Public Draft

Initial Study/Mitigated Negative Declaration

Harvest In Tracy Development Project

February 2017

PREPARED FOR:
City of Tracy

Initial Study/Mitigated Negative Declaration

Harvest in Tracy Development Project

Tracy, CA

PREPARED FOR:

City of Tracy
Development Services Department
333 Civic Center Plaza, Tracy, CA 95376
Tracy, CA 95376

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February 2017

NOTICE OF PUBLIC REVIEW AND NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

The City of Tracy proposes to adopt a Mitigated Negative Declaration (MND) pursuant to the California Environmental Quality Act of (Section 15000 et seq., Title 14, California Code of Regulations) (CEQA) for the Harvest in Tracy Subdivision Project (Project),

The applicant proposes to construct an 18.79-acre residential subdivision within the City of Tracy. The project would consist of 304 multi-family residential units and a central 6,000 square-foot leasing and recreation center and other community amenities. The project would be developed on an undeveloped site west of downtown Tracy which was formerly in agricultural use. The project site is bordered to the north by Interstate 205 (I-205), and residential to the south and west. Self-storage and recreational vehicle/boat storage is located to the east.

Discretionary approvals by the City are required for a proposed General Plan Amendment, Specific Plan Amendment, rezone, preliminary development plan, final development plan; and Vesting Tentative Subdivision Map.

The 30-day period for public review and comment on the proposed MND begins February 14, 2017. All comments must be submitted by March 16, 2017. Please address comments on the proposed MND as follows:

Harvest In Tracy Subdivision Project
Attn: Victoria Lombardo, AICP, Senior Planner
City of Tracy, Development Services Department, 333 Civic Center Plaza, Tracy, CA 95376

Or email: Victoria.Lombardo@ci.tracy.ca.us

A copy of the proposed MND and supporting documents can be reviewed at the City's Development Services Department office at the above address. For further information regarding the proposed MND and the City's schedule to consider adoption of the document, please contact Victoria Lombardo at (209) 831-6428.

TABLE OF CONTENTS

Appendices (included on CD at back of report)

Exhibits

Tables

ACRONYMS AND ABBREVIATIONS

AB	Assembly Bill
ACM	asbestos-containing material
ADWF	average dry weather flow
afy	acre feet per year
APN	Assessor Parcel Numbers
ARB	California Air Resources Board
BMP	best management practices
CAAQS	California Ambient Air Quality Standards
Caltrans	California Department of Transportation
CCRs	covenants, conditions and restrictions
CEQA	California Environmental Quality Act
City	City of Tracy
CO	carbon monoxide
CO_2	carbon dioxide
CPRR	Central Pacific Railroad
District or SJVAPCD	San Joaquin Valley Air Pollution Control District
DMC	Delta Mendota Canal
DTSC	California Department of Toxic Substances Control
EIR	environmental impact report
EPA	U.S. Environmental Protection Agency
GHC	General Highway Commercial
GHG	greenhouse gas
GPCD	gallons per capita per day
HOA	homeowners' association
I-205	Interstate 205
JJWTP	John Jones Water Treatment Plant
mg/kg	milligrams per kilogram
mgd	million gallons per day
MMRP	Mitigation Monitoring and Reporting Program
MND	mitigated negative declaration
MRF	Material Recovery Facility
MRZ	mineral resource zone
MT CO_2e	metric tons of carbon dioxide-equivalent

NAAQS	National Ambient Air Quality Standards
NO_X	oxides of nitrogen
NPDES	National Pollution Discharge Elimination System
NRCS	National Resources Conservation Service
OPR	Governor's Office of Planning and Research
OSHA	Occupational Safety and Health Administration
PM_{10}	respirable particulate matter with an aerodynamic diameter of 10 micrometers or less
$PM_{2.5}$	respirable particulate matter with an aerodynamic diameter of 2.5 micrometers or less
PPD	pounds per day
PUD	Planned Unit Development
ROG	reactive organic gases
RSL	Regional Screening Level
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
sf	square feet
SJCOG	San Joaquin Council of Governments
SJMSC	San Joaquin County Multi-Species Habitat, Conservation, and Open Space Plan
SJRWQCB	San Joaquin Regional Water Quality Control Board
SJVAB	San Joaquin Valley Air Basin
SMAQMD	Sacramento Metropolitan Air Quality Management District
SO_X	oxides of sulfur
SPRR	Southern Pacific Railroad Company
SWPPP	stormwater pollution prevention plan
TAC	Technical Advisory Committee
tpy	tons per year
UST	underground storage tank
VOC	volatile organic compound
WSID	West Side Irrigation District
WWTP	wastewater treatment plant

1 INTRODUCTION

This initial study has been prepared by the City of Tracy (City) to evaluate the potential environmental effects of approving the Harvest in Tracy subdivision, a residential development off of Henley Parkway in Tracy, CA (project site).

This document has been prepared in accordance with the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 *et seq*.) and the State CEQA Guidelines (California Code of Regulations Section 15000 et seq.). An initial study is prepared by a lead agency to determine if a project may have a significant effect on the environment (State CEQA Guidelines Section 15063[a]), and thus to determine the appropriate environmental document. In accordance with State CEQA Guidelines Section 15070, a "public agency shall prepare…a proposed negative declaration or mitigated negative declaration…when: (a) The [initial study] shows that there is no substantial evidence in light of the whole record before the agency, that the project may have a significant impact on the environment, or (b) The initial study identifies potentially significant effects but (1) revisions in the project plans or proposal made by or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for public review would avoid the effect or mitigate the effects to a point where clearly no significant effects would occur, and (2) there is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment." In this circumstance, the lead agency prepares a written statement describing its reasons for concluding that the project would not have a significant effect on the environment and, therefore, does not require the preparation of an environmental impact report (EIR). By contrast, an EIR is required when the project may have a significant environmental impact that cannot clearly be reduced to a less-than-significant effect by adoption of mitigation or by revisions in the project design.

As described in the environmental checklist, the project would not result in significant environmental impacts. Therefore, a mitigated negative declaration (MND), supported by analysis prepared in an initial study, is the appropriate document for compliance with the requirements of CEQA. This initial study conforms to the content requirements of State CEQA Guidelines Section 15063 and an MND will be subsequently prepared that will conform to the content requirements of Section 15071.

The Project Description section of this Initial Study provides a description of the Harvest in Tracy project components.

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2 PROJECT DESCRIPTION

This initial study has been prepared by the City of Tracy (City) to evaluate the potential environmental effects of approving the Harvest in Tracy subdivision (project), a residential development off of Henley Parkway in Tracy, California (project site).

2.1 PROJECT LOCATION

The project site consists of 18.79 acres located west of downtown Tracy, on the southeast corner of West Grant Line Road and Interstate 205.The site is located in the block bounded by West Grant Line Road to the north and east, Henley Parkway to the south and east, I-205 to the northwest, and Lowell Ave to the southwest.

The project site is a subset of Assessor Parcel Numbers (APN) 238-600-25, 238-600-26, and, 238-600-27. The project's regional location is shown in Exhibit 2-1 and the project vicinity is shown in Exhibit 2-2.

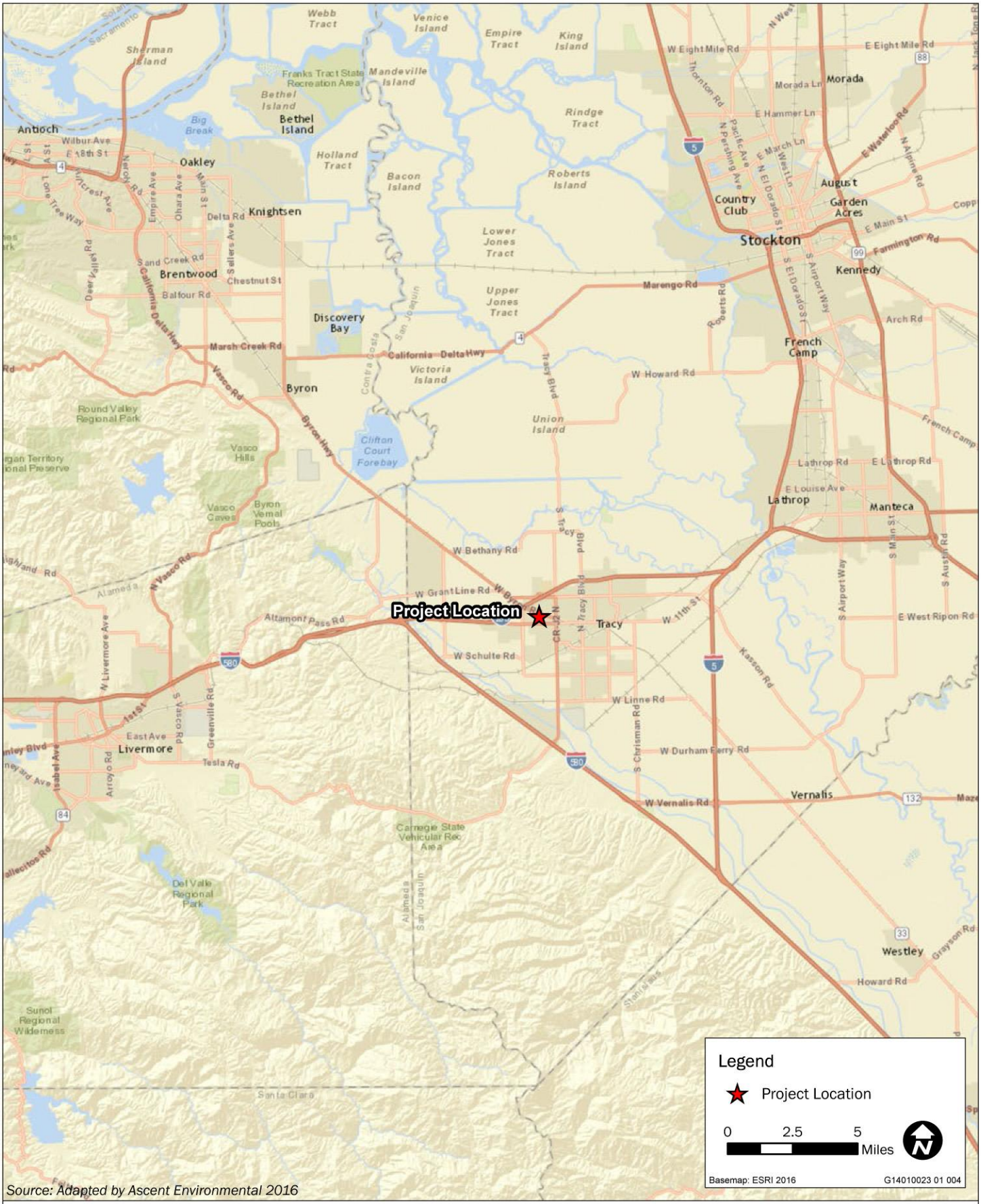
2.2 EXISTING USES ON SITE AND SURROUNDING

From at least 1937 through 1975, the project site was used exclusively for agriculture (row crops), as were the adjoining parcels to the north. The undeveloped portion of the site was last planted in row crops. The project site is owned by the Toste family. In the early 1980s Toste Road and a residence at 2480Toste Road were constructed. Just east of the project site is a self-storage company (JT Storage) with a building and fenced areas with crushed rock ground cover used for recreational vehicle (RV) and boat storage. Farther east is Delta RV, an RV dealer and several fast food restaurants. Other surrounding land uses include the freeway to the north, and residential developments to the south and west. The project site itself is undeveloped except for the residence and parking areas which would be demolished with implementation of project. The project site is currently designated Commercial in the City's General Plan (Exhibit 2-3) and zoned as Planned Unit Development (PUD) and General Highway Commercial (GHC) (Exhibit 2-4).

2.3 PROJECT DESCRIPTION

The project is a joint venture between the Toste Family and the applicant to develop, own, and operate a market-rate multifamily rental community. The applicant is applying for entitlement, mapping, and development of a condominium project that they would operate as a market rate multifamily rental community. This will include establishment of a proposed dormant homeowner's association for the operation and maintenance of the condominiums. The Harvest in Tracy rental community (Exhibit 2-5) would include 304 residences (stacked, two-story flats and two-story, duplex townhomes) and a central 6,000 square-foot leasing and recreation center. The recreation center would include a fitness center, entertainment room, swimming pool, and spa. The gated complex would also include a community garden, orchard grove, double half basketball court, a dog park, and a central Harvest thematic loop road that encourages walking by providing shade, edible landscaping elements, and connectivity to communal gathering areas.

The complex would be managed by the applicant. There would be 120 one-bedroom units, 133 two-bedroom units, and 51 three-bedroom units. One-bedroom units range in size from 765 square feet (sf) to 874 sf. Two-bedroom units range in size from 1,106 sf to 1,343 sf. Three-bedroom units would be 1,534 sf. The project includes 653 parking spaces; 432 spaces in garages and 221 on-site spaces. While not a CEQA issue, adequate on-site parking is addressed in the Transportation Impact Study (Appendix B). The project applicant estimates the project parking would accommodate 670 residents and six employees.



Source: Adapted by Ascent Environmental 2016

Exhibit 2-1 **Project Vicinity**

Source: Adapted by Ascent Environmental 2015

Exhibit 2-2

Project Area

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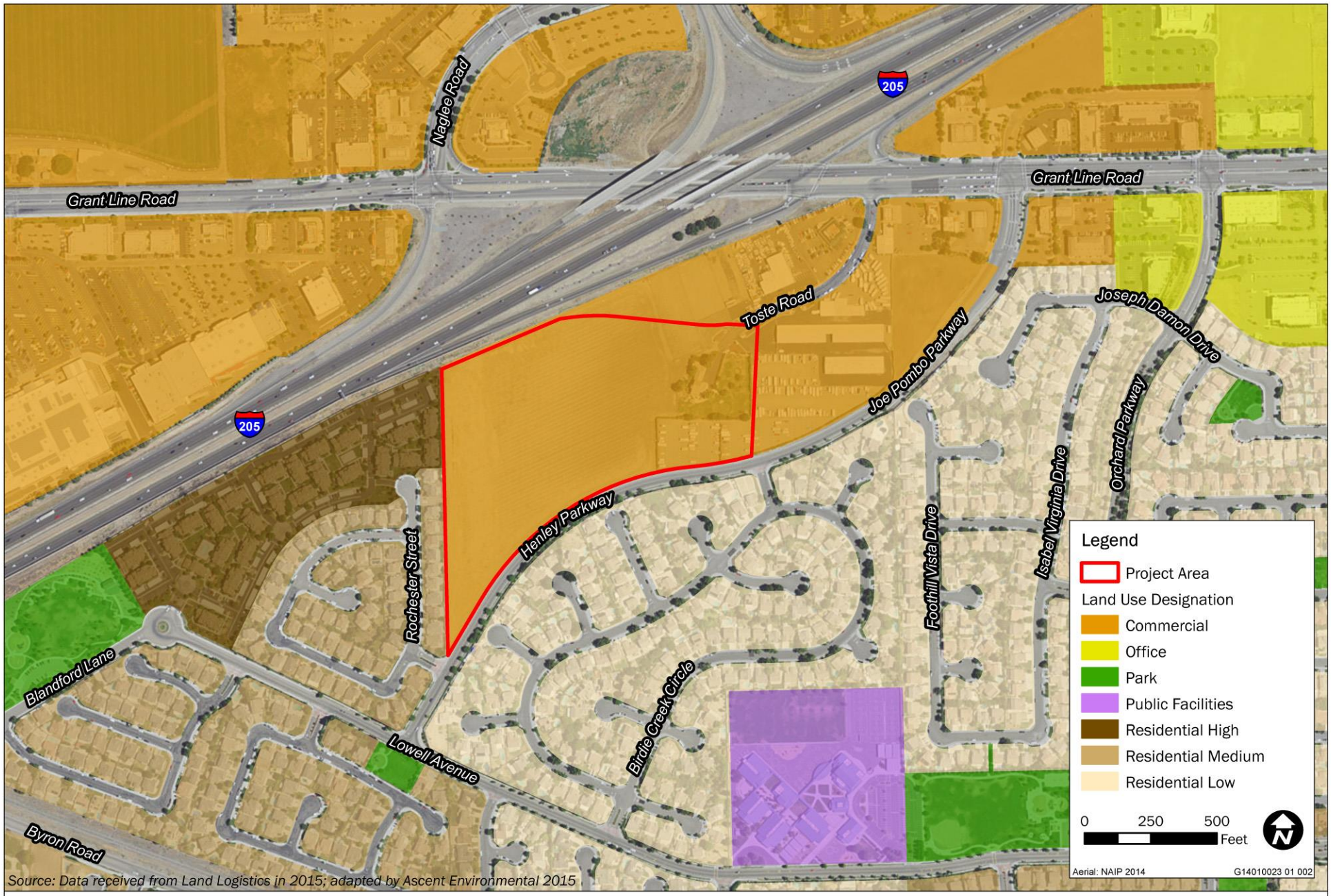
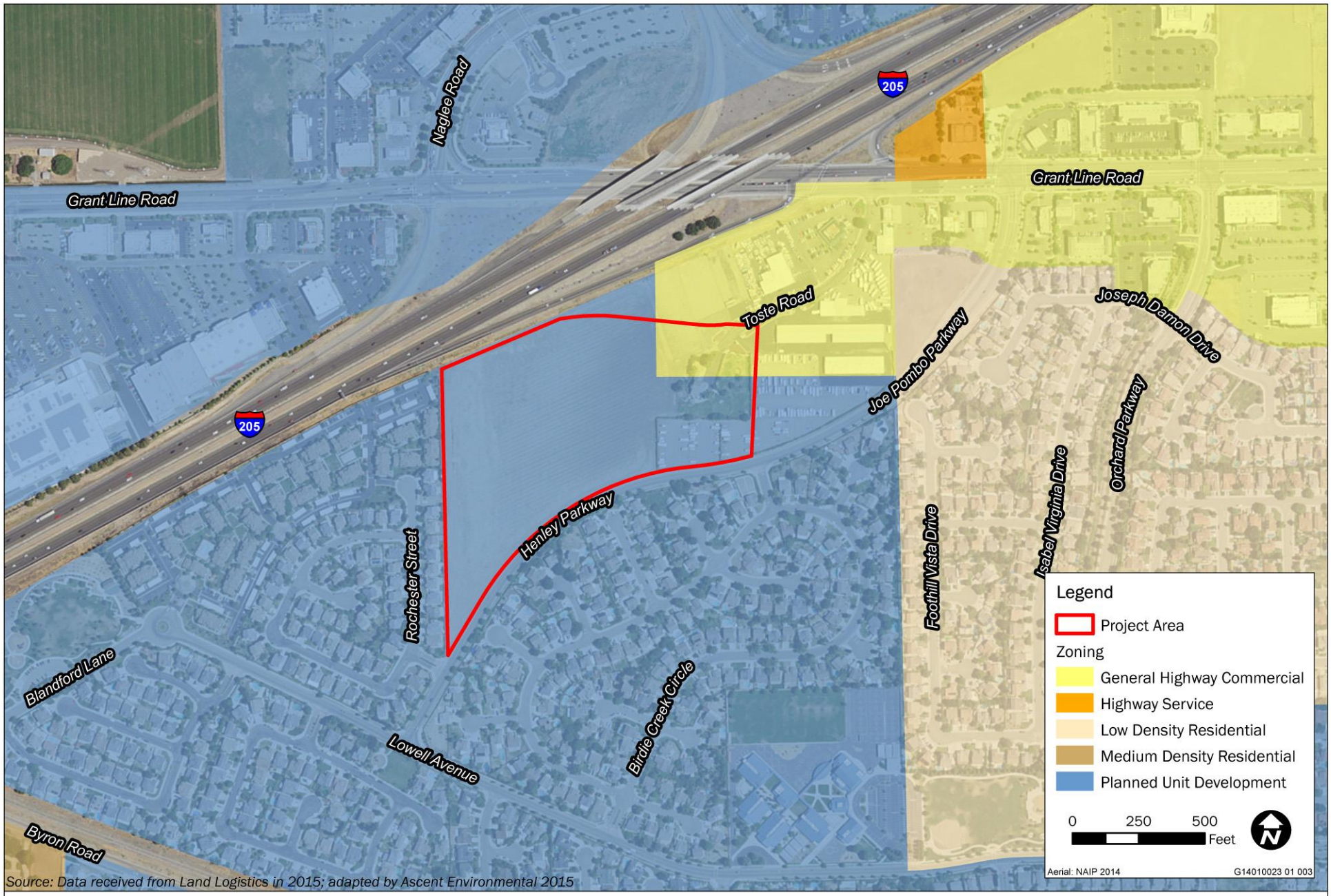


Source: Data received from Land Logistics in 2015; adapted by Ascent Environmental 2015

Exhibit 2-3

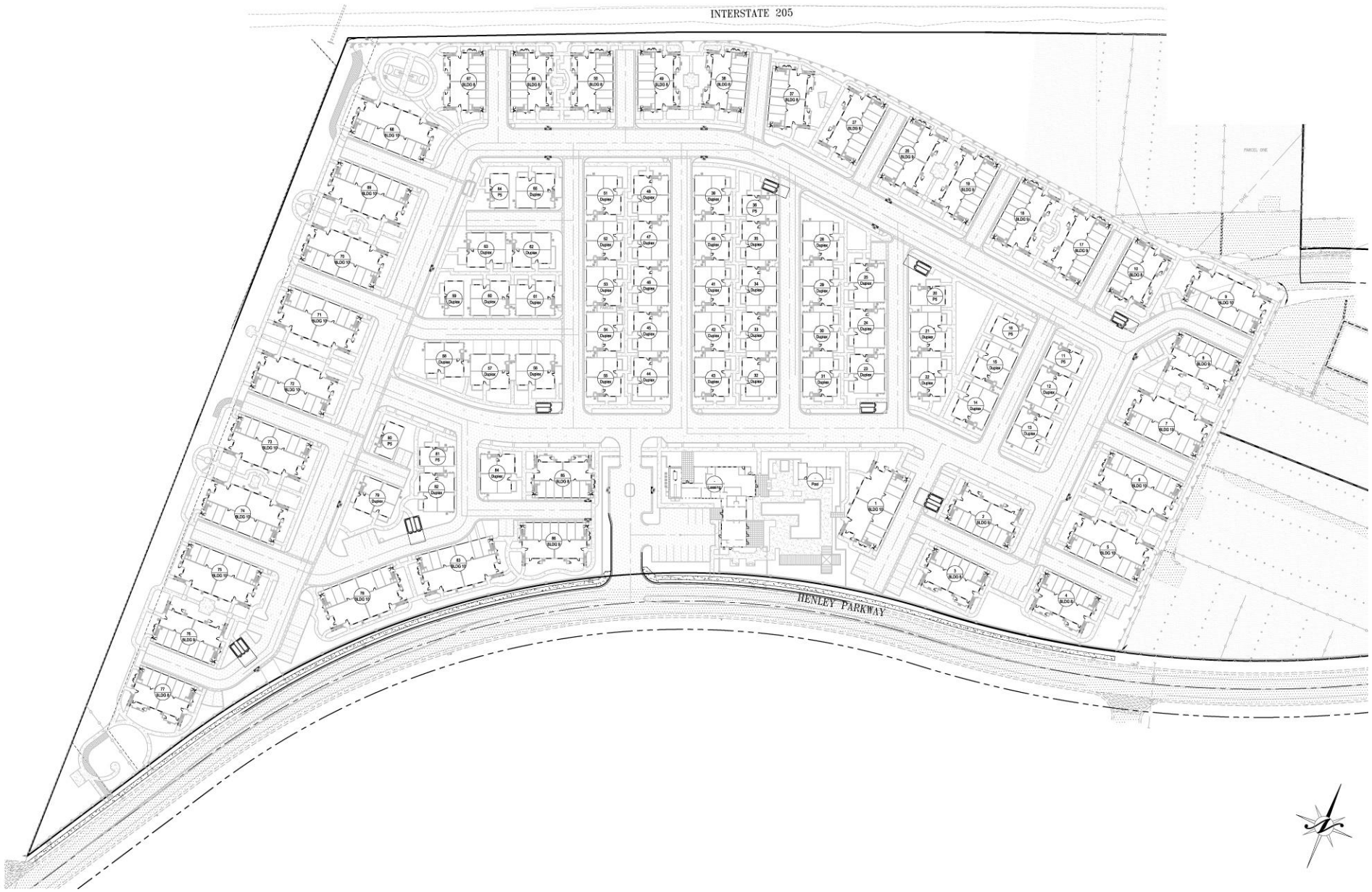
General Plan Land Use Designations



Source: Data received from Land Logistics in 2015; adapted by Ascent Environmental 2015

Exhibit 2-4

City Zoning Designations



Source: North Star Engineering Group, Inc. 2017

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Exhibit 2-5

Site Plan

ASCENT ENVIRONMENTAL

Ground-disturbing activities for the project would include grading and compaction; connection to utilities and public storm main; construction of roadways, buildings, garages, parking areas, pathways, and amenities; and landscaping of common areas. Access to the development would be from the south via a central driveway connection to Henley Parkway.

The project would be served by the following service providers:

- City of Tracy for water, wastewater collection and treatment, and stormwater collection, and
- Pacific Gas and Electric Company for natural gas and electricity.

The project applicant is requesting a General Plan Amendment to change land use designation on the project site from Commercial to Residential High, a rezone for the part of the site currently zoned as General Highway Commercial to High Density Residential, preliminary development plan, final development plan, and Vesting Tentative Subdivision Map.

2.4 PROJECT GOALS AND OBJECTIVES

The project applicant has identified the following goals and objectives for the project:

- expand the available supply of residential housing options in the City of Tracy, consistent with the City's General Plan;
- develop a project that is consistent and compatible with the surrounding land uses, and follows a logical development pattern;
- increase the supply of market-rate housing units within the City of Tracy; and
- provide residential housing opportunities that are visually attractive and accommodate the future housing demand in the City of Tracy.

2.4.1 Utilities and Services

Utility extensions would be installed to provide services to project residents. Utility lines within the project site would be run through the rights-of-way created by the project's internal street network. The water, sewer, and drainage lines would be connected to existing lines on the northwest corner of the project site. A preliminary draft of the proposed utility plan for the project has been submitted to the City and is currently being reviewed for approval.

Water, sewer, and residential garbage and recycling collection service would be provided by the City of Tracy. A homeowners' association (HOA), and covenants, conditions and restrictions (CCRs) would be established prior to the occupancy of any homes for the purpose of managing and maintaining the private lanes, courts, and common area landscaping, as well as governing the CCRs.

2.4.2 Project Construction

The project would be developed over approximately two years and is anticipated to begin construction in summer 2017 with achieve full buildout in spring 2019. It is anticipated that there would be a maximum of 200 construction workers on-site during construction. Balanced grading of the site is proposed and no import or export of earth materials is planned. The Toste Residence and the parking areas associated with the recreational vehicle (RV) dealership would be demolished in preparation of construction.

Construction equipment would include dozers, water trucks, excavators, backhoes, loaders, concrete trucks, transfer trucks, scrapers, rollers, etc. which would be in use for up to eight hours a day within the hours between 7:00 a.m. and 7:00 p.m., Monday through Friday. All construction equipment and truck deliveries would occur during the daytime hours. No pile driving or blasting would occur.

2.4.3 Entitlements

This document will be used by the City of Tracy to take the following actions:

- adoption of the Mitigated Negative Declaration (MND);
- adoption of the Mitigation Monitoring and Reporting Program (MMRP);
- approval of a General Plan Amendment, from Commercial to Residential High;
- amendment to the I-205 Corridor Specific Plan, from General Commercial to High Density Residential;
- rezone from General Commercial to High Density Residential;
- approval of a preliminary development plan;
- approval of a final development plan; and
- approval of the Vesting Tentative Subdivision Map.

The following agencies may be required to issue permits or approve certain aspects of the project:

- Central Valley Regional Water Quality Control Board– Storm Water Pollution Prevention Plan (SWPPP) approval prior to construction activities.

- San Joaquin Council of Governments (SJCOG) - Review of project application to determine consistency with regional plans, including the San Joaquin County Multi-Species Habitat, Conservation, and Open Space Plan (SJMSCP).

- San Joaquin Valley Air Pollution Control District (District) – Review of project application and accompanying Air Impact Assessment required by District Rule 9510 (Indirect Source Review).

3 ENVIRONMENTAL CHECKLIST

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

☐ Aesthetics	☐ Agriculture and Forest Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Geology / Soils
☐ Greenhouse Gas Emissions	☐ Hazards & Hazardous Materials	☐ Hydrology / Water Quality
☐ Land Use / Planning	☐ Mineral Resources	☐ Noise
☐ Population / Housing	☐ Public Services	☐ Recreation
☐ Transportation / Traffic	☐ Utilities / Service Systems	☐ Mandatory Findings of Significance
		☒ None With Mitigation

DETERMINATION (To be completed by the Lead Agency)

On the basis of this initial evaluation:

☐ I find that the project could not have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.

☒ I find that although the project COULD have a significant effect on the environment, there WILL NOT be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.

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

☐ I find that the project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier **EIR** or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier **EIR** or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the project, nothing further is required.

Victoria Lombardo
Signature

February 14, 2017
Date

Victoria Lombardo
Printed Name

Senior Planner
Title

City of Tracy
Agency

3.1 AESTHETICS

ENVIRONMENTAL ISSUES		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I.	**Aesthetics. Would the project:**				
a)	Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c)	Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

3.1.1 Environmental Setting

The project site is located in an area of the City of Tracy that has been developed with a mix of high-, medium-, and low-density residential subdivisions to the south with small parks interspersed. Commercial developments lie to the north with office parks to the northeast. Structures in the area include one- and two-story single-family dwellings, single-story commercial buildings (e.g., Black Bear Diner), and Interstate 205 (I-205). The project site is bounded by I-205 to the north, Henley Parkway to the south, and Rochester Street to the west. Art Freiler School and Galli Park are located to the south of the project site; Bland Park and the Chesapeake Bay Apartments are located to the East; and JT Storage, Delta RV, and residential subdivisions are located in the immediate vicinity of the project site.

The project site topography is moderately flat (one to five percent slopes) and is mostly undeveloped except for a storage yard for recreation vehicles and the existing Toste residence. The majority of the site is composed of loose soils and practically empty with the exception of intermittent signage for adjacent businesses. Small patches of grass are interspersed amongst the dirt, which bears the appearance of past agricultural activity.

Public views of the project site are available from Henley Parkway, Toste Road, and I-205. Residents of Rochester Street may view the project site from the perspective of their back yards. The viewing groups are drivers and pedestrians within and adjacent to the existing residential and commercial developments.

Views across the project site for southwest bound motorists and pedestrians on Henley Parkway near JT Storage include rows of recreational vehicles housed by the storage facility behind a short wall of vegetation. As viewers continue along Henley Parkway, views open up to an empty, dirt parcel encompassed by fencing in the foreground with views of I-205 and the residences of Rochester Street in the background. This view is of a minimally intact open space area with agricultural landscape elements. Intrusive man-made elements (e.g., recreation vehicles) detract from the view; however, minimal foreground elements such as fencing and landscaping block views of the project site. Within the context of the surrounding suburban and commercial landscape, the quality of this view is moderately low.

Under existing conditions, views of the project site for drivers going northeast along I-205, are obstructed by an approximately 10- to 12-foot wall that steps down and ends adjacent to the freeway exit, close to the western boundary of the site. Drivers going southwest along I-205 have open and unobstructed views

coming down a short hill and looking south towards the site. Similar to the views from Henley Parkway, the foreground is composed of short fencing and some signage for nearby businesses. Once past the wall, viewers traveling northeast along I-205 can see the residences across Henley Parkway, the residence of the Toste family, and automobiles in a parking lot in the background, which encompass the open, agricultural project site producing a view of limited intactness. The landscape contrasts with the surrounding built environment and provides a moderately low quality view.

Views of the site are also available from the end of Toste Road directly to the east of the project site. Views of the site are blocked by the existing Toste residence, which includes a private fence and hedges in the foreground. The residence contains landscaping which supports a lawn, several trees, and a variety of types of vegetation. Views of the site are also detracted by a parking lot containing passenger vehicles in the foreground. These man-made elements conflict with the open space, agricultural character of the project site producing views that are low quality in the context of the suburban and commercial environment.

The site is mostly undeveloped and does not contain any night lighting or sources of night or daytime glare. The project site contains the existing Toste residence and a portion of the JT Storage facilities. Nighttime lighting from the Toste residence is characteristic of residential use and includes indoor and porch lighting. JT Storage utilizes lighting for security purposes. Adjacent and nearby developed uses, including residential development on Henley Parkway and Rochester Street and commercial development to the east of the project site are the primary sources of night lighting in the area.

3.1.2 Discussion

a) Have a substantial adverse effect on a scenic vista?

Less than significant. A scenic vista is generally considered to be a location from which the public can experience unique and exemplary high-quality views, including panoramic views of great breadth and depth, often from elevated vantage points. Neither the site nor the surrounding area are considered a scenic vista because of the suburban and commercial environment, which is typical of many areas in the City. Although the surrounding residential development supports landscaping that includes hedges, trees, and other vegetation that is aesthetically pleasing, these elements are common and not unique to the area. The project area can be characterized as flat and lacking in ridgelines or elevated vantage points. Because of the flat topography of the site, residents of Henley Parkway and Rochester Street have views of I-205. The project site can be easily viewed from the surrounding environment; however, the site is currently graded and empty of grassland or trees. The project would involve the construction of a multi-family community composed of stacked flats and duplexes that would not exceed two stories, and a recreation center. While the project would introduce new structures on a formerly agricultural property, the project site and surrounding areas do not constitute a scenic vista. Therefore, the project would not have an adverse effect on a scenic vista and this impact would be less than significant.

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

No Impact. San Joaquin County contains a portion of Interstate 580 (I-580), which is an Officially Designated State Scenic Highway under the California Department of Transportation's (Caltrans') California Scenic Highway Mapping System. However, viewers cannot see the project site from I-580, which is more than four miles west of the project site. There are no other scenic roadways close to the project site; therefore, project implementation would have no impact on scenic resources within a state scenic highway (Caltrans 2011).

c) Substantially degrade the existing visual character or quality of the site and its surroundings?

Less than significant. The visual character of the project site is defined by open space and rural/agricultural elements. The site is mostly undeveloped (except for the Toste residence and still maintains the appearance of an agricultural parcel, although the site is not currently farmed). The character of the surrounding areas is

of suburban residential development and low-density commercial development. The agricultural landscape features of the project site contrast with the surrounding suburban and commercial environment. In combination with the freeway to the north and surrounding suburban and commercial uses, the view of the site is not of high scenic value.

Due to the flat topography of the project site, minimal grading would be required and, therefore, would not substantially alter the existing visual character of the site. There are no trees and vegetation on-site that would need to be removed. Upon completion, the project would alter views of the site from the south towards I-205, across the site, and from the direction of travelers along I-205. The project would include installation of a roadway entrance on Henley Parkway with additional landscaping and vegetation along the border of Henley Parkway. The buildings would be designed in the Spanish Colonial style, using S-tile roofs and sand finish stucco. Each building would include decorative ironwork and shutters for enhancements. Accent colors would add pops to the elevations while brown trims and white/beige tone bodies of the buildings would create thematic unity within the neighborhood. Additional elements of the design would include shed roofs over entries, chimneys, arched openings, and decorative corbels, helping to frame views and create focal points across all elevations. A sound wall would likely be included along the northern boundary to reduce the vehicle noise from I-205 (as described in Section 3.8, Noise). While the height and look may vary depending on the final combination of noise mitigation actions, it would likely be similar to the existing wall dividing the existing residences to the west from I-205.

While the visual character of the site would be altered, implementation of the project would create a view that is consistent with the visual character of the surrounding commercial and residential areas. As a result, the quality of the visual character would not be substantially degraded. The proposed residential subdivision would be of similar type, form, and design as surrounding developments. Therefore, this would be a less-than-significant impact.

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

Less than significant. The project site is mostly undeveloped and contains few sources of night lighting or night or daytime glare. The existing Toste residence and adjacent developed areas, including JT Storage on Toste Road, Black Bear Diner on Grant Line Road, I-205, and residential development to the south and west are the primary sources of nighttime lighting in the area. The project would result in the installation of lighting on the site in the form of standard, pole-mounted street lights and wall-mounted lights on dwellings, which would be similar in style and character to lighting that exists in adjacent residential developments. Lighting on the site would comply with the City of Tracy Building Code Section 9.04.030, which adopts the California Energy Code Part 6, Title 24, CCR. Section 147 of the California Energy Code Title 24, Part 6 addresses requirements for outdoor lighting. Compliance with these requirements would ensure that lighting intensity levels, types of lighting fixtures, standard heights, and other lighting features would avoid excessive lighting, uplighting and spill over lighting, or light trespass onto adjacent properties. This would be a less-than-significant impact.

3.2 AGRICULTURE AND FOREST RESOURCES

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

3.2.1 Environmental Setting

The project site is shown as "Farmland of Local Importance" on the Department of Conservation Farmland Mapping and Monitoring Program map dated 2014 (U.S. Department of Conservation 2014) (Exhibit 3.2-1). These lands are defined as land not meeting the definitions of "Prime Farmland," "Farmland of Statewide Importance," and "Unique Farmland." Farmland of Local Importance 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 characteristics as Prime Farmland, Farmland of Statewide Importance, and Unique Farmland that has since become idle.

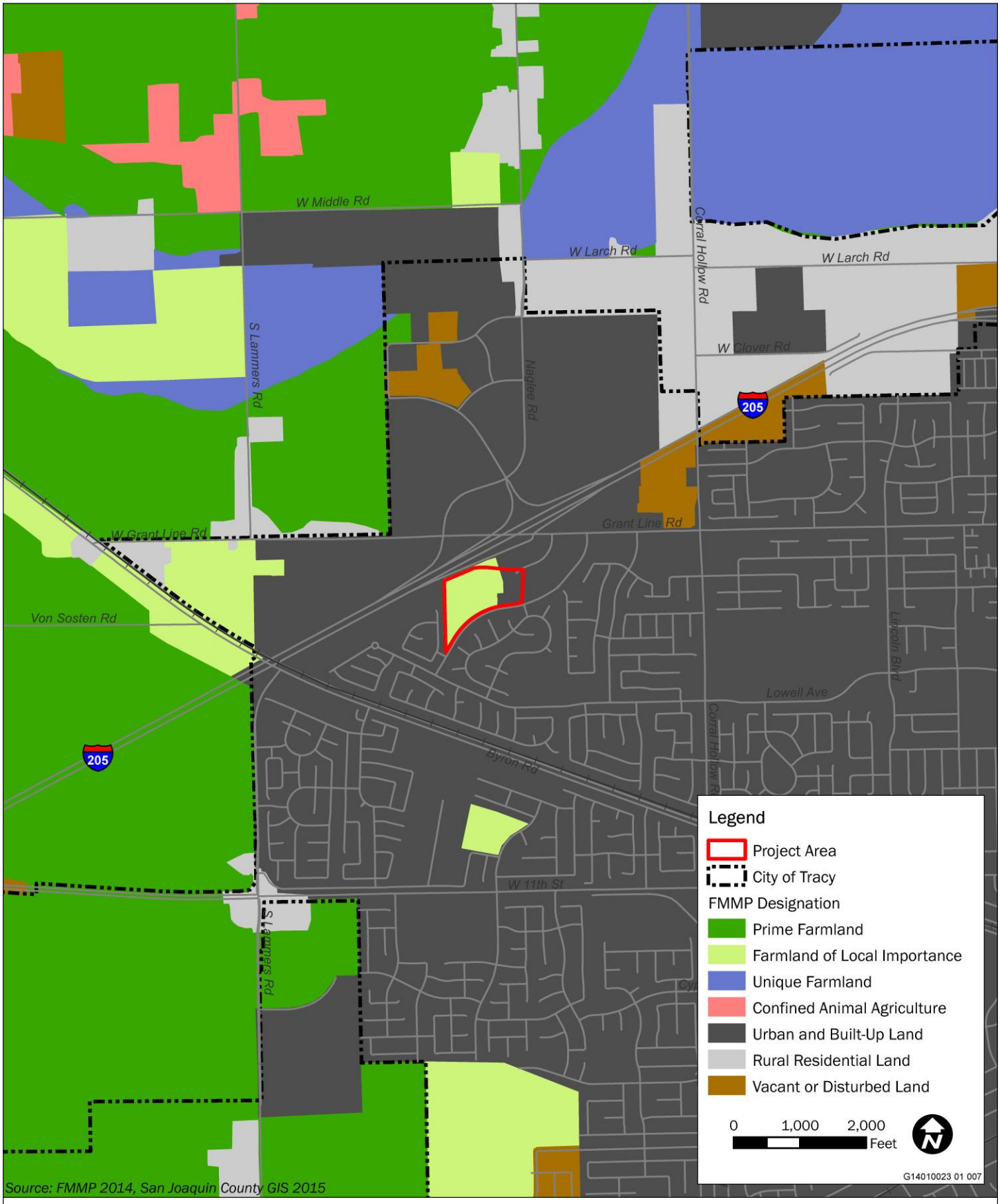


Exhibit 3.2-1

FMMP

ASCENT ENVIRONMENTAL

3.2.2 Discussion

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

No Impact. The project site is designated as Farmland of Local Importance. Therefore, the project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural uses. No impact would occur.

b) Conflict with existing zoning for agricultural use or a Williamson Act contract?

No Impact. The project site contains two zoning designations: Planned Unit Development (PUD), which allows projects under single ownership greater flexibility for residential, commercial, and industrial uses; and General Highway Commercial (GHC), which permits commercial activities on areas that are automobile-oriented. The project site is not zoned for agricultural use and is located adjacent to suburban land uses. The project site is not currently under a Williamson Act contract and is not presently used for agriculture. The existing zoning is consistent with project objectives. Therefore, the project would not conflict with existing zoning for agricultural use or a Williamson Act contract. No impact would occur.

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

No Impact. The project site is not currently zoned for forest land or timberland. Nor does the site contain any forest land or timberland. Therefore, there would be no impact.

d) Result in the loss of forest land or conversion of forest land to non-forest use?

No Impact. The project site does not contain forest land or timberland. Therefore, there would be no impact related to conversion of these resources.

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

Less than significant. The project site is not irrigated and is not currently used for agricultural production. The site is surrounded by residential and commercial land uses (I-205, residences, and a storage facility). While the project would convert farmland to a non-agricultural use, this would be compatible with other uses in the area and has been planned for by the City through its General Plan and Zoning Code. This site is an isolated area of agricultural land in an otherwise developed part of the City. Therefore, this would be a less-than-significant impact.

3.3 AIR QUALITY

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
III. Air Quality.				
Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied on to make the following determinations.				
Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☒	☐	☐
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☒	☐	☐
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐

3.3.1 Environmental Setting

The project site is located in the City of Tracy, which lies within San Joaquin County and the San Joaquin Valley Air Basin (SJVAB) and is under the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD). Air quality within the county is regulated by such agencies as the U.S. Environmental Protection Agency (EPA) and California Air Resources Board (ARB) at the federal and state levels, respectively, and SJVAPCD at the local level. SJVAPCD strives to improve air quality conditions in the county through a comprehensive program of planning, regulation, enforcement, technical innovation, and promotion of the understanding of air quality issues. The clean air strategy of the SJVAPCD, which is designed to accomplish the overarching goal of improving air quality conditions, includes the development of programs for the attainment of the California Ambient Air Quality Standards (CAAQS) and National Ambient Air Quality Standards (NAAQS), adoption and enforcement of rules and regulations, and issuance of permits for stationary sources. SJVAPCD also inspects stationary sources, responds to citizen complaints, monitors ambient air quality and meteorological conditions, and implements other programs and regulations required by the federal Clean Air Act, federal Clean Air Act Amendments of 1990, and the California Clean Air Act.

SJVAPCD has developed plans to meet state and national standards for ozone and particulate matter. SJVAPCD's air quality plans include emissions inventories to measure the sources of air pollutants, evaluate the effectiveness of different control methods, and demonstrate how air quality would improve due to these plans. The plans employ computer modeling to estimate future levels of pollution and ensure that the SJVAB would meet air quality goals.

San Joaquin County is currently designated as a nonattainment area for the 1-hour CAAQS and the 8-hour CAAQS and NAAQS for ozone (ARB 2013a). The county is designated as nonattainment for the CAAQS for respirable particulate matter with an aerodynamic diameter of 10 micrometers or less (PM_{10}) and attainment for the NAAQS for PM_{10}; and the county is designated as nonattainment for the CAAQS and NAAQS for respirable particulate matter with an aerodynamic diameter of 2.5 micrometers or less ($PM_{2.5}$) (ARB 2013b).

The thresholds of significance listed below were adopted by SJVAPCD for evaluating emissions generated during the construction and operational phase of a proposed (SJVAPCD 2015).

Ozone Precursors

- Reactive organic gases (ROG): 10 tons per year (tpy);
- Oxides of nitrogen (NO_X): 10 tpy;

Particulate Matter

- Particulate matter (PM_{10} and $PM_{2.5}$): 15 tpy;

Carbon Monoxide

- Carbon monoxide (CO): 100 tpy;

Hazardous Air Pollutants

- Oxides of sulfur (SO_X): 27 tpy;

- Exposure of sensitive receptors to TAC emissions that would exceed 20 in 1 million for the carcinogenic risk (i.e., the risk of contracting cancer) or a noncarcinogenic (acute and chronic) Hazard Index of 1 for the maximally exposed individual; and

Odor Impacts

- If the project would result in sensitive receptors being located closer than the screening level distances listed in Table 3-3.1, a more detailed analysis should be provided.

Table 3.3-1 Screening Levels for Potential Odor Sources

Type of Facility	Distance
Wastewater Treatment Facilities	2 miles
Sanitary Landfill	1 mile
Transfer Station	1 mile
Composting Facility	1 mile
Petroleum Refinery	2 miles
Asphalt Batch Plant	1 mile
Chemical Manufacturing	1 mile
Fiberglass Manufacturing	1 mile
Painting/Coating Operations	1 mile
Food Processing Facility	1 mile
Feed Lot/Dairy	1 mile
Rendering Plant	1 mile

Source: SJVAPCD 2016

The SJVAPCD thresholds of significance for criteria pollutant emissions detailed above are based on SJVAPCD New Source Review (NSR) offset requirements for stationary sources. Emission reductions achieved through implementation of SJVAPCD offset requirements are a major component of the SJVAPCD's air quality plans. Thus, projects with emissions below the thresholds of significance for criteria pollutants would be determined to not conflict or obstruct implementation of the SJVAPCD's air quality plan.

Construction of the project would result in the placement of 304 new residential units as close as 50 feet from I-205. Based on Table 4.15-8 of the City of Tracy General Plan Draft Recirculated Supplemental EIR (2010), residences located within 400 feet of I-205 could be exposed to diesel PM concentrations that would contribute to increased cancer risk. In accordance with City of Tracy General Plan Policy 11 of the Air Quality Element (2011a), a Health Risk Assessment (HRA) was conducted to disclose risk levels associated with freeway traffic on I-205 adjacent to the project site. The HRA was conducted in accordance with SJVAPCD recommendations. For complete details and HRA results, refer to Appendix D. Consistent with City policy, a number of best available risk reduction measures will be incorporated into the project's Conditions of Approval. The preparation of the HRA and disclosure of project specific health risks has been provided for public disclosure and General Plan consistency purposes. Consistent with recent case law (California Building Industry Association [CBIA] v. Bay Area Air Quality Management District [BAAQMD] [2013 and 2016]), CEQA does not require a lead agency to evaluate the effects of existing environmental conditions on a proposed project's future users or residents except to the degree a project would exacerbate those environmental conditions. Consistent with this guidance, the City has disclosed the existing environment's health risks and has provided an evaluation of whether the project would exacerbate those risks.

3.3.2 Discussion

a) Conflict with or obstruct implementation of the applicable air quality plan?

Less than significant with mitigation. The project would include the construction and operation of 304 multifamily residential rental units and supportive land uses (i.e., clubhouse, dog park, community garden). Based on the responses to checklist questions b) and c) below, the project would not exceed the thresholds of significance for criteria pollutants and precursors. Thus, the project would not conflict with or obstruct implementation of the SJVAPCD's air quality plan. This would be a less-than-significant impact with mitigation (as described in b) and c) below).

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

<u>Short-Term Construction-Related Criteria Air Pollutants and Precursors</u>

Less than significant with mitigation. Initial project construction activities would consist of demolition of the one existing on-site residence, site preparation, and grading. All construction phases would occur sequentially. Construction of housing could begin in the summer of 2017 and is estimated to continue for 24 months.

Construction-related emissions would be temporary in nature. Construction-related activities would include site preparation, grading, paving, building construction, application of architectural coatings. Emissions of NO_X would be primarily associated with off-road (e.g., gas and diesel) construction equipment exhaust; additional sources would include on-road trucks for import and export of materials and worker vehicles for commuting. Worker commute trips in gasoline-fueled vehicles, off-gassing from asphalt application, and application of architectural coatings would be the principal sources of ROG, with additional ROG coming from off- and on-road construction equipment. Emissions of fugitive PM or dust (PM_{10} and $PM_{2.5}$) are associated primarily with ground-disturbance activities during site preparation, demolition, trenching, and grading, and may vary as a function of such parameters as soil silt content, soil moisture, wind speed, acreage of disturbance area, and vehicle miles traveled on-site and off-site. Exhaust emissions from diesel equipment and worker commute trips also contribute to short-term increases in PM_{10} and $PM_{2.5}$ emissions, but to a much lesser extent.

Construction-related emissions were estimated using the California Emissions Estimator Model (CalEEMod) computer program as recommended by SJVAPCD (SCAQMD 2013). CalEEMod is designed to model construction emissions for land use development projects using emission factors developed by ARB, and allows for the input of project-specific information.

Table 3.3-2 summarizes the modeled construction-related emissions of criteria air pollutants and criteria air pollutants and precursors for the project. Refer to Appendix A for detailed modeling input parameters and results.

Table 3.3-2 Summary of Construction-Generated Emissions of Criteria Air Pollutants and Precursors

Year	Emissions (tons/year)					
	ROG	NO_X[1]	PM_{10}[1]	$PM_{2.5}$	CO	SO_X
2016	<1	2	<1	<1	2	<1
2017	1	4	<1	<1	4	<1
2018	4	2	<1	<1	2	<1
Threshold of Significance	*10*	*10*	*15*	*15*	*100*	*27*

Notes: Tons/year = tons per year; CO =carbon monoxide; NO_X = oxides of nitrogen; ROG = reactive organic gases; SO_X = oxides of sulfur; PM_{10} = respirable particulate matter with an aerodynamic diameter of 10 micrometers or less; $PM_{2.5}$ = fine particulate matter with an aerodynamic resistance diameter of 2.5 micrometers or less;
[1] Emissions estimates do not account for reductions that would result from compliance with SJVAPCD Rule 9510, Indirect Source Review.
Refer to Appendix A for detailed assumptions and modeling output files.
Source: Data modeled by Ascent Environmental in 2016.

As shown in Table 3.3-2, emissions of CO, NO_X, ROG, SO_X, PM_{10} or $PM_{2.5}$ would not exceed the applicable thresholds adopted by SJVAPCD during any of the years of construction. Moreover, none of SJVAPCD's mass emission thresholds would be exceeded if all of the construction was performed during a single year. Thus, mass emissions of criteria air pollutants and precursors generated by project construction would not contribute to the nonattainment status of the SJVAB for any criteria air pollutants.

Nonetheless, grading and other earth movement performed during construction would generate fugitive dust that has the potential to contribute to localized concentrations of PM_{10} and $PM_{2.5}$ that exceed applicable CAAQS and NAAQS. Such exceedances could occur at nearby sensitive receptors, including residents of the neighborhoods west and south of the project site. This would be a significant impact. Implementation of the following mitigation would reduce this impact to a less-than-significant level.

Mitigation Measure AQ-1: Implementation Dust Control Measures.

Prior to the commencement of construction activities that would generate fugitive PM_{10} dust emissions, the City shall require that a construction emissions reduction plan be prepared that meets the requirements of SJVAPCD Regulation VIII. The construction emissions reduction plan shall be submitted by the applicant to SJVAPCD for review and approval. The project applicant shall comply with all applicable SJVAPCD requirements for construction activities.

Regulation VIII requires that the following measures be implemented during construction to control fugitive dust:

- apply water to unpaved surfaces and areas,
- use non-toxic chemical or organic dust suppressants on unpaved roads and traffic areas,
- limit or reduce vehicle speed on unpaved roads and traffic areas,
- maintain areas in a stabilized condition by restricting vehicle access,
- install wind barriers,

- during high winds, cease outdoor activities that disturb the soil,
- keep bulk materials sufficiently wet when handling,
- store and handle materials in a three-sided structure,
- when storing bulk materials, apply water to the surface or cover the storage pile with a tarp,
- prevent overloaded haul trucks,
- cover haul trucks with a tarp or other suitable cover. Or, wet the top of the load enough to limit visible dust emissions,
- clean the interior of cargo compartments on emptied haul trucks prior to leaving a site,
- prevent trackout by installing a trackout control device,
- cleanup trackout at least once a day. If along a busy road or highway, clean up trackout immediately, and
- monitor dust-generating activities and implement appropriate measures for maximum dust control.

In addition, all construction equipment shall be staged as distant as possible from existing off-site receptors including the residential land uses across Rochester Street and Henley Parkway.

As a condition of project approval, the City shall require the applicant to demonstrate receipt of a SJVAPCD-approved Dust Control Plan or Construction Notification form (before issuance of the first grading permit) prior to any construction activity.

Significance after Mitigation

Implementation of Mitigation Measure AQ-1 would ensure compliance with SJVAPCD Regulation VIII and minimize the potential for fugitive dust emissions generated during project construction to contribute to a localized exceedance of the CAAQS and NAAQS for of PM_{10} and $PM_{2.5}$. As a result, this impact would be reduced to a less-than-significant level.

Long-Term Operational-Related Regional Criteria Air Pollutant and Precursor Emissions

Less than significant. Regional area- and mobile-source emissions of criteria air pollutants and precursors (i.e., CO, NO_X, ROG, SO_X, PM_{10}, and $PM_{2.5}$) generated by operation of the project were modeled using CalEEMod. CalEEMod allows land use selections that include location specific information and trip generation rates. CalEEMod calculates area-source emissions from the usage of natural gas, landscape maintenance equipment, and consumer products and calculates mobile-source emissions associated with vehicle trip generation.

Regional area-, energy-, and mobile-source emissions were modeled based on the proposed land use types and sizes as described in Chapter 2, "Project Description," trip generation data presented in the *Harvest in Tracy Transportation Impact Study* (Transportation Study) prepared by Fehr and Peers and dated August 2016[1], and default CalEEMod settings to estimate reasonable maximum emission conditions. As reported in the Transportation Study, the project is estimated to generate 1,995 daily trips. The Transportation Study can be found in Appendix B. Refer to Appendix A for detailed modeling input parameters and results.

[1] The Transportation Impact Study was originally drafted in March 2016 using a project description with 300 multi-family dwelling units. The most recent project description has 304 multi-family dwelling units. This change in dwelling units would correspond to two (2) net new outbound AM peak hour and three (3) net new (1 outbound and 2 inbound) PM peak hour trips. This minor increase in the project's trip generating characteristics would not change the results documented in the Existing + Project Conditions and Cumulative + Project Conditions analysis.

Table 3.3-3 summarizes the modeled operation-related emissions of criteria air pollutants and precursors under buildout conditions in 2019, the earliest possible year of full operation.

Table 3.3-3 Summary of Operational Emissions of Criteria Air Pollutants and Precursors

Source	Emissions (tons/year)					
	CO	NO_X[1]	ROG	SO_X	PM_{10}[1]	$PM_{2.5}$
Area	2	<1	2	<1	<1	<1
Mobile	10	6	2	<1	2	1
Total Emissions	**12**	**6**	**4**	**<1**	**2**	**1**
Threshold of Significance (tons/year)	*100*	*10*	*10*	*27*	*15*	*15*

Notes: Tons/year = tons per year; CO =carbon monoxide; NO_X = oxides of nitrogen; ROG = reactive organic gases; SO_X = oxides of sulfur; PM_{10} = respirable particulate matter with an aerodynamic diameter of 10 micrometers or less; $PM_{2.5}$ = fine particulate matter with an aerodynamic resistance diameter of 2.5 micrometers or less;
[1] Emissions estimates do not account for reductions that would result from compliance with SJVAPCD Rule 9510, Indirect Source Review.
Refer to Appendix B for detailed assumptions and modeling output files.

Source: Data modeled by Ascent Environmental in 2016

As shown in Table 3.3-3, the project's operational emissions would not exceed any of SJVAPCD's applicable mass emission thresholds. Moreover, the mass of NO_X and PM_{10} generated by the operation of the project would be less than the estimates shown in Table 3.3-3 because the project would be required to comply with SJVAPCD Rule 9510 (ISR). This rule requires developers of residential projects greater than 50 units to achieve a 33 percent reduction of operational emissions of NO_X and 50 percent reduction in operational emissions of PM_{10} over 10 years. Therefore, the mass emissions of criteria air pollutants and precursors associated with operation of the project would not contribute considerably to the nonattainment status of the SJVAP with respect to the applicable CAAQS and NAAQS.

Nonetheless, localized concentrations of CO may increase due to the additional vehicle trips on the surrounding roadway network generated by the project. Localized concentrations of CO at high-volume of congested intersections are of particular concern because these are locations where CO-emitting vehicles could idle for extended periods of time. Local mobile-source CO emissions near roadway intersections are a direct function of traffic volume, speed, and delay. Transport of CO is extremely limited because it disperses rapidly with distance from the source under normal meteorological conditions. However, under certain specific meteorological conditions, CO concentrations near intersections may reach unhealthy levels at nearby sensitive land uses—referred to as CO hot spots—, such as residential units, schools, and childcare facilities. Thus, high local CO concentrations are considered to have a direct influence on the receptors they affect.

The SJVAPCD has established two tiers of screening criteria for determining whether increased traffic congestion could potentially result in a CO hotspot at a local intersection (SJVAPCD 2015:98).

If neither of the following first tier criteria would be experienced at project-affected intersections, the project would not result in an exceedance of the CAAQS and NAAQS for CO:

- traffic generated by the project would result in deterioration of level of service (LOS) on one or more streets or at one or more intersections in the project vicinity to LOS E or F; and
- the project would substantially worsen an already existing LOS F on one or more streets or at more or more intersections in the project vicinity.

As described in Section 3.16, Transportation/Traffic, neither of the first-tier criteria would occur on project-affected streets or intersections. Therefore, the first-tier criteria would be met and the project would not contribute to a localized exceedance of the CAAQS or NAAQS at any intersections in the roadway network.

In summary, the project would not generate mass emissions of criteria air pollutants and precursors that exceed applicable mass emission thresholds, and project-generated vehicle trips would not result in localized exceedances of the CAAQS or NAAQS for CO. Therefore, the emissions associated with operation of the project would not violate any air quality standard or contribute substantially to an existing or projected air quality violation. This impact would be less than significant.

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

Less than significant. As mentioned above, San Joaquin County is designated as nonattainment with respect to the CAAQS and NAAQS for ozone and $PM_{2.5}$ and with respect to the CAAQS for PM_{10}. Past, present, and future development projects contribute to the region's adverse air quality impacts on a cumulative basis. By its very nature, air pollution is largely a cumulative impact. A project's individual emissions can contribute to existing cumulatively significant adverse air quality impacts. As explained in SJVAPCD's Guide for Assessing and Mitigating Air Quality Impacts (2015), and consistent with CEQA, if a project's contribution to the cumulative impact is considerable, then the project's impact on air quality would be considered significant. In developing thresholds of significance for air pollutants, SJVAPCD considered the emission levels for which a project's individual emissions would be cumulatively considerable. If project-related emissions do not exceed the identified significance thresholds, including SJVAPCD's mass emission thresholds of 10 tpy for ROG or NO_X, 15 tpy for PM_{10} and $PM_{2.5}$, 100 tpy for CO, and 27 tpy for SO_X, its emissions would not be cumulatively considerable, and would not result in significant adverse air quality impacts. Therefore, analysis in addition to the analysis performed under item b) is not necessary for the evaluation of potential cumulative impacts.

Thus, as discussed in the analysis under item b) above, project-generated emissions would not exceed applicable thresholds, and therefore would not violate or contribute substantially to an existing or projected air quality violation. As a result, project-generated emissions of criteria air pollutants and precursors would not be cumulatively considerable. This would be a less-than-significant impact.

d) Expose sensitive receptors to substantial pollutant concentrations?

Criteria Air Pollutants and Precursors

Less than significant. The closest sensitive receptors to the project site are residences located adjacent to and east of the project site as well as the residences directly across Henley Parkway to the south of the project site. Other nearby land uses consist of commercial and retail uses. As discussed in "b" above, project implementation would not result in regional (e.g., ROG, NO_X, PM_{10}) or local (e.g., CO) emissions of criteria air pollutant or precursors from construction or operational activities that would exceed applicable SJVAPCD thresholds of significance. Thus, project-generated criteria air pollutant and precursor emissions would not expose sensitive receptors to substantial pollutant concentrations. This impact would be less than significant.

Toxic Air Contaminants

Particulate exhaust emissions from diesel-fueled engines (i.e., diesel PM) was identified as a toxic air contaminant (TAC) by ARB in 1998. The potential cancer risk from the inhalation of diesel PM outweighs the potential for all other health impacts (i.e., non-cancer chronic risk, short-term acute risk) and health impacts from other TACs (ARB 2005). Although other TACs exist (e.g., benzene, 1,3-butadiene, hexavalent chromium, formaldehyde, methylene chloride), they are primarily associated with industrial operations, which are not a part of the project. Thus, the TAC of primary concern for purposes of this analysis is diesel PM. Emissions of diesel PM from construction and operation of the project are discussed separately below.

Construction-related activities would result in temporary, short-term project-generated emissions of diesel PM from the exhaust of off-road, heavy-duty diesel equipment for site preparation (e.g., demolition, clearing,

grading); paving; application of architectural coatings; on-road truck travel; and other miscellaneous activities. However, construction activities would be relatively minor and short in duration (i.e., up to 24 months). As discussed above construction-related emissions of $PM_{2.5}$, used as a surrogate for diesel PM, would be minor and would not exceed applicable thresholds of significance. Further, the dose to which receptors are exposed is the primary factor used to determine health risk (i.e., potential exposure to TAC emission levels that exceed applicable standards). Dose is a function of the concentration of a substance or substances in the environment and the duration of exposure to the substance. Dose is positively correlated with time, meaning that a longer exposure period would result in a higher exposure level for any exposed receptor. Thus, the risks estimated for an exposed individual are higher if a fixed exposure occurs over a longer period of time. According to guidance from the California Air Pollution Control Officers Association recommended by SJVAPCD, health risk for a residential project from TACs should be based on a 70-year exposure period (CAPCOA 2009). Thus, considering the relatively low amount of estimated emissions (i.e., less than 1 ton per year) and the short duration of project construction, short-term emissions of diesel PM would not result in substantial pollution concentrations at existing nearby sensitive receptors and would not exacerbate the existing health risks from TAC emissions.

With respect to long-term operational increases in mobile-source TACs from implementation of the project, construction of the 304 residences would result in an additional 1,995 daily trips per day. Due to the residential nature of the project, additional trips would be associated with passenger vehicles, rather than diesel trucks, which is a primary source of mobile TACs on roadways. Further, and in accordance with SJVAPCD and ARB guidance (2005), roadways with average daily traffic (ADT) exceeding 100,000 generally pose the greatest health risks. Thus, considering that the project would not generate diesel truck trips and project-generated ADT would be minimal in comparison to ADT levels known to generate the highest risk, the project would not result in operational mobile-source emissions that could expose existing sensitive receptors to substantial pollution concentrations or exacerbate existing health risks from TAC emissions. This impact would be less than significant.

e) Create objectionable odors affecting a substantial number of people?

Less than significant. The occurrence and severity of odor impacts depend on numerous factors, including the nature, frequency, and intensity of the source; wind speed and direction; and the presence of sensitive receptors. Although offensive odors rarely cause physical harm, they may still be very unpleasant, leading to considerable distress and often generating citizen complaints to local governments and regulatory agencies.

No existing major sources of objectionable odors (e.g., landfill, composting facility, food processing facility, feedlot/dairy) are located within the screening level distances identified by SJVAPCD (and listed in Table 3.1-1 above). Development of the multi-family rental condominiums and supportive land uses (i.e., clubhouse, dog park, community garden) would not introduce new, permanent sources of objectionable odors.

Construction associated with the project could expose existing nearby residents to odorous emissions from diesel equipment, asphalt paving, and the application of architectural coatings. However, such emissions would be short-term in nature and would dissipate rapidly with increasing distance from the source.

Implementation of the project would not involve the construction or operation of any major odor sources, and no existing sources of objectionable odors are located within one mile of the project. Thus, the project would not result in the exposure of residences or other sensitive receptors to objectionable odors. As a result, this impact would be less than significant.

3.4 BIOLOGICAL RESOURCES

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. Biological Resources. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service?	☐	☐	☐	☒
c) 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, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☒	☐	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☒	☐	☐

3.4.1 Environmental Setting

A biological resources survey of the project site was conducted by Ascent Environmental on January 11, 2016. The project site consists of an undeveloped lot, a gravel vehicle storage facility, a residence with adjacent putting green and ornamental vegetation including trees, and a recreational vehicle (RV) storage facility. The vacant lot supports very little vegetation due to ongoing weed management abatement and vegetation consists of ruderal weeds that include red stem filaree (*Erodium cicutarium*), prickly lettuce (*Lactuca serriola*), bristly oxtongue (*Picris echioides*), everlasting cudweed (*Pseudognaphalium luteoalbum*), milk thistle (*Silybum marianum*), Russian thistle (*Salsola tragus*), squirrel-tail grass (*Elymus elymoides*), rabbitsfoot grass (*Polypogon monspeliensis*), and ripgut brome (*Bromus diandrus*). Trees surrounding the residence include cypress (*Cupressaceae* spp.), olive (*Olea* spp.), privet (*Ligustrum* spp.), fruit trees (*Prunus* spp.) and weeping willow (*Salix babylonica*).Vacant lots within city limits support common birds and mammals that have adapted to this habitat type; observed wildlife species include black phoebe (*Sayornish nigricans*), Say's phoebe (*Sayornis saya*), American kestrel (*Falco sparverius*), mourning dove (*Zenaida macroura*), Eurasian collared dove (*Streptopelia decaocto*), Anna's hummingbird (*Calypte anna*), dark-eyed

junco (*Junco hyemalis*), white-crowned sparrow (*Zonotrichia leucophyrys*), northern mockingbird (*Mimus polyglottos*), American pipit (*Anthus rubescens*), California ground squirrel (*Otospermophilus beecheyi*), and black-tailed jackrabbit (*Lepus californicus*).

A query of the California Department of Fish and Wildlife (CDFW) – California Natural Diversity Database (CNDDB) contained recorded occurrences of four plants: big tarplant (*Blepharizonia plumosa*), round-leaved filaree (*California mycrophylla*), Mason's lilaeopsis (*Lilaeopsis masonii*), and caper-fruited tropidocarpum (*Tropidocarpum capparideum*); 15 wildlife species: Crotch bumble bee (*Bombus crotchii*), California red-legged frog (*Rana draytonii*), western pond turtle (*Emys marmorata*), Alameda whipsnake (*Masticophis lateralis euryxanthus*), coast horned lizard (*Phrynosoma blainvillii*), tricolored blackbird (*Agelaius tricolor*), burrowing owl (*Athene cunicularia*), Swainson's hawk (*Buteo swainsoni*), northern harrier (*Circus cyaneus*), California horned lark (*Eremophila alpestris actia*), loggerhead shrike (*Lanius ludovicianus*), song sparrow ["Modesto" population] (*Melospiza melodia*), San Joaquin pocket mouse (*Perognathus inornatus*), riparian brush rabbit (*Sylvilagus bachmani riparius*), San Joaquin kit fox (*Vulpes macrotis mutica*), and American badger (*Taxidea taxus*); the CNDDB also contains records of Great Valley-Valley Oak Riparian Forest, a sensitive natural community.

The project site is located within the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) and is located within the Central Zone of the SJMSCP. The San Joaquin Council of Governments (SJCOG), prepared the SJMSCP pursuant to a Memorandum of Understanding adopted by SJCOG, San Joaquin County, United States Fish and Wildlife Service (USFWS), CDFW, Caltrans, and the cities of Escalon, Lathrop, Lodi, Manteca, Ripon, Stockton, and Tracy. The key purpose of the SJMSCP is to provide a strategy for balancing the need to conserve open space and converting open space to accommodate a growing population while minimizing costs to project proponents and society at large.

Participation in the SJMSCP is voluntary for both local jurisdictions and project applicants. Only agencies adopting the SJMSCP would be covered by the SJMSCP. Individual project applicants have two options if their project is located in a jurisdiction participating in the SJMSCP: mitigating under the SJMSCP or negotiating directly with the state and/or federal permitting agencies. If a project applicant opts for SJMSCP coverage in a jurisdiction that is participating under the SJMSCP, the following options are available, unless their activities are otherwise exempted: pay the appropriate fee; dedicate, as conservation easements or fee title, habitat lands; purchase approved mitigation bank credits; or, propose an alternative mitigation plan. If the project applicant decides to opt for coverage under the SJMSCP, SJCOG will need to be contacted to start the review process that includes a site visit by a SJCOG biologist to the project site.

3.4.2 Discussion

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

Less Than Significant with Mitigation Incorporated. The potential occurrence of special-status species at the project site is summarized in Tables 1-1 and 1-2 in Appendix C.

Special-status plants: Numerous special-status plant species are known to occur in the San Joaquin valley region. Many of these special-status plant species require specialized habitats such as serpentine soils, rocky outcrops, slopes, vernal pools, marshes, swamps, riparian habitat, alkali soils, and chaparral, which are not present on the project site. The project site is located in an area that was likely valley grassland prior to human settlement, and there are several plant species that are found in valley and foothills grasslands areas that are covered under the SJMCSP. These species include large-flowered fiddleneck, bent-flowered fiddleneck, big balsamroot, big tarplant, round-leaved filaree, Lemmon's jewelflower, showy golden madia, Mason's lilaeopsis, and caper-fruited tropidocarpum. Human settlement has involved a high frequency of

ground disturbance associated with the historical farming activities in the region, including the project site. The project site does not contain suitable habitat for special-status plant species. Implementation of the project would have a less-than-significant impact on these species.

Special-status invertebrates: Although not on the CNDDB query list, but under the SJMSCP jurisdiction, special-status invertebrate species that occur within the San Joaquin County region include: longhorn fairy shrimp, vernal pool fairy shrimp, and mid valley fairy shrimp, which require vernal pools and swale areas within grasslands; the valley elderberry longhorn beetle, which is dependent on its host plant blue elderberry, that are oftentimes found in riparian areas or on lands in vicinity of riparian areas, and Crotch bumble bee which is typically associated with Phacelia, Clarkia, tree poppy, poppies, and buckwheat plants. The project site does not contain essential, or suitable habitat for these special-status invertebrates. Implementation of the project would have a less-than-significant impact on these species.

Special-status amphibians and reptiles: Special-status amphibians and reptiles that occur within the San Joaquin valley region include: the western pond turtle, which requires aquatic environments located along ponds, marshes, rivers, and ditches; the California tiger salamander, which is found is grassland habitats where there are nearby seasonal wetlands for breeding; the silvery legless lizard, which is found in sandy or loose loamy soils under sparse vegetation with high moisture content; San Joaquin whipsnake, which requires open, dry habitats with little or no tree cover with mammal burrows for refuge; the Alameda whipsnake, which is restricted to valley-foothill hardwood habitat on south-facing slopes; the California horned lizard, which occurs in a variety of habitats including, woodland, forest, riparian, and annual grasslands, usually in open sandy areas; the foothill yellow-legged frog, which occurs in partly shaded and shallow streams with rocky substrates; the California red legged frog, which occurs in stream pools and ponds with riparian or emergent marsh vegetation; and the western spadefoot toad, which requires grassland habitats associated with vernal pools. The project site does not contain essential habitat for these special-status reptiles and amphibians. Implementation of the project would have a less-than-significant impact on these species.

Special-status mammals: Special-status mammals that occur within the San Joaquin County region include: San Joaquin kit fox, riparian brush rabbit, San Joaquin pocket mouse, and American badger. The San Joaquin kit fox inhabits annual grasslands or grassy open stages with scattered shrubby vegetation and requires loose textured soils for burrowing; the riparian brush rabbit is typically found in riparian oak forest with a dense understory of wild roses, grapes, and blackberries; the San Joaquin pocket mouse typically occurs in dry, open grasslands or scrub areas on fine-textured soils; the American badger occurs in a wide variety of open, arid habitats but are most commonly associated with grasslands, savannas, mountain meadows, and open areas of desert scrub, the principal habitat requirement for the species appears to be sufficient food (burrowing rodents), friable soils, and relatively open, uncultivated ground. Due to historical disturbance from farming practices, the lack of suitable vegetation, limited prey species and surrounding land uses, the project site does not support essential habitat for these special-status mammal species. Implementation of the project would have a less-than-significant impact on these species.

Special-status birds: Special-status bird species that occur in the region include: California horned lark, northern harrier, loggerhead shrike, burrowing owl, tricolored blackbird, Swainson's hawk, white-tailed kite, and bald eagle. The tricolored blackbird, Swainson's hawk, northern harrier, white-tailed kite, and bald eagle are typically found in proximity to or within streams, rivers, lakes, wetlands, marshes, and other wet environments; and California horned lark, loggerhead shrike, and burrowing owl, are typically found in open habitat areas, usually grasslands, with scattered trees and brush. Based on available habitat, the only species with likelihood of occurring at the project site include the Swainson's hawk, burrowing owl, song sparrow ("Modesto" population), California horned lark, white-tailed kite, and loggerhead shrike.

Swainson's Hawk. The Swainson's hawk is state-listed as threatened and is protected under the California Department of Fish and Game Code, the Migratory Bird Treaty Act (MBTA), and is a covered species under the SJMSCP. CDFW also protects Swainson's hawk foraging habitat. Swainson's hawk typically forage over open grasslands, agricultural fields (i.e., alfalfa, disked and fallow fields) and commonly nest in solitary trees and riparian areas in close proximity to foraging habitat. CDFW considers the foraging range of Swainson's

hawks to be 10 miles from its nest location. Because of the lack of vegetation, low number of prey species (i.e., ground squirrels or small mammals) as evident by the lack of burrows on-site, and the small size of the undeveloped lot, the site provides low quality foraging habitat for the Swainson's hawk. There are 121 recorded occurrences of Swainson's hawk within 10 miles of the project site but none have been reported from within the project site. No nest structures were observed on the existing trees at the project site. The project site supports at least four large ornamental trees that could provide suitable nesting habitat for the Swainson's hawk.

Burrowing Owl. The burrowing owl is a California Species of Special Concern and is protected under the DFG Code and MBTA. Burrowing owls nest in old California ground squirrel burrows or other small mammal burrows of sufficient size, and forage in open grasslands, agricultural fields, shrublands, and ruderal fields. Insects and small size rodents found in agricultural areas could be present in the project site; however, the lack of vegetation would limit their numbers. Furthermore, the site does not support a large population of ground squirrels and, thus, the site has limited ground squirrel burrows. No other burrows were observed that could provide suitable nesting habitat for the burrowing owl.

The project site contains low quality foraging habitat and only a handful of small mammal burrows that could serve as nesting sites. The project site is surrounded by residential and commercial development and no evidence of burrowing owls within the project site was observed during the reconnaissance field survey. However, a pair of burrowing owls was observed, approximately one-quarter mile northeast of the project site, in an open lot along Henley Parkway, just south of the 7-Eleven. Although no owl sign was observed in the project site, there is a possibility that these owls may move from their current location to the project site.

Loggerhead Shrike, California Horned Lark, Song Sparrow ("Modesto" population), White-tailed kite. The loggerhead shrike and the California horned lark are California species of special concern and both are covered species under the SJMSCP; the song sparrow ("Modesto" population) is a California species of special concern; and the white-tailed kite is a Fully Protected species as is also a covered species under the SJMSCP. The project site contains low quality foraging habitat for white-tailed kite, loggerhead shrike, California horned lark, and song sparrow ("Modesto" population) due to the lack of vegetation, seed, and insect prey. Although the project site bare ground may provide suitable nesting habitat for the California horned lark, the fact that the site provides low quality foraging habitat may preclude nesting at the site. The loggerhead shrike and song sparrow are known to nest in shrubs. The shrubbery along the vehicle/RV storage yard may provide suitable nesting habitat for these species. Some of the trees may provide suitable nesting habitat for the white-tailed kite but the lack of small mammal prey likely precludes the presence of this species. No nest structures or known occurrences of nesting white-tailed kites have been documented on the site or in the immediate vicinity.

The project would result in the grading of the site and removal of trees and shrubs. If the grading and vegetation removal would occur during the bird nesting season (usually February 1 – September 31), these actions could result in the loss of active bird nests/burrows which would be a violation of the MBTA and California Fish and Game Code (CFGC), which would be a significant impact. Implementation of the following mitigation would reduce this impact to a less-than-significant level.

Mitigation Measure BIO-1

Prior to commencement of any grading activities, the project applicant shall obtain coverage under the SJMSCP to mitigate for habitat impacts to covered special-status species. Coverage involves compensation for habitat impacts on covered species through payment of development fees for conversion of open space lands that may provide habitat for covered special-status species. These fees are used to preserve and/or create habitat in preserves to be managed in perpetuity. In addition, coverage includes incidental take avoidance and minimization measures for species that could be affected as a result of the project. There are a wide variety of incidental take avoidance and minimization measures contained in the SJMSCP that were developed in consultation with the USFWS, CDFW, and local agencies. The applicability of incidental take avoidance and minimization measures are determined by SJCOG on a project basis. The process of obtaining coverage for a project includes incidental take authorization (permits) under the Endangered Species Act Section 10(a) and

California Fish and Game Code Section 2081. The Section 10(a) permit also serves as a special-purpose permit for the incidental take of those species that are also protected under the MBTA. Coverage under the SJMSCP would fully mitigate all habitat impacts on covered special-status species. The SJMSCP includes the implementation of an ongoing monitoring plan to ensure success in mitigating the habitat impacts that are covered. The SJMSCP monitoring plan includes an annual report process, biological monitoring plan, SJMSCP Compliance Monitoring Program, and the SJMSCP Adaptive Management Plan.

Mitigation Measure BIO-2

The following measures are consistent with the SJMSCP as applicable to the project.

A) If initial grading and or vegetation removal is scheduled between October 1 and January 31 in order to avoid the potential disturbance/take of nesting birds, a pre-construction survey for wintering burrowing owls shall be implemented no more than 15 days prior to the start of grading, Because burrowing owls are known to occur in proximity of the project site and there is potential for them to move into the project site during the non-breeding season, If no burrowing owls are found during the pre-construction survey, then no further mitigation is required and grading and vegetation removal can take place.

   If wintering burrowing owls are found, burrowing owls shall be encouraged to leave the project site by implementing the following action as described in the SJMSCP:

   - The Project Proponent or its contractor shall plant new vegetation or allow/retain existing vegetation entirely covering the site at a height of approximately 36 inches above the ground. Vegetation will discourage both ground squirrel and owl use of the site.

   If this measure is implemented and do not work or the owls return, then the project applicant shall implement the following measures as described in the SJMSCP.

   - During the non-breeding season (September 1 through January 31) burrowing owls occupying the project site shall be evicted from the project site by passive relocation measures as described in the California Department of Fish and Wildlife's Staff Report on Burrowing Owl (Oct 1995).

If initial grading and/or vegetation removal during the non-breeding season is not feasible. The applicant shall implement Mitigation Measure BIO-2B.

B) If construction activities, including grading, need to occur during the avian breeding season (February 1 – September 31) then the project applicant shall retain a wildlife biologist through the SJMSCP process to conduct pre-construction surveys to prevent impacts to nesting birds. No more than 15 days prior to the start of construction a bird survey shall be conducted by a qualified biologist to identify any active nests within the project site or visible from the project site. If construction stops for a period of 15 days or more during the avian breeding season then an additional bird survey shall be conducted for all special-status birds protected by the federal and state ESA, MBTA, CFGC and SJMSCP, including but not limited to those that are documented within a 10-mile radius of the project site and are known to nest in the region. The biologist shall map all nests that are within, and visible from the project site. If nests are identified, the biologist shall develop buffer zones around active nests as described in the SJMSCP (i.e., species setbacks: burrowing owl – 75 m (246 feet); horned lark – 500 feet; white-tailed kite, loggerhead shrike, song sparrow – 100 feet; and Swainson's hawk – depends if the nest was initiated after construction started [see SJMSCP Section 5.2.4.11]). Construction activity shall be prohibited within the buffer zones/setbacks until the young have fledged or the nest is no longer in use. The setbacks apply whenever construction or other ground disturbing activities must begin during the nesting season in the presence of nests which are known to be occupied.

   Swainson's Hawk – The mature large ornamental trees could provide suitable nesting habitat for the Swainson's hawk. A preconstruction nesting survey for Swainson's hawk shall be conducted no more than 15-days prior to start of construction. If no nesting Swainson's hawks or other nesting birds are using the

trees, no further mitigation is required and the trees may be removed if required for the project. The project applicant has the option of retaining potential or known Swainson's hawk nests trees (i.e., trees that hawks are known to have nested in within the past three years or trees, such as large oaks, which the hawks prefer for nesting) or removing the nest trees. If the project applicant elects to retain large trees, and in order to encourage tree retention, the following Incidental Take Minimization Measure shall be implemented during construction activities:

- If a nest tree (or large tree retained) becomes occupied during construction activities, then all construction activities shall main a distance of two times the dripline of the tree, measured from the nest.

- If the nest tree is then needed to be removed, then the nest tree(s) may be removed between September 1 and February 15, when the nests are unoccupied.

Burrowing Owl - During the breeding season (February 1 through September 1) occupied burrowing owl burrows shall not be disturbed and shall be provided with a 75 meter protective buffer until and unless the SJCOG Technical Advisory Committee (TAC), with the concurrence of the Permitting Agencies' representatives on the TAC; or unless a qualified biologist approved by the Permitting Agencies verifies through non-invasive means that either: 1) the birds have not begun egg laying, or 2) juveniles from the occupied burrows are foraging independently and are capable of independent survival. Once the fledglings are capable of independent survival, the burrow can be destroyed. The burrows should only be destroyed by a qualified biologist using passive one-way eviction doors to ensure that owls are not harmed during burrow destruction. Methods for removal of burrows are described in the California Department of Fish and Game's Staff Report on Burrowing Owls (October 1995).

Significance after Mitigation

Implementation of mitigation measures BIO-1 would require the project applicant to obtain coverage under the SJMSCP. Coverage under the SJMSCP would fully mitigate all habitat impacts on covered special-status species and includes the implementation of an ongoing monitoring plan to ensure success in mitigating the habitat impacts that are covered. In addition, implementation of mitigation measure BIO-2 would reduce impacts to nesting birds including: Swainson's hawk, burrowing owl, loggerhead shrike, California horned lark, and song sparrow ("Modesto" population) and white-tailed kite by requiring removal of vegetation during the non-nesting season by requiring pre-construction nesting bird surveys, and implementation of setbacks around occupied nests during the nesting season if they cannot be avoided. Implementation of mitigation measures BIO-1 and BIO-2 would reduce the impact to a less-than-significant level.

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

No Impact. The project site is located on agricultural disturbed land. The CNDDB query contained two records of Great Valley-Valley Oak Riparian Forest in the vicinity of the project site, which is approximately 2.9 miles north and 3.4 miles northeast of the project site along the Old River. No riparian vegetation or sensitive natural communities occur on the project site. Although substantial vegetation clearing would be required around the existent residence, the vegetation to be removed includes decaying fruit trees, ornamental, nonnative, and landscaping plants. The project would result in no impact on riparian habitat or other sensitive natural communities.

c) 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, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

No Impact. Wetlands or other jurisdictional waters do not exist on the project site. Therefore, the project would not remove, fill, or hydrologically interrupt federally protected wetlands. The project would result in no impact to protected wetlands.

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

No Impact. Wildlife corridors are features that provide connections between two or more areas of habitat that would otherwise be isolated and unusable. Often drainages, creeks, or riparian areas are used by wildlife as movement corridors as these features can provide cover and access across a landscape. The project site does not support wildlife corridors as it is surrounded by urban development and it does not connect two suitable habitat areas. Furthermore, due to the urban location of the project site and limited vegetation, the project site does not support native wildlife nursery sites. Implementation of the project would have no impact on wildlife corridors or wildlife nursery sites.

e) & f) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance or Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Less Than Significant with Mitigation Incorporated. Mitigation Measure BIO-1 as described under the project is seeking to participate in the SJMSCP. The City of Tracy and the project applicant shall consult with SJCOG and determine coverage of the project pursuant to the SJMSCP. Implementation of Mitigation Measure BIO-1 would ensure that the project complies with the requirements of the SJMSCP, and would therefore not be in conflict with local policies or ordinances protection biological resources or the habitat conservation plan. With implementation of the Mitigation Measure BIO-1, this impact would be considered less than significant.

3.5 CULTURAL RESOURCES

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
V. Cultural Resources. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	☐	☒	☐	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	☐	☒	☐	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐
e) Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code 21074?	☐	☐	☐	☒

3.5.1 Environmental Setting

Setting information and impact conclusions are derived from the *Cultural and Paleontological Resources Inventory for the Harvest at Tracy Project, City of Tracy, San Joaquin County, California* (Natural Investigations Company 2016).

PREHISTORIC SETTING

The prehistoric timeframes in the Sacramento Valley, Sacramento-San Joaquin Delta, and San Joaquin Valley include Paleo-Indian (11,500–8550 B.C.), Lower Archaic (8550–5550 B.C.), Middle Archaic (5550–550 B.C.), Upper Archaic (550 B.C.– A.D. 1100), and Emergent or Late Prehistoric Period (A.D. 1100–Historic Contact)There is little evidence of the Paleo-Indian and Lower Archaic periods in the Central Valley and studies have estimated that Paleo-Indian and Lower Archaic sites along the lower stretch of the San Joaquin River and Sacramento River drainage systems were buried by Holocene alluvium up to 33 feet thick. Evidence shows changes in distinct artifact types, subsistence orientation, and settlement patterns, which began circa 5550 B.C. and lasted until historic contact in the early 1800s (Natural Investigations Company 2016).

ETHNOGRAPHIC SETTING

The Northern Valley Yokuts, a Penutian-speaking central California group historically occupied the project vicinity (Kroeber 1925; Wallace 1978). Two Yokuts tribes occupied the land near present-day Tracy: the *Chulamni* (or *Cholbumne*) to the north and the *Hoyumne*to the southeast. The *Chulamni* built their villages near Tracy along the banks of the Old River and San Joaquin River, and along creeks in the Diablo Range. The largest *Chulamni* village site near Tracy, *Pescadero* ("fisherman"), was named by the Spanish because they viewed native peoples catching fish at this Union Island village during their 1810 and 1811 expeditions (Hoover et al. 2002:369; Wallace1978, cited in Natural Investigations Company 2016).

HISTORIC SETTING

One of California's original 27 counties, San Joaquin County was created at the time of statehood in 1850 (Hoover et al. 2002:369). Although a portion of the City north of Grant Line Road is located within the 35,546-acre Rancho el Pescadero (Pico and Naglee), which was granted by Mexican Governor Manual Micheltorena to Antonio Maria Pico in 1843 and patented by the U.S. government to Pico and Henry Morris Naglee in 1865, permanent settlement in the present-day City limits did not begin until 1869 following construction of the Central Pacific Railroad (CPRR) through Altamont Pass between San Joaquin County and the Bay Area. A second rail line was constructed in 1878, which connected the county with Martinez, and a third rail line constructed in 1887 extended south to Los Angeles (City of Tracy 2015; EIP Associates 2002:4.10-1, cited in Natural Investigations Company 2016).

The town of Tracy was established at the junction of two rail lines soon after the construction of the second rail line in 1878. Named after Lathrop J. Tracy, an Ohio grain merchant and friend of a CPRR superintendent, the town soon became an important commercial and service center. A town grid was created along symmetrical arc shaped streets on either side of the railroad junction. An increase in rail traffic through Tracy resulted from the merger of CPRR into Southern Pacific Railroad Company (SPRR) in 1885. SPRR completed a third rail line transecting Tracy and in 1894 SPRR relocated its headquarters from Lathrop to Tracy. The town was incorporated in 1910 because of its strategic location, the same year it became a SPRR division point, and enjoyed its related economic prosperity and population growth (EIP Associates2002:4.10-1; Rianka and Miller 2010, cited in Natural Investigations Company 2016).

Continued growth of the City during the past 70 years has been influenced by the defense and agriculture industries, and by residential and commercial development. Establishment of the Tracy Defense Depot during World War II created thousands of jobs for new residents. After the war, major agricultural industries contributed to the City's growth. During the last two decades, escalating home prices and a shortage of developable land in the Bay Area has promoted additional growth, while the City's strategic proximity to major roadways and relatively inexpensive land values encouraged the development of large commercial shipping and distribution facilities (City of Tracy 2005:4.5-7; EIP Associates 2002:4.10-1, cited in Natural Investigations Company 2016).

RESULTS OF THE SITE SURVEY

An intensive pedestrian survey within the project site was conducted by Natural Investigations Company archaeologist, Dylan Stapleton, on January 11, 2016. Survey transects were spaced at intervals no greater than 15 meters. The project site was carefully examined for the presence of cultural resources and geologic outcrops that may contain paleontological resources.

All visible ground surface within the project site was examined for cultural material (e.g., flaked stone tools, tool-making debris, stone milling tools, or fire-affected rock), soil discoloration that might indicate the presence of a cultural midden, soil depressions and features indicative of the former presence of structures or buildings (e.g., postholes, foundations), or historic-era debris (e.g., metal, glass, ceramics).

No prehistoric or historic-era archaeological sites, ethnographic sites, or historic-era built environment resources were identified during the survey of the project site. No paleontological resources were exposed on the surface within the project site, and no unique geologic features or outcrops were identified (Natural Investigations Company 2016).

NATIVE AMERICAN OUTREACH AND CONSULTATION

In 2015, the Legislature passed Assembly Bill (AB) 52 and the Governor signed it into law. The statute amended CEQA to establish tribal consultation procedures for evaluation of potential effects to tribal cultural resources. To initiate the AB 52 consultation process, tribes must submit a written request to a lead agency to be informed through formal notification of proposed projects in the geographic area that is traditionally

and culturally affiliated with the tribe (PRC Section 21080.3.1[b]). The City, in response to requests for consultation under the requirements of AB 52, mailed certified letters to Wilton Rancheria on December 22, 2015. No requests for consultation regarding the potential of the project to impact tribal cultural resources were received.

Senate Bill 18 (SB 18) (Chapter 904, Statutes of 2004; Government Code Sections 65352.3-5) requires that, prior to the adoption or amendment of a city or county's general plan or specific plans, the city or county shall consult with California Native American tribes that are on the contact list maintained by the Native American Heritage Commission (NAHC). The intent of this law is to preserve or mitigate impacts on Native American places, features, and objects, as defined in PRC Sections 5097.9 and 5097.993, which are located within the city or county's jurisdiction. The law also states that the city or county shall protect the confidentiality of information concerning the specific identity, location, character, and use of those places, features, and objects identified by Native American consultation. Government Code Sections 65362.3 to 65362.5 apply to all general and specific plans adopted and/or amended after March 1, 2005. Natural Investigations requested from the NAHC the contact list for Native American tribes in the project region for SB 18 consultation. The City then sent letters on December 22, 2015 to all tribes on the list provided by the NAHC describing the proposed project and inviting consultation pursuant to SB 18 and no requests for consultation were received.

3.5.2 Discussion

a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?

Less than significant with mitigation incorporated. No historic-era archaeological sites or historic-era built environment resources were identified during the survey of the project site (Natural Investigations Company 2016). However, it is possible that previously unknown historical resources could be discovered during grading and excavation work associated with construction of the project. Inadvertent discovery or damage to historical resources would be a significant impact. Implementation of the following mitigation would reduce this impact to a less-than-significant level.

Mitigation Measure CUL-1: Inadvertent discovery of historical and archaeological resources.

While it is unlikely that any resources of historical or archaeological significance would be found on the site, before commencement of construction (site clearance, grading), construction crews shall be trained in the recognition of historical and archaeological resources that could potentially occur. In the unlikely event that buried cultural deposits (e.g., prehistoric stone tools, grinding stones, historic glass, bottles, foundations, cellars, privy pits) are encountered during project implementation, all ground-disturbing activity within 100 feet of the resources shall be halted and a qualified professional archaeologist shall be retained to assess the significance of the find. If the find is determined to be significant by the qualified archaeologist (i.e., because it is determined to constitute either an historical resource or a unique archaeological resource), the archaeologist shall develop appropriate procedures to protect the integrity of the resource and ensure that no additional resources are affected. Procedures could include but would not necessarily be limited to preservation in place, archival research, subsurface testing, or contiguous block unit excavation and data recovery.

Significance after Mitigation

Implementation of Mitigation Measure CUL-1 would ensure that the project would not result in adverse change to historical or archaeological resources, by requiring cessation of work and implementation of proper data recovery and/or preservation procedures upon discovery of previously unknown resources. Therefore, this impact would be reduced to a less-than-significant level.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

Less than significant with mitigation incorporated: No prehistoric archaeological sites or ethnographic sites, were identified during the survey of the project site (Natural Investigations Company 2016). However, it is possible that buried or concealed archaeological resources could be present that may be detected during ground-disturbing and other construction activities. Inadvertent discovery or damage of archaeological resources would be a significant impact. Implementation of the following mitigation would reduce this impact to a less-than-significant level.

Mitigation Measure CUL-1: Inadvertent discovery of historical and archaeological resources.

Significance after Mitigation

Implementation of Mitigation Measure CUL-1 would ensure that the project would not result in adverse change to archeological resources, by requiring cessation of work and implementation of proper recovery and/or preservation procedures upon discovery of previously unknown resources. Therefore, this impact would be reduced to a less-than-significant level.

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less than significant. No paleontological resources were observed exposed on the surface within the project site, and no unique geologic features or outcrops were identified during the survey of the project site (Natural Investigations Company 2016). In addition, Holocene-age deposits (less than 11,700 years old), like the alluvial fan deposits underlying the project site, are considered to have a low potential for paleontological resources because they are geologically immature and are unlikely to have fossilized the remains of organisms (the fossilization processes take place over millions of years). The project site has also been used extensively for agricultural purposes, and agricultural lands where the native soils have been greatly reworked through plowing, crop ripping, and irrigation practices are also considered to have a low paleontological potential. Therefore, the potential for discovery of paleontological resources within the project site is very low. This impact would be less than significant.

d) Disturb any human remains, including those interred outside of formal cemeteries?

Less than significant with mitigation incorporated. Based on the documentary research described above, no evidence suggests that any prehistoric or historic-era marked or un-marked human interments are present within or in the immediate vicinity of the project site (Natural Investigations Company 2016). However, there is the potential for unmarked, previously unknown Native American or other graves to be present and be uncovered during construction activities. California law recognizes the need to protect historic-era and Native American human burials, skeletal remains, and grave-associated items from vandalism and inadvertent destruction and any substantial change to or destruction of these resources would be a significant impact. Implementation of the following mitigation would reduce this impact to a less-than-significant level.

Mitigation Measure CUL-2: Inadvertent discovery of human remains.

In accordance with the California Health and Safety Code (CHSC), Section 7050.5, and the Public Resources Code (PRC) 5097.98, regarding the discovery of human remains, if any such finds are encountered during project construction, all work within the vicinity of the find shall cease immediately, a 50-foot-wide buffer surrounding the discovery shall be established, and the City shall be immediately notified. The County coroner shall be contacted immediately to examine and evaluate the find. If the coroner determines that the remains are not recent and are of Native American descent, the applicant shall contact the Native American Heritage Commission in accordance with CHSC Section 7050.5, and PRC 5097.98. All construction personnel shall be instructed that any human remains encountered should always be treated with sensitivity and respect, and their discovery and location kept confidential. Construction personnel shall be briefed before construction activities regarding procedures to follow in the event buried human remains are encountered.

Significance after Mitigation

Implementation of Mitigation Measure CUL-2 would ensure that proper procedures would be followed in the event of the discovery of previously unknown human remains. Therefore, this impact would be reduced to a less-than-significant level.

e) Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code 21074?

No impact. No requests, in writing pursuant to AB 52, from geographically affiliated tribes for consultation regarding the potential of the project to impact tribal cultural resources have been received prior to the date of this report. Therefore, no tribal cultural resources have been identified on the project site and the project would have no impact.

3.6 GEOLOGY AND SOILS

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. Geology and Soils. Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to California Geological Survey Special Publication 42.)	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv) Landslides?	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	☐	☒	☐	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994, as updated), creating substantial risks to life or property?	☐	☒	☐	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒

3.6.1 Environmental Setting

Setting information and impact conclusions are derived from the *Preliminary Geotechnical Investigation for Tracy Apartments Southwest of I-205 and Grant Line Road* (RMA GeoScience 2015).

The project site is situated within the central portion of the Great Valley geomorphic province, which is commonly known as the California Central Valley. The Great Valley is an alluvial plain that is about 50 miles wide and 400 miles long that is situated between the Coasts Ranges and Sierra Nevada Mountains. According to the California Department of Water Resources (1967), the site is underlain by about 75 feet of Quaternary age alluvium within the Tulare formation which consists of several hundred feet of Plio-Pleistocene continental deposits composed of the discontinuous, semi-consolidated sand, gravel, and clay (RMA GeoScience 2015).

The Seismic Hazards Mapping Act (SHMA) of 1990 (PRC Chapter 7.8, Section 2690-2699.6) directs the U.S. Department of Conservation (DOC), California Geological Survey (CGS) to identify and map areas prone to

liquefaction, earthquake-induced landslides, and amplified ground shaking. The CGS has not yet prepared a Seismic Hazard Zone Map of potential liquefaction hazards for the project vicinity. However, the Preliminary Geotechnical Investigation concluded that the site is not located within an Alquist-Priolo Fault Zone (Figure 3.6-1). The nearest earthquake fault zone is located approximately 12 miles southwest of the site along the Greenville fault. No active or potentially active faults are known to underlie the site. The nearest fault is the Stockton Fault, which is approximately 1-mile northwest of the site, but is not considered active. The nearest active fault is the Great Valley Fault, which is located approximately 3 miles from the site (RMA GeoScience 2015).

According to the Preliminary Geotechnical Report, the site is underlain by a highly plastic/expansive clay surface layer approximately three feet thick, which is generally underlain by alternating layers of silty clay and sand with varying amounts of gravel and silt. There is a potential for liquefaction to occur at the site during a design seismic event; however, the estimated differential ground settlement due to a design seismic event is well below the threshold that would require deep ground improvements or deep foundations (RMA GeoScience 2015).

The topography of the project site and surrounding area is relatively flat, and the potential for landslides is considered very low (RMA GeoScience 2015).

Soils on the site have a high runoff potential (National Resources Conservation Service [NRCS] 2013). Vegetation removal, grading, and other soil disturbance during construction would expose soils to increased erosion potential from wind and stormwater water runoff. The Preliminary Geotechnical Report investigated potential for soil expansion, and indicated that near surface soils have a high expansion potential (RMA GeoScience 2015).

3.6.2 Discussion

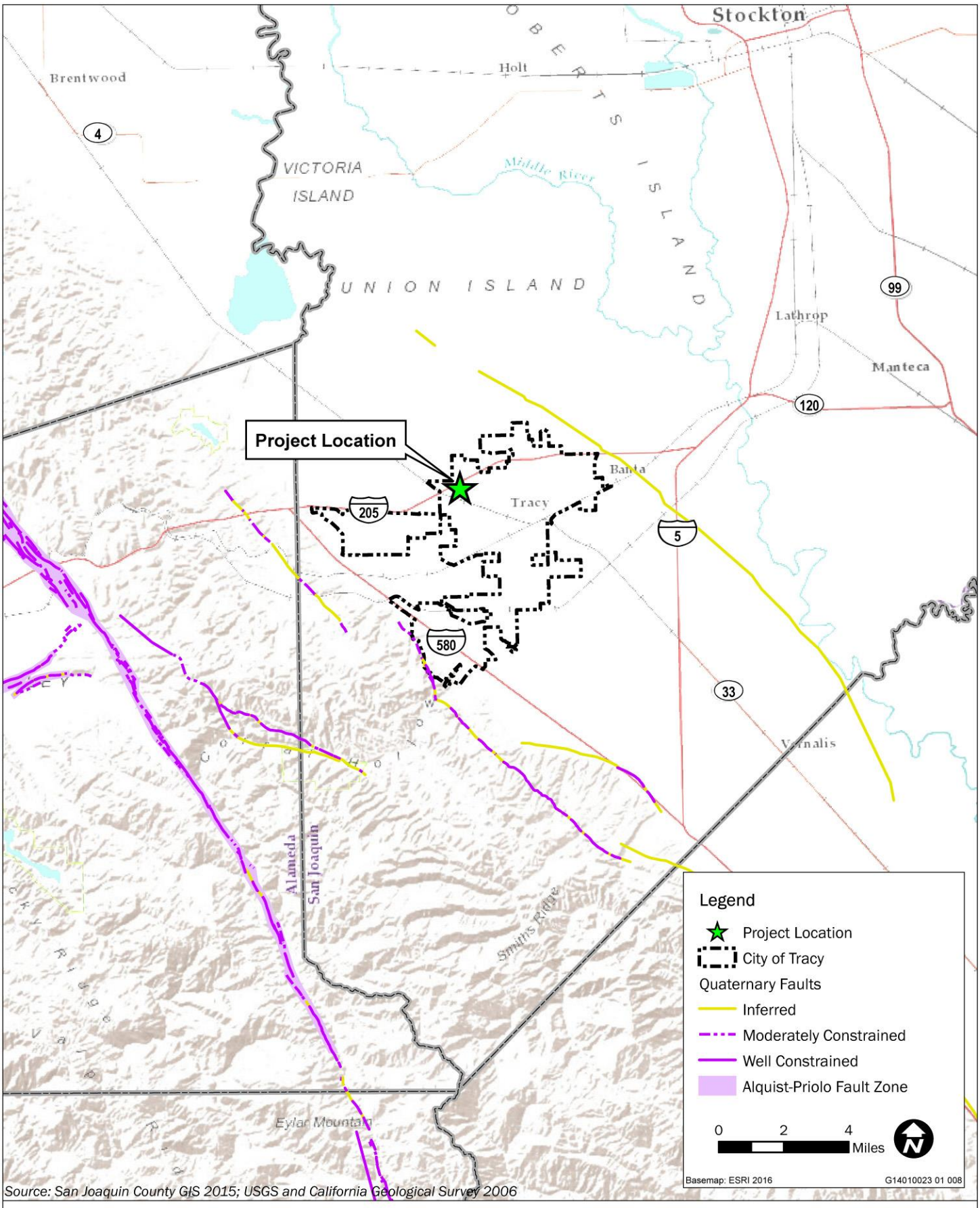
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to California Geological Survey Special Publication 42.)

Less than significant. No active or potentially active faults are known to underlie the site, and the site is not located in an Alquist-Priolo Earthquake Fault Zone (RMA GeoScience 2015). No surface evidence of faulting was observed on the site during the geotechnical field exploration. Therefore, this impact would be less than significant.

ii) Strong seismic ground shaking?

Less than significant. The project site is located within an area of moderate seismic activity; however, design of the structures in conformance with the latest edition of the California Building Code (CBC) (Title 24 of the California Code of Regulations, Chapter 16), would be sufficient to prevent significant damage from ground shaking during seismic events resulting from movement on any of the faults or fault systems known to exist at the time of the preparation of the Preliminary Geotechnical Report (RMA GeoScience 2015). This impact would be less than significant.



Source: San Joaquin County GIS 2015; USGS and California Geological Survey 2006

Exhibit 3.6-1 **Faults**

ASCENT ENVIRONMENTAL

iii) Seismic-related ground failure, including liquefaction?

Less than significant. The Preliminary Geotechnical report noted that the CGS has not yet prepared a Seismic Hazard Zone Map of potential liquefaction hazards for the quadrangle in which the site is located. However, based on the research and field exploration conducted for the Preliminary Geotechnical Report, conditions at the site could lead to the occurrence of liquefaction. The total thickness of potentially liquefiable soils varies from approximately 10 feet to 14.5 feet. However, the estimated settlement due to a seismic event is well below the threshold that would require deep ground improvements or deep foundations. In addition, all building foundations would be designed in accordance with the latest edition of the CBC, which would be sufficient to prevent damage related to liquefaction. Therefore, this impact would be less than significant.

iv) Landslides?

Less than significant. The Preliminary Geotechnical Report concluded that the topography of the project site and surrounding area is relatively flat, and the potential for landslides is considered very low. Therefore, a landslide affecting the project site is unlikely, and this impact would be less than significant.

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

Less than significant. Soils on the site have a high runoff potential (NRCS2013). Vegetation removal, grading, and other soil disturbance during construction would expose soils to increased erosion potential from wind and stormwater water runoff. Upon completion of the construction phase landscaping, and impervious surfaces would cover soils, decreasing the potential for erosion.

Existing measures are in place for new construction projects that require the applicant to prevent or control erosion on construction sites. The City has established requirements for controlling pollution from construction and post-construction development activities, including pollution that occurs as a result of erosion that can contribute excess sediments to the storm drainage system and local creeks. The project, which involves earth moving (e.g., grading, excavation), would be required as a standard condition to obtain a grading permit and comply with the provisions of the City's Grading Ordinance (Tracy Municipal Code 12.36.090).

In addition to complying with the City's requirements, construction projects disturbing one acre or more need to obtain coverage under the State Water Resources Control Board's General Construction Stormwater Permit. The general construction permit requires preparation of a detailed stormwater pollution prevention plan (SWPPP) for the construction site that includes measures to prevent and control erosion. The general construction permit also requires the developer to conduct regular inspections of their best management practices (BMPs) before, during, and after storm events.

Compliance with City requirements for controlling construction-related pollution and preparation and implementation of a SWPPP and associated BMPs would ensure that project-related erosion impacts would be less than significant.

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

Less than significant with mitigation incorporated. The Preliminary Geotechnical Report concluded that unstable geologic or soil conditions could occur within the project site. The report notes that the presence of shallow groundwater may create unstable soil conditions for excavations extending more than approximately three to four feet below existing grade. In addition, excavations that extend more than five or six feet below existing grade may require the installation of a dewatering system to facilitate construction. The Preliminary Geotechnical Report further states that unstable soils in areas where improvements that require deep excavations, such as the swimming pool, are needed should be over-excavated to allow for the placement of at least six inches of Class 2 Aggregate Base (AB) or the placement of a suitable geotextile in combination with at least six inches of Class 2 AB. In addition, the project would comply with the latest edition of the CBC

and would be reviewed by the City Engineering Department. However, design-level geotechnical investigations are required to verify the specific soil conditions on-site. Pending completion of the design-level geotechnical investigation, this would be a potentially significant impact. The design-level geotechnical investigation must comply with the CBC. The CBC reduces risk related to lateral spreading, subsidence, liquefaction, or collapse. Implementation of the following mitigation would reduce this impact to a less-than-significant level.

Mitigation Measure GEO-1: Complete design-level geotechnical investigation before final design.

Before final design and the commencement of construction, a design-level geotechnical investigation shall be prepared and submitted to the City for review that includes additional subsurface exploration and soil sampling, laboratory testing, and engineering evaluation of conditions on-site. The final report shall present geotechnical engineering conclusions and specific recommendations for site preparation, foundation design, floor support, sound-wall foundations, site drainage, addressing expansive soils, and pavement design to achieve compliance with the CBC which would reduce risk associated with lateral spreading, subsidence, liquefaction, or collapse.

Significance Conclusion

Implementation of Mitigation Measure GEO-1, compliance with the latest edition of the CBC, and review by the City Engineering Department would ensure that the project design would address geologic conditions on the site. Therefore, this impact would be reduced to a less-than-significant level.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994, as updated), creating substantial risks to life or property?

Less than significant with mitigation incorporated. The Preliminary Geotechnical Report investigated potential for soil expansion. The report noted that the site is underlain by highly plastic/expansive clay surface layer approximately three feet thick. The Preliminary Geotechnical Report recommends the use of reinforced foundations and slabs at the project site to mitigate the effects of expansive soils. However, design-level geotechnical investigations are required to verify the specific soil conditions on-site. Pending completion of the design-level geotechnical investigation, this would be a potentially significant impact. Implementation of the following mitigation would reduce this impact to a less-than-significant level.

Mitigation Measure GEO-1: Complete design-level geotechnical investigation before final design.

Significance Conclusion

Implementation of Mitigation Measure GEO-1, compliance with the latest edition of the CBC, and review by the City Engineering Department would ensure that the project design would address geologic conditions on the site. Therefore, this impact would be reduced to a less-than-significant level.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

No Impact. The project would be connected to the City's wastewater collection system that connects to the City of Tracy Wastewater Treatment Plant (see 3.17, Utilities and Service Systems). No septic tanks or alternative waste disposal systems are proposed. Therefore, no impact to such systems would occur.

3.3 GREENHOUSE GAS EMISSIONS

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. Greenhouse Gas Emissions. Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

3.3.1 Environmental Setting

Certain gases in the earth's atmosphere, classified as greenhouse gasses (GHGs), play a critical role in determining the earth's surface temperature. GHGs are responsible for "trapping" solar radiation in the earth's atmosphere, a phenomenon known as the greenhouse effect. Prominent GHGs contributing to the greenhouse effect are carbon dioxide (CO_2), methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.

Human-caused emissions of these GHGs in excess of natural ambient concentrations are believed responsible for intensifying the greenhouse effect and leading to a trend of unnatural warming of the earth's climate, known as global climate change or global warming. It is "extremely likely" that more than half of the observed increase in global average surface temperature from 1951 to 2010 was caused by the anthropogenic increase in GHG concentrations and other anthropogenic factors together (IPCC 2014:3, 5). By adoption of Assembly Bill (AB) 32, the California Global Warming Solutions Act of 2006, and Senate Bill (SB) 97, the State of California has acknowledged that the effects of GHG emissions cause adverse environmental impacts. AB 32 mandates that emissions of GHGs must be capped at 1990 levels by the year 2020 (California Air Resources Board 2007).

Emissions of GHGs have the potential to adversely affect the environment because such emissions contribute, on a cumulative basis, to global climate change. Although the emissions of one single project, would not cause global climate change, GHG emissions from multiple projects throughout the world could result in a cumulative impact with respect to global climate change.

Governor's Office of Planning and Research's (OPR's) Guidance does not include a quantitative threshold of significance to use for assessing a project's GHG emissions under CEQA. Moreover, ARB has not established such a threshold or recommended a method for setting a threshold for project-level analysis. In the absence of a consistent statewide threshold, a threshold of significance for analyzing the project's GHG emissions was developed. The issue of setting a GHG threshold is complex and dynamic, especially in light of the California Supreme Court decision in *Center for Biological Diversity v. California Department of Fish and Wildlife* (referred to as the Newhall Ranch decision hereafter). The California Supreme Court ruling also highlighted the need for the threshold to be tailored to the specific project type, its location, and the surrounding setting. Therefore, the threshold used to analyze the project is specific to the analysis herein and the City retains the ability to develop and/or use different thresholds of significance for other projects in its capacity as lead agency and recognizing the need for the individual threshold to be tailored and specific to individual projects.

The SJVAPCD provides a tiered approach in assessing significance of project specific GHG emission increases. Projects implementing Best Performance Standards (BPS) would be determined to have a less

than cumulatively significant impact. Otherwise, demonstration of a 29 percent reduction in GHG emissions, from business-as-usual (BAU), is required to determine that a project would have a less than cumulatively significant impact. The BAU approach was developed consistent with the GHG emission reduction targets established in the Scoping Plan. However, the BAU portion of the tiered approach is problematic based on the Newhall Ranch decision.

It is recommended that mass emission thresholds of significance developed by Sacramento Metropolitan Air Quality Management District (SMAQMD) and the Bay Area Air Quality Management District (BAAQMD) be used for evaluating construction- and operation-related GHG emissions. These thresholds are available in the SMAQMD CEQA Guide, last updated in February 2016 (SMAQMD 2016), and the 2010 BAAQMD CEQA Air Quality Guidelines, respectively.

The SMAQMD recommends a two-tiered approach for assessing a project's operational emissions. The two-tier framework is recommended by all air districts in the Sacramento region and is retained in this analysis. The second tier is replaced with a more appropriate threshold based on issues raised in the Newhall Ranch decision.

The first tier consists of comparing a project's annual operational emissions to SMAQMD's recommended mass emission threshold. The first tier gives lead agencies the ability to assess smaller projects and conclude that each development proposal would not necessarily make a considerable contribution to the cumulative impact of climate change.

The second tier consists of evaluating a project's consistency with California's GHG reduction targets. In light of the Newhall Ranch decision, efficiency metrics were developed to assess the project's consistency with California's adopted GHG reduction target for 2020 under AB 32.

Based on the discussion above, the following thresholds are applied to this analysis:

- For the evaluation of construction-related emissions, if the mass emissions associated with construction of the project would exceed of 1,100 metric tons of carbon dioxide-equivalent per year ($MTCO_2e$/year) then they would be cumulatively considerable.

- For the evaluation of operational emissions, a two-tiered approach is used:

  - (Tier I) Operational emissions of a project would not have a significant impact on the environment if they are less than 1,100 $MTCO_2e$/year, and

  - (Tier II) Projects that would become fully operational on or before 2020 with operational emissions that exceed 1,100 $MTCO_2e$/year, but are able to demonstrate consistency with a GHG efficiency metric of 4.9 metric tons of carbon dioxide equivalents per service population per year($MTCO_2e$/SP/year) by 2020, would not conflict with AB 32 and California's envisioned post-2020 GHG reduction goals.

For the evaluation of this project in relation to the SMAQMD approach for assessing a project's operational emissions, an impact would be significant if both Tier I and Tier II thresholds are exceeded.

On June 2, 2010, the BAAQMD adopted new CEQA significance thresholds including the thresholds for GHGs of 1,100 metric tons MT CO_2e/yr or 4.6 MT CO_2e/SP/yr for evaluating operation-related emissions (BAAQMD 2010). These thresholds were developed based on overall projections of development in the region, and how the region would come into compliance with the goals established by AB 32.

On March 5, 2012, the Alameda County Superior Court issued a judgment finding that the BAAQMD had failed to comply with CEQA when it adopted these thresholds. The court did not determine whether the thresholds were valid on the merits, but rather found that the adoption of the thresholds was a project under CEQA. The court issued a writ of mandate ordering the BAAQMD to set aside the thresholds and cease their dissemination until the BAAQMD had complied with CEQA.

Although the Alameda County Superior Court has ordered the BAAQMD to cease dissemination of the previously adopted thresholds, the court has made no finding on the applicability or the merits of the quantitative threshold. BAAQMD states that lead agencies will need to determine appropriate air quality thresholds to use for each project they review based on substantial evidence that they should include in the administrative record for the project. One resource BAAQMD provides as a reference for determining appropriate thresholds is the CEQA Thresholds Options and Justification Report developed by staff in 2009 (BAAQMD 2009). The CEQA Thresholds Options and Justification Report outlines substantial evidence supporting a variety of thresholds of significance.

Therefore, because the project would result in operational-related emissions of GHGs from mobile and indirect sources (i.e., energy consumption), and is located adjacent to the BAAQMD's jurisdiction for which these thresholds were determined to be applicable, the thresholds of 1,100 MT CO_2e/yr and 4.6 MT CO_2e/SP/yr were determined to be acceptable thresholds for CEQA significance with regards to operational GHG emissions for this project.

Based on the discussion above, the following thresholds are applied to this analysis:

- generate greenhouse gas emissions that exceed 1,100 MT CO_2e/yr); or
- generate greenhouse gas emissions that exceed 4.6 MT CO_2e/SP/yr.

For the evaluation of this project in relation to the BAAQMD approach for assessing a project's operational emissions, an impact would be significant if both thresholds are exceeded.

The approach of applying both the SMAQMD and BAAQMD thresholds replaces the BPS and BAU approach previously recommended by the SJVAPCD.

3.3.2 Discussion

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

Short-term construction-generated and long-term operational GHG emissions were calculated using the California Emissions Estimator Model (CalEEMod) Version 2013.2 computer program (SCAQMD 2013). Model assumptions were based on project-specific information (i.e., number and type of units, date of construction, transportation trips generated, and year of operation); and default values in CalEEMod that are based on the project's location and land use types. Construction GHG emissions were estimated using the same assumptions as outlined in Checklist Section 3.3, "Air Quality."

Short-Term Construction-Related Greenhouse Gas Emissions

Less than significant. Construction-related activities that would generate GHGs include worker commute trips, haul trucks carrying supplies and materials to and from the project site, and off-road construction equipment (e.g., dozers, loaders, excavators). Construction of the land uses proposed under the project would occur over approximately a two-year period. Project construction is anticipated to start in summer of 2017 and continue until the middle of 2019.

Total construction emissions for each set of unit construction and estimated amortized construction emissions are summarized in Table 3.7-1. Additional details on the modeling assumptions, inputs, and outputs are provided in Appendix A.

As shown above in Table 3.7-1, construction activities would result in maximum annual emissions of 669 MT CO_2e/year and would not exceed the recommended mass emission threshold for GHG emissions. Therefore, GHG emissions from project-related construction would not be cumulatively considerable. This impact would be less than significant.

Table 3.7-1 Estimated Greenhouse Gas Emissions Associated with Project Construction Activities by Construction Group

Construction Year	GHG Emissions (MT CO_2e/year)
Year 1 (Estimated for 2016)	187
Year 2 (Estimated for 2017)	669
Year 3 (Estimated for 2018)	302
SJVAPCD Threshold of Significance (MT CO_2e/year)	1,100
Significant Impact?	No

Notes: MT CO_2e = metric tons of carbon dioxide-equivalent
Source: Data modeled by Ascent Environmental in 2016.

Long-Term Operational-Related Greenhouse Gas Emissions

Less than significant. Operation of the project would result in GHG emissions associated with motor vehicle trips to and from the project area, the combustion of natural gas for space and water heating, the consumption of electricity and water, the generation of wastewater and solid waste, and equipment used for landscaping.

The project's operational GHG emissions were estimated for 2019, which is the year when the proposed land uses would become fully operational. This provides a conservative estimate of the operational GHG emissions due to the fact that operational emissions would decline over time due to cleaner-running new vehicles replacing older vehicles and implementation of additional GHG-reducing regulations at the state level.

Table 3.7-2 summarizes all the direct and indirect annual GHG emissions level associated with the project upon full buildout in 2019. These emissions estimates account for existing regulations pertaining to vehicle emissions, building standards, and electricity.

As shown in Table 3.7-2, operation of the project would result in annual emissions of 2,828 MT CO_2e/year, exceeding the recommended SMAQMD Tier I and BAAQMD mass emission GHG threshold of 1,100 MT CO_2e per year. Therefore, this analysis compares the GHG efficiency in which the project would operate to the SMAQMD and BAAQMD GHG efficiency thresholds (MT CO_2e/SP/year). Based on population projections it is estimated that the project would provide housing for an estimated 662 individuals, but no offices, retail stores, or other commercial land uses that serve as employment centers.

Table 3.7-2 Summary of Annual Greenhouse Gas Emissions Associated with the Project at Full Buildout in 2019

Emissions Activity	2019 (MT CO_2e/year)
Vehicle Trips (Mobile Sources) [1]	2,164
Electricity Consumption [2]	199
Natural Gas (assuming no fireplaces to be provided in dwelling units)	338
Landscaping	4
Water Consumption and Wastewater Treatment	46
Solid Waste Generation	77
Total Annual Emissions	**2,828**
SMAQMD and BAAQMD Threshold of Significance (MTCO_2e/year)	*1,100*
Project Population [3]	662
Project GHG Efficiency (MT CO_2e/SP/year)	**4.3**

Table 3.7-2 Summary of Annual Greenhouse Gas Emissions Associated with the Project at Full Buildout in 2019

Emissions Activity	2019 (MT CO_2e/year)
	2020
SMAQMD GHG Efficiency Target (MT CO_2e/SP/year)	4.9
BAAQMD GHG Efficiency Target (MT CO_2e/SP/year)	4.6
Exceeds SMAQMD or BAAQMD Threshold?	No

Notes: See Appendix A for detail on model inputs, assumptions, and project-specific modeling parameters.

MT CO_2e/year = metric tons of carbon dioxide equivalents per year; SP = service population

[1]Vehicle fleet mix based on SJVAPCD Accepted URBEMIS default values (see Appendix A)

[2]IndirectGHG emissions associated with electricity consumption were estimated based on compliance with the 33 percent Renewables Portfolio Standard (RPS). This is considered conservative for post-2020 because ARB is working on regulations to increase the RPS requirements to 50 percent by 2030.

[3] Based on population projection in Section 3.13, Population and Housing.

Source: Modeling performed by Ascent Environmental in 2016.

GHG emissions per service population for the project would be 4.3 MT CO_2e/SP/year, which is less than the SMAQMD and BAAQMD target efficiencies of 4.9 MT CO_2e/SP/year and 4.6 MT CO_2e/SP/year, respectively, for 2020. Because project-related construction emissions of GHGs would be less than the SMAQMD Tier I and BAAQMD mass emission threshold of 1,100 MT CO_2e/year, and because the project's operational GHG efficiency would be consistent with statewide GHG reduction goals, the project would not generate GHG emissions, either directly or indirectly, that would have a significant impact on the environment. This impact would be less than significant.

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

Less than significant. As discussed in (a) above, the project would demonstrate compliance with proposed thresholds for GHG emissions. The recommended thresholds were developed to show consistency with AB 32 and the Scoping Plan. Therefore, the project would not conflict with or obstruct implementation of ARB's Scoping Plan for achieving GHG reductions consistent with AB 32. This impact would be less than significant.

3.4 HAZARDS AND HAZARDOUS MATERIALS

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII. Hazards and Hazardous Materials. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and/or accident conditions involving the release of hazardous materials into the environment?	☐	☒	☐	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
h) 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?	☐	☐	☒	☐

3.4.1 Environmental Setting

The setting and impact conclusions are based on the findings of the *Phase I & Phase II Environmental Site Assessment* (ESA) *Toste Assemblage* (Avocet Environmental, Inc. 2015), and the *Preliminary Geotechnical Investigation for Tracy Apartments Southwest of I-205 and Grant Line Road* (RMA GeoScience 2015).

HAZARDOUS MATERIALS

The project site consists of approximately 18 acres of land that was historically used for agriculture. The project site and the adjoining parcels to the north were used exclusively for agriculture until 1975. In the early 1980s Toste Road and a residence at 2480 Toste Road were constructed. Development of the remainder of the eastern portion of the project site was complete or largely complete by 1993 and included a self-storage building and fenced areas with crushed rock ground cover used for recreational vehicle and boat storage.

The Phase I ESA noted that no underground storage tanks (USTs), aboveground storage tanks, wastewater clarifiers, sumps, pits, or other subsurface feature often associated with hazardous substance releases were identified on the project site. However, some discoloration of exposed soil was observed around the inlet structure on-site during the Phase I investigation. In addition, two of the adjoining parcels to the north had USTs that leaked and affected soil and groundwater. In this area groundwater flows north, and as such, contamination from the leaking tanks migrated away from the project site. Furthermore, both of the adjoining leaking UST sites (and other leaking UST sites further north) have been investigated, remediated where necessary, and granted closure or "no further action" status by the appropriate regulatory agencies (Avocet Environmental, Inc. 2015).

No asbestos-containing materials (ACMs) and/or lead-based paint materials were observed at the structures on-site; however, based on the age of the structures, there is the potential for these materials to be present (Avocet Environmental, Inc. 2015).

The Limited Phase II investigation assessed surface soil for pesticides and total metals (including arsenic and lead) and soil vapor samples for volatile organic compounds (VOCs) at the project site as a result of the site's proximity to the leaking USTs at the adjoining former Tracy Marine facility to the north. A total of 35surfacesoilsamples were taken at the site for pesticides and total metals. Four additional samples were taken, two along the boundary of the project site to test for VOCs, and two to assess the discolored soil observed around the storm drain inlet. The findings of the limited Phase II investigation are as follows (Avocet Environmental, Inc. 2015):

Arsenic concentrations in surface soil samples ranged from 3.71 to 7.71 milligrams per kilogram (mg/kg). While these concentrations are above U.S. Environmental Protection Agency's (EPA's) residential and industrial Regional Screening Levels(RSLs) of 0.67 and 3.0 mg/kg, respectively, naturally occurring arsenic concentrations in soil throughout much of the western United States exceed industrial RSLs. Therefore, arsenic is typically evaluated in the context of site-specific or regional background concentrations. In this context, all but one of the reported arsenic concentrations was below the 6.0 mg/kg screening level used by California Department of Toxic Substances Control (DTSC) to evaluate school sites (DTSC2005, cited in Avocet Environmental, Inc. 2015) and all of the reported concentrations were well below the southern California area background concentration of 12 mg/kg (DTSC2009, cited in Avocet Environmental, Inc. 2015).

The reported lead concentrations in surface soil samples ranged from 6.74 to 9.26 mg/kg, which was well below EPA's RSLs of 400 and 800 mg/kg for residential and commercial soil, respectively.

Hexavalent chromium, which does not occur naturally, was not detected in any of the surface soil samples.

All of the reported VOC concentrations in soil vapors were orders of magnitude lower than the corresponding California Human Health Screening levels developed by EPA's Office of Environmental Health Hazard Assessment OEHHA (2010, cited in Avocet Environmental, Inc. 2015). The presence of ethyl benzene, toluene, and xylenes is consistent with a release of gasoline; however, the samples did not contain detectable concentrations of benzene or any fuel oxygenates.

Neither of the two samples from the discolored soil contained detectable concentrations of total petroleum hydrocarbons or any VOCs.

Metals concentrations were within commonly accepted background ranges, including arsenic (3.84 and 4.47 mg/kg) and lead (8.09 and 8.08 mg/kg).

FLOODING

According to Federal Emergency Management Agency (2009), the site is located within Flood Zone X, which is defined as an "area determined to be outside the 0.2 percent annual chance floodplain" (RMA GeoScience 2015).

WILDFIRE

The California Department of Forestry and Fire Protection (CAL FIRE) has designated the southwestern edge of the City as having a moderate wildland fire potential. However, the project site is not within this area and is not designated as having a moderate or high fire hazard potential (City of Tracy 2005:4.13-5).

SCHOOLS AND AIRPORTS

The nearest airport to the project site is Tracy Municipal Airport, which is located approximately five miles southeast of the site. The nearest school is Art Freiler School, which is located approximately 0.28 mile southeast of the site. This school serves kindergarten through 8th grade.

EMERGENCY ACCESS

The *City of Tracy General Plan* includes the following goal and policy that require the City to maintain emergency access routes that are free of traffic impediments:

Goal SA-6: Preparation for emergencies

- **Policy P1:** Emergency access routes shall be kept free of traffic impediments.

3.4.2 Discussion

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less than significant. Project construction may involve the routine transport, use, or disposal of hazardous materials (gasoline, diesel, lubricants); however, compliance with local, state, and federal standards regarding their disposal, removal, and/or relocation would reduce the risks associated with these actions and a substantial hazard to the public or the environment is not anticipated. This impact would be **less than significant.**

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

Less than significant with mitigation incorporated. The Phase I and Limited Phase II ESA prepared for the project did not identify any significant hazards on the project site. However, historic uses of the site entailed use of pesticides for agricultural purposes and there is the potential for the occurrence of ACMs and/or lead-based paint within the structures on the site. Construction on the project site, including demolition and removal of existing structures and excavation of soils, could potentially result in disturbance of previously unknown contaminants. These actions could result in the exposure of construction workers or the public at adjacent businesses and residences to hazardous materials. Therefore, this impact would be potentially significant. Implementation of the following mitigation would reduce this impact to a less-than-significant level.

Mitigation Measure HAZ-1: Prepare and implement a health and safety plan.

The project applicant shall prepare a Health and Safety Plan, which shall be reviewed and approved by the City before initiating any demolition, grading, or other earthmoving activities. This plan shall require measures that will be employed during all demolition and construction activities to protect construction workers and the public from exposure to hazardous materials. These measures could include, but would not be limited to, posting notices, limiting access to the site, air monitoring, watering, and installation of wind fences. Contractors will be required to comply with state health and safety standards for all demolition work. If necessary, this shall include compliance with Occupational Safety and Health Administration (OSHA) and Cal/OSHA requirements regarding exposure to lead-based paint and asbestos.

In addition, the plan shall include procedures to follow in the event that contaminated soil and/or groundwater or other hazardous materials are generated or encountered during construction. Such procedures could include, but would not be limited to, the following:

- All work shall be halted in the affected area and the type and extent of the contamination shall be determined.
- The project contractor shall notify the project applicant if evidence of previously undiscovered soil or groundwater contamination (e.g., stained soil, odorous groundwater) is encountered during excavation.
- Any contaminated areas shall be remediated in accordance with recommendations made by the Regional Water Quality Control Board (RWQCB) and DTSC.
- Remediation activities could include but would not be limited to the excavation of contaminated soil areas and hauling of contaminated soil materials to an appropriate off-site disposal facility, mixing of on-site soils, and capping (i.e., paving or sealing) of contaminated areas.

Before demolition of any structure, or removal of building materials, lead-based paint or ACMs shall be removed by a California licensed contractor who will be monitored by an accredited State inspector in accordance with EPA and Cal/OSHA standards. In addition, all activities (construction or demolition) in the vicinity of these materials shall comply with Cal/OSHA asbestos worker construction standards. The lead-based paint or ACMs shall be disposed of properly at an appropriate off-site disposal facility.

Significance Conclusion

Implementation of Mitigation Measure HAZ-1 would ensure that the project would not create hazards to people or the environment by requiring remediation upon discovery of unknown contaminates on the site. Therefore, this impact would be reduced to a less-than-significant level.

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

Less than significant. Art Freiler School is located 0.28 mile from the project site. As noted above under (a), construction on the site may involve the routine transport, use, or disposal of hazardous materials such as gasoline, diesel, and lubricants; however, compliance with local, state, and federal standards regarding their disposal, removal, and/or relocation would reduce the risks associated with these actions and a substantial hazard to the public or the environment is not anticipated.

As noted above under (b), no significant hazards were identified on-site; however, there is the potential for construction to result in disturbance of previously unknown contaminants. Implementation of Mitigation Measure HAZ-1 would ensure that any contaminants encountered during construction are properly remediated. Therefore, the project would not emit hazardous emissions or expose any nearby schools to hazardous materials. This impact would be less than significant.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?

No impact. The Phase I ESA prepared for the site included a search of the regulatory agency databases. Results of the search indicate that the site is not listed on any of the EDR® databases (Avocet Environmental, Inc. 2015). No impact would occur.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

No impact. The nearest airport is Tracy Municipal Airport, located five miles to the southeast of the project site. Therefore, the project site is not located within an airport land use plan or within two miles of a public airport or public use airport. No impact would occur.

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

No impact. The project site is not located within the vicinity of a private airstrip. No impact would occur.

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less than significant. The project would not make physical alterations to existing travel routes or access or entry to existing development in the vicinity. The project would not interfere with adopted emergency response plans or emergency evacuation plans. The project would involve the development of residential land uses near similar residential uses, and would be consistent with goals and policies in the City General Plan related to emergency access. Therefore, this impact would be less than significant.

h) 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?

Less than significant. The project is not located in a moderate or high fire hazard zone (City of Tracy 2005:4.13-5). In addition, there are no wildlands on or adjacent to the site; therefore, the project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires. This impact would be less than significant.

3.5 HYDROLOGY AND WATER QUALITY

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. Hydrology and Water Quality. Would the project:				
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐
b) Substantially 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 level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial on- or off-site erosion or siltation?	☐	☒	☐	☐
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in on- or off-site flooding?	☐	☒	☐	☐
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☒	☐	☐
f) Otherwise substantially degrade water quality?	☐	☐	☒	☐
g) 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?	☐	☐	☐	☒
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	☐	☐	☐	☒
i) 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?	☐	☐	☒	☐
j) Result in inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

3.5.1 Environmental Setting

The setting and impact conclusions are based on the findings of the *Phase I & Phase II Environmental Site Assessment* (ESA) *Toste Assemblage* (Avocet Environmental, Inc. 2015).

The project site is currently fallow agricultural land with one residence. There are no surface water features at the site or in the immediate vicinity. The closest surface water feature is an unlined drainage channel on the north side of Grant Line Road, approximately 0.2-mile northwest of the project site (Avocet Environmental, Inc. 2015). Old River and Tom Paine Slough, are both located less than 3.5 miles to the north and northeast, respectively.

Storm water runoff from the project site sheet flows to the adjoining surface streets or into the storm drain system via inlet structures at the site. In the early 1960s, "tile drains" were installed to drain the near-surface soils of the property. The tile drain system conveyed flow from Byron Road to the south to a drainage channel on the south side of Grant Line Road. The natural drainage of the site was further disrupted when I-205 was constructed in the late 1960s and early 1970s. At that time, storm drain infrastructure was installed to convey runoff to a drainage channel on the north side of Grant Line Road via gravity flow. This infrastructure included at least one inlet structure along the northern boundary of the project site and others on or near Toste Road. Flow from the tile drain system was then rerouted to this storm drain system, and much of the tile drain system was removed when the area to the south of the project site was developed (Avocet Environmental, Inc. 2015).

Under existing conditions, 14.33 acres of vacant land within the project site area drains north to the inlet of an existing 24-inch concrete pipe culvert (SD) that is located roughly midway along the north property boundary. The 24-inch SD extends north from the project site and underneath I-205, discharging to WSID's 72-inch SD in Grant Line Road. The additional 4.40 acres of partially developed land is contiguous to the east of the vacant parcel and part of it drains to the existing 24-inch SD and part of it drains to the northeast, entering Grant Line Road near Toste Drive. The existing 24-inch SD predominantly resides within highway right-of-way to the north of the project, and its inlet is located within the project site. At the northwest corner of the project site, there is an existing City 42-inch SD. This 42-inch SD also crosses underneath I-205 but connects with other City storm drains to the north and discharges runoff to the City's existing detention basin on the west side of Naglee Road north of Tracy Mall and does not discharge to WSID facilities.

The project site is within the San Joaquin Valley groundwater basin, which is utilized for a variety of beneficial uses, including municipal, domestic, agricultural, and industrial processes. The General Soil Map of NRCS indicates that the site is located in an area of primarily Capay clay soil, which generally consists of deep, moderately well-drained clay. Based on the findings of subsurface environmental investigations at adjoining and nearby properties to the north, near-surface soils beneath the project site have been characterized as interbedded and intermixed sand, silt, and clay. The investigations to the north have typically encountered groundwater at between 6 and 10 feet below ground surface, with groundwater flow consistently to the north (Avocet Environmental, Inc. 2015).

According to Federal Emergency Management Agency (2009), the site is located within Flood Zone X, which is defined as an "area determined to be outside the 0.2 percent annual chance floodplain" (RMA GeoScience, Inc. 2015).

3.5.2 Discussion

a) Violate any water quality standards or waste discharge requirements?

Less than significant. As described above under Section 3.6, Geology and Soils, soils on the project site have a high runoff potential (NRCS 2013). Vegetation removal, grading, and other soil disturbance during construction would expose soils to increased erosion potential and potentially result in adverse impacts on water quality downstream of the site. Upon completion of the construction phase landscaping, and impervious surfaces would cover soils, decreasing the potential for erosion.

Existing measures are in place for new construction projects that require the developer to prevent or control erosion on construction sites. The City has established requirements for controlling pollution from construction and post-construction development activities, including pollution that occurs as a result of

erosion that can contribute excess sediments to the storm drainage system and local creeks. The project would be required as a standard condition to obtain a grading permit and comply with the provisions of the City's Grading Ordinance (Tracy Municipal Code 12.36.090).

In addition to complying with the City's requirements, construction projects disturbing one acre or more need to obtain coverage under the State Water Resources Control Board's General Construction Stormwater Permit. The general construction permit requires preparation of a detailed SWPPP for the construction site that includes measures to prevent and control erosion. The general construction permit also requires the developer to conduct regular inspections of their BMPs before, during, and after storm events.

Compliance with City requirements for controlling construction-related pollution and preparation and implementation of a SWPPP and associated BMPs would ensure that project-related effects to water quality would be **less than significant.**

b) Substantially 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 level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)?

Less than significant. The project would be served by the City of Tracy municipal water supply and would not include construction of or use of any groundwater wells. The City of Tracy uses several water sources, including the U.S. Bureau of Reclamation, the South County Water Supply Project, and groundwater. As described in greater detail in 3.17, Utilities and Service Systems, the City has adequate water supplies to serve the project without increasing the current rate of groundwater extraction.

Groundwater recharge occurs primarily through percolation of surface waters through the soil and into the groundwater basin. The addition of significant areas of impervious surfaces (e.g., roads, parking lots, buildings) can interfere with this natural groundwater recharge process. Upon full project buildout, portions of the project site would be covered with impervious surfaces, which would limit the potential for groundwater percolation to occur on the project site. However, given the relatively large size of the groundwater basin in the Tracy area, the areas of impervious surfaces added as a result of project implementation would not substantially affect the recharge capabilities of the local groundwater basin. The project would result in a **less-than-significant** impact related to depletion of groundwater supplies and interference with groundwater recharge.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial on- or off-site erosion or siltation?

Less than significant with mitigation incorporated. As development occurs, much of the vegetated area on the site would be replaced by impervious surfaces such as roofs, roads, driveways, and sidewalks. This increase in impervious area typically results in a corresponding increase in the volume, velocity, and peak flow rate of runoff discharged from the site. Such artificially created changes to runoff characteristics are known as hydromodification and can result in accelerated erosion or sediment deposition within downstream natural channels. The project site would discharge to the public main drain connection, and the drainage lines would be connected to existing lines on the northwest corner of the project site.

New development projects in the City of Tracy are required to provide site-specific storm drainage solutions and improvements that are consistent with the overall storm drainage infrastructure approach presented in the *2012 City of Tracy Citywide Storm Drainage Master Plan*.

Prior to approval of the Final Map, the project applicant is required to submit a detailed storm drainage infrastructure plan to the City of Tracy Development Services Department for review and approval. The City

of Tracy hired Storm Water Consulting Inc. to review the storm water drainage plan and summarize the applicant's draft approach (Storm Water Consulting 2016). As discussed in this report, the entire project area was planned to be developed for a commercial land use per the City's General Plan. The proposed land use would be high density residential. High density residential development would produce less storm runoff than commercial development.

There are 4.40 acres of partially developed land which resides within the roughly 2-square mile area of the City that is authorized to discharge to WSID's facilities (and the existing 72-inch SD in Grant Line Road) per the 2010 Drainage Agreement Between the City of Tracy and the West Side Irrigation District. It is proposed that this portion of the development would discharge to the existing 24-inch SD. There are 14.33 acres of vacant land located contiguous to but outside of the designated roughly 2-square mile area covered by the 2010 Drainage Agreement. Because this portion of the overall project area is not located within the roughly 2-square mile area covered by the 2010 Drainage Agreement, the City has stipulated that, at a minimum, enough of this portion of the project needs to be regraded to drain to the City's 42-inch SD at the northwest corner of the project site to keep its peak rate of runoff contributing to the 24-inch SD at or below the peak rate of runoff generated by the entire vacant portion of the property that currently discharges to the 24-inch SD. Because existing condition runoff volumes are significantly less in the pre-development condition than the post-development condition, the threshold that the report writers determined would meet this condition is a maximum of 4.75 acres discharging to the 24-inch SD for this portion of the project site. The surcharge condition for WSID's 72-inch SD in Grant Line Road will prevent downstream flow rates from ever exceeding the City discharge limitations for same that are cited in the 2010 Drainage Agreement (Storm Water Consulting 2016). No new physical connections to WSID's 72-inch SD would be needed to accomplish the proposed drainage plan for this project.

The project's storm drainage infrastructure plans must demonstrate adequate infrastructure capacity to collect and direct all stormwater generated on the project site within on-site retention/detention facilities to the City's and WSID's existing stormwater conveyance system, and demonstrate that the project would not result in on- or off-site flooding impacts. The project is also required to pay all applicable development impact fees, which would include funding for off-site Citywide storm drainage infrastructure improvements identified in the *2012 City of Tracy Citywide Storm Drainage Master Plan*.

Because final design of the on-site drainage facilities is not currently available, it is possible that the project could result in adverse changes to on-site or off-site hydrology. This would be a potentially significant impact. Implementation of the following mitigation would reduce this impact to a less-than-significant level.

Mitigation Measure HYDRO-1: Provide final design of stormwater facilities.

The project applicant shall coordinate with the City to prepare the final design requirements in accordance with the *2012 City of Tracy Citywide Storm Drainage Master Plan* to ensure that:

- The project will not create adverse conditions with regards to floodplain storage, channel erosion, or floodwater discharge characteristics at the project boundaries or areas upstream and downstream of the project site;
- The project's stormwater facilities shall provide adequate stormwater storage and peak flow attenuation with regards to stormwater quality provisions, hydromodification management, and flood control; and
- The project shall provide surface roadway improvements, storm drain improvements, detention basins, and emergency overflow provisions meeting the minimum requirements of the City of Tracy.

The final design shall be approved by the City prior to initiating any grading or other ground disturbing activities.

Significance Conclusion

Implementation of Mitigation Measure HYDRO-1 would ensure that the project would not adversely affect on- or off-site hydrology by providing proper design of stormwater facilities based on final project plans, in

accordance with the *2012 City of Tracy Citywide Storm Drainage Master Plan*. Therefore, this impact would be reduced to a less-than-significant level.

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in on- or off-site flooding?

Less than significant with mitigation incorporated. Refer to discussion and mitigation measures provided under (c) above.

e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Less than significant with mitigation incorporated. Refer to discussion and mitigation measures provided under (a) and (c) above.

f) Otherwise substantially degrade water quality?

Less than significant. Refer to discussion under (a) above.

g) 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?

No impact. Although the project would include construction of new housing, the project site is not located within the 100-year flood zone. Therefore, project implementation would not place housing in a 100-year flood hazard area that would redirect flood flows. No impact would occur.

h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?

No impact. Refer to discussion under (g) above.

i) 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?

Less than significant. The project site is not located within a dam inundation risk area. The nearest inundation areas are at the northernmost portion of the city (approximately 0.75 mile north of the project site) and are subject to inundation by the San Luis Reservoir and New Melones Dams (San Joaquin County OES 2003). The safety of dams in California is stringently monitored by DWR, Division of Safety of Dams (DSD). The DSD is responsible for inspecting and monitoring dams in perpetuity. The project would not result in actions that would result in a higher likelihood of dam failure at San Luis Reservoir and New Melones Dams. While there is the remote chance of dam failure that could result in flooding of the northern portion of the city, the project site lies outside of this risk area. Given the regulations provided in the California Dam Safety Act, and the ongoing monitoring performed by the DSD, the risk of loss, injury, or death to people or structures from dam failure would be less than significant.

j) Result in inundation by seiche, tsunami, or mudflow?

No impact. The project site is not located near any significant bodies that could be subject to a seiche or tsunami. Additionally, the project site and the surrounding areas are essentially flat, which precludes the possibility of mudflows occurring on the project site. Therefore, the project would not be located in an area that is subject to seiche, tsunami, or mudflow. No impact would occur related to these events.

3.6 LAND USE AND PLANNING

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
X. Land Use and Planning. Would the project:				
a) Physically divide an established community?	☐	☐	☐	☒
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, a general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☒	☐

3.6.1 Environmental Setting

The project site itself is undeveloped except for one residence. The project site is currently designated Commercial in the City's General Plan (see Exhibit 2-3 in Section 2, Project Description) and zoned as PUD and GHC (see Exhibit 2-4 in Section 2, "Project Description"). A portion of the project site is also within the I-205 Corridor Specific Plan (Specific Plan) and is designated as General Commercial. The Commercial land use designation allows for sites with one or more types of retail and office facilities (City of Tracy 2011:2-6). The PUD zoning allows for flexibility and creativity in site planning for residential, commercial, or industrial uses, and the GHC zoning designation allows for commercial activities which are automobile-oriented. The General Commercial designation under the I-205 Specific Plan allows for most retail commercial uses (City of Tracy 1999:3-8).

Just east of the project site is a self-storage building and fenced areas with crushed rock ground cover used for recreational vehicle and boat storage. Other surrounding land uses include I-205 to the north, and residential to the south and west.

3.6.2 Discussion

a) Physically divide an established community?

No impact. The project site is surrounded by existing residential development and, to the north, I-205. The project would be an infill development within the established community, and would not affect access or divide the community. No impact would occur.

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, a general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

Less than significant. The project would result in a General Plan Amendment to change the land use designation of the project site from Commercial to Residential High, and an amendment to the I-205 Specific Plan to change the designation of the project site from General Commercial to High Density Residential. This project would contribute to the total residential dwelling units that were planned for within the I-205 Specific Plan. With the proposed changes to the land use designations, and as the project proposal would be

generally consistent with applicable goals and objectives of the General Plan and I-205 Corridor Specific Plan, the project would not conflict with any applicable land use plans. This impact would be **less than significant.**

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

Less than significant. The City of Tracy, including the project site, is within the area covered by the SJMSCP. The City adopted the SJMSCP in 2001, and participation in the SJMSCP by project applicants is optional. However, as described in Section 3.4, Biological Resources, in order to reduce the potential impact to biological resources to less than significant, a Mitigation Measure (BIO-1) is included above that would require the applicant to obtain coverage under the SJMSCP to mitigate for habitat impacts to covered special-status species. The project would be reviewed by the San Joaquin Council of Governments to determine consistency with regional plans, including the SJMSCP. The project's consistency with this habitat conservation plan is discussed in more detail in 3.4, Biological Resources, above. This impact would be less than significant.

3.7 MINERAL RESOURCES

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. Mineral Resources. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	☐	☐	☐	☒

3.7.1 Environmental Setting

The main mineral resources within San Joaquin County, and the City of Tracy, are sand and gravel (aggregate), which are primarily used for construction materials like asphalt and concrete. The project site does not contain any mining features, and no mining operations are present on the site or near the site. In addition, the project site and surrounding vicinity is designated as mineral resource zone (MRZ)-1 by the *City of Tracy General Plan*. Lands designated as MRZ-1, are areas where adequate information indicates that no significant mineral deposits are present or where it is judged that little likelihood exists for the presence of mineral deposits (City of Tracy 2005:4.8-5).

3.7.2 Discussion

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

No impact. The project site is designated as MRZ-1 by the *City of Tracy General Plan*, which is an area considered unlikely to contain mineral resources. In addition, the project site does not contain any mining features, and no mining operations are present on the site or near the site. Therefore, the project would not result in the loss of a known mineral resource. No impact would occur.

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

No impact. The project site is designated as commercial land use in the current *City of Tracy General Plan* and is not designated as a locally important mineral recovery site. Therefore, no impact would occur.

3.8 NOISE AND VIBRATION

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. Noise and Vibration. Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or in other applicable local, state, or federal standards?	☐	☒	☐	☐
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☒	☐	☐
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

3.8.1 Environmental Setting

Existing nearby noise-sensitive receptors include the residential neighborhood west of the project site, including the single-family and multifamily dwelling units along Rochester Street, and the single-family homes south of the project site across Henley Parkway. These residences are considered to be noise-sensitive because they are land use types where noise exposure could result in health-related risks to individuals, as well as places where a quiet setting is an essential element for their intended purpose. Residential dwellings are of primary concern because of the potential for increased and prolonged exposure of individuals to both interior and exterior noise levels. Residential land uses are also considered to be sensitive to noticeable levels of ground vibration.

Existing noise- and vibration sensitive land uses in the project vicinity primarily include off-site residences as close as 50 feet to the south and west of the project site. Most residences are located 450 feet from the center of the project site.

The existing noise environment in the project area is primarily influenced by vehicles traveling on I-205). Other sources of noise in the project area include vehicles travelling on Henley Parkway, which runs adjacent to the south side of the project site and to a much lesser extent the RV dealership, Delta RV, which is located near the southeast corner of the project site.

Various private and public agencies have established noise guidelines and standards to protect citizens from potential hearing damage and other adverse physiological and social effects from noise exposure. Applicable polices and regulations are contained in Title 4-Public Welfare, Morals and Conduct section of the City of Tracy Municipal Code and the Health, Safety, and Noise Element of *the City of Tracy General Plan* (2011), described below.

City of Tracy Municipal Code

Title 4 – Public Welfare, Morals and Conduct

Article 9, Noise Control

4.12.820 – Specific Noises Prohibited

The following act is declared to cause disturbing, excessive, or offensive noises in violation of this article although such enumeration shall not be deemed to be exclusive:

(h) Pile drivers, hammers, etc. The operation between the hours of 10:00 p.m. and 7:00 a.m. of any pneumatic or air hammer, pile driver, steam shovel, derrick, steam, or electric hoist, parking lot cleaning equipment or other appliance, the use of which is attended by loud or unusual noise.

City of Tracy General Plan

The Health, Safety, and Noise Element of the *City of Tracy General Plan* (2011) contains objectives and policies to ensure that county residents are not subjected to noise beyond acceptable levels. General Plan policies applicable to the project are included below.

Objective N-1.1: Ensure appropriate exterior and interior noise levels for new land uses

- **Policy 4:** New residential uses exposed to noise levels exceeding 60 L_{dn} shall be analyzed following protocols in the operative California Building Code or other operative code.
- **Policy 5:** For new residential land uses, noise from external sources shall not cause building interiors to exceed 45L_{dn}.
- **Policy 6:** For new multi-family residential land uses, noise from external sources shall not cause the community outdoor recreation areas to exceed 65 L_{dn}. This policy shall not apply to balconies.
- **Policy 8:** Measures to attenuate exterior and/or interior noise levels to acceptable levels shall be incorporated into all development projects. Acceptable, conditionally acceptable and unacceptable noise levels are presented below in Table 3.12-1 (GP Figure 9-3).

Objective N-1.2: Control Sources of Excessive Noise

- **Policy 1:** The City's Noise Ordinance, as revised from time to time, shall prohibit the generation of excessive noise.
- **Policy 2:** Mitigation measures shall be required for new development projects that exceed the following criteria:
  - cause the L_{dn} at noise-sensitive uses to increase by 3 decibels (dB) or more and exceed the "normally acceptable" level as shown in Table 3.12-2 below (GP Figure 9-3),
  - cause the L_{dn} at noise-sensitive uses to increase 5 dB or more and remain "normally acceptable," and
  - cause new noise levels to exceed the City of Tracy Noise Ordinance limits.

Table 3.12-1 Land Use Compatibility for Community Noise Environment

Land Use	Exterior Noise Exposure (L_{dn})		
	Normally Acceptable[1]	Conditionally Acceptable[2]	Unacceptable[3]
Single-Family Residential	60	61-75	>76
Multi-Family Residential, Hotels, and Motels	65[4]	66-75	>76
Outdoor Sports and Recreation, Neighborhood Parks and Playgrounds	65	66-80	>81
Schools, Libraries, Museums, Hospitals, Personal Care, Meeting Halls, Churches	60	61-75	>81
Office Buildings, Business Commercial, and Professional	70	71-80	>81
Auditoriums, Concert Halls, Amphitheaters	N/A	<70	>71

Notes: N/A = Not Applicable; L_{dn} = Day-Night Sound Level. The 24-hour L_{eq} with a 10-dBA penalty applied during the hours from 10 p.m. to 7 a.m., which are typically reserved for sleeping.

[1] Normally Acceptable exterior noise exposure indicates that the specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special insulation requirements.

[2] Conditionally Acceptable exterior noise exposure indicates that the specified land use may be permitted after detailed analysis of the noise reduction requirements and needed noise insulation features are included in the design.

[3] Unacceptable exterior noise exposure indicates that new construction or development should generally not be undertaken because mitigation is usually not feasible to comply with City of Tracy General Plan Noise Element policies.

[4] Residential development sites exposed to noise levels exceeding 60 L_{dn} shall be analyzed following protocols in Appendix Chapter 12, Section 1208A, Sound Transmissions Control, California Building Code.

Source: City of Tracy 2011

Table 3.12-2 Noise Emission Levels from Construction Equipment

Equipment Type	Typical Noise Level (dB) at 50 feet[1]
Backhoe	80
Dozer	85
Dump Truck	84
Excavator	85
Front End Loader	80
Scraper	85

Notes: dB = decibels

[1]Assumes all equipment is fitted with a properly maintained and operational noise control device, per manufacturer specifications. Noise levels listed are manufacture-specified noise levels for each piece of heavy construction equipment.

Source: FTA 2006

- **Policy 4:** All construction in the vicinity of noise-sensitive land uses, such as residences, hospitals, or convalescent homes, shall be limited to daylight hours or 7:00 a.m. to 7:00 p.m. In addition, the following construction control measures shall be included as requirements at construction sites to minimize construction noise impacts:

  - equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment,

- locate stationary-noise generating equipment as far as possible from sensitive receptors when sensitive receptors adjoin or are near a construction area, and
- utilize "quiet" air compression and other stationary noise sources where technology exists.

Objective N-1.3: Consider Noise Issues in the Development Review Process

- **Policy 1:** Development projects shall be evaluated for potential noise impacts and conflicts as part of the Development Review process.
- **Policy 2:** Significant noise impacts shall be mitigated as a condition of project approval.
- **Policy 3:** New development projects shall have an acoustical specialist prepare a noise analysis with recommendations for design mitigation if a noise-producing project is proposed near existing or planned noise-sensitive uses.
- **Policy 4:** Proposed noise-sensitive projects within noise-impacted areas shall submit acoustical studies and provide necessary mitigation from noise.
- **Policy 5:** Site design techniques shall be considered as the primary means to minimize noise impacts as long as they do not conflict with the goals of the Community Character Element. Techniques include:
  - designing landscaped building setbacks to serve as a buffer between the noise source and receptor;
  - placing noise-tolerant land uses, such as parking lots, maintenance facilities, and utility areas between the noise source, such as highways and railroad tracks, and receptor. Utilize "quiet" air compression and other stationary noise sources where technology exists;
  - orienting buildings to shield noise-sensitive outdoor spaces from a noise source;
  - locating bedrooms or balconies on the sides of buildings facing away from noise sources; and
  - utilizing noise barriers (e.g., fences, walls, or landscaped berms) to reduce adverse noise levels in noise-sensitive outdoor activity areas.

3.8.2 Discussion

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or in other applicable local, state, or federal standards?

Separate discussions are provided below concerning whether project-related construction activity would expose existing off-site, noise-sensitive receptors to excessive noise levels, whether traffic noise increases along local roadways due to project-generated vehicle trips would expose existing receptors to substantial noise increases, and whether the residential units proposed for the project site would be exposed to highway noise levels that exceed applicable standards.

Short-term Construction Noise

Less than significant. The project would include the construction of 304 residences and a 6,000-square-foot leasing and recreation area. The construction period would last approximately two years and would occur between 7:00 a.m. and 7:00 p.m., Monday through Friday. Truck deliveries would take place during daytime hours. Balanced grading of the site would be performed and no earthen materials would be exported. Some gravel may be imported to line waterline trenches. No pile driving or blasting would take place.

Construction noise levels in the vicinity of the project would fluctuate depending on the particular type, number, and duration in which various equipment types of would be used. The effects of construction noise largely depend on the type of construction activities occurring on any given day, noise levels generated by those activities, distances to noise-sensitive receptors, and the existing ambient noise environment at nearby receptors.

Table 3.12-2 lists the noise levels generated by the types of equipment that would be used during project construction. Site preparation and grading typically generates the highest noise levels because these activities involve the use of heavy, off-road equipment operating at full power (e.g., graders, scrapers, dozers).

Noise-sensitive receptors near the construction site would, at times, experience elevated noise levels from construction activities. The closest off-site receptors to project-related construction activity would be the residential land uses located along Rochester Street west of the project site. These receptors would be exposed to the highest levels of construction noise when grading or trenching is taking place just across the property line; however, the existing approximately eight-foot masonry wall located along the western side of the project site would reduce construction-generated noise by approximately 5 to 8 dB. Grading and scrubbing tend to involve the operation of scrapers and/or dozers moving about at a steady speed, while trenching can involve the operation of a backhoe/front loader in a small area for more than a few hours. Other off-site noise-sensitive receptors that would be exposed to construction-generated noise include the neighborhood of single-family homes south of the project site and south of Henley Drive. The closest of these residences are approximately 55 feet from the site boundary and would also experience 5 to 8 dB of noise protection from an existing vegetated masonry wall that runs along the south side of Henley Drive.

Noise-generating construction activity would occur during the less noise-sensitive daytime hours. The City of Tracy Municipal Code prohibits the operation of excessively loud equipment between the hours of 10:00pm and 7:00 a.m. Additionally, Policy 4, under Objective N-1.2 of the *City of Tracy General Plan* (City of Tracy 2011:9-20) establishes that "construction in the vicinity of noise-sensitive land uses, such as residences, hospitals, or convalescent homes, shall be limited to daylight hours of 7:00 am to 7:00 pm" and requires implementation of noise-reduction measures including engine muffling, staging of construction equipment and building materials away from noise-sensitive land uses. Thus, compliance with the City of Tracy Municipal Code Title 4.12, Article 9 (Noise Control Ordinance) would further minimize noise exposure to off-site noise-sensitive receptors. Requirements outlined in the Noise Control Ordinance are adopted by the City of Tracy as Conditions of Approval for all new development. Therefore, short-term on-site construction would not result in the exposure of persons to or generation of noise levels in excess of applicable standards, or a substantial temporary increase in ambient noise levels in the project vicinity above levels existing without the project. This impact would be less than significant.

Long-term Operational Noise Exposure to Existing Receptors

Less than significant. Project-generated vehicle trips could result in traffic noise increases along affected roadways. A doubling of a noise source results in an increase of 3 dB, which is perceived as barely noticeable by people (Egan 2007: 21). Policy 2 under Objective N-1.2 of the *City of Tracy General Plan* (City of Tracy 2011: 9-20) considers a noise level increase to be substantial if (1) it exceeds 3 dB and the resultant noise level exceeds the "normally acceptable" exterior noise level for the applicable land use identified in Table 3.12-1, or (2) if the resultant noise level is less than the "normally acceptable" level for the applicable land use but the noise level increases 5 dB or more compared to existing conditions.

To assess this impact, traffic noise levels along affected local roadway segments were modeled with and without project-generated trips using the U.S. Department of Transportation Federal Highway Administration Traffic Noise Model (FHWA 2006) and project-specific traffic data provided by the traffic analysis prepared for this project (Fehr and Peers 2016). Table 3.12-3 below summarizes the modeled traffic noise levels along local roadways under existing and existing-plus-project conditions. For further details on traffic-noise modeling inputs and parameters, refer to Appendix D.

Table 3.12-3 Modeled Traffic Noise Levels along Local Roadways under Existing and Existing-Plus-Project Conditions

Roadway	Segment	L_{dn} (dB) at 100 feet from Roadway Centerline		Change (dB)
		Existing Conditions	Existing +Project Conditions	
Henley Parkway	Grant Line Road and Bridle Creek Circle	54.4	55.7	+1.3
Henley Parkway	W Giovanna Lane and Lowell Avenue	51.1	51.5	+0.4
Grant Line Road	Byron Road and Lammers Road	61.5	61.5	+0.0
Grant Line Road	Naglee Road and I-205 WB ramps	64.3	64.4	+0.1
Grant Line Road	Orchard Parkway and Corral Hollow Road	63.1	63.2	+0.1
Corral Hollow Road	W Kavanagh Avenue and Grant Line Road	57.9	57.9	+0.0
Corral Hollow Road	Lowell Avenue and Fieldview Drive	64.2	64.2	+0.1
Lowell Avenue	Corral Hollow Road and Promenade Circle	56.4	56.4	+0.0

Notes: dB=decibels; L_{dn}=day-night average noise level; Numbers are approximate due to rounding

Source: Modeled by Ascent Environmental, 2016

As shown in Table 3.12-3, none of the project-affected local roadway segments would experience traffic noise increases equal to or more than 3 dBA. Therefore, the project would not result in traffic noise levels that exceed the significance criteria established by Policy 2 under Objective N-1.2 of the City of Tracy General Plan (City of Tracy 2011: 9-20). This would be a less-than-significant impact.

Noise-Land Use Compatibility of Proposed Noise-Sensitive Receptors with Off-site Noise Sources

Less than significant with mitigation incorporated. The types of noise-generating activity in the residential neighborhood adjacent to the west of the project site would be consistent with the types of noise generated by the proposed residential land uses on the project site. Activity at the recreational vehicle storage yard adjacent to the east side of the project site only occurs during less noise-sensitive daytime hours (i.e., 9:00 a.m. to 5:00 p.m.) Therefore, it is not anticipated that activity at these adjacent land uses would adversely affect the residential land uses proposed on the project site.

Noise levels on the southern portion of the project site would be affected by traffic traveling along Henley Parkway and Noise levels at the residential land uses proposed along the northern side of the project site would predominantly be influenced by traffic traveling on I-205. Table 3.12-4 below summarizes the level of traffic noise exposure on the project site from these Henley Parkway and I-205. See Appendix D for detailed modeling parameters.

Table 3.12-4 Modeled Traffic Noise Exposures from Henley Parkway and I-205

Roadway	Segment	L_{dn} at Property Line(dB)	Extent of Noise Contours onto the Project Site (feet)		
			70 dB	65 dB	60 dB
Henley Parkway	Grant Line Road and Bridle Creek Circle	60.6	11	25	53
Henley Parkway	W Giovanna Lane and Lowell Avenue	51.5	6	12	27
I-205	11th Street to Grant Line Road	73.2	253	545	1173
I-205	Grant Line Road to Tracy Boulevard	73.6	268	576	1242

Notes: dB=decibels; L_{dn}=day-night average noise level; Numbers are approximate due to rounding

[1]Source: Modeled by Ascent Environmental, 2016

As shown in Table 3.12-4, highway traffic noise levels are expected to remain the same with the project. Therefore, the project would not expose any sensitive receptors to a substantial increase in traffic noise; this impact would be less than significant.

As shown in Table 3.12-4, the 65 L_{dn} traffic noise along Henley Parkway would extend approximately 25 feet onto the project site. None of the multifamily residential land uses would be located within this distance and, therefore, would not be exposed to noise levels that exceed the City's "normally acceptable" exterior noise standard of 65 L_{dn}. Assuming an exterior-to-interior noise reduction of 25 dB typical of new residential buildings (Caltrans 2013:7-17), interior noise levels at these dwelling units would not exceed the City's interior noise standard of 45 L_{dn}.

The 65 L_{dn} contour of noise generated by traffic on I-205 would extend approximately 576 feet onto the project site. Thus, the outdoor activity areas of any multifamily residential buildings located within this distance would be exposed to traffic noise levels that exceed the City's "normally acceptable" exterior noise standard of 65 L_{dn}. The 70 L_{dn} contour would extend approximately 268 feet onto the project site. This is important because, assuming a typical exterior-to-interior noise reduction of 25 dB typical of new residential buildings (Caltrans 2013:7-17), interior noise levels of any dwelling units located within this contour would exceed the City's interior noise standard of 45 L_{dn}. Thus, residential units located on the north end of the project site would be exposed to noise levels that exceed applicable noise exposure criteria. The project's traffic would contribute to/exacerbate traffic noise levels from I-205 and that would exceed interior noise standards. This would be a potentially significant impact.

Mitigation Measure 3.12-1: Implement Measures to Reduce Exposure to Freeway Noise from Project.

Noise reduction measures shall be implemented to ensure that traffic noise generated by vehicles travelling on I-205 do not exceed the City's exterior noise standard of 65 L_{dn} at any common outdoor activity areas of proposed multi-family residential dwelling units and the City's interior noise standard of 45 L_{dn} inside the proposed residences. This measure does not apply to any private outdoor patios or balconies that may be included as part of individual multifamily residential units, which is consistent with Policy 6 under Objective N-1.1 of the *City of Tracy General Plan* (City of Tracy 2011:9-18). This performance standard shall be achieved through implementation of some or all of the noise reduction measures listed below.

- Install a sound barrier between the nearest proposed residential land uses and the northern boundary of the project site. The sound barrier must be constructed of solid material (e.g., masonry). The height may be between 8 and 10 feet tall, but the exact height would depend on engineering design. The barrier and surrounding landscaping shall blend into the overall landscape and have an aesthetically pleasing appearance that agrees with the color and architectural character of the buildings and the general area, and not become the dominant visual element of the community. Set back all common outdoor activity areas of the residential land uses as far as feasible from I-205;

- Locate a row of multifamily residential buildings between I-205 and any common outdoor activity areas such that the buildings serve as a sound barrier that reduces the level of freeway noise exposure at common outdoor activity areas;

- Plant a dense stand of trees between I-205 and the common outdoor activity areas of the residential land uses; and/or

- Incorporate additional noise attenuate features to the residential buildings to ensure that the interior noise standard of 45 L_{dn} is achieved pursuant to both the California Building Code and Policy 5 of Objective N-1.1 of the *City of Tracy General Plan* (City of Tracy 2011:9-18). This measure may include the use of increased noise insulation on exterior walls of the affected residences to improve the Sound Transmission Class (STC) of those walls, including but not limited to added insulation, upgrades to drywall, acoustical sound absorption panels, new windows, and new exterior siding. All residential units shall include centralized air

conditioning systems so that windows and doors can remain closed to protect them from noise generated by exterior noise sources.

To ensure compliance with applicable noise standards, the applicant shall prepare and submit a site-specific noise study with the building permit application to ensure the effectiveness of the selected noise reduction measures. Additionally, following completion of the project noise monitoring shall be performed to ensure the noise reduction measures have achieved the desired noise attenuation. The applicant shall be responsible for all costs incurred by the implementation of this mitigation measure. Residential units shall not be inhabited prior to confirmation that the 45 CNEL interior noise standard will be achieved.

Significance after Mitigation

Implementation of Mitigation Measure 3.12-1 includes multiple possible options for reducing the levels of noise exposure at common outdoor activity areas of the residential land uses, as well as the interior noise levels of the residential units. For instance, a noise barrier that is just tall enough to break the line of sight between vehicles traveling on I-205 and ground level receptors in common outdoor activity areas would result in at least 5dB of noise reduction and it can achieve an approximate 1 dB additional noise level reduction for each 2 feet of height above where it breaks the line of sight (with a maximum theoretical total reduction of 20 dB (FHWA 2011:56). Additional reduction could also be achieved by setting back common outdoor activity areas of the multifamily residential buildings further from I-205, locating a row of residential buildings between the I-205 and the common outdoor activity areas, or planting a dense stand of trees between I-205 and the nearest common outdoor activity areas. Therefore, some combination of the noise reduction measures listed under Mitigation Measure 3.12-1 which would effectively ensure that freeway noise levels at common outdoor activity areas would not exceed the City's exterior noise standard of 65 L_{dn} and the interior noise standard of 45 L_{dn}. Based on the site conditions and the menu of noise mitigation options available including setbacks, berming, and noise walls, it is anticipated that noise performance standards could be achieved with a wall of 8 to 10 feet in height depending on the level and degree to which other noise mitigation options are implemented. This would need to be confirmed through project-specific performance modeling at the final design plan stage, as required by Mitigation Measure 3.12-1. Thus, implementation of Mitigation Measure 3.12-1 would reduce this impact to a less-than-significant level.

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Less than significant. Groundborne vibration and noise levels generated by the types of construction equipment and activities that could take place on the project site are summarized in Table 3.12-5. No pile driving or rock blasting would be performed. Based on the information provided in the project description and on the types of construction activities that would take place (e.g., site preparation and building erection) it is expected that maximum groundborne vibration and noise levels would be generated by dozers operating on the site.

Table 3.12-5 Representative Groundborne Vibration and Noise Levels for Construction Equipment

Equipment	PPVat25feet(inches/second)[1]	Approximate L_v(VdB) at 25 feet[2]
Large Dozer	0.089	87
Caisson Drilling	0.089	87
Trucks	0.076	86
Jackhammer	0.035	79
Small Dozer	0.003	58

Notes:

[1] Where PPV is the peak particle velocity.

[2] Where Lv is the root mean square velocity expressed in vibration decibels (VdB), assuming a crest factor of 4.

Source: FTA 2006

According to the Federal Transit Administration (FTA), levels of ground vibration generated by dozers are 0.089 inches per second (in/sec) and 87 vibration decibels (VdB) at a distance of 25 feet. Applying FTA's recommended propagation adjustment to these reference levels, construction activities would not expose the nearest sensitive receptors, (i.e., residences located 50 feet away) to ground vibration levels that exceed Caltrans's recommended exposure level of 0.2 in/sec peak particle velocity (PPV) with respect to the prevention of structural damage for normal buildings or FTA's maximum acceptable exposure level of 80 VdB with respect to human response for residential uses (i.e., annoyance). The use of a large dozer would result in ground vibration levels of 0.031 in/sec PPV and 78.0 VdB at a distance of 50 feet. Long-term operation of the project would not result in any major sources of vibration. Thus, implementation of the project would not result in the exposure of existing off-site sensitive receptors to excessive groundborne vibration levels. This impact would be **less than significant**.

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Less than significant with mitigation incorporated. As discussed under item "a," the project would not expose existing off-site noise-sensitive receptors to a substantial increase in traffic noise. This impact would be less than significant.

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Less than significant. The only potential source of substantial temporary or periodic increase in ambient noise levels in the project vicinity would be construction generated. As discussed under item "a," short-term project-related construction activity would not result in the exposure of persons to or generation of noise levels in excess of applicable standards because it would only occur during less noise-sensitive times of day (i.e., 7:00 a.m. to 7:00 p.m.) and therefore be consistent with Policy 4, under Objective N-1.2 of the City of Tracy General Plan Noise Element Policy (City of Tracy 2011:9-20). Thus, construction generated noise would not result in a substantial temporary increase in ambient noise levels in the project vicinity above existing levels without the project. This impact would be less than significant.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

and

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

No impact. The nearest publicly owned airport is the Tracy Municipal Airport, approximately 4.5 miles southeast of the project site. The City of Tracy adopted an *Airport Master Plan* in 1998, analyzing the impacts to safety on surrounding development from the Tracy Municipal Airport (City of Tracy 1998). The San Joaquin County *Airport Land Use Compatibility Plan* (San Joaquin Council of Government 2009) establishes noise contours surrounding the Tracy Municipal Airport and the project is located outside of those contours. There are no private airstrips located within the vicinity of the project. Because of the distance of the project site from the nearest airport, the project would not expose people residing or working in the area to excessive noise levels from aircraft operations and no impact would occur.

3.9 POPULATION AND HOUSING

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. Population and Housing. Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
b) Displace substantial numbers of existing homes, necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐

3.9.1 Environmental Setting

Tracy is one of the most rapidly growing cities in the California Central Valley. Between 1990 and 2010, the population increased by 147 percent from 33,558 to 82, 922 (City of Tracy 2013). According to the California Department of Finance, the City's population as of January 1, 2015, was 85,296 (DOF 2015). In January 2009, the City population was estimated to be 81,714, an increase of around 44 percent since the 2000 Census (City of Tracy 2012). The San Joaquin Council of Governments (SJCOG) projects that by the year 2035, the Tracy population will be 126,500 (SJCOG 2009).

The household population in the most recent U.S. Census in 2010 was 68,641 (U.S. Census Bureau 2015). The DOF estimates that, as of January 2012, there were 25,983 housing units in Tracy, of which approximately 6.3 percent were vacant (City of Tracy 2013). Currently, there is one residence within the project site inhabited by the Toste Family.

3.9.2 Discussion

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Less than significant. The project would entail the construction of 304 new residences and a 6,000 square-foot leasing and recreation area. Of the 304 residences, 120 would be one-bedroom units, 133 would be two-bedroom units, and 51 would be three-bedroom units. The project would provide housing for an estimated 670 persons. The project would result in a minor increase (i.e., less than one percent) in population in the City. Further, this growth would occur within an existing urbanized area that supports residential land use and where services and infrastructure are available to serve the proposed development and its residents. The project would not induce substantial growth in the City; therefore, this impact would be less than significant.

b) Displace substantial numbers of existing homes, necessitating the construction of replacement housing elsewhere?

Less than significant. The project site contains one residence at 2480 Toste Road. Implementation of the project would result in the demolition of the residence; however, displacement of one residence would not be considered substantial such that construction of replacement housing would be necessary. Therefore, this impact would be less than significant.

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

Less than significant. As discussed above, the project site contains one residence at 2480 Toste Road. Implementation of project would result in the demolition of the residence; however, removal of the residence would not displace a substantial number of people such that construction of replacement housing would be required. Therefore, this impact is less than significant.

3.10 PUBLIC SERVICES

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

3.10.1 Environmental Setting

FIRE

The South County Fire Authority (SCFA) operates seven fire stations. The existing stations are:

- Station #91 at 1701 West Eleventh Street, in western Tracy
- Station #92 at 22484 South 7th Street, in northeast Tracy
- Station #93 at 1400 West Durham Ferry Road, in new Jerusalem
- Station #94 at 16502 West Schulte Road, in Lammersville
- Station #96 at 301 West Grant Line Road, in northwest Tracy
- Station #97 at 595 West Central Avenue, in southern Tracy

The SCFA is staffed by 60 professional firefighters, 12 reserve firefighters, a fire chief, three division chiefs, ems manager, two civilian fire inspectors, and a two-person administrative support staff (TFD 2016).

POLICE

The project would be served by the Tracy Police Department (TPD) located at 1000 Civic Center Drive in Tracy, approximately 2.5 miles from the project site. In 2014, the TPD was staffed by 122 sworn and non-sworn personnel. With 83 sworn officers, the ratio of police per thousand residents in 2010 was 0.98 officers per 1,000 population (TPD 2014).

The TPD divides calls for service into four categories:

- Priority 1: Critical “In-Progress” crime against persons and property
- Priority 2: Serious crime again persons and property without imminent threat
- Priority 3: Non-emergency call
- Priority 4: Low priority non-emergency call

SCHOOLS

According to TUSD boundary maps (TUSD 2015), new elementary and middle school students residing at the project site are expected to attend Art Freiler Elementary School, and high school students would attend Merrill F. West High School (see Exhibit 3.14-1).

Art Freiler School is located at 2421 W. Lowell Ave and serves students in grades K through 8th. According to the Tracy Unified School District School Facilities Needs Analysis (August 7, 2015), Art Freiler School has a current capacity of 1,025 students. According to the California Department of Education, Education Demographics Unit, enrollment at Art Freiler School in the 2014 to 2015 school year was 967 students (CDE 2015).

Merrill F. West High School is located at 1775 W. Lowell Ave and serves students in grades 9th through 12th. West High School has a current capacity of 1,377 students (TUSD 2015b) and enrollment at West High School is at 2,102 students (CDE 2015).

PARKS

The closest public neighborhood parks to the project site are Bland (Clyde) Park, Galli Park, and Eagan Park (Exhibit 3.14-2). The parks are 8.65, 4.67, and 0.53 acres, respectively. Recreational facilities at Blank (Clyde) Park include restrooms, barbeques, walking paths, soccer and ball fields, basketball courts, and play areas. Galli Park contains restrooms, soccer and ball fields, play areas, and a bocce ball court. Eagan Park contains a play area and shade structure (City of Tracy 2012).

3.10.2 Discussion

a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:

Fire protection?

Less than significant. The project site is located approximately 0.5-mile from Station #96 on West Grantline Road. The close proximity of the fire station combined with roads of high accessibility indicates that project implementation would not affect the response times or service ratios of SFCA. Additional facilities would not be required following project implementation which includes payment of a Public Safety Development Impact Fee. This would be a less-than-significant impact.

Police protection?

Less than significant. The project would introduce approximately 670 residents to the City. With a population of 84,691 at the last 2010 census count, the addition of new project-related residents would increase this total to 85,361 persons. Assuming the number of sworn officers would remain the same, this addition of population would lower the service ratio of police per thousand residents from 0.98 to 0.97 officers per 1,000 population. While project implementation would reduce the service ratio of police to residents, the reduction would not be substantial such that police resources would be adversely affected. Further, the introduction of new residents associated with the project would be consistent with anticipated population growth; therefore, it is reasonable to assume that the TPD would increase its capacity to provide adequate services to the City and its future residents. This would be a less-than-significant impact.

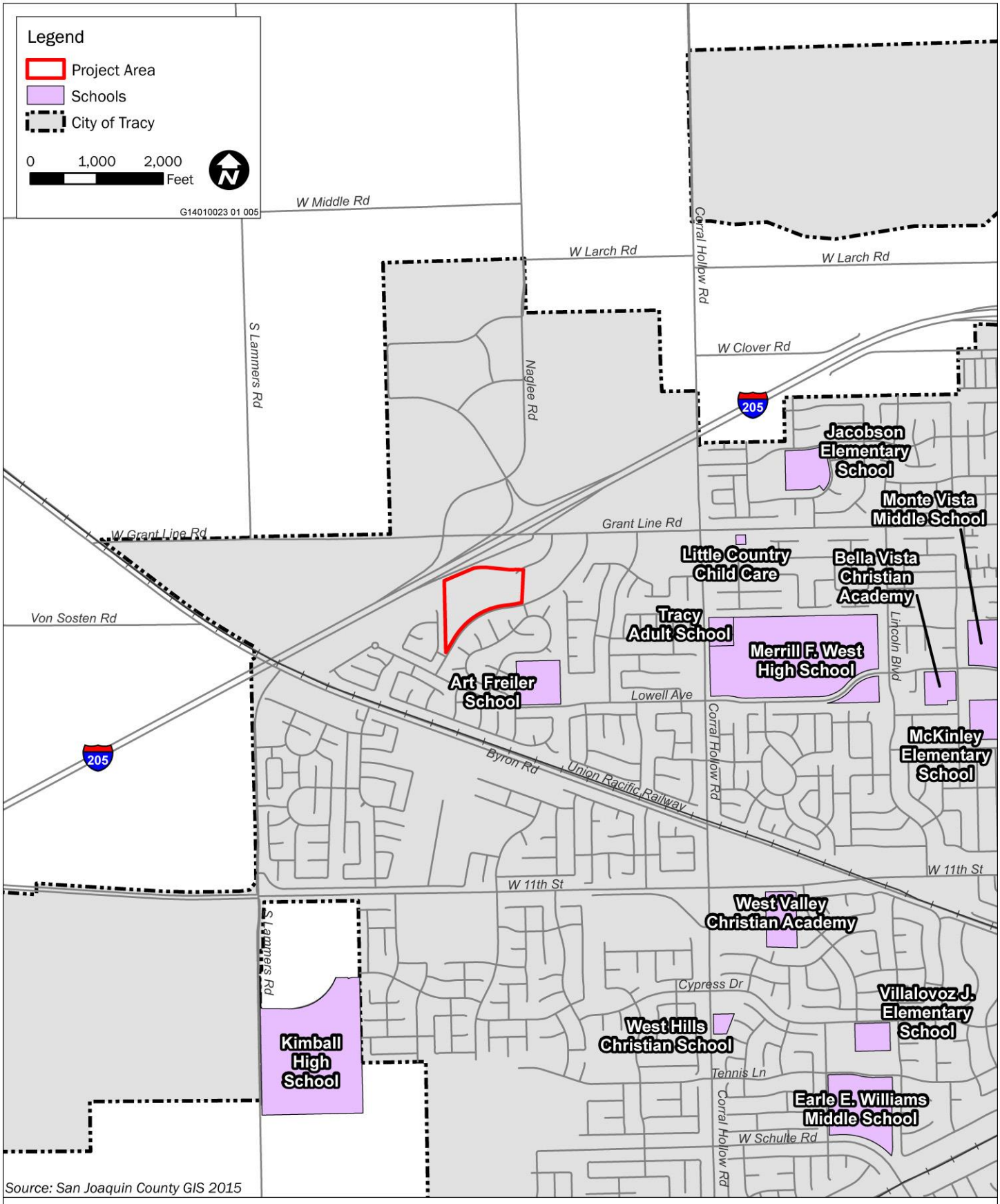


Exhibit 3.14-1 **Schools**

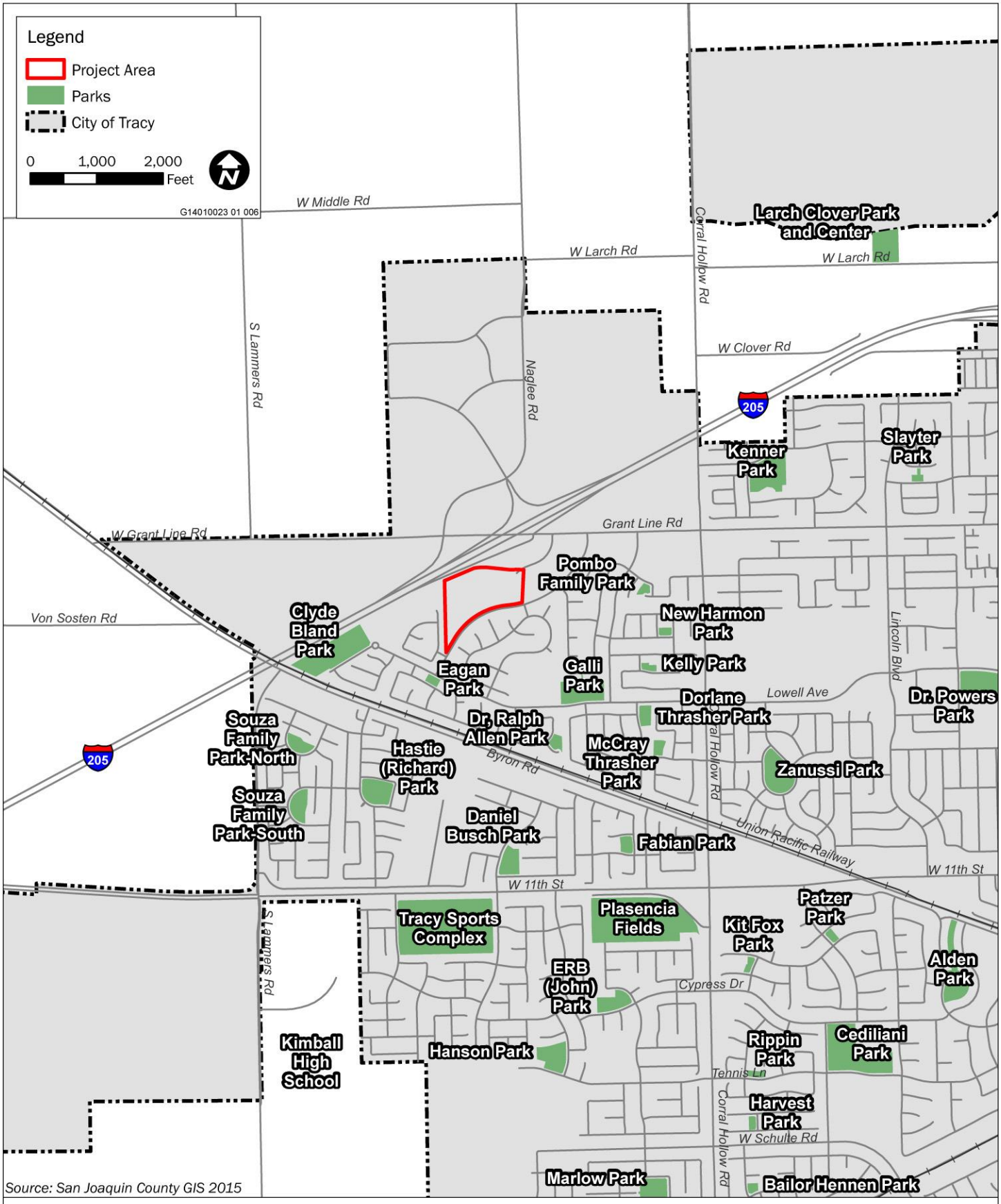


Exhibit 3.14-2 **Parks**

Schools?

Less than significant. Implementation of the project would result in population growth within the City of Tracy, which would likely increase enrollment at schools within the Tracy Unified School District (TUSD). TUSD estimates that 0.2289 elementary school students, 0.1060 middle school students, and 0.1089 high school students will be generated from each new multifamily attached ("MFA") residential unit constructed within the School District (TUSD 2015c). Using this generation factor, the project would be expected to generate an additional 153 elementary school students, 71 middle school students, and 73 high school students. The addition of these students would exceed the current capacity at Art Freiler School and at West High School.

According to the Facilities Master Plan the build-out projections of residential units currently planned within the School District boundaries (including the project), future school facilities, or expansion of existing facilities may be required.

TUSD performs needs analysis and adopts an annual budget allocating resources for new school facilities as they are warranted. The project does not trigger the need for a new school directly; however, it would contribute to existing capacity deficiencies within the TUSD service area. Any new school would require environmental review when it is proposed. The environmental review will determine if there would be an adverse physical impact associated with its construction.

TUSD collects impact fees from new developments under the provisions of SB 50. Payment of the applicable impact fees by the project applicant, and ongoing revenues that would come from taxes, would fund capital and labor costs associated with school services. The adequacy of fees is reviewed on an annual basis to ensure that the fee is commensurate with the service.

Under the provisions of SB 50, a project's impacts on school facilities are fully mitigated via the payment of the requisite new school construction fees established pursuant to Government Code Section 65995. Payment of the applicable impact fees by the project applicant, and ongoing revenues that would come from property taxes, sales taxes, and other revenues generated by the project, would fund improvements associated with school services. As such, the project's impacts to school services would be less than significant.

Parks?

Less than significant. While the project does not entail the construction of a consolidated public park, it would include park amenities including a 6,000 square-foot leasing and recreation center with a fitness center and entertainment room. Other recreational amenities include project design including a swimming pool and spa, community gardens, a tot lot play are, a dog park, a basketball court, and barbeque areas. Due to the availability of these resources, project implementation would not produce substantial demand on park facilities such that new or altered facilities would be required beyond payment of a Parks Development Impact Fee. The addition of project-related residents to the City would not adversely affect the service ratios for the City's park system. This impact would be less than significant. (See also Section 3.15, Recreation)

Other public facilities?

No impact. The project would not affect other public facilities. No impact would occur.

3.11 RECREATION

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XV. Recreation. Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	☐	☐	☒	☐

3.11.1 Environmental Setting

The City of Tracy has 335 acres of park land at 73 sites of three classifications: mini parks, neighborhood parks, and community parks. In addition to these parks, the City owns 228.5 acres at Holly Sugar that is not yet classified or designated for a specific type of park development. Current park service level is an average of 4.1 acres per 1,000 residents. The City has established the goal of maintaining a 4.0 acres per 1,000 residents service level. To achieve this ratio, approximately 154 acres of new park land will be needed (City of Tracy 2013). The City is in the process of constructing the Holly Sugar Sports Park (Legacy Fields) at the northern edge of the City, which will provide an additional 166 acres of sports parks, 86 acres of passive recreation area, and a 46-acre future expansion area for additional park facilities.

In addition to green spaces for active and passive recreation, the City operates several built facilities for the purpose of specialized recreation and education opportunities. These include the Tracy Community Center and Lolly Hansen Senior Center. The City does not operate a large-scale, multi-purpose indoor recreation facility.

3.11.2 Discussion

a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Less than significant. The project includes several recreational opportunities. The project would entail the construction of 304 new residences and a 6,000 square-foot leasing and recreation center with a fitness center and entertainment room. Other recreational amenities have been included in project design including a swimming pool and spa, community gardens, a tot lot play are, a dog park, a basketball court, and barbeque areas. Although the project design does not entail the construction of a public park, recreational features typically provided by a public park would be available. The project site's 670 residents (see Population and Housing) would potentially use existing neighborhood parks and regional parks. The General Plan has a parkland standard of four acres per 1,000 residents. In order to maintain this standard, the City requires new development projects to either include land dedicated for park uses, or to pay in-lieu fees towards the City's parks program. Chapter 13.12 of the Tracy Municipal Code states that, "all development projects shall be required to maintain the City standard of four (4) acres of park land per 1,000 population. All development projects, as a condition of approval of any tentative parcel map or tentative subdivision map, or as a condition of approval of any building permit, shall dedicate land to the City or pay a fee in lieu thereof, or a combination of both, in order to maintain this City standard. The precise obligation of any

development project to dedicate land or pay a fee pursuant to this section shall be incorporated in the implementing resolution for the park fee applicable to the development project."

The City of Tracy requires the payment of the project's fair share in-lieu parks fees, as required by the City's General Plan. The collection of fees and determined fair share fee amounts are adopted by the City as Conditions of Approval (COAs) for all new development projects prior to project approval. Fees paid aid in the development of new park-space and maintenance as required, to ensure continued high quality park facilities for all city residents. Given that the City maintains an ample and diverse range of park sites and park facilities, and collects fees from new development to fund the construction of new parks and the maintenance of existing parks, the additional demand for parks generated by the project would not result in the physical deterioration of existing parks and facilities within Tracy. As such, this is a less than significant impact and no mitigation is required

b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?

Less than significant. As noted above, the project includes the construction of a clubhouse equipped with a fitness center and entertainment room, community gardens, a pool and spa, barbeque areas, a dog park, a tot lot play area, and a basketball court. Potential impacts associated with construction of the proposed on-site recreational facilities are addressed throughout this Initial Study and included in the project description. With the mitigation proposed in other sections, the impact related to recreational facilities is less than significant.

3.12 TRANSPORTATION/TRAFFIC

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. Transportation/Traffic. Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☒	☐
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☒	☐
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
e) Result in inadequate emergency access?	☐	☐	☒	☐
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☒	☐

3.12.1 Environmental Setting

The following discussion and conclusions are based on the Harvest in Tracy *Transportation Impact Study* (Transportation Study) prepared by Fehr and Peers and dated August 2016 (Fehr and Peers 2016). This study is provided in Appendix B of this checklist. The Transportation Study was originally drafted in March 2016 using a project description with 300 multi-family dwelling units. The most recent project description has 304 multi-family dwelling units. This change in dwelling units would correspond to two (2) net new outbound AM peak hour and three (3) net new (1 outbound and 2 inbound) PM peak hour trips. This minor increase in the project's trip generating characteristics would not change the results documented in the Existing + Project Conditions and Cumulative + Project Conditions analysis.

The project site itself is undeveloped except for one residence that will be demolished with implementation of project. The site is located on the southeast corner of West Grant Line Road and I-205 in the City of Tracy, and is accessed via Toste Road and Henley Parkway. The intersection of Henley Parkway and Grant Line Road has an existing traffic signal. The access point closest to the regional freeway system (I-205) is located approximately 0.1-mile northeast of the site at West Grant Line Road. Detailed descriptions of these roadway facilities as well as transit, bicycle, and pedestrian facilities that provide access to the project site are provided below.

ROADWAY SYSTEM

The existing transportation system serving the project site includes the following roadways:

- I-205 runs east west, connecting I-5 with I-580 in the San Joaquin Valley. I-205 lines the north side of the triangle around Tracy. In the study area, westbound I-205 has an off-ramp at Naglee Road, an on-ramp at Naglee Road, and an on-ramp at Grant Line Road. Eastbound I-205 has a tight diamond interchange at Grant Line Road. In the future, an additional loop ramp will be added to the eastbound diamond interchange. Throughout Tracy, I-205 has six lanes and a 65 mile per hour speed limit. In the future, I-205 will be expanded to eight lanes.

- Grant Line Road is an east-west road through the northern part of Tracy. Between Corral Hollow Road and the westbound I-205 on-ramp, Grant Line Road is six lanes, and then reduces to two lanes as it reaches Byron Road. There are sidewalks on both sides of Grant Line, except for west of Naglee Road, which only has sidewalks on the south side of the roadway. There are also bike lanes on each side of Grant Line Road east of Henley Parkway.

- Corral Hollow Road serves as a major arterial for north-south traffic. In the study area, Corral Hollow Road has sidewalks and bike lanes on both sides. There is also a wide median in the middle. Corral Hollow road is a four-lane road.

- Henley Parkway is a north-south road that provides access to a large residential neighborhood from Grant Line Road. Henley Parkway is a two-lane road, and would provide direct access to the project site with implementation of the project. There are Class II bike lanes on both sides of the street, but sidewalks are only on the east side of the street.

- Lowell Avenue traverses the south part of the study area as a two-lane, residential road. There are sidewalks and bike lanes on both sides of the road.

- Byron Road runs northwest and southeast as a two-lane, rural road. Currently, there are no sidewalks or bike lanes on this street. In the future, the intersection of Grant Line Road/Byron Road will have four legs.

EXISTING TRAFFIC VOLUMES

Traffic conditions were evaluated for the morning (6:30 a.m. to 8:30 a.m.) and evening (4:30 p.m. to 6:30 p.m.) mid-week peak periods. Intersection traffic counts were collected on January 26, 2016.A second set of counts was performed on July 20, 2016 to include the Bridle Creek Circle / Henley Parkway intersection. To study the differences between turning movements during the summer and turning movements during the school year, the Grant Line Road / Henley Parkway intersection was also counted July 20, 2016. The Bridle Creek Circle / Henley Parkway counts were scaled up based on these differences to reflect school year conditions. Existing peak hour traffic volumes, representing the highest one-hour volumes at each study intersection revealed that the morning peak hour in this area generally occurs between 7:30 a.m. and 8:30 a.m., and the afternoon peak hour generally occurs between 4:45 p.m. and 5:45 p.m.

EXISTING INTERSECTION OPERATIONS

Existing intersection delay and level of service (LOS) calculated for the study area are shown in Table 3.16-1. These data show the existing delay and LOS results at the study intersections. The intersection LOS criteria are described in Table 1 of the Transportation Study. The technical calculations are provided in Appendix A of the Transportation Study (Appendix B of this checklist).

Table 3.16-1 Intersection Level of Service – Existing Conditions

Intersection	Control	Minimum Acceptable LOS	AM Peak Hour		PM Peak Hour	
			Delay[1]	LOS	Delay[1]	LOS
1. Naglee Road / Pavilion Pkwy / I-205 WB Ramps	Signal	E	49.9	D	31.9	C
2. Grant Line Road / Byron Road	Signal	E	63.7	E	72.9	E
3. Grant Line Road / Naglee Road / I-205 WB On-Ramp	Signal	E	25.7	C	42.2	D
4. Grant Line Road / I-205 EB Ramps	Signal	E	33.9	C	39.7	D
5. Grant Line Road / Henley Pkwy	Signal	E	47.4	D	37.1	D
6. Grant Line Road / Corral Hollow Road	Signal	E	43.0	D	43.1	D
7. Lowell Ave / Henley Pkwy	SSSC[2]	E	2.9 (SB 11.8)	A (B)	5.6 (SB 10.9)	A (B)
8. Corral Hollow Road / Lowell Ave	Signal	E	50.6	D	26.4	C

Note: 1. For signalized and all-way stop controlled intersections, average intersection delay is reported in seconds per vehicle for the overall intersection.

2. SSSC = Side-street stop-controlled intersection.

Source: Fehr & Peers 2016

As shown in Table 3.16-1, the Grant Line Road and Byron Road intersection has the highest levels of delay under existing conditions, and operates at LOS E during both the AM peak hour and the PM peak hour. Under the current General Plan, the City's LOS threshold is LOS D (i.e., LOS A through D are considered acceptable; LOS E and F are considered unacceptable); however, LOS E or lower is allowed on streets and at intersections within one-quarter mile of any freeway. The City also considers the addition of project trips to be significant if they would cause a delay increase of more than 5 seconds to an intersection already operating at an unacceptable level.

TRANSIT SYSTEM

The City of Tracy operates fixed-route bus and paratransit services with the TRACER bus system. In addition, San Joaquin Regional Transit District (SJRTD) operates several routes that pick up passengers in Tracy. The fixed routes all operate in central Tracy, and do not extend to the project site. However, TRACER operates two fixed route service adjacent to the study area. All routes operate Monday through Friday from 7:00 a.m.to 8:00 p.m., and Saturday from 9:00 a.m.to 7:00 p.m. TRACER does not offer service on Sundays.

TRACER currently operates the following routes near the project site:

- *Route A* – runs on Grant Line Road and heads north on Coral Hollow to go up to the West Valley Mall and Tracy Pavilion;
- *Route B* – connects West Valley Mall and Tracy Pavilion to residential neighborhoods in central Tracy; and
- *Commuter Route E* – runs by the Kaiser Medical Center by the Grant Line Road/Corral Hollow Road intersection, connecting Clyde Bland Park, Freiler Elementary School, West High School, Monte Vista Middle School, Duncan Russell High School, North Elementary School, and Jacobsen Elementary School.

The Transit Service Area incorporates most of the City of Tracy and is generally bounded by Lammers Road to the west, Larch Road and Arbor Avenue to the north, and Chrisman Road to the east.

SJRTD also provides intercity fixed route service between Tracy and Stockton. SJRTD operates the following route in Tracy:

- *Route 90* – runs from Stockton's Downtown Transit Center along 1-5 to Tracy, where it runs east-west along Grant Line Road, ending at the Wal-Mart just west of I-205. Route 90 operates on weekdays from 5:30 a.m. to 11:00 p.m. with eight trips staggered with 1-3 hour headways. Through the study area, Route 90 runs on Grant Line Road.

- Altamont Commuter Express (ACE) operates also commuter trains from San Jose to Stockton, stopping in Lathrop/Manteca, Tracy, Livermore, Pleasanton, Fremont, and Santa Clara before researching San Jose. The ACE in Tracy is located on the northeast corner of the intersection of West Linne Road and Tracy Boulevard. It is in service Monday through Friday, and has three trains in the AM peak period, operating from 4:20 a.m. - 8:50 a.m., and three trains during the PM peak period, operating from 3:35 p.m. to 7:45 p.m. ACE does not run on the weekends.

BICYCLE/PEDESTRIAN SYSTEM

There are many bike lanes throughout the study area. Bike lanes are located on both sides of Grant Line Road east of Henley Parkway, and on Lowell Avenue, and Corral Hollow Road. In addition, Henley Parkway has Class II bike lanes on either side of the road.

Sidewalks are present throughout the study area, except for Byron Road and the west side of Henley Parkway. There are sidewalks on both sides of Grant Line Road west of the Tracy Pavilion, and just on the south side of the Grant Line Road west of the Costco shopping center.

3.12.2 Traffic Projections for the Project

PROJECT TRIP GENERATION

Table 3.16-2 details the trip generation rates used to estimate daily and peak hour trips for the project. Details regarding the derivation of assumptions used in the trip generation calculations are in Appendix B, Transportation Study.

The following trip generation rates were used:

- Average AM peak hour trip rate: 0.51 trips per dwelling unit
- Average PM peak hour trip rate: 0.62 trips per dwelling unit

PROJECT TRIP DISTRIBUTION & ASSIGNMENT

Project trips were distributed over the surrounding roadway network based on existing travel patterns and the locations of nearby complementary land uses. Existing traffic volumes at the study intersections were used to inform the trip distribution, as well as analysis of the project land uses, travel patterns, and nearby subdivisions with similar characteristics. Refer to Figure 4 in Appendix B, Transportation Study for details of assignment of project trips to the study intersections.

The project would construct two new driveways off of Henley Parkway into the project site, providing primary access and emergency access to the proposed development.

Table 3.16-2 Project Trip Generation Estimates

Land Use	Quantity[1]	Trip Generation Rates		Trips					
		AM Peak Hour	PM Peak Hour	AM Peak Hour			PM Peak Hour		
				In	Out	Total	In	Out	Total
Multi-Family Housing	304 DU	0.51	0.62	31	124	155	123	66	189

Notes: [1] DU = dwelling units

Source: Fehr & Peers 2016

3.12.3 Discussion

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

Less than significant. Under the current General Plan, the City's LOS threshold is LOS D; however, when a road segment is within one-quarter mile of a freeway, LOS E is allowed. Existing Plus Project intersection delay and LOS were calculated for the study intersections and compared to the existing operating conditions. The Grant Line Road/Byron Road intersection is operating at LOS E during the AM and PM peak hours under existing conditions, which is considered unacceptable by the City (Table 3.16-3).

Table 3.16-3 Intersection Level of Service – Existing Plus Project Conditions

Intersection	Control	Minimum Acceptable LOS	Existing Conditions				Existing plus Project Conditions			
			AM Peak Hour		PM Peak Hour		AM Peak Hour		PM Peak Hour	
			Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
1. Naglee Road / Pavilion Pkwy / I-205 WB Ramps	Signal	E	49.9	D	31.9	C	50.0	D	32.1	C
2. Grant Line Road / Byron Road [a]	Signal	E	**63.7**	**E**	**72.9**	**E**	**63.8**	**E**	**74.1**	**E**
2a. Grant Line Rd / Byron Rd [ac]	Signal	E	19.2	B	35.2	D	19.4	B	41.3	D
3. Grant Line Road / Naglee Road / I-205 WB On-Ramp	Signal	E	25.7	C	42.2	D	25.6	C	42.3	D
4. Grant Line Road / I-205 EB Ramps	Signal	E	33.9	C	39.7	D	35.5	D	41.6	D
5. Grant Line Road / Henley Pkwy	Signal	E	47.4	D	37.1	D	52.1	D	38.5	D
6. Grant Line Road / Corral Hollow Road	Signal	E	43.0	D	43.1	D	44.1	D	41.2	D
7. Lowell Ave / Henley Pkwy	SSSC[b]	E	2.9 (SB 11.8)	A (B)	5.6 (SB 10.9)	A (B)	3.2 (SB 12.2)	A (B)	5.7 (SB 11.3)	A (B)
7a. Lowell Ave / Henley Pkwy [c]	AWSC	E	8.6	A	8.3	A	8.7	A	8.4	A
8. Corral Hollow Road / Lowell Ave	Signal	E	50.6	D	26.4	C	51.7	D	28.3	C
9. Henley Pkwy/ Project Dwy	SSSC[b]	E	NA	NA	NA	NA	3.4 (SB 11.6)	A (B)	2.0 (SB 11.4)	A (B)
10. Bridle Creek Cir / Henley Pkwy	SSSC[b]	E	1.8 (NB 9.5	A (A)	1.7 (NB 9.0)	A (A)	1.3 (NB 10.3)	A (B)	1.3 (NB 9.1)	A (A)
10a. Bridle Creek Cir / Henley Pkwy [c]	AWSC	E	8.0	A	8.4	A	9.0	A	9.4	A

Source: Fehr & Peers 2017

Notes:

Signal = Signalized intersection; AWSC = All-way stop-controlled intersection; SSSC = Side-street stop-controlled intersection.

Bold, underlined text indicates unacceptable LOS

LOS Criteria: Within ¼ of mile of a freeway, LOS E shall be allowed.

[a] Shows the result when a second westbound right-turn lane is added to the intersection

[b] For side-street stop-controlled intersections, average delay is listed first followed by the delay for the worst approach.

[c] The City requested that these intersections be analyzed using an additional lane (2a) or different control types (7a and 10a).

The calculations show that all study area intersections would be at LOS D or better, except for the Grant Line Road/Byron Road intersection, which would continue to operate at LOS E during the AM and PM peak hours with and without the project. The City considers the addition of project trips to be significant if they would cause a delay increase of more than 5 seconds to an intersection already operating at an unacceptable level. The project would add 0.1 second of delay to the Grant Line Road/Byron Road intersection during the AM peak hour and 1.2 seconds of delay during the PM peak hour. Both would be well below the City's threshold of 5 seconds of delay. Therefore, the potential impacts related to intersection operations would be less than significant.

In addition, the project would construct pedestrian facilities within the development and along Henley Parkway, and would not conflict with or adversely affect performance standards of other transportation modes. Therefore, the project would not result in any significant impacts regarding the performance of the circulation system in the vicinity of the project site. This would be a less-than-significant impact.

b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

Less than significant. The calculations for Existing Plus Project conditions in Table 3.16-3 show that all but one of the intersections would operate at LOS D or better. The Grant Line Road/Byron Road intersection is operating at LOS E during the AM and PM peak hours under existing conditions and would continue to operate at LOS E in the AM and PM peak hours with the project. The project would add 0.1 second of delay to the Grant Line Road/Byron Road intersection during the AM peak hour and 1.2 seconds of delay during the PM peak hour. Both would be well below the City's threshold of 5 seconds of delay. Based on the City's criteria for determination of significant impacts, the project would result in a less-than-significant impact.

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

No impact. The nearest airport is Tracy Municipal Airport, located 5 miles southeast of the project site. The project would have no effect on air traffic patterns, because no structures of substantial height would be constructed. There would be no impact.

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Less than significant. The project would create two new driveways on Henley Parkway that would serve as access points for the subdivision. The new main driveway off of Henley Parkway would allow full access entering and egressing the project site. An additional emergency access would be created to the project site, approximately 460 feet southwest of the main access point (measured from center to center). Adequate sight distance must be ensured so that vehicles may safely enter and exit the site through both driveways. Assuming a design speed of 40 miles per hour on Henley Parkway, the sight distance required for all maneuvers in and out of both new driveways is 440 feet, according to the Caltrans *Highway Design Manual* (2015). Currently, there are no obstructions within this distance of either the main driveway or emergency access driveway. Each driveway provides more than the required 440 feet of sight distance for vehicles exiting the project driveways. The sight distance analysis for the project site is provided in Appendix E to the Transportation Study (Appendix B to this checklist).

Because the project generates a relatively small number of peak hour trips (155 trips in the AM peak hour and 196 in the PM peak hour), the Transportation Study, provided in Appendix B concludes that no operational issues are anticipated at the project driveways under normal conditions. Therefore, the proposed site plan for vehicular access is sufficient. This would be a less-than-significant impact.

e) Result in inadequate emergency access?

Less than significant. The Transportation Study used AutoTURN software to ensure there would be adequate emergency access to and throughout the project site. The Transportation Study concluded that there would adequate area for ingress and egress of an emergency vehicle within the project site and at the emergency access driveway. Therefore, the project would provide adequate emergency access on-site and to the project site. This impact would be **less than significant**.

f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

Less than significant. The project would expand the existing residential community that exists in this area of Tracy. Currently there are sidewalks opposite of the project site on Henley Parkway, and bicycle lanes on both sides of Henley Parkway. The project would include pedestrian facilities along Henley Parkway, and within the project site. The pedestrian network would encourage residents to walk to the nearby destinations like the commercial developments on Grant Line Road. In addition, the project would not interfere with any transit services. Therefore, the project would not conflict with any adopted policies or programs for transit or pedestrian facilities. This would be a less-than-significant impact.

3.13 UTILITIES AND SERVICE SYSTEMS

	ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII.	**Utilities and Service Systems. Would the project:**				
a)	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☒	☐
b)	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
c)	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☒	☐	☐
d)	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☒	☐
e)	Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand, in addition to the provider's existing commitments?	☐	☐	☒	☐
f)	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐
g)	Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☒	☐

3.13.1 Environmental Setting

Unless otherwise noted, the following setting information is summarized from the City of Tracy General Plan, Chapter 8, Public Facilities and Services, February 1, 2011 (City of Tracy 2011a).

WASTEWATER

The project would be serviced by the City wastewater collection system, which consists of gravity sewer lines, pump stations, force mains, and a wastewater treatment plant (WWTP). Wastewater flows toward the northern part of the City where it is treated at the WWTP and discharged into the Old River in the southern Sacramento-San Joaquin Delta. The WWTP is located north of I-205 and between MacArthur Drive and Holly Drive. The WWTP was constructed in 1930 and has undergone several major expansions. In 2004, the WWTP had a design capacity of 9.0 million gallons per day (mgd). The WWTP is currently under phased expansion to increase capacity to 16.0 mgd and provide tertiary treatment meeting Title 22 Requirements (City of Tracy 2011a: 7-30).

According to the City of Tracy Citywide Water System Master Plan/Tracy Wastewater Master Plan, the project site exists within the I-205 Corridor Specific Plan (City of Tracy 2012). The development generates approximately 1.20 mgd of sewage.

The City WWTP has a National Pollution Discharge Elimination System (NPDES) permit that allows the City to discharge up to 10.8 mgd average dry weather flow (ADWF) of treated effluent to the Old River. The permit, which was administered by the San Joaquin Regional Water Quality Control Board (SJRWQCB) prescribes the maximum allowable discharge rate, effluent quality requirements, discharge prohibitions, receiving water limitations, pretreatment program requirements, bio-solids disposal requirements, and self-monitoring requirements (CRWQCB 2012).

The WWTP provides secondary-level treatment followed by disinfections. It contains a system of primary clarifiers, bio-towers, and trickling filters, coupled with an activated sludge process, which treats the wastewater. After treatment, wastewater is disinfected and dechlorinated and then conveyed by a 3.5-mile 33-inch outfall pipeline to a submerged diffuser for discharge into the Old River. The outfall is designed to carry a peak flow of about 22.0 mgd (City of Tracy 2011a: 7-31).

Waste solids from the wastewater treatment processes are collected and conveyed to the solids handling facilities so that biosolids can be conditioned for disposal. The treatment process for solids includes thickening, digestion, and dewatering to remove organics and inactive pathogens and reduce the volume of solids to be disposed. Dried bio-solids are hauled off-site and used for land application for disposal as alternative daily cover at landfills. This off-site hauling and disposal practice is expect to continue (City of Tracy 2011a: 7-32).

The City also engages in non-potable water recycling for industrial use and landscape irrigation (e.g., medians, parks). The City has developed multiple water supplies identified in the City's Urban Water Management Plan and is developing a recycled/non-potable supply system in order to increase the availability of potable water for potable demand needs (City of Tracy 2011a: 7-24).

WATER

The project site is located within the service area for the City, where the City provides potable water to residents and businesses. The City maintains approximately 23,000 metered service connections for single-family and multi-family residential users, commercial or industrial users, and landscaping. The City obtains its drinking water from both surface and groundwater sources. Groundwater is sourced by the Tracy Aquifer in the San Joaquin Valley groundwater basin, and surface water is provided by the Stanislaus River and the Delta-Mendota Canal (City of Tracy 2011a: 7-21, 7-22).

The City's existing waste system facilities include a water treatment plant, pump stations, wells, water mains, and storage reservoirs. The John Jones Water Treatment Plant (JJWTP) processes water from the Delta Mendota Canal (DMC) and distributes it to the City. The JJWTP has the capacity to treat 30 mgd. The City also operates nine groundwater wells that pump from the groundwater aquifer with a total reliable capacity of 15 mgd. The City water service is provided over an area with significant changes in elevation; therefore, the City has established three pressure zones for its treated water distribution systems. The three zones total over 390 miles of water mains. The pipes vary in diameter up to 36 inches. The age of the pipes also varies, dating back to between 1910 and the present (City of Tracy 2011a: 7-23).

The City also supports five storage reservoirs. Three are adjacent to the JJWTP with a total storage capacity of approximately six million gallons (mg). An additional reservoir is located at the Northeast Industrial reservoir with a capacity of 2.2 mg. Another storage reservoir is located on Linne Road and has a capacity of 7.2 mg (City of Tracy 2011a: 7-24).

According to the 2010 Urban Water Management Plan prepared pursuant to the Urban Water Management Planning Act (Water Code Section 10610-10656), the City's annual water demand in 2010 was 17,900 acre

feet per year (afy) with an average of 212 gallons per capita per day (GPCD) in 2007. The plan estimates that by the year 2035, the City will have a future demand of 33,600 afy (City of Tracy 2011b). Although water demand is projected to increase due to population growth, efficient practices (e.g., recycled water) are expected to be incorporated into City water management. Further, the City is working to reduce per capita water usage in accordance with the Water Conservation Act of 2009 and the 20X2020 Water Conservation Plan (State Senate Bill x7-7).

STORM DRAINAGE

The City's drainage system is managed by the City's Public Works Department. Stormwater drains through open channels, storm drains, and closed conduits that are owned, operated, and maintained by the City and the West Side Irrigation District (WSID). These systems drain into three outfalls: the WSID Main Drain, the Westside Channel Outfall System (discharges into Old River via a force main), and the Sugar Cut Outfall. The Sugar Cut Outfall system serves two areas, Central Tracy and the eastside industrial area. Both areas have their own outfall systems. These three outfalls discharge storm runoff into Old River which is part of the Sacramento-San Joaquin Delta. Pump stations are used to move water over grades; however, the majority of the system is gravity operated. The City utilizes detention basins at many locations to store and meter discharges before they are released into outfall facilities (City of Tracy 2011a: 7-36).

SOLID WASTE

The City contracts with Tracy Disposal Service, a private company, for solid waste collection and disposal. Solid waste is conveyed to the Tracy Material Recovery Facility (MRF) and Transfer Station on South MacArthur Drive before it is sent to the Foothill Sanitary Landfill on Shelton Road. The MRF is operated by Tracy Material Recovery and Solid Waste Transfer, Inc., and has a daily intake capacity of 1,000 tons. On average, the MRF takes in 354 tons per day, 304 tons, of which, originate in the City. The transfer site is approximately 40 acres. In 2001, the total amount of solid waste generated by the City was 70,777 tons (or 15,358 cubic yards). The average residential solid waste generation rate that year was 4.32 pounds per person per day (PPD). Currently, the permitted capacity of the Foothill Landfill is 102 million cubic yards. The remaining capacity of the facility is approximately 95 million cubic yards. Using California Department of Resources Recycling and Recovery (CalRecycle 2017) factors (0.22 tons equals 1 cubic yard of mixed solid waste), the estimated population of Tracy in 2035 (126,500) would generate about 21,600 cubic yards of solid waste per year. At this rate, the landfill would still have capacity to serve the City of Tracy well beyond 2035. Assuming that this larger rate was used for the 34 years between 2001 and 2035, the total waste generated during that time would be approximately 735,800 cubic feet, leaving plenty of remaining capacity until the facility is expected to close in 2054 (City of Tracy 2011a: 7-17).

The City also provides recycling services to its residents and businesses. In coordination with Tracy Disposal Service, the City provides curbside residential collection if recyclable materials. Acceptable materials include glass containers, tin and aluminum cans, all plastics, plastic milk cartons, newsprint, boxboard, corrugated cardboard, bond paper, and magazines. The City also sustains supplemental recycling programs such as an electronics waste program, a tire recycling program, and a twice-per-year residential clean-up programs for large items and debris (City of Tracy 2011a: 7-18).

The City runs a bi-weekly leaf and yard waste collection program. In 2001, total curbside composting was reported at 10,292 tons per year (City of Tracy 2011a: 7-19).

3.13.2 Discussion

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

Less than significant. As noted above, the City wastewater is treated at the City WWTP. The City is in the process of upgrading the WWTP to increase treatment capacity and meet the standards of Title 22 for aboveground landscape irrigation and should be completed phases beginning in 2017.The WWTP currently meets the wastewater treatment requirements of the SJRWQCB, and project implementation would not produce a new source of wastewater such that the WWTP would exceed these requirements. This would be a less-than-significant impact.

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Less than significant. *Potable water treatment:* According to a technical memo prepared by Black Water Consulting Engineers, the existing potable water system is adequate to deliver average day, maximum day demands, maximum day plus fire flow, and peak hour demands for the Project (Blackwater 2016). The City has adequate water treatment capacity to serve to projected water demand. The project is estimated to use 91 afy based on a unit water demand factor of 220 gpd. The JJWTP has the capacity to treat approximately 30 mgd. While the project would contribute to the overall demand for treated water, under present water use demand rates, the project would not require construction of new water treatment facilities or expansion of existing facilities. Additionally, potable water demand is projected to decrease because of water conservation efforts.

The project site is located in an area of the City where water supply infrastructure has been installed. The project would be connected to the existing City water distribution system by four existing connections. Overall, impacts would be **less than significant**.

Wastewater treatment:

As of January 2015, the City had an unused capacity of approximately 4,200 EDU's (Equivalent Dwelling Units, equal the wastewater demand generated by a single-family residence) within its wastewater treatment plant (WWTP), available to new development within the City on a first-come, first-served basis. These EDU's are currently available to serve the proposed project, which would generate a wastewater demand of approximately 204 EDU's (53,808 gallons per day).

As described above, the project site is located within an established wastewater service area. The project would extend service onto the project site. As other development projects within the City come forward, and building permits are issued, the remaining capacity will be reduced. Accordingly, as noted above and to ensure that capacity at the WWTP is available and sufficient to respond to planned future development demands, the City is proceeding with the next phase of expansion of the WWTP, which has been approved by the City.

The project developer would be required to pay sewer impact fees at time of building permit issuance, ensuring fair-share contribution towards the future WWTP expansion project. With this condition of approval, impacts related to City sewer services will be less than significant.

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Less than significant with mitigation incorporated. The project would construct post-construction stormwater controls including detention basins to reduce the volume or improve the quality of runoff. Treatment controls are required by the City's NPDES permit for residential subdivisions of 10 housing units or more. The

environmental effects of and mitigation measures required for construction of storm water drainage facilities are addressed under Section 3.9, Hydrology, of this initial study. Mitigation Measure Hydro-1 (described previously) would reduce the potential impact to less than significant.

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

Less than significant. The project has an estimated annual potable water demand of 91 acre-feet per year. According to the 2010 UWMP (Table 23), the City was estimated to have as little as 1,350 acre-feet of water supply remaining in 2015 and 700 acre-feet of available potable water supply remaining in 2020. This provides enough capacity to serve this project. While the population in the City of Tracy is expected to continue to increase, the City is also working to incorporate water efficiency measures that will allow them to reduce per-capita water usage. Because there is adequate water supply and treatment capacity to serve projected demand under present per capita demand rates (212 GPCD in 2010), the project would not require new water supply contracts to be secured. While the project would contribute to overall demand for treated water, the project would not require new or expanded water supply entitlements. This would be a less-than-significant impact.

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

See discussion above, under b)

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

Less than significant. The project would have a population of approximately 670 (see discussion under population and housing). Using estimates from the above discussion, an average of 4.32 PPD per capita of solid waste would be approximately 1.45 tons per day for the whole of the project, or less than one percent of the daily solid waste generated by the City.

Foothill Landfill is estimated to have adequate capacity to serve the City until the year 2054. Therefore, while the project would contribute to the overall volume of solid waste take to the landfill, it would have sufficient capacity to accommodate the project's solid waste disposal needs. This would be a less-than-significant impact.

g) Comply with federal, state, and local statutes and regulations related to solid waste?

Less than significant. The project would not generate hazardous waste or waste other than common household solid waste. As described above, there is adequate landfill capacity to serve the project, and the project will comply with all applicable statutes and regulations related to solid waste. This is a less-than-significant impact.

3.14 MANDATORY FINDINGS OF SIGNIFICANCE

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

Authority: Public Resources Code Sections 21083, 21083.5.

Reference: Government Code Sections 65088.4.
Public Resources Code Sections 21080, 21083.5, 21095; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

3.14.1 Discussion

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of an endangered, rare, or threatened species, or eliminate important examples of the major periods of California history or prehistory?

Less than significant with mitigation incorporated. As described throughout the analysis above, the project would not result in any significant impacts that would substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal to the environment. All potentially significant impacts related to plant and animal species would be mitigated to a less than significant level. The project would be required to implement mitigation measures aimed at protecting special status species (Mitigation Measures BIO-1 and BIO-2), which require the applicant to seek coverage under the SJMSCP and to avoid or mitigate for the disturbance of nesting birds. Through the full

mitigation of biological impacts, the project would not result in any cumulative impacts, related to biological resources. These are less than significant impacts.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)

Less than significant with mitigation incorporated. As described throughout the analysis above, the project would not result in any significant individual or cumulative impacts that would not be mitigated to less-than-significant levels. Biological resources are addressed in a), above. Some topics are intrinsically site-specific. In the case of these topics, by showing that an impact is less than significant with or without mitigation, the analysis shows that the project would not provide a substantial contribution to a cumulatively considerable impact. These topics include aesthetics, agriculture and forest resources, cultural resources, geology and soils, hazards and hazardous materials, land use and planning, mineral resources, noise and vibration, and population and housing.

Other topics address potential contributions to a cumulatively considerable impact through their analysis. The topics which addressed whether the project would have a cumulatively considerable impact on a significant impact include air quality, greenhouse gas emissions, hydrology and water quality, public services, recreation, transportation/traffic, and utilities and services systems. The above analyses found that potential contribution to a cumulatively considerable impact was either less than significant or could be reduced to less than significant with mitigation.

Therefore, these are less-than-significant impacts.

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

Less than significant with mitigation incorporated. As described throughout the analysis above, the project would not result in any significant impacts that would have environmental effects which will cause substantial adverse effects on humans. The analysis in the relevant sections above provides standards and mitigation measures to reduce any potentially significant impacts on humans to less than significant levels. A variety of mitigation measures including those related to air quality, cultural resources, geotechnical hazards, hazardous materials, stormwater, and noise, ensure any adverse effects on humans are reduce to an acceptable standard. Therefore, these are less-than-significant impacts.

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