developed to address other airport-related issues.

**Response to Comment I17-45:** Commenter asks for clarification as to which airport is being referred to within the policy on page 8-21 of the draft Goals and Policies Report. Policies on page 8-21 of the draft Goals and Policies Report refer to the Stockton Metropolitan Airport.

**Response to Comment I17-46:** Commenter, regarding page 8-21 of the draft Goals and Policies Report, asks for a definition for a single even noise study, and elaboration on how the City wants the study conducted and the results the City wants to see. The new policies addressing aircraft noise in the draft General Plan include provisions requiring single event noise analyses as the City determines such studies to be appropriate. However, the City has not yet adopted a specific analytic protocol or criteria for determining whether a given level of single event aircraft noise or a given increase in single event aircraft noise would be considered significant for CEQA purposes or incompatible with particular General Plan land uses. Because the formulation of such a protocol is extremely technical in character, a formula for the creation of such a protocol is normally not the kind of policy that gets adopted in a general plan.

Even so, it is likely that the City will consider the use of the Sound Exposure level (SEL) and Single Event Noise Exposure Level (SENEL) metrics to analyze single event aircraft noise in any studies that it requires. The SEL and SENEL metrics are important since they can be used effectively to accurately estimate future noise levels (DNL or CNEL) at a particular location based on the increases in a particular type of flight operation. However, the effects of single event noise measured in SEL and SENEL are complex and difficult to incorporate into planning standards. Certain gross effects, such as interference with normal speech, occur at well documented and predictable SEL (and SENEL) levels, but more complex effects, such as sleep disturbance, are less certain and are likely to be affected by a number of variables in addition to the noise generated by an aircraft. For this reason, regulatory agencies have not generally promulgated planning standards or impact significance criteria based on SEL (or SENEL) levels. Partly for this reason, the Federal Aviation Administration continues to rely on a cumulative noise exposure metric (Day-Night Average Sound Level or DNL) in evaluating potentially significant aircraft noise impacts.

**Response to Comment I17-47:** Commenter states that the policy of Consistency with Airport Land Use Commission Policies, TC-7.6 on page 8-21, should be revised to state that the City shall ensure that all development within the AIA will be consistent with the policies adopted by the Airport Land Use Commission. Please see Master Response #4 for additional information regarding these airport-related issues. Also, please see Chapter 4.0 "Modifications to the Draft EIR" of this final EIR for a complete list of all the policies that have been revised as a result of this review.

**Response to Comment I17-48:** Commenter asks for clarification regarding which airport is referred to in policy TC-7.6 on page 8-16. The airport referenced in the draft Goals and Policies Report is the Stockton Metropolitan Airport. Policy TC-7.6 has been eliminated.

Commenter also suggests the addition of the word "noise" after the word "excessive", and asks for the definition of excessive noise. For additional information regarding the use of the term "excessive noise", please see the response prepared for Comment I17-16.

**Response to Comment I17-49:** Commenter states that the last sentence of PFS-2.2 is inconsistent with PFS-2.12. Policy PFS-2.2 is referring to new development and Policy PFS-2.12 is referring to existing development (as appropriate). This comment is not related to the adequacy or completeness of the draft EIR and does not otherwise raise significant environmental issues necessitating a further response. Please see Master Response #1 for a discussion of comments regarding the General Plan Update and specific policies of the General Plan.

**Response to Comment I17-50:** Commenter asks, referring to page 9-7 of the draft Goals and Policies Report, whether the City has determined areas within the 2035 General Plan where the use of a non-potable water system is not feasible. Please see the response for Comment I11-6.

**Response to Comment I17-51:** Commenter states that water in a flood control facility will not be able to be discharged within 24 to 48 hours after a peak storm event, referring to page 9-10 of the draft Goals and Policies Report. The City has considered this comment and agrees that the 24 to 48 hour discharge time may not be feasible for a flood control detention basin. Consequently, Policy PFS-4.7 has been revised to eliminate the reference to a specific drain time. The revised policy is as follows:

- **PFS-4.7 Storm Water Discharge.** The City shall require for new development within the horizontal surface boundary of the Stockton Metropolitan Airport that any storm water detention basin be designed to discharge as rapidly as possible to minimize the attraction of birds in the vicinity of the airport. ~~Detention basins shall, where feasible, be designed to drain within 24 hours under normal conditions and within 48 hours during peak storms.~~ *[Source: Section 3, Air and Water Transportation; Goal 2, Policy 5].*

Please see Chapter 4.0 "Modifications to the Draft EIR" of this final EIR.

**Response to Comment I17-52:** Commenter notes that on page 9-13, PFS-8.4 discusses the possible need to create a Community Facility District or other funding mechanism to pay the costs associated with the operation of a fire station. The commenter notes, however, that the intended use of taxes passed by Measure W in 2004 was use in maintaining and improving the City's police and fire protection services. The City interprets these statements as policy recommendations that do not affect the adequacy of the draft EIR, and as such, they will be forwarded to the City Council for its consideration at the time of action on the updated General Plan.

**Response to Comment I17-53:** Commenter states that the City should include an implementation measure in regard to its desire to require the use of non-potable water for the irrigation of large landscaped areas, regarding page 9-18 of the draft Goals and Policies Report. The City interprets these statements as policy recommendations that do not affect the adequacy of the draft EIR, and as such, they will be forwarded to the City Council for its consideration at the time of action on the updated General Plan.

**Response to Comment I17-54:** Commenter asks for an explanation of the scope of the alternative funding mechanism for the maintenance of recreational facilities, as referenced on page 10-2 of the draft Goals and Policies Report. Since this is a General Plan goal, alternative maintenance funding mechanisms for recreational facilities will be explored as this goal is implemented.

**Response to Comment I17-55:** Commenter asks for a description of the analysis that was conducted to arrive at the various percentages of land dedication that will be considered as usable area when combining storm water basins and park facilities, as discussed on page 10-3 of the draft Goals and Policies Report. An observation of the slope characteristics in existing parks developed within Stockton over the past 10 years was made and interpreted as percentages of a typical park site. Then, in an attempt to provide some type of credit for sites developed for storm water control, those slopes were applied to define parameters for determining usability of the storm water utility site as compared to a non-impacted park site.

**Response to Comment I17-56:** Commenter notes, in response to page 10-5 of the draft Goals and Policies Report, that the district already provides adequate funds to maintain city parks, and that additional maintenance is not necessary. This proposed General Plan goal is an expression of a need to develop an alternative funding mechanism to provide resources to maintain all City parks, including those that do not receive maintenance funding from sources other than the City's general fund. The goal establishes the framework for an averaged park maintenance funding resource which is fair to all Stockton residents and is applied to all households.

**Response to Comment I17-57:** Commenter asks what alternate funding mechanisms will the City pursue to acquire, develop and maintain regional park areas identified in the Land use Diagram, and what the nexus is between new development and funding regional parks. Commenter also asks how the existing deficiency is handled, meaning funded. Historically, the City has relied on County regional facilities to meet the needs of the community. An additional regional facility is necessary since the pending population growth will place too much strain on existing County facilities. Details related to the acquisition, funding, development and maintenance of a regional facility will have to be addressed during implementation of this General Plan goal. Presently, developers are being informed that it is possible a regional park fee will be charged through building permits as a method for regional park dedication and development; however, this only potentially addresses the acquisition and development of the regional facility and has nothing to do with maintenance.

**Response to Comment I17-58:** Commenter asks what the nexus is for requiring developers to improve utility easement property as usable open space. The PG&E greenbelt in Weston ranch was improved by the developer for public use and demonstrates the importance of integrating undevelopable utility easement land into communities as a way to encourage positive local use.

The potential nuisance created by allowing these areas to remain undeveloped is directly related to the proposed residential development surrounding them. In addition, because of the severe development restrictions imposed by the utility companies on these lands, they do not provide an equal opportunity for park development and have limited suitability as replacement for parkland. Consequently, these areas shouldn't be funded by the parkland public facility fee.

The City shall consider modifying Policy RW-3.6 "Development of Utility Easements for Open Space" to provide limited park land acreage dedication credit for the utility easement land if adjacent, unencumbered land is also dedicated which can be developed with those amenities not allowed to be installed within the utility easement property. Though the developer would not receive any reduction in the park land fee, there would possibly be a partial reduction in the total amount of land dedicated for park land. The degree of credit would be based on usability and subject to the discretion of the Parks and Recreation Director.

**Response to Comment I17-59:** Please see Master Response #1 for a discussion of comments regarding the General Plan Updated and specific policies of the General Plan.

**Response to Comment I17-60:** Commenter states that Policy HS-2.20, Conformity with Current AELUP, is inconsistent with the proposed General Plan Policies and draft EIR mitigation measures LU-6.1 through 6.3. HS-2.20 requires the most current available Airport Land Use Plan be used as a planning resource for evaluating land use compatibility considerations. LU-6.1 through 6.3 state that the City will use interim criteria to evaluate consistency until a new plan ALUP is adopted. Please see the response prepared for Comment I9-1 and Master Response #4 for additional information regarding these airport-related issues. Also, please see Chapter 4.0 "Modifications to the Draft EIR" of this final EIR for a complete list of all the policies that have been revised as a result of this review.

**Response to Comment I17-61:** Draft EIR page 3-11; Impact LU-2. Commenter asks for clarification how development proposed under the General Plan would conflict with an adopted applicable land use plan, specifically the Airport Land Use Plan for the Stockton Metropolitan Airport, when in fact the land proposed under the draft General Plan within the adopted Area of Influence and also within 2 miles of the airport are actually compatible with the adopted ALUP. As stated on pages 3-11 through 3-12 of the Draft EIR, Policy TC-7.6 requires the City to ensure that all development within two miles of the Airport be consistent with the policies adopted by the San Joaquin County Airport Land Use Commission. One exception would be the development of residential or "Village" land uses within the Stockton Metropolitan Airport's

Airport Influence Area (AIA) surrounding the western/southern boundary of the airport. The future development of these land uses may place them at risk for a variety of airport-related hazards and result in inconsistencies with the land use policies adopted by the San Joaquin County Airport Land Use Commission (ALUC). Please see the response prepared for Comment I9-1 and Master Response #4 for additional information regarding these airport-related issues. Also, please see Chapter 4.0 "Modifications to the Draft EIR" of this final EIR for a complete list of all the policies that have been revised as a result of this review.

**Response to Comment I17-62:** Draft EIR page 3-11; Impact LU-2. Commenter asks for clarification as to how the level of significance can change from Potentially Significant before mitigation to Significant and Unavoidable after mitigation. While mitigation measures are intended to minimize the impact of a project on the surrounding environment, there are instances where mitigation measures fail to bring impacts to a level below a designated threshold. Impacts determined to be Significant and Unavoidable have been mitigated to the extent feasible.

**Response to Comment I17-63:** Draft EIR pages 3-11 and 11-61. Commenter states that the section of the draft EIR unfairly targets the proposed Tidewater Crossing Master Development Plan by stating that the future development of proposed residential uses near the western/southern boundary of the airport may place these uses at risk for a variety of airport-related hazards. Commenter notes that the Traffic Pattern Zone (TPZ) is an area with generally low likelihood of accident occurrence at most airports. Commenter notes that if "Village L", as it is in a similar location, is consistent with land use guidelines, then so is Tidewater Crossing. The analysis is not intended to distinguish between specific developments and would apply to any/all development surrounding the airport that is inconsistent with the policies adopted by the San Joaquin County Airport Land Use Commission.

**Response to Comment I17-64:** Draft EIR pages 3-11, 11-19 and 11-61; Mitigation Measure LU-6.1. Commenter states that the proposed mitigation measure is inconsistent with the 2002 California Airport Land Use Plan, as there is already an adopted Airport Land Use Plan for the Stockton Airport. Please see Master Response #4 for additional information specific to the airport land use policies contained within the draft General Plan.

**Response to Comment I17-65:** Draft EIR pages 11-20 and 11-62; Mitigation Measure LU-6.3. Commenter states that the proposed mitigation measure is inconsistent with the Planning and Zoning Law, as the General Plan is inconsistent with the adopted Airport Land Use Plan. Please see Master Response #4 for additional information specific to the airport land use policies contained within the draft General Plan.

**Response to Comment I17-66:** Draft EIR pages 3-13, 11-20, 11-62; Mitigation Measure LU-6.3. Commenter states that LU-6.3, Interim Land Use Compatibility, should be deleted as it is contradictory to state law. Until the adoption of the new ALUCP, the 1993 ALUCP and AIA

remain valid and controlling, and must be recognized when judging land use compatibility in the Horizontal Zone. Please see Master Response #4 for additional information specific to the airport land use policies contained within the draft General Plan.

**Response to Comment I17-67:** Draft EIR pages 3-14, 11-20, 11-63; Mitigation Measure LU-6.3. Commenter asks for clarification regarding item #3's statement "[a]pplications for the following land uses will not be allowed..." Commenter also asks for definition of the content of an Aviation Field Study. Please see Master Response #4 for additional information specific to the airport land use policies contained within the draft General Plan.

**Response to Comment I17-68:** Draft EIR pages 3-15, 11-12, 11-63; Mitigation Measure LU-6.7. Commenter states that only reasonably likely single event noise events consistent with the daily operation of the airport should be considered and analyzed not speculative or staged events from commercial or military aircraft. Commenter also states that the draft EIR should include a single event noise analysis for the proposed 2035 General Plan, including the measurement of the worst case noise events at the Stockton Metropolitan Airport. Please see the responses prepared for Comments I5-5 and I17-46 for additional information related to single event noise analysis. Also, please see Master Response #4 for additional information regarding the various policies that have been developed to address other airport-related issues.

**Response to Comment I17-69:** Draft EIR pages 3-15, 11-21, and 11-63. Commenter states that within 180 days of adoption of General Plan 2035, the City is required by law to amend General Plan 2035 to make it consistent with the 1993 ALUCP, or follow the detailed procedures contained within PUC § 21676. Commenter also states that any language referring to "any ALUCP adopted after 2006" is an incorrect statement of the law and should be deleted. Please see Master Response #4 for additional information specific to the airport land use policies contained within the draft General Plan.

**Response to Comment I17-70:** Draft EIR pages 9-5, 9-11, 9-14, 9-17, 9-20, 9-29, 9-31, 9-41, 9-43, 9-45, 9-47, 9-49, 9-51, 9-74, 9-79, 9-82, 9-85, 9-87; Implementation Measure #21. Commenter notes that the implementation measure states that the City would conduct an assessment of proposed expansion areas to determine where fees need to be levied for new and expanded public services, specifically fire stations and police stations and their associated equipment. Commenter notes, however, that the intended use of taxes passed by Measure W in 2004 was use in maintaining and improving the City's police and fire protection services. The City interprets these statements as policy recommendations that do not affect the adequacy of the draft EIR, and as such, they will be forwarded to the City Council for its consideration at the time of action on the updated General Plan.

**Response to Comment I17-71**: Draft EIR pages 9-11, 9-1; Mitigation Measure PFS-2.2. Commenter states that the draft EIR fails to analyze the impacts associated with the proposed mitigation measure of using non-potable water in new development areas for irrigation of large landscaped areas, impacts such as those associated with obtaining the water or an analysis of health risks. Commenter also states that the draft EIR fails to include an implementation measure leading to the development of a City-wide master plan, including but not limited to existing infrastructure, existing constraints, potential impacts and mitigation options, infrastructure required for the General Plan preferred alternatives and a comparison of the preferred alternative to the other General Plan land use alternatives. The draft General Plan include Policy PFS-1.10 "Utility Master Planning", which requires the establishment of performance criteria for water, wastewater, and stormwater facilities as set forth in City-wide master plans. Also, please see the response prepared for Comment I11-6.

**Response to Comment I17-72:** Draft EIR page 11-17; Impact HS-3. Commenter asks for clarification of how the level of significance can change from Potentially Significant before mitigation to Significant and Unavoidable after mitigation. Please refer to the response prepared for Comment I17-62.

**Response to Comment I17-73:** Draft EIR page 11-21; Mitigation Measure HS-2.20. Commenter states that the mitigation measure, which requires the use of the most current available Airport Land Use Plan as a planning resource for evaluating land use compatibility considerations, is inconsistent with the draft EIR mitigation measure and proposed General Plan Policies LU-6.1 through 6.3, which state that the City will use interim criteria to evaluate consistency until a new plan ALUP is adopted by the Airport Land Use Commission. Please see the response prepared for Comment I9-1 and Master Response #4 for additional information regarding these airport-related issues. Also, please see Chapter 4.0 "Modifications to the Draft EIR" of this final EIR for a complete list of all the policies that have been revised as a result of this review.

**Response to Comment I17-74:** Draft EIR page 11-60; Impact HS-16. Commenter asks for clarification of how the level of significance can change from less than Significant before mitigation to Significant and Unavoidable after mitigation. The level of significance before mitigation is incorrectly identified as "less-than-significant" on page 11-60 of the draft EIR. On page 11-61 it is subsequently correctly identified as potentially significant. The summary table correctly identifies the level of significance before mitigation as potentially significant. In all locations the level of significance after mitigation is correctly identified as significant and unavoidable. The one incorrect identification of the level of significance before mitigation on page 11-60 will be changed from "less-than-significant" to "potentially significant." Please see Chapter 4.0 "Modifications to the Draft EIR."

**Response to Comment I17-75:** Commenter states that Figure 2 "City of Stockton General Plan Update Wastewater Collection System Recommendation Improvements" (see draft EIR page G-1; Infrastructure Evaluation: Wastewater Facilities) shows a pump station proposed west of the town of French Camp, but the proposed Tidewater Crossing Master Development Plan shows a pump station east of the town of French Camp. Commenter states that the location of the pump station to the east is the environmentally preferred alternative, as impacts to the town of French Camp are avoided.

Information presented in the Infrastructure Evaluation: Wastewater Facilities is intended to represent conceptual wastewater infrastructure improvements that are subject to change pending more detailed analysis. Detailed collection system configurations will be determined through future master planning and design activities. It is anticipated that the pump station location will be based on infrastructure planning that is consistent with an approved development plan for the Tidewater project, in addition to the needs of other growth anticipated by the General Plan. It is agreed that a pump station location east of the town of French Camp will likely be adopted either during future project-specific master planning for the Tidewater Crossing project, or as part of an updated Citywide sewer master plan based on the land use guidance provided in the City's General Plan.

Additionally, as these infrastructure improvements are implemented under the General Plan, more detailed plans and subsequent project-level environmental documentation may be required to address localized or site specific impacts. For additional information related to future project-specific environmental analysis resulting from implementation of the General Plan, please refer above to the description provided under Master Response #2.

**Response to Comment I17-76:** Commenter notes that several parcels shown in Figure 2 "City of Stockton General Plan Update Wastewater Collection System Recommended Improvements" (see draft EIR page G-1; Infrastructure Evaluation: Wastewater Facilities) are located within Community Facilities District 90-1 and have been paying special taxes since 1990 for wastewater facilities in System 8, but these parcels are no longer in System 8 but are being shown within future collection System 13. Commenter suggests these parcels be placed back in System 8.

The South Stockton Community Facilities District No. 90-1 Annexation Administrative Guidelines, adopted by Resolution 94-0366, states the following: "The property owners located within the District are paying (special tax) for a sewer collection system that extends from the sewer treatment plant to the District. Some of the parcels will not use any portion of the existing sanitary sewer system and some parcels will not use any of the new sewer trunk-lines, yet all parcels are assessed the special tax. The reason those parcels connecting to the existing system have capacity available for their use is because the new District sewer trunk-lines have provided relief to the existing system. The special tax is replacing the existing and future collection system portion of the sewer connection fee. Therefore, all parcels located within the District will not pay the existing collection system buy-in or the future collection system portion of the sewer connection fee".

Based on the Community Facilities District No. 90-1 Annexation Administrative Guidelines, the parcels in question are properly with the Community Facilities District No. 90-1 boundaries. Adjustments to the boundary of Wastewater Collection System 8 and System 13 will be finalized upon adoption of an updated sewer master plan. As the commenter notes, final adjustments may result in parcels being moved from System 8 into a new System 13. The parcels in question will continue to enjoy the benefits of capacity created by the System 8 improvements, regardless of the system into which they discharge. .

**Response to Comment I17-77:** Commenter notes that, in Figure 2 "City of Stockton General Plan Update Wastewater Collection System Recommended Improvements" (see draft EIR page G-1; Infrastructure Evaluation: Wastewater Facilities), Village D will be served by Wastewater Collection Service 15. Commenter states that discussions between project proponents and the Municipal Utilities Department have determined that Village D could be served by Wastewater Collection Service 10.

Information presented in the Infrastructure Evaluation: Wastewater Facilities is intended to represent conceptual wastewater infrastructure improvements that are subject to change pending more detailed analysis. Detailed collection system configurations will be determined through future master planning and design activities. Adjustments to the boundary of Wastewater Collection System 10 and System 15 will be finalized upon adoption of an updated sewer master plan. Consequently, based on future capacity determinations, portions of the area identified as System 15 may be served on a temporary or permanent basis by System 10.

Additionally, as these infrastructure improvements are implemented under the General Plan, more detailed plans and subsequent project-level environmental documentation may be required to address localized or site specific impacts. For additional information related to future project-specific environmental analysis resulting from implementation of the General Plan, please refer above to the description provided under Master Response #2.

**Response to Comment I17-78:** Commenter notes that studies done by Domenechelli and Associates show significantly different values for out of channel flows, required detention and extent and locations for new facilities, and suggest that it should be noted in Appendix H that the analyses are general (especially for the Village L watershed) and due to the complex watershed, more detailed studies are necessary to accurately quantify the required facilities for the Preferred Alternative. It is acknowledged that the information presented in the Infrastructure Evaluation: Storm Drainage System is conceptual and subject to change pending more detailed analyses.

**Response to Comment I17-79:** Commenter closes letter with thanks and contact information. This comment is not related to the adequacy or completeness of the draft EIR and does not otherwise raise significant environmental issues within the meaning of CEQA, and thus requires no further response.

### *Letter I18, Ann Cerney*

**Response to Comment I18-1:** Commenter notes concern for the City's willingness to involve the public and incorporate its comments into the General Plan. The draft goals and policies of the General Plan were created through a variety of methods and included consideration of input from the General Plan consulting team, City staff, the General Plan Action Team, several State agencies, the Campaign for Common Ground, and others. Over the course of preparing the draft EIR, additional policies and implementation measures were identified and/or existing policies were modified to mitigate impacts resulting from implementation of the General Plan Update. Please refer to the response for Comment O5-5 for additional information related to the various policies proposed by the Campaign for Common Ground.

**Response to Comment I18-2:** Commenter states that affordability of housing, specifically facilitating affordable units, is not adequately addressed in the draft EIR. As a topic not considered to contribute to a physical changes in the environment, and as specified in CEQA, this comment does not implicate any physical change in the environment, and therefore not addressed in the draft EIR. Chapter 4 of the Goals and Policies Report "Housing" includes several goals and policies that address the need for affordable housing and provide direction for provision of this type of housing. Specifically, Goal HE-2 on page 4-1 and Policies HE-2.1, HE-2.2, HE-2.3, HE-2.4 and HE-2.5 on pages 4-1 and 4-2 provide the City's approach to affordable housing.

**Response to Comment I18-3:** Commenter promotes a new policy in reference to the study area that would exclude the primary zone of the Delta, as well as areas of prime agricultural lends to the east. Commenter questions how many villages on the east side were removed, and notes concern over the exclusion of "new urban" designations in the Delta primary zone. The proposed 2035 Sphere of Influence does not include or designate any land within the primary zone of the Delta. Therefore, no development is planned within the primary zone, as the City does not have planning authority within that area.

**Response to Comment I18-4:** Commenter states that dependence on County zoning to act as agricultural buffers against encroachment is insufficient, as the City has no control of the County's zoning. The General Plan was designed to achieve and promote consistency with the planning documents of other key neighboring land use agencies. Specifically, Policies LU-1.6, LU-1.7, and LU-1.9 require the City to prevent land use conflicts and work with neighboring land use agencies to promote and achieve consistency with the planning documents of those agencies (see pages 3-2 and 3-3 of the draft EIR). The City also understands that establishment of an agricultural buffer is a shared responsibility with other neighboring jurisdictions.

**Response to Comment I18-5:** Commenter notes concern over the cumulative effect of the adverse, unmitigable environmental impacts. The commenter is incorrect to the extent that they imply that CEQA limits the number of significant, unavoidable effects a project may cause before

CEQA's "substantive mandate" has been violated. Rather, CEQA requires agency decision-making body, in findings adopted in connection with project approval, to address each significant effect identified in an EIR, and to determine whether there are feasible mitigation measures or feasible alternatives that could substantially lessen or avoid the significant effect. The total number of "significant, unavoidable effects" will be a function of how many significant effects the decision-makers determined could not feasibly be diminished. In general, compared with small projects, more significant unavoidable effects will be found for long-term planning project covering large land areas in regions projected to experience continuing population growth. Moreover, because "feasibility" is a concept that allows decision-makers to exercise a considerable degree of policy-making judgment, different decision-making bodies for different agencies often reach different conclusions on the issue of what is "feasible" even in very factually similar circumstances. Please also see the response prepared for Comment O4-2.

**Response to Comment I18-6:** Commenter suggests the creation of a new EIR, but offers no specific reasons beyond those expressed in previous comments answered above.

### *Letter I19, Kristin Holtberg*

**Response to Comment I19-1:** Commenter provides an introductory statement regarding their opportunity to review and provide comments on the draft EIR. No further response is required.

**Response to Comment I19-2:** Commenter provides a summary of the issues and comments that follow in the letter. No further response is required.

**Response to Comment I19-3:** The commenter questions why agricultural credits were used for the WSE prepared for the Proposed Project and not for the DWSP Feasibility Report especially given that:

- per information from the California Farm Water Coalition in Sacramento, a farm uses 2-4 AF/acre/year and the WSE state a village would use 3 AF/acre/year. Since most of the land proposed under the Proposed Project is villages, the exchange seems to be equal.
- increases in impervious areas decreases the amount of deep percolation from surface rainfall.
- irrigation of crops also provides a source of recharge.

Please see Master Response #5 "Water Supply Issues, Groundwater Use and Agricultural Groundwater Credits" for additional information specific to this issue.

**Response to Comment I19-4:** The commenter questions why if Open Space/Ag was included in the water demands, the total water demand would be higher than the stated total of 156,083 AF/year.

The purpose of evaluating water demands is to determine if the respective urban water retailers within the Study Area have the available water supplies to meet their respective increases in water demand due to the Proposed Project. Open space and agricultural areas are considered to be self-supplied pumpers or provided raw surface water and, if not affected by the Proposed Project, are not parts of the determination of sufficiency by the urban water retailers. This is not to say that their demand on the groundwater was not considered. The regional groundwater model included groundwater demands on the basin from self supplied land uses in making the determination of a sustainable groundwater yield for the urbanized areas. Please see Master Response #5 "Water Supply Issues: Conjunctive Use" for methodology in calculating water supplies in a conjunctive use water system and how supplies meet demands without exceeding the COSMA's groundwater management goals.

**Response to Comment I19-5:** The commenter questions why the population curve in Figure 3 of the WSE is drawn upward to the planned population of 580,000 people. In response to these comments, the City shall replace the existing information in the draft EIR as indicated in Master Response #5 "Water Supply Issues, Corrections to the WSE".

Since the water demand calculation for the Proposed Project is based solely on land use, population will not affect the water demand amount. The graph appears slightly different with the higher population projections, but substantiates the higher water demands by placing the lines more in parallel with each other rather than what appears to be a slower rate of growth as compared to the rate of increased water demand.

**Response to Comment I19-6:** The commenter questions why the WSE attempts to correct information provided in the DWSP Feasibility Report. In response to these comments, the City shall replace the existing information in the draft EIR as indicated in Master Response #5 "Water Supply Issues, Corrections to the WSE" and "Water Supply Issues, Surface Water Assumptions for the DWSP and SEWD" for additional information.

The change in assumptions between the various documents is important to note because changes are only made based on more detailed or updated information. This is true for the definition of surface water supply entitlements through SEWD and the understanding of agricultural credits. With the added understanding of the disposition of these two items, it is concluded that Phase 1 of the DWSP, in conjunction with SEWD water and groundwater, can meet the build out water demands of the Proposed Project.

**Response to Comment I19-7:** The commenter states that Phase 1 of the DWSP cannot be used for growth beyond the boundaries of the 1990 General Plan. Please see Master Response #5 "Water Supply Issues, Surface Water Assumptions for the DWSP and SEWD" for additional information.

This statement would be essentially true if the DWSP were the sole source of water supply needed to serve the Proposed Project. There is precedent, however, that allows an agency that has multiple water supplies to apportion those water supplies to their respective Places of Use for any surface water entitlements and to use their overlying groundwater appropriation rights to serve areas not included in any Place of Use. For instance, it can be said that groundwater and surface water from SEWD is being used to serve the new growth areas and the DWSP is simply displacing the groundwater and SEWD surface that would normally have served the 1990 General Plan area. This assumes that water can continue to be allocated based on volumes and not on the molecule of water as it blends with all three sources of water supply.

**Response to Comment I19-8:** The commenter states that the DWSP EIR identifies that there will be insufficient water supplies by 2035 and that the numbers seem to support this conclusion. As previously described, please see Master Response # 4 "Water Supply Issues, Surface Water Assumptions for the DWSP and SEWD".

**Response to Comment I19-9:** Commenter asks how Phase 1 of the DWSP, identified as sized for build out of the 1990 General Plan in the DWSP EIR, can provide sufficient water for the Proposed Project with a build out at 2035. Please see Master Response #5 "Water Supply Issues, Surface Water Assumptions for the DWSP and SEWD".

**Response to Comment I19-10:** Commenter refers to comments made by Mr. Allen and by SEWD on the assertion made in the WSE that surface water supplies from SEWD have been identified as being more reliable than in previous reports on the DWSP. Please see Master Response # 4 "Water Supply Issues, Surface Water Assumptions for the DWSP and SEWD".

The conclusion of higher reliability of surface water supplies is based on projects and actions that have taken place since the publication of the various documents stating slightly more conservative yields. In most cases only wet year hydrology combined with increased conveyance and treatment capacity yield a higher long term average volume of surface water from SEWD. Dry and critical year surface water yields have not changed due to insufficient supplies.

**Response to Comment I19-11:** The commenter continues with a statement that if the WSE does not show sufficiency of water supplies to support the Proposed Project and COSMA water purveyors cannot support the projected growth then a reduced growth rate alternative should be evaluated. Based on responses to prior comments, the COSMA maintains that it has shown sufficiency in water supplies to support the growth rate assumed for the Proposed Project.

**Response to Comment I19-12:** The commenter states that the growth rate of the Proposed Project should coincide with the growth assumptions made in the DWSP EIR and Feasibility Report. Please see Master Response #5 "Water Supply Issues, Surface Water Assumptions for the DWSP and SEWD".

The DWSP, in combination with the other portions of water supply infrastructure that make up the entire conjunctive use water system will grow in accordance with conditions as they move beyond 2035.

**Response to Comment I19-13:** Commenter states that the true supply is 92 TAF/year and the demand is 175 TAF/year with a shortfall of 83 TAF/year. Please see Master Response #5 "Water Supply Issues, Surface Water Assumptions for the DWSP and SEWD and Conjunctive Use Water Balance".

The COSMA does not deny that if demands increase beyond those used in the WSE, an additional source of water supply and an updated WSE will be needed. Until a different water demand is proposed, the land use-based build out water demand of 156 TAF/year should be used and the supplies are as described in the WSE and in responses to comments in this section.

**Response to Comment I19-14:** Commenter questions that if acknowledgement of these shortfalls exists, wouldn't it be prudent for the COS to Adopt Alternative 5 instead of the Proposed Plan of 2.5% per year Growth Rate. This comment is noted. COSMUD can only react to the most conservative planning alternative by assuming that if the "worst" case alternative results in a positive finding of water supply sufficiency, any reduced growth alternative will also work.

### *Letter I20, Larry Moorman – 1*

**Response to Comment I20-1:** Commenter notes concern over the expansion of Cherryland Avenue to four lanes, as well as his preference for 1 acre lots and concern over City ordinances regarding animals. The City interprets these statements as a policy recommendation against the widening of Cherryland Avenue, and as such they will be forwarded to the City Council for its consideration at the time of action on the updated General Plan. Also, please see the responses prepared for Comments O4-6, O5-2, and O5-9.

**Response to Comment I20-2:** Commenter states that they would prefer to maintain his own public services, such as police, fire and garbage, than rely on already overtaxed City services. The intent of the policies related to public services (including police, fire, etc.,) are to provide appropriate and adequate services to residents. The intent of the City is to either maintain existing levels of service that are adequate or increase levels of service that are substandard. Goal PFS-1 and Policies PFS-1.1 through PFS-1.11 (page 9-5 and 9-6 of the Goals & Policies Report) specifically address this issue.

**Response to Comment I20-3:** Commenter notes his concerns over land use requirements, and would like more information on business requirements before adoption of the GP. Commenter also states concern over water supplies and overdrafting water supplies in the area, as well as concerns about future development. Impacts to water supply and requirements for future projects to identify an adequate water supply and infrastructure prior to development are addressed in the discussion of Impact PFS-2 on pages 9-12 through 9-14 of the draft EIR. This impact analysis identifies several General Plan policies that require proof of adequate water supply and infrastructure prior to development as well as policies that require the City to plan for long-term water supply sources (General Plan Policies PFS-2.4, PFS-2.7, PFS-2.8, and PFS-2.10). Impact

PFS-2 also identifies several mitigation measures addressing water supply requirements for new development (new Policy PFS-2.13 on page 9-13 of the draft EIR). Additionally, Master Response #3 provides information regarding the effect of global warming on California water supply.

### *Letter I21. Larry Moorman – 2*

**Response to Comment I21-1:** Commenter notes his complaint that the EIR is more interested in development than existing communities. The City interprets these statements as a policy recommendation against the widening of Cherryland Avenue, and as such they will be forwarded to the City Council for its consideration at the time of action on the draft General Plan.

**Response to Comment I21-2:** Commenter voices his concern that residential land will be used for roads, losing the buffer between the houses and the road. This comment is not related to the adequacy or completeness of the draft EIR or to any other significant environmental issue within the meaning of CEQA, and thus merits no further response. The commenter's concerns will be forwarded to the City Council for its consideration at the time of action of the draft General Plan.

**Response to Comment I21-3:** Commenter states that they do not want a 4 lane road in front of his house. This comment is not related to the adequacy or completeness of the draft EIR or to any other significant environmental issue within the meaning of CEQA, and thus merits no further response. The commenter's concerns will be forwarded to the City Council for its consideration at the time of action on the draft General Plan.

### *Letter I22, Morrison & Foerster*

**Response to Comment I22-1:** Commenter states that they are submitting comments on the draft City of Stockton General Plan for his client, River Run Partners, LLC. This introductory comment is not related to the adequacy or completeness of the draft EIR or to any other significant environmental issue within the meaning of CEQA, and thus merits no further response. The commenter's concerns will be forwarded to the City Council for its consideration at the time of action on the project.

**Response to Comment I22-2:** Draft EIR page2-10, Concept 1; Commenter requests clarification that the development within the USB does not constitute "leapfrog expansion." Please refer to the response prepared for Comment I6-2.

Draft EIR page 2-12, Concept 6; Commenter recommends changing "best practices" to "best management practices." The term "best management practices" is a widely used term. No change is made to the policy. Please see the response prepared for Comment I10-65.

Draft EIR page 2-12, Concept 8; Commenter proposes revising the language to insert the word "fair share" between "provide" and "transportation improvements." The option to provide "fair share" transportation improvements is already included in the description for Concept 8.

**Response to Comment I22-3:** Commenter asks for confirmation that the build out assumption for residential units for River Run is approximately 7,960 units. Please refer to the response prepared for comment I6-2. It should be noted, that the draft EIR is analyzing the environmental impacts resulting from implementation of the Proposed Project as a whole and is not identifying the environmental impacts of specific projects.

**Response to Comment I22-4**: Figure 2-3. Commenter asks for confirmation that the actual number of schools to be constructed for Villages will be determined pursuant to the Specific Plan/Master Plan process. Please refer to the response prepared for comment I6-2. The commenter is correct in their understanding that the actual number of schools to be constructed within each Village area will be finalized as part of the more detailed specific plan process for each Village area.

**Response to Comment I22-5:** Impact LU-3. Commenter asks for confirmation that this policy would not apply within properties designated Village under the General Plan, or between two adjacent designated area Village, or between Village designated land and land within the Sphere of Influence of an adjacent city. The policy language identified in the impact discussion for LU-3 is taken from the Delta Protection Commission as it relates to proposed development in the Primary Zone of the Delta. The policy could apply to City lands adjacent to the Primary Zone of the Delta.

**Response to Comment I22-6:** Commenter questions the specific assumptions regarding Howard Road just west of Wolfe Road. The circulation diagram included in the draft General Plan is, by definition, general in nature, dealing with major road segments and not attempting to guess exactly where the points of connection between future developments and the existing roadway system may eventually be located. In the circulation diagram, the entire length of Howard Road from Wolfe Road to the river crossing is treated as a single study segment and is identified as a 2-lane road. Future site-specific analyses may show that the segment should be subdivided into two or more segments in order to better reflect the actual site designs proposed for that development area.

**Response to Comment I22-7:** Commenter also requests a change to policy TC-2.14 to replace "at the initial stage of development" with "concurrent with development and as needed to maintain the City's level of service performance standards." Policy TC-2.14 has been modified (see below) to clarify its requirement that the land necessary for major transportation improvements be dedicated at the initial stage of development. The actual construction of the transportation improvements is addressed by policy TC-1.10, which states that essential facilities and services will be installed prior to or concurrent with new development or phased as specified in the applicable environmental documents. In considering this comment, the City shall adopt the following revisions to Policy TC-2.14:

- **TC-2.14. Roadway Dedications.** The City shall require right-of-way dedications for major public streets and highways ~~right-of-way dedications~~, highway interchanges, and other major roadway improvements (i.e., arterial and collector streets and related bridges or railroad crossings) at the initial stage of development. *[Source: Section 3, Streets and Highways; Goal 3, Policy 3]*

Commenter also requests a change in the draft EIR text regarding bicycle facilities. The City believes that the bicycle plan and associated text adequately reflects the City's current standards regarding provision of bicycle access along arterial roadways. Therefore, no change is made.

**Response to Comment I22-8:** Commenter suggests that the language in PFS-2.8 track with the State law SB 610 and SB 221 requirements. Commenter also proposes revising the language of Implementation Measure #21 to incorporate reasonableness of fees and nexus to project impacts standards. Please see the response for Comment I6-7.

**Response to Comment I22-9:** Commenter requests clarification whether improvements mentioned for RWCF on page 9-16 of the draft EIR are presently completed or, if not, an estimated completion date. The City estimates that construction of the various improvements identified for the RWCF will be completed by summer 2007.

Commenter also requests clarification for PFS-4.2 regarding the City's requirement of the preparation of watershed drainage plans for proposed development, and whether this will take the place of currently required Master Storm Drain Plans. Please see Master Response #1 for a discussion of comments regarding the General Plan Update and specific policies of the General Plan.

**Response to Comment I22-10:** Commenter objects to the Policy RW-3.6, as they believe that within the Village, improved utility easement property which is usable as a public open space should be credited towards meeting the recreation standards in Policy RW-2.1 and be eligible for parkland fee reimbursement. Please see the response for Comment I6-9.

**Response to Comment I22-11:** Commenter notes that on Page 11-28, "Uniform Building Code (1994)" should be changed to "Uniform Building Code (1997)." Commenter also proposes that language be added to PFS-8.4 regarding the reasonableness of fees and nexus to project impacts. The City thanks the commenter for identifying the out of date reference for the Uniform Building Code. The Citation will be changed to 1997. Please see Chapter 4.0 "Modifications to the Draft EIR".

**Response to Comment I22-12:** Commenter recommends that the City preserve its lead agency status, and suggests that NCR-2.1 be reworded to reflect that status. Commenter notes concern over NCR-2.4 and the City's ability to adopt overriding considerations regarding the preservation of Natural and Cultural resources. Commenter suggests revision of NCR-2.4 to reflect this. Please refer to the response prepared for Comment I6-9.

**Response to Comment I22-13:** Commenter asks for clarification as to the definition of "critical habitat areas". Please refer to the response prepared for Comment I6-10.

**Response to Comment I22-14:** Commenter recommends the revision of NCR-2.9 to state that "The City, in its lead agency role, shall take into consideration mitigation standards and policies of resource and regulatory agencies with jurisdiction over biological resources (e.g. USFWS, CDFG, and Corps of Engineers)." Please refer to the response prepared for Comment I6-11.

**Response to Comment I22-15:** Commenter asks for confirmation that Policy LU-2.2 would not apply to properties designated Village under the General Plan, properties within the SOI of an adjacent city, or properties designated Village adjacent to River Run property. Please refer to the response prepared for Comment I10-77.

### *Letter I23. Joy Neas.*

**Response to Comment I23-1:** Commenter introduces the letter and states the importance of careful planning and public involvement in the planning process. This comment is not related to the adequacy or completeness of the draft EIR or to any other significant environmental issue within the meaning of CEQA, and thus merits no further response. The commenter's concerns will be forwarded to the City Council for its consideration at the time of action on the project.

**Response to Comment I23-2:** Commenter states that policies should be included to protect farmland and the delta from encroachment by development. Please refer to Section 13.5, Agricultural Resources, for the discussion of impacts and mitigations for the City's agricultural resources, as well as Section 13.3, Biological Resources, for policies regarding conservation of Delta resources. Additionally, as noted in the response to Comment O3-3, the City of Stockton adopted their Farmland Mitigation Program in January 2007. This program requires projects over 40 acres to mitigate the loss of important or prime farmland at a 1:1 ratio. Projects less than 40 acres are required to mitigate the loss of important or prime farmland by paying a fee.

**Response to Comment I23-3:** Commenter notes the importance of prioritizing affordable housing, as well as inclusionary and infill housing. Commenter suggests not permitting gated communities. This comment is not related to the adequacy or completeness of the draft EIR or to

any other significant environmental issue within the meaning of CEQA. Furthermore, the City interprets the commenter's statements as policy recommendations, and as such they will be forwarded to the City Council for its consideration at the time of action on the draft General Plan.

As noted in the response to Comment I18-2, Chapter 4 of the draft Goals and Policies Report "Housing" includes several goals and policies that address the need for affordable housing and provide direction for provision of this type of housing. Specifically, Goal HE-2 on page 4-1 and Policies HE-2.1, HE-2.2, HE-2.3, HE-2.4 and HE-2.5 on pages 4-1 and 4-2 provide the City's approach to affordable housing.

**Response to Comment I23-4:** Commenter suggests taking utilizing the surface parking lots in Stockton for housing and commerce to promote public transportation. This comment is not related to the adequacy or completeness of the draft EIR or to any other significant environmental issue within the meaning of CEQA, and thus merits no further response. The commenter's concerns will be forwarded to the City Council for its consideration at the time of action on the project.

Future discretionary City approvals of power centers or other "big box" stores will require environmental review, which will likely include information regarding whether proposed projects might facilitate or contribute to "Urban Decay." Policies intended to facilitate walking and public transportation include Policy TC-2.21, Policy TC-4.1, Policy TC-4.2, Policy TC-4.8, Policy TC-4.10, Goal TC-5 (to promote development of pedestrian and bikeway facilities for transportation and recreation), and Policies TC-5.1 through TC-5.13 (pages 8-18 and 8-19 of the draft Goals and Policies Report).

**Response to Comment I23-5:** Commenter states concern for public safety and promotes crosswalks at busy intersections, as well as other development led measures such as street layouts or parks. Commenter also notes the importance of historic preservation in the City as well as heritage tourism. The City agrees with the commenter's concerns regarding public safety and historic preservation. Please refer to the responses to Comment I7-2 regarding public safety and to Comment O5-34 regarding historic preservation.

### *Letter I24. Byron R. Roberts.*

**Response to Comment I24-1:** Commenter states that the draft EIR fails to offer an analysis of how much prime and unique farmland would be converted due to village development on the fringes of the city, as well as discuss how the location of specific villages could be shifter to reduce impacts. The City disagrees with the comment that it failed to properly address impacts to agricultural lands. Please refer to Section 13.5, Agricultural Resources, for the discussion of impacts and mitigations for the City's agricultural resources (including prime farmland).

**Response to Comment I24-2:** Commenter states that the draft EIR fails to mitigate or reduce impacts that are identified as Significant and Unavoidable.

While mitigation measures are intended to minimize the impact of a project on the surrounding environment, there are instances where mitigation measures fail to bring impacts down below a designated threshold. Please see the response prepared for comment O5-2. Additionally, as noted in the response to comment O5-3, loss of agricultural land is addressed in Impacts NCR-9, NCR-10, and NCR-11 on pages 13-32 through 13-36 of the draft EIR. These impacts identify a variety of draft General Plan policies (and mitigation measures) that support continued agricultural uses, seek to reduce conflicts between agricultural and urban uses, provide funding for agricultural and open space programs, and coordinate regional efforts to preserve farmland (see General Plan Policies NCR-4.1, NCR-4.2, NCR-4.3, NCR-4.4, NCR-4.5, NCR-4.6, LU-1.9, LU-2.1, LU-2.2, and LU-2.3 on pages 13-29 through 13-31 of the draft EIR).

**Response to Comment I24-3:** Commenter states that the draft EIR fails to discuss the Ag Fee Mitigation program now under consideration by the City. Please refer to draft General Plan policy NCR-4.4, which states that the City shall support the creation of an Agricultural Conservation Program (page 13-9 of the Goals and Policies Report). Additionally, as noted in the response to comment O3-3, the City of Stockton adopted their Farmland Mitigation Program in January 2007. This program requires projects over 40 acres to mitigate the loss of important or prime farmland at a 1:1 ratio. Projects less than 40 acres are required to mitigate the loss of important or prime farmland by paying a fee.

**Response to Comment I24-4:** Commenter asks that the draft EIR discuss why specific policy recommendations from the Alternate General Plan submitted by the Campaign for Common Ground (CCG) were not included as mitigation measures to reduce impacts. Please see the responses prepared to comment letter O5.

### *Letter I25. Richard Shaffer*

**Response to Comment I25-1:** Commenter states that Policy LU-1.4 is in conflict with multiple communities located with San Joaquin County, and that the draft EIR should be aware of sensitive land uses and not identify all communities outside of the Urban Service Boundary as Agricultural Open Space. Please refer to the response for Comment I6-2.

### *Letter I26. Richard Shaffer*

**Response to Comment I26-1:** Commenter states that the City should require preservation of valuable plants, trees, and vegetation, and should state at minimum that the classification "remnant" cannot be applied to any native trees, plants or vegetation. The City appreciates the comment and directs the commenter to Section 13.2 "Biological Resources" of the draft Goals and Policies Report (pages 13-5 and 13-6). Specifically, Goal NCR-2 directly addresses this

issue. The Goal is "to preserve and protect sensitive habitats and species in the Planning Area and the Sacramento-San Joaquin Delta." Additionally, the following policies address the comment: Policy NCR-2.1 "Protect Sensitive Habitats", Policy NCR-2.2 "Management of Wetlands", Policy NCR-2.3 "Management of Sensitive Habitats", Policy NCR-2.4 "Impacts to Sensitive Habitats", Policy NCR-2.5 "SJCOG Multi Species Habitat Conservation and Open Space Plan", Policy NCR-2.6 "New Development in Sensitive Areas", Policy NCR-2.10 "Wetland Resources", Policy NCR-2.13 "Encourage Planting of Native Vegetation", Policy NCR-2.14 "Protect Delta Habitats" and Policy NCR-2.16 "Fisheries and Riparian Habitat."

### *Letter I27. Richard Shaffer*

**Response to Comment I27-1:** Commenter states that the classification of 12,050 acres of land referred to as Open Space in Table 14-2 includes 1726 houses and should therefore be corrected.

The City appreciates the comment and directs the commenter to the definition of Open Space/Agriculture on page 2-18 of the draft EIR and page 3-7 of the draft Goals & Policies Report. The definition of Open Space/Agriculture includes some types of residential units as allowed uses. The complete definition is as follows:

> **Open Space/Agriculture (OSA)**
>
> **Allowed uses:** agriculture, parks, single family residential units, farmworker housing, wetlands, wildlife reserves and other similar and compatible uses and structures related to the primary use of the property for preservation of natural resources or agriculture. Lands under this designation are intended to remain unincorporated and under the jurisdiction of San Joaquin County.
>
> - Minimum parcel size: 40 acres
> - Maximum dwelling units per parcel: 1 du/parcel
> - Maximum floor area ratio (FAR): 0.01

Because the definition includes residential units, the land acreage noted as Open Space does not need to specifically identify residential units as separate from Open Space.

### *Letter I28. Richard Shaffer*

**Response to Comment I28-1:** Commenter promotes Alternative 5 due to the reduced cost of extending its infrastructure. This comment is not related to the adequacy or completeness of the draft EIR or to any other significant environmental issue within the meaning of CEQA, and thus merits no further response. Further, the City interprets these comments as making a policy-making recommendation in support of Alternative 5. The commenter's concerns will be forwarded to the City Council for its consideration at the time of action on the project. See also the response to Comment I13-2.

### *Letter I29. Richard Shaffer*

**Response to Comment I29-1:** Commenter states that if the Empire Ranch is "assumed to be built" then the impacts should be considered on the balance of the Morada area, specifically on ground water supplies, urban sprawl, and potential division of the community. For additional information specific to the Empire Ranch project, please refer to the response prepared to Comments I10-28 and I11-5.

### *Letter I30. Richard Shaffer*

**Response to Comment I30-1:** Commenter states that the reason for denial of the application for Proposition 50 grant funds for the DWSP should be included in the draft EIR and analyzed. This comment is not related to the adequacy or completeness of the draft EIR or to any other significant environmental issue within the meaning of CEQA, and thus merits no further response. However, the City would offer that it did confront State staff on its evaluation of the DWSP. First of all, the initial guidelines for Prop 50 Chapter 8 Integrated Regional Water Management Plan (IRWMP) funds stated that an IRWMP need not be adopted, rather that it be in process at the time of application. Because the Northeast San Joaquin Groundwater Banking Authority (GBA) IRWMP was still under development at the time the City made application for the DWSP, the Plan had not yet made its priorities known. On June 13, 2007, the GBA circulated the draft IRWMP for public comment, and the DWSP is shown to be a common element in all alternatives that will address water supply shortage issues for the region. The IRWMP clearly shows how the DWSP will bring additional water to the region in place of groundwater supplies currently being utilized to meet municipal and industrial demands. The commenter is correct in that the City has yet to adopt a financing plan for the DWSP, but will do so by the time of application for Prop 50 Round two, if invited to apply. The EIR for the DWSP was certified on November 8, 2005. Water Right 21176 was issued by the State Water Resources Control Board on March 8, 2006. This water right entitles the City to divert up to 33,600 AF/year for municipal and industrial Use. This water diversion is firm and reliable and only restricted to ESA provisions and does not conflict with other diversions from the Delta. While this is a project for the City, it will have tremendous benefit to the region by supplanting up to 33,600 AF/year of groundwater with surface water. This project does not conflict with State priorities, in fact, it is well in line with the Water Resource Management Strategies in the 2005 State Water Plan developed by the State Department of Water Resources. The City did not qualify for a high ranking for Disadvantaged Communities based on available data. The cost estimate provided was the best information available at the time. As the City further develops the project definition, more reliable cost estimates will become available. The need for the project is very clear as shown in the Water Supply Evaluation and the DWSP Feasibility Report as a project that will achieve three main objectives; namely, to replace existing and declining surface water supplies, to restore and protect groundwater and to meet the water demands of planned growth.

## Oral Comments

### Introduction

Community Development Director Mike Niblock gave an overview of how the meeting will progress. He introduced the Planning Commissioners, consultants and staff present. The meeting was then opened for public comment.

### George V. Hartmann

**Comment:** Mr. Hartmann, lawyer for Alpine Meats, stated that Alpine Meats is a stakeholder in this process. It owns approximately 370 acres of land north of Eight Mile Road adjoining West Lane and Lower Sacramento Road. He stated that Alpine supports the preferred alternative General Plan and commends everyone who has worked so hard to get to this point. They support the programmatic EIR and, more importantly, they support thoughtful and intelligent planning and growth done by professionals, not done through the ballot box. To the extent that Alpine has a voice in the process, it accepts the mitigation concepts at the programmatic level as announced and is happy to work with staff. He would like to offer Alpine's support and gratitude for the people who have worked so hard to do a professional job.

**Response**: This comment is noted. This comment does not address the adequacy of the Draft EIR. No further response is required.

### Tammy Williams-Ankcorn

**Comment:** Ms. Williams-Ankcorn introduced herself and stated that she is here speaking as a concerned citizen and mother. She is very concerned that more than 25,000 acres of farmland will be paved over for development never to be regained and she urged City planners to stop urban sprawl. As a fourth grade teacher, she is mandated by California standards to teach about importance of agriculture in San Joaquin County and the rest of the nation and it seems that the people who are processing these new developments are unaware of the environmental importance of keeping and maintaining our agricultural lands when it comes to growing food. As a mother she is concerned because she would like to know where the crops are going to be grown once the fertile soil is destroyed because once it's paved over she does not believe that it can be regained. She also expressed her concern about the Stockton city limits growing closer to the City of Lodi stating that addresses north of Eight Mile Road have a Lodi address and phone number. She feels that by annexing acreage north of Eight Mile Road into Stockton will cause the loss of the greenbelt and the uniqueness of two separate communities.

**Response**: Please refer to Responses to Comments I3-3, I11-14, and I18-4.

**Michael Villanueva**

**Comment:** Mr. Villanueva introduced himself as the President of Hispanics for Political Action, member of Campaign for Common Ground and a concerned citizen. He stated that he feels the Draft EIR is deficient in the areas of air quality, transportation and the environmental impact as a whole.

Mr. Villanueva stated that the EIR does not comply with Section 65302.1 of the Government Code. He said that the new law states that the plan must be amended to include data and analysis, goals, policies and objectives. The adoption of air quality should include reports about local air quality conditions assuming local, district and state current policies, programs and regulations that may include quality in the city or county. A comprehensive set of goals, policies and objectives that may improve air quality must be included.

Mr. Villanueva believes that the EIR does not support safe transportation for the population reaching 500,000. He feels that the EIR does not develop a plan that creates a street and highway system for the safe and efficient movement of people.

Mr. Villanueva stated that he believes the EIR as a whole has some deficiencies. He feels that half of the EIR cannot be mitigated and that it is illegal and unethical to move forward with the current plan.

**Response**: Please refer to Responses to Comment Letters A7, A8, A15, A18, A19 and specific responses O5-9 through O5-17, I10-26 through I10-50, I22-2 through I22-5, I4-3, I5-5, and I5-6.

**William Mennuti**

**Comment:** Mr. Mennuti introduced himself as a recent resident of the Morada area. He stated that he has recently become aware of some of the provisions of the proposed General Plan and that some of those provisions scare him, his primary concern being water. It has come to his attention the City of Stockton's water supply is not secure and that wells on the west side of town are already becoming vulnerable to saline infiltration from the Delta and that at least one well has been capped because of that. He said that Stockton has no rights to surface water, is chasing a new water supply and that it appears that the best source of water for them right now is the aquifer that lies on the east side of Highway 99. He stated that the plans call for the drilling of a number of deep wells into that aquifer and the effects that could come from that really scare him. His first concern is that drilling into that aquifer could cause the already existing wells to run dry, the ripple effect being that farms on the east side become too expensive to irrigate to be viable and that they will go out of business causing more farmland to be developed which would in turn increase the spiral of over-drying the aquifer.

**Response**: Please refer to Responses to Comments I12-16 and I10-55 through I10-61.

**Edward Schwin**

**Comment:** Mr. Schwin discussed concerns about disaster preparedness and levee repair. He does not believe that what he has seen so far is sufficient. He discussed the recent article in the San Francisco Chronicle regarding a hypothetical "worst case scenario".

Mr. Schwin stated that Campaign for Common Ground has listened diligently to people in the valley with regards to issues with the General Plan, particularly disaster planning, levee maintenance planning and the continued growth without modification and mitigation for what is being developed. They are concerned about the primary zone and those places which would be adjacent to the primary zone in the secondary zone.

Mr. Schwin feels that we have not planned very well for any of these issues and would like to see them addressed in the EIR.

**Response**: Please refer to Responses to Comment Letters A10 and I7, and specific Response to Comment I11-13.

**Ann Johnston**

**Comment:** Ms. Johnston expressed her concerns over the conversion of significant agricultural farmland, specifically regarding the conversion of 40,000 acres over the next 30 years. She also has concerns about the buffer of agricultural land that exists between Stockton and Lodi.

She imparted that the draft EIR states that the growth of 100,000 school children over the next 30 years is "not significant." She feels that this is a huge significant impact and until funding is in place for these schools no development should take place and that there should be bonds and State fees in place to develop these schools.

Her third area of concern is law enforcement. She feels that the Police Department is currently strained to capacity, and that the General Plan EIR should include mitigation that would have developer's fees to create a larger police force and fire safety staff.

Ms. Johnston also discussed having public participation written in to the General Plan.

**Response**: Please refer to Responses to Comment Letter I8, and Responses to Comments I3-3, I7-2, I11-14, and I18-4.

**Byron Roberts**

**Comment:** Mr. Roberts introduced himself as an active member of Campaign for Common Ground and stated that he would like to reiterate what Mr. Schwin and Ms. Johnston had to say. He stated that the Campaign for Common Ground is a sophisticated and educated group of people.

Mr. Roberts discussed the alternative General Plan that the Campaign for Common Ground submitted to the City. He feels that they have been dismissed. He stated that on the 19th of December, the Campaign for Common Ground delivered a letter encouraging the City Council not to allow the current 2035 proposals that have not been addressed by them and that this City Council voted 6-1 to allow over 50% of what's already in the 2035 General Plan to be approved. Mr. Roberts feels that this is a slap in the face to the community, democracy and his group.

Mr. Roberts expressed concerns over paving over "thousands and thousands" of acres of prime farmland. He feels that the draft EIR fails to offer an analysis of how much prime farmland will be developed and that it fails to discuss how villages could be shifted to areas that are not prime farmland. He also stated that he feels a discussion of the agricultural mitigation fee should be included and that the EIR needs to address proper growth planning with regards to police, sewers, hospitals, schools, crime and the juvenile court system.

Mr. Roberts stated that the draft EIR is deficient in the area of agricultural resources because it fails to offer an analysis of how much prime, unique farmland would be converted due to village development on the fringes of the city. He said that the draft EIR fails to discuss how the location of specific villages could be shifted to lands of less than prime or unique value. He said that the draft EIR is deficient because it identifies the impact as significant and unavoidable, but offers no mitigation measures that could reduce the impact.

Mr. Roberts stated that a discussion of the agricultural mitigation fee should be included in the Draft EIR. He said that the alternative plan submitted by Campaign for Common Ground included several policies and programs that would reduce the impact of development on agricultural resources. He said that the Draft EIR does not discuss why the specific recommendations by Campaign for Common Ground were not included as mitigation measures.

**Response**: Please refer to Responses to Comments I3-3, I11-14, I18-4, I24-3. Please see the response to Comment O5-5 for information specific to the policies provided by the Campaign for Common Ground.

**Janette Truscott**

**Comment:** Ms. Truscott said that although she and her husband are very concerned about the loss of agricultural land she feels the topic has already been eloquently spoke to at this meeting and she would like to discuss a couple of other specific topics. Ms. Truscott, a resident of Morada, is very concerned about how the City's future plans will affect her and her neighbors. She expressed concern about wells being drilled in Empire Ranch that are much deeper than what currently exists and how that will affect their water supply.

Ms. Truscott said that Morada is a unique, semi-rural community and they chose to live there because they enjoy that lifestyle. One of the policies in the plan is to ensure that the character, environment and living conditions in the existing neighborhoods are protected. She asks that this policy is honored for the Morada area.

Ms. Truscott recently found out by chance that one of the effects of the General Plan proposes changes to the Morada Lane and Highway 99 overpass. It concerns her that there may be hidden impacts that they will not have the opportunity to address and about which they were not notified. They would also like to know how the City plans to mitigate the negative effects such as increased noise, air quality, decrease in land value, decrease in quality of life and adequate water.

**Response**: Please refer to Response to Comment Letter I14 and Master Response #5.

**Trevor Atkinson**

**Comment:** Mr. Atkinson introduced himself as a member of Campaign for Common Ground. He stated that the meeting was not adequately noticed to the public. He saw the article in The Record, but said that same day notice is not enough for most people to make plans or prepare comments. He asked if notices had been sent to churches, social and civic groups, health organizations, homeowner and neighborhood associations, ethnic organizations and local charities. He stated that there are two parts to community participation, giving the community an opportunity to participate and being willing to pay attention to that participation and giving it serious consideration.

Mr. Atkinson stated that there were four community workshops in 2003 and 2004. He said that the third workshop was focused on proposed growth north of Eight Mile Road. He asserted that of the ten teams at the workshop, seven of them recommended either no growth or development only along I-5. He said that the General Plan calls for full length village development north of Eight Mile Road from I-5 to Highway 99 one mile to one and a half miles deep. He feels that this community input was largely disregarded.

He also alleged that the community input at the ballot box, with regards to Measures Q and S, was largely disregarded. He ascertained that the "de facto" buffers between Stockton, Tracy, Manteca and Lodi are ephemeral at best.

In summary, Mr. Atkinson declared that the General Plan is a public document, a blueprint for the future of Stockton, the issues involved are complex and require the specialized knowledge of staff and consultants. He said that the development community must play a major role since they design and build the communities and neighborhoods. However, he said, the process is paid for by the residents of this community and it affects the quality of life of everyone in Stockton. He urged staff to go beyond the legal requirements for noticing General Plan meetings in order to foster more community involvement.

**Response**: Please refer to Responses to Comments I3-3, O5-2, and O5-5.

**Tom Truszkowski**

**Comment:** Mr. Truszkowski introduced himself and stated that he is representing the Arnaiz Development Company. He said that the draft EIR indicates in mitigation measure LU6.1 that the City will not utilize the area of influence for the Stockton Airport as specified in the existing legally adopted Airport Land Use Plan, but instead will utilize an airport influence area encompassing all properties within two miles of the airport boundary until a new area of influence is adopted by the Airport Land Use Commission. He stated that under this mitigation measure the City's proposed action is inconsistent with the 2002 California Airport Land Use Handbook prepared by Caltran's Division of Aeronautics. He said that the handbook states that in the absence of an adopted area of influence a default study area may be defined. Mr. Truszkowski reminded the group that there is an existing land use plan for the Stockton Airport with an identified area of influence and that this plan should be recognized by the proposed 2035 General Plan.

Mr. Truszkowski asserted that the EIR indicates in mitigation measure LU6.3 that the City will not recognize the existing legally adopted Airport Land Use Plan for the Stockton Airport, but will implement it's own area of influence and it's own land use compatibility criteria for the evaluation of land use proposals up until a new Airport Land Use Plan is adopted by the Airport Land Use Commission. He said that under this mitigation measure the City's proposed action is inconsistent with the planning and zoning law. He ascertained that at Section 65302.1A the law specifically states that the General Plan shall be consistent with the Airport Land Use Plan adopted pursuant to the provisions of the Public Utilities Code. He asserted that under this provision the City should recognize the existing legally adopted plan.

Mr. Truszkowski indicated that the EIR at page 3-12 states that the future development of proposed residential uses near the western and southern boundary of the airport may place these uses at risk for a variety of airport related hazards resulting in inconsistencies with the land use policies adopted by the Airport Land Use Commission. He declared that this statement unfairly targets a project under review by the Planning Division for the past two and a half years and is not supported by fact or science. In fact, he said, the area in question is located within the airport's horizontal zone and that according to the 2002 California Airport Land Use Handbook the horizontal zone is equivalent to CalTran's Traffic Pattern Zone. As described by CalTrans, he said, the traffic pattern zone is in an area with a generally low likelihood of accident occurrence and that it is appropriate to allow residential uses. He declared that the City's proposal for a village in the vicinity of the airport is consistent with the current legally adopted Airport Land Use Plan and that if the statement on page 3-12 were valid, it would mean that the City's own land use proposal of a village in that area is inconsistent with the conclusions of it's own EIR.

Mr. Truszkowski said that the proposed General Plan Policy Health and Safety 2.20 requires the use of the most current available Airport Land Use Plan as a planning resource for evaluating land use compatibility considerations. He asserted that the City wants to abandon the existing plan and develop their own set of criteria which would be inconsistent with the Draft EIR mitigation measures of 6.1 through 6.3 which state that the City will use it's own interim criteria to evaluate consistency until a new Airport Land Use Plan is adopted. He stated that this inconsistency calls into question the validity of the mitigation measures and questions the internal consistency of the proposed General Plan.

Finally, Mr. Truszkowski stated that the Public Utilities Code Section 21676(b) states that prior to the amendment of a General Plan the local agency shall first refer the proposed action to the local Airport Land Use Commission for a consistency determination. He said that there is no indication in the EIR that this referral has taken place nor are there any implementation measures indicating that a referral will occur.

**Response**: Please refer to Responses to Comment Letters I17 and I9. Also, for a discussion of airport-related issues, please see Master Response #4.

**Colleen Foster**

**Comment:** Ms. Foster introduced herself and said that she is representing the League of Women Voters of San Joaquin County. She stated that the League of Women Voters of California's Land Use position supports land use planning that recognizes land as a resource as well as a commodity. She professed that they also support policies that recognize agricultural land as a limited resource that must be preserved for the economic and physical well being of California and the nation and said that these positions are the foundation for the League's support of the Campaign for Common Ground's recommendation that the City discourage premature conversion

of agricultural land to urban use by encouraging infill development and prohibiting the annexation of agricultural lands unless there is less than a ten year supply of developable land within the city limits. She said that this proposal was rejected as "artificial constraint on the real estate market which will increase land and housing prices" and stated that this response is inadequate.

Ms. Foster stated that the League believes that the City's primary responsibility is to set policies for the orderly development and use of land and that planning for land use should promote the interests of the community at large rather than the interests of individuals or special groups. She said that the Campaign for Common Ground's proposal does not prohibit the annexation of agricultural land when necessary, but it does provide concrete guidelines for such annexation so that agricultural land is not encroached upon unnecessarily or without regard to existing alternatives.

In addition, Ms. Foster asserted that the League supports measures designed to increase active participation of citizens in government. She said that outreach methods should be employed to ensure people are informed about opportunities for their input and that community members should be involved in important public policy decisions. She believes that it is not sufficient to post agendas for little known meetings on the City's website.

**Response**: Please refer to Responses to Comments I3-3, O5-2 and I11-14.

**Janet Stout**

**Comment:** Ms. Stout introduced herself as a resident of the Morada area and would like to know when somebody is planning to contact her to let her know that in order for this project to proceed, her home will have to be bulldozed and part of her property acquired.

**Response**: This comment is noted. This comment does not address the adequacy of the draft EIR. No further response is required.

**Gordon Stout**

**Comment:** Mr. Stout stated that he's concerned because he saw a drawing of the realignment of the frontage road at Morada Lane and it does cut through the backside of his property. His concern is that the City is proceeding along this path and has not communicated with any of the residents that may be affected by this project. They would like to know what's going to happen and how the project is going to proceed.

**Response**: This comment is noted. This comment does not address the adequacy of the draft EIR. No further response is required.

**Rosemary Moon Atkinson**

**Comment:** Ms. Atkinson stated that Campaign for Common Ground, in their alternative plan added number LU3-X Affordable Inclusionary Housing as a new policy. She said that staff gave the following reason for not including their proposal, "this may require the City to prematurely revisit, revise it's recently approved Housing Element." Staff left it to the Planning Commission and City Council to consider without taking a stand on the issue themselves.

Ms. Atkinson explained that the State requires an updated General Plan Housing Element every five years and that Stockton's was submitted in September 2003 making the next review requirement due as soon as September 2008. She believes that by the time this plan is adopted it will not be too soon to start the process on updating the Housing Element and therefore it should be included in the 2035 General Plan.

Ms. Atkinson feels that planning for housing has to be one of the most urgent elements for a majority of Stockton residents. She stated that it is obvious that lack of housing for all residents is one of the root causes for most of our out of control social problems and that not to address this staggering need as soon as possible would be the most egregious omission that the City could allow.

Ms. Atkinson explained that even when the state required Housing Element is submitted it only assures that there will be enough land to build affordable housing on, but that the state does not require that the Housing Element assure the building of such housing. Therefore a policy requiring the building of affordable housing must be a prime element of the 2035 Plan.

Ms. Atkinson said that she believes the City needs to offer incentives to ensure that developers can make a fair profit from affordable housing projects.

**Response**: Please refer to Responses to Comments O5-20 and I23-3.

**Melvin Buhrkul**

**Comment:** Mr. Buhrkul introduced himself as a resident of the Morada area. He stated that most of his neighbors have had to take an extension on their pumps or drill additional wells because the water table has gone down. He said that he had to drop his well to get sufficient water.

Mr. Buhrkul wonders who is checking on this water. It is his understanding that the salt water is moving east from the Delta by 120 feet per year and is up to Lower Sacramento Road. He would like a notice from the City if that is wrong.

Mr. Buhrkul said that he is concerned about police and fire protection and feels that the tax base does not cover these things.

**Response**: Please refer to Responses to Comments I1-1, I12-16 and I10-55 through I10-61.

**Woody Alspaugh**

**Comment:** Mr. Alspaugh stated that he felt that the meeting was not properly announced. He went on to discuss the building of houses on the greenbelt and said that there should be an open space left for obvious reasons such as air quality, traffic and aesthetics.

**Response**: Please refer to Responses to Comment Letters I15 and I16, and specific Responses to Comments I1-1, I12-16 and I10-55 through I10-61.

**Kurt Cooper**

**Comment:** Mr. Cooper introduced himself as a resident of the Morada area. He stated that it is clear to citizens of Stockton and surrounding communities that the unrelenting exchange of rich agricultural land to provide high cost housing for Bay Area commuters has reached beyond the point of smart growth. He said that our streets and highways are clogged every day with thousands of Bay Area commuters because the Bay Area wages are on the other side of the Altamont and the affordable housing is here in the valley, but that's not the case for local wage earning citizens.

Mr. Cooper discussed Chapter 8 of the draft EIR stating that it identifies transportation issues and it says "Roadway levels of service will deteriorate to unacceptable level." He stated that after mitigation the results are still unacceptable and that the Draft EIR states that this is significant and unavoidable. Mr. Cooper feels that this conclusion is unacceptable and that adding thousands of homes outside the city limits is going to compound this problem.

Mr. Cooper discussed Chapter 9, Section 7 of the draft EIR stating that it evaluates the impact of the provision of law enforcement services to the study area. He stated that the crime in Stockton is outrageous and unacceptable and that our law enforcement officers are outnumbered. Regarding Section 9.7, page 9-12, he quoted, "with a slight increase of crime within the city and public comments received throughout the plan's development, the importance of law enforcement services is evident." He said that new policies to the General Plan include the promotion of public safety awareness programs and implementation of design features as a means to reduce crime. He stated that there is not one implementation measure provided in the Goals and Policies for law enforcement to "ensure that appropriate actions are taken to implement the General Plan." Mr. Cooper argued that City departments have not been designated as responsible entities to ensure implementation of these important polices, additionally there is no plan or assignment of a timeline for completion of these policies.

Mr. Cooper discussed Chapter 11 of the draft EIR which deals with air quality. He quoted the text and concluded that air quality will go from bad to worse and there's nothing we can do about it. He complained that the draft EIR says this impact is significant and unavoidable.

Regarding Chapter 14, Mr. Cooper stated that the environmentally superior alternative for this project would be Alternative 5, called the Reduced Growth Alternative Optional Land Use Scenario. He quoted the text and concluded that this alternative would reduce air quality impacts because of lessened car trips.

In conclusion, Mr. Cooper stated that the City must remove the sphere of influence, maintain influence south of Eight Mile Road, west of Highway 99 as far south as the Calaveras River and not plan any more villages on the east or the south sides of Highway 99.

**Response**: Please refer to Responses to Comment Letters A15, I4, I5, I7, I8, and I13 and specific Responses to Comments I3-3, I11-14, O5-13 through O5-17, and I10-42 through I10-50.

**Richard Shaffer**

**Comment:** Mr. Shaffer stated that he is concerned about circulation and traffic. He is concerned about the "Level F" that most of the major streets are going to become. He explained that Level F is "gridlock". He said that the Draft EIR states that the acceptable level of traffic is "Level D". He feels that taking the whole city to Level D and the major arteries to Level F is wrong and it should not be tolerated.

Mr. Shaffer expressed his concern regarding the loss of agriculture. He stated that agriculture brings $1.6 billion a year to the San Joaquin Valley. He went on to say that most of this comes from the processing of crops and that this new plan requires the elimination of two major processors, one of them, OG Packing, employs 6000 people.

Mr. Shaffer stated that there is no provision for funding for the four major things that represent quality of life for him: schools, fire, police and traffic. He said that if the City builds an east side arterial that it will be a constant "bottleneck" for the next 20 years. Regarding schools, he stated that developer fees do not begin to pay for the impacts. He also expressed his concern about crime in Stockton and said that the ratio of officers to citizens needs to be lower than three-to-one.

**Response**: Please refer to Responses to Comment Letters I8, I25, I26, I27, I28, I29, I30, and Responses to Comments I3-3, I7-2, I11-14, and I18-4.

**Eric Parfrey**

**Comment:** Mr. Parfrey of the Sierra Club stated that the General Plan Action Team was stacked with developers and that he was the only environmentalist assigned to the team. He went on to say that this is the developers plan, not the people's plan. He said that there were 70 impacts that were identified in this EIR and 35 of those impacts are described as "significant and unavoidable", that no mitigation measures can be implemented. He stated that by State law EIRs

have to recommend mitigation measures and that the Sierra Club is not going to let the City abdicate their responsibility under State law. He went on to say that if this EIR goes forward, they will sue it in court.

**Response**: Please refer to Responses to Comment Letter O5.

**Larry Moorman**

**Comment:** Mr. Moorman discussed his neighborhood near Cherryland Lane and asked whether Cherryland Lane is going to be made a four lane road.

Mr. Moorman also iterated that there are three irrigation wells on the Weber Ranch property. He said that originally there were two lots for wells proposed on that property and that now there is a rumor that there are 19 wells proposed on that property and another rumor that there are 17 wells proposed. He stated that the average well in Morada is about 200 feet deep and that if 19 wells are added, no one in the neighborhood will have water. He would like to know how this is going to be mitigated.

**Response**: Please refer to Responses to Comments I1-1, I12-16 and I10-55 through I10-61. For a complete description to water supply issues, please see Master Response #5.

# CHAPTER 4
# Modifications to the Draft EIR

## Introduction

This chapter shows all revisions to all chapters of the draft EIR. Text in standard print is original draft EIR text; text that is underlined is added text; and text that is struck out is deleted. Modifications are organized by draft EIR chapters, and page numbers refer to locations in the draft EIR unless otherwise noted.

## Chapter 2.0 Project Description

On page 2-20, first paragraph, make the following revisions:

Low density residential accounts for the primary residential use (26,260 acres). Commercial land uses account for 4,780 acres and Industrial land uses account for 17,070 acres. Although, it is assumed that only an estimated ~~3,970~~ 8,364 acres or 49% of the total land designated as Industrial within the USB/SOI is developed by 2035.

## Chapter 3.0 Land Use

On page 3-7, Policy TC-7.6 has been deleted as follows:

- ~~**TC-7.6 Consistency with Airport Land Use Commission Policies.** The City shall ensure that all development within two miles of the Airport be consistent with the policies adopted by the San Joaquin County Airport Land Use Commission (except where, pursuant to Public Utilities Code Sections 21676 and 21676.5, the City Council, pursuant to a two-thirds vote, exercises its option to conclude that, notwithstanding a negative recommendation from the ALUC, the Council's proposed action is consistent with the purposes of providing for the orderly development of the Airport and the areas surrounding the airport while protecting the public health, safety, and welfare by minimizing the public's exposure to excessive and safety hazards). *[New Policy].*~~

On page 3-10, first paragraph (2nd complete sentence), make the following change:

Similarly, the Preferred Land Use Alternative clusters future industrial uses near existing industrial facilities and complexes such as the Port of Stockton and the Stockton Metropolitan Airport (see policies TC-7.4~~, TC-7.6,~~ and TC-8.1).

On page 3-10, last row of impact policy table, make the following change:

| | |
|---|---|
| LU-1.7 Land Use Conflicts<br>LU-1.3 Expanding the Urban Service Area<br>LU-3.7 Incompatible Uses<br>LU-3.9 Conflicting Uses<br>LU-4.3 Commercial-Residential Integration<br>LU-5.2 Clustering of Uses<br>LU-5.4 Adjacent Uses and Access<br>LU-5.5 Compatible Land Use<br>LU-5.7 Adjacent Major Transit Uses | TC-1.2 Integrated Transportation System<br>TC-7.4 Airport Related Land Uses<br>~~TC-7.6 Consistency with Airport Land Use Commission Policies~~<br>TC-8.1 Port-Related Land Uses |

Last paragraph on page 3-11, delete last sentence on page 3-11 as shown:

~~Policy TC-7.6 also requires the City to ensure that all development within two miles of the Airport be consistent with the policies adopted by the San Joaquin County Airport Land Use Commission.~~

On page 3-11, summary table for Impact LU-2, make the following revisions:

**Impact Summary**

| |
|---|
| Level of Significance Before Mitigation: *Potentially Significant* |
| Required Mitigation Measures: *LU-6.1 "Airport Influence Area", LU-6.2 "Consistency with Airport Land Use Commission Policies", LU-6.3 "~~Interim Land Use Compatibility~~ Obstructions", LU-6.4 "Infill within Adopted AIA", LU-6.5 "Aviation Easements within AIA", LU-6.6 "Adjacent Major Transit Uses", LU-6.7 "~~Noise Analysis~~ Interior Noise Within Adopted AIA" and Land Use Implementation Measure #~~12~~ 5.* |

On page 3-12, third row of impact policy table, make the following change:

| Land Use Elements | Transportation & Circulation Element |
|---|---|
| Policies designed to minimize potential conflicts with adopted applicable land use plans, policies or regulations of an agency with jurisdiction over the project, including the following: | |
| LU-1.6 Building Intensity and Population Density<br>LU-1.7 Land Use Conflicts<br>LU-1.9 City/County Uniform Land Use Policy<br>LU-1.10 Regional Planning<br>Implementation Measure #2 | TC-1.2 Integrated Transportation System<br>TC-1.5 Other Funding<br>TC-1.6 New Funding Sources<br>~~TC-7.6 Consistency with Airport Land Use Commission Policies~~ |

On page 3-13, first paragraph, make the following revisions:

In addition to the above mentioned policies and implementation measures, the following new policies LU-6.1 "Airport Influence Area", LU-6.2 "Consistency with Airport Land Use Commission Policies", LU-6.3 "~~Interim Land Use Compatibility~~ Obstructions", LU-6.4 "Infill within Adopted AIA", LU-6.5 "Avigation Easements within AIA", LU-6.6 "Adjacent Major Transit Uses", LU-6.7 "~~Noise Analysis~~ Interior Noise Within Adopted AIA" and Land Use Implementation Measure ~~#12~~ 5 are required to address this impact:

On pages 3-13 through 3-15, replace or revise the following policies and implementation measure as shown below:

- **LU-6.1 Airport Influence Area.** The City of Stockton will utilize the AIA adopted by the County ~~Stockton Metropolitan Airport's~~ Airport Land Use Commission for Stockton Metropolitan Airport ~~as part of an update performed after 20076~~. In general, the AIA should be defined to encompass:

  All lands that, due to their proximity to the airport, are subject to a materially greater level of safety risk and/or adverse environmental effect (e.g. noise) from present or foreseeable future airport operations than lands more distant from the airport, and all lands in the vicinity of the airport on which certain land uses (e.g., residential or educational) could inhibit present or foreseeable airport operations due to the increased safety risks or adverse environmental effects (e.g., noise) on sensitive receptors that could result from such land uses.

  ~~Prior to the adoption of a new AIA, the AIA will be defined as all properties within two miles of the airport boundary, as illustrated on Figure 3-2.~~ *[New Policy, City/Consultants]*

- **LU-6.2 Consistency with Airport Land Use Commission Policies.** The City will protect the Airport and related aviation facilities from encroachment by potentially incompatible land uses. The City shall ensure that the General Plan and all future development within the AIA will be consistent with the policies adopted by the San Joaquin County Airport Land Use Commission (ALUC), except where, pursuant to Public Utilities Code Sections 21676 and 21676.5, the City Council, pursuant to a two-thirds vote, exercises its option to conclude that, notwithstanding a negative recommendation from the ALUC, the Council's proposed action is consistent with the purposes of providing for the orderly development of the Airport and the areas surrounding the airport while protecting the public health, safety, and welfare by minimizing the public's exposure to excessive and safety hazards. *[Source: Section 3, Air and Water Transportation; Goal 2, Policy 4 and input from Airport Staff, Previously Policy TC-6.5]*.

- ~~**LU-6.3 Interim Land Use Compatibility.** Prior to adoption of a new Airport Land Use Compatibility Plan (ALUCP) to reflect current facility/operational parameters, the City shall utilize the following criteria for evaluation of land use applications within the AIA:~~

  1. ~~All project submittals shall be circulated to the ALUC for review and comment.~~

  2. ~~Land use regulations in the existing ALUCP will apply for areas defined as being in the following Airport Land Use Zones (as defined in the existing ALUCP): Inner Approach Zone, Outer Approach Zone, Primary Surface Zone, Runway Protection Zone, and Transitional Zone.~~

  3. ~~For areas outside of the zones defined in Item #2 but within the AIA, applications for the following land uses will not be allowed until an updated ALUCP is prepared that demonstrates the suitability of the proposed land use or, in the meantime, an Aviation Safety Study is provided with the application, for review by the City and the ALUC, that demonstrates the suitability of the use in the proposed location/configuration:~~

     - ~~Residential~~
     - ~~Schools (except flight schools), libraries, hospitals, nursing homes, hotels, motels, dormitories, and other similar uses~~
     - ~~Noise sensitive uses, such as outdoor theaters.~~
     - ~~Uses that pose hazards to aviation safety~~
     - ~~Facilities with a height of over 70 feet~~

  4. ~~If the City decides to allow any of the uses identified in Item 3 such uses shall be required to have interior noise levels (attributable to exterior sources) that shall not exceed 45 dB in any habitable structure. *[New Policy – Draft EIR Analysis]*~~

- **LU-6.3 Obstructions.** The City will ensure the height of new structures complies with Federal Aviation Administration (FAA) Part 77 requirements. *[New Policy – Draft EIR Analysis]*

- **LU-6.4 Infill within Adopted AIA.** Where substantial incompatible development already exists, additional infill development of similar land uses may be allowed to occur even if such land uses are to be prohibited elsewhere in the zone, consistent with Public Utilities Code Sections 21676 and 21676.5. ~~This exception does not apply in areas within the zones defined in Item 2 of LU-6.3.~~ Projects can be considered infill if they meet all of the following criteria:

  The project site is bounded on at least three sides by uses similar to those proposed.

  The proposed project would not extend the perimeter of the area developed with incompatible uses.

The proposed project does not otherwise increase the intensity and/or incompatibility of use through use permits, density transfers or other strategies. *[New Policy – Draft EIR Analysis].*

- ~~**LU-6.7 Noise Analysis.** As deemed necessary by the City, the environmental review for discretionary development proposals located near the airport shall include, single event noise analyses. *[New Policy – Draft EIR Analysis].*~~

- **LU-6.7 Interior Noise Within Adopted AIA.** *Sound attenuation shall be included in the requirements of new projects to provide interior noise levels (attributable to exterior sources) that do not exceed 45 dB in any habitable structure. [New Policy – Draft EIR Analysis].*

- **Implementation Measure ~~#12~~ 5.** The City will prepare and adopt any modifications to the General Plan needed to bring the General Plan into compliance with any ALUCP adopted after 2006. *[New Implementation Measure – Draft EIR Analysis].*

On page 3-15, first paragraph, make the following revisions:

As stated above, the City will implement a variety of policies and implementation measures (including the new policies LU-6.1 "Airport Influence Area", LU-6.2 "Consistency with Airport Land Use Commission Policies", LU-6.3 "~~Interim Land Use Compatibility~~ Obstructions", LU-6.4 "Infill within Adopted AIA", LU-6.5 "Avigation Easements within AIA", LU-6.6 "Adjacent Major Transit Uses", LU-6.7 "~~Noise Analysis~~ Interior Noise Within Adopted AIA" and Land Use Implementation Measure ~~#12~~ 5) listed above and designed to ensure consistency with other applicable agency plans with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental impact. However as described above, total air quality emissions (see Chapter 11.0 "Health and Safety

# Chapter 8.0 Transportation and Circulation

On page 8-10, Policy TC-2.7 Efficient Traffic Flow, make the following revisions:

- **TC-2.7 Efficient Traffic Flow.** The City shall ensure that highways and arterial streets within its jurisdiction provide for the efficient flow of traffic. Therefore, the following shall be undertaken:

  a. Minimize the number of intersections along arterials.

  b. Reduce curb cuts along arterials through the use of common access easements, backup lots and other design measures.

  c. Provide grade separations ~~at all major railroad crossings with arterials~~ where practicable and feasible where a railroad crosses at least a 4-lane existing or future arterial roadway.

d. Extend arterials over waterways, railroads and through developed and undeveloped areas, where feasible, to provide for the continuous flow of through traffic and appropriate area access. ~~[Staff/Consultants]~~

e. Consider alternative designs for high capacity multi-modal corridors. *[Source: Section 3, Streets and Highways; Goal 1, Policy 5; with input from GPAT Subteam meetings and city staff].*

On page 8-12, Policy TC-2.19 "Truck Routes", make the following revisions:

- **TC-2.19 Truck Routes.** Truck routes shall be established in existing and new development areas as needed to efficiently serve truck traffic and to minimize impacts on neighborhoods. The City shall direct truck traffic to designated truck routes. *[Source: GPAT Subteam meetings; professional best practice]*

On page 8-12, Policy TC-3.1 "Park and Ride Lots", make the following revisions:

- **TC-3.1 Park and Ride Lots.** The City shall support development of park-and-ride lots at appropriate locations, in consultation with SJRTD, San Joaquin County, SJCOG, Caltrans, and other agencies, and in compliance with the design features related to park-and-ride facilities that are specified in Policy TC-4.4. *[New Policy, Staff/Consultants]*

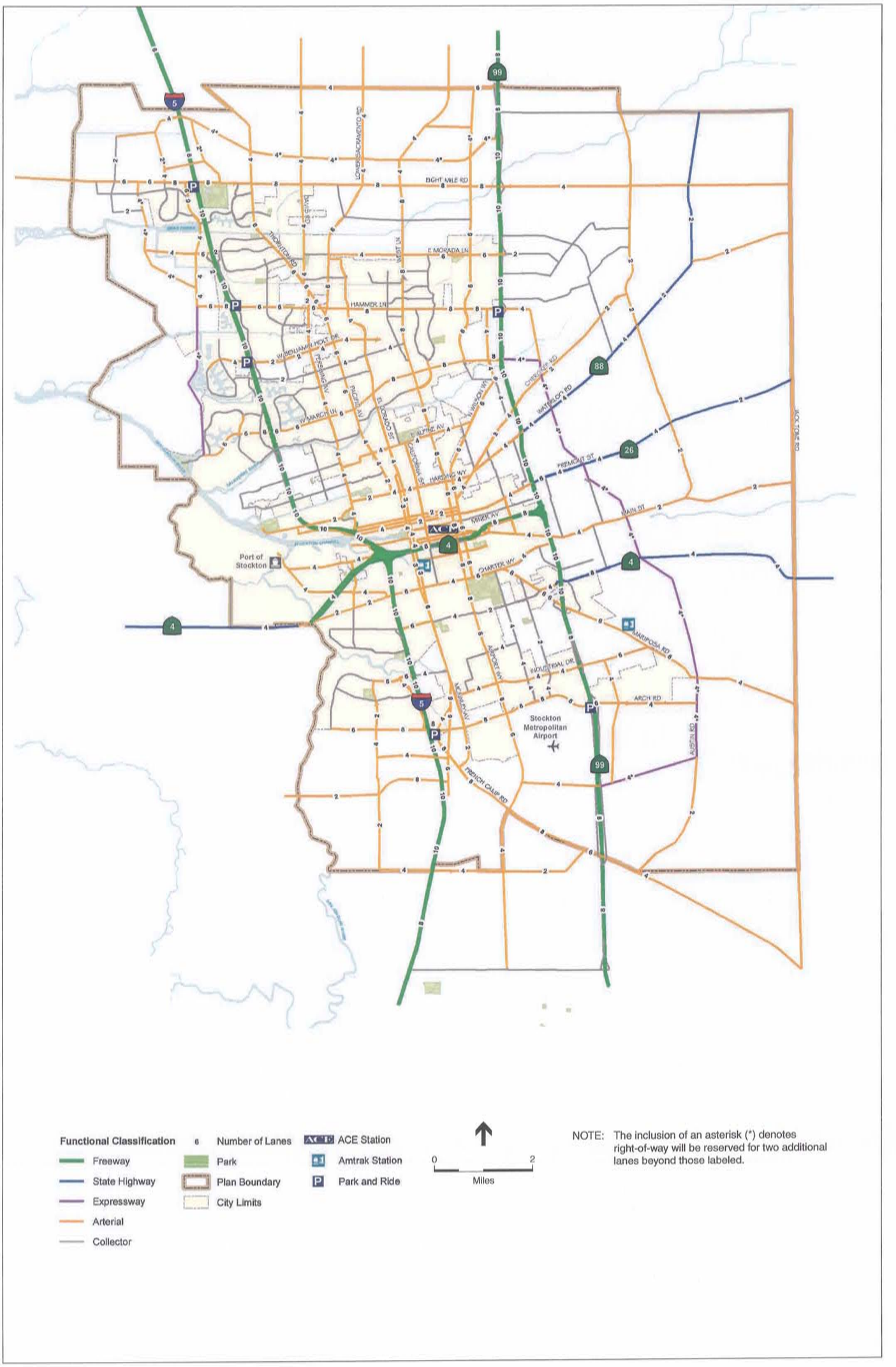
On page 8-17, Policy TC-7.6 has been deleted as follows:

~~**TC-7.6 Consistency with Airport Land Use Commission Policies.** The City shall ensure that all development within two miles of the Airport be consistent with the policies adopted by the San Joaquin County Airport Land Use Commission (except where, pursuant to Public Utilities Code Sections 21676 and 21676.5, the City Council, pursuant to a two-thirds vote, exercises its option to conclude that, notwithstanding a negative recommendation from the ALUC, the Council's proposed action is consistent with the purposes of providing for the orderly development of the Airport and the areas surrounding the airport while protecting the public health, safety, and welfare by minimizing the public's exposure to excessive~~

On page 8-19 and 8-20, Figure 8-1 "Draft 2035 GP Roadway System" has been updated to reflect several changes to the City's circulation system, including the identification of proposed rights-of-way for the proposed "multi-modal" roadway and the proposed extension of Micke Grove Road north of Eight Mile Road.

On page 8-23, Figure 8-3 "Preliminary 2035 Bicycle System" has been updated to reflect the key new bicycle facilities identified on page 8-44 of the draft EIR.

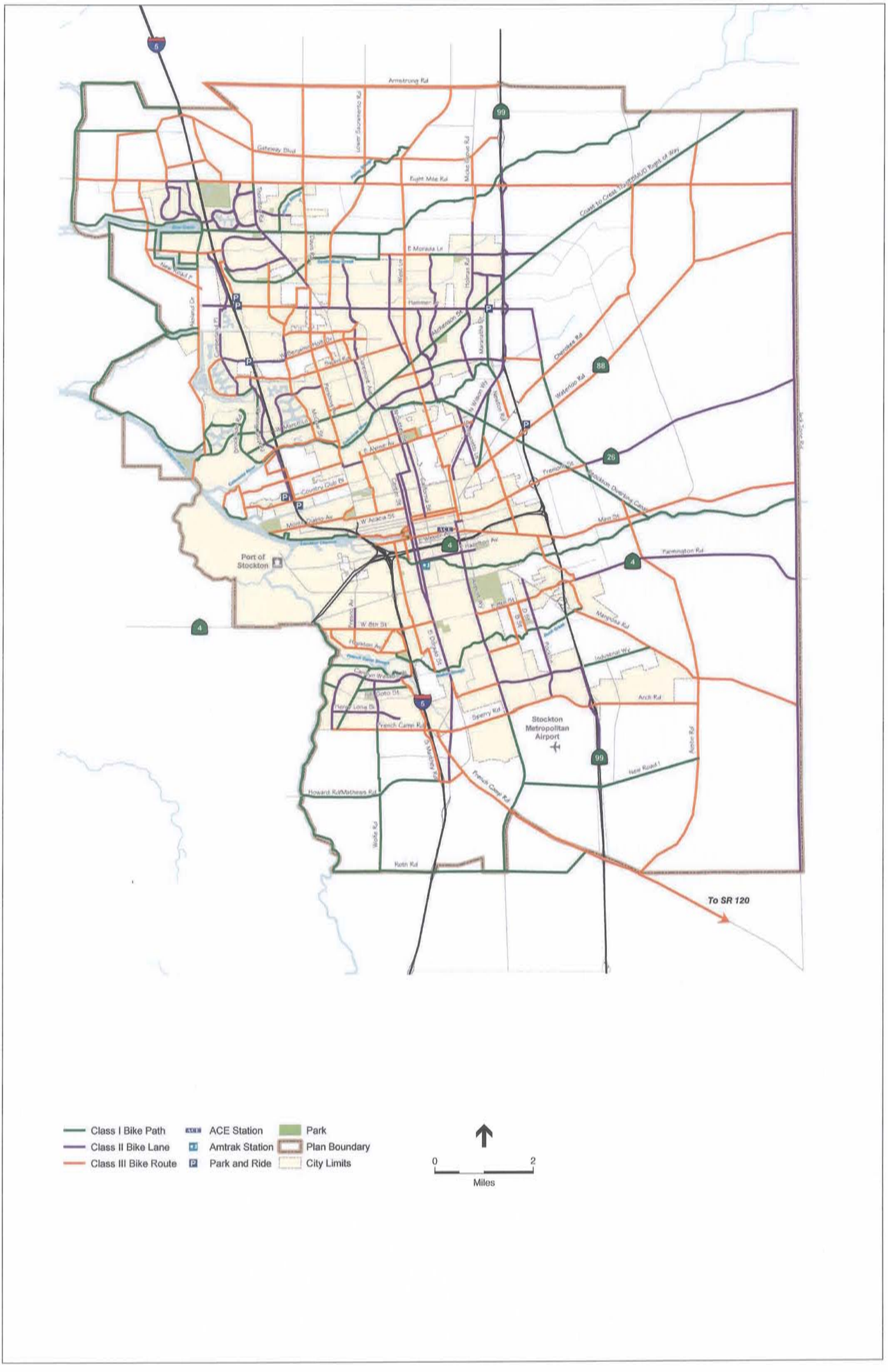
Beginning on page 8-28, Table 8-3 "Roadway Segment Level of Service Results" has been updated to reflect the proposed revisions identified on the updated Figure 8-1. The revised LOS results are shown in the following updated Table 8-3.




SOURCE: Fehr & Peers, 2007; and ESA, 2007



**Figure 8-1**
Revised Draft 2035 GP Roadway System




SOURCE: Fehr & Peers, 2007; and ESA, 2007



**Figure 8-3**
Revised 2035 Bicycle System

**Table 8-3**

**Roadway Segment Level of Service Results**

| Roadway | Between | | Existing (2003) | | | Future Facility Type | Proposed 2035 GP | | | Changes Proposed in 2035 GP [1] |
|---|---|---|---|---|---|---|---|---|---|---|
| | | | Lanes | ADT | LOS | | Lanes | ADT | LOS | |
| Airport Way | Roth Rd | French Camp Road | 2 | N/A | N/A | Arterial | 4 | 30,500 | C | +2 |
| Airport Way | French Camp Road | Sperry Rd | 4 | 12,602 | A | Arterial | 6 | 32,600 | C | +2 |
| Airport Way | Sperry Rd | Industrial Dr | 4 | 11,760 | A | Arterial | 6 | 29,500 | B | +2 |
| Airport Way | Industrial Dr | Eighth St | 4 | N/A | N/A | Arterial | 6 | 48,500 | D | +2 |
| Airport Way | Eighth St | Charter Way | 4 | 13,230 | A | Arterial | 8 | 58,100 | D | +4 |
| Airport Way | Charter Way | SR 4 | 4 | 13,079 | A | Arterial | 8 | 47,100 | C | +4 |
| Airport Way | SR 4 | Park St | 4 | 15,034 | A | Arterial | 8 | 58,100 | D | +4 |
| Airport Way | Park St | Harding Way | 4 | 16,792 | A | Arterial | 8 | 50,700 | C | +4 |
| Aksland Drive | Otto Drive | New Road F | N/A | N/A | N/A | Arterial | 4 | 12,500 | A | New |
| Aksland Drive | New Road F | Hammer Lane | N/A | N/A | N/A | Arterial | 4 | 29,600 | C | New |
| Aksland Drive | Hammer Lane | March Lane | N/A | N/A | N/A | Arterial | 2* | 5,100 | A | New |
| Alpine Ave | Pacific Ave | El Dorado St | 4 | 13,926 | A | Arterial | 4 | 28,200 | D | |
| Alpine Ave | El Dorado St | West Lane | 4 | 20,641 | C | Arterial | 4 | 32,400 | D | |
| Alpine Ave | West Lane | Wilson Way | 2 | 15,554 | E | Arterial | 4 | 26,500 | D | +2 |
| Alpine Rd | Eight Mile | Cherokee Rd | 2 | N/A | N/A | Arterial | 2 | 3,600 | A | |
| Alpine Rd | Cherokee Rd | Waterloo Rd | 2 | N/A | N/A | Arterial | 2 | 2,900 | A | |
| Alpine Rd | Waterloo Rd | Main St | 2 | N/A | N/A | Arterial | 2 | 3,300 | A | |
| Arch Rd | Austin Rd | Newcastle Road | 2 | 5,942 | A | Arterial | 4 | 20,600 | A | +2 |
| Arch Rd | Newcastle Road | SR 99 | 2 | 6,105 | A | Arterial | 6 | 45,600 | D | +4 |
| Arch-Airport Rd | SR 99 | Pock Lane | 3 | 11,598 | B | Arterial | 8 | 36,600 | A | +5 |
| Arch-Airport Rd | Pock Lane | B St | 4 | 10,688 | A | Arterial | 8 | 64,700 | D | +4 |
| Arch-Airport Rd | B St | Airport Way | 4 | 11,106 | A | Arterial | 8 | 53,300 | D | +4 |
| Armstrong Rd | Davis Rd | West Lane | 2 | N/A | N/A | Arterial | 4 | 17,300 | A | +2 |
| Armstrong Rd | West Lane | SR 99 | 2 | N/A | N/A | Arterial | 6 | 43,000 | C | +4 |
| Austin Rd | French Camp Road | New Road I | 2 | 1,642 | A | Arterial | 2* | 5,000 | A | |
| Austin Rd | New Road I | Arch Road | 2 | N/A | N/A | Expressway | 4* | 16,900 | A | +2 |
| Austin Rd | Arch Rd | Mariposa Rd | 2 | N/A | N/A | Expressway | 4* | 34,700 | D | +2 |
| B St | Arch Airport Rd | Industrial Dr | 2 | N/A | N/A | Collector | 4 | 22,200 | C | +2 |
| B St | Industrial Dr | Carpenter Rd | N/A | N/A | N/A | Collector | 4 | 11,200 | A | New |
| B St | Carpenter Rd | Ralph Ave | 2 | N/A | N/A | Collector | 4 | 11,200 | A | +2 |
| B St | Ralph Ave | Charter Way | 2 | N/A | N/A | Collector | 4 | 18,000 | B | +2 |
| Benjamin Holt Drive | Grigsby Pl | I-5 | 4 | 20,500 | B | Arterial | 4 | 22,300 | C | |
| Benjamin Holt Drive | I-5 | Plymouth Rd | 4 | N/A | N/A | Arterial | 4 | 19,500 | B | |
| Benjamin Holt Drive | Plymouth Rd | Gettysburg Pl | 2 | 16,268 | E | Arterial | 2 | 17,500 | F | |
| Benjamin Holt Drive | Gettysburg Pl | Pacific Ave | 4 | 16,478 | A | Arterial | 4 | 15,300 | A | |
| Benjamin Holt Drive | Pacific Ave | El Dorado St | 4 | 8,914 | A | Arterial | 4 | 7,600 | A | |
| Carolyn Weston Blvd | Woods Blvd | Manthey Rd | 4 | 16,712 | A | Arterial | 6 | 41,600 | D | +2 |
| Carolyn Weston Blvd | Manthey Rd | I-5 | 4 | N/A | N/A | Arterial | 6 | 48,400 | D | +2 |
| Center St | Harding Way | Fremont St | 3 | 18,096 | B | Arterial | 3 | 25,000 | D | |
| Center St | Fremont St | SR 4 | 4 | 22,440 | C | Arterial | 4 | 45,100 | F | |
| Center St | SR 4 | Charter Way | 3 | 13,456 | A | Arterial | 3 | 24,400 | D | |
| Charter Way | SR 4 W. Extension | Fresno Ave | 2 | 14,464 | D | Arterial | 2 | 7,500 | A | |
| Charter Way | Fresno Ave | I-5 | 2 | N/A | N/A | Arterial | 2 | 13,300 | D | |
| Charter Way | I-5 | El Dorado St | 4 | 26,654 | D | Arterial | 6 | 33,600 | C | +2 |

**Table 8-3**

**Roadway Segment Level of Service Results**

| Roadway | Between | | Existing (2003) | | | Future Facility Type | Proposed 2035 GP | | | Changes Proposed in 2035 GP [1] |
|---|---|---|---|---|---|---|---|---|---|---|
| | | | Lanes | ADT | LOS | | Lanes | ADT | LOS | |
| Charter Way | El Dorado St | Airport Way | 4 | 31,424 | D | Arterial | 4 | 23,800 | C | |
| Charter Way | Airport Way | Mariposa Rd | 4 | 19,326 | B | Arterial | 6 | 35,300 | C | +2 |
| Charter Way | Mariposa Rd | SR 99 | 2 | 7,140 | A | Arterial | 4 | 22,800 | C | +2 |
| Cherokee Rd | Harding Way | Newton Rd | 2 | 6,037 | A | Arterial | 2 | 10,000 | C | |
| Cherokee Rd | Newton Rd | SR 99 | 2 | N/A | N/A | Arterial | 4 | 19,300 | B | +2 |
| Cherokee Rd | SR 99 | March Lane Extension | 2 | N/A | N/A | Arterial | 2 | 8,800 | A | |
| Cherokee Rd | March Lane Extension | Alpine Rd | 2 | N/A | N/A | Arterial | 2 | 1,500 | A | |
| Davis Rd | Armstrong Road | Gateway Blvd | 2 | 4,558 | A | Arterial | 4 | 24,600 | B | +2 |
| Davis Rd | Gateway Blvd | Eight Mile Road | 2 | N/A | N/A | Arterial | 4 | 23,900 | B | +2 |
| Davis Rd | Eight Mile | Morada Ln | 2 | 4,284 | A | Arterial | 4 | 30,600 | D | +2 |
| Davis Rd | Morada Ln | Thornton Rd | 2 | 11,712 | C | Arterial | 4 | 29,100 | D | +2 |
| Downing | I-5 | El Dorado St | 2 | N/A | N/A | Collector | 4 | 14,700 | A | +2 |
| Eight Mile Rd | New Road D | New Road F | 2 | 2,100 | A | Arterial | 6 | 45,000 | C | +4 |
| Eight Mile Rd | New Road F | New Road E | 2 | 2,100 | A | Arterial | 6 | 51,900 | D | +4 |
| Eight Mile Rd | New Road E | Trinity Parkway | 2 | 6,600 | A | Arterial | 8 | 69,300 | D | +6 |
| Eight Mile Rd | Trinity Parkway | I-5 | 2 | N/A | N/A | Arterial | 8 | 77,400 | E | +6 |
| Eight Mile Rd | I-5 | Thornton Rd | 2 | 11,560 | C | Arterial | 8 | 59,700 | D | +6 |
| Eight Mile Rd | Thornton Rd | Lower Sacramento Rd | 2 | 11,373 | C | Arterial | 8 | 59,600 | D | +6 |
| Eight Mile Rd | Lower Sacramento Rd | West Lane | 2 | 13,546 | D | Arterial | 8 | 80,000 | E | +6 |
| Eight Mile Rd | West Lane | Holman Rd | 2 | 11,587 | C | Arterial | 8 | 55,200 | C | +6 |
| Eight Mile Rd | Holman Rd | SR 99 | 2 | N/A | N/A | Arterial | 8 | 44,500 | B | +6 |
| Eight Mile Rd | SR 99 | Alpine Rd | 2 | 5,000 | A | Arterial | 4 | 15,000 | A | +2 |
| Eighth St | I-5 | El Dorado St | 4 | 7,989 | A | Arterial | 6 | 53,500 | E | +2 |
| Eighth St | El Dorado St | Airport Way | 2 | N/A | N/A | Collector | 4 | 27,400 | D | +2 |
| Eighth St | Airport Way | Mariposa Rd | 2 | 8,002 | C | Collector | 2 | 12,300 | E | |
| El Dorado St | Matthews Road | French Camp Road | 4 | N/A | N/A | Arterial | 6 | 40,800 | D | +2 |
| El Dorado St | French Camp Road | Val Dervin | 4 | 6,359 | A | Arterial | 6 | 28,300 | A | +2 |
| El Dorado St | Val Dervin | McKinley Ave | 4 | 6,359 | A | Arterial | 6 | 40,600 | D | +2 |
| El Dorado St | McKinley Ave | Charter Way | 4 | 9,177 | A | Arterial | 6 | 42,800 | D | +2 |
| El Dorado St | Charter Way | SR 4 | 3 | 7,852 | A | Arterial | 3 | 23,600 | D | |
| El Dorado St | SR 4 | Market St | 4 | N/A | N/A | Arterial | 4 | 31,400 | D | |
| El Dorado St | Market St | Miner Ave | 4 | 19,953 | B | Arterial | 4 | 44,600 | F | |
| El Dorado St | Miner Ave | Fremont St | 4 | 21,940 | C | Arterial | 4 | 35,000 | E | |
| El Dorado St | Fremont St | Harding Way | 3 | 17,792 | C | Arterial | 3 | 24,500 | D | |
| El Dorado St | Harding Way | March Lane | 4 | 32,080 | D | Arterial | 4 | 29,100 | D | |
| El Dorado St | March Lane | Hammer Lane | 4 | 22,523 | C | Arterial | 4 | 26,000 | C | |
| Farmington Rd | Mariposa Rd | SR 99 | 2 | 9,365 | C | Arterial | 4 | 24,500 | C | +2 |
| Fremont St | I-5 | El Dorado | 2 | 8,923 | B | Arterial | 4 | 25,000 | C | +2 |
| Fremont St | El Dorado St | Wilson Way | 2 | 2,700 | A | Arterial | 2 | 6,400 | A | |
| Fremont St | Wilson Way | SR 99 | 4 | 14,761 | A | Arterial | 4 | 14,900 | A | |
| Fremont St | SR 99 | Oro Ave | 2 | N/A | N/A | Arterial | 6 | 39,500 | C | +4 |
| Fremont St | Oro Ave | Beyer Ln | 2 | 10,900 | C | Arterial | 4 | 26,400 | D | +2 |
| Fremont St | Beyer Ln | New Road G | 2 | N/A | N/A | Arterial | 4 | 19,600 | A | +2 |
| Fremont St | New Road G | Alpine Rd | 2 | 9,500 | C | Arterial | 4 | 18,500 | A | +2 |
| French Camp Rd | Wolfe Road | Manthey Rd | 2 | 4,295 | A | Arterial | 6 | 34,800 | C | +4 |
| French Camp Rd | Manthey Rd | I-5 | 4 | N/A | N/A | Arterial | 8 | 67,200 | E | +4 |

**Table 8-3**

**Roadway Segment Level of Service Results**

| Roadway | Between | | Existing (2003) | | | Future Facility Type | Proposed 2035 GP | | | Changes Proposed in 2035 GP [1] |
|---|---|---|---|---|---|---|---|---|---|---|
| | | | Lanes | ADT | LOS | | Lanes | ADT | LOS | |
| French Camp Rd | I-5 | Val Dervin | 4 | N/A | N/A | Arterial | 8 | 85,100 | F | +4 |
| French Camp Rd | Val Dervin | El Dorado St | 2 | N/A | N/A | Arterial | 8 | 27,900 | A | +6 |
| French Camp Rd | El Dorado St | Airport Way | 2 | N/A | N/A | Arterial | 8 | 55,800 | D | +6 |
| French Camp Rd | Airport Way | Roth Rd (future) | 2 | N/A | N/A | Arterial | 8 | 49,900 | C | +6 |
| French Camp Rd | Roth Rd (future) | SR 99 | 2 | N/A | N/A | Arterial | 6 | 38,700 | C | +4 |
| French Camp Rd | SR 99 | Austin Rd | 2 | N/A | N/A | Arterial | 4 | 24,100 | B | +2 |
| Gateway Blvd | I-5 | Thornton Rd | N/A | N/A | N/A | Arterial | 4* | 26,100 | B | New |
| Gateway Blvd | Thornton Rd | Davis Rd | N/A | N/A | N/A | Arterial | 4* | 18,300 | A | New |
| Gateway Blvd | Davis Rd | West Lane | N/A | N/A | N/A | Arterial | 4* | 17,400 | A | New |
| Gateway Blvd | West Lane | Holman Rd | N/A | N/A | N/A | Arterial | 4* | 22,700 | A | New |
| Gateway Blvd | Holman Rd | SR 99 | N/A | N/A | N/A | Arterial | 4* | 33,400 | D | New |
| Hammer Lane | Aksland Drive | Mariners Dr | N/A | N/A | N/A | Arterial | 6 | 48,200 | D | New |
| Hammer Lane | Mariners Dr | I-5 | 6 | 20,512 | A | Arterial | 8 | 53,100 | C | +2 |
| Hammer Lane | I-5 | Kelly Dr | 6 | 41,672 | D | Arterial | 6 | 51,200 | E | |
| Hammer Lane | Kelly Dr | Don Ave | 4 | 28,014 | D | Arterial | 6 | 45,400 | D | +2 |
| Hammer Lane | Don Ave | Pershing Ave | 4 | 30,250 | D | Arterial | 6 | 36,200 | C | +2 |
| Hammer Lane | Pershing Ave | El Dorado St | 4 | 20,038 | B | Arterial | 6 | 48,400 | D | +2 |
| Hammer Lane | El Dorado St | West Lane | 8 | 29,712 | A | Arterial | 8 | 53,400 | D | |
| Hammer Lane | West Lane | Holman Rd | 6 | 35,688 | C | Arterial | 8 | 67,400 | E | +2 |
| Hammer Lane | Holman Rd | SR 99 | 4 | 28,123 | D | Arterial | 8 | 58,600 | D | +4 ** |
| Hammer Lane | SR 99 | SR 99 Frontage Rd | 4 | N/A | N/A | Arterial | 4 | 28,400 | C | |
| Hammer Lane | SR 99 Frontage Rd | CCTRR | N/A | N/A | N/A | Arterial | 4 | 18,000 | A | New |
| Harding Way | Pershing Ave | Pacific Ave | 2 | 10,801 | C | Arterial | 2 | 11,600 | C | |
| Harding Way | Pacific Ave | El Dorado St | 4 | 23,031 | C | Arterial | 4 | 38,700 | F | |
| Harding Way | El Dorado St | West Lane | 4 | 20,683 | C | Arterial | 4 | 23,500 | C | |
| Harding Way | West Lane | Cherokee Rd | 4 | N/A | N/A | Arterial | 4 | 11,300 | A | |
| Holman Rd | March Lane | Hammer Lane | 6 | 6,130 | A | Arterial | 6 | 34,500 | C | |
| Holman Rd | Hammer Lane | Morada Lane | 6 | 8,586 | A | Arterial | 6 | 32,800 | C | |
| Holman Rd | Morada Lane | Gary Galli Drive | 6 | N/A | N/A | Arterial | 6 | 27,200 | A | |
| Holman Rd | Gary Galli Drive | Eight Mile Road | N/A | N/A | N/A | Arterial | 6 | 5,600 | A | New |
| I-5 | North of Gateway Blvd | | 6 | 56,000 | B | Freeway | 6 | 104,600 | D | |
| I-5 | Gateway Blvd | Eight Mile Road | 6 | 56,000 | B | Freeway | 8 | 117,200 | C | +2 |
| I-5 | Eight Mile Road | Proposed Otto Dr | 6 | 70,000 | C | Freeway | 10 | 142,100 | C | +4 |
| I-5 | Proposed Otto Dr | Hammer Lane | 6 | 70,000 | C | Freeway | 10 | 179,200 | D | +4 |
| I-5 | Hammer Lane | Benjamin Holt Drive | 6 | 90,146 | C | Freeway | 10 | 197,400 | E | +4 |
| I-5 | Benjamin Holt Drive | March Lane | 6 | 98,000 | D | Freeway | 10 | 220,300 | F | +4 |
| I-5 | March Lane | Alpine Ave | 6 | 105,000 | D | Freeway | 10 | 225,500 | F | +4 |
| I-5 | Alpine Ave | Country Club Boulevard | 6 | N/A | N/A | Freeway | 10 | 224,100 | F | +4 |
| I-5 | Country Club Boulevard | Monte Diablo Ave | 8 | 105,000 | B | Freeway | 10 | 258,800 | F | +2 |
| I-5 | Monte Diablo Ave | Fremont St | 8 | 111,000 | C | Freeway | 10 | 239,200 | F | +2 |
| I-5 | Fremont St | SR 4 | 8 | 113,000 | C | Freeway | 10 | 276,500 | F | +2 |
| I-5 | SR 4 | Charter Way | 8 | 105,000 | C | Freeway | 10 | 247,200 | F | +2 |
| I-5 | Charter Way | Eighth St | 6 | 100,000 | D | Freeway | 10 | 227,300 | F | +4 |
| I-5 | Eighth St | Downing Ave | 6 | 91,000 | C | Freeway | 10 | 226,400 | F | +4 |
| I-5 | Downing Ave | French Camp Road | 6 | 84,000 | C | Freeway | 10 | 200,900 | E | +4 |
| I-5 | French Camp Road | Matthews Road | 6 | 70,000 | C | Freeway | 10 | 175,800 | D | +4 |

**Table 8-3**

**Roadway Segment Level of Service Results**

| Roadway | Between | | Existing (2003) | | | Future Facility Type | Proposed 2035 GP | | | Changes Proposed in 2035 GP [1] |
|---|---|---|---|---|---|---|---|---|---|---|
| | | | Lanes | ADT | LOS | | Lanes | ADT | LOS | |
| I-5 | Matthews Road | El Dorado St | 6 | N/A | N/A | Freeway | 10 | 156,800 | C | +4 |
| I-5 | El Dorado St | Roth Rd | 6 | 73,000 | C | Freeway | 10 | 165,100 | D | +4 |
| I-5 | South of Roth Rd | | 6 | 71,000 | C | Freeway | 8 | 142,700 | D | +2 |
| Industrial Drive | McKinley Ave | B Street | 4 | 5,136 | A | Arterial | 4 | 27,100 | D | |
| Industrial Drive | B Street | Pock Lane | N/A | N/A | N/A | Arterial | 4 | 17,900 | A | New |
| Industrial Drive | Pock Lane | Frontage Road | 4 | N/A | N/A | Arterial | 4 | 18,800 | B | |
| Industrial Drive Extension | SR 99 Frontage Rd | Mariposa Rd | N/A | N/A | N/A | Arterial | 4 | 10,600 | A | New |
| Lower Sacramento Rd | Armstrong Road | Gateway Blvd | 2 | N/A | N/A | Arterial | 4 | 23,400 | B | +2 |
| Lower Sacramento Rd | Gateway Blvd | Eight Mile Road | 2 | 12,508 | D | Arterial | 4 | 30,200 | C | +2 |
| Lower Sacramento Rd | Eight Mile Road | Morada Lane | 2 | 14,700 | D | Arterial | 6 | 41,300 | D | +4 |
| Lower Sacramento Rd | Morada Lane | Hammer Lane | 4 | 15,260 | A | Arterial | 6 | 39,700 | C | +2 |
| Main St | SR 4 | SR 99 | 4 | 6,784 | A | Arterial | 4 | 14,300 | A | |
| Main St | SR 99 | New Road G | 2 | 12,790 | D | Arterial | 2 | 8,700 | B | |
| Manthey Rd | Carolyn Weston | William Moss | 4 | N/A | N/A | Arterial | 4 | 17,500 | A | |
| Manthey Rd | William Moss | French Camp Rd | 2 | 5,969 | A | Arterial | 4 | 20,000 | B | +2 |
| Maranatha Dr | Wilson Way | March Ln | N/A | N/A | N/A | Arterial | 4 | 19,400 | B | New |
| Maranatha Dr | March Ln | Hammer Ln | N/A | N/A | N/A | Arterial | 4 | 17,600 | A | New |
| March Lane | Aksland Dr | Brookside Rd | 6 | 8,600 | A | Arterial | 6 | 10,300 | A | |
| March Lane | Brookside Rd | Feather River Dr | 6 | 17,951 | A | Arterial | 6 | 24,700 | A | |
| March Lane | Feather River Dr | I-5 | 6 | 30,614 | B | Arterial | 6 | 39,200 | C | |
| March Lane | I-5 | Quail Lakes Dr | 6 | 43,846 | D | Arterial | 6 | 41,700 | D | |
| March Lane | Quail Lakes Dr | Pershing Ave | 6 | 33,834 | C | Arterial | 6 | 33,200 | C | |
| March Lane | Pershing Ave | El Dorado St | 6 | 32,216 | C | Arterial | 6 | 39,400 | C | |
| March Lane | El Dorado St | Holiday Dr | 6 | 36,052 | C | Arterial | 8 | 56,700 | D | +2 |
| March Lane | Holiday Dr | Holman Rd | 8 | 17,151 | A | Arterial | 8 | 55,200 | D | |
| March Lane | Holman Rd | SR 99 | N/A | N/A | N/A | Arterial | 8 | 49,900 | C | New |
| March Lane | SR 99 | Cherokee Rd | N/A | N/A | N/A | Expressway | 4* | 21,300 | A | New |
| Mariners Dr | Otto Drive | Hammer Lane | 2 | 3,325 | A | Collector | 2 | 5,100 | A | |
| Mariposa Rd | Charter Way | Eighth St | 2 | 14,052 | D | Arterial | 6 | 30,500 | B | +4 |
| Mariposa Rd | Eighth St | SR 99 | 2 | 8,880 | B | Arterial | 6 | 26,300 | A | +4 |
| Mariposa Rd | SR 99 | Stagecoach Rd | 2 | 9,386 | C | Arterial | 6 | 36,200 | C | +4 |
| Mariposa Rd | Stagecoach Rd | Austin Rd | 2 | 10,459 | C | Arterial | 6 | 43,300 | C | +4 |
| Mariposa Rd | Austin Rd | Jack Tone Rd | 2 | N/A | N/A | Arterial | 4 | 21,400 | A | +2 |
| Mathews Rd | Wolfe Road | I-5 | 2 | N/A | N/A | Arterial | 8 | 69,700 | D | +6 |
| McKinley Ave | El Dorado | French Camp Rd | 2 | 4,896 | A | Arterial | 2 | 12,800 | D | |
| Micke Grove Rd (Holman Rd extension) | Eight Mile Rd | Armstrong Rd | 2 | N/A | N/A | Arterial | 4* | 5,600 | A | +2 |
| Monte Diablo Avenue | I-5 | Pershing Ave | 2 | 4,544 | A | Arterial | 2 | 12,500 | D | |
| Morada Lane | Lower Sacramento Rd | West Lane | N/A | N/A | N/A | Arterial | 4 | 20,700 | A | New |
| Morada Lane | West Lane | Holman Rd | 2 | 8,734 | B | Arterial | 6 | 30,600 | B | +4 |
| Morada Lane | Holman Rd | SR 99 | 6 | 8,390 | A | Arterial | 6 | 34,800 | C | |
| Morada Lane | SR 99 | Hildreth Ln | 2 | N/A | N/A | Collector | 2 | 3,700 | A | |
| Navy Dr | BNSF RR | Fresno Ave | 2 | 4,250 | A | Arterial | 4 | 17,700 | A | +2 |
| Navy Dr | Fresno Ave | SR4 | 2 | 2,966 | A | Arterial | 4 | 15,500 | A | +2 |
| New Road B | Gateway Blvd | Eight Mile Road | N/A | N/A | N/A | Arterial | 2* | 3,100 | A | New |
| New Road C | New Road E | I-5 | N/A | N/A | N/A | Arterial | 4 | 18,700 | A | New |
| New Road D | New Road F | Eight Mile Road | N/A | N/A | N/A | Collector | 2 | 9,400 | D | New |

**Table 8-3**

**Roadway Segment Level of Service Results**

| Roadway | Between | | Existing (2003) | | | Future Facility Type | Proposed 2035 GP | | | Changes Proposed in 2035 GP [1] |
|---|---|---|---|---|---|---|---|---|---|---|
| | | | Lanes | ADT | LOS | | Lanes | ADT | LOS | |
| New Road D | Eight Mile Road | New Road C | N/A | N/A | N/A | Collector | 2 | 6,400 | A | New |
| New Road E | Eight Mile Road | Overcrossing | N/A | N/A | N/A | Arterial | 4 | 21,200 | A | New |
| New Road E | Overcrossing | New Road C | N/A | N/A | N/A | Arterial | 2* | 4,500 | A | New |
| New Road F | Eight Mile Road | New Road D | N/A | N/A | N/A | Arterial | 4* | 13,200 | A | New |
| New Road F | New Road D | Otto Drive | N/A | N/A | N/A | Arterial | 4* | 28,700 | C | New |
| New Road F | Otto Drive | Aksland | N/A | N/A | N/A | Arterial | 4* | 36,700 | D | New |
| New Road G | Cherokee Rd | Waterloo Rd | N/A | N/A | N/A | Expressway | 4* | 18,600 | A | New |
| New Road G | Waterloo Rd | Fremont St | N/A | N/A | N/A | Expressway | 4* | 13,200 | A | New |
| New Road G | Fremont St | Main St | N/A | N/A | N/A | Expressway | 4* | 12,800 | A | New |
| New Road G | Main St | SR 4 | N/A | N/A | N/A | Expressway | 4* | 17,400 | A | New |
| New Road G | SR 4 | Mariposa Rd | N/A | N/A | N/A | Expressway | 4* | 15,300 | A | New |
| New Road H | Wolfe Road | El Dorado Rd | N/A | N/A | N/A | Arterial | 4 | 21,000 | C | New |
| New Road I (C.E.Dixon) | Airport Way | SR 99 | N/A | N/A | N/A | Arterial | 4 | 18,000 | A | New |
| New Road I (C.E.Dixon) | SR 99 | Austin Rd | N/A | N/A | N/A | Expressway | 4* | 15,000 | A | New |
| New Road J | CCTRR | March Lane Extension | N/A | N/A | N/A | Arterial | 4* | 12,000 | A | New |
| Newton Rd | Cherokee Rd | Wilson Way | 2 | N/A | N/A | Collector | 4 | 24,200 | C | +2 |
| Oak St | El Dorado | Airport Way | 2 | 4,190 | A | Arterial | 2 | 10,500 | C | |
| Otto Dr | New Road F | Trinity Parkway | N/A | N/A | N/A | Arterial | 4 | 16,200 | A | New |
| Otto Dr | Trinity Parkway | I-5 | 6 | N/A | N/A | Arterial | 6 | 45,400 | C | |
| Otto Dr | I-5 | Thornton Rd | 2 | 2,874 | A | Collector | 2 | 21,100 | F | |
| Pacific Ave | Harding Way | Castle Dr | 2 | 21,622 | F | Arterial | 2 | 28,000 | F | |
| Pacific Ave | Castle Dr | Alpine Ave | 4 | N/A | N/A | Arterial | 4 | 30,200 | D | |
| Pacific Ave | Alpine Ave | Calaveras River | 4 | N/A | N/A | Arterial | 4 | 40,000 | F | |
| Pacific Ave | Calaveras River | March Lane | 6 | 43,104 | D | Arterial | 6 | 48,200 | D | |
| Pacific Ave | March Lane | Swain Rd | 6 | 23,428 | A | Arterial | 6 | 45,800 | D | |
| Pacific Ave | Swain Rd | Benjamin Holt Drive | 6 | 39,544 | C | Arterial | 6 | 48,300 | D | |
| Pacific Ave | Benjamin Holt Drive | Hammer Ln | 6 | 35,651 | C | Arterial | 6 | 49,800 | D | |
| Park St | El Dorado | Airport Way | 2 | N/A | N/A | Arterial | 2 | 9,800 | B | |
| Pershing Ave | I-5 | Harding Way | 4 | 25,436 | C | Arterial | 4 | 44,800 | F | |
| Pershing Ave | Harding Way | Alpine Ave | 4 | 28,245 | D | Arterial | 4 | 44,400 | F | |
| Pershing Ave | Alpine Ave | Brookside Rd | 4 | 28,736 | D | Arterial | 4 | 41,200 | F | |
| Pershing Ave | Brookside Rd | Swain Rd | 4 | 27,521 | D | Arterial | 4 | 30,800 | D | |
| Pershing Ave | Swain Rd | Thornton Rd | 2 | 20,130 | F | Arterial | 4 | 31,500 | D | +2 |
| Pock Lane | Arch Airport Rd | Industrial Dr | 2 | N/A | N/A | Collector | 4 | 21,600 | C | +2 |
| Pock Lane | Industrial Dr | Mariposa Rd | 2 | 2,397 | A | Collector | 2 | 8,700 | C | |
| Ralph Ave | B St | Airport Way | 2 | N/A | N/A | Collector | 4 | 14,200 | A | +2 |
| Roth Rd | Wolfe Road | I-5 | N/A | N/A | N/A | Arterial | 4 | 28,100 | C | New |
| Roth Rd | I-5 | Airport Way | 2 | N/A | N/A | Arterial | 4 | 30,100 | D | +2 |
| Roth Rd | Airport Way | French Camp Road | N/A | N/A | N/A | Arterial | 2 | 4,400 | A | New |
| Sperry Rd | French Camp Road | McKinley Ave | N/A | N/A | N/A | Arterial | 8 | 47,000 | C | New |
| Sperry Rd | McKinley Ave | Performance Ave | 2 | 3,788 | A | Arterial | 8 | 54,400 | D | +6 |
| Sperry Rd | Performance Ave | Airport Way | 4 | N/A | N/A | Arterial | 8 | 53,700 | D | +4 |
| SR 4 | Dagget Road | Charter Way | 2 | N/A | N/A | Arterial | 4 | 29,700 | C | +2 |
| SR 4 | Charter Way | I-5 | N/A | N/A | N/A | Freeway | 4 | 32,300 | B | New |
| SR 4 | Center St | Stanislaus St | 6 | 82,000 | C | Freeway | 8 | 161,200 | E | +2 |
| SR 4 | Stanislaus St | Wilson Way | 6 | 93,000 | C | Freeway | 8 | 176,400 | F | +2 |

**Table 8-3**

**Roadway Segment Level of Service Results**

| Roadway | Between | | Existing (2003) | | | Future Facility Type | Proposed 2035 GP | | | Changes Proposed in 2035 GP [1] |
|---|---|---|---|---|---|---|---|---|---|---|
| | | | Lanes | ADT | LOS | | Lanes | ADT | LOS | |
| SR 4 | Wilson Way | Filbert St | 6 | 97,223 | D | Freeway | 8 | 161,700 | E | +2 |
| SR 4 | Filbert St | SR 99 | 6 | 85,000 | C | Freeway | 8 | 148,600 | D | +2 |
| SR 4 | SR 99 | New Road G | 2 | N/A | N/A | Arterial | 8 | 51,400 | C | +6 |
| SR 4 | New Road G | New Road I | 2 | 5,400 | A | Arterial | 4 | 30,800 | C | +2 |
| SR 4 | New Road I | Jack Tone Rd | 2 | 4,300 | A | Arterial | 4 | 19,600 | A | +2 |
| SR 99 | North of Armstrong Rd | | 6 | 76,000 | C | Freeway | 8 | 145,900 | D | +2 |
| SR 99 | Armstrong Rd | Gateway Blvd | 6 | 72,000 | C | Freeway | 8 | 142,900 | D | +2 |
| SR 99 | Gateway Blvd | Eight Mile Rd | 6 | 72,000 | C | Freeway | 10 | 160,400 | D | +4 |
| SR 99 | Eight Mile Road | Morada Lane | 6 | 71,000 | C | Freeway | 10 | 192,100 | D | +4 |
| SR 99 | Morada Lane | Hammer Lane | 6 | 76,000 | C | Freeway | 10 | 204,200 | E | +4 |
| SR 99 | Hammer Lane | March Lane | 6 | 90,472 | C | Freeway | 10 | 216,400 | F | +4 |
| SR 99 | March Lane | Cherokee Rd | 4 | 76,000 | D | Freeway | 10 | 208,300 | E | +6 |
| SR 99 | Cherokee Rd | Waterloo | 4 | 88,000 | F | Freeway | 10 | 214,700 | E | +6 |
| SR 99 | Waterloo Rd | Fremont St | 4 | 93,000 | F | Freeway | 10 | 225,000 | F | +6 |
| SR 99 | Fremont St | SR 4 Ramp | 4 | 99,984 | F | Freeway | 10 | 225,100 | F | +6 |
| SR 99 | SR 4 | Charter Way | 4 | 104,000 | F | Freeway | 10 | 167,600 | D | +6 |
| SR 99 | Charter Way | Farmington Rd | 4 | 91,000 | F | Freeway | 10 | 193,200 | D | +6 |
| SR 99 | Farmington Rd | Mariposa Rd | 4 | 85,000 | E | Freeway | 10 | 163,900 | D | +6 |
| SR 99 | Mariposa Rd | Arch Road | 4 | 85,000 | E | Freeway | 8 | 144,800 | D | +4 |
| SR 99 | Arch Road | French Camp Road | 4 | 76,000 | D | Freeway | 8 | 122,900 | C | +4 |
| SR 99 | South of French Camp Rd | | 4 | 69,000 | D | Freeway | 8 | 122,200 | C | +4 |
| Swain Rd | I-5 | Pacific Ave | 2 | 9,664 | D | Collector | 2 | 14,400 | F | |
| Swain Rd | Pacific Ave | El Dorado St | 4 | 7,158 | A | Collector | 4 | 15,100 | A | |
| Swain Rd | El Dorado St | West Lane | 4 | 22,743 | C | Collector | 4 | 27,600 | D | |
| Thornton Rd | Gateway Blvd | Eight Mile Rd | 2 | 4,982 | A | Arterial | 4 | 30,500 | C | +2 |
| Thornton Rd | Eight Mile Rd | Otto Drive | 4 | 10,960 | A | Arterial | 6 | 30,600 | B | +2 |
| Thornton Rd | Otto Drive | Davis Rd | 2 | 12,208 | D | Arterial | 6 | 40,700 | D | +4 |
| Thornton Rd | Davis Rd | Pershing Ave | 4 | 20,031 | B | Arterial | 6 | 53,900 | E | +2 |
| Thornton Rd | Pershing Ave | Hammer Lane | 4 | 18,084 | A | Arterial | 6 | 33,800 | C | +2 |
| Trinity Parkway | Eight Mile Rd | Scott Creek Drive | 6 | N/A | N/A | Arterial | 6 | 26,000 | A | |
| Trinity Parkway | Scott Creek Drive | McAuliffe | 6 | N/A | N/A | Arterial | 6 | 33,200 | C | |
| Trinity Parkway | McAuliffe | Otto Drive | N/A | N/A | N/A | Arterial | 4 | 37,100 | D | New |
| Val Dervin Parkway | French Camp Rd | El Dorado St | 2 | N/A | N/A | Arterial | 4 | 15,100 | A | +2 |
| Washington St | Ventura Street | I-5 | 2 | 4,476 | A | Arterial | 4 | 20,300 | B | +2 |
| Waterloo Rd | Wilson Way | Harding Way | 4 | 10,376 | A | Arterial | 4 | 12,800 | A | |
| Waterloo Rd | Cherokee Rd | SR 99 | 4 | 11,944 | A | Arterial | 4 | 18,800 | B | |
| Waterloo Rd | SR 99 | Wilcox Rd | 4 | 17,000 | A | Arterial | 4 | 38,800 | F | |
| Waterloo Rd | Wilcox Rd | Cherryland Ave | 3 | N/A | N/A | Arterial | 4 | 38,800 | F | +1 |
| Waterloo Rd | Cherryland Ave | Beyer Ln | 2 | N/A | N/A | Arterial | 4 | 21,000 | C | +2 |
| Waterloo Rd | Beyer Ln | New Road G | 2 | 14,100 | D | Arterial | 4 | 21,600 | A | +2 |
| Waterloo Rd | New Road G | Alpine Rd | 2 | 13,200 | D | Arterial | 4 | 21,600 | A | +2 |
| West Lane | Harding Way | Alpine Ave | 4 | 23,208 | C | Arterial | 8 | 51,800 | C | +4 |
| West Lane | Alpine Ave | March Lane | 4 | 31,574 | D | Arterial | 8 | 59,600 | D | +4 |
| West Lane | March Lane | Hammer Lane | 4 | 28,284 | D | Arterial | 8 | 65,900 | D | +4 |
| West Lane | Hammer Lane | Morada Lane | 4 | 20,744 | C | Arterial | 8 | 67,700 | E | +4 |
| West Lane | Morada Lane | Eight Mile Road | 4 | 11,596 | A | Arterial | 8 | 52,600 | C | +4 |

**Table 8-3**

**Roadway Segment Level of Service Results**

| Roadway | Between | | Existing (2003) | | | Future Facility Type | Proposed 2035 GP | | | Changes Proposed in 2035 GP [1] |
|---|---|---|---|---|---|---|---|---|---|---|
| | | | Lanes | ADT | LOS | | Lanes | ADT | LOS | |
| West Lane | Eight Mile Road | Gateway Blvd | 4 | 15,900 | A | Arterial | 4 | 35,000 | D | |
| West Lane | Gateway Blvd | Armstrong Rd | 4 | 1,900 | A | Arterial | 4 | 29,300 | C | |
| Wilson Way | Charter Way | SR 4 | 4 | 25,792 | C | Arterial | 6 | 34,400 | C | +2 |
| Wilson Way | SR 4 | Fremont | 4 | 5,579 | A | Arterial | 6 | 44,000 | D | +2 |
| Wilson Way | Fremont | Harding Way | 4 | 19,733 | B | Arterial | 6 | 39,900 | C | +2 |
| Wilson Way | Harding Way | Alpine Ave | 4 | 12,935 | A | Arterial | 6 | 31,100 | B | +2 |
| Wilson Way | Alpine Ave | Holman Rd | 4 | 13,774 | A | Arterial | 6 | 45,600 | D | +2 |
| Wilson Way | Holman Rd | SR 99 | 4 | 15,407 | A | Arterial | 6 | 40,700 | D | +2 |
| Wolfe Road | Roth Rd | Mathews Rd | 2 | N/A | N/A | Arterial | 2 | 12,500 | C | |
| Wolfe Road | Mathews Rd | French Camp Road | 2 | N/A | N/A | Arterial | 4 | 24,500 | B | +2 |
| Woods Blvd. | French Camp Road | Carolyn Weston Blvd | 2 | N/A | N/A | Arterial | 2 | 17,000 | E | |

Note:

[1] Proposed General Plan changes presented in terms of number of lanes to be added to existing road, or "New" designation for construction of new road.

* Reserve additional right-of-way for one lane in each direction.

** Roadway segment is already under construction

N/A = Not Applicable

**Source: Fehr & Peers, 2006.**

On page 8-44, fourth paragraph from the top of the page, make the following revisions:

Key new bicycle facilities proposed include:

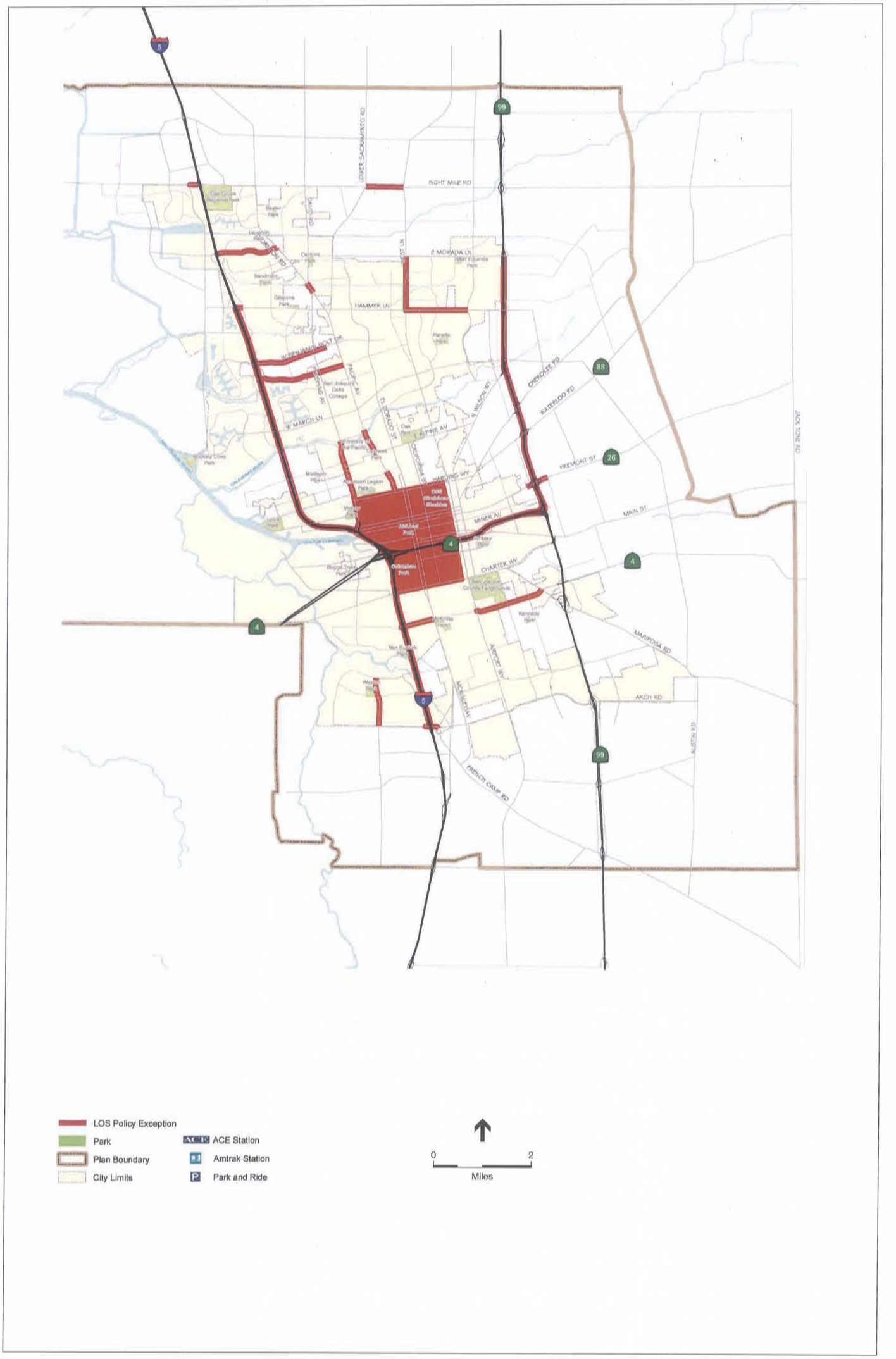
- Class I bike paths along waterways such as ~~the~~ Mormon Slough, Duck Creek, the Stockton Channel, Bear Creek, and the Calaveras River (extension of an existing facility).
- Class I bike paths along existing and planned new ~~arterial~~ roadways such as Airport Way, Wolfe Road, the planned east-side expressway, and ~~Eight Mile Road,~~ Trinity Parkway~~, French Camp Road, Arch-Airport Road, and Mariposa Road~~.
- ~~Class I bike paths along planned new roadways including those in the southwest area (e.g., Wolfe Road and Mathews Road), southeast area (e.g., Airport Way, Austin Road, and the planned expressway), and the northwest area (e.g., roads north and south of Eight Mile Road).~~
- Class II bike lanes along existing and planned arterial roads such as Hammer Lane, Wilson Way, Center/El Dorado Streets, and Industrial Drive~~, and Morada Lane~~.
- Class III bike routes along existing and planned new roadways such as ~~Benjamin Holt Drive, Fremont Street,~~ Eight Mile Road, Swain Lane, Mariposa Road, French Camp Road, and Alpine Avenue.

On page 8-50, first paragraph, insert text as shown and divide existing paragraph as indicated below:

The Proposed Project (including the Preferred Land Use Alternative) as proposed includes substantial amounts of new development in the City. It should be noted that the traffic analysis results presented in this DEIR are conservative, particularly as it relates to the downtown area. The intensity of commercial and office development in the downtown was analyzed at its maximum allowable level: a Floor Area Ratio (FAR) of 5.0. A check of recent commercial and office building projects in and around the downtown area indicates FARs in the range of 0.4 to 1.0. While it is reasonable to assume that land use intensity will gradually increase over time as demand grows and land prices increase, it is likely that most buildings in the downtown area will not achieve an FAR of 5.0. Therefore, the overall amount of commercial and office space built in the downtown area over the life of this General Plan will likely be substantially less than assumed in this analysis, and as a result, the amount of traffic generated in the downtown will be less than is reflected here.

The analysis presented above discusses in detail the traffic implications of the Proposed Project. As shown in Table 8-2, implementation of the Proposed Project would more than double the total number of vehicle trips and miles of vehicular travel in the Study Area as compared to existing conditions. In order to achieve the City's desired level of service, improvements would be required to a number of existing roadway facilities and several new facilities would need to be constructed, as detailed in Table 8-3. As shown in Table 8-2, supporting the level of development envisioned as part of the Proposed Project would require 2,157 lane-miles of roadway throughout the Study Area, a 65% increase over existing conditions.

On page 8-54, Figure 8-9 "LOS Policy Exception Areas – 2035 Preferred Alternative" has been updated to reflect the City's new LOS policy exception areas as indicated in Policy TC-2.1 "Level-of-Service Standards":




SOURCE: Fehr & Peers, 2007; and ESA, 2007

City of Stockton General Plan Update Final EIR . 202593

**Figure 8-9**

Revised LOS Policy Exception Areas, 2035 Preferred Alternative

On page 8-71, third row of impact policy table, make the following change:

| Transportation and Circulation Elements | |
|---|---|
| Policies designed to minimize transportation impacts through the establishment of design and LOS standards for a variety of circulation, traffic, transit, and non-motorized transportation modes, include the following: | |
| TC-1.1 Circulation Diagram<br>TC-1.2 Integrated Transportation System<br>TC-1.3 Multi-Modal Network<br>TC-2.5 Multiple Transportation Modes<br>TC-2.7 Efficient Traffic Flow | TC-2.19 Truck Routes<br>TC-7.1 Aviation Services<br>~~TC-7.6 Consistency with Airport Land Use Commission Policies~~ |

# Chapter 9.0 Public Facilities and Services

On page 9-35, Policy PFS-4.3 has been corrected as follows:

**PFS-4.3 Best Management Practices.** The City shall require, as part of watershed drainage plans, Best Management Practices (BMPs), to reduce pollutants to the maximum extent practicable.

- As of November 25, 2003, the City shall require that all new development and redevelopment projects to comply with the post-construction Best Management Practices (BMPs) called for in the Stormwater Quality Control Criteria Plan (SWQCCP), as outlined in the City's Phase 1 Stormwater NPDES permit issued by the California Water Quality Control Board, Central Valley Region (Order No. R5-20020-0181). Also the owners, developers, and/or successors-in-interest ~~mush~~ must establish a maintenance entity acceptable to the City to provide funding for the operation, maintenance, and replacement costs of all post-construction BMPs.

- The City shall require, as part of its Storm Water NPDES Permit and ordinances, to implement the Grading Plan, Erosion Control Plan, and Pollution Prevention Plan (SWPPP) during construction activities of any improvement plans, new development and redevelopment projects for reducing pollutants to the maximum extent practicable. *[Source: Section 4, Water Facilities; Goal 1, Policy 4].*

On page 9-59, Policy NCR-8.1 "Energy Conservation for New Development", make the following revision:

- **NCR-8.1 Energy Conservation for New Development.** All new development, including rehabilitation, renovation, and redevelopment, shall incorporate energy conservation and green building practices to the maximum extent feasible. Such practices include, but are not limited to: building orientation and shading, landscaping, and the use of active and passive solar heating and water systems. The City may implement this policy by adopting and enforcing a green Building Ordinance. [*Public Comment]*

On page 9-60, Policy HS-4.5 "City Review of Development Proposals", make the following revisions:

- **HS-4.5 City Review of Development Proposals.** The City shall use the SJVAPCD Guide~~lines~~ for Assessing and Mitigating Air Quality Impacts (GA~~A~~MAQI) for determining and mitigating project air quality impacts and related thresholds of significance for use in environmental documents. The City shall continue to cooperate with the SJVAPCD in the review of development proposals. *[New Policy].*

# Chapter 11.0 Health & Safety

On page 11-7, Policy TC-7.6 has been deleted as follows:

~~**TC-7.6 Consistency with Airport Land Use Commission Policies.** The City shall ensure that all development within two miles of the Airport be consistent with the policies adopted by the San Joaquin County Airport Land Use Commission (except where, pursuant to Public Utilities Code Sections 21676 and 21676.5, the City Council, pursuant to a two-thirds vote, exercises its option to conclude that, notwithstanding a negative recommendation from the ALUC, the Council's proposed action is consistent with the purposes of providing for the orderly development of the Airport and the areas surrounding the airport while protecting the public health, safety, and welfare by minimizing the public's exposure to excessive~~

On page 11-17, summary table for Impact HS-3, make the following revisions:

**Impact Summary**

| |
|---|
| Level of Significance Before Mitigation: *Potentially Significant* |
| Required Mitigation Measures: N*ew policies LU-6.1 "Airport Influence Area", LU-6.2 "Consistency with Airport Land Use Commission Policies, LU-6.3 "~~Interim Land Use Compatibility~~ Obstructions", LU-6.4 "Infill within Adopted AIA", LU-6.5 "Avigation Easements within AIA", LU-6.6 "Adjacent Major Transit Uses", LU-6.7 "~~Noise Analysis~~ Interior Noise Within Adopted AIA", and Land Use Implementation Measures ~~#12~~ 5. ~~and HS-2.20 "Conformity with Current AELUP"~~* |
| Level of Significance After Mitigation: *Significant and Unavoidable* |

First paragraph on page 11-19, 2nd and 3rd sentences, make the following revisions:

The Land Use and Transportation & Circulation Elements provide a number of these policies that have been developed to address land use compatibility and safety issues (i.e., TC-7.4) associated with the Airport. ~~For example, policies have been developed to ensure that all future development within two miles of the Airport be consistent with the policies adopted by the San Joaquin County Airport Land Use Commission (see policies TC-7.4 and TC-7.6).~~

On page11-19, third row of impact policy table, make the following change:

| Land Use and Health & Safety Elements | Transportation & Circulation Element |
|---|---|
| Policies designed to minimize the risk to City residents or local workers of exposure to excessive airport related noise levels include the following: | |
| LU-1.7 Land Use Conflicts<br>LU-3.7 Incompatible Uses<br>LU-5.7 Adjacent Major Transit Uses<br>HS-2.8 Development Surrounding Airport<br>HS-2.9 Update Airport Master Plan | TC-7.4 Airport Related Land Uses<br>~~TC-7.6 Consistency with Airport Land Use Commission Policies~~ |

On page 11-19, second paragraph, make the following revisions:

In addition to the above mentioned policies and implementation measures, the following new policies LU-6.1 "Airport Influence Area", LU-6.2 "Consistency with Airport Land Use Commission Policies", LU-6.3 "~~Interim Land Use Compatibility~~ Obstructions", LU-6.4 "Infill within Adopted AIA", LU-6.5 "Avigation Easements within AIA, LU-6.6 "Adjacent Major Transportation Hubs", LU-6.7 "~~Noise Analysis~~ Interior Noise Within Adopted AIA", Land Use Implementation Measures ~~#12~~ 5~~, and HS-2.20 "Conformity with Current AELUP"~~ are required to address this impact:

On pages 11-19 through 11-21, replace or revise the following policies and implementation measure as shown below:

- **LU-6.1 Airport Influence Area.** The City of Stockton will utilize the AIA adopted by the County ~~Stockton Metropolitan Airport's~~ Airport Land Use Commission for Stockton Metropolitan Airport ~~as part of an update performed after 20076~~. In general, the AIA should be defined to encompass:

  All lands that, due to their proximity to the airport, are subject to a materially greater level of safety risk and/or adverse environmental effect (e.g. noise) from present or foreseeable future airport operations than lands more distant from the airport, and all lands in the vicinity of the airport on which certain land uses (e.g., residential or educational) could inhibit present or foreseeable airport operations due to the increased safety risks or adverse environmental effects (e.g., noise) on sensitive receptors that could result from such land uses.

  ~~Prior to the adoption of a new AIA, the AIA will be defined as all properties within two miles of the airport boundary, as illustrated on Figure 3-2.~~ *[New Policy, City/Consultants]*

- **LU-6.2 Consistency with Airport Land Use Commission Policies.** The City will protect the Airport and related aviation facilities from encroachment by potentially incompatible land uses. The City shall ensure that the General Plan and all future development within the AIA will be consistent with the policies adopted by the San Joaquin County Airport Land Use Commission (ALUC), except where, pursuant to

Public Utilities Code Sections 21676 and 21676.5, the City Council, pursuant to a two-thirds vote, exercises its option to conclude that, notwithstanding a negative recommendation from the ALUC, the Council's proposed action is consistent with the purposes of providing for the orderly development of the Airport and the areas surrounding the airport while protecting the public health, safety, and welfare by minimizing the public's exposure to excessive and safety hazards. *[Source: Section 3, Air and Water Transportation; Goal 2, Policy 4 and input from Airport Staff, Previously Policy TC-6.5]*.

- ~~**LU-6.3 Interim Land Use Compatibility.** Prior to adoption of a new Airport Land Use Compatibility Plan (ALUCP) to reflect current facility/operational parameters, the City shall utilize the following criteria for evaluation of land use applications within the AIA:~~

  1. ~~All project submittals shall be circulated to the ALUC for review and comment.~~

  2. ~~Land use regulations in the existing ALUCP will apply for areas defined as being in the following Airport Land Use Zones (as defined in the existing ALUCP): Inner Approach Zone, Outer Approach Zone, Primary Surface Zone, Runway Protection Zone, and Transitional Zone.~~

  3. ~~For areas outside of the zones defined in Item #2 but within the AIA, applications for the following land uses will not be allowed until an updated ALUCP is prepared that demonstrates the suitability of the proposed land use or, in the meantime, an Aviation Safety Study is provided with the application, for review by the City and the ALUC, that demonstrates the suitability of the use in the proposed location/configuration:~~

     - ~~Residential~~
     - ~~Schools (except flight schools), libraries, hospitals, nursing homes, hotels, motels, dormitories, and other similar uses~~
     - ~~Noise sensitive uses, such as outdoor theaters.~~
     - ~~Uses that pose hazards to aviation safety~~
     - ~~Facilities with a height of over 70 feet~~

  4. ~~If the City decides to allow any of the uses identified in Item 3 such uses shall be required to have interior noise levels (attributable to exterior sources) that shall not exceed 45 dB in any habitable structure. *[New Policy – Draft EIR Analysis]*~~

- **LU-6.3 Obstructions.** The City will ensure the height of new structures complies with Federal Aviation Administration (FAA) Part 77 requirements. *[New Policy – Draft EIR Analysis]*

- **LU-6.4 Infill within Adopted AIA.** Where substantial incompatible development already exists, additional infill development of similar land uses may be allowed to occur even if such land uses are to be prohibited elsewhere in the zone, consistent with Public Utilities Code Sections 21676 and 21676.5. ~~This exception does not apply in areas within the zones defined in Item 2 of LU-6.3.~~ Projects can be considered infill if they meet all of the following criteria:

  The project site is bounded on at least three sides by uses similar to those proposed.

  The proposed project would not extend the perimeter of the area developed with incompatible uses.

  The proposed project does not otherwise increase the intensity and/or incompatibility of use through use permits, density transfers or other strategies. *[New Policy – Draft EIR Analysis].*

- ~~**LU-6.7 Noise Analysis.** As deemed necessary by the City, the environmental review for discretionary development proposals located near the airport shall include, single event noise analyses. *[New Policy – Draft EIR Analysis].*~~

- **LU-6.7 Interior Noise Within Adopted AIA.** *Sound attenuation shall be included in the requirements of new projects to provide interior noise levels (attributable to exterior sources) that do not exceed 45 dB in any habitable structure. [New Policy – Draft EIR Analysis].*

- **Implementation Measure ~~#12~~ 5.** The City will prepare and adopt any modifications to the General Plan needed to bring the General Plan into compliance with any ALUCP adopted after 2006. *[New Implementation Measure – Draft EIR Analysis].*

- ~~**HS-2.20 Conformity with Current AELUP.** The City shall require that property owners/developers use the most current available AELUP as a planning resource for evaluating airport operations in addition to land use compatibility for development in the proximity of the Stockton Metropolitan Airport. Each project within the AIA shall conduct an appropriate noise and safety analysis (including, but not limited to: single event noise and accident risk) as part of the CEQA documentation. *[New Policy – Draft EIR Analysis].*~~

On page 11-22, first paragraph, make the following revisions:

As stated above, the City will implement a variety of policies and implementation measures (including the new policies LU-6.1 "Airport Influence Area", LU-6.2 "Consistency with Airport Land Use Commission Policies", LU-6.3 "~~Interim Land Use Compatibility~~ Obstructions", LU-6.4 "Infill within Adopted AIA", LU-6.5 "Avigation Easements within AIA, LU-6.6 "Adjacent Major Transit Uses", LU-6.7 "~~Noise Analysis~~ Interior Noise Within Adopted AIA", and Land Use Implementation Measures ~~#12~~ 5, ~~and HS-2.20 "Conformity with Current AELUP"~~) designed to address airport noise and land use compatibility issues. In addition, the City will ensure that future CEQA documentation be prepared for individual projects (with project-specific data) that will (if technically possible) mitigate any potential airport-related noise impacts to a less-than-significant level. However, it should be noted, the ability to mitigate this potential impact is contingent upon a variety of factors including the severity of the noise impact, existing land use conditions and the technical feasibility of being able to implement any proposed mitigation measures. Given the uncertainty as to whether future airport noise-related impacts could be adequately mitigated for all the individual projects that will be implemented as part of the updated General Plan, this impact remains ***significant.*** No additional feasible mitigation is currently available.

On page 11-32, Policy HS-4.5 "City Review of Development Proposals", make the following revisions:

- **HS-4.5 City Review of Development Proposals.** The City shall use the SJVAPCD Guide~~lines~~ for Assessing and Mitigating Air Quality Impacts (GA~~A~~MAQI) for determining and mitigating project air quality impacts and related thresholds of significance for use in environmental documents. The City shall continue to cooperate with the SJVAPCD in the review of development proposals. *[New Policy].*

On page 11-28, Impact HS-6, make the following revisions:

**Impact HS-6: The Proposed Project could be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code ~~(1994)~~(1997), but would not create substantial risks to life or property.**

On page 11-52, Policy TC-7.6 has been deleted as follows:

~~**TC-7.6 Consistency with Airport Land Use Commission Policies.** The City shall ensure that all development within two miles of the Airport be consistent with the policies adopted by the San Joaquin County Airport Land Use Commission (except where, pursuant to Public Utilities Code Sections 21676 and 21676.5, the City Council, pursuant to a two-thirds vote, exercises its option to conclude that, notwithstanding a negative recommendation from the ALUC, the Council's proposed action is consistent with the purposes of providing for the orderly development of the Airport and the areas surrounding the airport while protecting the public health, safety, and welfare by minimizing the public's exposure to excessive~~

On page 11-60, summary table for Impact HS-16, make the following revisions:

**Impact Summary**

| |
|---|
| Level of Significance Before Mitigation: ~~*Less than Significant*~~ *Potentially Significant* |
| Required Mitigation Measures: *New policies LU-6.1 "Airport Influence Area", LU-6.2 "Consistency with Airport Land Use Commission Policies", LU-6.3 "~~Interim Land Use Compatibility~~ Obstructions", LU-6.4 "Infill within Adopted AIA", LU-6.5 "Avigation Easements within AIA", LU-6.6 "Adjacent Major Transit Uses", LU-6.7 "~~Noise Analysis~~ Interior Noise Within Adopted AIA", and Land Use Implementation Measure ~~#12~~ 5* |

Second paragraph on page 11-61, 2nd and 3rd sentences, make the following revisions:

Policies included as part of the Proposed Project that would minimize this impact are summarized below by general plan element, with a complete description of these policies provided at the beginning of this section (see "Proposed General Plan Policies"). The Land Use and Transportation & Circulation Elements provide a number of these policies that have been developed to address land use compatibility and safety issues associated with the Airport. For example, Policy TC-7.4 ~~policies have~~ has been developed to encourage similar types of land uses requiring air service to located near the Airport. ~~ensure that all future development within two miles of the Airport be consistent with the policies adopted by the San Joaquin County Airport Land Use Commission (see policies TC-7.4 and TC-7.6).~~ These policies encourage similar or compatible land uses within the vicinity of the Airport and would prohibit incompatible (e.g., residential, parks, recreational, etc.) uses. However, even with implementation of the below mentioned policies and implementation measures, this impact is considered ***potentially significant.***

On page 11-61, third row of impact policy table, make the following change:

| | |
|---|---|
| LU-1.7 Land Use Conflicts<br>LU-3.7 Incompatible Uses<br>LU-3.9 Conflicting Uses<br>LU-5.2 Clustering of Uses<br>LU-5.4 Adjacent Uses and Access<br>LU-5.5 Compatible Land Use<br>LU-5.7 Adjacent Major Transit Uses | TC-7.4 Airport Related Land Uses<br>~~TC-7.6 Consistency with Airport Land Use Commission Policies~~ |

On page 11-61, last paragraph, make the following revisions:

In addition to the above mentioned policies and implementation measures, the following new policies LU-6.1 "Airport Influence Area", LU-6.2 "Consistency with Airport Land Use Commission Policies", LU-6.3 "~~Interim Land Use Compatibility~~ Obstructions", LU-6.4 "Infill within Adopted AIA", LU-6.5 "Aviation Easements within AIA", LU-6.6 "Adjacent Major Transit Uses", LU-6.7 "~~Noise Analysis~~ Interior Noise Within Adopted AIA", and Land Use Implementation Measure ~~#12~~ 5 are required to address this impact:

On pages 11-61 through 11-63, replace or revise the following policies and implementation measure as shown below:

- **LU-6.1 Airport Influence Area.** The City of Stockton will utilize the AIA adopted by the County ~~Stockton Metropolitan Airport's~~ Airport Land Use Commission for Stockton Metropolitan Airport ~~as part of an update performed after 20076~~. In general, the AIA should be defined to encompass:

  All lands that, due to their proximity to the airport, are subject to a materially greater level of safety risk and/or adverse environmental effect (e.g. noise) from present or foreseeable future airport operations than lands more distant from the airport, and all lands in the vicinity of the airport on which certain land uses (e.g., residential or educational) could inhibit present or foreseeable airport operations due to the increased safety risks or adverse environmental effects (e.g., noise) on sensitive receptors that could result from such land uses.

  ~~Prior to the adoption of a new AIA, the AIA will be defined as all properties within two miles of the airport boundary, as illustrated on Figure 3-2.~~ *[New Policy, City/Consultants]*

- **LU-6.2 Consistency with Airport Land Use Commission Policies.** The City will protect the Airport and related aviation facilities from encroachment by potentially incompatible land uses. The City shall ensure that the General Plan and all future development within the AIA will be consistent with the policies adopted by the San Joaquin County Airport Land Use Commission (ALUC), except where, pursuant to Public Utilities Code Sections 21676 and 21676.5, the City Council, pursuant to a two-thirds vote, exercises its option to conclude that, notwithstanding a negative recommendation from the ALUC, the Council's proposed action is consistent with the purposes of providing for the orderly development of the Airport and the areas surrounding the airport while protecting the public health, safety, and welfare by minimizing the public's exposure to excessive and safety hazards. *[Source: Section 3, Air and Water Transportation; Goal 2, Policy 4 and input from Airport Staff, Previously Policy TC-6.5]*.

- ~~**LU-6.3 Interim Land Use Compatibility.** Prior to adoption of a new Airport Land Use Compatibility Plan (ALUCP) to reflect current facility/operational parameters, the City shall utilize the following criteria for evaluation of land use applications within the AIA:~~

  ~~1. All project submittals shall be circulated to the ALUC for review and comment.~~

  ~~2. Land use regulations in the existing ALUCP will apply for areas defined as being in the following Airport Land Use Zones (as defined in the existing ALUCP): Inner Approach Zone, Outer Approach Zone, Primary Surface Zone, Runway Protection Zone, and Transitional Zone.~~

~~3. For areas outside of the zones defined in Item #2 but within the AIA, applications for the following land uses will not be allowed until an updated ALUCP is prepared that demonstrates the suitability of the proposed land use or, in the meantime, an Aviation Safety Study is provided with the application, for review by the City and the ALUC, that demonstrates the suitability of the use in the proposed location/configuration:~~

- ~~Residential~~
- ~~Schools (except flight schools), libraries, hospitals, nursing homes, hotels, motels, dormitories, and other similar uses~~
- ~~Noise sensitive uses, such as outdoor theaters.~~
- ~~Uses that pose hazards to aviation safety~~
- ~~Facilities with a height of over 70 feet~~

~~4. If the City decides to allow any of the uses identified in Item 3 such uses shall be required to have interior noise levels (attributable to exterior sources) that shall not exceed 45 dB in any habitable structure. *[New Policy – Draft EIR Analysis]*~~

- **LU-6.3 Obstructions.** The City will ensure the height of new structures complies with Federal Aviation Administration (FAA) Part 77 requirements. *[New Policy – Draft EIR Analysis]*

- **LU-6.4 Infill within Adopted AIA.** Where substantial incompatible development already exists, additional infill development of similar land uses may be allowed to occur even if such land uses are to be prohibited elsewhere in the zone, consistent with Public Utilities Code Sections 21676 and 21676.5. ~~This exception does not apply in areas within the zones defined in Item 2 of LU-6.3.~~ Projects can be considered infill if they meet all of the following criteria:

  The project site is bounded on at least three sides by uses similar to those proposed.

  The proposed project would not extend the perimeter of the area developed with incompatible uses.

  The proposed project does not otherwise increase the intensity and/or incompatibility of use through use permits, density transfers or other strategies. *[New Policy – Draft EIR Analysis].*

- ~~**LU-6.7 Noise Analysis.** As deemed necessary by the City, the environmental review for discretionary development proposals located near the airport shall include, single event noise analyses. *[New Policy – Draft EIR Analysis].*~~

- **LU-6.7 Interior Noise Within Adopted AIA.** *Sound attenuation shall be included in the requirements of new projects to provide interior noise levels (attributable to exterior sources) that do not exceed 45 dB in any habitable structure. [New Policy – Draft EIR Analysis].*

- **Implementation Measure ~~#12~~ 5.** The City will prepare and adopt any modifications to the General Plan needed to bring the General Plan into compliance with any ALUCP adopted after 2006. *[New Implementation Measure – Draft EIR Analysis].*

On page 11-64, first paragraph, make the following revisions:

As stated above, the City will implement a variety of policies and implementation measures (including the new policies LU-6.1 "Airport Influence Area", LU-6.2 "Consistency with Airport Land Use Commission Policies", LU-6.3 "~~Interim Land Use Compatibility~~ Obstructions", LU-6.4 "Infill within Adopted AIA", LU-6.5 "Aviation Easements within AIA", LU-6.6 "Adjacent Major Transit Uses", LU-6.7 "~~Noise Analysis~~ Interior Noise Within Adopted AIA" and Land Use Implementation Measure ~~#12~~ 5) listed above and designed to insure consistency with other applicable agency plans with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental impact. However as described above (and Impact LU-2 of Chapter 3.0 "Land Use"), land use compatibility impacts associated with the development of sensitive land uses within the AIA would result in conflicts with plans adopted for the purpose of mitigating an environmental impact. As a result, this impact remains ***significant.*** No additional feasible mitigation is currently available.

# Chapter 13.0 Natural and Cultural Resources

On page 13-5 revise the following policy as shown below:

- **NCR-2.1 Protect Sensitive Habitats.** The City shall support preservation, restoration, and enhancement of ~~the designated~~ habitats of State or Federally listed rare, threatened, endangered and/or other sensitive and special status species. *[New Policy].*

On page 13-6 revise the following policy as shown below:

- **NCR-2.9 Appropriate Mitigation Measures**. The City, in its lead agency role, shall ~~impose~~ take into consideration ~~appropriate~~ mitigation standards and policies of resource and regulatory agencies with jurisdiction over biological resources ~~measures using protocols defined by the applicable statute~~ (e.g., USFWS, CDFG, etc.). *[New Policy].*

# CHAPTER 5
# Report Preparation

## Introduction

Key staff from the City and the consulting team that contributed to preparation of the final EIR is identified below.

## City of Stockton

This EIR has been prepared for:

The City of Stockton
Community Development Department
345 N. El Dorado Street
Stockton, CA 95202-1997

Michael M. Niblock, Director
Barbara Berlin, Deputy Director
Steve Escobar, Senior Planner/General Plan Coordinator
David Stagnaro, AICP, Senior Planner/General Plan & CEQA Coordinator

## General Plan Consulting Team

Key staff from the consulting team that contributed to preparation of the EIR includes the following:

## Environmental Science Associates

Dan Wormhoudt – Project Director and Airport Noise Issues

Ray Weiss – EIR Project Manager

Jessica Mitchell – Aesthetics and Land Use Planning
Paul Miller – Air Quality and Noise
Matthew Morales – Air Quality and Noise
Brian Grattidge – Agricultural Resources
Thomas Leeman – Biological Resources
Dean Martorana, RPA – Cultural Resources
Brad Allen – Geographic Information Services
Tom Wyatt – Graphics
John Patrus – Word Processing and Production

## Fehr and Peers Transportation Consultants

Julie Morgan, Senior Associate – Traffic and Circulation

## West Yost Associates

Charles Duncan – Water Infrastructure

Jeff Pelz – Wastewater Infrastructure

Mark Kubik – Storm Drainage Infrastructure

## Jonathan Goetz

Jon Goetz – Water Supply Issues

## Mintier & Associates

Larry Mintier, AICP – Land Use Issues

## Matrix Design Group

Richard Rust, AICP – General Plan Project Manager