THE PLANNING CENTER DC&E

The City of Tracy

The Cordes Ranch Specific Plan
Final Environmental Impact Report

September 3, 2013

SCH# 2011122015

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In Association with: Fehr & Peers Transportation Consultants
Illingworth & Rodkin
Environmental Collaborative
Tom Origer & Associates

Orange County • Northern California • Los Angeles / Downtown • Los Angeles / West • Inland Empire • San Diego

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1 INTRODUCTION

A. Purpose of the Environmental Impact Report

This document provides responses to comments received on the Draft Environmental Impact Report (Draft EIR) for the proposed Cordes Ranch Specific Plan (the Project), and it includes revisions to the text and analysis in the Draft EIR made in response to comments. The Draft EIR identified significant impacts associated with the proposed Project, and examined alternatives and recommended mitigation measures that could avoid or reduce potential impacts.

This document, together with the Draft EIR and all Appendices, will constitute the Final EIR if the City of Tracy Council certifies it as complete and adequate under the California Environmental Quality Act (CEQA).

B. Environmental Review Process

The City of Tracy is the lead agency for this EIR.

According to CEQA, lead agencies are required to consult with public agencies having jurisdiction over a proposed project, and to provide the general public and project applicant with an opportunity to comment on the Draft EIR. This Final EIR has been prepared to respond to comments received on the Draft EIR and to clarify and amplify the discussions of findings in the Draft EIR. The Draft EIR was made available for public review on April 5, 2013. The Draft EIR was distributed to local and State responsible and trustee agencies and the general public was advised of the availability of the Draft EIR through public notice published in the local newspaper and on the City website. The 45-day public comment period ended on May 20, 2013. Copies of all written comments received on the Draft EIR, as well as oral comments received at the Planning Commission hearing on April 24, 2013, are contained in this document. These comments and responses to these comments are set out in Chapter 5, Comments and Responses, of this Final EIR.

C. Document Organization

This document is organized into the following chapters:

- **Chapter 1: Introduction.** This chapter discusses the use and organization of this Final EIR.

- **Chapter 2: Report Summary.** This chapter is a summary of the findings of the Draft and the Final EIR. It has been reprinted from the Draft EIR with necessary changes made in this Final EIR.
- **Chapter 3: Revisions to the Draft EIR.** Additional corrections to the text and graphics of the Draft EIR are contained in this chapter. Double underline text represents language that has been added to the EIR; text with ~~strikethrough~~ has been deleted from the EIR.
- **Chapter 4: List of Commentors.** Names of organizations and individuals who commented on the Draft EIR are included in this chapter.
- **Chapter 5: Comments and Responses.** This chapter contains reproductions of the letters received from agencies and the public on the Draft EIR. The chapter also contains responses keyed to the comments which precede them.

2 REPORT SUMMARY

This chapter presents a summary of the findings of the Draft and Final Cordes Ranch Specific Plan EIRs. Portions of this chapter have been reprinted from the Draft EIR with necessary changes made in this Final EIR shown in double underline and ~~strikethrough~~.

This summary presents an overview of the analysis contained in Chapter 4.0, Environmental Evaluation. CEQA requires that this chapter summarize the following: 1) any areas of controversy; 2) significant impacts; 3) unavoidable significant impacts; 4) identification of feasible mitigation measures; and 5) a reasonable range of alternatives to the Project.

A. Project under Review

This ~~Draft~~ Final EIR provides an assessment of the potential environmental impacts of implementation of the Project identified in Chapter 1 and described in detail in Chapter 3 (Project Description).

B. Alternatives to the Project

According to CEQA, an EIR must evaluate a reasonable range of feasible alternatives to the proposed project that would achieve most of the basic project objectives and would avoid or substantially lessen any of the significant impacts of the project. Chapter 5 of the Draft EIR compares the impacts of four alternatives to those of the Project: the No Project Alternative, the Reduced Intensity Alternative, the Mixed Use Alternative, and the Reconfigured Specific Plan Boundary Alternative. As discussed more fully in Chapter 5 of the Draft EIR, the Reduced Density Alternative would be considered the "environmentally superior" alternative.

- **Alternative 1 – No Project Alternative.** Under the No Project Alternative, the Specific Plan Area would remain in the jurisdiction of San Joaquin County and retain the existing County zoning. No new development would occur in the proposed Specific Plan Area, and no action would be taken to annex the Specific Plan Area to the City or otherwise change its land use designations.
- **Alternative 2 – Reduced Intensity Alternative.** This alternative would reduce the level of development that would be permitted in the Specific Plan Area to reduce the intensity and resultant environmental effects of the proposed Project. The boundaries of the Specific Plan Area would remain the

same. This alternative would reduce the level of development allowed in the Specific Plan Area by roughly half, resulting in 295,990 square feet of commercial, 1,232,966 square feet of office, and 13,894,551 square feet of business park industrial uses. This reduction would be due to a reduction in the allowable floor area ratios (FARs) for the respective uses, although the general location of uses would remain the same as proposed under the Project. In addition, the 88.5 net acres of park and recreational uses and open space provided under this alternative would be the same as that under the proposed Project.

- **Alternative 3 – Mixed-Use Alternative.** This alternative would replace approximately 150 acres of Business Park Industrial uses along the eastern boundary of the Specific Plan Area with housing. Assuming a residential density of 25 units per acre, this alternative would include approximately 3,838 residential units. Like the proposed Project, this alternative would include approximately 591,980 square feet of General Commercial and 2,465,932 square feet of General Office space. In addition, this alternative would include approximately 24,445,872 square feet of business park industrial uses. The boundaries of the Specific Plan Area would remain the same. In addition, the 88.5 net acres of park and recreational uses and open space provided under this alternative would be the same as that under the proposed Project.
- **Alternative 4 – Reconfigured Specific Plan Boundary.** Under this alternative, the boundary of the proposed Specific Plan Area would be modified to exclude the area south of New Schulte Road and west of the Westside Open Space. North of New Schulte Road and east of the Westside Open Space, the land use map would be the same as under the proposed Project. Like the proposed Project, this alternative would include approximately 591,980 square feet of General Commercial and 2,465,932 square feet of General Office space. This alternative would include 9,641,570 square feet of Business Park Industrial uses, compared to the 27,789,102 square feet of Business Park Industrial uses under the proposed Project.

C. Summary of Impacts and Mitigation Measures

Section 15382 of the CEQA regulations defines a significant impact on the environment as a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic and aesthetic significance. CEQA allows environmental issues for which there is no likelihood

of a significant impact to be "scoped out" of the EIR analysis during the EIR scoping process, and not analyzed further in the EIR. As explained more fully in Chapter 6, the Project would have no impact on mineral resources or forestry resources since neither of these resources exist in the Specific Plan Area and vicinity. These issues have therefore not been analyzed further in this ~~Draft~~ EIR.

Table 2-1 presents a summary of impacts and mitigation measures identified in this report. It is organized to correspond with the environmental issues discussed in Chapter 4 of the Draft EIR.

The table is arranged in four columns: 1) environmental impacts; 2) significance prior to mitigation; 3) mitigation measures; and 4) significance after mitigation. A series of mitigation measures is noted where more than one may be required to achieve a less-than-significant impact. For a complete description of potential impacts and recommended mitigation measures, please refer to the specific discussions in Chapter 4 of the Draft EIR. Additionally, this summary does not detail the timing of mitigation measures. Timing will be further detailed in the mitigation monitoring and reporting program.

TABLE 2-1 **SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
Aesthetics			
AES-1: The Project would change the visual aspect of and views from, to, and across the Specific Plan Area, resulting in a *significant* impact to scenic vistas.	**S**	AES-1: The Specific Plan contains numerous design and landscaping requirements intended to beautify the Project, which shall be imposed on individual, site-specific developments under the Specific Plan. Beyond these measures, there is no feasible mitigation.	**SU**
AES-2: The Project would add new development to the viewsheds, with the potential to adversely affect a State-designated route, which would be a *significant* impact.	**S**	AES-2: The Specific Plan contains numerous design and landscaping requirements intended to beautify the Project, which shall be imposed on individual, site-specific developments under the Specific Plan. Beyond these measures, there is no feasible mitigation.	**SU**
AES-3: The Project would bring urban development to a rural and an agricultural area, thereby changing its character and resulting in a *significant* impact.	**S**	AES-3: The Specific Plan contains numerous design and landscaping requirements intended to beautify the Project, which shall be imposed on individual, site-specific developments under the Specific Plan. Beyond these measures, there is no feasible mitigation.	**SU**
AES-4: The Project would create new sources of light and glare, which, despite existing regulations, may result in a *significant* impact.	**S**	AES-4: To decrease light spillage and glare to the maximum extent practicable, all individual developments under the Specific Plan shall be required to: ♦ Prior to final inspection or certificate of occupancy, all exterior and parking area lighting shall be directed downward or shielded, to prevent glare or spray of light on to public rights-of-way or adjacent residential property, consistent with City standards.	**LTS**
AES-CUM-1: The Project would change the visual aspect of and views from, to, and across the Specific Plan Area, add new development to viewsheds, bring urban development to a rural and agricultural area, resulting in cumulatively considerable contributions to *significant* impacts on scenic vistas, scenic resources within a State scenic highway, and visual character.	**S**	AES-CUM-1: The Specific Plan contains numerous design and landscaping requirements intended to beautify the Project, which shall be imposed on individual, site-specific developments under the Specific Plan. Beyond these measures, there is no feasible mitigation.	**SU**

S = Significant; LTS = Less Than Significant; SU = Significant and Unavoidable

TABLE 2-1 **SUMMARY OF IMPACTS AND MITIGATION MEASURES** (CONTINUED)

Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
Agricultural Resources			
AG-1: Implementation of the Project would result in the conversion of Prime Farmland and other Important Farmland.	S	AG-1: As part of the development process for each individual site-specific development project under the Specific Plan, the applicable agricultural mitigation fee for each acre of farmland to be developed shall be paid, in compliance with Chapter 13.28, Agricultural Mitigation Fee, of the Tracy Municipal Code. The fees shall be collected by the City at the time that building permits are issued for such site-specific development project, or as otherwise required by City.	SU
AG-2: Implementation of the Project could result in a significant impact on agricultural activities on the adjacent land due to potential incompatibilities.	S	AG-2: As construction occurs along the eastern Specific Plan Area boundary, buffers such as roadways, building setbacks, and parking areas, shall be required prior to occupancy of those structures, in compliance with General Plan Policy (OSC-2.2 P1).	LTS
AG-3: Development of the Project, together with other cumulative projects, would result in an incremental reduction in agricultural resources. The loss of farmland would be considered significant.	S	AG-3: Implement Mitigation Measures AG-1 and AG-2.	SU
Air Quality			
AQ-1: While the Project is consistent with the City of Tracy General Plan's growth projections and would implement a number of transportation control measures as set forth in the Specific Plan, as identified above, the Project would exceed the regional significance thresholds and the Project's cumulative contribution to criteria air pollutants and TACs. For this reason and to ensure a conservative analysis, this evaluation treats this as an inconsistency with SJVAPCD's air quality plans. Mitigation Measures AQ-2a and AQ-2b and Mitigation Measures GHG-1b through 1d would reduce emissions, to the extent feasible. Because the Project's emissions cannot be reduced to a less than significant level, the impact in this regard would be considered *significant and unavoidable*.	S	AQ-1: Implement Mitigation Measures AQ-2a and AQ-2b and Mitigation Measures GHG-1b through 1d.	SU

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TABLE 2-1 **SUMMARY OF IMPACTS AND MITIGATION MEASURES** (CONTINUED)

Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
AQ-2: Construction of the Project could emit significant levels of ROG, NO_x and PM_{10}, and would cumulatively contribute to the ozone and particulate matter non-attainment designations of the SJVAB. While feasible mitigation measures would be imposed (as set forth below), due to the nature and scope of the Project along with its anticipated buildout horizon, construction period emissions would be considered *significant and unavoidable*.	S	AQ-2a: Each applicant for individual, site-specific developments under the Specific Plan shall comply with the San Joaquin Valley Air Pollution Control District (SJVAPCD) rules and regulations, including, without limitation, Indirect Source Rule 9510. The applicant shall document, to the City's reasonable satisfaction, its compliance with this mitigation measure.	SU
		AQ-2b: Prior to issuance of a grading permit by the City of Tracy, the applicant for an individual, site-specific development under the Specific Plan shall be required to develop and obtain approval of a fugitive dust and emissions control plan to mitigate, as feasible, the identified impacts, which satisfies the requirements set forth under then-applicable SJVAPCD Rules and Regulations, including, without limitation, Regulation VIII. Depending on the size, location and nature of the individual development at issue, the fugitive dust and emissions control plan shall consider the following mitigation measures, for example: ♦ All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, covered with a tarp or other suitable cover or vegetative ground cover; ♦ All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant; ♦ All land clearing, grubbing, scraping, excavation, land leveling, grading, cut & fill, and demolition activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking; ♦ When materials are transported off-site, all material shall be covered, or effectively wetted to limit visible dust emissions, and at least six inched of freeboard space from the top of the container shall be maintained;	

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TABLE 2-1 **SUMMARY OF IMPACTS AND MITIGATION MEASURES** (CONTINUED)

Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
AQ-2 *continued*		♦ All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday. (The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions.) (Use of blower devices is expressly forbidden.); ♦ Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant; ♦ Within urban areas, trackout shall be immediately removed when it extends 50 or more feet from the site and at the end of each workday; and ♦ Any site with 150 or more vehicle trips per day shall prevent carryout and trackout; ♦ Limit traffic speeds on unpaved roads to 15 mph; ♦ Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent. ♦ Install wheel washers for all exiting trucks, or wash off all trucks and equipment leaving the Specific Plan Area; ♦ Adhere to Regulation VIII's 20 percent opacity limitation, as applicable; ♦ Use of construction equipment rated by the United States Environmental Protection Agency (US EPA) as having Tier 3 or higher exhaust emission limits for equipment over 50 horsepower that are on-site for more than 5 days, if available and feasible. Tier 3 engines between 50 and 750 horsepower are available for 2006 to 2008 model years. After January 1, 2015, encourage the use of equipment over 50 horsepower that are on-site for more than 5 days to meet the Tier 4 standards, if	

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TABLE 2-1 **SUMMARY OF IMPACTS AND MITIGATION MEASURES** (CONTINUED)

Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
AQ-2 *continued*		available and feasible. A list of construction equipment by type and model year shall be maintained by the construction contractor on-site, which shall be available for City review upon request. ♦ Use of alternative-fueled or catalyst-equipped diesel construction equipment, if available and feasible; and ♦ Clearly posted signs that require operators of trucks and construction equipment to minimize idling time (e.g. 5-minute maximum).	
AQ-3: Operation of the Project could emit significant levels of ROG, NO_x, CO, and PM_{10}, and would cumulatively contribute to the ozone and particulate matter non-attainment designations of the SJVAB. Due to the operational emissions, this would remain significant with mitigation.	S	AQ-3: Adhere to Mitigation Measures GHG-1b through 1d, also included in Chapter 4.7 (Greenhouse Gas Emissions), repeated below: Mitigation Measure GHG-1a: Applicants for individual, site-specific developments shall conform to the then-applicable requirements of the California Building Code, including the Green Code's provisions relating to "solar readiness." Applicants will be encouraged to utilize or otherwise facilitate the use of alternative energy generation technologies, as feasible, to offset their energy consumption, by, for example, ensuring that roof structures are built such that they can accommodate the weight of solar panels in accordance with the California Building and Energy Standards; providing for energy storage within their buildings; and installing electrical switch gears to facilitate solar usage. Mitigation Measure GHG-1b: Prior to issuance of a building permit for an individual, site-specific development that requires refrigerated vehicles, the construction documents shall demonstrate an adequate number of electrical service connections at loading docks for plug in of the anticipated number of refrigerated trailers to reduce idling time and emissions.	SU

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TABLE 2-1 **SUMMARY OF IMPACTS AND MITIGATION MEASURES** (CONTINUED)

Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
AQ-3 *continued*		Mitigation Measure GHG-1c: Applicants for individual, site-specific developments with truck delivery and loading areas, and truck parking spaces, shall include signage as a reminder to limit idling of vehicles while parked for loading/unloading in accordance with California Air Resources Board Rule 2845 (13 CCR Chapter 10 §2485). Mitigation Measure GHG-1d: Applicants for individual, site-specific developments shall identify in the grading plans that non-essential idling of construction equipment and vehicles shall be restricted to no more than 5 minutes in accordance with California Air Resources Board Rule 2485 (13 CCR Chapter 10 §2485).	
AQ-4: Emissions of ozone precursors and particulate matter caused by construction and operation of the Project are considered significant.	S	AQ-4: Adhere to Mitigation Measures AQ-2a and 2b.	SU
AQ-5: Operation of the Project would emit TACs, primarily from DPM emitted by trucks, that would cause increased cancer risk, that exceeds 10 excess cancer cases per million, at residents on-site (Phase 1 only) and off-site. While individual, site-specific development projects under the Specific Plan may not individually result in excess cancer risk above the SJVAPCD threshold, the cumulative contribution of diesel truck traffic from Project developments would significantly contribute to a substantial increase in concentrations of TACs at sensitive receptors in the Project vicinity. This is a significant and adverse impact of the Project.	S	AQ-5: Applicants for industrial or warehousing land uses that: 1) are expected to generate 100 or more diesel truck trips per day or have 40 or more trucks with operating diesel-powered transport refrigeration units (TRUs), and 2) are located within 1,000 feet of a sensitive receptor, as measured from the property line of the development at issue to the property line of the nearest sensitive receptor, shall adhere to applicable Best Available Control Technologies for Toxics (T-BACT), as set forth in CARB or SJVAQPD guidance (as applicable), for the purpose of reducing potential cancer and non-cancer risks to below the applicable thresholds, as feasible (e.g., restricting idling onsite, electrifying warehouse docks, requiring use of newer equipment and/or vehicles, restricting off-site truck travel through the creation of truck routes). Provided, however, that an applicant may submit a health risk assessment (HRA) to the City of Tracy prepared in accordance with policies and procedures of the state Office of Environmental Health Hazard Assessment (OEHHA) and the San Joaquin Valley Air Pollution Control District (SJVAPCD); if this	SU

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TABLE 2-1 **SUMMARY OF IMPACTS AND MITIGATION MEASURES** (CONTINUED)

Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
AQ-5 *continued*		HRA demonstrates that the incremental cancer risk for the individual development at issue would not exceed ten in one million (10E-06) or the appropriate non-cancer hazard index would not exceed 1.0, then no further mitigation shall be required.	
AQ-6: Day care centers may be located within the Specific Plan Area and have the potential to be exposed to elevated concentrations of TACs. This is a significant impact of the Project.	S	AQ-6: No day care center shall be located within 1,000 feet of a major source of TACs (e.g. warehouses, industrial, or roadways with traffic volumes over 10,000 vehicle per day), as measured from the property line of the development at issue to the property line of the source/edge of the nearest travel lane unless a health risk assessment (HRA) is submitted and approved by the City that demonstrates that the incremental cancer risk for the individual development at issue would not exceed ten in one million (10E-06) or the appropriate non-cancer hazard index would not exceed 1.0. Such HRA shall be prepared in accordance with policies and procedures of the state Office of Environmental Health Hazard Assessment (OEHHA) and the San Joaquin Valley Air Pollution Control District (SJVAPCD), including the latest OEHHA guidelines that address age sensitivity factors, breathing rates, and body weights appropriate for children age 0 to 6 years.	LTS
Biological Resources			
BIO-1: Proposed development would result in a significant impact on special-status animal species known or with potential to utilize the existing habitat on the Specific Plan Area.	S	BIO-1: To mitigate the potential adverse impacts on special-status species, and provide for the incidental take of State and/or federally listed species, the applicant shall either: 1) participate in the SJMSCP and comply with all required Incidental Take Minimization Measures or 2) secure incidental take authorizations for State and/or federally-listed species directly from the CDFW and USFWS, respectively. Participation in the SJMSCP shall include compliance with all relevant Incidental Take Minimization Measures pertinent to the Specific Plan Area, including pre-construction surveys for covered species to confirm presence or absence and provide for their relocation, if necessary. Issuance of grading and construction permits shall be contingent on providing evidence of either 1) compliance with the SJMSCP or 2) a 2081	LTS

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TABLE 2-1 **SUMMARY OF IMPACTS AND MITIGATION MEASURES** (CONTINUED)

Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
BIO-1 *continued*		Permit from the CDFW and Biological Opinion from the USFWS to the City of Tracy Development Services Director to ensure compliance with applicable regulations and ensure adequate compensatory mitigation has been provided.	
BIO-2: Proposed development could result in inadvertent loss of bird nests in active use, which would be a violation of the Migratory Bird Treaty Act and CDFW Code.	S	BIO-2: To avoid the potential for disturbance of nesting birds on or near the Specific Plan Area, schedule the initiation of any vegetation removal and grading for the period of September 1 through February 15. If construction work cannot be scheduled during this period, a qualified biologist shall conduct pre-construction surveys for nesting birds according to the following guidelines: ♦ The preconstruction surveys shall be conducted by the qualified biologist no later than 14 days prior to the start of vegetation removal or initiating project grading. ♦ If birds protected under the Migratory Bird Treaty Act are found nesting, then appropriate construction buffers shall be established to avoid disturbance of the nests until such time that the young have fledged. The size of the nest buffer shall be determined by the biologist in consultation with CDFW, and shall be based on the nesting species, its sensitivity to disturbance, and expected types of disturbance. Typically, these buffers range from 75 to 250 feet from the nest location. ♦ Nesting activities shall be monitored periodically by a qualified biologist to determine when construction activities in the buffer area can resume. ♦ Once the qualified biologist has determined that young birds have successfully fledged, a monitoring report shall be prepared and submitted to the City of Tracy Development Services for review and approval prior to initiating construction activities within the buffer area. The monitoring report shall summarize the results of the nest monitoring, describe construction restrictions currently in place, and confirm that construction activities can proceed within the buffer area without jeopard-	LTS

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TABLE 2-1 **SUMMARY OF IMPACTS AND MITIGATION MEASURES** (CONTINUED)

Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
BIO-2 *continued*		izing the survival of the young birds. Construction within the designated buffer area shall not proceed until the written authorization is received by the applicant from the Development Services Director. The above provisions are in addition to the preconstruction surveys to confirm presence or absence of nesting Swainson's hawk, burrowing owl, and other special-status species as required under the Incidental Take Minimization Measures of the SJMSCP.	
BIO-3: Fill and modifications to jurisdictional wetlands and other waters would require authorization from the Corps and RWQCB while bridge crossings and pipe outfalls over the central drainage would require authorizations from the CDFW (Streambed Alteration Agreement).	S	BIO-3: To mitigate potential impacts on jurisdictional wetlands and other waters, the following measures shall be implemented. ♦ ~~A formal~~An applicant proposing to construct improvements that may affect potential wetlands or other jurisdictional features, as discussed in the EIR, shall cause a formal wetlands delineation ~~shall~~to be prepared by a qualified wetland consultant and submitted to the Corps for verification to confirm the extent of jurisdictional wetlands and other waters ~~of US~~ on the ~~S~~specific ~~Plan Area~~site at issue (if any). ♦ Where verified waters of the US are present and cannot be avoided, authorization for modifications to these features shall be obtained from the Corps through the Section 404 permitting process. Similarly, a Section 401 Certification shall be obtained from the RWQCB where waters of the US are directly affected by the Project. All conditions required as part of the authorizations by the Corps and RWQCB shall be implemented as part of the Project. ♦ A CDFW Streambed Alteration Agreement shall also be obtained where necessary under applicable laws and regulations, for any proposed Project activities that would affect the bed or banks of the central drainage and other features regulated by the CDFW in the Specific Plan Area. The applicant who is proposing to construct these improvements as part of an individual site-specific development proposal shall submit a	LTS

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TABLE 2-1 **SUMMARY OF IMPACTS AND MITIGATION MEASURES** (CONTINUED)

Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
BIO-3 *continued*		notification form to the CDFW, shall obtain all legally-required agreements, and implement any conditions contained within that agreement. ♦ The acreage of waters of the US and any riparian scrub habitat along the central drainage that would be removed by the Project shall be replaced or restored/enhanced on a "no-net loss basis" in accordance with Corps, RWQCB, and CDFW regulations, to the extent required by applicable laws and regulations. ♦ ~~A~~In connection with any individual, site-specific proposal that will impact wetlands or other jurisdictional features as documented by a formal wetlands delineation prepared in accordance with this Mitigation Measure BIO-3, a detailed mitigation plan shall be prepared by a qualified wetland consultant for any jurisdictional wetlands or waters of the US affected by the proposed development at issue, with replacement provided at a minimum 1:1 ratio or as required by the regulatory agencies. The plan shall clearly identify the total wetlands and other jurisdictional areas affected by proposed improvements, as well as wetlands to be created, restored, or enhanced as part of the wetland mitigation. This shall preferably be accomplished on-site through adjustments to the proposed limits of grading, with any replacement wetlands consolidated to the degree possible to improve existing habitat values. The plan shall specify performance criteria, maintenance and long-term management responsibilities, monitoring requirements, and contingency measures, and shall adhere to all applicable requirements and conditions imposed by the regulatory agencies. ♦ Consultation or incidental take permitting may be required under the California and federal Endangered Species Acts (as discussed above under Mitigation Measures BIO-1). To the extent required under applicable laws and regulations, an applicant for an individual site-specific development shall obtain	

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TABLE 2-1 **SUMMARY OF IMPACTS AND MITIGATION MEASURES** (CONTINUED)

Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
BIO-3 *continued*		all legally required permits or other authorizations from the USFWS and CDFW for the potential "take" of protected species under the Endangered Species Acts, either though participation in the SJMSCP or through separate incidental take authorizations. ♦ Temporary orange construction fencing shall be installed around the boundary of all delineated jurisdictional waters to the extent they are being preserved so that they are not disturbed during construction. The fencing shall be placed a minimum of 25 feet out from the boundary of the wetland but may need to be adjusted if construction and/or restoration activities are to be conducted within this area. Grading, trail construction and restoration work within the wetland buffer zones shall be conducted in a way that avoids or minimizes disturbance of existing wetlands to be preserved in accordance with any mitigation measures imposed by the regulatory agencies. ♦ Written evidence shall be provided to the City of Tracy Development Services that the applicant has secured all authorizations required by the Corps, RWQCB, and CDFW in connection with the individual, site-specific development proposal prior to issuance of a grading permit for that individual development at issue to ensure compliance with applicable regulations.	
BIO-4: Mitigation Measure BIO-1 would address the loss of suitable habitat for special-status species, and provide adequate compensatory mitigation for these species. However, no feasible measures are available to mitigate adverse impacts on wildlife movement opportunities without a substantial reduction in the extent of development and retention of existing grassland and agricultural cover on the Specific Plan Area.	S	BIO-4: There is no feasible mitigation.	SU

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TABLE 2-1 **SUMMARY OF IMPACTS AND MITIGATION MEASURES** (CONTINUED)

Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
Cultural Resources			
CUL-1: Inadvertent damage to unique buried archaeological deposits during construction of the Project would result in a *significant* impact.	S	CUL-1: If any prehistoric or historic subsurface cultural resources are discovered during ground-disturbing activities, all work within 50 feet of the resources shall be halted and a qualified archaeologist shall be consulted to assess the significance of the find according to CEQA Guidelines Section 15064.5. If any find is determined to be significant, representatives from the City and the archaeologist shall meet to determine the appropriate avoidance measures or other appropriate mitigation. All significant cultural materials recovered shall be, as necessary and at the discretion of the consulting archaeologist, subject to scientific analysis, professional museum curation, and documentation according to current professional standards. In considering any suggested mitigation proposed by the consulting archaeologist to mitigate impacts to historical resources or unique archaeological resources, the City shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, and other considerations. If avoidance is infeasible, other appropriate measures (e.g. data recovery) shall be instituted. Work may proceed on other parts of the Specific Plan Area while mitigation for historical resources or unique archaeological resources is being carried out.	LTS
CUL-2: While fossils are not expected to be discovered during construction, it is possible that significant fossils could be discovered during excavation activities, even in areas with a low likelihood of occurrence. Fossils encountered during excavation could be inadvertently damaged. If a unique paleontological resource is discovered, the impact to the resource could be *significant*.	S	CUL-2: In the event that fossils or fossil-bearing deposits are discovered during construction, excavations within 50 feet of the find shall be temporarily halted or diverted. The contractor shall notify a qualified paleontologist to examine the discovery. The paleontologist shall document the discovery as needed in accordance with Society of Vertebrate Paleontology standards, evaluate the potential resource, and assess the significance of the find under the criteria set forth in CEQA Guidelines Section 15064.5. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find. If in consultation	LTS

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TABLE 2-1 **SUMMARY OF IMPACTS AND MITIGATION MEASURES** (CONTINUED)

Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
CUL-2 *continued*		with the paleontologist, the Project proponent determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of the Project on the qualities that make the resource important. The plan shall be submitted to the City for review and approval and the Project proponent shall implement the approval plan.	
CUL-3: It is unlikely that human remains would be encountered during construction in the Specific Plan Area. However, in the unlikely event that human remains, including those interred outside of formal cemeteries, are discovered during subsurface activities, the human remains could be inadvertently damaged. This would be a *significant* impact.	S	CUL-3: If human skeletal remains are uncovered during construction, the contractor (depending on the Project component) shall immediately halt work within 50 feet of the find, contact the San Joaquin County coroner to evaluate the remains, and follow the procedures and protocols set forth in Section 15064.5(e)(1) of the CEQA Guidelines. If the county coroner determines that the remains are Native American, the Project proponent shall contact the NAHC, in accordance with Health and Safety Code Section 7050.5, subdivision (c), and Public Resources Code 5097.98 (as amended by AB 2641). Per Public Resources Code 5097.98, the contractor shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the human remains are located, is not damaged or disturbed by further development activity until the contractor has discussed and conferred, as prescribed in this section (California Public Resources Code Section 5097.98), with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains.	LTS
Geology, Soils, and Seismicity			
GEO-1: Without appropriate mitigation measures in place, construction and operation activities associated with the Project could be associated with substantial soil erosion and loss of topsoil, thereby resulting in a significant impact. The implementation of the following mitigation measures listed below would ensure that the impacts would be *less than significant*.	S	GEO-1: Implement Mitigation Measures HYDRO-1a, HYDRO-1b, HYDRO-2a, HYDRO-2b, and HYDRO-2c as described in Chapter 4.9 of ~~this~~the Draft EIR.	LTS

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TABLE 2-1 **SUMMARY OF IMPACTS AND MITIGATION MEASURES** (CONTINUED)

Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
Greenhouse Gas Emissions			
GHG-1: Despite the incorporation of numerous sustainability measures, GHG emissions generated by the proposed Project (both construction and operational-related) would exceed the applicable threshold set forth in SJVAPCD's guidance because the Project's GHG emissions cannot feasibly be reduced to 29 percent below BAU. This would be a *significant* impact.	S	GHG-1a: Applicants for individual, site-specific developments shall conform to the then-applicable requirements of the California Building Code, including the Green Code's provisions relating to "solar readiness." Applicants will be encouraged to utilize or otherwise facilitate the use of alternative energy generation technologies, as feasible, to offset their energy consumption, by, for example, ensuring that roof structures are built such that they can accommodate the weight of solar panels in accordance with the California Building and Energy Standards; providing for energy storage within their buildings; and installing electrical switch gears to facilitate solar usage.	SU
		GHG-1b: Prior to issuance of a building permit for an individual, site-specific development that requires or is intended to accommodate refrigerated vehicles, the construction documents shall demonstrate an adequate number of electrical service connections at loading docks for plug-in of the anticipated number of refrigerated trailers to reduce idling time and emissions.	
		GHG-1c: Applicants for individual, site-specific developments with truck delivery and loading areas, and truck parking spaces, shall include signage as a reminder to limit idling of vehicles while parked for loading/unloading in accordance with California Air Resources Board Rule 2845 (13 CCR Chapter 10 §2485).	
		GHG-1d: Applicants for individual, site-specific developments shall identify in the grading plans that non-essential idling of construction equipment and vehicles shall be restricted to no more than 5 minutes in accordance with California Air Resources Board Rule 2485 (13 CCR Chapter 10 §2485).	

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TABLE 2-1 **SUMMARY OF IMPACTS AND MITIGATION MEASURES** (CONTINUED)

Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
Hazards and Hazardous Materials			
HAZ-1: The routine use, transport, and disposal of hazardous materials associated with implementation of the Specific Plan could result in a *significant* impact.	S	HAZ-1: The project applicant shall fully implement the provisions of the San Joaquin County Hazardous Material Area Plan and the Tracy General Plan, including but not limited to: ♦ Ensuring that any business locating in the Specific Plan Area which stores particular quantities of hazardous materials (e.g. larger than 55 gallons of liquid, 500 pounds of solid or 200 cubic feet of some compressed gases) as stipulated under Chapter 6.95 of the California Health and Safety Code annually files a hazardous materials business plan establishing incident prevention measures, hazardous material protocols, and emergency response and evacuation procedures; ♦ Providing adequate separation between areas where hazardous materials are present and sensitive uses; and ♦ Submitting an emergency response plan for any large generators of hazardous waste located or proposed to be located in the Specific Plan Area.	LTS
HAZ-2: One hazardous material site located within the Specific Plan Area (Shell pipeline cleanup site) is undergoing active investigation of soil, soil vapor and groundwater contamination, and is subject to future remedial actions. One hazardous material site located up gradient from the Specific Plan Area (ARCO #6610 UST cleanup site) is undergoing active investigation and is subject to future remedial action, with potential for the contamination to extend to groundwater and soil vapor beneath the Specific Plan Area. One known abandoned gas or oil well is located within the Specific Plan Area. In addition, historical agricultural activities and associated pesticide use and storage potentially may have resulted in localized contamination areas. The Specific Plan Area also includes structures that, because of their age, potentially may contain ACBM and lead-based paint. Without mitigation, exposure to contamination associated with these	S	HAZ-2a: A Soil Management Plan and companion Sampling and Analysis Plan, as well as a Health and Safety Plan (HASP), shall be prepared and implemented during and following any soil excavation and compaction associated with implementation of the Project where such activities may encounter residual soil, soil vapor, or groundwater contamination that exceeds risk-based levels established by the RWQCB or Cal-EPA. As part of the Soil Management Plan, the applicant shall retain an experienced, independent environmental monitor to observe all significant earth-moving activities. The monitor shall observe the operations, remaining watchful for stained or discolored soil that could represent residual contamination. The monitor shall also be empowered to alert the City and regulatory agencies, when appropriate, and provide direction to the grading contractor. The monitor shall confirm the location of the one plugged and	LTS

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TABLE 2-1 **SUMMARY OF IMPACTS AND MITIGATION MEASURES** (CONTINUED)

Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
hazardous material sites, potential pesticide hot spot areas, and demolition of older structures that contain ACBM or lead based paint, would be result in potential impacts that are considered *significant*.		abandoned well in consultation with the Division of Gas, Oil, and Geothermal Resources, and shall comply with any remedial measures that may be required in connection therewith under applicable law and regulations. In addition, in the event that a previously unknown abandoned well is discovered, construction activities that are proximate to said abandoned well shall stop and the Division of Gas, Oil, and Geothermal Resources shall be contacted. No structures shall be built on a discovered abandoned well until it is deemed safe by the State Oil and Gas Supervisor in accordance with applicable laws and regulations.	
		HAZ-2b: A plan shall be developed for installation of a vapor barrier and venting system beneath buildings to be constructed at the site in those areas where residual petroleum hydrocarbons in soil vapor exceed risk-based levels established by the RWQCB or Cal-EPA, where exposure pathways are considered potentially complete. The system shall be designed to eliminate potentially significant indoor air quality health risks associated with subsurface contaminant vapor intrusion. The Plan shall be prepared by a California professional engineer experienced in vapor intrusion mitigation and who shall certify the installation.	
		HAZ-2c: Soil sampling shall occur within the portions of the Specific Plan Area that have historically been utilized for mixing or storing pesticides and that may contain pesticide residues in the soil, prior to issuance of grading permits in such areas. The sampling will be performed in accordance with a Sampling and Analysis Plan and Soil Management Plan prepared by a qualified Environmental Professional and/or California professional engineer experienced in Phase II site characterization. The sampling shall be conducted in accordance with applicable guidance from DTSC and San Joaquin County Environmental Health Department, and shall determine if pesticide concentrations exceed established regulatory thresholds. Should pesticide contaminated soil be identified as a result of the evaluation, further site characterization and remedial activities, if necessary, will be implemented in accordance with the Soil Management Plan.	

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TABLE 2-1 **SUMMARY OF IMPACTS AND MITIGATION MEASURES** (CONTINUED)

Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
HAZ-2 *continued*		HAZ-2d: Existing structures shall be evaluated for the presence of ACBM and lead-based paints prior to their renovation or demolition. The evaluation shall be conducted by a Cal-OSHA certified ACBM and lead-based paint contractor. Any ACBM or lead identified as a result of the evaluation shall be removed by a Cal-OSHA certified ACBM and lead-based paint contractor and be transported and disposed off-site in accordance with regulatory requirements.	
Hydrology and Water Quality			
HYDRO-1: Construction of the Project would occur in phases over a period of ten to thirty years and Project-related construction activity could negatively affect downstream surface water quality during that time period. Therefore, the Project's construction impacts to water quality would be significant without mitigation measures.	S	HYDRO-1a: Grading and ground disturbance on the Specific Plan Area shall be implemented in accordance with each individual development's approved grading plans and related grading permit. For the required treatment of urban pollutants and application of pesticides in the Specific Plan Area, each Project developer shall comply with the approved grading plan and related permit and conditions of approval.	LTS
		HYDRO-1b: In accordance with the then-applicable regulations, as part of the application process for each individual development under the Specific Plan, each applicant shall file a Notice of Intent with the SWRCB to obtain coverage under the construction general permit (CGP) and shall comply with all of the requirements associated with the CGP, as necessary to mitigate those impacts that would result from the specific development proposed by that applicant. In addition, as part of the application process for each individual development under the Specific Plan, each applicant shall prepare and obtain City approval of a SWPPP which shall adequately address stormwater management during each construction phase of the Project. The SWPPP shall be consistent with the then-applicable RWQCB standards and NPDES permit requirements, and shall be designed to protect water quality during the course of construction. Said BMPs may include, without limitation, the following:	

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TABLE 2-1 **SUMMARY OF IMPACTS AND MITIGATION MEASURES** (CONTINUED)

Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
HYDRO-1 *continued*		♦ Schedule earthwork to occur primarily during the dry season to prevent most runoff erosion. ♦ Protect drainages and storm drain inlets from sedimentation with berms or filtration barriers, such as filter fabric fences, hay bales, or straw wattles. ♦ Divert runoff from exposed slopes to on-site sediment basins before the runoff is released off-site. ♦ Install gravel construction entrances to reduce tracking of sediment onto adjoining streets. ♦ Sweep on-site paved surfaces and surrounding streets daily to collect sediment before it is washed into the storm drains or the Old River. ♦ After construction is completed, clean all drainage culverts of accumulated sediment and debris. ♦ Stabilize stockpiles of topsoil and fill material by watering daily, or by the use of chemical agents. ♦ Store all construction equipment and material in designated areas away from waterways and storm drain inlets. Surround construction staging areas with earthen berms. ♦ Wash and maintain equipment and vehicles in a separate bermed area, with runoff directed to a lined retention basin. ♦ Collect construction waste daily and deposit in covered dumpsters.	
HYDRO-2: Operational activities associated with the Project could negatively affect downstream surface water quality without ensuring compliance with applicable State and local requirements. Therefore, the Project's impacts to water quality during operation of the Project would be significant without mitigation measures.	S	HYDRO-2a: As part of the application process for each individual development under the Specific Plan, each applicant shall prepare and obtain approval of a grading plan and related permit in accordance with Mitigation Measure HYDRO-1(a).	LTS

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TABLE 2-1 **SUMMARY OF IMPACTS AND MITIGATION MEASURES** (CONTINUED)

Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
HYDRO-2 *continued*		HYDRO-2b: As part of the application process for each individual development project under the Specific Plan, each applicant shall submit and obtain City approval of a drainage plan to the City of Tracy for on-site measures consistent with the Cordes Ranch Conceptual Drainage Plan, the Cordes Ranch Specific Plan, the Citywide Stormwater Master Plan, and other applicable stormwater standards and requirements that shall be designed to control and treat stormwater for the storm events in compliance with the then-applicable City's Manual of Stormwater Quality Control Standards for New Development and Redevelopment, including those dealing with capacity design of the facilities and contour grading. All such measures shall be implemented as part of the development and operation of the individual development at issue. Each developer shall construct drainage improvements and other required stormwater retention/detention facilities as necessary to serve the specific development proposed by that applicant in conformance with the approved drainage plan, the Specific Plan and the then-applicable City standards including those set forth in the City's Storm Drainage Master Plan. These drainage facilities shall accommodate events up to and including a 100-year 24-hour storm. Any impacts on the operations of Mountain House CSD facilities, including the alteration of cleaning velocities, will require coordination and agreement between Mountain House CSD and the City of Tracy prior to issuance of building permit for any development west of Mt. House Parkway. The proposed mitigation measures will reduce impacts related to storm water runoff to less-than-significant levels.	

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TABLE 2-1 **SUMMARY OF IMPACTS AND MITIGATION MEASURES** (CONTINUED)

Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
HYDRO-2 *continued*		HYDRO-2c: As part of the development of each individual project under the Specific Plan, each developer shall implement the following measures: ♦ Shall not utilize chemical pesticides in the maintenance of common landscaped areas, open space areas, or parks. Fertilizers shall be applied sparingly, and shall be derived from natural sources, such as fish emulsion or manure. ♦ Shall cooperate with the City to create a public education program for future business owners to increase their understanding of water quality protection, which should include but not be limited to: • Hazardous material use controls; • Hazardous materials exposure controls; • Hazardous material disposal and recycling. ♦ Encourage the use of alternative methods to avoid hazardous materials to the extent feasible, and prohibit the dumping of hazardous materials in open space areas or the storm drain system. ♦ To the extent feasible, direct stormwater runoff to percolation swale and basin areas rather than directing stormwater to storm drain pipes. ♦ Use biotreatment (natural pollutant filtering) where stormwater runs off paved surfaces onto pervious surfaces. ♦ Utilize sediment traps, evaporation basins, flow dissipaters, and other methods to reduce the volume and speed of stormwater runoff and reduce pollutant loads.	
		HYDRO-2d: The City shall impose, as a condition of approval of development of the first 85 net (developable) acres in the Mountain House Watershed Area located in the western portion of the Specific Plan Area as defined in the City's Storm Drain Master Plan and shown in Figure 4.9-1a (which acreage comprises	

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TABLE 2-1 **SUMMARY OF IMPACTS AND MITIGATION MEASURES** (CONTINUED)

Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
HYDRO-2 *continued*		approximately one-half (1/2) of the full net (developable) acreage of the Mountain House Watershed Area within the Specific Plan Area) that the applicant: (1) Facilitate the preparation of an agreement between the City and the MHCSD establishing a fair share fee, in accordance with applicable laws, to fund future improvements to downstream storm drain facilities which may be constructed by MHCSD in the future to accommodate flows from the Patterson Run (located in the water shed south of the Specific Plan Area) and flows from the Mountain Watershed Area within the Specific Plan Area by funding the City's and MHCSD's costs to prepare such agreement, and to provide for reimbursements to contributing property owners in appropriate circumstances; (2) Enter into an agreement with the City to pay its proportionate fair share of the proposed fee after it has been adopted; and (3) Deposit with the City appropriate security, as determined by the City, to ensure the payment of such fees. Until such time as this fee has been established, the City will not permit any downstream increases to volume or peak storm water flows from any development in the Mountain House Watershed Area located within the western portion of the Specific Plan Area. No development will be permitted in the Mountain House Watershed Area of the Specific Plan Area beyond the first 85 net acres described above until the foregoing conditions have been satisfied.	
		HYDRO-2e: Until such time as adequate downstream drainage facilities have been constructed by the MHCSD, all new development in the Mountain House Watershed Area of the Specific Plan Area will be required to provide adequate on-site detention of storm water flows, as determined by the City. This amounts to 0.4 square miles of the 8.53 square mile watershed.	

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TABLE 2-1 **SUMMARY OF IMPACTS AND MITIGATION MEASURES** (CONTINUED)

Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
HYDRO-3: Soil disturbance associated with construction activities, including movement of soils and vegetation removal in the Specific Plan Area, could cause accelerated soil erosion and sedimentation or the release of other pollutants to adjacent or downstream waterways and wetlands.	S	HYDRO-3: Implement Mitigation Measure HYDRO-1b.	LTS
HYDRO-4: The Project would increase the frequency, rate, and volume of storm runoff production when compared to existing conditions. These increases could accelerate erosion along adjacent and downstream flow paths and produce sedimentation in areas further downstream.	S	HYDRO-4: Implement Mitigation Measure HYDRO-2b.	LTS
HYDRO-5: New development within the Specific Plan Area would introduce sediments and constituent pollutants typically associated with urban non-residential development into stormwater runoff and may create opportunities for pollutants to be discharged to downstream areas and on-site wetlands. These pollutants would have the potential of degrading downstream and on-site stormwater quality.	S	HYDRO-~~3~~5: Implement Mitigation Measures HYDRO-1a, HYDRO-1b, HYDRO-2a, HYDRO-2b, and HYDRO-2c.	LTS
Land Use and Planning			
The Specific Plan would not result in any significant impacts with regard to land use; therefore, no mitigation measures are necessary.			
Noise			
NOISE-1: Regarding land use compatibility with respect to the City of Tracy General Plan Noise Element, exterior noise levels at areas designated for some Specific Plan Area site-specific developments could potentially reach the Noise Element's 'unacceptable' noise level thresholds due to future traffic noise. Thus, future noise levels at Specific Plan Area developments may result in *significant* impacts for buildings close to heavily-traveled roadways.	S	NOISE-1: As part of the development process for each individual, site-specific project under the Specific Plan, the development at issue shall adhere to all applicable Building Code and Municipal Code provisions and standards and other requirements, as noted in the above Regulatory Framework discussion. Regarding mitigation of impacts relating to mobile sources for an individual, site-specific project, the City will consider, as appropriate and feasible, a variety of techniques to reduce noise, which may include, for example, building setbacks, berms, walls, fences of various materials, and rubberized asphalt, taking into account relevant General Plan policies (as they relate to sound walls) and the nature and location of sensitive receptors at issue.	SU

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TABLE 2-1 **SUMMARY OF IMPACTS AND MITIGATION MEASURES** (CONTINUED)

Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
NOISE-2: For construction-related vibration, construction activities would be localized, would occur intermittently and variably, and for any individual project site, would only occur for relatively short periods of time. However, numerous individual project sites could be developing concurrently; thereby effectively extending the construction period. Vibration effects could be reduced by a combination of appropriate equipment and process selection and by implementation of proper administrative controls. Even with these vibration reduction approaches, it is still possible that individual, site-specific developments could exceed either the annoyance threshold and/or the architectural damage threshold. This potential situation would be exacerbated with the use of standard pile driving techniques. As such, groundborne vibration from construction could result in a *potentially-significant* impact with respect to perception or architectural damage.	PS	NOISE-2a: The following measures, in addition to the best practices for construction activities (as specified in Mitigation Measure NOISE-4), are recommended to reduce groundborne noise and vibration from construction activities: 1. Avoid impact pile driving process, when feasible. The use of a pre-drilling pile installation process shall be utilized when feasible, where geological conditions permit their use, so as to reduce vibration levels at adjacent receptors. 2. Avoid using vibratory rollers and vibratory tampers near vibration-sensitive uses. NOISE-2b: Before any individual, site-specific development conducts any high vibration-generating activities (such as pile driving or vibratory compacting) within one hundred (100) feet of existing structures, the following mitigation measures shall apply: 1. Develop a vibration monitoring and construction contingency plan to identify structures where monitoring would be conducted, set up a vibration monitoring schedule, define structure-specific vibration limits, and address the need to conduct photo, elevation, and crack surveys to document before- and after-construction conditions. Construction contingencies would be identified for when vibration levels approached the limits. Vibration limits shall be applied to all vibration-sensitive structures located within 100 feet of each individual, site-specific development that is subject to this mitigation measure. Limits shall be based on Table 4.11-5 to preclude architectural damage and on Table 4.11-4 to preclude vibration annoyance. For the Specific Plan Area proposed development types (i.e. "institutional land uses with primarily daytime use"), the Table 4.11-4 Category 3 land uses would indicate a threshold of 83 VdB. For future developments that have special, vibration-sensitive operations or equipment, the criteria in the FTA Guideline Manual, Table 8-3 should be implemented.	LTS

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TABLE 2-1 **SUMMARY OF IMPACTS AND MITIGATION MEASURES** (CONTINUED)

Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
NOISE-2 *continued*		The monitoring and construction contingency plan shall include the following contents described in Numbers 2 through 4 below. 2. At a minimum, monitor vibration during initial demolition activities and during pile driving activities. Monitoring results may indicate the need for more or less intensive measurements. 3. When vibration levels approach the above limits, construction should be suspended and contingencies should be implemented to either lower vibration levels or to secure the affected structures. 4. Conduct post-survey on structures where either monitoring has indicated high levels or complaints of damage ~~has~~have been made. Make appropriate repairs or compensation where damage has occurred as a result of construction activities.	
NOISE-3: Implementation of the proposed Project would result in substantial traffic noise level increases on several on-site and off-site roadway segments around the Specific Plan Area, as discussed in detail above. These increases would start with the initial implementation of the Project and would continue to grow as the Project approached full buildout. The traffic noise assessment above focused on the full buildout conditions and followed the general development timeline assessed in the Project's traffic analysis. As such, the exact time at which each segment would be expected to cross the impact threshold is dependent on how fast the Specific Plan is implemented and on when each specific parcel was developed.	S	NOISE-3: Implement Mitigation Measure NOISE-1.	SU

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TABLE 2-1 **SUMMARY OF IMPACTS AND MITIGATION MEASURES** (CONTINUED)

Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
NOISE-4: Construction activities for individual, site-specific developments would be required to adhere to time-of-day restrictions in the City of Tracy Municipal Code and the General Plan Noise Element. However, possible future construction activities in close proximity to existing and/or previously completed land uses may cause notable sound level increases (by 15 to 20 dBA or more) at these sensitive receptors. Therefore, this is considered to be a *potentially significant* impact.	S	NOISE-4: The following measures, when applicable and feasible, shall be required to reduce noise from construction activities: 1. Ensure that all internal combustion engine-driven equipment is equipped with mufflers that are in good operating condition and appropriate for the equipment. 2. Utilize "quiet" models of air compressors and other stationary noise sources where such technology exists. 3. Locate stationary noise-generating equipment as far as reasonable from sensitive receptors when sensitive receptors adjoin or are near a construction Project area. 4. Prohibit unnecessary idling of internal combustion engines (i.e. in excess of five minutes). 5. Pre-drill foundation pile holes to minimize the number of impacts required to seat the pile. 6. Erect temporary noise control blanket barriers and/or temporary solid plywood fences around construction sites adjacent to operational businesses or noise-sensitive land uses. This mitigation would only be necessary if (a) potential conflicts could not be resolved by proper scheduling and (b) the temporary barrier could demonstrate a benefit at the façade of the receptor building of at least 10 dB. 7. Route construction-related traffic along major roadways and as far as feasible from sensitive receptors. 8. Notify businesses and noise-sensitive land uses adjacent to construction sites of the construction schedule in writing. Designate a "Construction Liaison" that would be responsible for responding to any local complaints about construction noise. The liaison would determine the cause of the noise complaints (e.g. starting too early, bad muffler, etc.) and institute reasonable measures to correct the problem. A telephone number for the Liaison should be conspicuously posted at the construction site.	LTS

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TABLE 2-1 **SUMMARY OF IMPACTS AND MITIGATION MEASURES** (CONTINUED)

Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
NOISE-5: For the purpose of this analysis, a cumulative impact would occur when an overall increase over 5 dBA occurs, and the project contribution is greater than 3 dBA. As shown on Tables 4.11-13 and 4.11-14, cumulative traffic noise impacts with this cumulative impact threshold would occur at several segments in the Specific Plan Area and vicinity.	S	NOISE-5: Implement Mitigation Measure NOISE-1.	SU
Population, Housing, and Employment			
Since there are no significant impacts related to population, housing, and employment as a result of the Project, no mitigation measures are required.			
Public Services and Recreation			
PS-1: The service demand from the Project would result in the need for new or expanded facilities to house equipment or staff to maintain applicable performance objectives, which may impact the SCFA's fire operations. As a result, there would be a *significant* impact without mitigation.	S	PS-1: As part of the application process for each individual development under the Specific Plan, the Project applicant shall be required to pay the applicable development impact fee as set forth in an adopted Cordes Ranch FIP.	LTS
		Improvement Measure PS-1: As part of the Development Review process for each individual development under the Specific Plan, each Project applicant shall adhere to all conditions of approval that are related to fire protection and emergency response services, such as those relating to fire flows, hydrants and other design and safety features (including any necessary and specialized fire protection equipment to service to individual uses proposed).	
PS-2: The service demand from the Project would result in the need for new or expanded police service facilities to house equipment or staff to maintain applicable performance objectives, which may impact the Tracy Police Department's operations. As a result, there would be a *significant* impact without mitigation.	S	PS-2: As part of the application process for each individual development under the Specific Plan, the Project applicant shall be required to pay the applicable development impact fee as set forth in an adopted Cordes Ranch FIP.	LTS

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TABLE 2-1 **SUMMARY OF IMPACTS AND MITIGATION MEASURES** (CONTINUED)

Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
PS-2 *continued*		Improvement Measure PS-2: As part of the Development Review process for each individual development under the Specific Plan, each Project applicant shall adhere to all conditions of approval that are related to police protection services, such as safety features, emergency access, and physical improvements to the proposed site plan and/or to police facilities and equipment to ensure adequate service is maintained.	
Transportation and Traffic			
TRANS-1: Construction of Phase 1 of the Project would cause a significant impact at intersections 1, 2, 6, 7, 10, 18, 19, and 20, under Existing Plus Project Phase 1 conditions. This is a *significant* impact.	S	TRANS-1: The Project will construct the following improvements, in accordance with then-applicable engineering standards and requirements, and as determined by the City Engineer: ♦ *Intersection #1 (Mountain House Parkway/I-205 Westbound Ramps):* Restripe westbound off-ramp to provide two left-turn lanes and one shared through/right lane, and optimize signal timings. ♦ *Intersection #2 (Mountain House Parkway/I-205 Eastbound Ramps):* Convert the northbound right-turn lane to a free right with an acceptance lane on the eastbound on-ramp, and optimize signal timings. ♦ *Intersection #6 (Mountain House Parkway/I-580 Westbound Ramps):* Signalize the intersection with eastbound/westbound split phasing, or install a roundabout. ♦ *Intersection #7 (Mountain House Parkway/I-580 Eastbound Ramps):* Signalize the intersection with eastbound/westbound split phasing, or install a roundabout. ♦ *Intersection #10 (Old Schulte Road/Hansen Road):* Signalize the intersection, and construct an additional westbound left turn lane, eastbound left-turn and right-turn lanes, and a southbound left-turn lane.	LTS

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TABLE 2-1 **SUMMARY OF IMPACTS AND MITIGATION MEASURES** (CONTINUED)

Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
TRANS-1 *continued*	S	♦ *New Schulte Road:* Construct New Schulte Road from the eastern terminus of the Project Phase 1 network (east of Hansen Road) east to Lammers Road, as a two-lane road. At Intersection #18, New Schulte Road/Lammers Road, signalize the intersection and construct a left-turn lane on the eastbound approach, and right-turn lanes on the northbound and southbound approaches. ♦ *New Schulte Road:* Construct New Schulte Road between Hansen Road (the end of the Phase 1 proposed network) and Lammers Road as a two-lane road. ♦ *Intersection #18 (New Schulte Road/Lammers Road):* Install a signal and construct a left-turn lane on the eastbound approach, and right-turn lanes on the northbound and southbound approaches. ♦ *Intersection #19 (Old Schulte Road/Lammers Road):* Install a signal and construct a left-turn lane on the eastbound approach, and right-turn lanes on the northbound and eastbound approaches. ♦ *Intersection #20 (Valpico Road/Lammers Road):* Signalize the intersection and construct a left-turn lane on the southbound approach. ♦ A "trigger" analysis, provided in Table 4.14-12 in Section E.1.a.i, provides the estimated timing for provision of each of the above mitigations, based on Project AM and PM peak hour trip generation. In terms of when the above improvements would need to be constructed, as part of the application process for each individual, site-specific development under the Specific Plan, the applicant will submit a trip generation study for the development at issue or will fund the preparation of this study by the City's consultants.	LTS

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TABLE 2-1 **SUMMARY OF IMPACTS AND MITIGATION MEASURES** (CONTINUED)

Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
TRANS-1 *continued*		This information will be utilized by the City to determine whether the relevant trip generation thresholds are met, taking into account past Project trip generation studies and the running cumulative total. ♦ Mountain House Parkway/I-205 Bridge Maintenance: At the time a development application is submitted to the City within the area north of new Schulte Road, the city will implement a monitoring program, with yearly traffic counts to compare the increase in traffic volumes from the pre-existing base line condition that uses I-205/Mountain House interchange. The difference or increase in the traffic volume will be used to determine City's fair share maintenance cost for on-going bridge maintenance activities. Once 300 acres of the Specific Plan area has developed, the City of Tracy will either enter into a tri party agreement between Caltrans, MHCSD and the City to pay its fair share maintenance cost or enter in to a separate agreement with MHCSD to pay its fair share maintenance cost thereafter. ♦ The City may also take actual traffic counts and operations at the mitigation locations into account (funded by the applicant), in determining when specific improvements need to be constructed. With construction of the required improvements at intersections 10, 18, 19, and 20, impacts to these identified intersections would be less than significant. ♦ Lengthen the northbound Mountain House Parkway right-turn lane to provide additional storage and access to the eastbound I-205 on-ramp. ♦ Ramp metering, with two mixed-flow and 1 HOV bypass lane for the eastbound I-205 diagonal on-ramp. Because the improvements to the freeway interchange intersections require the approval of Caltrans, the impacts at intersections 1, 2, 6 and 7 remain significant and unavoidable.	

S = Significant; LTS = Less Than Significant; SU = Significant and Unavoidable

TABLE 2-1 **SUMMARY OF IMPACTS AND MITIGATION MEASURES** (CONTINUED)

Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
TRANS-2: Construction of Phase 1 of the Project would cause a significant impact on one freeway segment – I-205 Eastbound between Mountain House Parkway and Tracy Boulevard, which would fall from LOS D to LOS E in the PM peak hour (refer to Table 4.14-13). This is a *significant* impact.	S	TRANS-2: The Project will contribute to capacity improvements in San Joaquin County through payment of the RTIF in accordance with applicable laws and regulations. However, because neither full funding for the Interstate 205 capacity project, nor prioritization of such improvements above others in the RTIF can be assured, the payment of regional traffic fees does not guarantee to fully mitigate this impact. ~~because the I-205 capacity project is not currently included in the RTIF, payment of the RTIF will not mitigate this impact.~~	SU
TRANS-3: The Project does not conflict with the City of Tracy's adopted policies, plans and programs regarding bicycle facilities and does not degrade the performance or safety of bicycle facilities. This impact applies to both the Phase 1 Project and the Buildout Project. This is a *less-than-significant* impact.	S	TRANS-3: None required.	LTS
TRANS-4: The Project does not conflict with the City of Tracy's adopted policies, plans and programs regarding pedestrian facilities and does not degrade the performance or safety of pedestrian facilities. This is a *less-than-significant* impact.	S	TRANS-4: None required.	LTS
TRANS-5: The Project does not conflict with the City of Tracy's adopted policies, plans and programs regarding public transit service and does not degrade the performance or safety of transit facilities. This is a *less-than-significant* impact.	S	TRANS-5: None required.	LTS
TRANS-6: The Project does not conflict with the City of Tracy Sustainability Action Plan (SAP) and the San Joaquin County Travel Demand Management Plan, with respect to key goals that are designed to reduce vehicle trips, congestion, VMT, and greenhouse gas emissions. This is a *less-than-significant* impact.	S	TRANS-6: None required.	LTS
TRANS-7: Project Buildout would cause over-capacity conditions on the existing roadway and freeway network. This is a *significant* impact.	S	TRANS-7: Each Project applicant will pay the applicable TMP Program Fee, the RTIF, and any other applicable transportation fees that may be in place when individual projects are processed under the Specific Plan in accordance with applicable laws and regulations.	SU

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TABLE 2-1 **SUMMARY OF IMPACTS AND MITIGATION MEASURES** (CONTINUED)

Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
TRANS-8: Construction of Phase 1 of the Project results in significant impacts at four intersections (#1, #4, #18, and #20)~~,~~ ~~based on 2035 conditions~~ under the 2035 Plus Phase 1 scenario, with the Tracy Roadway and Transportation Master Plan roadway network in place. This is a *significant* impact.	S	TRANS-8~~a~~: The Project will construct the following improvements, in accordance with then-applicable engineering standards and requirements and as determined by the City Engineer: ♦ *Intersection #1 (Mountain House Parkway/I-205 Westbound Ramps):* Change the striping from two left turns and one through-right (which is recommended in Mitigation Measure TRANS-1 to mitigate the Existing Plus Phase 1 impact) to one through-left and two right-turn lanes, and change the signal phasing to allow westbound right turns and southbound through lanes to run concurrently on the same phase. This mitigation would provide LOS C in the AM peak hour and LOS D in the PM peak hour, for 2035 Plus Phase 1 Project conditions. This mitigation will be implemented, in coordination with Caltrans, when appropriate, based on periodic traffic volume monitoring by the City, and is expected to be needed when both the southbound through and westbound left-turn volumes grow substantially (in either peak hour), relative to the current volumes. ♦ *Intersection #4 (New Schulte Road/Mountain House Parkway)*: Signalize the intersection. ♦ *Intersection #18 (New Schulte Road/Lammers Road):* Add a right-turn lane to the eastbound approach, for a mitigated configuration of one left turn lane, two through lanes, and one right-turn lane. ♦ *Intersection #20 (Valpico Road/Lammers Road):* Add a second southbound left-turn lane, for a mitigated configuration of two left-turn lanes, three through lanes, and one right-turn lane. ♦ Ramp metering, with two mixed-flow lanes and 1 HOV bypass lane for the eastbound I-205 loop on-ramp.	LTS/SU

S = Significant; LTS = Less Than Significant; SU = Significant and Unavoidable

TABLE 2-1 **SUMMARY OF IMPACTS AND MITIGATION MEASURES** (CONTINUED)

Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
TRANS-9: In 2035, the addition of Phase 1 Project traffic to the 2035 No Project volumes causes the following significant freeway impacts: ♦ In the AM peak hour, the Project adds more than 5 percent to the total 2035 Plus Phase 1 Project volume on I-205 westbound east of Tracy Boulevard, which is projected to operate at LOS E without the Project. ♦ In the PM peak hour, the LOS falls from D (2035 No Project) to E (2035 Plus Phase 1 Project) on I-205 eastbound between I-580 and Mountain House Parkway. This is a *significant* impact.	S	TRANS-9: The Project will contribute to capacity improvements in San Joaquin County through payment of the RTIF in accordance with applicable laws and regulations. However, because neither full funding for the Interstate 205 capacity project nor prioritization of such improvements above others in the RTIF can be assured, the payment of regional traffic fees does not guarantee to fully mitigate this impact. ~~because the I-205 capacity project is not currently included in the RTIF, payment of the RTIF will not mitigate this impact.~~ (Note: Mitigation TRANS-9 is the same as Mitigation TRANS-2).	SU
TRANS-10: Project Build-out would cause over-capacity conditions on the 2035 roadway and freeway network, in the 2035 Plus Project Build-Out scenario with the 2035 Transportation Master Plan in place. Impact locations include, but are not limited to, the I-205/Mountain House Parkway Interchange and the I-580/Patterson Pass Road interchange. This is a *significant* impact.	S	TRANS-10: Each Project applicant will pay the applicable TMP Program Fee, the RTIF, and any other applicable transportation fees that may be in place when individual projects are processed under the Specific Plan in accordance with applicable laws and regulations. In addition to the above mitigation, the following interchange improvements have been identified based on 2035 Plus Build-Out traffic turn movement projections derived from the roadway segment projections in the DEIR. These mitigations will be provided through a combination of the City Transportation Master Plan fee, state and federal funding sources. Planning, design and construction of these improvements will require cooperation between the City, Caltrans, Mountain House Community Facilities District, and the San Joaquin County Council of Governments. Since the traffic projections for the 2035 Plus Build-Out case, that form the basis for these improvement designs, are speculative due to uncertainty regarding how long it will take for the Project to buildout and regarding changes in regional land use and demographic changes over that period, the City will require that a re-assessment of traffic forecasts and projected operating	

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TABLE 2-1 **SUMMARY OF IMPACTS AND MITIGATION MEASURES** (CONTINUED)

Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
TRANS-10 *continued*	S	conditions at these two interchanges be performed upon completion of Phase 1 of the Project. The re-assessment will include forecasts of traffic through Project Build-Out, to the appropriate horizon year at the time the re-assessment occurs, and the forecasts will include all other planned/projected land use growth and planned/funded infrastructure projects in Tracy and the region, through the horizon year. Based on the re-assessment, the design and timing of the two interchange improvements will be adjusted if appropriate, and the City will continue to work with the above agencies to plan, design and construct the improvements based on the updated design and schedule. This process will include all necessary steps to comply with the requirements of CEQA. At the I-205/Mountain House Parkway Interchange, the City of Tracy will prepare a Project Study Report - Project Development Support (PSR-PDS) document to study long-term improvements at the interchange, using the appropriate cumulative conditions forecasts available at the time of PSR-PDS preparation, which may be those in the FEIR, the volumes developed in the re-assessment described above, or another set of updated forecasts that include build-out of Cordes Ranch Specific Plan and the Mountain House community. The City will coordinate with Caltrans, San Joaquin County, Mountain House Community Services District, and San Joaquin Council of Governments (SJCOG) in the preparation of the document. The PSR-PDS will identify the interchange design for Cumulative Conditions based on one of the following improvement options. The PSR-PDS will also identify the ultimate footprint of the interchange in order to preserve the required right-of-way before development occurs in the vicinity of the I-205/Mountain House Parkway Interchange. It is noted that Caltrans has indicated a preference for Option 3 because it provides the best traffic operation.	SU

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TABLE 2-1 **SUMMARY OF IMPACTS AND MITIGATION MEASURES** (CONTINUED)

Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
TRANS-10 *continued*		♦ Option #1: Signal Controlled Ramps with Existing Bridge: Construct a northbound-to-westbound loop on-ramp, including relocation and potential widening of the westbound off-ramp, and reconstructing the southbound to eastbound loop on-ramp to eliminate the free movement. ♦ Option #2: Signal Controlled Ramps with Widened Bridge: Construct a northbound-to-westbound loop on-ramp, including relocation and potential widening of the westbound off-ramp, and reconstruct the southbound to eastbound loop on-ramp to eliminate the free movement. In addition to the ramp improvements, the existing bridge would be widened by one lane to accommodate the additional width necessary to achieve improved LOS. The widening would occur within Caltrans existing right-of-way. ♦ Option #3: Free Flow Ramps with Existing Bridge: Construct of a northbound-to-westbound loop ramp, including relocation and potential widening of the westbound off-ramp to provide a second left turn lane (for a total of one left-turn lane, one through-left, and two right-turn lanes that operate in the same phase as the southbound through movement. Based on analysis of 2035 Plus Project Buildout Conditions, option #3, with a partial cloverleaf on both the north and south sides of I-205 would provide acceptable LOS D conditions during both AM and PM Peak Hour Conditions. Therefore, the PSR-PDS will identify the ultimate footprint of the interchange in order to preserve the required right-of-way before development occurs in the vicinity of the I-205/Mountain House Parkway Interchange. At the I-580/Patterson Pass Interchange the City of Tracy will prepare a Project Study Report - Project Development Support (PSR-PDS) document to study long-term improvement options at	

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TABLE 2-1 **SUMMARY OF IMPACTS AND MITIGATION MEASURES** (CONTINUED)

Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
TRANS-10 *continued*		the interchange, using the appropriate cumulative conditions forecasts available at the time of PSR-PDS preparation, which may be those in the FEIR, the volumes developed in the re-assessment described above, or another set of updated forecasts that include build-out of the Cordes Ranch Specific Plan and the Mountain House community. The document will study the following interchange improvements. The City will coordinate with Caltrans, San Joaquin County, and San Joaquin Council of Governments (SJCOG) in the preparation of the document: ♦ Construction of a partial cloverleaf (par-clo) interchange on the south side of I-580, and a spread diamond configuration on the north side of I-580. This will provide the required right-of-way for a northbound Patterson Pass to westbound I-580 loop on-ramp; ♦ Add a two-lane southbound Patterson Pass to eastbound I-580 loop on-ramp with ramp metering; ♦ Provide ramp metering on the northbound to eastbound ramp and the southbound to westbound ramp; ♦ Widen the bridge to four lanes; ♦ At the Patterson Pass/I-580 Eastbound Ramps intersection, on the northbound approach, provide one through lane and one right-turn lane; southbound, one through lane and two right-turn lanes feeding the loop on-ramp; and eastbound (I-580 off-ramp), one left-turn lane, one through-left, and one right-turn lane; and ♦ At the Patterson Pass/I-580 Westbound Ramps intersection: on the northbound approach, one left-turn lane and two through lanes; southbound, two through lanes and one right-turn lane; and westbound (I-580 off-ramp), one through-left lane and two right-turn lanes.	

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TABLE 2-1 **SUMMARY OF IMPACTS AND MITIGATION MEASURES** (CONTINUED)

Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
TRANS-10 *continued*		These improvements will provide LOS C or better operation at the ramp terminal intersections, based on 2035 Plus Project Build-Out volumes estimated from the roadway segment volumes presented in the DEIR. Implementation of these mitigation measures will provide the first step toward the funding, design and construction of the ultimate interchange improvements at I-205/Mountain House Parkway and I-580/Patterson Pass Road, However, because construction of the improvements depends on future actions by the City of Tracy, SJCOG, Caltrans, San Joaquin County, and Mountain House Community Services District, these impacts remain significant and unavoidable after mitigation.	
TRANS-11: The Project (Phase 1 and Buildout) will not cause a change in air traffic patterns in Tracy area, either in terms of an increase in traffic levels or a change in location, that results in substantial safety risks. This is a less-than-significant impact.	S	TRANS-11: None required.	LTS
TRANS-12: The Project (Phase 1 and Buildout) will not substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment). This is a *less-than-significant* impact.	S	TRANS-12: None required.	LTS
TRANS-13: The Phase 1 Project will not result in inadequate emergency access. This is a *less-than-significant* impact.	S	TRANS-13: None required.	LTS
TRANS-14: Full Buildout of the Project may result in inadequate emergency access. This is a *significant* impact.	S	TRANS-14: Implement Mitigation Measures TRANS-7 and TRANS-10.	SU
Utilities and Service Systems			
UTIL-1: Because the Project requires the construction of yet-to-be-built WSMP facilities, it is considered to have a potentially significant impact.	S	UTIL-1: To ensure the construction of the necessary WSMP facilities, the Project shall be required to pay appropriate development impact fees as contemplated by WSMP.	LTS

S = Significant; LTS = Less Than Significant; SU = Significant and Unavoidable

TABLE 2-1 **SUMMARY OF IMPACTS AND MITIGATION MEASURES** (CONTINUED)

Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
UTIL-2: The Project would require new or expanded wastewater facilities to serve full buildout, in accordance with the WWMP. This is a significant impact. All of the following mitigation measures shall apply.	S	UTIL-2a: At no cost to the City, flow monitoring equipment shall be installed in the Hansen Sewer Line, as approved by the City, prior to the issuance of the certificate of occupancy for the first (1st) building constructed as part of the Project. Flow monitoring shall be used to determine available capacities to serve site-specific developments proposals under the Specific Plan. In monitoring flows for purposes of determining available capacity, the initial 0.145 shall be attributable to those lands within the Specific Plan identified in the proposed development agreement.	SU
		UTIL-2b: As part of the development process for each individual site-specific development under the Specific Plan, the applicant shall pay its applicable development impact fees for wastewater facilities prior to issuance of building permits.	
		UTIL-2c: As part of the development process for each individual site-specific development under the Specific Plan, the City shall review flow monitoring, at the applicant's cost, to determine available capacity. If the City determines, based on technical and legal constraints and other relevant data, that existing capacity is available to serve the development at issue, then no further mitigation is required. However, if the City determines, based on technical and legal constraints and other relevant data, that existing capacity is not available to serve the development at issue, then the improvements as identified in the Master Plan must be constructed that are necessary to create the additional capacity required, subject to any applicable credit and/or reimbursement provisions, as determined by the City.	
UTIL-3: Construction of the Project's stormwater drainage facilities may result in significant impacts without mitigation.	S	UTIL-3: See Mitigation Measures AQ-2a, AQ-2b, AQ-4, CUL-1, CUL-2, CUL-3, GEO-1, HYDRO-1a, HYDRO-1b, HYDRO-2a, HYDRO-2b, and HYDRO-2c.	SU

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3 REVISIONS TO THE DRAFT EIR

This chapter presents specific changes to the Draft EIR that are being made in response to comments made by the public, as well as staff-directed changes including typographical corrections and clarifications. In each case, the revised page and location on the page is presented, followed by the textual, tabular, or graphical revision. Double-underline text represents language that has been added to the EIR; text with ~~strikethrough~~ has been deleted from the EIR.

The revisions contained herein merely clarify and amplify the information in the Draft EIR, and none of the revisions constitutes significant changes to the analysis contained in the Draft EIR.

All changes to Chapter 2 of the Draft EIR, including changes to Table 2-1, Summary of Impacts and Mitigation Measures, are included in Chapter 2 of this Final EIR.

Chapter 3 Project Description

Figure 3-4 on page 3-7 of the Draft EIR is hereby amended as shown on the following page to include one additional abandoned natural gas line.

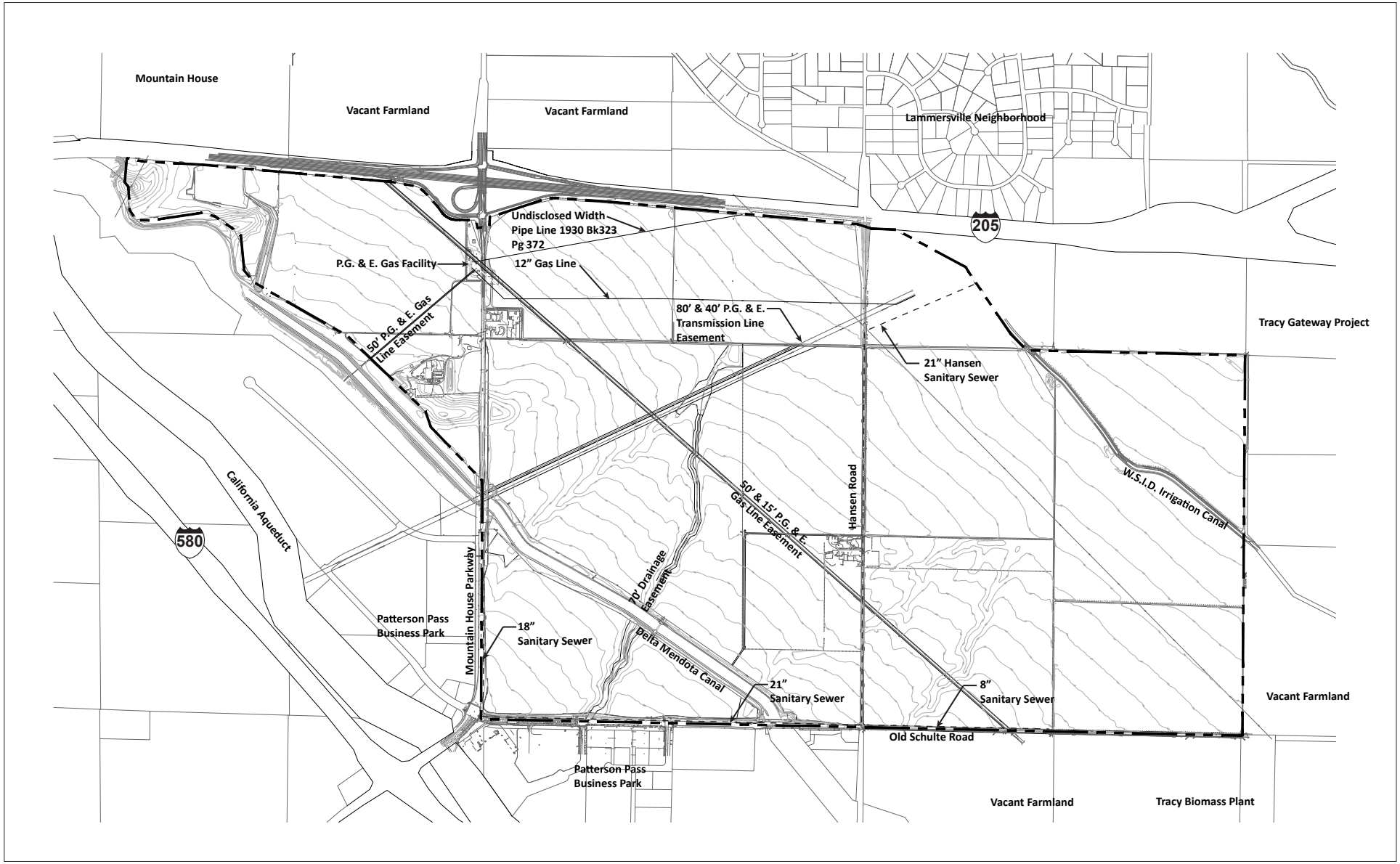
Section A.3. on page 3-8 of the Draft EIR is hereby amended as follows:

- Two ~~8-inch~~ Shell oil lines (one 8-inch and one 10-inch) within an easement of unspecified width (~~A~~abandoned and partially removed).

Section E. on page 3-52 of the Draft EIR is hereby amended as follows:

E. City of Tracy Development Review Process

It is the intent of the City of Tracy to permit future development and public infrastructure improvements in the Specific Plan Area consistent with the City's vision, goals, and policies for the Area to proceed utilizing this EIR for purposes of environmental review, to the maximum extent allowed under the California Environmental Quality Act (CEQA). As listed above, under City of Tracy approvals, in order to ensure that all of the individual developments to be constructed under the Specific Plan are compatible with the surrounding environment and consistent with the City's goals and policies, the City of Tracy would conduct a discretionary review of the design of each such individual development, including the site plan, landscape plan, building elevations, grading plan, and utility plan. This discretionary review, the Development Review, consists of the following steps:



Source: David Babcock & Associates, Cordes Ranch Specific Plan, 2013.

FIGURE 3-4

EXISTING SPECIFIC PLAN AREA CONDITIONS

- **Step #1 – Submit Application.** The project applicant would submit development application forms, general submittal requirements, and fees. These forms are located on the City of Tracy's website, www.ci.tracy.ca.us.

- **Step #2 – City Review.** The City would review the development application and route the application to multiple City departments and other agencies for comments. The City would compile the comments into a comprehensive letter to the applicant, which would detail any additional items or information necessary to deem the application complete, applicable requirements and staff recommendations. Once the application is deemed complete and all requirements are met, City staff would present the Project application for public hearing. Each development application will also be reviewed in compliance with CEQA~~the California Environmental Quality Act~~. The City will review each application for site development to determine whether or not the environmental effects of the proposed project were adequately addressed in this EIR. If the City finds that the proposed project would not result in any additional environmental impacts, then no further environmental analysis would be required. However, if the project would result in impacts that were not adequately analyzed in this EIR, then further environmental review for the project may be required. The City may choose to utilize and rely on any one or more of the processes and standards for tiering and streamlining environmental review set forth in the State CEQA Guidelines, including but not limited to those processes described in Sections 15162, 15163, 15164, 15168, and 15183 of the CEQA Guidelines, to ensure that the potential environmental effects of future development projects in the Cordes Ranch Specific Plan Area are efficiently and thoroughly evaluated in compliance with CEQA. As development proceeds interim improvements may be necessary to accommodate site specific development applications. As long as these improvements fall within the existing rights-of-way or footprint of the ultimate build-out improvements and/or do not generate impacts above those analyzed within this EIR, it is not anticipated that any further analysis will be required.

- **Step #3 – Applicant Response.** Some projects would require additional information or clarification by the applicant and/or revisions to the project plans. The applicant's response would be reviewed by the City and steps 2 and 3 may be repeated if necessary.

- **Step #4 – Public Hearing.** Public hearings before the Development Services Director are required for all Development Review applications. Director-level hearings are scheduled on an as-needed basis. A public notice of the hearing will be sent to all property owners within 300 feet of the subject property and

posted in a local newspaper. Projects within the I-205 Overlay would require duly-noticed public hearings in front of the Planning Commission and the City Council.

Chapter 4.3 Air Quality

Table 4.3-1 on pages 4.3-5 and 4.3-6 of the Draft EIR is hereby amended as included on the following page.

Table 4.3-2 on page 4.3-18 of the Draft EIR is hereby amended as included below.

TABLE 4.3-2 **SAN JOAQUIN VALLEY AIR BASIN ATTAINMENT STATUS**

Pollutant	Federal Status	State Status
Ozone (O_3) – 1-Hour Standard	No Federal Standard	Severe Nonattainment
Ozone (O_3) – 8-Hour Standard	Extreme Nonattainment	Nonattainment
Respirable Particulate Matter (PM_{10})	Attainment-Maintenance	Nonattainment
Fine Particulate Matter ($PM_{2.5}$)[a]	Nonattainment	Nonattainment
Carbon Monoxide (CO)	Attainment-Maintenance	Attainment
Nitrogen Dioxide (NO_2)	Attainment	Attainment
Sulfur Dioxide (SO_2)	Attainment	Attainment
Sulfates and Lead	~~No Federal Standard~~ Attainment	Attainment
Hydrogen Sulfide	No Federal Standard	Unclassified
Visibility Reducing Particles	No Federal Standard	Unclassified

[a] The Valley is designated nonattainment for the 1997 federal $PM_{2.5}$ standards. EPA released final designations for the 2006 $PM_{2.5}$ standards (effective in 2009), designating the Valley as nonattainment.
Source: California Air Resources Board (CARB). 2011, June 23. Area Designations: Activities and Maps. http://www.arb.ca.gov/desig/adm/adm.htm.

TABLE 4.3-1 **AMBIENT AIR QUALITY STANDARDS FOR CRITERIA POLLUTANTS**

Pollutant	Averaging Time	California Standard	Federal Primary Standard	Major Pollutant Sources
Ozone (O_3)	1 hour	0.09 ppm	*a	Motor vehicles, paints, coatings, and solvents.
	8 hours	0.070 ppm	0.075 ppm	
Carbon Monoxide (CO)	1 hour	20 ppm	35 ppm	Internal combustion engines, primarily gasoline-powered motor vehicles.
	8 hours	9.0 ppm	9 ppm	
Nitrogen Dioxide (NO_2)	Annual Average	0.030 ppm	0.053 ppm	Motor vehicles, petroleum-refining operations, industrial sources, aircraft, ships, and railroads.
	1 hour	0.18 ppm	0.100 ppm	
Sulfur Dioxide (SO_2)	Annual Arithmetic Mean	*	*~~a~~b	Fuel combustion, chemical plants, sulfur recovery plants, and metal processing.
	1 hour	0.25 ppm	0.075 ppm	
	24 hours	0.04 ppm	*~~a~~b	
Respirable Particulate Matter (PM_{10})	Annual Arithmetic Mean	20 μg/m^3	*c	Dust and fume-producing construction, industrial, and agricultural operations, combustion, atmospheric photochemical reactions, and natural activities (e.g. wind-raised dust and ocean sprays).
	24 hours	50 μg/m^3	150 μg/m^3	
Respirable Particulate Matter ($PM_{2.5}$)	Annual Arithmetic Mean	12 μg/m^3	15 μg/m^3, ~~b~~d	Dust and fume-producing construction, industrial, and agricultural operations, combustion, atmospheric photochemical reactions, and natural activities (e.g. wind-raised dust and ocean sprays).
	24 hours	*	35 μg/m^3	

TABLE 4.3-1 **AMBIENT AIR QUALITY STANDARDS FOR CRITERIA POLLUTANTS**

Pollutant	Averaging Time	California Standard	Federal Primary Standard	Major Pollutant Sources
Lead (Pb)	30-Day Average	1.5 μg/m³	*	Present source: lead smelters, battery manufacturing & recycling facilities. Past source: combustion of leaded gasoline.
	Calendar Quarterly	*	1.5 μg/m³	
	Rolling 3-Month Average	*	0.15 μg/m³	
Sulfates (SO_4)	24 hours	25 μg/m³	*	Industrial processes.
Visibility Reducing Particles	8 hours	ExCo =0.23/km visibility of 10≥ miles	No Federal Standard	Visibility-reducing particles consist of suspended particulate matter, which is a complex mixture of tiny particles that consists of dry solid fragments, solid cores with liquid coatings, and small droplets of liquid. These particles vary greatly in shape, size, and chemical composition, and can be made up of many different materials such as metals, soot, soil, dust, and salt.
Hydrogen Sulfide	1 hour	0.03 ppm	No Federal Standard	Hydrogen sulfide (H_2S) is a colorless gas with the odor of rotten eggs. It is formed during bacterial decomposition of sulfur-containing organic substances. Also, it can be present in sewer gas and some natural gas, and can be emitted as the result of geothermal energy exploitation.
Vinyl Chloride	24 hour	0.01 ppm	No Federal Standard	Vinyl chloride (chloroethene), a chlorinated hydrocarbon, is a colorless gas with a mild, sweet odor. Most vinyl chloride is used to make polyvinyl chloride (PVC) plastic and vinyl products. Vinyl chloride has been detected near landfills, sewage plants, and hazardous waste sites, due to microbial breakdown of chlorinated solvents.

Notes: ppm: parts per million; μg/m³: micrograms per cubic meter
* Standard has not been established for this pollutant/duration by this entity.
[a] The federal 1-hour ozone standard of 0.124 ppm (established in 1979) was revoked in 2005.
[ab] On June 2, 2010, a new 1-hour SO_2 standard was established and the existing 24-hour and annual primary standards were revoked.
[c] The federal annual PM_{10} standard of 50 μg/m³ (established in 1987) was revoked in 2006.
[bd] On December 14, 2012, EPA lowered the federal primary $PM_{2.5}$ annual standard from 15.0 μg/m³ to 12.0 μg/m³. The new annual standard will become effective 60 days after publication in the Federal Register. EPA made no changes to the primary 24-hour $PM_{2.5}$ standard or to the secondary $PM_{2.5}$ standards.
Source: California Air Resources Board (CARB), 2012. Ambient Air Quality Standards, http://www.arb.ca.gov/research/aaqs/aaqs2.pdf.

Table 4.3-11 on page 4.3-66 of the Draft EIR is hereby amended as included below.

TABLE 4.3-11 **INCREASED CANCER RISKS (PER MILLION) FROM PHASE 1 OF THE SPECIFIC PLAN**

	Cancer Risk at the MEI (per million)		
Scenario	**On-Site[a] Residential Exposure**	**Off-Site[b] Residential Exposure**	**Off-Site[c] Worker Exposure**
Maximum Construction	1.3	0.5	0.4
Maximum Operation (Phase 1 for 10 years, 2024-2034 and full buildout operation for 50 years, 2035-2084)	**19.2**	7.5	2.2
Maximum from Combined Construction and Operation	**20.5**	7.6	2.6
SJVAPCD Threshold	≥10 in 1 million	≥10 in 1 million	≥10 in 1 million
Exceeds Threshold	**Yes**	No	No

[a] Maximum residential cancer risk from construction and operation occurred at a residence at the intersection of Mountain House Parkway and Capital Parks Drive (new Project road).
b Maximum off-site residential cancer risk from operation occurred at the residences closest to Interstate 205 north of the Specific Plan area.
[c] Maximum off-site worker cancer risk occurred at the fire station at the southwest corner of Old Schulte Rd and Hansen Rd.
Source: Illingworth & Rodkin, Inc.

Section B.3.b.i.d. on page 4.3-19 of the Draft EIR is hereby amended as follows:

d) $PM_{2.5}$ Plan

The SJVAPCD adopted the *2012 $PM_{2.5}$ Plan* on December 20, 2012. This plan was approved by CARB on January 24, 2013. This plan will assure that the Valley will attain the 2006 $PM_{2.5}$ NAAQS. The plan uses control measures to reduce NO_x, which also leads to fine particulate formation in the atmosphere. The plan incorporates measures to reduce direct emissions of $PM_{2.5}$, including a strengthening of regulations for various SJVAB industries and the general public through new rules and amendments. The plan estimates that the SJVAB will reach the $PM_{2.5}$ standard by ~~2014~~2019.

Chapter 4.4 Biological Resources

Mitigation Measure BIO-3 on pages 4.4-31 through 4.4-33 of the Draft EIR is hereby amended as follows:

BIO-3: To mitigate potential impacts on jurisdictional wetlands and other waters, the following measures shall be implemented.

- ~~A formal~~An applicant proposing to construct improvements that may affect potential wetlands or other jurisdictional features, as discussed in the EIR, shall cause a formal wetlands delineation ~~shall~~to be prepared by a qualified wetland consultant and submitted to the Corps for verification to confirm the extent of jurisdictional wetlands and other waters ~~of US~~ on the ~~S~~specific ~~Plan Area~~site at issue (if any).

- Where verified waters of the US are present and cannot be avoided, authorization for modifications to these features shall be obtained from the Corps through the Section 404 permitting process. Similarly, a Section 401 Certification shall be obtained from the RWQCB where waters of the US are directly affected by the Project. All conditions required as part of the authorizations by the Corps and RWQCB shall be implemented as part of the Project.

- A CDFW Streambed Alteration Agreement shall also be obtained where necessary under applicable laws and regulations, for any proposed Project activities that would affect the bed or banks of the central drainage and other features regulated by the CDFW in the Specific Plan Area. The applicant who is proposing to construct these improvements as part of an individual site-specific development proposal shall submit a notification form to the CDFW, shall obtain all legally-required agreements, and implement any conditions contained within that agreement.

- The acreage of waters of the US and any riparian scrub habitat along the central drainage that would be removed by the Project shall be replaced or restored/enhanced on a "no-net loss basis" in accordance with Corps, RWQCB, and CDFW regulations, to the extent required by applicable laws and regulations.

- ~~A~~In connection with any individual, site-specific proposal that will impact wetlands or other jurisdictional features as documented by a formal wetlands delineation prepared in accordance with this Mitigation Measure BIO-3, a detailed mitigation plan shall be prepared by a qualified wetland consultant for any jurisdictional wetlands or waters of the US affected by the proposed

development at issue, with replacement provided at a minimum 1:1 ratio or as required by the regulatory agencies. The plan shall clearly identify the total wetlands and other jurisdictional areas affected by proposed improvements, as well as wetlands to be created, restored, or enhanced as part of the wetland mitigation. This shall preferably be accomplished on-site through adjustments to the proposed limits of grading, with any replacement wetlands consolidated to the degree possible to improve existing habitat values. The plan shall specify performance criteria, maintenance and long-term management responsibilities, monitoring requirements, and contingency measures, and shall adhere to all applicable requirements and conditions imposed by the regulatory agencies.

- Consultation or incidental take permitting may be required under the California and federal Endangered Species Acts (as discussed above under Mitigation Measures BIO-1). To the extent required under applicable laws and regulations, an applicant for an individual site-specific development shall obtain all legally required permits or other authorizations from the USFWS and CDFW for the potential "take" of protected species under the Endangered Species Acts, either though participation in the SJMSCP or through separate incidental take authorizations.

- Temporary orange construction fencing shall be installed around the boundary of all delineated jurisdictional waters to the extent they are being preserved so that they are not disturbed during construction. The fencing shall be placed a minimum of 25 feet out from the boundary of the wetland but may need to be adjusted if construction and/or restoration activities are to be conducted within this area. Grading, trail construction and restoration work within the wetland buffer zones shall be conducted in a way that avoids or minimizes disturbance of existing wetlands to be preserved in accordance with any mitigation measures imposed by the regulatory agencies.

- Written evidence shall be provided to the City of Tracy Development Services that the applicant has secured all authorizations required by the Corps, RWQCB, and CDFW in connection with the individual, site-specific development proposal prior to issuance of a grading permit for that individual development at issue to ensure compliance with applicable regulations.

Chapter 4.6 Geology, Soils and Seismicity

Mitigation Measure GEO-1 on page 4.6-19 of the Draft EIR are hereby amended as follows:

GEO-1: Implement Mitigation Measures HYDRO-1a, HYDRO-1b, HYDRO-2a, HYDRO-2b, and HYDRO-2c as described in Chapter 4.9 of ~~this~~the Draft EIR.

Chapter 4.7 Greenhouse Gas Emissions

Table 4.7-7 on page 4.7-35 of the Draft EIR is hereby amended as included following.

Table 4.7-8 on pages 4.7-40 and 4.7-41 of the Draft EIR is hereby amended as included following.

Chapter 4.8 Hazards and Hazardous Materials

Section A.1.e. on page 4.8-3 of the Draft EIR is hereby amended as follows:

e. California Public Utilities Code

In response to a gas pipeline explosion in San Bruno, Governor Jerry Brown signed three bills into law in September 2012 to improve pipeline safety. The bills, Assembly Bill (AB) 578, AB 861, and AB 1456, add provisions to the Public Utilities Code calling for the adoption of the National Transportation Safety Board standards, establishment of penalties for gas and electrical corporation executive officer violation of the Public Utilities Act, and development of safety performance metrics. Regulations, metrics, and standards relating to these bills are being developed, but are not yet in effect.

Section 3000 et seq. of the Public Resources Code contains the administrative regulations under Title 14, Division 2, Chapter 4, Development, Regulation, and Conservation Of Oil And Gas Resources, of the California Code of Regulations. The Division of Gas, Oil, and Geothermal Resources regulates the statewide oil and gas activities and supervises the drilling, operation, maintenance, and plugging and abandonment of oil, gas, and geothermal wells in California.

TABLE 4.7-7 **PROJECT CONSISTENCY WITH TRACY SUSTAINABILITY ACTION PLAN**

Applicable Sustainability Measures	Consistency with Project
E-1: Green Building Ordinance Develop an incentive-based Green Building Ordinance that promotes energy efficient design for new buildings.	While this measure is applicable to the City of Tracy, individual components of this measure are compared to the proposed Project, as follows
E-1.b: Green Building Ordinance Encourage energy efficiency measures for new warehouses and warehousing.	The Specific Plan encourages individual developers in the Specific Plan Area to pursue Leadership in Energy Efficient Design (LEED) certification. Building construction would be designed to meet then-current standards for energy efficiency, such as: Energy efficient heating and cooling systems. Energy efficient appliances, equipment, and HVAC control systems. Water conservation measures, including water-efficient landscaping
E-1.c: Green Building Ordinance Encourage the use of cement substitutes and recycled building materials for new construction.	Locally sourced, salvaged, and recycled materials would be considered for use throughout the landscape and hardscape design.
E-1.d: Green Building Ordinance Encourage the use of energy-efficient appliances that meet Energy Star standards when higher than Title 24 and the use of energy efficient lighting technologies that meet or exceed Title 24 standards.	Energy efficient lighting and control systems would be utilized as part of lighting systems in buildings.
E-1.e: Green Building Ordinance Encourage all new buildings to be constructed to allow for the easy, cost-effective installation of future solar energy systems. "Solar ready" features should include: proper solar orientation; clear access on the south sloped roof; electrical conduit installed for solar electric system wiring; plumbing installed for solar hot water system; and space provided for a solar hot water storage tank.	Buildings constructed in accordance with the 2013 Building and Energy Efficiency Standards, which become effective January 1, 2014 would be required to be constructed so that they are "solar-ready."
E-1.f: Green Building Ordinance Encourage any roof to have a Solar Reflectance Index (SRI) of at least 29.	Light colored "cool" roofs would be required for all new buildings in accordance with California's Building and Energy Efficiency Standards.
E-1.i: Green Building Ordinance Encourage that new or major rehabilitations of commercial, office, or industrial development greater than or equal to 25,000 square feet in size incorporate solar or other renewable energy generation to provide 15 percent or more of the project's energy needs.	As part of the development review process, Project applicants would be encouraged to incorporate solar or other renewable energy generation features, to the extent feasible. In addition, the Project would be required to comply with the 2013 Building and Energy Efficiency Standards (which become effective on January 1, 2014) as it relates to "solar readiness."
E-1.n: Green Building Ordinance Encourage the use of locally-sourced, sustainable, salvaged and recycled-content materials and other materials that have low production energy costs for building materials, hard surfaces, and non-plant landscaping.	Project applicants for individual, site-specific developments would be encouraged to reuse and recycle construction and demolition waste, including soil, vegetation (green waste), concrete, lumber, metal, and cardboard, to the extent feasible. In addition, locally sourced, salvaged, and recycled materials would be considered for use throughout the landscape and hardscape.

TABLE 4.7-7 **PROJECT CONSISTENCY WITH TRACY SUSTAINABILITY ACTION PLAN**

Applicable Sustainability Measures	Consistency with Project
E-2.a: Energy Efficiency in Site Planning and Design Establish measures that reduce energy use through solar orientation by taking advantage of landscaping and sun screens.	Tree species would be chosen based on their large canopy characteristics at maturity, and would be strategically placed to shade paving areas and building elevations to minimize heat gain. Streets within the Project would be oriented on an east-west axis to allow buildings to be sited to take advantage of shade and work with the existing topography. Canopies, awnings, and architectural shade structures would be encouraged as part of the design guidelines. These design elements would be strategically sized to shade paving areas and building elevations and minimize heat gain.
E-2.c: Energy Efficiency in Site Planning and Design Establish guidelines for cool pavements and strategically placed shade trees.	Integrated with the proposed bicycle plan, the street network would have tree-shaded, separated sidewalks on both sides of the streets to provide for safe pedestrian circulation within the Project. Tree species would be chosen based on their large canopy characteristics at maturity, and would be strategically placed to shade paving areas and building elevations to minimize heat gain.
E-2.d: Energy Efficiency in Site Planning and Design Require all new development and major rehabilitation (i.e. additions of 25,000 square feet of office/retail commercial or 100,000 square feet of industrial floor area) projects to incorporate any combination of the following strategies to reduce heat gain for 50 percent of the non-roof impervious site landscape, which includes sidewalks, courtyards, parking lots, and driveways: shaded within five years of occupancy; use of paving materials with a Solar Reflectance Index (SRI) of at least 29; open grid pavement system; or locating parking spaces under deck, under roof, or under a building.	Design guidelines encourage canopies, awnings, and architectural shade structures and these design elements would be strategically sized to shade paving areas and building elevations and minimize heat gain. Furthermore, individual site-specific developments would be required to be in conformance with CALGreen, which requires energy efficiency be considered in site design. Architectural plans and site plans submitted to the City would be required to implement the mandatory measures of CALGreen. In accordance with applicable City standards, 20 percent of the Project's parking areas would be required to be landscaped and 40 percent of the Project's parking areas would be required to be shaded at tree maturity. Tree species would be chosen based on their large canopy characteristics at maturity, and would be strategically placed to shade paving areas and building elevations to minimize heat gain.
E-2.e: Energy Efficiency in Site Planning and Design Require outdoor lighting fixtures to be energy-efficient. Require parking lot light fixtures and light fixtures on buildings to be on full cut-off fixtures, except emergency exit or safety lighting, and all permanently installed exterior lighting shall be controlled by adjustable timers. Prohibit continuous all night outdoor lighting in sports stadiums, construction sites, and rural areas unless they are required for security reasons.	Energy efficient lighting and control systems would be utilized as part of lighting systems in buildings.
E-4.d Energy-Efficient Products and Retrofits Encourage the installation of programmable thermostat timers.	Building construction would be designed to meet standards for energy efficiency, such as energy efficient heating and cooling systems and energy efficient appliances, equipment, and HVAC control systems. In accordance with California's Building and Energy Efficiency Standards, programmable thermostats would be required.

TABLE 4.7-7 **PROJECT CONSISTENCY WITH TRACY SUSTAINABILITY ACTION PLAN**

Applicable Sustainability Measures	Consistency with Project
T-3: Support for Bicycling Promote bicycle usage through the following: a. Continue to require bicycle parking for non-residential and multi-family uses. b. Amend the Zoning Ordinance to require shower facilities and dressing areas for significant new or redevelopment of non-residential uses. c. Create a bicycle-sharing program. d. Provide bicycle parking near transit.	The Project's street pattern and street cross sections would provide for a high level of connectivity throughout the Project, which facilitates the use of biking and pedestrian activity as an alternative to car travel. In addition, adequate bicycle parking would be required near building entrances to promote cyclist safety, security, and convenience. For larger employments, the Specific Plan requires providing facilities that encourage biking, including, for example, locked bicycle storage or covered or indoor bicycle parking.
T-4: Support for Transit Continue to implement the City's program to provide covered and partially enclosed shelters that are adequate to buffer wind and rain and with at least one bench at each existing public transit stop and to provide local public transit information in transit shelters.	The Specific Plan calls for businesses to work with the City to modify and expand bus routes as needed to accommodate demand, and acknowledges that final bus stop locations may require additional right-of-way dedication. The Project anticipates the use of bus stop enclosures at strategic locations to be determined as development occurs.
T-5.a: Smart Growth, Urban Design and Planning Create development standards for commercial, office, and retail zones to promote a principal functional entry that faces a public street.	The Specific Plan proposes to create an office area that is pedestrian oriented, capitalizes on the visibility from Mountain House Parkway and provides pedestrian corridors to the Central Green. This office area would include: wide sidewalks; buildings framing the street with entries from the street
T-13.a: Reduce Commute Trips Support San Joaquin Valley Unified Air Pollution Control District requirements that large employers establish employee trip reduction programs such as Rule 9410.	The Project, at buildout, would provide employment opportunities for 36,708 people in Tracy. By developing a significant employment generator such as the Project, this helps re-out-commuting for Tracy residents. The Project would be required to comply with SJVAPCD Rule 9410, as applicable, to address employee trip reduction programs.
T-13.b: Reduce Commute Trips Promote the San Joaquin Council of Governments Commute Connection program, which provides information about commute options and connects commuters for carpooling, ridesharing and other activities.	Specific Plan Area property owners would coordinate with tenants to promote the ~~San Joaquin County 511~~San Joaquin Council of Government's Commute Connection Program to organize and promote ridesharing and carpooling between various Cordes Ranch tenants.
T-17.d: Increased Use of Low Carbon Fueled Vehicles Encourage employers to create vanpool or shuttle programs for employees.	See Above: T-13.b: Reduce Commute Trips
SW-2: Increased Recycling and Waste Diversion Increase recycling and waste diversion in Tracy by expanding marketing efforts to increase participation by residents and businesses.	Interior and exterior storage bins for recyclables and green waste and adequate recycling containers would be located in public areas. Individual, site-specific developments would be encouraged to reuse and recycle construction and demolition waste, including soil, vegetation (green waste), concrete, lumber, metal, and cardboard, to the extent feasible. In addition, locally sourced, salvaged, and recycled materials would be considered for use throughout the landscape and hardscape.
W-1.a: Potable Water Conservation through Development Standards In compliance with SBX7-7, develop water use and efficiency standards in the City's Green Building Ordinance to reduce overall potable water consumption utilizing Method 1 established in the Department of Water Resources'	Buildings would be designed to be water-efficient and would include water-efficient fixtures and appliances. *Methodologies for Calculating Baseline and Compliance Urban Per Capita Water Use* for targets of 202 gallons per capita daily (gpcd) by 2015 and 180 gpcd by 2020 include clear parameters for integrating water efficient infrastructure and technologies, including low-flush toilets, low-flush urinals and low-flow showerheads that are more stringent than the Energy Policy Act of 1992 fixture performance requirements.

TABLE 4.7-7 **PROJECT CONSISTENCY WITH TRACY SUSTAINABILITY ACTION PLAN**

Applicable Sustainability Measures	Consistency with Project
W-1.a: Potable Water Conservation through Development Standards Plan for recycled water infrastructure in the Infrastructure Master Plans.	A purple pipe system would be constructed as part of the infrastructure for the Project. Reclaimed water would be utilized for landscape irrigation of public and private landscaped areas, when available.
W-1.e: Potable Water Conservation through Development Standards Require through Ordinance or City standard that all new development and re-development install irrigation controllers in landscaping that shall be weather- or soil moisture-based controllers which automatically adjust irrigation in response to changes in plants' needs as weather conditions change in compliance with the City's water efficient landscape ordinance.	The Project would be required to comply with then-current City standards relating to water conservation.
W-2: Water Efficient Landscape Ordinance Develop a water efficient landscape ordinance to be at least as effective as the State Department of Water Resources' (DWR) Model Water Efficient Landscape Ordinance (MWELO), which requires a 12 percent reduction of outdoor potable water use through irrigation efficiency, plant species, recycled wastewater and captured rainwater; and consistent with SBX7-7, utilizing Method 1 targets.	Landscaping would consist of native species that would be selected for water-efficient characteristics and would include drought tolerant planting materials common to the region. The Project landscape design would meet then-current applicable water efficiency landscaping standards and other requirements.
AG-6: Natural Landscape and Minimal Turf in City Parks Amend the Parks Master Plan to minimize turf in City parks and use a natural park landscape whenever possible.	Turf would be minimized and natural landscape would be used in the parks and open spaces whenever possible.

TABLE 4.7-8 **PROJECT CONSISTENCY WITH APPLICABLE PROJECT-LEVEL GHG REDUCTION STRATEGIES IDENTIFIED BY THE CALIFORNIA ATTORNEY GENERAL'S OFFICE**

Applicable Measures	Consistency with Project
Incorporating green building practices and design elements.	Individual developments constructed within the Cordes Ranch Specific Plan would be required to be constructed to meet the California Green Building Standards Code (CALGreen) and the Building and Energy Efficiency Standards in place at the time the Project is approved.
Meeting recognized green building and energy efficiency benchmarks.	Projects would be constructed to achieve the Building and Energy Efficiency Standards in place at the time the Project is approved. The 2008 Standards are 15 percent more energy efficient than the 2005 standards. The new 2013 Standards (effective January 1, 2014) are 30 percent more energy efficient for non-residential buildings that the 2008 Standards. Furthermore, the Specific Plan encourages individual developers in the Specific Plan Area to pursue Leadership in Energy Efficient Design (LEED) certification.
Installing energy-efficient lighting (e.g., light emitting diodes [LEDs], heating and cooling systems, appliances, equipment, and control systems).	Pursuant to CALGreen and the Building and Energy Efficiency Standards, new building would be required to install energy-efficient lighting and heating, ventilation and air conditioning (HVAC) systems. New appliances are required to achieve the energy efficiency standards of Title 25.
Using passive solar design (e.g., orient buildings and incorporate landscaping to maximum passive solar heating during cool seasons, minimize solar heat gain during hot season, and enhance natural ventilation. Design building to take advantage of sunlight.).	CALGreen requires that site design consider the orientation of buildings to take advantage of sunlight and to reduce heating and cooling costs. Adherence to the mandatory measures of CALGreen would ensure compliance with this measure.
Install light colored "cool" roofs and cool pavements.	The Building and Energy Efficiency Standards require the new buildings be designed with a cool roof to increase solar reflectivity and reduce building heating and cooling requirements.
Install efficient lighting (including LEDs) for traffic, street, and other outdoor lighting.	The City of Tracy requires installation of LED lights for new traffic signals and street lights. Other outdoor lighting installed as part of the security/safety lighting within individual developments in the Specific Plan would be required to be energy efficient.
Reduce unnecessary outdoor lighting.	Other outdoor lighting installed as part of the security/safety lighting within individual developments in the Specific Plan would be reviewed by the City and would be required to be energy efficient and to reduce unnecessary outdoor lighting.
Provide education on energy efficiency to residents, customers, and/or tenants.	The Specific Plan requires the Master Owner's Association to implement an educational program regarding the City's water conservation programs, San Joaquin Regional Transit District's transit availability, and PG&E's energy programs.
Meet "reach" goals for building energy efficiency and renewable energy use.	The CEC and the California Public Utilities Commission (CPUC) have stated that residential buildings should be zero net energy by 2020, and commercial buildings by 2030. Individual developments constructed within the Cordes Ranch Specific Plan would be required to be constructed to meet the Building and Energy Efficiency Standards in place at the time the Project is approved.
Install solar, wind, and geothermal power systems and solar hot water heaters.	As part of the development review process, Project applicants would be encouraged to incorporate solar or other renewable energy generation features, to the extent feasible. In addition, the Project would be required to comply with the 2013 Building and Energy Efficiency Standards (which become effective on January 1, 2014) as it relates to "solar readiness."

TABLE 4.7-8 **PROJECT CONSISTENCY WITH APPLICABLE PROJECT-LEVEL GHG REDUCTION STRATEGIES IDENTIFIED BY THE CALIFORNIA ATTORNEY GENERAL'S OFFICE**

Applicable Measures	Consistency with Project
Install solar panels on unused roof and ground space and over carports and parking areas.	As part of the development review process, Project applicants would be encouraged to incorporate solar or other renewable energy generation features, to the extent feasible. In addition, the Project would be required to comply with the 2013 Building and Energy Efficiency Standards (which become effective on January 1, 2014) as it relates to "solar readiness."
Where solar systems cannot feasibly be incorporated into the project at the outset, build "solar ready" structures.	"Solar Ready" structure are required under new 2013 Building Efficiency Standards.
Include energy storage where appropriate to optimize renewable energy generation systems and avoid peak energy use.	As part of the development review process, Project applicants would be encouraged to incorporate solar or other renewable energy generation features, to the extent feasible. In addition, the Project would be required to comply with the 2013 Building and Energy Efficiency Standards (which become effective on January 1, 2014) as it relates to "solar readiness."
Use combined heat and power (CHP) in appropriate applications.	As part of the development review process, Project applicants would be encouraged to incorporate solar or other renewable energy generation features, to the extent feasible. In addition, the Project would be required to comply with the 2013 Building and Energy Efficiency Standards (which become effective on January 1, 2014) as it relates to "solar readiness."
Incorporate water-reducing features into building and landscape design.	In compliance with SBX7-7, the City has adopted a Water Efficient Landscape Ordinance, which requires outdoor landscaping to be water efficient. Indoor fixtures would also meet the low-flow requirements of CALGreen.
Create water-efficient landscapes.	As stated above, outdoor landscaping would meet the City's standards for water conservation.
Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls and use water-efficient irrigation methods.	As stated above, outdoor landscaping would meet the City's standards for water conservation.
Make effective use of graywater. (Graywater is untreated household waste water from bathtubs, showers, bathroom wash basins, and water from clothes washing machines. Graywater to be used for landscape irrigation.)	A purple pipe system (recycled water) would be constructed as part of the infrastructure for the Project. Reclaimed water would be utilized for landscape irrigation of public and private landscaped areas, when available.
Implement low-impact development practices that maintain the existing hydrology of the site to manage storm water and protect the environment.	Adherence to the mandatory measures of CALGreen and the City's standard for stormwater control would ensure compliance with this measure.
Devise a comprehensive water conservation strategy appropriate for the project and location.	Individual developments within the Cordes Ranch Specific Plan would be required to ensure that the landscape plans meet the City's standards for water conservation.
Design buildings to be water-efficient. Install water-efficient fixtures and appliances.	Buildings would be required to install low-flow fixture in accordance with the mandatory requirements of CALGreen.
Offset water demand from new projects so that there is no net increase in water use.	While this is not feasible due to the size of the Project, the Project would minimize indoor and outdoor water use to the extent feasible. It should be noted that, in accordance with the Department of Water Conservation's 20X2020 Plan, urban water use is projected to decrease by 20 percent per capita by 2020. The City of Tracy' 2010 Urban Water Management Plan outlines strategies to reduce per capita water use citywide.

TABLE 4.7-8 **PROJECT CONSISTENCY WITH APPLICABLE PROJECT-LEVEL GHG REDUCTION STRATEGIES IDENTIFIED BY THE CALIFORNIA ATTORNEY GENERAL'S OFFICE**

Applicable Measures	Consistency with Project
Provide education about water conservation and available programs and incentives.	The Specific Plan requires the Master Owner's Association to implement an educational program regarding the City's water conservation programs, San Joaquin Regional Transit District's transit availability, and PG&E's energy programs.
Reuse and recycle construction and demolition waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard).	The mandatory provisions of CALGreen (effective Jan. 1, 2011) require projects to divert a minimum of 50 percent of construction waste.
Integrate reuse and recycling into residential industrial, institutional, and commercial projects.	Senate Bill 1018 (SB 1018, 2012) and Assembly Bill 341 (AB 341, 2011) require that businesses that generate 4 cubic yards or more of commercial solid waste per week include recycling; the Project would be required to adhere to this mandate.
Provide easy and convenient recycling opportunities for residents, the public, and tenant businesses.	Businesses within the Cordes Ranch Specific Plan would be required to adhere to the mandatory recycling requirements of SB 1018 and AB 341.
Provide education and publicity about reducing waste and available recycling services.	In accordance with AB 341, the City of Tracy provides educational information to residents and business in the City for recycling.
Incorporate public transit into the project's design.	Applicants for individual, site-specific development projects located along existing and planned transit routes shall coordinate with the San Joaquin Regional Transit District to ensure that bus pads and shelters are incorporated, as necessary.
Preserve and create open space and parks. Preserve existing trees, and plant replacement trees at a set ratio.	The riparian corridor would be protected and enhanced. The riparian corridor would include landscaping in accordance with any conditions required by the appropriate resource agencies. The Project would meet federal, state, and regional regulations for habitat and species protection.
Include pedestrian and bicycle facilities within projects and ensure that existing non-motorized routes are maintained and enhanced.	The Project has been designed to comply with the Citywide Transportation Master Plan. Class I and II pathways have been incorporated into the streets to allow for increased linkages between uses and to provide additional safety for bicyclists by separating them from truck traffic. Bikeways may also be incorporated within the PG&E easements, along the open space/linear corridor and along the West Side Irrigation District Easements to allow additional points of access.
Meet an identified transportation-related benchmark.	The City of Tracy does not have an established VMT benchmark. If established, such a benchmark would be applicable to passenger vehicle trips from the Project.
Adopt a comprehensive parking policy that discourages private vehicle use and encourages the use of alternative transportation.	The Specific Plan requires implementation of an employee commute trip reduction (CTR) program to reduce single-passenger vehicle use and encourage use of transit in accordance with Rule 9410, as applicable.
Build or fund a major transit stop within or near the development.	The Specific Plan requires projects located along existing and planned transit routes to coordinate with the San Joaquin Regional Transit District to ensure that bus pads and shelters are incorporated, as necessary.
Provide public transit incentives such as free or low-cost monthly transit passes to employees, or free ride areas to residents and customers.	The Specific Plan requires implementation of an employee commute trip reduction (CTR) program to reduce single-passenger vehicle use and encourage use of transit in accordance with Rule 9410, as applicable.

TABLE 4.7-8 **PROJECT CONSISTENCY WITH APPLICABLE PROJECT-LEVEL GHG REDUCTION STRATEGIES IDENTIFIED BY THE CALIFORNIA ATTORNEY GENERAL'S OFFICE**

Applicable Measures	Consistency with Project
Promote "least polluting" ways to connect people and goods to their destinations.	The Specific Plan requires implementation of an employee commute trip reduction~~recution~~ (CTR) program to reduce single-passenger vehicle use and encourage use of transit in accordance with Rule 9410, as applicable. In addition, the Specific Plan requires the Master Owner's Association to implement an educational program regarding the ~~San Joaquin Regional Transit District's transit availability~~San Joaquin Council of Government's Commute Connection Program.
Incorporate bicycle lanes, routes, and facilities into street systems, new subdivisions, and large developments.	Class I and/or II bicycle paths are included on all streets wider than 75 feet, and within a quarter mile of all uses within the Project so that destinations can be reached conveniently by alternatives to vehicle trips.
Require amenities for non-motorized transportation, such as secure and convenient bicycle parking.	Adequate bicycle parking will be required near building entrances and large employers will provide facilities that encourage bicycle commuting, including, e.g., locked bicycle storage, or covered or indoor bicycle parking.
Ensure that the project enhances, and does not disrupt or create barriers to, non-motorized transportation.	The road network and bicycle and pedestrian paths have all been designed create connectivity with the Central Green, the street frontages along Mountain House Parkway, Capital Parks Drive, and New Schulte Road include additional landscaping to create corridors or "spokes" to provide for Class I bike paths and pedestrian sidewalks. The Central Green is connected with a network of roads, bicycle, and pedestrian "spokes" that connect the Project
Institute teleconferencing, telecommute and/or flexible work hour programs to reduce unnecessary employee transportation.	The Specific Plan requires implementation of an employee commute trip reduction (CTR) program to reduce single-passenger vehicle use and encourage use of transit in accordance with Rule 9410, as applicable.
Provide information on alternative transportation options for consumers, residents, tenants, and employees to reduce transportation-related emissions.	The Specific Plan requires implementation of an employee commute trip reduction (CTR) program to reduce single-passenger vehicle use and encourage use of transit in accordance with Rule 9410, as applicable. In addition, the Specific Plan requires the Master Owner's Association to implement an educational program regarding the San Joaquin Regional Transit District's transit availability.
Educate consumers, residents, tenants and the public about options for reducing motor vehicle-related greenhouse gas emissions. Include information on trip reduction; trip linking; vehicle performance and efficiency (e.g., keeping tires inflated); and low or zero-emission vehicles.	The Specific Plan requires implementation of an employee commute trip reduction (CTR) program to reduce single-passenger vehicle use and encourage use of transit in accordance with Rule 9410, as applicable. In addition, the Specific Plan requires the Master Owner's Association to implement an educational program regarding the San Joaquin Regional Transit District's transit availability.
Purchase, or create incentives for purchasing, low, or zero-emission vehicles.	The Specific Plan requires preferential parking space locations to be provided for electric vehicles and compressed natural gas vehicles and it encourage employees to use low- or zero-emissions vehicles.
Create a ride sharing program. Promote existing ride sharing programs e.g., by designating a certain percentage of parking spaces for ride sharing vehicles, designating adequate passenger loading and unloading for ride sharing vehicles, and providing a web site or message board for coordinating rides.	The Specific Plan requires implementation of an employee commute trip reduction~~recution~~ (CTR) program to reduce single-passenger vehicle use and encourage use of transit in accordance with Rule 9410, as applicable. In addition, the Specific Plan requires the Master Owner's Association to implement an educational program regarding the ~~San Joaquin Regional Transit District's transit availability~~San Joaquin Council of Government's Commute Connection Program.

TABLE 4.7-8 **PROJECT CONSISTENCY WITH APPLICABLE PROJECT-LEVEL GHG REDUCTION STRATEGIES IDENTIFIED BY THE CALIFORNIA ATTORNEY GENERAL'S OFFICE**

Applicable Measures	Consistency with Project
Create or accommodate car sharing programs, e.g., provide parking spaces for car share vehicles at convenient locations accessible by public transportation.	The Specific Plan requires implementation of an employee commute trip reduction~~recution~~ (CTR) program to reduce single-passenger vehicle use and encourage use of transit in accordance with Rule 9410, as applicable. In addition, the Specific Plan requires the Master Owner's Association to implement an educational program regarding the ~~San Joaquin Regional Transit District's transit availability~~San Joaquin Council of Government's Commute Connection Program.
Provide a vanpool for employees.	The Specific Plan requires implementation of an employee commute trip reduction (CTR) program to reduce single-passenger vehicle use and encourage use of transit in accordance with Rule 9410, as applicable. In addition, the Specific Plan requires the Master Owner's Association to implement an educational program regarding the San Joaquin Regional Transit District's transit availability.
Create local "light vehicle" networks, such as neighborhood electric vehicle systems.	Neighborhood electric vehicles (NEVs) are allowed on streets with speed limits 35 mile per hour or less. Major arterials within and proximate to the Specific Plan Area would be designed to accommodate higher travel speeds; and therefore, use of NEVs on these streets would be prohibited.
Enforce and follow limits idling time for commercial vehicles, including delivery and construction vehicles.	Applicants for individual, site specific developments shall be required to adhere to applicable CARB rules regarding signage to enforce idling time limits. For example, commercial vehicles, delivery trucks, and construction vehicles would be required to adhere to CARB's airborne toxics control measures that restrict non-essential idling to no more than five minutes. Applicants for individual, site-specific projects with truck delivery and loading areas, and truck parking spaces, shall include signage as a reminder to limit idling of vehicles while parked for loading/unloading in accordance with California Air Resources Board Rule 2845.
Provide the necessary facilities and infrastructure to encourage the use of low or zero-emission vehicles.	The Specific Plan requires preferential parking space locations to be provided for electric vehicles and compressed natural gas vehicles and it encourage employees to use low- or zero-emissions vehicles.
Preserve forested areas, agricultural lands, wildlife habitat and corridors, wetlands, watersheds, groundwater recharge areas and other open space that provide carbon sequestration benefits.	Sophisticated designs with simple plant palettes, such as rows and masses of native and climate adapted grasses and orchard style tree plantings are encouraged. The use of native, climate adapted and large stature species is encouraged to promote/create habitat, minimize use of water, fertilizers, and pesticides, promote biodiversity, and sequester carbon.
Protect existing trees and encourage the planting of new trees. Adopt a tree protection and replacement ordinance.	Trees shall be provided at a ratio of an average of at least one tree for every 1,000 square feet of landscape/hardscape area, not including required parking lot trees.

Source: California Attorney General's Office, 2010. Addressing Climate Change at the Project Level, http://www.ag.ca.gov/globalwarming/pdf/GW_mitigation_meaures.pdf.
Notes: Land use measures for residential, mixed-use, school, agricultural, and recreational/open space developments are not included in this table because they are not applicable to the proposed non-residential Project.

Section B.1.b.i. on page 4.8-12 of the Draft EIR is hereby amended as follows:

- **Site 1: Other Cleanup Site, Shell Oil,** located along Hansen Road, within the Specific Plan Area. This site is the location of a crude oil release from a former pipeline, which release was subject to a subsequent investigation and on-going cleanup. Historically, Shell operated two pipelines (8-inch and 10-inch diameter) running in a northwest-southeast orientation east of Hansen Road and north of Schulte Road. ~~In 2001 Shell abandoned the pipelines and removed portions of the pipelines in advance of anticipated development.~~ The two pipelines were abandoned in the late 1960's or early 1970's, and portions of the pipelines were removed at or around the time the lines were abandoned; other portions were abandoned in place. One abandoned segment on the site was removed in or about 2001. Other portions may remain in place. The former pipelines have been located at approximately 4 feet below ground surface in some locations, but have been located at shallower and deeper depths in other locations. During pipeline removal, six areas referred to as Trenches 1 through 6 were observed to be impacted by petroleum hydrocarbons. Shell over excavated two trenches to depths ranging from 6 to 20 feet bgs and excavated to 4 feet bgs at 4 additional trenches.

Section B.1.b.i. on page 4.8-15 of the Draft EIR is hereby amended as follows:

~~The latest site investigation report on GeoTracker indicates a~~A complete Conceptual Site Model (CSM) and human health risk assessment (HRA) ~~is being prepared for the site by Shell's consultant~~was submitted to the RWQCB and appropriate stakeholders on May 13, 2013. ~~After publication of these documents, and f~~Following the RWQCB's review and concurrence, the RWQCB should be able to define with some certainty future remedial action requirements and cleanup standards for the contamination at this site. ~~Completion of the CSM and HRA are anticipated to occur in March 2013.~~

Section B.1.b.v. is hereby added to page 4.8-23 of the Draft EIR as follows:

v. On-Site Oil, Gas, and Geothermal Wells

According to the Division of Gas, Oil, and Geothermal Resources, the Plan Area contains one plugged and abandoned well.[18] The approximate known location is 200 feet to the east of Hansen Road, north of West Schulte Road. According to 1960 records, the well was filled with cement in 1959, capped with a rubber plug, and converted to a water well.[19]

[18] Department of Conservation, 2013, letter to the City of Tracy *Re: Cordes Ranch Specific Plan Project*, page 1.
[19] Division of Oil and Gas, 1960, *Report of Well Abandonment* and attached papers, ftp://ftp.consrv.ca.gov/pub/oil/WellRecord/077/07700337/07700337_DATA_07-10-2006.pdf, accessed on June 11, 2013.

Impact HAZ-2 and Mitigation Measure HAZ-2a and HAZ-2b on pages 4.8-40 and 4.8-41 of the Draft EIR are hereby amended as follows:

Impact HAZ-2: One hazardous material site located within the Specific Plan Area (Shell pipeline cleanup site) is undergoing active investigation of soil, soil vapor and groundwater contamination, and is subject to future remedial actions. One hazardous material site located up gradient from the Specific Plan Area (ARCO #6610 UST cleanup site) is undergoing active investigation and is subject to future remedial action, with potential for the contamination to extend to groundwater and soil vapor beneath the Specific Plan Area. One known abandoned gas or oil well is located within the Specific Plan Area. In addition, historical agricultural activities and associated pesticide use and storage potentially may have resulted in localized contamination areas. The Specific Plan Area also includes structures that, because of their age, potentially may contain ACBM and lead-based paint. Without mitigation, exposure to contamination associated with these hazardous material sites, potential pesticide hot spot areas, and demolition of older structures that contain ACBM or lead based paint, would be result in potential impacts that are considered *significant*.

> Mitigation Measure HAZ-2a: A Soil Management Plan and companion Sampling and Analysis Plan, as well as a Health and Safety Plan (HASP), shall be prepared and implemented during and following any soil excavation and compaction associated with implementation of the Project where such activities may encounter residual soil, soil vapor, or groundwater contamination that exceeds risk-based levels established by the RWQCB or Cal-EPA. As part of the Soil Management Plan, the applicant shall retain an experienced, independent environmental monitor to observe all significant earth-moving activities. The monitor shall observe the operations, remaining watchful for stained or discolored soil that could represent residual contamination. The monitor shall also be empowered to alert the City and regulatory agencies, when appropriate, and provide direction to the grading contractor. The monitor shall confirm the location of the one plugged and abandoned well in consultation with the Division of Gas, Oil, and Geothermal Resources, and shall comply with any remedial measures that may be required

in connection therewith under applicable law and regulations. In addition, in the event that a previously unknown abandoned well is discovered, construction activities that are proximate to said abandoned well shall stop and the Division of Gas, Oil, and Geothermal Resources shall be contacted. No structures shall be built on a discovered abandoned well until it is deemed safe by the State Oil and Gas Supervisor in accordance with applicable laws and regulations.

Mitigation Measure HAZ-2b: A plan shall be developed for installation of a vapor barrier and venting system beneath buildings to be constructed at the site in those areas where residual petroleum hydrocarbons in soil vapor exceed risk-based levels established by the RWQCB or Cal-EPA, where exposure pathways are considered potentially complete. The system shall be designed to eliminate potentially significant indoor air quality health risks associated with subsurface contaminant vapor intrusion. The Plan shall be prepared by a California professional engineer experienced in vapor intrusion mitigation and who shall certify the installation.

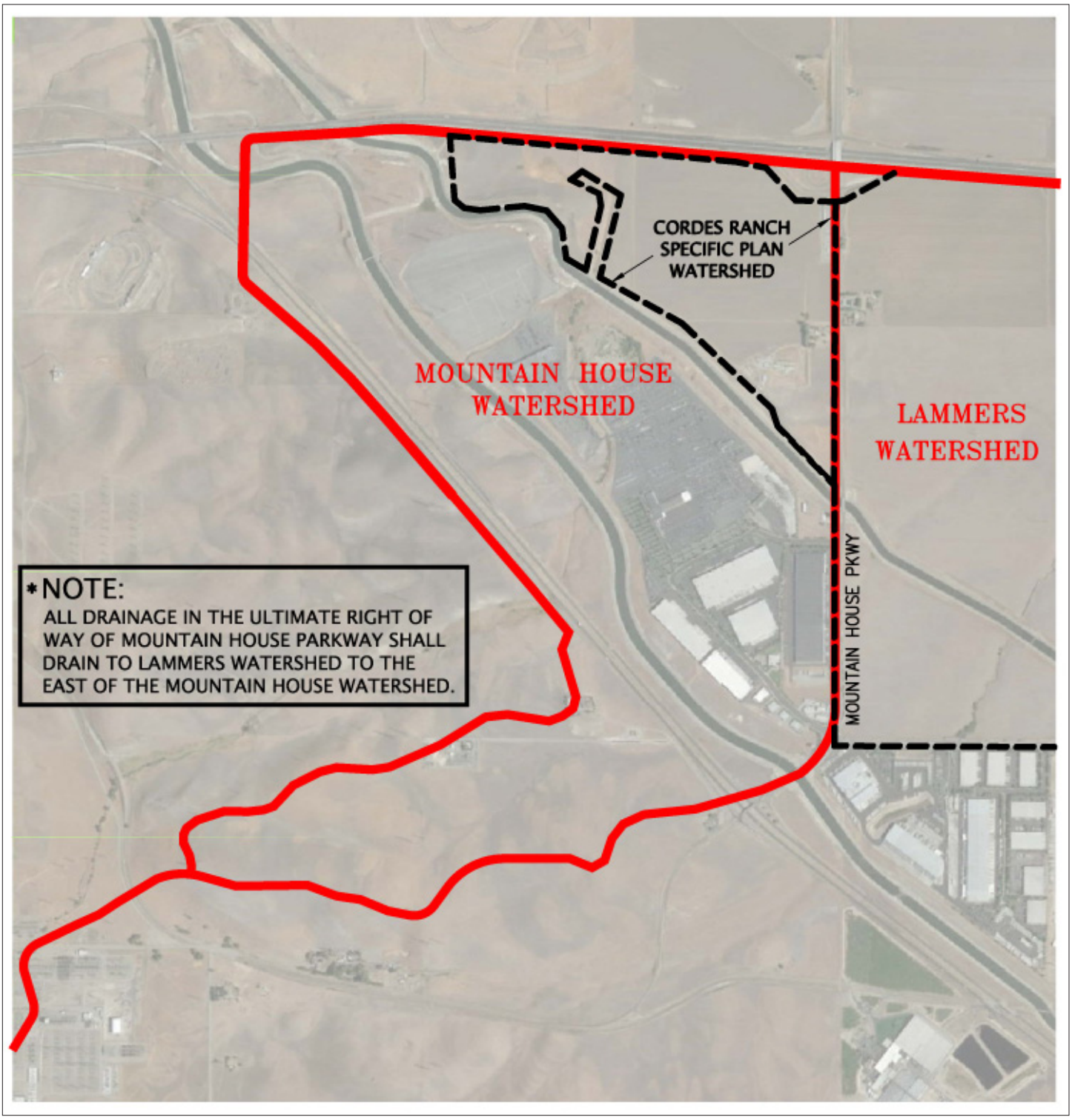
Chapter 4.9 Hydrology and Water Quality

Page 4.9-18 of the Draft EIR and page 3-22 of the FEIR have been modified as follows.

There are a number of major drainage features within or near the Specific Plan Area that are relevant to this Analysis. These major drainage features are described below and are shown on Figure 4.9-1 and 4.9-1a:

Mitigation Measure HYDRO-2a on page 4.9-44 of the Draft EIR is hereby amended as follows:

Mitigation Measure HYDRO-2a: As part of the application process for each individual development under the Specific Plan, each applicant shall prepare and obtain approval of a grading plan and related permit in accordance with Mitigation Measure HYDRO-1(a).



Source: Kier & Wright, 2013.

FIGURE 4.9-1A

MOUNTAIN HOUSE WATERSHED

Mitigation Measure HYDRO-2b on page 4.9-45 of the Draft EIR is hereby amended as follows:

Mitigation Measure HYDRO-2b: As part of the application process for each individual development project under the Specific Plan, each applicant shall submit and obtain City approval of a drainage plan to the City of Tracy for on-site measures consistent with the Cordes Ranch Conceptual Drainage Plan, the Cordes Ranch Specific Plan, the Citywide Stormwater Master Plan, and other applicable stormwater standards and requirements that shall be designed to control and treat stormwater for the storm events in compliance with the then-applicable City's Manual of Stormwater Quality Control Standards for New Development and Redevelopment, including those dealing with capacity design of the facilities and contour grading. All such measures shall be implemented as part of the development and operation of the individual development at issue.

Each developer shall construct drainage improvements and other required stormwater retention/detention facilities as necessary to serve the specific development proposed by that applicant in conformance with the approved drainage plan, the Specific Plan and the then-applicable City standards including those set forth in the City's Storm Drainage Master Plan. These drainage facilities shall accommodate events up to and including a 100-year 24-hour storm.

Any impacts on the operations of Mountain House CSD facilities, including the alteration of cleaning velocities, will require coordination and agreement between Mountain House CSD and the City of Tracy prior to issuance of building permit for any development west of Mt. House Parkway.

The proposed mitigation measures will reduce impacts related to storm water runoff to less-than-significant levels.

Mitigation Measure HYDRO-2d has been added to page 4.9-46 of the Draft EIR:

Mitigation Measure HYDRO-2d: The City shall impose, as a condition of approval of development of the first 85 net (developable) acres in the Mountain House Watershed Area located in the western portion of the Specific Plan Area as defined in the City's Storm Drain Master Plan and shown in Figure 4.9-1a (which acreage comprises approximately one-half (1/2) of the full net (developable) acreage of the Mountain House Watershed Area within the Specific Plan Area) that the applicant:

(1) Facilitate the preparation of an agreement between the City and the MHCSD establishing a fair share fee, in accordance with applicable laws, to fund future improvements to downstream storm drain facilities which may be constructed by MHCSD in the future to accommodate flows from the Patterson Run (located in the water shed south of the Specific Plan Area) and flows from the Mountain Watershed Area within the Specific Plan Area by funding the City's and MHCSD's costs to prepare such agreement, and to provide for reimbursements to contributing property owners in appropriate circumstances;

(2) Enter into an agreement with the City to pay its proportionate fair share of the proposed fee after it has been adopted; and

(3) Deposit with the City appropriate security, as determined by the City, to ensure the payment of such fees.

Until such time as this fee has been established, the City will not permit any downstream increases to volume or peak storm water flows from any development in the Mountain House Watershed Area located within the western portion of the Specific Plan Area. No development will be permitted in the Mountain House Watershed Area of the Specific Plan Area beyond the first 85 net acres described above until the foregoing conditions have been satisfied.

Mitigation Measure HYDRO-2e has been added to page 4.9-46 of the Draft EIR:

Mitigation Measure HYDRO-2e: Until such time as adequate downstream drainage facilities have been constructed by the MHCSD, all new development in the Mountain House Watershed Area of the Specific Plan Area will be required to provide adequate on-site detention of storm water flows, as determined by the City. This amounts to 0.4 square miles of the 8.53 square mile watershed.

Chapter 4.10 Land Use and Planning

Section B. is hereby added to page 4.10-12 of the Draft EIR is hereby amended as follows:

- Two ~~8 inch~~ Shell oil lines (one 8-inch and one 10-inch) within an easement of unspecified width (Abandoned and partially removed).

Chapter 4.11 Noise

Mitigation Measure NOISE-2b on pages 4.11-54 through 4.11-55 of the Draft EIR is hereby amended as follows:

Mitigation Measure NOISE-2b: Before any individual, site-specific development conducts any high vibration-generating activities (such as pile driving or vibratory compacting) within one hundred (100) feet of existing structures, the following mitigation measures shall apply:

1. Develop a vibration monitoring and construction contingency plan to identify structures where monitoring would be conducted, set up a vibration monitoring schedule, define structure-specific vibration limits, and address the need to conduct photo, elevation, and crack surveys to document before- and after-construction conditions. Construction contingencies would be identified for when vibration levels approached the limits. Vibration limits shall be applied to all vibration-sensitive structures located within 100 feet of each individual, site-specific development that is subject to this mitigation measure. Limits shall be based on Table 4.11-5 to preclude architectural damage and on Table 4.11-4 to preclude vibration annoyance. For the Specific Plan Area proposed development types (i.e. "institutional land uses with primarily daytime use"), the Table 4.11-4 Category 3 land uses would indicate a threshold of 83 VdB. For future developments that have special, vibration-sensitive operations or equipment, the criteria in the FTA Guideline Manual, Table 8-3 should be implemented.

   The monitoring and construction contingency plan shall include the following contents described in Numbers 2 through 4 below.

2. At a minimum, monitor vibration during initial demolition activities and during pile driving activities. Monitoring results may indicate the need for more or less intensive measurements.

3. When vibration levels approach the above limits, construction should be suspended and contingencies should be implemented to either lower vibration levels or to secure the affected structures.

4. Conduct post-survey on structures where either monitoring has indicated high levels or complaints of damage ~~has~~have been made. Make appropriate repairs or compensation where damage has occurred as a result of construction activities.

Chapter 4.14 Transportation and Traffic

The title of Table 4.14-7 on page 4.14-35 is hereby amended as follows:

TABLE 4.14-7 **EXISTING FREEWAY PEAK HOUR VOLUMES AND SERVICE LEVELS**

The second bullet point under Section E of Chapter 4.14 on page 4.14-60 is hereby amended as follows:

- Conflict with an applicable congestion management program, including, but not limited to, LOS standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways. For the purposes of this EIR, the following CMP network standards apply:
  - For I-205 and I-580 segments in San Joaquin County, an impact is significant if the Project causes a segment to fall from LOS D to LOS E or F, or if it adds 5 percent to the total future traffic volume on a segment already operating at LOS F;
  - For the analysis segment of I-580 in Alameda County, an impact is significant if the Project causes the segment to fall from LOS E to LOS F, or if it adds 5 percent to the segment already operating at LOS F without the Project.
  - Note: In the impact assessments discussed in Section F, the CMP system impacts are addressed as follows: freeway CMP facilities are discussed within the freeway impact sections, using the appropriate CMP LOS standard; and roadway CMP facilities (Lammers Road and Eleventh Street) are discussed within the intersection LOS sections, using City of Tracy LOS standards (for the Phase 1 cases) and within the roadway segment sections using a volume-to-capacity comparison (for the build-out cases.)

The title of Table 4.14-14A on page 4.14-68 is hereby amended as follows:

TABLE 4.14-14A **FREEWAY PEAK HOUR VOLUMES AND LEVEL OF SERVICE – EXISTING PLUS PHASE 1 (AM)**

The title of Table 4.14-14B on page 4.14-69 is hereby amended as follows:

TABLE 4.14-14B **FREEWAY PEAK HOUR VOLUMES AND LEVEL OF SERVICE – EXISTING PLUS PHASE 1 (PM)**

The title of Table 4.14-15 on pages 4.14-71 to 4.14-74 is hereby amended as follows:

TABLE 4.14-15 **ROADWAY PEAK HOUR VOLUMES – EXISTING PLUS BUILDOUT**

The title of Table 4.14-17A on page 4.14-78 is hereby amended as follows:

TABLE 4.14-17A **FREEWAY PEAK HOUR VOLUMES AND LEVEL OF SERVICE – EXISTING PLUS BUILDOUT (AM)**

The title of Table 4.14-17B on page 4.14-79 is hereby amended as follows:

TABLE 4.14-17B **FREEWAY PEAK HOUR VOLUMES AND LOS – EXISTING PLUS BUILDOUT (PM)**

The first two paragraphs under Section F.1.c.a) on page 4.14-89 are hereby amended as follows:

In the case of intersection #1, I-205 Westbound Ramps/Mountain House Parkway, the poor PM peak hour service level is projected to occur with or without the Project, and is primarily related to a very large projected increase in the right turn volume from the westbound off-ramp to northbound Mountain House Parkway. This increase is related primarily to the anticipated completion of the development of the Mountain House community in the 2035 Tracy Travel Demand Model. The projected increase for this movement (1,600 trips) is over three times the Phase 1 Project's PM peak hour volume contribution to the intersection (510 total trips). The very high right turn volume renders it one of the "critical movements" for the intersection, thereby controlling the intersection delay and service level. It is noted that this high right turn volume was not forecast in the traffic study performed in 2002 for the I-205/Mountain House Parkway interchange project. That study was performed in 2002 with a different travel demand model and different regional land use and roadway network assumptions. In more recent studies performed by the City for the General Plan Update EIR and the Roadway and Transportation Master Plan environmental review, operations of the Mountain House Parkway interchange intersections were not assessed. In

response to Comment SA3-5 on the Draft EIR from the California Department of Transportation (see Chapter 5 of this Final EIR), further analysis was performed to evaluate other potential additional improvement options to mitigate the 2035 Plus Phase 1 impact at this intersection and restore acceptable operations to serve both Mountain House buildout traffic and Project Phase 1 traffic, as shown in Appendix L of the Final EIR. As listed in Mitigation Measure TRANS-8a of this Final EIR, changes to lane configuration and signal phasing will mitigate the impact under the 2035 Plus Phase 1 scenario. However, Mitigation Measure TRANS-8b of this Final EIR would not fully mitigate the impact to Intersection #1 under the 2035 Plus Project Buildout scenario.

~~Because this cumulative impact is created by a turn movement volume – the westbound right turn – to which the Project contributes no traffic, the Project has no feasible way to meaningfully mitigate this impact.~~ The City will monitor traffic conditions at this intersection as part of its ongoing roadway maintenance programs, and, if actual volume increases over time indicate the need to plan for capacity improvements, the City will work with Caltrans and San Joaquin County to ~~develop and~~ implement improvements.

The title of Table 4.14-22A on page 4.14-96 is hereby amended as follows:

TABLE 4.14-22A **FREEWAY PEAK HOUR VOLUMES AND LOS – 2035 PLUS PHASE 1 (AM)**

The title of Table 4.14-22B on page 4.14-97 is hereby amended as follows:

TABLE 4.14-22B **FREEWAY PEAK HOUR VOLUMES AND LOS – 2035 PLUS PHASE 1 (PM)**

The title of Table 4.14-23 on pages 4.14-98 to 4.14-103 is hereby amended as follows:

TABLE 4.14-23 **ROADWAY PEAK HOUR VOLUMES – 2035 PLUS BUILDOUT**

The title of Table 4.14-25A on page 4.14-109 is hereby amended as follows:

TABLE 4.14-25A **FREEWAY PEAK HOUR VOLUMES AND LOS – 2035 PLUS BUILDOUT (AM)**

The title of Table 4.14-25B on page 4.14-110 is hereby amended as follows:

TABLE 4.14-25B **FREEWAY PEAK HOUR VOLUMES AND LOS – 2035 PLUS BUILDOUT (PM)**

Mitigation Measure TRANS-1 on pages 4.14-112 to 4.14-113 are hereby amended as follows:

Mitigation Measure TRANS-1: The Project will construct the following improvements, in accordance with then-applicable engineering standards and requirements, and as determined by the City Engineer:

- *Intersection #1 (Mountain House Parkway/I-205 Westbound Ramps):* Restripe westbound off-ramp to provide two left-turn lanes and one shared through/right lane, and optimize signal timings.
- *Intersection #2 (Mountain House Parkway/I-205 Eastbound Ramps):* Convert the northbound right-turn lane to a free right with an acceptance lane on the eastbound on-ramp, and optimize signal timings.
- *Intersection #6 (Mountain House Parkway/I-580 Westbound Ramps):* Signalize the intersection with eastbound/westbound split phasing, or install a roundabout.
- *Intersection #7 (Mountain House Parkway/I-580 Eastbound Ramps):* Signalize the intersection with eastbound/westbound split phasing, or install a roundabout.
- *Intersection #10 (Old Schulte Road/Hansen Road):* Signalize the intersection, and construct an additional westbound left turn lane, eastbound left-turn and right-turn lanes, and a southbound left-turn lane.
- *New Schulte Road:* Construct New Schulte Road from the eastern terminus of the Project Phase 1 network (east of Hansen Road) east to Lammers Road, as a two-lane road. At Intersection #18, New Schulte Road/Lammers Road, signalize the intersection and construct a left-turn lane on the eastbound approach, and right-turn lanes on the northbound and southbound approaches.
- *New Schulte Road:* Construct New Schulte Road between Hansen Road (the end of the Phase 1 proposed network) and Lammers Road as a two-lane road.
- *Intersection #18 (New Schulte Road/Lammers Road):* Install a signal and construct a left-turn lane on the eastbound approach, and right-turn lanes on the northbound and southbound approaches.

- *Intersection #19 (Old Schulte Road/Lammers Road):* Install a signal and construct a left-turn lane on the eastbound approach, and right-turn lanes on the northbound and eastbound approaches.
- *Intersection #20 (Valpico Road/Lammers Road):* Signalize the intersection and construct a left-turn lane on the southbound approach.
- A "trigger" analysis, provided in Table 4.14-12 in Section E.1.a.i, provides the estimated timing for provision of each of the above mitigations, based on Project AM and PM peak hour trip generation. In terms of when the above improvements would need to be constructed, as part of the application process for each individual, site-specific development under the Specific Plan, the applicant will submit a trip generation study for the development at issue or will fund the preparation of this study by the City's consultants. This information will be utilized by the City to determine whether the relevant trip generation thresholds are met, taking into account past Project trip generation studies and the running cumulative total.
- *Mountain House Parkway/I-205 Bridge Maintenance:* At the time a development application is submitted to the City within the area north of new Schulte Road, the city will implement a monitoring program, with yearly traffic counts to compare the increase in traffic volumes from the pre-existing base line condition that uses I-205/Mountain House interchange. The difference or increase in the traffic volume will be used to determine City's fair share maintenance cost for on-going bridge maintenance activities. Once 300 acres of the Specific Plan area has developed, the City of Tracy will either enter into a tri party agreement between Caltrans, MHCSD and the City to pay its fair share maintenance cost or enter in to a separate agreement with MHCSD to pay its fair share maintenance cost thereafter.
- The City may also take actual traffic counts and operations at the mitigation locations into account (funded by the applicant), in determining when specific improvements need to be constructed. With construction of the required improvements at intersections 10, 18, 19, and 20, impacts to these identified intersections would be less than significant.
- Lengthen the northbound Mountain House Parkway right-turn lane to provide additional storage and access to the eastbound I-205 on-ramp.
- Ramp metering, with two mixed-flow and 1 HOV bypass lane for the eastbound I-205 diagonal on-ramp.

Because the improvements to the freeway interchange intersections require the approval of Caltrans, the impacts at intersections 1, 2, 6 and 7 remain significant and unavoidable.

Impact TRANS-2 and Mitigation Measure TRANS-2 on pages 4.14-114 to 4.14-108 are hereby amended as follows:

Impact TRANS-2: Construction of Phase 1 of the Project would cause a significant impact on one freeway segment – I-205 Eastbound between Mountain House Parkway and Tracy Boulevard, which would fall from LOS D to LOS E in the PM peak hour (refer to Table 4.14-14). This is a *significant* impact.

Auxiliary lanes are currently being constructed on this section of I-205, and were therefore assumed in the Existing Plus Phase 1 Project analysis. However, the Existing Plus Phase 1 Project volume will still result in LOS E conditions on one segment in the PM peak hour, as noted above. The SJCOG Regional Transportation Plan includes a Tier 1 project to expand I-205 from 6 to 8 lanes. This project is scheduled for environmental clearance by 2025 and construction by 2030. However, it is not currently funded, ~~and~~ although this improvement project ~~is~~ was recently ~~not~~ included in the Regional Transportation Improvement Fee. ~~Therefore, there is currently no mechanism for the Project to contribute to this I-205 capacity project. If the capacity project is added to the RTIF in the future, individual development projects in the Specific Plan will contribute to the capacity project through payment of the RTIF, as may be required under applicable laws and regulations.~~ Because neither full funding for the Interstate 205 capacity project, nor prioritization of such improvements above others in the RTIF can be assured, the payment of regional traffic fees does not guarantee to fully mitigate this impact.

Mitigation Measure TRANS-2: The Project will contribute to capacity improvements in San Joaquin County through payment of the RTIF in accordance with applicable laws and regulations. However, because neither full funding for the Interstate 205 capacity project, nor prioritization of such improvements above others in the RTIF can be assured, the payment of regional traffic fees does not guarantee to fully mitigate this impact. ~~because the I-205 capacity project is not currently included in the RTIF, payment of the RTIF will not mitigate this impact.~~

The text under Impact TRANS-7 on pages 4.14-117 to 4.14-118 is hereby amended as follows:

Impact TRANS-7: Project Buildout would cause over-capacity conditions on the existing roadway and freeway network. This is a *significant* impact.

As shown in Tables 4.14-15 and 4.14-17, the addition of Project Buildout traffic to the existing roadway and freeway system would cause significant overloading on many segments of the existing City roadway system, and cause significant impacts on two segments of I-205 in the AM and PM peak hours. This is not surprising, since Project Buildout will take many years; the City of Tracy is planning many roadway network improvements to accommodate traffic growth generated by the Project and other development areas in the city, and the San Joaquin Council of Governments is also planning capacity improvements on I-205 to handle regional growth over the coming decades. Each Project applicant's payment of the TMP Program fee, the RTIF, and any other applicable transportation fees that may be in place when individual projects are processed under the Specific Plan, would partially mitigate this impact. However, because neither full funding for the necessary improvements, which would involve the widening of Interstate 205, nor prioritization of such improvements above others in the RTIF or TMP Program can be assured, ~~the impact would remain significant and unavoidable after mitigation because~~ the timing of when the construction of such improvements would take place is uncertain. Therefore, the impact would remain significant and unavoidable after mitigation. ~~(since they are program improvements dependent on funding from development throughout Tracy).~~

Impact TRANS-8 and Mitigation Measure TRANS-8 on pages 4.14-118 to 4.14-120 are hereby amended as follows:

Impact TRANS-8: Construction of Phase 1 of the Project results in significant impacts at four intersections (#1, #4, #18, and #20)~~, based on 2035 conditions~~ under the 2035 Plus Phase 1 scenario, with the Tracy Roadway and Transportation Master Plan roadway network in place. This is a *significant* impact.

This impact and the identified mitigation measures are described in Section F ~~E~~.1c.i and summarized in Table 4.14-18. The mitigations are listed in Mitigation Measure TRANS-8, below. As described in Section F ~~E~~.1.c.i, in the case of intersection #1, I-205 Westbound Ramps/Mountain House Parkway, the poor PM peak hour service level is projected to occur with or without the Project, and is primarily related to a very large projected increase in the right turn volume from the westbound off-ramp to northbound Mountain House Parkway. This increase is

related primarily to the anticipated completion of the development of the Mountain House community in the 2035 Tracy Travel Demand Model. The projected increase for this movement (1,600 trips) is over three times the Phase 1 Project's PM peak hour volume contribution to the intersection (510 total trips). The very high right turn volume renders it one of the "critical movements" for the intersection, thereby controlling the intersection delay and service level. It is noted that this high right turn volume was not forecast in the traffic study performed in 2002 for the I-205/Mountain House Parkway interchange project. That study was performed in 2002 with a different travel demand model and different regional land use and roadway network assumptions. In more recent studies performed by the City for the General Plan Update EIR and the Roadway and Transportation Master Plan environmental review, operations of the Mountain House Parkway interchange intersections were not assessed. Further analysis was performed to evaluate other potential additional improvement options to mitigate the 2035 Plus Phase 1 impact at this intersection and restore acceptable operations to serve both Mountain House buildout traffic and Project traffic, as shown in Appendix L of this Final EIR.

~~Because this cumulative impact is created by a turn movement volume – the westbound right turn – to which the Project contributes no traffic, the Project has no feasible way to meaningfully mitigate this impact. The City will monitor traffic conditions at this intersection as part of its ongoing roadway maintenance programs, and, if actual volume increases over time indicate the need to plan for capacity improvements, the City will work with Caltrans and San Joaquin County to develop and implement improvements.~~

Mitigation Measure TRANS-8: The Project will construct the following improvements, in accordance with then-applicable engineering standards and requirements and as determined by the City Engineer:

- *Intersection #1 (Mountain House Parkway/I-205 Westbound Ramps):* Change the striping from two left turns and one through-right (which is recommended in Mitigation Measure TRANS-1 to mitigate the Existing Plus Phase 1 impact) to one through-left and two right-turn lanes, and change the signal phasing to allow westbound right turns and southbound through lanes to run concurrently on the same phase. This mitigation would provide LOS C in the AM peak hour and LOS D in the PM peak hour, for 2035 Plus Phase 1 Project conditions. This mitigation will be implemented, in coordination with Caltrans, when appropriate, based on periodic traffic volume monitoring by the City, and is expected to be needed when both

the southbound through and westbound left-turn volumes grow substantially (in either peak hour), relative to the current volumes.

- *Intersection #4 (New Schulte Road/Mountain House Parkway):* Signalize the intersection.
- *Intersection #18 (New Schulte Road/Lammers Road):* Add a right-turn lane to the eastbound approach, for a mitigated configuration of one left turn lane, two through lanes, and one right-turn lane.
- *Intersection #20 (Valpico Road/Lammers Road):* Add a second southbound left-turn lane, for a mitigated configuration of two left-turn lanes, three through lanes, and one right-turn lane.
- Ramp metering, with two mixed-flow lanes and 1 HOV bypass lane for the eastbound I-205 loop on-ramp.

Significance After Mitigation: Less than significant for intersections #1, #4, #18 and #20 under the 2035 Plus Phase 1 scenario; significant and unavoidable (for the reasons stated above) for intersection #1 under the 2035 Plus Project Buildout scenario.

The text under Impact TRANS-9 and Mitigation Measure TRANS-9 on pages 4.14-120 to 4.14-121 are hereby amended as follows:

Impact TRANS-9: In 2035, the addition of Phase 1 Project traffic to the 2035 No Project volumes causes the following significant freeway impacts:

- In the AM peak hour, the Project adds more than 5 percent to the total 2035 Plus Phase 1 Project volume on I-205 westbound east of Tracy Boulevard, which is projected to operate at LOS E without the Project.
- In the PM peak hour, the LOS falls from D (2035 No Project) to E (2035 Plus Phase 1 Project) on I-205 eastbound between I-580 and Mountain House Parkway.

This is a *significant* impact.

The SJCOG Regional Transportation Plan includes a Tier 1 project to expand I-205 from 6 to 8 lanes. This project is scheduled for environmental clearance by 2025 and construction by 2030. However, it is not currently funded, ~~and~~ although this improvement project ~~is~~ was recently ~~not~~ included in the Regional Transportation Improvement Fee. ~~Therefore, there is currently no mechanism for~~

~~the Project to contribute to this I-205 capacity project. If the capacity project is added to the RTIF in the future, individual development projects in the Specific Plan will contribute to the capacity project through payment of the RTIF, as may be required under applicable laws and regulations.~~ Because neither full funding for the Interstate 205 capacity project nor prioritization of such improvements above others in the RTIF can be assured, the payment of regional traffic fees does not guarantee to mitigate this impact.

> Mitigation Measure TRANS-9: The Project will contribute to capacity improvements in San Joaquin County through payment of the RTIF in accordance with applicable laws and regulations. However, because neither full funding for the Interstate 205 capacity project nor prioritization of such improvements above others in the RTIF can be assured, the payment of regional traffic fees does not guarantee to fully mitigate this impact. ~~because the I-205 capacity project is not currently included in the RTIF, payment of the RTIF will not mitigate this impact.~~ (Note: Mitigation TRANS-9 is the same as Mitigation TRANS-2).

The text under Impact TRANS-10 on pager 4.14-121 is hereby amended as follows:

Impact TRANS-10: Project Build-out would cause over-capacity conditions on the 2035 roadway and freeway network, in the 2035 Plus Project Build-Out scenario with the 2035 Transportation Master Plan in place. Impact locations include, but are not limited to, the I-205/Mountain House Parkway Interchange and the I-580/Patterson Pass Road interchange. This is a *significant* impact.

Tables 4.14-23 and 4.14-25 show the peak hour roadway and freeway segment volumes forecast for the Buildout case, in which the Project is completely developed along with all other development potential through 2035 in Tracy, consistent with the forecasts in the TMP. Many of the roadway segments and freeway segments are projected to be over-capacity in this scenario. Project Buildout is expected to occur many years beyond 2035. Over the Buildout planning horizon, many changes in land use plans and roadway network plans (in the City of Tracy, the San Joaquin Valley and the Bay Area) are likely to occur, reducing the reliability of forecasts and making detailed analysis and infrastructure planning (i.e. intersection-level analysis) infeasible at this time. The information in Tables 4.14-23 and 4.14-25 is therefore presented to give a high-level view of roadway and freeway volumes at Project Buildout, assuming that the Tracy TMP roadway network (sized to serve 2035 forecasts only) is in place.

As indicated in the table, many roadways would require additional lanes to provide the capacity needed to serve Project Buildout, if all other development potential included in the 2035 TMP forecasting is also realized.

Payment of the applicable fees under the TMP Program fee, the RTIF, and any other applicable transportation fees that may be in place when individual projects are processed under the Specific Plan, would partially mitigate this impact. However, because neither full funding for the necessary improvements, which would involve the widening of Interstate 205, nor prioritization of such improvements above others in the RTIF or TMP Program can be assured, ~~the impact would remain significant and unavoidable after mitigation given that~~ the timing for construction of said improvements is not certain. Therefore, the impact would remain significant and unavoidable after mitigation.

Mitigation Measure TRANS-10: Each Project applicant will pay the applicable TMP Program Fee, the RTIF, and any other applicable transportation fees that may be in place when individual projects are processed under the Specific Plan in accordance with applicable laws and regulations.

In addition to the above mitigation, the following interchange improvements have been identified based on 2035 Plus Build-Out traffic turn movement projections derived from the roadway segment projections in the DEIR. These mitigations will be provided through a combination of the City Transportation Master Plan fee, state and federal funding sources. Planning, design and construction of these improvements will require cooperation between the City, Caltrans, Mountain House Community Facilities District, and the San Joaquin County Council of Governments. Since the traffic projections for the 2035 Plus Build-Out case, that form the basis for these improvement designs, are speculative due to uncertainty regarding how long it will take for the Project to build out and regarding changes in regional land use and demographic changes over that period, the City will require that a re-assessment of traffic forecasts and projected operating conditions at these two interchanges be performed upon completion of Phase 1 of the Project. The re-assessment will include forecasts of traffic through Project Build-Out, to the appropriate horizon year at the time the re-assessment occurs, and the forecasts will include all other planned/projected land use growth and planned/funded infrastructure projects in Tracy and the region, through the horizon year. Based on the re-assessment, the design and timing of the two interchange improvements will be adjusted if appropriate, and the City will continue to work with the above agencies to plan, design and construct the improvements based on the updated design and schedule. This process will include all necessary steps to comply with the requirements of CEQA.

At the I-205/Mountain House Parkway Interchange, the City of Tracy will prepare a Project Study Report - Project Development Support (PSR-PDS) document to study long-term improvements at the interchange, using the appropriate cumulative conditions forecasts available at the time of PSR-PDS preparation, which may be those in the FEIR, the volumes developed in the re-assessment described above, or another set of updated forecasts that include build-out of Cordes Ranch Specific Plan and the Mountain House community. The City will coordinate with Caltrans, San Joaquin County, Mountain House Community Services District, and San Joaquin Council of Governments (SJCOG) in the preparation of the document.

The PSR-PDS will identify the interchange design for Cumulative Conditions based on one of the following improvement options. The PSR-PDS will also identify the ultimate footprint of the interchange in order to preserve the required right-of-way before development occurs in the vicinity of the I-205/Mountain House Parkway Interchange. It is noted that Caltrans has indicated a preference for Option 3 because it provides the best traffic operation.

- Option #1 -- Signal Controlled Ramps with Existing Bridge: Construct a northbound-to-westbound loop on-ramp, including relocation and potential widening of the westbound off-ramp, and reconstructing the southbound to eastbound loop on-ramp to eliminate the free movement.

- Option #2: Signal Controlled Ramps with Widened Bridge: Construct a northbound-to-westbound loop on-ramp, including relocation and potential widening of the westbound off-ramp, and reconstruct the southbound to eastbound loop on-ramp to eliminate the free movement. In addition to the ramp improvements, the existing bridge would be widened by one lane to accommodate the additional width necessary to achieve improved LOS. The widening would occur within Caltrans existing right-of-way.

- Option #3: Free Flow Ramps with Existing Bridge: Construct of a northbound-to-westbound loop ramp, including relocation and potential widening of the westbound off-ramp to provide a second left turn lane (for a total of one left-turn lane, one through-left, and two right-turn lanes that operate in the same phase as the southbound through movement.

Based on analysis of 2035 Plus Project Buildout Conditions, option #3, with a partial cloverleaf on both the north and south sides of I-205 would provide acceptable LOS D conditions during both AM and PM Peak Hour Conditions. Therefore, the PSR-PDS will identify the ultimate footprint of the interchange in order to preserve the required right-of-way before development occurs in the vicinity of the I-205/Mountain House Parkway Interchange.

At the I-580/Patterson Pass Interchange the City of Tracy will prepare a Project Study Report - Project Development Support (PSR-PDS) document to study long-term improvement options at the interchange, using the appropriate cumulative conditions forecasts available at the time of PSR-PDS preparation, which may be those in the FEIR, the volumes developed in the re-assessment described above, or another set of updated forecasts that include build-out of the Cordes Ranch Specific Plan and the Mountain House community. The document will study the following interchange improvements. The City will coordinate with Caltrans, San Joaquin County, and San Joaquin Council of Governments (SJCOG) in the preparation of the document:

- Construction of a partial cloverleaf (par-clo) interchange on the south side of I-580, and a spread diamond configuration on the north side of I-580. This will provide the required right-of-way for a northbound Patterson Pass to westbound I-580 loop on-ramp;
- Add a two-lane southbound Patterson Pass to eastbound I-580 loop on-ramp with ramp metering;
- Provide ramp metering on the northbound to eastbound ramp and the southbound to westbound ramp;
- Widen the bridge to four lanes;
- At the Patterson Pass/I-580 Eastbound Ramps intersection, on the northbound approach, provide one through lane and one right-turn lane; southbound, one through lane and two right-turn lanes feeding the loop on-ramp; and eastbound (I-580 off-ramp), one left-turn lane, one through-left, and one right-turn lane; and
- At the Patterson Pass/I-580 Westbound Ramps intersection: on the northbound approach, one left-turn lane and two through lanes; southbound, two through lanes and one right-turn lane; and westbound (I-580 off-ramp), one through-left lane and two right-turn lanes.

These improvements will provide LOS C or better operation at the ramp terminal intersections, based on 2035 Plus Project Build-Out volumes estimated from the roadway segment volumes presented in the DEIR.

Implementation of these mitigation measures will provide the first step toward the funding, design and construction of the ultimate interchange improvements at I-205/Mountain House Parkway and I-580/Patterson Pass Road, However, because construction of the improvements depends on

future actions by the City of Tracy, SJCOG, Caltrans, San Joaquin County, and Mountain House Community Services District, these impacts remain significant and unavoidable after mitigation.

Appendix H. Hazards and Hazardous Materials

Section 1.1, Page 1 of Appendix H.1, Pipeline Safety Assessment, of the Draft EIR, is hereby amended as follows:

There ~~was a~~are two former Shell crude oil pipelines that trended northwest to southeast and that were~~was~~ parallel to but about 2,400 feet east of the 50-foot PG&E easement. However, this pipeline was abandoned by Shell in the late 1960's and/or 1970's and portions of the pipeline were removed in 2001.

Section 2.2, Page 10 of Appendix H.2, Phase I Environmental Site Assessment, of the Draft EIR, is hereby amended as follows:

There ~~was a~~are two former Shell crude oil pipelines that trended northwest to southeast and that were~~was~~ parallel to but about 2,400 feet east of the 50-foot PG&E easement. However, this pipeline was abandoned by Shell in the late 1960's and/or 1970's and portions of the pipeline were removed in 2001.

Section 5.3.1, Page 19 of Appendix H.2, Phase I Environmental Site Assessment, of the Draft EIR, is hereby amended as follows:

Groundwater has been impacted by dissolved phase petroleum contamination from the Shell pipeline release. In addition, free phase product (crude oil) has been detected ~~floating on the ground of~~in ~~the~~two monitoring wells in the investigation area.

4 LIST OF COMMENTORS

Comments on the Draft EIR were received from the following agencies, organizations, and individuals. Letters are arranged by category; within each category, letters are arranged by date received, and then alphabetically. Each comment letter has been assigned a number, as indicated below.

A. Written Comments

Written comments were received by the following agencies, organizations, and individuals.

State Agencies

SA1 Trevor Cleak, Environmental Scientist, Central Valley Regional Water Quality Control Board. May 15, 2013.

SA2 Michael Woods, District Deputy. Department of Conservation. May 15, 2013.

SA3 Tom Dumas, Chief, Office of Metropolitan Planning, Department of Transportation. May 20, 2013.

Regional Agencies

RA1 Laurel Boyd, San Joaquin Council of Governments (SJCOG). April 8, 2013.

RA2 Laura Brunn, Associate Regional Planner, SJCOG. May 20, 2013.

RA3 Dave Warner, Director of Permit Services, San Joaquin Valley Air Pollution Control District. May 20, 2013.

RA4 Cindy Horvath, Senior Transportation Planner, Alameda County Community Development Agency. May 21, 2013.

Local Agencies

LA1 Morgan K. Groover, Development Director, Mountain House Community Services District. May 20, 2013.

Organizations

ORG1 Alex Lantsberg, Research Analyst, Carpenters Local 152E. May 20, 2013.

ORG2 Dan Lescure, Conestoga-Rovers. May 20, 2013.

B. Oral Comments

Oral comments made during the Planning Commission public hearing are included as a comment letter in Chapter 5 of this Final EIR, as listed below.

PC1 Planning Commission hearing. April 24, 2013.

5 COMMENTS AND RESPONSES

This chapter includes a reproduction of, and responses to, comments received during the Draft EIR public review period. Comments are presented in their original format in Appendix A, along with annotations that identify each comment letter.

Responses to those individual comments are provided in this chapter alongside the text of each corresponding comments. Comment letters in this chapter follow the same order as listed in Chapter 4 of this Final EIR and are categorized by:

- Written Comments:
  - State Agencies
  - Regional Agencies
  - Local Agencies
  - Organizations
- Oral Comments

Where the same comment has been made more than once, a response may direct the reader to another numbered comment and response. Where a response requires revisions to the Draft EIR, the revisions are explained and shown in Chapter 3 of this Final EIR.

Comment Number	Comment	Response
STATE AGENCIES		
Central Valley Regional Water Quality Control Board		
SA1-1	Pursuant to the State Clearinghouse's 5 April 2013 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the Request for Review for the Draft Environmental Impact Report for the Cordes Ranch Specific Plan Project, located in San Joaquin County. Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.	This comment provides an introduction to the comment letter.
SA1-2	**Construction Storm Water General Permit** Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). For more information on the Construction General Permit, visit the State Water Resources Control Board website at: http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml.	This comment provides a summary of the requirements of the Construction Storm Water General Permit, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the EIR. Please note that the Draft EIR describes the applicable regulatory framework referenced in the comment, including the requirements under the Construction General Permit (see pages 4.9-3 and 4.9-5 of the Draft EIR). In addition, the Draft EIR identifies mitigation that requires Project applicants to adhere to these requirements, including, without limitation, the development and implementation of a SWPPP (see Mitigation Measure HYDRO-1b, page 4.9-43).
SA1-3	**Phase I and II Municipal Separate Storm Sewer System (MS4) Permits**[1] The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.	This comment provides a summary of the requirements of the Phase I and II Municipal Separate Storm Sewer System (MS4) Permits, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the EIR. Please note that the Draft EIR describes the applicable regulatory framework referenced in the comment, including the requirements under the MS4 Permits (see page 4.9-13 of the Draft EIR). In addition, the Draft EIR identifies mitigation that requires Project applicants to adhere to these requirements, including, without limitation, the development and implementation of appropriate LID/post-construction standards such as biotreatment (see Mitigation Measure HYDRO-2c, pages 4.9-45 to 4.9-46).

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	For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at: http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/. [1] Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.	
SA1-4	**Industrial Storm Water General Permit** Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 97-03-DWQ. For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at: http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_perm itslindex.shtml.	This comment provides a summary of the requirements of the Industrial Storm Water General Permit, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the EIR. Please note that the Draft EIR describes the applicable regulatory framework referenced in the comment, including the requirements under the Industrial Storm Water General Permit (see page 4.9-8). In addition, the Draft EIR identifies mitigation that requires Project applicants to adhere to the applicable requirements, including, without limitation, the development and implementation of appropriate procedures and standards such as hazardous materials education and limits on the use of hazardous materials (see Mitigation Measure HYDRO-2c, pages 4.9-45 to 4.9-46).
SA1-5	**Clean Water Act Section 404 Permit** If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements. If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACOE at (916) 557-5250.	This comment provides a summary of the requirements of the Clean Water Act (CWA) Section 404 Permit, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the EIR. Please note that the Draft EIR describes the applicable regulatory framework referenced in the comment, including the wetland protection requirements under Section 404 of the CWA (see page 4.4-2). In addition, the Draft EIR identifies mitigation that requires US Corps of Engineers authorization for modifications that cannot be avoided to verified water of the United States (see Mitigation Measure BIO-3, page 4.4-31).
SA1-6	**Clean Water Act Section 401 Permit - Water Quality Certification** If an USACOE permit, or any other federal permit, is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no	This comment provides a summary of the requirements of the Clean Water Act Section 401 Permit, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the EIR. Please note that the Draft EIR describes the applicable regulatory framework referenced in the comment, including the wetland protection requirements under Section 401 of the CWA (see page 4.4-3). In

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	waivers for 401 Water Quality Certifications.	addition, the Draft EIR identifies mitigation that requires Section 401 Certification where the proposed Project will directly affect waters of the United States (see Mitigation Measure BIO-3, page 4.4-31).
SA1-7	**Waste Discharge Requirements** If USACOE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project will require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. For more information on the Water Quality Certification and WDR processes, visit the Central Valley Water Board website at: http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml.	This comment provides a summary of waste discharge requirements, but does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the EIR. Please note that the Draft EIR describes the applicable regulatory framework referenced in the comment, including waste discharge requirements (see page 4.9-4). In addition, the Draft EIR identifies mitigation to prevent construction waste from affecting water quality (see Mitigation Measure HYDRO-1b, page 4.9-44).
Department of Conservation		
SA2-1	The Department of Conservation's Division of Gas, Oil, and Geothermal Resources (Division) has reviewed the above referenced document. The Division supervises the drilling, maintenance, and plugging and abandonment of oil, gas, and geothermal wells in California. The scope and content of information that is germane to the Division's responsibility are contained in Section 3000 et seq. of the Public Resources Code (PRC), and administrative regulations under Title 14, Division 2, Chapter 4 of the California Code of Regulations (CCR). The Department offers the following comments for your consideration.	This comment acknowledges that the Department of Conservation's Division of Gas, Oil, and Geothermal Resources has reviewed the EIR and states the Division's responsibilities. This comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the EIR. The regulatory information cited by the commentor has been added to Section B.1.e of Chapter 4.8, Hazards and Hazardous Materials, of the Draft EIR, as shown in Chapter 3 of this Final EIR.
SA2-2	There is one plugged and abandoned well within the project boundaries. The well is identified as Richard S. Rheem, Operator, "Weaver-Cordes" 1, API #07700337, Section 26, Township 2S, Range 4E, Latitude 37.725510, Longitude -121.512698 (approximate). If located during construction, remedial plugging operations may be required.	The information provided by the commentor has been added to page 4.8-23 of the Draft EIR, as shown in Chapter 3 of this Final EIR. As shown in Chapter 3, Mitigation Measure HAZ-2a has been revised to require the confirmation of the location of the referenced abandoned well and the completion of remedial measure(s) as may be required under applicable laws and regulations.
SA2-3	To accurately locate abandoned wells with respect to proposed structures, each abandoned well should be located and uncovered and the location surveyed accurately to a known datum. The use of a metal detector and excavation with a backhoe are suggested to facilitate locating the wells. In addition, the Division's district office in Sacramento, California, should be notified when the wells are uncovered so that a Division inspector may evaluate the condition of the wells at the surface. In addition to the subject well, if any other abandoned	As shown in Chapter 3 of this Final EIR, Mitigation Measure HAZ-2a has been revised to require the confirmation of the location of the referenced abandoned well, as well as the completion of remedial measure(s) as may be required under applicable laws and regulations. In addition, Mitigation Measure HAZ-2a has been revised to require that the Division of Gas, Oil, and Geothermal Resources be contacted if any unknown wells are discovered during development of the proposed Project to obtain information on any applicable requirements relating to remedial measures.

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	or unrecorded wells are uncovered or damaged during excavation or grading, remedial plugging operations may be required. This office must be contacted to obtain information on the requirements for and approval to perform remedial operations.	
SA2-4	The Division recommends that no structure be built over or in proximity to an abandoned well location. Section 3208.1 of the Public Resources Code authorizes the State Oil and Gas Supervisor to order the re-abandonment of a previously abandoned well when construction of any structure over or in the proximity of a well could result in a hazard. The cost of re-abandonment operations is the responsibility of the owner or developer of the project upon which the structure will be located. If a well requiring re-abandonment is on an adjacent property and near the common property line, the Division recommends that the structure be set back sufficiently to allow future access to the well.	As shown in Chapter 3 of this Final EIR, Mitigation Measure HAZ-2a has been revised to prohibit the construction of any structures above discovered abandoned wells without the approval of the State Oil and Gas Supervisor.
Department of Transportation		
SA3-1	The California Department of Transportation (Department) appreciates the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Cordes Ranch Specific Plan. The project is located adjacent to and south of lnterstate 205 near Mountain House Parkway and northeast of lnterstate 580. The Project involves the development of approximately 1,780 acres of land with commercial, office, business park industrial, and park and recreational uses. It is unfortunate we were not able to discuss the Traffic Impact Study (TIS) as requested in our letter of December 22, 2011, prior to development of the DEIR. At that time, we requested you submit the scope of work for review and comment prior to starting work on the TIS. We hoped to have been able to discuss the assumptions, data requirements, study scenarios, and analysis methodologies to be used so there could be an agreement prior to the actual study being conducted and avoid delays and requests for additional information as this letter will state. Based on the review of the information provided, the Department will require a significant amount of additional information, modifications and revisions in order to properly analyze the impacts of this development on the state highway system. The study omitted analysis of the potential impacts to the state highway system such as the projects impacts on intersections at buildout, "Existing+Approved+Project" condition, merge and diverge impacts at off-ramps and on-ramps for both 1-205 and 1-580 and the use of existing volumes that are lower than the volumes collected by Caltrans and the Ellis Specific Plan EIR. The Department is	The City of Tracy addresses the Notice of Preparation comments and concerns through the responses and additional information below (see Responses SA3-2 through SA3-18).

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	requiring a response prior to the issuance of a Final EIR and as such all new information, analysis (Section 4.14 Traffic) and comments will need to be recirculated for review by commenting agencies. The Department has provided specific comments below that must be addressed by the City. Upon receiving the revised TIS the Department will reevaluate the document and provide further comments to the City.	
SA3-2	**Traffic Operations** 1. The Cordes Ranch Specific Plan DEIR only analyzes the 2035 Plus Project Buildout scenario for roadway segment analysis, and does not address the project impacts to intersections. Section 4.14, Transportation and Traffic, mentions Phase 1 and Phases 2-4 and refers to phases after Phase 1 as "Buildout". Refer to page 4.14-46, Scenarios Analyzed and Analysis Methodologies. The transportation section of the DEIR lists the assessed scenarios as follows: • Existing Plus Phase 1 Project: Intersection analysis • Existing Plus Project Buildout: Roadway segment analysis • 2035 Plus Phase 1 Project: Intersection analysis • 2035 Plus Project Buildout: Roadway segment analysis This section then explains the reasoning for the above scenario analyses is as follows: "As stated at the beginning of this chapter, the analysis of the Phase 1 Project is performed on an intersection level, and the analysis of Project Buildout is performed on a roadway segment level. This is because Phase 1 of the Project is expected to be fully developed by the horizon year of 2035, whereas full Project Buildout may take additional time beyond 2035 to develop. The longer horizon for Project Buildout makes intersection-level forecasting infeasible for several reasons including: (1) a longer-term travel demand model is not available; (2) there are many variables about how the rest of the region will develop both in terms of land use and infrastructure; and (3) detailed engineering design of roadways for the network under Project Buildout conditions for purposes of analyzing when intersection improvements beyond 2035 would be triggered are not currently available." However, the project schedule as described on page 3-49, second paragraph is: "Phase 1 development is expected to occur within approximately 1 0 or 15 years. Full buildout is expected to occur within 20 or 30 years depending on	This comment summarizes the traffic analysis scenarios studied, methodologies used (intersection and roadway segment), and development horizons presented in the Transportation and Traffic Chapter as well as in the Project Description Chapter. The comment is noted, and the questions related to the comment are addressed below. The ultimate pace at which Project development will occur is unknown; the Project Description chapter describes possible development timing in approximate terms, for this reason, with the longer-term estimate for buildout at 30 years, or 2043. The traffic forecasting and operations analysis must necessarily use the most appropriate horizon years to correspond to the likely pace of development within the City as a whole, and the most appropriate analysis methodologies to correspond to the level of accuracy with which future conditions can be projected. In this case, the City of Tracy 2035 travel demand model, which is consistent with the SJCOG travel demand model for land uses outside Tracy, was used for the Phase 1 forecasting and analysis, consistent with the City of Tracy's best estimate of the year by which Phase 1 would be fully developed. For Phases 2 through 4, which could theoretically be developed by 2035, but in the City's best estimate is not likely to be developed until well beyond 2035, the analysis nevertheless is provided in the form of a 2035 Plus Full Buildout case. Year 2035 was selected because it yields a conservative analysis and because reliable land use and network information for the post-2035 horizon is not available. For the 2035 Plus Full Buildout Case, roadway segment analysis is provided because the Tracy Travel Demand Model indicates that travel demand will substantially exceed capacity on most roadways within the study area, on an order-of-magnitude above the levels of congestion forecast for the 2035 Plus Phase 1 case. In such comprehensive over-capacity conditions, the determination of drivers' individual trip route choices, using the industry standard four-step gravity travel demand model, becomes less reliable, and thus turn movements at intersections cannot reliably be forecast. Standard travel demand modeling practices dictate that travel demand model outputs be used at a level corresponding to the type and level of validation achieved with the model and the demonstrated accuracy of the model in responding to sensitivity tests (such as changes in land use or roadway network capacity). Refer to National Cooperative Highway Research Program Report 716: Travel Demand Forecasting, Parameters and Techniques, Transportation Research Board, 2012;

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	market factors." If the Phase 1 development is expected to be completed within 10-15 years then the subsequent phases (i.e. Buildout) would then reasonably be expected to begin at the completion of Phase 1, which may be prior to 2035. By stating "full project buildout may take additional time beyond 2035 to develop" the DEIR then omits analyzing the 2035 Plus Project Buildout scenario for intersection analysis. Even with the statement, " ... whereas full project build out may take additional time beyond 2035 to develop." it is possible that phases 2-4 will begin prior to 2035. It should be noted the DEIR's above listed analysis scenarios include a 2035 Plus Project Buildout scenario, but only for roadway segment analysis. This indicates the Project Buildout will have begun and have impacts in Year 2035. However, the DEIR omits and ignores intersection analysis for the 2035 Plus Project Buildout scenario. The DEIR's aforementioned statement, "The longer horizon for Project Buildout makes intersection-level forecasting infeasible for several reasons including: (1) a longer-term travel demand model is not available ... " is misleading. It is not necessary to use a forecast year beyond the 2035 since the Project Buildout will have begun prior to 2035. The DEIR does not need to use a scenario year after 2035 since it already needs to perform intersection analysis of the Project Buildout condition at 2035. The project phases 2-4 (i.e. buildout) will have begun prior to 203 5 so the intersection impacts of these subsequent phases need to be analyzed in a 2035 scenario. As a result, the DEIR does not address the Project's Buildout (i.e. Phases 2-4) potential significant impacts to intersections in the 2035 scenario. The DEIR needs to analyze its project impacts to intersections in the 2035 Plus Project scenario to meet CEQA requirements.	Chapters 2 and 5. When conducting sensitivity tests of a congested model forecast scenario (i.e. roadways are over-capacity) with models such as the Tracy Travel Demand Model or the SJCOG Countywide Travel Demand Model, small network or land use changes produce substantially different trip route assignments for a given traffic analysis zone. This indicates that intersection turn movements for such a scenario would be unreliable, and therefore reliable mitigation measures for such intersections cannot be developed; any mitigation measures developed today to address those turn movements are unlikely to effectively mitigate and would not likely be appropriate to serve the actual traffic volumes that occur in the future. Thus, in a case where significant over-capacity conditions are forecast on a roadway segment basis over a large area, such as the 2035 Plus Full Buildout case, intersection-level analysis would be unreliable, and would not provide additional useful information about the Project's potential impacts, because the roadway segment analysis already identifies the over-capacity conditions, which by definition include the intersections on the roadway. A roadway segment analysis is less speculative and more reliable, because it measures basic directional travel demand on the study area roadways and freeways. Intersection forecasts in such conditions, by contrast, would be speculative because the route choice algorithms in the model cannot respond to the significant levels of congestion that would occur at intersections throughout the study area, and would therefore produce unreliable turn movements. In a case where over-capacity conditions are forecast on a roadway segment basis over a large area, such as the 2035 Plus Full Build-Out case, intersection-level analysis would therefore be unreliable, and would also not provide any additional useful information about the Project's potential impacts, because the roadway segment analysis already identifies the over-capacity conditions. A roadway segment analysis is less speculative and more reliable, because it measures basic directional travel demand on the study area roadways and freeways. The Project Description (see pages 3-12 through 3-14 and page 3-49) describes the anticipated buildout, which is assumed for purposes of conservatively estimating the Project's impacts to be between 10-30 years. While, as a practical matter, given the nature and scope of the Project, it may take additional time beyond 2035 to fully build out (given market conditions, absorption rates, etc.) this EIR assumes full buildout by 2035 to ensure that all Project impacts are fully disclosed.
SA3-3	2. The DEIR's traffic study does not include a near term scenario for an "Existing+Approved+Project" condition. By omitting this scenario the traffic study ignores analyzing the near-term impacts of the proposed project in conjunction with other approved projects in the area such as Ellis Specific Plan and Mountain House Community Project.	CEQA mandates that a project's impacts be measured against the physical conditions in the area affected by the project as they actually existed at the time of commencement of environmental review. Use of existing conditions as the baseline against which to compare project impacts ensures that the project's impacts are accurately described and evaluated accordingly. Under certain circumstances, it may be helpful to include information about a

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		near-term future scenario as well, particularly if this information would better capture the project's true impacts and there is substantial evidence in the record that supports the alternative baseline chosen. Here, the Draft EIR utilized the existing conditions as the baseline as required by CEQA, because the project will build out incrementally and this could start as soon as the project is approved. It was determined that an additional scenario, which would evaluate near-term future impacts, was not necessary because such impacts and associated mitigation measures identified for the Existing Plus Phase 1 and 2035 Plus Phase 1 cases adequately describe the impacts of the first phase of development of the Project.
SA3-4	3. The DEIR transportation section omits analysis of merge and diverge impacts at on/off-ramps. The proposed project will generate additional traffic using the ramps at both I-205 and I-580, but the DEIR does not address the merge/diverge analysis and the project's subsequent impacts of traffic having to merge into or diverge out of the mainline traffic at these ramp locations. As a result, the DEIR neglects to disclose the project's potential significant impacts and subsequent required mitigation to the degraded level of service at the merge/diverge of the freeway ramps with mainline traffic. The DEIR will need to include merge and diverge analysis under all of the analysis scenarios using HCM 2010 methodology.	The traffic analysis assesses the Project's impacts to freeway system's mainline segments. This was determined to be an adequate approach for identifying the Project's impacts to the freeway system, because identification of impacts to mainline segments describes conditions on the freeway segments between each interchange and thus covers each freeway segment within the study area. Accordingly, the merge/diverge analysis was not necessary Furthermore, as summarized in Impact statements TRANS-2, 7, 9 and 10,and the results tables referenced therein, the Draft EIR identifies impacts to the following sections of I-205 in one or more of the cases analyzed: eastbound between I-580 and Mountain House Parkway; eastbound between Mountain House Parkway and Tracy Boulevard; eastbound east of Tracy Boulevard; westbound east of Tracy Boulevard; and westbound between Tracy Boulevard and Mountain House Parkway. The Draft EIR includes mitigation measures for those impacts, including the Project's payment of the RTIF, which will help fund SJCOG's planned I-205 widening project to expand I-205 from six to eight lanes. The comment regarding the use of Highway Capacity Manual 2010 methodology is noted. HCM 2000 was used in this analysis because it was the standard methodology in use when the study was initiated. It should be noted also that the use of the 2010 methodology for the freeway basic segment analysis would not substantially alter the results, because that portion of the methodology did not change significantly with the 2010 update, as evidenced in a comparison of the methodologies as presented in the two versions of the manual.
SA3-5	4. Please refer to page 4.14-112, Mitigation Measure TRANS-I. At Intersection# 1 (Mountain House Parkway/I-205 Westbound Ramps) the project proposes to restripe the westbound approach to provide two left-turn lanes and one shared through/right lane and optimize signal timing at I-205 westbound ramps/Mountain House Parkway under Existing Plus Phase 1. The existing two dedicated westbound right-turn lanes were constructed to accommodate the future very heavy right-turn vehicle volume for the Mountain House Community Buildout at 2035. This DEIR proposes taking	The Draft EIR is clear that Mitigation Measure TRANS-1, which is designed to mitigate Existing Plus Project Phase 1 impact, will not serve longer-term traffic volumes such as those in the 2035 Plus Phase 1 or 2035 Plus Buildout cases. Both of the 2035 cases have full buildout of the Mountain House community in the traffic forecasts. Mitigation Measure TRANS-8 therefore identifies a significant impact for the 2035 Plus Phase 1 case at Intersection 1. In response to the comment, further analysis was performed to evaluate other potential additional improvements options that would further improve anticipated conditions in the 2035 Plus Phase 1 impact at this intersection and restore acceptable

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	one of the right-turn lanes and converting it to a left-turn lane to accommodate with development's left-turn traffic. By doing so, it will create future problems with inadequate capacity for the right turning traffic volumes for the Mountain House Community. A Syncho 8 was run by using the provided volumes under Existing Plus Phase 1 (AM) and the forecasted right-tum volume (AM) for Mountain House Community Buildout at 2035 (from project EA 44260K) with the proposal of the above mentioned mitigations. The results show LOS F on westbound I-205 off ramp right-turn lane. This is not a reasonable mitigation. The above example of this proposed mitigation demonstrates our prior comments and concerns regarding this DEIR with respect to not performing an intersection analysis for the 2035 Plus Project Buildout scenario. Additionally, it also re-emphasizes our comment regarding the need to include other already approved projects in an "Existing+Project+Other Approved Projects" scenario (i.e. Near Term). As a result of omitting these two important issues, the DEIR proposes incorrect and inadequate mitigations.	operations to serve both Mountain House build-out traffic and Project Phase 1 traffic,. as shown in Appendix L of the Final EIR. Based on this additional analysis, the following mitigation for the 2035 Plus Phase 1 case has been identified in order to address the comment. These additional improvements have been added to Mitigation Measure TRANS-8 in the FEIR. ♦ Intersection #1: (Mountain House Parkway/I-205 Westbound Ramps): Change the striping from two left turns and one through-right (which is recommended in Mitigation Measure TRANS-1 to mitigate the Existing Plus Phase 1 impact) to one through-left and two right-turn lanes, and change the signal phasing to allow westbound right turns and southbound through lanes to run concurrently on the same phase. This enhanced mitigation would provide LOS C in the AM peak hour and LOS D in the PM peak hour, for 2035 Plus Phase 1 Project conditions. This enhanced mitigation will be implemented, in coordination with Caltrans, when appropriate, based on periodic traffic volume monitoring by the City, and is expected to be needed when both the southbound through and westbound left-turn volumes grow substantially (in either peak hour), relative to the current volumes. ♦ Ramp metering, with two mixed-flow lanes and 1 HOV bypass lane for the eastbound I-205 loop on-ramp. After mitigation, the impacts at these locations would be reduced to a less-than-significant level under 2035 Plus Project Phase 1 conditions. This analysis is documented in Appendix L of the FEIR. In addition to the above additional analysis addressing the 2035 Plus Phase 1 impacts at I-205/Mountain House Parkway interchange, further analysis of estimated 2035 Plus Project Build-Out volumes was prepared at both the I-205/Mountain House Parkway interchange and at the I-580/Patterson Pass interchange, to address concerns expressed in this comment and in Comment LA1-4. Based on this additional analysis, Mitigation Measure TRANS-10 has been modified in the FEIR with the following additional language: In addition to the above mitigation, the following interchange improvements have been identified based on 2035 Plus Build-Out traffic turn movement projections derived from the roadway segment projections in the DEIR. These mitigations will be provided through a combination of the City Transportation Master Plan fee, state and federal funding sources. Planning, design and construction of these improvements will require cooperation between the City, Caltrans, Mountain House Community Facilities District, and the San Joaquin County Council of Governments. Since the traffic projections for the 2035 Plus Build-Out case, that form the basis for

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		these improvement designs, are speculative due to uncertainty regarding how long it will take for the Project to build out and regarding changes in regional land use and demographic changes over that period, the City will require that a re-assessment of traffic forecasts and projected operating conditions at these two interchanges be performed upon completion of Phase 1 of the Project. The re-assessment will include forecasts of traffic through Project Build-Out, to the appropriate horizon year at the time the re-assessment occurs, and the forecasts will include all other planned/projected land use growth and planned/funded infrastructure projects in Tracy and the region, through the horizon year. Based on the re-assessment, the design and timing of the two interchange improvements will be adjusted if appropriate, and the City will continue to work with the above agencies to plan, design and construct the improvements based on the updated design and schedule. This process will include all necessary steps to comply with the requirements of CEQA. At the I-205/Mountain House Parkway Interchange, the City of Tracy will prepare a Project Study Report - Project Development Support (PSR-PDS) document to study long-term improvements at the interchange, using the appropriate cumulative conditions forecasts available at the time of PSR-PDS preparation, which may be those in the FEIR, the volumes developed in the re-assessment described above, or another set of updated forecasts that include build-out of Cordes Ranch Specific Plan and the Mountain House community. The City will coordinate with Caltrans, San Joaquin County, Mountain House Community Services District, and San Joaquin Council of Governments (SJCOG) in the preparation of the document. The PSR-PDS will identify the interchange design for Cumulative Conditions based on one of the following improvement options. The PSR-PDS will also identify the ultimate footprint of the interchange in order to preserve the required right-of-way before development occurs in the vicinity of the I-205/Mountain House Parkway Interchange. It is noted that Caltrans has indicated a preference for Option 3 because it provides the best traffic operation. ♦ Option #1 -- Signal Controlled Ramps with Existing Bridge: Construct a northbound-to-westbound loop on-ramp, including relocation and potential widening of the westbound off-ramp, and reconstructing the southbound to eastbound loop on-ramp to eliminate the free movement. ♦ Option #2: Signal Controlled Ramps with Widened Bridge: Construct a northbound-to-westbound loop on-ramp, including relocation and potential widening of the westbound off-ramp, and reconstruct the southbound to eastbound loop on-ramp to eliminate the free movement. In addition to the ramp

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improvements, the existing bridge would be widened by one lane to accommodate the additional width necessary to achieve improved LOS. The widening would occur within Caltrans existing right-of-way.

- Option #3: Free Flow Ramps with Existing Bridge: Construct of a northbound-to-westbound loop ramp, including relocation and potential widening of the westbound off-ramp to provide a second left turn lane (for a total of one left-turn lane, one through-left, and two right-turn lanes that operate in the same phase as the southbound through movement.

Based on analysis of 2035 Plus Project Buildout Conditions, option #3, with a partial cloverleaf on both the north and south sides of I-205 would provide acceptable LOS D conditions during both AM and PM Peak Hour Conditions. Therefore, the PSR-PDS will identify the ultimate footprint of the interchange in order to preserve the required right-of-way before development occurs in the vicinity of the I-205/Mountain House Parkway Interchange.

At the I-580/Patterson Pass Interchange the City of Tracy will prepare a Project Study Report - Project Development Support (PSR-PDS) document to study long-term improvement options at the interchange, using the appropriate cumulative conditions forecasts available at the time of PSR-PDS preparation, which may be those in the FEIR, the volumes developed in the re-assessment described above, or another set of updated forecasts that include build-out of the Cordes Ranch Specific Plan and the Mountain House community. The document will study the following interchange improvements. The City will coordinate with Caltrans, San Joaquin County, and San Joaquin Council of Governments (SJCOG) in the preparation of the document:

- Construction of a partial cloverleaf (par-clo) interchange on the south side of I-580, and a spread diamond configuration on the north side of I-580. This will provide the required right-of-way for a northbound Patterson Pass to westbound I-580 loop on-ramp;
- Add a two-lane southbound Patterson Pass to eastbound I-580 loop on-ramp with ramp metering;
- Provide ramp metering on the northbound to eastbound ramp and the southbound to westbound ramp;
- Widen the bridge to four lanes;
- At the Patterson Pass/I-580 Eastbound Ramps intersection, on the northbound

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		approach, provide one through lane and one right-turn lane; southbound, one through lane and two right-turn lanes feeding the loop on-ramp; and eastbound (I-580 off-ramp), one left-turn lane, one through-left, and one right-turn lane; and ♦ At the Patterson Pass/I-580 Westbound Ramps intersection: on the northbound approach, one left-turn lane and two through lanes; southbound, two through lanes and one right-turn lane; and westbound (I-580 off-ramp), one through-left lane and two right-turn lanes. These improvements will provide LOS C or better operation at the ramp terminal intersections, based on 2035 Plus Project Build-Out volumes estimated from the roadway segment volumes presented in the DEIR. Implementation of these mitigation measures will provide the first step toward the funding, design and construction of the ultimate interchange improvements at I-205/Mountain House Parkway and I-580/Patterson Pass Road. However, because construction of the improvements depends on future actions by the City of Tracy, SJCOG, Caltrans, San Joaquin County, and Mountain House Community Services District, these impacts remain significant and unavoidable after mitigation. We note also that, as stated in response to Comment SA3-3, the analysis and mitigation provided for the Existing Plus Phase 1 and 2035 Plus Phase 1 cases, as amended above, provide an adequate assessment of the impacts and required mitigations of the Project; provision of a supplementary near-term analysis case would not identify new impacts or mitigations not already identified in the two cases provided.
SA3-6	5. Please refer to Page 4.14-25 Figure 4.14-3, Existing Intersection Lane Geometry and Peak Hour Volumes. A number of these existing volumes shown in the Draft EIR (i.e. Intersections #6 and #7) are significantly lower than the existing volumes collected by Caltrans in September, 2012 at the I-580/Mountain House Parkway intersections and the existing volumes collected by the Ellis Specific Plan EIR performed by Fehr & Peers. The Ellis Specific Plan EIR collected their traffic counts in 2006. The following summary tables show the existing AM and PM peak hour volumes used in the Cordes Ranch Specific Plan Draft EIR are significantly lower than the other documented traffic volume data. In the following summary tables several of the Cordes Draft EIR existing volumes are highlighted to show the significantly lower existing volumes this Draft EIR shows versus the other data. It should be noted that some of the Cordes Draft EIR existing volumes are less than half of those collected by Caltrans and the	The Draft EIR traffic analysis baseline is existing conditions at the time the NOP was issued, which is represented by traffic counts collected in May 2011. The traffic volumes presented in the comment include volumes from over six years ago (Ellis Specific Plan), which do not represent existing conditions; and more recent counts from September 2012. In reviewing the more recent counts against the Draft EIR counts, the differences in many of the turn movements are within the range of the typical daily variation in intersection turn movement volumes (+/- 10 percent or more), and thus do not indicate a statistically significant variation nor that one set of counts is more "correct" than the other. The movement that is significantly higher in the September 2012 counts is the southbound through movement through intersections 6 and 7 in the AM peak hour. This higher through movement is also captured in the counts taken for the Draft EIR, and corresponds to the hour beginning at 6:15 AM. (Refer to Appendix L of the Draft EIR). It is assumed that this movement reflects residents commuting over the Altamont Pass via Patterson Pass Road. The reason the Draft EIR existing conditions volumes do not show this higher volume is that the analysis is performed for the "global peak hour" for the study

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	Ellis Specific Plan. The substantially lower existing volumes claimed in the Cordes Draft EIR brings into question if the traffic data collected for this Draft EIR is representative of the AM and PM peak hour volumes. [Summary tables included.]	area, which, based on all of the study intersection counts, is 7:30 - 8:30 AM. (The PM global peak hour is 4:30 - 5:30 PM). Use of a global peak hour ensures that conditions at all of the study intersections reflect the overall peak hour for the study area. In addition, as the Project area develops, project-generated traffic from the office, industrial and retail uses are expected to cause the peak hour for intersections 6 and 7 to shift later, reflecting the more typical commute peak hour seen at most of the other study area intersections.
SA3-7	Summary: To summarize, we noted the following items in the Cordes Ranch Specific Plan Draft EIR: • Omission of the traffic impacts analysis on intersections at Project Buildout conditions. • Not considering the analysis of "Existing+Approved+Project" condition to account for adjacent approved/pending developments which will compound traffic impacts in the near-term. • Missing analysis of merge and diverge impacts at off-ramps, and on-ramps for both I-205 and I-580. • By not including the above analysis, the project proposes mitigations that are either not appropriate or are inadequate. • A substantial number of the existing volumes at 1-580/Mountain House Parkway intersections are significantly lower than the existing volumes collected by Caltrans, and the Ellis Specific Plan EIR. As a result of these omissions, the Cordes Ranch Specific Plan Draft EIR does not accurately disclose or address Buildout traffic volumes to intersections. The affected areas and the severity of the impacts to transportation facilities would be greater than stated in this traffic study. Therefore, at this time the Department does not concur with the TIS as submitted. Please provide the information and modifications as listed above for further review and comment.	See responses to Comments SA3-1 through SA3-6.
SA3-8	Travel Forecasting 1. Please use the latest version of the Highway Capacity Manual (20 I 0 version) for the Draft EIR.	As noted in response to comment 4, the analysis was conducted with the HCM methodology because that was the standard methodology in use at the time the study was initiated. It should be noted also that the use of the 2010 methodology for the freeway basic segment analysis would not substantially alter the results, because that portion of the methodology did not change significantly with the 2010 update, as evidenced in a comparison of the methodologies as presented in the two versions of the manual.
SA3-9	2. The Existing Conditions Section (pages 4.14-I5 to 4.14-2I): • There is confusion in the definition of the study area. For example, "Hansen Road between Capital Parks Drive and Lammers Road", "Pavilion Parkway between Capital Parks Driver and Hansen Road". Where are these sections of Hansen Road/Pavilion Parkway Drive on Figure 4.14-2?	"Hansen Road between Capital Parks Drive and Lammers Road" refers to the full length of the future Hansen Road, which extends from Capital Parks Drive in the north to Lammers Road to the southeast of the Project site, including the extension shown in blue on Figure 4.14-2 of the Draft EIR. "Pavilion Parkway between Capital Parks Drive and Hansen Road" indicates Pavilion Parkway from Capital Parks Drive in the north to the Hansen Road extension (shown in blue in Figure 4.14-2) to the south.

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SA3-10	• We are confused concerning the study area roadways such as: Figure 4.14-2: See Attached Image 1- What is the name of the roads identified? Figure 4-I4-2: See Attached Image 2- The road connecting 4, 9, I2 and I8 should be named a totally new name (not "New Schulte Road") and leave the existing Schulte Road as "W. Schulte Road" (not "Old Schulte Road"). This will create less confusion.	In Image 1, the left-most arrow points to the southerly portion of existing Hansen Road, which is not proposed to be widened or to serve substantial new traffic in the Citywide Transportation Master Plan. The other arrow points to a stub road extending east from existing Hansen Road. The future Hansen Road extension, shown in blue which is indicative of Tracy TMP roadways on Figure 4.14-2, will serve future traffic volume growth in the area south of the Project site; when this extension is constructed, the existing portion of Hansen Road south of the new extension will be renamed. Regarding the naming of New Schulte Road: the City of Tracy's current plan is to use the naming convention presented in the Draft EIR; however, the Department's recommendation will be considered.
SA3-11	3. When and by whom was the Tracy Travel Demand Model calibrated/Validated?	The Tracy Travel Demand Model was prepared by Fehr & Peers in the 1990s, and has been periodically updated and re-validated to maintain consistency with the SJCOG travel demand Model and changing transportation characteristics within the City of Tracy. The most recent update and validation was performed, in accordance with industry standards for travel demand model validation and calibration, in 2008 as part of the City of Tracy General Plan Update. This version of the model was then adjusted to represent existing (2011) conditions, by adjusting land use changes between 2008 and 2011 where appropriate, for use in the forecasting performed for the Draft EIR.
SA3-12	4. The title of Tables I4.4-7, 4.I4-I4A, 4.24-14B and 4.14-15, ... "Freeway/Roadway volumes ... " should be "Freeway/Roadway PkHr Volumes ... ". (PkHr: Peak Hour Volume).	The titles of the tables will be revised in the Final EIR to be consistent with the comment.
SA3-13	5. Please verify the following and provide the reference documentation to support the statement: "Alameda County CMP standard for I-580 is LOSE". (Page 4.14-29).	The source is the *Alameda County 2011 Congestion Management Program* (Alameda County Transportation Commission, December 2011). As explained in the Draft EIR on page 4.14-5, the LOS standard for all freeway segments is LOS E, unless the segment was already operating at LOS F in 1991 when the CMP was first prepared.
SA3-14	6. Please verify the existing PkHr volume for I-205 before and after Mountain House Parkway Interchange. They are shown lower than the data in the 2011 Average Daily Traffic (ADT) book about 13.7% and 9.5% respectively.	As stated in the Draft EIR, the volumes for Interstate 205 were taken from the most recent source available at the time the analysis was prepared: the PeMS database with mid-week data from fall 2012. The detector accuracy was reviewed prior to using the data, and the detectors were rated as functioning acceptably. It is noted that the existing freeway volumes for the study peak hours were used, that is, the highest hour between 7 - 9 AM and 4 - 6 PM. Although the comment does not indicate the origin of the data cited, it may be for a peak hour outside the study peak hours, since it has been observed that I-205 experiences traffic fluctuations that sometimes produce a peak hour outside the typical commute hours. It is further noted that, with the baseline volumes used in the Draft EIR, significant impacts are identified on most of the segments of Interstate 205 in one or both peak hours. Therefore, use of higher baseline volumes would not be expected to result in

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		additional impacts beyond those already stated, and may actually understate impacts by inaccurately skewing the baseline.
SA3-15	7. Figure 4.I4-6: Existing+ Phase 1 Project Trip Distribution- the total% of trip distribution in all directions is only 95%. Where will the remaining 5% distribute?	The remaining 5 percent of traffic would remain internal to the site. This is a reasonable percentage of trips to remain internal, given the size of the site and the number of different retail, office and industrial entities that will be located within the site. Internal trip purposes would include trips between an office or industrial site and a retail site, a delivery trip made to two sites, and trips between two office or industrial sites.
SA3-16	8. Project phasing is described on page 3-49- Please describe the type of development included in Phase 2, 3 and 4.	Page 3-49 of the Draft EIR states that the phasing plan is conceptual and may change based on a variety of factors indicating market conditions and development demand. As discussed in response to Comment SA3-2, the timing of development is described in approximate terms, with the longer-term estimate for buildout at 30 years, or 2043. For purposes of evaluating the Project's impacts, the Draft EIR makes the reasonable assumption that Project buildout may occur as follows: After the approximate first 606 net acres are developed under Phase I (approximately 25 net acres of General Commercial, and 580 net acres of Business Park Industrial), then development of the remainder of the project would include approximately 20 net acres of General Commercial, 126 net acres of General Office, 712 net acres of Business Park Industrial, and 89 net acres of park/open space and would occur within 20 to 30 years.
SA3-17	**Encroachment Permit** If the project construction activities will encroach into Caltrans right-of-way(ROW), the applicant must proceed with an Encroachment Permit application prior to any commencement of work within the State's right-of-way and upon any access (driveway) point onto the State Highway System (SHS). An application for an Encroachment Permit must include appropriate environmental studies and a copy of the environmental document adopted by the Lead Agency. These documents should include an analysis of potential impacts resulting from work performed under the permit, including impacts to the SHS. Potential impacts to any cultural, biological or other resources within the State's ROW, or potential impacts resulting from hazardous waste locations, should be identified and include measures to avoid, minimize, and mitigate those impacts. All work performed with/adjacent to the State's ROW will be subject to Caltrans Highway Design Manual and Standards and Specifications.	The comment is noted. The City of Tracy follows Caltrans' standard procedures for encroachment permits when infrastructure or development project work encroaches into the Caltrans right of way, and will follow the procedures in effect at the time any Project-related work is to be done. In addition, the Draft EIR evaluates project impacts to biological resources in Section 4.4, Cultural Resources in Section 4.5, and hazards and hazardous materials in Section 4.8.
SA3-18	**System Planning and Goods Movement** The maps representing the area to be developed appear to present land use up to the existing limits of I-205. Dedication of right of way for future freeway widening should be a consideration in the Specific Plan. Conditions in 2035 will require a right of way set aside to accommodate an additional 2lanes.	The City requests that Caltrans provide more information on the Department's current I-205 right-of-way and anticipated additional right-of-way needed for the future widening project. When the information is received, the City will work with Caltrans to determine the appropriate next steps to assist the Department in securing the right-of-way.

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SA3-19	[Figure provided] Image 1: What are names of those roads?	As described in response to Comment SA3-10, the left-most arrow points to the southerly portion of existing Hansen Road, which is not proposed to be widened or to serve substantial new traffic in the Citywide Transportation Master Plan. The other arrow points to a stub road extending east from existing Hansen Road. The future Hansen Road extension, shown in blue which is indicative of Tracy TMP roadways on Figure 4.14-2, will serve future traffic volume growth in the area south of the Project site; when this extension is constructed, the existing portion of Hansen Road south of the new extension will be renamed.
SA3-20	[Figure provided] Image 2: Existing road's name.	As described in response to Comment SA3-10, the City of Tracy's current plan regarding the naming of New Schulte Road is to use the naming convention presented in the Draft EIR; however, the Department's recommendation will be considered.
REGIONAL AGENCIES		
San Joaquin Council of Governments		
RA1-1	SJCOG, Inc. has reviewed the Notice of Availability of the City of Tracy's Cordes Ranch Specific Plan Project Draft Environmental Impact Report. This project consists of the Cordes Ranch Specific Plan which contains land use, landscaping, circulation, sustainability, and infrastructure-related goals, policies and actions to guide investment and development in the approximately 1 ,774-acre Plan Area, and sets forth a comprehensive planning and regulatory framework for development of the Plan Area. The Plan proposes a mix of commercial, retail and business park and manufacturing and distribution uses, and an organizing concept for the Plan is the creation of districts of clustered compatible land uses.	This comment acknowledges that SJCOG reviewed the NOA and correctly re-states the basic nature of the applications.
RA1-2	City of Tracy is a signatory to San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). Participation in the SJMSCP satisfies requirements of both the state and federal endangered species acts, and ensures that the impacts are mitigated below a level of significance in compliance with the California Environmental Quality Act (CEQA). The LOCAL JURISDICTION retains responsibility for ensuring that the appropriate Incidental Take Minimization Measure are properly implemented and monitored and that appropriate fees are paid in compliance with the SJMSCP. Although participation in the SJMSCP is voluntary, Local Jurisdiction/Lead Agencies should be aware that if project applicants choose against participating in the SJMSCP, they will be required to provide alternative mitigation in an amount and kind equal to that provided in the SJMSCP.	This comment correctly reiterates parameters related to participation in the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP), which is discussed in the Draft EIR on pages 4.4-8 to 4.4-9. The Draft EIR also includes Mitigation Measure BIO-1, which includes an option for participation in the SJMSCP.
RA1-3	***This Project was approved through the minor amendment in March 2004 for eligibility to participate in the SJMSCP.*** It is recommended that	The City appreciates this reminder that individual site-specific development applications require additional coordination with SJCOG staff to correctly implement the SJMSCP.

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	subsequent project applicants contact SJMSCP staff as early as possible. It is also recommended that the project applicant obtain an information package. http:l/www.sjcoq.org	The City routinely directs applicants to the information package mentioned in Comment RA1-3.
RA1-4	Please contact SJMSCP staff regarding completing the following steps to satisfy SJMSCP requirements: • Schedule a SJMSCP Biologist to perform a pre-construction survey prior to any ground disturbance SJMSCP Incidental take Minimization Measures and mitigation requirement: I. Incidental Take Minimization Measures (ITMMs) will be issued to the project and must be signed by the project applicant prior to any ground disturbance but no later than six (6) months from receipt of the ITMMs. If ITMMs are not signed within six months, the applicant must reapply for SJMSCP Coverage. Upon receipt of signed ITMMs from project applicant, SJCOG, Inc. staff will sign the ITMMs. This is the effective date of the ITMMs. 2. Under no circumstance shall ground disturbance occur without compliance and satisfaction of the ITMMs. 3. Upon issuance ·of fully executed ITMMs and prior to any ground disturbance, the project applicant must: a. Post a bond for payment of the applicable SJMSCP fee covering the entirety of the project acreage being covered (the bond should be valid for no longer than a 6 month period); or b. Pay the appropriate SJMSCP fee for the entirety of the project acreage being covered; or c. Dedicate land in-lieu offers, either as conservation easements or fee title; or d. Purchase approved mitigation bank credits. 4. Within 6 months from the effective date of the ITMMs or issuance of a building permit, whichever occurs first, the project applicant must: a. Pay the appropriate SJMSCP for the entirety of the project acreage being covered; or b. Dedicate land in-lieu of fees, either as conservation easements or fee title; or c. Purchase approved mitigation bank credits. Failure to satisfy the obligations of the mitigation fee shall subject the bond to be called. • Receive your Certificate of Payment and release the required permit	The City appreciates this reminder of SJMSCP requirements. The City routinely directs applicants to the information package mentioned in Comment RA1-3.
RA1-5	It should be noted that if this project has any potential impacts to waters of the United States [pursuant to Section 404 Clean Water Act], it would require the project to seek voluntary coverage through the unmapped process under the SJMSCP which could take up to 90 days. It may be prudent to obtain a	This comment correctly reiterates that any projects' potential impacts to waters of the US could require additional permitting and coordination with SJCOG and other agencies. Such permitting and coordination is outlined on pages 4.4-4 through 4.4-6 and 4.4-8 through 4.4-9 of the Draft EIR.

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	preliminary wetlands map from a qualified consultant. If waters of the United States are confirmed on the project site, the Corps and the Regional Water Quality Control Board (RWQCB) would have regulatory authority over those mapped areas [pursuant to Section 404 and 401 of the Clean Water Act respectively] and permits would be required from each of these resource agencies prior to grading the project site.	
San Joaquin Council of Governments		
RA2-1	Thank you for the opportunity to comment on the Draft EIR for the Cordes Ranch Specific Plan project. As the County's designated Regional Transportation Planning Agency (RTPA), the Congestion Management Agency (CMA), and the Metropolitan Planning Organization (MPO), the San Joaquin Council of Governments (SJCOG) has reviewed the above-referenced document with respect to consistency with the Regional Congestion Management Program (RCMP).	This comment acknowledges that SJCOG reviewed the Draft EIR, but it does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the EIR.
RA2-2	SJCOG Comments: Background for Comments 1 and 2: The DEIR's criteria addressing potential impacts to the Congestion Management Program states: "The proposed project would have a significant impact with regard to transportation and traffic if it would: *Conflict with an applicable congestion management program, including, but not limited to, LOS standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways. For the purposes of this EIR, the following CMP never standards apply:* • *For 1-205 and 1-580 segments in San Joaquin County, an impact is significant if the Project causes a segment to fall from LOS D to LOSE or F, or if it adds 5 percent to the total future traffic volume on a segment already operating at LOSF;* • *For the analysis segment of 1-580 in Alameda County, an impact is significant if the Project causes the segment to fall from LOSE to LOS F, or if it adds 5 percent to the segment already operating at LOS F without the Project. "*	This comment provides background for the comments below.
RA2-3	1. Within the study area, Lammers Road, Eleventh Street, I-205, and 1-580 are facilities located on the CMP network. The significance criteria identified only 1-205 and 1-580. SJCOG requests the DEIR be corrected to include all four facilities as part of the Program's roadway network and subject to the RCMP LOS standards.	As shown in Chapter 3 of this Final EIR, Section E of Chapter 4.14 has been revised to add Lammers Road and Eleventh Street to the description of the CMP network. The text clarifies that the assessment of impacts to non-freeway CMP facilities is performed using the City of Tracy LOS standards and is provided in the corresponding impact statements.

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RA2-4	2. Chapter 4-14 Section G (beginning on page 4.14-111) details the impacts and mitigation measures relative to the significance criteria, Section E of 4.14. Although the significance criterion was stated for the Congestion Management Program on page 60, the DEIR neglected to include the impact discussion within Section G. SJCOG requests that Section G the FEIR disclose the impacts to the Congestion Management Program, including transportation network as well as the meeting standards of the Regional Travel Demand Management Plan. If the RCMP significance criteria are exceeded and feasible mitigation is not identified to mitigate the impact to less than significant levels, the impact must be identified as significant and unavoidable.	The CMP impacts are included within the Section F discussion and the Section G impact statements as described below, thus satisfying the SJCOG analysis requirement: 1. CMP freeway system impacts are assessed using the CMP LOS criteria, and are presented in Section F Tables 4.14-14, 17, 22 and 25. In Section G, Impact statements TRANS-2, 7, 9 and 10 provide the impact statements for the CMP freeway system, with TRANS-2 referencing Table 4.14-14; TRANS-7 referencing Table 4.14-17; TRANS-9 referencing Table 4.14-22; and TRANS-10 referencing Table 4.14-25. The Final EIR errata will include this information to clarify where the CMP freeway system impact analysis is presented. 2. CMP roadway system impacts (i.e. Lammers Road and Eleventh Street) are assessed using the City's intersection LOS criteria for the Existing Plus Phase 1 and 2035 Plus Phase 1 cases, as presented in Section F Tables 4.14-12 and 4.14-18 respectively. The roadways are assessed using a volume-to-capacity comparison for the Existing Plus Buildout and 2035 Plus Buildout cases, as presented in Section F Tables 4.14-15 and 4.14-23 respectively. In Section G, Impact statements TRANS-1, 7, 8 and 10 address the impacts for these cases, with TRANS-1 referencing Table 4.14-12; TRANS-7 referencing Table 4.14-15; TRANS-8 referencing Table 4.14-18; and TRANS-10 referencing Table 4.14-23. The Final EIR errata will include this information to clarify where the CMP freeway system impact analysis is presented. 3. The Project impacts relative to the standards of the Regional Travel Demand Management Program are discussed in Impact TRANS-6. However, please see also Response to Comment RA2-6.
RA2-5	3. Page 4.14-114- Impact TRANS-2 states that the 1-205 widening project is not included in the RTIF list of projects and therefore there is currently no mechanism for the Project to contribute to the widening project. 4. The 1-205 Widening project is on the most recent list of RTIF projects. The table excerpt below is taken from Appendix A, page 1 of the 2011 San Joaquin County RTIF Update. Please update this information within the appropriate sections of the EIR. [Table provided.] SJCOG's Regional Traffic Impact Fee (RTIF) program establishes a RCMP specific mitigation fee relative to cumulative impacts on the regional circulation system. To satisfy the RTIF requirements, project applicants are required to	The statement that the I-205 widening project is in the RTIF program is noted, and the Final EIR will include a correction to the discussion under Mitigation Measures TRANS-2 and TRANS-9. Regarding the use of RTIF funds, Mitigation Measures 2, 7, 9 and 10 already state that payment of the RTIF fee does not guarantee that the I-205 widening will be implemented. However, the measures will be further edited in the Final EIR to clarify that this is because neither full funding for the improvement nor prioritization of the improvement above others in the RTIF program can be assured.

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	pay their fair share contribution into the program. However, to better inform the public and stakeholders, the mitigation language must convey that payment into the RTIF program does not guarantee that the fair share contribution be used for the identified mitigating improvement. If payment into the RTIF program is identified as a mitigation for a CEQA cumulative plus project mitigation on a specific facility, this is assenting that the identified mitigation improvement will be implemented using the fees collected from the project applicant. Payment into the RTIF fund as a means of establishing a CEQA cumulative plus project mitigation does not guarantee that the developer fees collected will be used on the facility that has been significantly impacted should be avoided in environmental documents. Therefore, CEQA mitigation language pertaining to RTIF fee payments should clearly state that payment into the RTIF by the project applicant is a cumulative plus project mitigation measure that does not guarantee the identified mitigation improvement will be implemented as a direct result of this payment.	
RA2-6	5. As discussed within the NOP comment letter from SJCOG dated December 30, 2011, the project is subject to consistency standards set forth within the Regional Travel Demand Management Plan. SJCOG would like to reiterate that Cordes Ranch would benefit from the formation of a Transportation Management Association that would work closely with SJCOG's Commute Connection Program in developing the Employee Trip Reduction Program required by SJVAPCD's Rule 9410. As part of the Marketing Strategy of the SJV APCD Employee Trip Reduction Rule 9410, employers will receive credit for registering with SJCOG's Commute Connection program. Also, Commute Connection is extremely beneficial in assisting smaller employers that do not participate in SJVAPCD's Employee Trip Reduction Program. By registering, an employer will benefit from many of the free resources, promotions and incentives the program offers. For example, Commute Connection will give a stipend of$150 dollars per month to each new vanpool for the first 12 months. This is in addition to the $30.00 per person per month that the SJV APCD will give for the first 3 years after a vanpool is formed.	The comment is noted. The City of Tracy will work with the Project applicant and future development applicants within the Specific Plan to establish and maintain a TMA that can work with SJCOG's Commute Connection Program. In addition, the City will require the following amendment to the Specific Plan, Chapter 7, Natural Resources and Sustainability, as a condition of approval: ♦ A requirement that large employers establish employee trip reduction programs, in conformance with the San Joaquin Valley Unified Air Pollution Control District Rule 9410. The content of the trip reduction plans should be strategically assembled from the suggestions provided in Rule 9410 and from the Facility-based Measures For New Development described in the SJCOG TDM Plan. Special consideration should be given to Parking Cash-Out programs and Transit Pass programs, which are included in Tracy SAP Transportation Measures T-14 and T-16. ♦ A requirement that businesses promote the SJCOG Commute Connection program, which provides information about commute options and connects commuters for carpooling, ridesharing and other activities.
RA2-7	6. The DEIR states that the project will show consistency with Tracy's SAP Measures T-13 .b and T-17.d to in promoting SJCOG's Commute Connection program and encourage employers to create vanpool or shuttle programs for employees as stated in) through property owner coordination with tenants, as	As shown in Chapter 3 of this Final EIR, text in Table 4.7-7 has been amended to show the following: Specific Plan Area property owners would coordinate with tenants to promote the ~~San~~

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	stated in Table 4.7-7 *"Specific Plan Area property owners would coordinate with tenants to promote the San Joaquin County 511 program to organize and promote ridesharing and carpooling between various Cordes Ranch tenants. "* The consistency statement in Table 4.7-7 should state to promote SJCOG's Commute Connection Program, not the SJ County 511 program.	~~Joaquin County 511~~San Joaquin Council of Government's Commute Connection Program to organize and promote ridesharing and carpooling between various Cordes Ranch tenants.
RA2-8	7. The consistency statement in Table 4.7-8, Page 4.7-40 regarding the promotion of "least polluting" ways to connect people and good to their destinations states: *"The Specific Plan requires implementation of an employee commute trip reduction (CTR) program to reduce single-passenger vehicle use and encourage use of transit in accordance with Rule 9410, as applicable. In addition, the Specific Plan requires the Master Owner's Association to implement an educational program regarding the San Joaquin Regional Transit District's transit availability. "* SJCOG requests that the consistency statement for SAP Measures T-13.b and T-17.b (see Comment #4) be reworded similarly as written above in Table 4.7-8: For example: *"The Specific Plan requires the Master Owner's Association to implement an educational program regarding the San Joaquin Council of Government's Commute Connection Program."*	As shown in Chapter 3 of this Final EIR, text in Table 4.7-8 has been amended to show the following: The Specific Plan requires implementation of an employee commute trip reduction (CTR) program to reduce single-passenger vehicle use and encourage use of transit in accordance with Rule 9410, as applicable. In addition, the Specific Plan requires the Master Owner's Association to implement an educational program regarding the ~~San Joaquin Regional Transit District's transit availability~~San Joaquin Council of Government's Commute Connection Program.
RA2-9	8. SJCOG commends Cordes Ranch Project for designing the project to facilitate the use of transit, biking, and pedestrian modes of travel. In making revisions to the DEIR, per Comment #2, please include a summary discussion of these project components.	A discussion of these Project components is provided in Draft EIR Chapter 4.14 Section D.3 and D.4, and in Impacts TRANS-3, 4, 5 and 6.
San Joaquin Valley Air Pollution Control District		
RA3-1	The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the subject project and offers the following comments:	This comment provides an introduction to the comment letter and acknowledges that the District has reviewed the Draft EIR.
RA3-2	1. The Project itself will not have an impact on air quality. However, future development within the area will contribute to the overall decline in air quality due to increased traffic and ongoing operational emissions. New development may require further environmental review and mitigation. The District makes the following recommendations:	This comment provides general comments on the project's contribution to the overall decline in air quality, and provides an introduction to comments that provide more specificity. The Draft EIR provides a full evaluation of the Project's air quality impacts, and identifies Impacts AIR-3 through AIR-5 associated with the operation of the Project.

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RA3-3	A. As presented in the Draft Environmental Impact Report (DEIR), after implementation of all feasible mitigation, Impact AQ-1, AQ-2, AQ-3, AQ-4, and AQ-5 would have a significant and unavoidable impact on air quality. However, the environmental document does not discuss the feasibility of implementing a voluntary emission reduction agreement (VERA) for the project and individual development projects that will go through subsequent CEQA review, that may exceed any of the District significant thresholds. As discussed below, the District believes that mitigation through a VERA is feasible in many cases, and recommends the environmental document be revised to include a discussion of the feasibility of implementing a VERA to mitigate project specific impacts to less than significant levels. A VERA is a mitigation measure by which the project proponent provides pound-for- pound mitigation of emissions increases through a process that develops, funds, and implements emission reduction projects, with the District serving a role of administrator of the emissions reduction projects and verifier of the successful mitigation effort. To implement a VERA, the project proponent and the District enter into a contractual agreement in which the project proponent agrees to mitigate project specific emissions by providing funds for the District's Emission Reduction Incentive Program (ERIP). The funds are disbursed by ERIP in the form of grants for projects that achieve emission reductions. Thus, project specific impacts on air quality can be fully mitigated. Types of emission reduction projects that have been funded in the past include electrification of stationary internal combustion engines (such as agricultural irrigation pumps), replacing old heavy-duty trucks with new, cleaner, more efficient heavy-duty trucks, and replacement of old farm tractors. In implementing a VERA, the District verifies the actual emission reductions that have been achieved as a result of completed grant contracts, monitors the emission reduction projects, and ensures the enforceability of achieved reductions. The initial agreement is generally based on the projected maximum emissions increases as calculated by a District approved air quality impact assessment, and contains the corresponding maximum fiscal obligation. However, because the goal is to mitigate actual emissions, the District has designed flexibility into the VERA such that the final mitigation is based on actual emissions related to the project as determined by actual equipment used, hours of operation, etc., and as calculated by the District. After the project is mitigated, the District certifies to the lead agency that the mitigation is completed, providing the lead agency with an enforceable mitigation measure	Land use developments constructed as part of this project would be subject to the requirements of the District's Indirect Source Review Rule (ISR), SJVAPCD Rule 9510. As discussed on page 4.3-20 of the Draft EIR, ISR would require substantial reductions of construction and operational period emissions from the land use activities. This is in addition to SJVAPCD requirements to control emissions from construction activities (Rule 8201, described on page 4.3-21 of the Draft EIR), requirements to reduce worker commute emissions (Rule 9410, described on page. 4.3-24 of the Draft EIR), SJVAPCD rules and regulations regarding new sources of air pollutants emissions (i.e. those that apply to SJVAPCD regulated sources), and CARB requirements that apply to construction equipment fleets, truck fleets and portable equipment. As a result, the project would be required to reduce emissions at a level probably greater than other similar projects in the State or perhaps the country. The large quantity of the emissions predicted in the Draft EIR is related to the type and large size of the project. The project is actually an accumulation of projects that have been envisioned in the planning process conducted by the City (i.e., beginning with the General Plan Update). As a result, the emissions of over 27 million square feet of future developed land uses were analyzed and found to be well above SJVAPCD's quantitative emissions thresholds. Smaller land use projects that, together, make up the entire project could be proposed. This would certainly result in much lower, and perhaps, insignificant emissions. However, the City chose to evaluate all of these land uses as one project so that mitigation measures to reduce all environmental impacts can be consistently applied to fairly and effectively reduce significant impacts. The City would anticipate that SJVAPCD and CARB requirements along with the City's requirements, such as meeting the goals and policies of the Sustainability Plan, would effectively reduce project air pollutant emissions to the extent feasible.

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	demonstrating that project specific emissions have been mitigated to less than significant. The District has been developing and implementing VERA contracts with project developers to mitigate project specific emissions since 2005. It is the District's experience that implementation of a VERA is a feasible mitigation measure, and effectively achieves the emission reductions required by a lead agency, by mitigating project related impacts on air quality to a net zero level by supplying real and contemporaneous emissions reductions. To assist the Lead Agency and project proponent in ensuring that the environmental document is compliant with CEQA, the District recommends the environmental document be amended to include an assessment of the feasibility of implementing a VERA. Additional information on implementing a VERA can be obtained by contacting District CEQA staff at (559) 230-6000.	
RA3-4	B. Construction Emissions - The EIR concludes that construction emissions will have a significant and Unavoidable impact on air quality. Feasible mitigation of construction exhaust emission includes use of construction equipment powered by engines meeting, at a minimum, Tier II emission standards, as set forth in §2423 of Title 13 of the California Code of Regulations, and Part 89 of Title 40 Code of Federal Regulations. The District recommends incorporating, as a condition of project approval, a requirement that off-road construction equipment used on site achieve fleet average emissions equal to or less than the Tier II emissions standard of 4.8 NOx g/hp-hr. This can be achieved through any combination of uncontrolled engines and engines complying with Tier II and above engine standards.	Mitigation Measure AQ-2b states that future developments in the Cordes Ranch Specific Plan shall consider "Use of construction equipment rated by the United States Environmental Protection Agency (US EPA) as having Tier 3 or higher exhaust emission limits for equipment over 50 horsepower that are on-site for more than 5 days, if available and feasible…" The measure requested by the District identifies use of off-road construction equipment with Tier 2 emission standards. As specified by SJVAPCD, this requirement is set forth in Section 2423 of Title 13 of the California Code of Regulations. As this is an existing requirement, this is not considered mitigation for the project. Furthermore, as outlined above, Mitigation Measure AQ-2b is more restrictive because it requires projects to consider use of off-road construction equipment with even higher emissions standards (Tier 3 standards or higher).
RA3-5	C. Individual development projects would be subject to District Rule 9510 (Indirect Source Review) if upon full build-out the project would include or exceed any one of the following: • 50 dwelling units • 2,000 square feet of commercial space; • 25,000 square feet of light industrial space; • 100,000 square feet of heavy industrial space; • 20,000 square feet of medical office space; • 39,000 square feet of general office space; or • 9,000 square feet of educational space; or • 10,000 square feet of government space; or • 20,000 square feet of recreational space; or	SJVAPCD requests that demonstration of compliance with SJVAPCD Rule 9510, Indirect Source Review, be made a condition of Project approval. Mitigation Measure AQ-2a requires applicants for individual, site-specific developments under the Specific Plan to comply with SJVAPCD's Rule. Pursuant to this measure, future applicants "shall document, to the City's reasonable satisfaction, its compliance with this mitigation measure." Furthermore, mitigation measures identified in this EIR are included in the Mitigation Monitoring Plan and are identified as Conditions of Approval.

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	• 9,000 square feet of space not identified above The District recommends that demonstration of compliance with District Rule 9510, before issuance of the first building permit for each project phase including payment of all applicable fees, be made a condition of project approval. Information about how to comply with District Rule 9510 can be found online at: http://www.valleyair.org/ISR/ISRHome.htm.	
RA3-6	D. Individual development projects may also be subject to the following District rules: Regulation VIII, (Fugitive PM1 0 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). In the event an existing building will be renovated, partially demolished or removed, the project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants).	The City appreciates the reminder of specific rules to which development projects may be subject. Although Rules 4601, 4641, and 4002 are not specifically mentioned in the Draft EIR, the Draft EIR acknowledges that each individual development may be subject to SJVAPCD rules and regulations. See also Mitigation Measure AQ-2a requiring future developments to comply with all applicable SJVAPCD rules and regulations.
RA3-7	E. The above list of rules is neither exhaustive nor exclusive. To identify other District rules or regulations that apply to this project or to obtain information about District permit requirements, the applicant is strongly encouraged to contact the District's Small Business Assistance Office at (559) 230-5888. Current District rules can be found online at: www.valleyair.org/rules/1 ruleslist.htm.	Mitigation Measure AQ-2a requires that individual developers comply with the District's rules and regulations, and document their compliance for the City's records. Mitigation Measure AQ-2b requires individual developers to develop and obtain approval of a fugitive dust and emissions control plan that satisfies this requirement and is consistent with applicable SJVAPCD Rules and Regulations. Applicants for future development projects within the Cordes Ranch Specific Plan may contact the SJVACPD's Small Business Assistance Office for assistance and/or questions regarding applicable regulations or permits.
RA3-8	2. The following comments relate to Health Risk Assessment (HRA):	This comment serves as an introduction to Comments RA3-9 through RA3-19. Please see the individual responses to Comments RA3-9 through RA3-19, below.
RA3-9	A. Standard modeling procedures as outlined in guidance from the District were not followed. Specific instances where the modeling analysis in the DEIR does not conform to standard District modeling practices include the following:	This comment serves as an introduction to Comment RA3-10. Please see the response to Comment RA3-10, below.
RA3-10	1) The project was modeled as flat terrain. The site is located on the eastern slope of the Altamont Pass. There is an increase of about 30 m in elevation from the northeast corner of the site to its southwestern edge. Thus, the use of flat terrain in this area is not acceptable.	Over the entire project site there is a small uniform slope from the eastern portion of the site to the western boundary, with about a 100 foot difference in elevation over a one and a half mile to three mile distance. Since all of the project emission sources have relatively low emission release heights, from 9.8 feet to 19.7 feet, the impacts from these sources are localized. Maximum impacts from low level release height sources generally occur close to the source and diminish quickly with increasing distance. Over the distances where maximum impacts from these sources occur the difference in the local terrain elevations is minimal. Given the small differences in local terrain elevations, the assumption of flat terrain for the modeling is justified. Additionally, in modeling emissions from the TAZ areas and roadways during construction and operational phases of the project, area sources

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		and line-areas sources were used to simulate these sources. In the AERMOD model the concentration calculations for area sources, including line-area sources, are not affected by elevation differences between the source and receptor locations. The algorithms used by the AERMOD model used for calculating impacts in complex terrain are not utilized to calculate concentrations from emissions from area sources.[1,2] As such, use of terrain elevations in the modeling would not change the model results and the use of flat terrain is appropriate. A considerable effort would be required to include elevations in the project analysis, especially for new roadways and project sites that would include grading changing elevations by a few feet here and there. The substantial effort involved to include elevations in the modeling would not increase the accuracy of this analysis. [1] Environmental Protection Agency, 2004a. User's Guide for the AMS/EPA Regulatory Model - AERMOD. EPA-454/B-03-001. U.S. Environmental Protection Agency, Research Triangle Park, NC. [2] Environmental Protection Agency, 1995. User's Guide for the Industrial Source Complex (ISC3) Dispersion Models, Volume II - Description of Model Algorithms. EPA-454/B-95-003b. U.S. Environmental Protection Agency, Research Triangle Park, NC.
RA3-11	2) The elevation of the anemometer used for the surface meteorological data (i.e., 158m) was not used in the model.	In the AERMOD model, the base elevation (above mean sea level) of the meteorological tower is used to generate a potential temperature profile for the surface meteorological data. The potential temperature profile is then used to calculate the plume rise of buoyant exhaust plumes.[1,2] For modeling of project, sources with the AERMOD model area sources were used. For area sources, a release height is specified as part of the input information needed by the model. This release height is used by the model in calculating downwind concentrations from the area source. The model assumes there is no plume rise associated with area sources and no plume rise calculations are performed for area sources such that potential temperature gradient information is not needed. For the project modeling, since flat terrain was assumed, all source elevations were specified as 0.0 meters, and the base elevation of the meteorological tower was input as 0.0 meters. To confirm that the Draft EIR modeling results were not affected by the 0.0–meter base anemometer height value used for the base elevation of the meteorological tower, a value of 158 meters was used in a test run, and the results were identical to those using a tower base elevation of 0.0 meters. Thus, using a 0.0-meter base elevation is appropriate for this case and using a158-meter base anemometer elevation would not improve the accuracy of this analysis. [1] Environmental Protection Agency, 2004a. User's Guide for the AMS/EPA Regulatory Model - AERMOD. EPA-454/B-03-001. U.S. Environmental Protection Agency, Research Triangle Park, NC. [2] Environmental Protection Agency, 2004b: AERMOD: Description of Model Formulation. EPA-454/R-03-004. U.S. Environmental Protection Agency, Research Triangle Park, NC.

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RA3-12	3) A flagpole height of 1.8 m was used for all receptors. District guidance is to use a flagpole height of 1.5 m.	In order to assess potential health risks to the public air quality, dispersion modeling is used to calculate concentrations of toxic air contaminants at the breathing height where persons may be located (receptors). For the Draft EIR analysis, a breathing height of 1.8 meters (5.9 feet) was used in the modeling for each receptor location. The California Office of Health Hazard Assessment recommends using a receptor height of 0 to 1.8 meters for health risk evaluations.[1] The San Joaquin Valley Air Pollution Control District's air dispersion modeling guidelines do not explicitly state what receptor height should be used for modeling sensitive receptors for health risk assessments.[2] To assess what the effects of using a height of 1.5 meters (4.9 feet) that the District recommends in this comment, a test run of the AERMOD model for the location of the maximum off-site residential impact was conducted using a receptor height of 1.5 meters instead of 1.8 meters. The model results show a slight increase in concentration of about 0.2 percent. This increase is considered very small, and the use of a 1.5 meter receptor height would not significantly change the results of the existing modeling or significantly increase the calculated cancer risk from the project. Thus, the basis for using a receptor height of 1.8 meters is appropriate for health risk assessments of this type and using a height of 1.5 meters would not affect the overall accuracy of this analysis. [1] OEHHA, 2003. Air Toxics Hot Spots Program Risk Assessment Guidelines, The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments. Office of Environmental Health Hazard Assessment. August 2003. [2] San Joaquin Valley Air Pollution Control District, Guidance for Air Dispersion Modeling, Draft 01/07 Rev 2.0
RA3-13	4) All sources including the roads were modeled as area sources with a release height of 3m. The initial vertical dimension was not modeled. District guidance calls for modeling roads as a series of volume sources. Recent analyses for haul roads sponsored by the U.S. Environmental Protection Agency (EPA) have shown that an area source with a release height and an initial vertical dimension can simulate modeling roadways with a series of volume sources. EPA recommendations for defining such sources could be followed in lieu of District guidance.	Area sources were used for modeling emissions from construction and operation activities in the TAZ areas. This is a standard approach to modeling situations where there are a variety of emissions generating activities (e.g. construction) with non-stationary emission sources distributed over an area. In December of 2012, the U.S. EPA updated the AERMOD model to include a new method for simulating line sources, the line-area method, based on the existing area source computational algorithms.[1] This new line-area source type was used in simulating emissions from road construction and from vehicles traveling on roads. One of the advantages of using this new line-area method is that area sources explicitly simulate a uniform emission density across the roadway, which may be more realistic in some respects than other approaches.[2] In modeling the area and line-area sources, a release height of 3 meters (9.9 feet) without any initial vertical dispersion was conservatively assumed. For both area and line-area source types in AERMOD, an optional initial vertical dispersion parameter to account for initial dilution of the emissions can be specified. The initial dilution is specified in terms of an initial vertical dimension of the plume. The effect of using an initial vertical dimension will generally result in a more diffuse plume and slightly lower concentrations.

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		As stated in the District comment, the use of line-area sources could be used in lieu of using the District-recommended method of using a series of volume sources for modeling roadways if the EPA recommendations for release height and initial vertical dimension are followed. In order to evaluate what the effects of using the EPA recommended line-area release parameters[3] would be compared to the assumptions used in the modeling conducted for the Draft EIR, a test run was conducted for modeling the section of Interstate 205 near the project site and calculating the concentrations at the location of maximum off-site residential impact. Using the EPA recommended parameters, the modeled concentration decreased by about 0.2 percent. The change is negligible in assessing the significance. Thus, the methods used in this analysis for the Draft EIR were conservative, and the application of an initial vertical dimension for area sources would not significantly change the results of the existing modeling or the conclusions based on the existing modeling. The use of an initial vertical dimension in this modeling analysis would not affect the accuracy of the analysis. [1] Environmental Protection Agency, 2012a. AERMOD Model Change Bulletin, MCB#8 (12/10/2012). U.S. Environmental Protection Agency, Research Triangle Park, NC. [2] Environmental Protection Agency, 2012b. Haul Road Workgroup Final Report Submission. March. Available at: http://www.epa.gov/ttn/scram/reports/Haul_Road_Workgroup-Final_Report_Package-20120302.pdf. [3] Environmental Protection Agency, 2012b. Haul Road Workgroup Final Report Submission. March. Available at: http://www.epa.gov/ttn/scram/reports/Haul_Road_Workgroup-Final_Report_Package-20120302.pdf.
RA3-14	B. In the HRA, no predictions were made for the on-site residences for operational emissions after construction is completed. The DEIR assumes that these residences will be gone at that time without providing any method to assure that this is the case. Based on the modeling performed for the construction phases and operations after Phase I is constructed, the cancer risk to on-site residences will be significant.	The Project Description identifies the assumed land uses at full buildout of the Cordes Ranch Specific Plan. At buildout, no residential receptors would be located within the Cordes Ranch Specific Plan. The health risk evaluation; therefore, evaluates on-site receptors through Phase 1 interim year buildout. However, because on-site residential land uses would be developed with non-residential development at full buildout, existing residential receptors are not considered under the full buildout scenario. It should be noted that the EIR identifies cancer risk from operation of the Cordes Ranch Specific Plan as a significant unavoidable impact (Impact AQ-5).
RA3-15	C. Emissions from development within a Traffic Analysis Zone (TAZ) were modeled as a single area source using the entire area of the TAZ. However, much of the area of a TAZ is likely to be covered by structures. Using the entire TAZ serves to dilute the emission and can lead to underestimation of the risk. The District recommends emissions from specific areas within a TAZ where the emissions are likely to occur be modeled.	The specific uses, design, and locations of buildings and other structures associated with development of the different TAZ areas are not known at this time. As such, the locations within any given TAZ where emissions would or would not occur are not known. In order to provide an estimate of potential impacts from emission-generating activities in the TAZ areas, emissions were assumed to be distributed throughout the entire TAZ area since the specific areas where emission would occur are unknown. It would be speculative

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		to assume that emissions would occur within any specific area of a given TAZ. Therefore, the entire area of each TAZ was assumed to have the potential for emissions generating activities and was modeled as such.
RA3-16	D. The District's significance level of 10 in a million cancer risk is to be compared to the predicted risk of the project. The District defines the project to include only on-site emission sources. Public highways are not included in the District's definition of a project. 1-205, Mountain House Parkway, Old Schulte Road, New Schulte Road east of Mountain House Parkway, Capital Parks Drive, Hansen Road, and Pavilion appear to be primarily public highways. Emissions from these public highways should not be included in the analysis. Road A, B, F, E, G, H, and I and New Schulte Road west of Mountain House Parkway appear to be primarily serving the development planned for the Specific Plan Area. These road emissions should be included in the analysis. Only Road A and New Schulte Road west of Mountain House Parkway appear to have been modeled in the final buildout scenario. The District recommends roads 8, F, E, G, H and I be modeled in the final build out and omit the public highways identified above.	The health risk analysis for the Draft EIR conservatively addressed potential health risks by including project traffic travelling on the major public roadways within and surrounding the project site, including Interstate 205. These roadways will have much higher traffic volumes than the smaller internal project roads (i.e., roads B, F, E, G, and I) or TAZ areas and are located closer to potential sensitive receptors than the internal roads. By modeling the major roadways, the traffic associated with the internal roads is accounted for since they feed into the major roadways. If only the District-recommended roadways were used for assessing impacts, the potential project-related effects of the major roadways (public highways) on sensitive receptors near would not be adequately assessed in the Draft EIR. Since all of the sensitive receptors are located adjacent to or near the major roadways, evaluating the effects of emissions from these major roads provides a more conservative assessment of health risks compared to only evaluating the emissions from the smaller internal roads with lower traffic volumes and emissions. This level of analysis is deemed appropriate for this Draft EIR. Note that land use changes associated with the project would result in the eventual removal of sensitive receptors within the project site.
RA3-17	E. Current District guidance is to use the worst-case emission rate to predict health risk. Thus, 2035 emission rates should have been used to predict a 70-year cancer risk. In general, emissions at buildout are higher than those during previous phases. A cancer risk for Phase I or other intermediate dates should have been used if they were greater than those at buildout. The HRA in this DEIR appears to use a 70-year period from the commencement of construction in 2014. Thus, the buildout HRA is not a 70-year risk assessment from 2035, the date assumed for buildout. The District is developing guidance to implement the risk assessment guidance adopted by the Office of Environmental Health Hazard Assessment (OEHHA).	The health risk analysis for the Draft EIR presented a reasonable worst-case evaluation of potential increased cancer risks to existing sensitive receptors in the project area. Existing sensitive receptors would be affected by project construction, Phase 1 project operation, and future operation under full buildout conditions. In addition to evaluating health risks from construction and operational activities in the TAZ areas, the air quality dispersion modeling for the health risk analysis included potential health effects to sensitive receptors from project traffic on the major roadways within and surrounding the project site, including the effects of project traffic on Interstate 205 (see response to Comment RA3-16). The maximum health risks identified in the Draft EIR are based on construction of the project over a 20-year period, operation of Phase 1 of the project for 10 years (concurrent with ongoing construction activities), and operation of the project at full buildout conditions for 50 years. The maximum off-site cancer risk of 10.2 in one million was identified for a residential receptor. This assumes that persons at that receptor location are currently in residence and will continue to reside there over a 70-year period. The District's recommended approach of evaluating cancer risks for a 70-year period based on 2035 emissions would require that new residents begin occupation of the residence, on or about the year 2035, where maximum cancer risk occurs, and then continue to reside there for 70 years. It is unknown whether this would actually occur; however, the potential

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		increased cancer risk from full buildout project operation under a scenario evaluated from 2035 through 2105 would be about 12.2 in one million. The cancer risks would be higher, but this evaluation is even more speculative than the analysis provided in the Draft EIR that predicts 70-year cancer risk beginning in 2014 and lasting through 2084. The inputs to the District's recommended cancer risk computation are based on the most futuristic (and least reliable) assumptions in both the EMFAC2011 model that predicts emissions only out to 2035 and the traffic forecasts. In both circumstances, predicted cancer risks resulting from the project are considered significant, since they are above the threshold of 10 chances per million. Note that, as shown in Chapter 3 of this Final EIR, the description of the Maximum Operation cancer risks in Table 4.3-11 has been amended to include "Phase 1 for 10 years, 2024-2034 and full buildout operation for 50 years, 2035-2084".
RA3-18	F. This Specific Plan will result in the construction of about 27.8 million square feet of warehouse, distribution logistic facilities, manufacturing, assembly, and production facilities, a large number of diesel truck trips will be generated. An Air Ambient Air Quality Analysis (AAQA) should be performed to ensure that national and State ambient air quality standards for all criteria pollutants including nitrogen dioxide will not be violated. Because of the proximity of 1-205 to the project, consideration should be given to modeling the impact from 1-205 as a part of the background for this site. Concentration predictions need to be made for receptors surrounding the project that are in ambient air and not just residential or worker sites. The District recommends performing an AAQA and include 1-205 as a part of the background concentration.	The Draft EIR air quality analysis predicted significant air quality impacts to the region resulting from both construction and operation of the project (see Impacts AQ-2 through AQ-5, pages 4.3-47 through 4.3-64). These findings are based on predicted emissions that exceed significance thresholds identified by SJVAPCD. Emissions of reactive organic gases (ROG) and nitrogen oxides (NOx) could cause or contribute to violations of ozone ambient air quality standards in the San Joaquin Valley air basin. Significant particulate matter emissions (i.e., those in excess of the significance thresholds) would contribute to or cause new violations of PM10 and PM2.5 ambient air quality standards. In addition, NOx emissions could contribute to nitrogen dioxide levels in the region that could lead to exceedances of the nitrogen dioxide ambient air quality standards. Emissions of ROG and NOx also lead to secondary formation of PM10 and PM2.5 in the region, causing or contributing to violations of ambient air quality standards for those pollutants. The formation of ozone, nitrogen dioxide and secondary particulate matter formation occur under a complex set of chemical reactions in the atmosphere downwind of the sources, which are beyond that ability of the Draft EIR to predict. Therefore, the significance of these emissions is based on the level of emissions caused by the project. Those emissions are compared to significance thresholds recommended by SJVAPCD. Carbon monoxide is a relatively inert air pollutant, where the highest concentrations are found near the source. The primary sources of these emissions from the project would be traffic, and the effects to ambient air quality can be predicted. This was conducted by modeling emissions from traffic at intersections substantially affected by the project that have a combination of high traffic volumes and traffic congestions (i.e., slow moving or idling vehicles at intersections with LOS D, E or F). Localized, or "hot spot" emissions of carbon monoxide resulting from the project were predicted and the resulting concentrations added to background levels were below ambient air quality standards (see Impact AQ-5, page 4.3-61 of the Draft EIR).

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		For the reasons described above, a dispersion modeling exercise to predict air pollutant concentrations and compare them to ambient air quality standards was not conducted. The conclusions reached in this Draft EIR are based on the emissions modeling. Appropriate analysis of ambient air quality standards would require sufficient detail of anticipated on-site activities that cause emissions and the corresponding traffic activity. That project information is not available at this time. The outcome of such a study may find that project contributions to localized concentrations of nitrogen dioxide and particulate matter (i.e. PM10 and PM2.5), like carbon monoxide, would be less than significant. Given the lack of specific project information, the Draft EIR is not able to provide a reasonable prediction of localized nitrogen dioxide, PM10 and PM2.5 concentrations. Unlike the health risk assessment that addresses impacts at existing or future locations of sensitive receptors, these predictions are made at locations where any member of the public may be exposed. Therefore, these types of analyses require inputs that reasonably reflect on-site and off-site activities with respect to potential receptors so that relatively accurate predictions of air pollutant levels can be made. Because traffic is the primary source of project carbon monoxide concentrations and the Draft EIR provides a reasonable worst-case forecast of traffic, carbon monoxide concentrations were predicted at receptors along roadways. This cannot be conducted for receptors on site and adjacent to different land uses within the project site or adjacent to the project site.
RA3-19	The differences between the methodology for modeling and risk assessment used in this DEIR and that in District guidance, it is impossible to determine from the DEIR if the risk from this project will exceed the District's significance level of a 10 in a million cancer risk. As the area is developed, more detailed analyses should be performed of roadways and TAZs near residential areas. It is unlikely that the cancer risk at on-site receptors will be below 10 in a million. Therefore, it would be very advantageous to this effort if the impact at on-site residential receptors can be mitigated. The District recommends the mitigation plan be revised for completing more detailed HRAs and AAQAs as development proceeds and for mitigating the risk at on-site residential receptors.	The health risk assessment for the Draft EIR provides a conservative evaluation of potential health risks (see response to Comment RA3-16). The health risk assessment was prepared using methods similar to the methods recommended by the District. As discussed in response to Comment RA3-9, deviations in the modeling and health risk assessment for the Draft EIR from District recommended methods would not significantly change the results of the dispersion modeling and health risk assessment. The primary difference in the two methods is that the Draft EIR analysis included off-site sources that resulted in higher impacts, in terms of cancer risk. These off-site sources include Interstate 205 project traffic, which has emissions indirectly attributable to the proposed project. Another difference is the period of exposure. The Draft EIR used 70 years from the beginning of construction, assumed to be 2014, whereas, the District recommends 70 years from the beginning of project operation in 2035. The differences associated with this recommendation were addressed in response to Comment RA3-13. The predicted health risks provided in the Draft EIR are expected to be similar or higher than those that would result if District recommended methods and guidance were used. All future applications for individual development projects in the Plan Area will be subject to compliance with all applicable rules and regulations, and future discretionary projects will be subject to review under CEQA to confirm consistency with this EIR and the SJVACPD's air quality plans, as well as being required to comply with Mitigation Measure

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		AQ-5 (among other measures), which imposes T-BACTs on specific projects and/or the preparation of site-specific health risk assessments to confirm the cancer risk is less than significant. In addition, the Air District will be provided with copies of such applications for its review and comment, to ensure compliance with applicable District requirements.
RA3-20	3. The District is currently designated as extreme nonattainment for the 8-hour ozone standard, attainment for PM1 0 and CO, and nonattainment for PM2.5 for the federal air quality standards. At the state level, the District is designated as nonattainment for the 8-hour ozone, PM1 0, and PM2.5 air quality standards. For more information on the District's attainment status can be found online by visiting the District's website at: http://valleyair.org/aqinfo/attainment.htm. The District offers the following comments:	The San Joaquin Valley Air Basin's (SJVAB) attainment status is noted. Response to the SJVAPCD's comments regarding the text in the Draft EIR are provided in Response to Comments RA3-21 through RA3-25.
RA3-21	A. In Chapter 4.3 (Air Quality), please include a footnote at the end of Table 4.3-1 for the Federal 1-hour ozone standard that states a standard of 0.124 ppm was established in 1979 and revoked in 2005.	At the request of SJVACPD, a table note has been added to Table 4.3-1, as shown in Chapter 3 of this Final EIR, indicating what the former Federal 1-hour ozone standard was prior to its revocation in 2006.
RA3-22	B. Similar to the previous comment, please include a footnote at the end of Table 4.3-1 for the Federal Annual PM1 0 standard that states a standard of 50 µg/m3 was established in 1987 and revoked in 2006.	At the request of SJVACPD, a table note has been added to Table 4.3-1, as shown in Chapter 3 of this Final EIR, indicating what the former Federal annual PM10 standard was prior to its revocation in 2006.
RA3-23	C. Table 4.3.2 in Chapter 4.3 states that there is no Federal standard for sulfates and lead; however, there is a Federal standard for lead and the District is classified as "attainment" for the standard. Please update the table accordingly.	At the request of SJVACPD, Table 4.3-2 has been revised, as shown in Chapter 3 of this Final EIR, to indicate that the SJVAB is in attainment for sulfates and lead under the Federal ambient air quality standards.
RA3-24	D. Page 4.3-19 states that the District's 2012 PM2.5 Plan estimates that the Valley will reach attainment of the PM2.5 standard by 2014. However, the 2012 PM2.5 Plan indicates that we are expected to reach attainment by 2019. Please update this sentence accordingly.	At the request of SJVACPD, the sentence on page 4.3-19 has been revised, as shown in Chapter 3 of this Final EIR, to indicate the SJVAB will attain the Federal PM2.5 standard by 2019.
RA3-25	E. Chapter 4.3 concludes that the Project is inconsistent with the District's State Implementation Plan (SIP). It is not clear if this conclusion properly reflects the project's impact to the SIP. Future development projects are not inherently inconsistent with the District's attainment plans. Future growth in population and vehicle miles traveled (VMT) are factored into all attainment plans based on data from the California Department of Finance and/or the Valley's eight county Metropolitan Planning Organizations (MPO). In Appendix B (Emissions Inventory) of the District's 2012 PM2.5 Plan, MPO data accounts for an 18% population increase in San Joaquin County from 2010 to 2020. Plan consistency and conformity are related but separate issues. Each county MPO is responsible for showing that their transportation plans and	The conclusion regarding consistency with the SJVACPD's air quality management plan is conservative. The EIR concludes that while the Project is consistent with the City of Tracy General Plan's growth projections and would implement a number of transportation control measures as set forth in the Specific Plan, the Project would exceed the regional significance thresholds and therefore treats this as an inconsistency with SJVAPCD's air quality plans. Impact AQ-1 was identified as significant and unavoidable. The Project is not a transportation project that requires a conformity determination. A conformity determination ensures that Federal funding for transportation activities are consistent with air quality goals. Therefore, a determination of "conformity" with the Regional Transportation Plan is not applicable for a land use development project because these types of projects do not alter roadways on the state highway system that are under the jurisdiction of the Caltrans.

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	transportation projects are within EPA-approved transportation conformity budgets, based on the latest planning data and assumptions. If the Cordes Ranch Project will change total VMT in Tracy, this should be documented, and the City of Tracy must commit to share this data with the San Joaquin COG, to ensure transportation conformity requirements are satisfied. The District is willing to provide the City of Tracy with more information on evaluating the consistency of project impacts with air quality Attainment Demonstration Plans, as necessary.	Per the CEQA Guidelines Appendix G, the EIR evaluates if the Project would "conflict with or obstruct implementation of the applicable air quality plan." SJVAPCD recently published the Draft Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI) in 2012. The Draft 2012 GAMAQI, Section 7.12, Conflict with or obstruct Implementation of the applicable air quality plan, states, "Thus, projects with emissions below the thresholds of significance for criteria pollutants would be determined to Not conflict or obstruct implementation of the District's air quality plan." The 2012 Draft GAMAQI does not specifically identify if a project that exceeds the SJVACPD's significance thresholds would inherently conflict with the air quality plan. The project would be consistent with the City of Tracy General Plan's growth projections. Therefore, the Project would be consistent with the regional growth projections and estimates of regional vehicle miles traveled as estimated by the Metropolitan Planning Organization (MPO), which is the San Joaquin Council of Governments (SJCOG). However, the project would exceed the significance thresholds of SJVAPCD for construction and operational phases of the Project. As identified above, in order to present a conservative evaluation, this is treated as a significant impact under this criterion and is consistent with the Draft 2012 GAMAQI. Future development under the Cordes Ranch Specific Plan, on a project-by-project basis, may not exceed the SJVACPD significance thresholds. Compliance with CEQA will be required for future discretionary approvals, including confirmation regarding the individual development application's consistency with this EIR and the SJVACPD's air quality plans. In addition, as stated in Impact AQ-1, although the Project is consistent with the City of Tracy General Plan's growth projections, the Project would exceed the regional significance thresholds; therefore, to ensure a conservative analysis, the Draft EIR treats this as an inconsistency with SJVAPCD's air quality plans and identifies this as a significant and unavoidable impact.
RA3-26	4. The Specific Plan is the blueprint for future growth and provides guidance for the community's development. The District is currently designated as extreme nonattainment of the federal national ambient air quality standard for ozone and nonattainment for PM2.5. Given the size of the project, it is reasonable to conclude that mobile source emissions resulting from growth and development would have significant impacts on air quality. To reduce the project related impacts on air quality the Specific Plan should include design standards that reduce vehicle miles traveled (VMT). VMT can be reduced through encouragement of mixed-use development, walkable communities, etc. Recommended design elements can be found on the District's website at http://www.valleyair.org/ISR/ISROnSite Measures.htm.	Long-term emissions, including emissions from Project-related transportation sources, were identified as a significant unavoidable impact of the Cordes Ranch Specific Plan (see Impact AQ-3). The Cordes Ranch Specific Plan includes several project design features to reduce criteria air pollutant and greenhouse gas (GHG) emissions of the Project, which are listed on pages 4.7-32 through 4.7-49 of the Draft EIR. Project design features include several measures to reduce vehicle miles traveled (VMT), including: ♦ Class I and/or II bicycle paths are included on all streets wider than 75 feet, and within a quarter mile of all uses within the Project so that destinations can be reached conveniently by alternatives to vehicle trips. ♦ All streets within the Project include sidewalks on both sides to promote pedestrian

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		access and connectivity between uses. ♦ Street designs are based on a grid system instead of cul-de-sacs to promote shorter travel distances and encourage pedestrian and bicycle connectivity. ♦ Street design will incorporate pedestrian and bicycle-friendly intersections and crossings. This includes sidewalks on both sides of all streets, Class 1 bike paths, median crossing islands, accessible pedestrian signals, and street trees and planting islands. ♦ Adequate bicycle parking will be required near building entrances to promote cyclist safety, security, and convenience. For large employers, provide facilities that encourage bicycle commuting, including locked bicycle storage or covered or indoor bicycle parking. ♦ Sidewalks have been included on both sides of all streets. Trails and sidewalks may also be included within the open spaces and PG&E easements. These proposed improvements will make the Project walkable and will provide connections to adjacent development. ♦ The Master Owners Association in coordination with the City economic development staff will develop information to provide prospective business with a skills and education inventory of Tracy residents. Information will be used to market potential tenants within Cordes Ranch as a means of improving the city's jobs/housing match. The analysis included in Chapter 4.3, Air Quality, and Chapter 4.7, Greenhouse Gas Emissions, of the Draft EIR does not include potential additional emission reductions that could occur as a result of locating the Project – a major employment center (36,708 employees at full buildout) – near existing housing, which would significantly reduce the commute length for existing residents who may find employment within the Project site.
RA3-27	5. Referral documents for new development projects should include a project summary detailing, at a minimum, the land use designation, project size, and proximity to sensitive receptors and existing emission sources.	Future development applications under the Cordes Ranch Specific Plan would be required to adhere to the Mitigation Measures within the Program EIR. Subsequent environmental review would be required for future discretionary approvals. As part of the future environmental review, subsequent projects would be required to evaluate air quality and GHG emissions impacts and be required to consider proximity to sensitive receptors.
Alameda County Community Development Agency		
RA4-1	Thank you for the opportunity to provide comments on the Cordes Ranch Specific Plan Draft EIR. We have reviewed this document and offer the following comments for your consideration as this project moves forward.	This comment acknowledges that the Alameda County Community Development Agency reviewed the Draft EIR, but it does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the EIR.
RA4-2	**Traffic Analysis** The project is for the development of approximately 1, 780 acres of land with	This comment does not state a specific concern or question regarding the sufficiency of the analysis or mitigation measures contained in the EIR.

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	commercial, office, Business Park industrial, and park and recreational uses at full buildout in 2035. An application has been submitted to the City of Tracy for the completion of Phase 1, which includes approximately 1, 200 acres.	
RA4-3	We note that the analysis of potential transportation impacts at Phase 1 completion and Project Buildout did not include the following intersections and roadways in Alameda County that are adjacent to the Project Area: Intersections • W. Grant Line Road and Mountain House Road • 1-580 and W. Grant Line Road • Altamont Pass Road and Grant Line Road Roadways adjacent to Project Area • Patterson Pass Road • Mountain House Road • Byron-Bethany Road The omission of these roadway segments and intersections does not provide enough information to adequately assess the potential impacts to the Alameda County Roadways that will be used to access the Project Area. Therefore, Alameda County requests the roadways listed above be included in an analysis of the probable traffic impacts expected within Alameda County.	The requested roadways and intersections were not included in the study because little to no Project traffic is projected to use those facilities, as discussed in the study area screening discussion in Chapter 4.14 Section C.3. As noted in that section, the screening methodology takes the assumed Project distribution of traffic to the north, south, east and west, and compares it to the estimated Project trip assignment to a threshold test of 5 percent or more of total 2035 Plus Phase 1 traffic volumes. After this test, other relevant criteria were considered to determine whether the identified roadways and intersections should be scope out; the detailed consideration of each roadway is contained in the full discussion in Section C.3. It is helpful to note that, since the Project contains only non-residential uses, commuting travel between Alameda County and the Project site will be generally in the non-peak direction on I-580, and thus is not expected to result in trips that divert from I-580 due to congestion. Specifically: ♦ West Grant Line Road/Mountain House Road intersection: less than five percent of traffic in the 2035 Plus Phase 1 case is projected to travel north of I-205 on Mountain House Road; ♦ I-580 Ramps/West Grant Line Road: no Project traffic is projected to use this intersection; ♦ Altamont Pass Road/Grant Line Road intersection: no Project traffic is projected to use this intersection; ♦ Patterson Pass Road: no Project traffic is projected to use this roadway, for the reason stated at the beginning of this response; ♦ Mountain House Road: no Project traffic is projected to use this roadway; ♦ Byron-Bethany Road: less than five percent of Project traffic in the 2035 Plus Phase 1 case is projected to travel north of I-205 on Mountain House Road, and a smaller percentage of that volume would reach and use Byron-Bethany Road. Therefore, these facilities were scoped out of the traffic study.

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Local Agencies		
Mountain House Community Services District		
LA1-1	Thank you for the opportunity to review the Draft Environmental Impact Report (DEIR) referenced above. This correspondence serves as the Mountain House Community Services District's (MHCSD) official comments on the DEIR. If you have any questions regarding the enclosed statements, please do not hesitate to call me at 209-831-5666. I look forward to working with you and your staff or consultant to fully address the concerns that we have with the subject DEIR.	This comment acknowledges that the Mountain House Community Services District reviewed the Draft EIR and provides an introduction to the questions that follow.
LA1-2	Thank you for the opportunity to review the Draft Environmental Impact Report (DEIR) referenced above. This correspondence serves as the Mountain House Community Services District's (MHCSD) official comments on the DEIR. As you know, the MHCSD is a Master Planned Community approved by the San Joaquin County Board of Supervisors in 1994. The project to form a new town began implementation in September, 2000 as a model for future smart planning in the County. Currently, the residential portion of the Mountain House Master Plan is approximately 30% complete. Build-out is anticipated within the next 25 years, which will correspond with the build-out of the subject Cordes Ranch project. The MHCSD has a vested interest in other projects that are planned for development within the County that may have any negative impacts on the timely completion of the Mountain House Master Plan (MH MP). It is our desire to ensure that other projects are planned, analyzed and implemented in a manner that takes into consideration the MH MP goals, standards and mitigations. Because the subject DEIR must analyze impacts not only to the City of Tracy and the County, but also to neighboring communities, it cannot do so without recognizing the impacts in relation to the MH MP, plus the project, rather than the Existing, plus the project. As discussed below, especially with respect to traffic impacts, consideration must be given to mitigations already provided by the MHCSD for the entire build-out of our community. Comparing only to the Existing situation is ignoring the real impacts and thus ignoring the proper mitigations.	The City of Tracy considers Mountain House to be a significant neighbor and looks forward to working collaboratively. It is the goal of this EIR document to provide a thorough analysis of existing and cumulative conditions for informational purposes for the City of Tracy and San Joaquin LAFCO. The Draft EIR considers the Mountain House community, both in its existing condition and in its estimated buildout scenario as part of the cumulative setting. However, as explained on page 4-3 of the Draft EIR, "The geographic area considered for each cumulative impact depends upon the impact that is being analyzed." As described in detail in Response LA1-4, below, the 2035 Plus Phase 1 and 2035 Plus Buildout traffic forecasts both include full buildout of the Mountain House community. The City seriously considered the comments received and provides a number of clarifications to mitigation measures, as stated below.

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	We have reviewed the DEIR and have the following comments at this time. As the project progresses, we intend to emphasize the potential impacts on the MH MP and hold the subject project accountable through the EIR process. Anything short of mitigating all potential impacts would drive the MHCSD to oppose LAFCO 's annexation of the subject project to the City of Tracy, on the basis that it may undermine previous County planning goals and implementation measures.	
LA1-3	*General Comments:* There are several significant flaws in the DEIR analysis and in most cases there is no mitigation for the impacts to the MHCSD.	This comment does not state a specific concern, but rather asserts generally that the Draft EIR contains several, unspecified flaws. The responses to Comments LA1-4 through LA1-28, below, respond to and address the commenter's concerns.
LA1-4	*Specific Comments:* **TRAFFIC** I-205/MH Pkwy Interchange The DEIR properly states that the interchange at Mountain House Parkway provides direct access to the Project site. The mitigation analysis, however, is flawed when determining the impact on that interchange, except that it correctly states: "However, two intersections are projected to operate below the applicable LOS standard: Intersection #1 (1-205 Westbound Ramps/Mountain House Parkway) and intersection #18 (New Schulte Road/Lammers Road)." The only mitigation measures at the "Intersection # 1 ", however, are to res tripe the ramps. The MHCSD objects to the following statements with regard to the projected traffic generation between the study for the MHCSD and the traffic analysis by the subject project, and the conclusion "no mitigation" is inadequate, irresponsible, and unacceptable. "In the case of intersection #1, I-205 Westbound Ramps/Mountain House Parkway, the poor PM peak hour service level is projected to occur with or without the Project, and is primarily related to a very large projected increase in the right turn volume from the westbound off-ramp to northbound Mountain House Parkway. This increase is related primarily to the anticipated completion of the development of the Mountain House community in the 2035 Tracy Travel Demand Model. The projected increase for this movement (1,600 trips) is over three times the Phase 1 Project's PM peak hour volume contribution to the intersection (510 total trips). The very high right tum volume renders it one	The City of Tracy shares the commenter's concern that the I-205 interchange be improved as needed to serve both traffic growth from the Project and regional traffic growth such as that to be generated by buildout of Mountain House community. It is the City's intent to modify the mitigation for the Mountain House Parkway/I-205 Westbound Ramps intersection to provide better assurance that this will happen. The comment raises three issues that are addressed in this response: (1) a request for proof and explanation of the statement that westbound right turns at the Mountain House Parkway/I-205 Westbound Ramps are significantly higher in the DEIR than those in the traffic study conducted for the I-205/Mountain House Parkway Interchange Improvement Project; (2) a disagreement that the higher projected westbound right-turn volume is a "critical movement" at the intersection in the 2035 Plus Phase 1 case; and (3) a request for consideration of provision of further improvements to serve the Draft EIR's projected traffic volume, including a northbound to westbound loop ramp. On the first issue, long-term traffic forecasts are subject to change based on changes in land use development patterns, travel behavior, and network capacity. In this case, the current Tracy Travel Demand Model, which was updated and validated in 2008 to be consistent with the SJCOG Countywide Travel Demand Model, forecasts higher right-turn volumes on the I-205 Westbound Off-ramp to Mountain House Parkway than those in the Traffic Operations Analysis for the Interstate 205/Mountain House Parkway Interchange (TJKM Transportation Consultants, November 26, 2002). Specifically, the Draft EIR forecasts 1,740 AM peak hour right turns and 1,830 PM peak hour right turns, whereas the 2002 study forecasts 1,291 and 547 AM and PM peak hour turns, respectively. While the details of the forecasting process for the 2002 report are not described in the document, a review of the model results underlying the Draft EIR forecasts shows that the primary reason for the higher volumes is that the majority of Mountain House trips travel to/from origins/destinations to the east, using the I-205/Mountain House Parkway interchange. This runs contrary to the comment that "eighty percent of employed residents in MH work west of the Altamont and there is no indication that that will change during build-

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	of the "critical movements" for the intersection, thereby controlling the intersection delay and service level. It is noted that this high right turn volume was not forecast in the traffic study performed in 2002 for the I-205/Mountain House Parkway interchange project. That study was performed in 2002 with a different travel demand model and different regional land use and roadway network assumptions. In more recent studies performed by the City for the General Plan Update EIR and the Roadway and Transportation Master Plan environmental review, operations of the Mountain House Parkway interchange intersections were not assessed. Because this cumulative impact is created by a tum movement volume- the westbound right tum- to which the Project contributes no traffic, the Project has no feasible way to meaningfully mitigate this impact. The City will monitor traffic conditions at this intersection as part of its ongoing roadway maintenance programs, and, if actual volume increases over time indicate the need to plan for capacity improvements, the City will work with Caltrans and San Joaquin County to develop and implement improvements." The implied right tum movements are not the critical movements at the intersection. The left turns are the meaningful turns for delay at the signal, the amount of trucks turning left, and the amount of trucks traveling on the overcrossing bridge. The MHCSD would like to see proof that the right tum movements are significantly higher than the model used for the MHCSD traffic. Eighty percent of the employed residents in MH work west of the Altamont and there is no indication that that will change during build-out. Monitoring the traffic over the life of the project, will be too late to mitigate the impacts. Why would the City of Tracy not place that burden on the developer? The MHCSD improved the interchange to full build-out of the MHCSD, as accepted by Caltrans. The traffic model used by TJKM at the time was also the model being used by the San Joaquin Council of Governments at the time. For the City of Tracy to imply that their traffic model is correct and the one used for the development of the existing I-205/MH Pkwy interchange is incorrect is not only wrong, but irresponsible and does not satisfy the CEQA requirement of impact mitigation. During the design of the current I-205 interchange ramps, the determination was made by Caltrans that for any new project that generates significant increases in traffic, a loop ramp would have to be constructed in the NE	out". First, the current travel patterns for residents of Mountain House should not be expected to remain static, as land use development patterns, network capacity, and demographics change over time. Second, the existing traffic volumes at the two ramp intersections already indicate that trips to/from the north of the interchange are roughly balanced to the east and the west in the AM and PM peak hours (Draft EIR, Figure 4.14-3), rather than split 80%/20% to the west and east. On the second issue, the very high right turn volumes in the AM and PM peak hours do in fact supersede the left turns at the intersection as "critical movements". This simply means that on a per-lane 'basis,' the volumes are so high that they control the minimum overall delay that can be achieved under any traffic signal phasing scheme. On the third issue, the Draft EIR transportation consultant has reviewed additional mitigation options in response to comments raised, and prepared a new mitigation recommendation. Please see Response to Comment SA3-5 for a discussion of this analysis, and the resulting modifications to Mitigation Measures TRANS-8 and TRANS-10.

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	quadrant of the interchange. Therefore, a left tum at the existing westbound ramp west of MH Pkwy will not be acceptable for the north to west movement from the subject project, according to the traffic analysis accepted by Cal trans during the design of the current configuration. In fact, the MHCSD was required to lengthen the overcrossing toward the north to accommodate the potential of a loop ramp in the NE quadrant. At the time, there was also discussion of a truck climbing lane that would require a similar widening on I-205that would also cause the bridge to be lengthened. If Caltrans goes forward with that project, the DEIR must accommodate any changes to the bridge length to accommodate both the loop ramp and the truck climbing lane. We suggest that the two responsible traffic engineers should sort out the differences on the studies within the same interchange. As it stands, the DEIR is flawed and the MHCSD will oppose any encroachment permit to mitigate the impacts by striping alone. Since the two projects would be building out over the same time period (the next 20 years, or so), the proposed project should mitigate any additional impacts at the interchange. Such mitigation should not be placed on a previously approved project that has already mitigated its build-out impacts, as it should not be placed on the City of Tracy. The MHCSD widened the diamond ramps, added a loop ramp in the SW quadrant, and build an additional bridge across I-205, all as mitigation for the impacts for the build-out conditions of the MH MP. Any additional traffic not previously considered in the MH MP mitigation, should be compared to the impact beyond the MH MP build-out, and not just compared to the existing traffic situation. If the City of Tracy feels that its traffic mitigation fees will cover the proposed project's mitigation, that can be its choice, but a portion of the money should be provided to the MHCSD or the County to mitigate impacts in their respective jurisdictions. The MHCSD has no ability to charge development fees; only the County and cities have that authority, and the MHCSD has already mitigated their impacts.	

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LA1-5	Mountain House Parkway The provided description of Mountain House Parkway is only correct for the existing scenario and not for the build-out of the MHCSD. "Mountain House Parkway is a north-south arterial running from Byron Road in Mountain House to I-580, where it becomes Patterson Pass Road. North ofl-205, Mountain House Parkway is a median-separated four-lane roadway with a posted speed limit of 45 mph, where it serves primarily residential and agricultural uses." When the MH MP is built out, there will be no agricultural uses and there will be commercial and industrial uses that will provide a housing to jobs ratio of one (1). To indicate otherwise is to ignore the MH MP completion.	The text cited in the comment was used to provide a description of the existing condition of the Mountain House Parkway. For the purposes of the EIR, the potential impacts must be evaluated relative to the existing conditions of the Project and the vicinity. However, as stated in Section D.2. c and D.2.d, the 2035 cases include the City of Tracy TMP roadway network in place, including full construction of Mountain House Parkway. Furthermore, the 2035 Tracy Travel Demand Model includes the future six-lane configuration of Mountain House Parkway, north of I-205. In addition, as stated in response to Comment SA3-5, the 2035 forecasts contain buildout of the Mountain House community.
LA1-6	Truck Traffic "The trip generation in Tables 4.14-lla and llb includes trips generated by trucks. Because the Project land uses - warehousing, manufacturing and light industrial uses -will generate relatively high truck trips, the intersection analysis assumes the following truck trip percentages, derived from existing counts of trucks as a proportion of total traffic at the industrial area near the I-580/Patterson Pass interchange, as well as from studies of similar industrial sites in Stockton and other San Joaquin Valley locations." Existing trucks should be counted, not estimated based on other areas or models. The project charts show the truck traffic on MH Pkwy north of I-205 decreasing due to the project. That does not make sense, since MH will be developing commercial and light industrial throughout its build-out, and because the subject project will generate truck traffic from Byron road and the future SR 239 corridor. This study does not take into account that the quarry trucks coming from the Tracy area that now use MH Pkwy, or the fact that the once existing truck traffic was increased by those trucks during the construction of MH Pkwy through the MHCSD, causing the pavement thickness to be increased at the expense of the MHCSD County-imposed development fees. Even so, that section of highway is cracking at an early age, due to increase in truck traffic. Any additional truck traffic from the subject project will be detrimental to the MHCSD arterials (MH Pkwy, Grant Line Road, and Byron Road).	The existing conditions analysis does use truck percentages based on actual counts. For the future conditions analysis, the truck trips must be estimated, and the estimated truck percentages are described in Draft EIR Section D.8. Specifically, the truck percentages in most of the study area are consistent with truck percentages documented in similar industrial areas, which is best available basis for the likely future truck traffic as a percentage of total traffic, given the Project's mix of industrial, office and retail uses. However, in the I-580/Patterson Pass area, the truck percentage was bumped up to 15 percent due to anticipated heavier routing of trucks to this interchange, and a lower percentage -- 2 percent -- was assumed on Lammers Road between Eleventh Street and Old Schulte Road, in recognition that Lammers is not and will not be a designated truck route. The comment does not provide a basis for the statement that the "project charts show the truck traffic on MH Parkway north of I-205 decreasing due to the project". The analysis does not identify a drop in truck traffic relative to existing conditions on Mountain House Parkway; Mountain House Parkway is assumed to have a 10 percent truck percentage for all turn movements at all intersections, north of Old Schule Road, and a 15 percent truck percentage for all turn movements at Mountain House/Old Schulte, Mountain House/Patterson Pass/I-580 Westbound Ramps, and Mountain House/Patterson Pass/I-580 Eastbound Ramps. It is noted that the use of these percentages on all turn movements at the intersections is conservative, as truck volumes are likely to be lower on certain movements during each peak hour. It is further noted that the Traffic Operations Analysis for the Interstate 205/Mountain House Parkway Interchange (TJKM Transportation Consultants, November 26, 2002), references the use of an 8 percent truck percentage on arterials for the 2015 and 2025

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		cases. Therefore, the Draft EIR appears to use a slightly more conservative estimate of truck traffic than the previous study. Finally, it is noted that the Quarry trucks referenced are contained within the existing counts, to the extent they were present in May 2011. They were not directly modeled in the forecasts, because the methodology, as described above, is based on estimates for similar built out industrial areas.
LA1-7	Bridge Maintenance The main concern here, however, is that the Bridge over I-205, mitigated by the MHCSD, will experience an increase in truck traffic due to the subject project. Traffic counts for Phase 1 alone increase traffic across the bridge more than 1000 ADT. The MHCSD has an existing agreement with Caltrans to share the Interchange Maintenance & Lighting Costs on the MH Pkwy I-205 Bridge. Any additional traffic, especially truck traffic, will exacerbate the need for maintenance. The agreement covers the wearing surface and the parapet and sidewalk areas for wear, deterioration, graffiti and other maintenance items. The traffic signal operation is also prorated between the two public agencies. The subject project has a direct impact on the maintenance of the bridge and should mitigate the increase of maintenance, including lighting and signalization, and should pay a fair share of the perpetual costs through some financial mechanism.	Initial phases of specific plan development will not have any significant impacts for maintenance of the bridge since the majority of initial Project traffic will be using the I-580/ Mountain House Parkway interchange. Once the area north of new Schulte Road starts developing, the city will start annually monitoring and comparing the increase in traffic volumes from the pre-existing base line condition that uses the I-205/Mountain House interchange. The difference or increase in the traffic volume will be used to determine City's fair share maintenance cost. Once 300 acres of the Specific Plan area has developed, the City of Tracy will either enter in to tri party agreement between Caltrans, MHCSD and the City to pay its fair share maintenance cost or enter in to a separate agreement with MHCSD to pay its fair share maintenance cost thereafter.
LA1-8	In summary, the Draft EIR traffic was analyzed for Existing, plus Project build-out. However, the MH MP will be built out at the same time and the existing ramps and bridge design already account for the impact from MH build-out. Therefore, the impact from the project should be the Build-out of the MH MP, plus the Project Build-out, and not just compared to the existing conditions. If the project's traffic analysis for Phase 1 only requires stripping on ramps that are already widened for the MH MP build-out, the traffic counts being used for the build-out scenario obviously will require much greater mitigation. This is not a wait and see situation, or a monitoring program as part of a maintenance program. That does not satisfy the CEQA requirements. And, again, why would the City of Tracy take on that burden through mitigation fees and not place the construction burden directly on the developer. Obviously, since the impacts are inadequately calculated, the mitigation fees will likewise be miscalculated.	As noted in Response to Comment LA1-4, the 2035 Plus Phase 1 and 2035 Plus Build-Out traffic forecasts both include full build-out of the Mountain House community. As further discussed in that response, additional mitigation is proposed to address 2035 Plus Phase 1 and 2035 Plus Project Build-Out impacts at the I-205/Mountain House Parkway interchange (see Response to Comment SA3-5 for a complete discussion). The City respectfully disagrees that the impacts were inadequately calculated (see the discussion of the forecast methodology in Response to Comment LA1-4).

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LA1-9	Other Traffic and Interchange Considerations Additionally, consideration should be given to the possibility of new SR 239 aligning with the MH Pkwy route or elsewhere in the vicinity. There may be an anticipated increase in traffic on 1-205 or nearby intersections due to that project.	The comment is noted. State Route 239 is currently in the planning stages, and at this stage, the project has no certainty of being constructed due to lack of funding. Because the alignment of the corridor and project funding have not been identified, inclusion of an alignment of State Route 239 in the cumulative setting would be speculative, and therefore would not be appropriate for analytical purposes. Additional planning would be required to identify funding and an exact alignment in order for State Route 239 to be a reasonably foreseeable project with non-speculative impacts that would warrant consideration in a cumulative impact scenario.
LA1-10	Landscaping Landscaping of the southerly quadrants of the 1-205/MH Pkwy interchange should use of MH MP landscaping standards within the Cal trans rights-of-way, in the same manner that the MHCSD is conditioned to do so. The full interchange should represent a similar theme to assure proper aesthetics for each project entry.	The comment is noted. As described in the Draft EIR, the Specific Plan provides for significant landscaping requirements to ensure a high-quality design. Chapter 4 of the Specific Plan sets forth design guidelines applicable in the Specific Plan Area generally, and in each of the designated land use categories, including heightened landscaping requirements within the I-205 Overlay District.
LA1-11	Standards MHCSD standards should be used on any traffic and drainage improvements that affect the MHCSD, if they are more stringent than the City of Tracy standards.	The comment is noted. The Project's impacts with respect to traffic and drainage are fully evaluated in the Draft EIR under the applicable significance thresholds. The Project would be required to comply with applicable standards, and the Draft EIR includes mitigation measures as needed to address identified significant impacts. Potential use of or impacts to MHCSD facilities is addressed in response to specific comments below (see Responses LA1-12 through LA1-20).
LA1-12	**DRAINAGE** The existing drainage structure from south ofl-205 that goes through the MHCSD may be impacted by runoff from the subject project. "Patterson Run - In the west portion of the Specific Plan Area, west of Mountain House Parkway, a generally well-defined drainage channel/ corridor collecting runoff generated from a large off-site watershed that extends upstream to the southwest enters the Specific Plan Area via an existing culvert underneath the Delta Mendota Canal and extends through and then exits the Specific Plan Area at an existing culvert crossing under Interstate 205. Downstream to the north of Interstate 205, Patterson Run discharges into agricultural properties and downstream storm drainage facilities operated by the Mountain House Community Services District (CSD)."	To address the commenter's concerns, the City has agreed to impose, as a condition of approval of development of the first 85 net (developable) acres in the Mountain House Watershed Area as defined in the City's Storm Drain Master Plan , and shown in Figure 4.9-1a (which acreage comprises approximately one-half (1/2) of the full net (developable) acreage of the portion of the Mountain House Watershed Area located within the western portion of the Specific Plan Area) that the applicant (1) facilitate the preparation of an agreement between the City and the MHCSD establishing a fair share fee, in accordance with applicable laws, to fund future improvements to downstream storm drain facilities which may be constructed by MHCSD in the future to accommodate flows from the Patterson Run (located in the water shed south of the Specific Plan Area) and any flows from the portion of the Specific Plan Area within the larger Mountain House Watershed Area by funding the City's and MHCSD's costs to prepare such agreement; (2) enter into an agreement with the City to pay its proportionate fair share of the proposed fee related to its flows after it has been adopted; and (3) deposit with the City appropriate security, as determined by the City, to ensure the payment of such fees. Until such time as this fee has been established, the City will not permit any downstream increases to volume or peak storm water flows from any development in the Mountain House Watershed Area of the Specific Plan Area. No development will be permitted in the Mountain House Watershed Area of the Specific Plan Area beyond the first 85 net acres described above until the

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		foregoing conditions have been satisfied. Until such time as adequate downstream drainage facilities have been constructed by the MHCSD, all new development in the Mountain House Watershed Area of the Specific Plan Area will be required to provide adequate on-site detention of storm water flows, as determined by the City. This amounts to 0.4 square miles of the 8.53 square mile water shed. The remainder of the upstream water shed will continue to drain in to Patterson Run in the MHCSD area as it currently does. As development continues in the Mountain House community the City understands that existing agricultural properties will be replaced by the said development, and that drainage facilities will need to be constructed north of I-205 to accommodate drainage and mitigate potential flooding to said development derived from an existing 8.53 square mile offsite watershed drained in to the existing channel known as Patterson Run. Until such time as these downstream drainage facilities are connected to the existing culvert serving Patterson Run at I-205, new development in the Mountain House Watershed Area located in the western portion of the Specific Plan Area will be required to provide onsite retention that will prevent discharges from said new development to Patterson Run. This amounts to about 0.4 square miles of the 8.53 square mile watershed. The remainder of the watershed will continue to be drained by Patterson Run as it currently does.
LA1-13	First, the inference that the discharge is into agricultural properties ignores the future build-out of the MHCSD and is misleading that it will not impact a growing population.	The comment references a portion of the Draft EIR that describes the existing condition of Patterson Run and does not refer to future activities. Until permanent retention basins have been constructed in the Mountain House CSD, temporary retention basins shall be constructed on-site to store runoff from the Project. The impact discussion, on pages 4.9-37 and 4.9-38, states that once constructed, the proposed permanent basins would handle all Project runoff, except for a nominal amount (approximately 5 cfs) under certain minor storm conditions. If these Mountain House CSD facilities are not available to handle these storm conditions, this nominal amount would be contained within on-site stormwater detention facilities, consistent with the Cordes Ranch Conceptual Drainage Plan, the Cordes Ranch Specific Plan, the Citywide Stormwater Master Plan, and other applicable stormwater standards. Requirements shall be designed to control and treat stormwater for the storm events in compliance with the City's Manual of Stormwater Quality Control Standards for New Development and Redevelopment, including those dealing with capacity design of facilities and contour grading. The Draft EIR identifies Impact HYDRO-2, which states that the Project's impacts to water quality during operation of the Project would be considered significant. Mitigation Measure HYDRO-2b requires that all development projects under the proposed Plan prepare an approved drainage plan that includes on-site measures to control and treat stormwater for storm events. Specifically, each developer shall construct drainage

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		improvements and the required stormwater retention/detention facilities to serve the specific development proposed by the developer in conformance with the approved drainage plan, the Specific Plan, and the applicable City standards (including those set forth in the City's Storm Drainage Master Plan). As stated on page 4.9-18, the 100-year and 10-year 24-hour return period depths of precipitation applicable to the Tracy area are approximately 2.71 inches and 1.75 inches, respectively. The Citywide Storm Drainage Master Plan for Tracy has adopted 100-year and 10-year 24-hour return period depths of precipitation of 2.69 inches and 1.85 inches, respectively, for the area containing the Specific Plan Area based on a review of available precipitation depth frequency data for nearby precipitation gage sites. With the implementation of Mitigation Measure HYDRO-2b, all development would include drainage improvements to accommodate storm events as included in the Citywide Storm Drainage Master Plan.
LA1-14	Second, there has been no discussion with the MHCSD with respect to project drainage into MHCSD facilities.	See response to Comment LA1-13 with respect to the Project's stormwater runoff entering Mountain House facilities.
LA1-15	Construction-Related Impacts "In addition, the Project would construct the following improvements within the Mountain House Watershed: 5. Construct temporary retention basins in conformance with applicable City standards and requirements to store runoff from the Project on an interim basis **until permanent downstream facilities having capacity to convey discharges from the Patterson Run watershed are completed by the Mountain House CSD (emphasis added)**." "Once constructed, the permanent basins would handle all Project runoff, except for a nominal amount (approximately 5 cfs) under certain minor storm conditions; under these circumstances, it is anticipated that this nominal amount would be accommodated by the Mountain House CSD facilities."	As discussed by the City during its meeting with MHCSD held on January 31, 2012 and in the technical study that was submitted to the MHCSD on February 9, 2012, new development in the Mountain house Watershed Area located in the western portion of the Specific Plan Area will reduce the future storm runoff capacity requirements for Patterson Run within the Mountain House community during a 100-year 24-hour return period storm event through the inclusion of storm water detention facilities in the Specific plan area. The detention facilities will store runoff and meter outflow rates to composite low flow discharges ranging from 0 to 5 cubic feet per second, depending upon the type of storm that is involved. However, the normal low flow run off from the water shed will continue flowing downstream as it currently does. The City acknowledges that the developer will need to facilitate a drainage agreement between MHCSD and the City prior to discharge of any runoff from new development to MHCSD facilities.
LA1-16	The above statements were included in the DEIR without any communication with the MHCSD. The MHCSD has no obligation whatsoever to accommodate construction or build-out of a new project as stated above.	The comment is noted. See Response LA1-13. The City appreciates the MHCSD's input and looks forward to working collaboratively on this issue. The MHCSD has no obligation to accommodate Project drainage. As described in Response LA1-13, if MHCSD facilities are not available, stormwater that is in excess of preexisting historical drainage flows from the Specific Plan Area will be treated on site.
LA1-17	Regarding the increase in water and the future water quality in the downstream MHCSD facilities, the MHCSD does not believe that the MHCSD has a legal obligation to accept the storm drain runoff into the MHCSD storm systems. In the event that the MHCSD would consider working with the subject project, the MHCSD does not provide any use of utility facilities without first issuing a conditioned Will-serve Letter.	The comment is noted. The commenter correctly states that the MHCSD has no legal obligation to accommodate any drainage from the Project that is in excess of preexisting historical drainage flows from the Specific Plan Area. See Responses LA1-14 and LA1-16.
LA1-18	Water Quality "Substantial Alteration of the Existing Drainage Pattern of the Site or Area,	As addressed in the technical study submitted to the Mountain House CSD on February 9, 2012, the City adopted Manual of Stormwater Quality Control Standards (SWQC Manual)

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	Including Through the Alteration of the Course of a Stream or River, in a Manner Which Would Result in Substantial Erosion or Siltation On- or Off-Site." Any impacts to the MHCSD administration of its NPDES permit must be mitigated by the subject project.	in August 2008. In general, the SWQC Manual requires that any significant new development or redevelopment project incorporate onsite design, source, and treatment control measures that will provide water quality treatment and minimize rates and volumes of runoff discharge. Measures include Low Impact Development (LID) practices using design techniques that infiltrate, filter, store, treat, evaporate, and detain runoff close to the source. New development in the Specific Plan area will be required to follow the provisions of the SWQC Manual. The proposed storm water detention facilities are an additional requirement over and above the requirements of the SWQC Manual and will further serve to provide storm water quality treatment via settlement, filtering and percolation. The City is also a NPDES Phase II Traditional MS4 Community and is required to comply with Water Quality Order 2013-0001-DWQ which became effective on July 1, 2013. This Water Quality Order is entitled "Revised National Pollutant Discharge Elimination System Permit for the Discharge of Storm Water from Phase II Small Municipal Separate Storm Sewer Systems" and includes many storm water quality control, treatment and monitoring requirements. Further, new development will be required to comply with the requirements of the NPDES General Permit for construction activities, known as the Construction General Permit (Water Quality Order No. 2009-0009-DWQ) and the General Permit for regulating storm water discharges associated with industrial activities (Water Quality Order No. 97-03-DWQ and subsequent versions, when adopted). The composite of measures prescribed and required per the above practices and regulations will provide appropriate storm water quality mitigation for new development in Specific Plan area. Since all development within the Specific Plan Area will be required to meet the NPDES requirements, there will not be any impact on MHCSD administration of their NPDES permit requirements.
LA1-19	Operational Impacts "For the smaller portion of the Specific Plan Area located to the west of Mountain House Parkway, the proposed drainage plan calls for the capture, storage and attenuation of all on-site runoff during storms up to and including a 100-year 24-hour storm for delivery at a metered rate to a 2-cell 10' x 10' CBC serving Patterson Run at Interstate 205. This approach would divert storm runoff from about 75 percent of this portion of the Specific Plan Area which currently drains to a smaller culvert near the Mountain House Parkway interchange at Interstate 205, to the larger culvert provided for Patterson Run. **This would be an alteration of existing drainage patterns, but would also reduce downstream maintenance requirements for the Mountain House CSD (emphasis added)**.	During the City's meeting with MHCSD held on January 31, 2012 and in the technical study that was submitted to the MHCSD on February 9, 2012 the City's proposal for the use of 2-10-foot culverts was addressed. The recent comments from MHCSD are noted and the City will have drainage delivered to the smaller culvert and Patterson Run as it does under existing conditions unless MHCSD agrees to the City proposal in future.

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	However, because development of the Project would convert a primarily undeveloped site to a developed one, this would increase flow rates, frequency, and volumes of runoff by introducing streets, buildings, parking areas, and other impervious surfaces within the Specific Plan Area, and therefore the impact would be significant without mitigation." Again, there has been no discussion on this plan and the MHCSD is not convinced that an alteration of the drainage patterns would reduce the MHCSD maintenance requirements. Indeed, an alteration of flow may decrease the cleaning velocity in the downstream storm drains that are based on a 100-year flow design. It is unacceptable that the subject project propose any MHCSD accommodations without first discussing the project with the MHCSD.	
LA1-20	"**2. Cumulative** Impacts Projects within the Mountain House watershed would be subject to the payment of fees and other requirements set forth by the Mountain House CSD to mitigate hydrology and water quality impacts." Once again, there has been no contact with the MHCSD on this matter. Fees may not be the proper mitigation on a long term maintenance matter. The DEIR should require negotiations with the MHCSD prior to the final EIR approval.	The EIR evaluated the Project's impacts with respect to drainage in combination with other past, present and reasonably foreseeable future projects, as described more fully on pages 4.9-41 and 4.9-42 of the DEIR. In addition, as described above, the City has agreed to impose an additional condition on new development within the Mountain House Watershed Area of the Specific Plan that will ensure that each developer pays its proportionate fair share of fees towards the above-referenced future MHCSD facilities, upon execution of a drainage agreement with the MHCSD. This additional condition will further ensure that each developer that would utilize MHCSD facilities pays its fair share of the costs associated with such facilities.
LA1-21	AIR QUALITY The DEIR considers the impact on residential within the City of Tracy, but does not consider the impacts on the MHCSD. An argument against the entire project is indirectly contained in Alternate 3, which makes an argument for the MHCSD to oppose the preferred project. "Alternative 3 -Mixed-Use Alternative. This alternative would replace approximately 150 acres of Business Park Industrial uses along the eastern boundary of the Specific Plan Area with housing. Assuming a residential density of 25 units per acre, this alternative would include approximately 3,838 residential units." Note that a reason given against this Alternative is: "The inclusion of housing under this alternative would place a residential population proximate to major sources of toxic air contaminants which may increase the health risk impact."	Whereas on-site sensitive receptors would be subject to potential air quality risks, as identified in Impact AQ-6, off-site receptors would not be adversely affected. The Mountain House development area is located north of Interstate 205 across from the north westernmost TAZ area of the project (TAZ 829). The health risk evaluation methodology is identified on page 4.3-38 and describes that both discrete and receptor grids were used to predict the concentrations at the maximally exposed individual receptor. Currently, there are no sensitive receptors in the southern portion of the Mountain House development. The nearest sensitive receptors are well beyond 1,000 feet north of Interstate 205. Thus, impacts to existing sensitive receptors would not be significant. If and when any new residential development occurs in the southern portion of the Mountain House development area, these residences are expected to be farther away from Interstate 205 than the existing residences north of Interstate 205 that are east of Mountain House Parkway, which were evaluated in the Draft EIR. Because residents within the Mountain House CSD lie farther to the north than the maximally exposed individual receptor identified in the health risk evaluation, concentrations of air pollutants would be less than the amounts shown in Tables 4.3-11 and 4.3-12 of the Draft EIR.

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	It should be understood that the reverse is true. The subject project will be placed proximate to the growing community of Mountain House, which will have approximately 44,000 residents at build-out. The impact of air quality should consider the community of Mountain House and not be confined to an argument against an alternate project that would have 3,838 residential units. The MHCSD will have about 15,000 residences at build-out. The MHCSD residents are acutely aware of the potential of degraded air quality in the vicinity and recently opposed the construction of an energy plant in Alameda County just west of the town.	Although no explicit modeling of the Mountain House CSD was completed, based on the location of the Mountain House CSD relative to the Project, and since any future residents of Mountain House would be farther away from the freeway than the residents evaluated for the Draft EIR (near the freeway, east of Mountain House Parkway), it is expected that potential health risks to any future residents of Mountain House would be less than those evaluated in the Draft EIR. Significant cancer risks resulting from the project were limited to receptors adjacent to Interstate 205, which would carry relatively high volumes of traffic generated by the project. Impacts farther north from Interstate 205, which would also be farther away from the Project, would be less. Undeveloped portions of the Mountain House community that may include sensitive receptors, such as residences, would be far enough away from the project that cancer risks are expected to be less than significant. Therefore, Mountain House residents would not be subject to significant air quality risks associated with the Project, but would have close proximity to the shopping and employment opportunities developed under the proposed Project. The Draft EIR air quality analysis predicted significant air quality impacts to the region, which includes the Mountain House community. Cumulative air quality impacts are evaluated in terms of incremental affects caused by the project that contribute to a significant impact in the region. These significant impacts result from both construction and operation of the project (see Impacts AQ-2 through AQ-5, pages 4.3-47 through 4.3-64). These findings are based on predicted emissions that exceed significance thresholds identified by SJVAPCD. Emissions of reactive organic gases (ROG) and nitrogen oxides (NOx) could cause or contribute to violations of ozone ambient air quality standards in the San Joaquin Valley air basin. Significant particulate matter emissions (i.e., those in excess of the significance thresholds) would contribute to or cause new violations of PM10 and PM2.5 ambient air quality standards. In addition, NOx emissions could contribute to increased nitrogen dioxide levels in the region that could lead to exceedances of the nitrogen dioxide ambient air quality standards. Emissions of ROG and NOx also lead to secondary formation of PM10 and PM2.5 in the region that also contribute to exceedances of ambient air quality standards for those pollutants. The formation of ozone, nitrogen dioxide and secondary particulate matter formation occur under a complex set of chemical reactions in the atmosphere away from the emission sources that are beyond that ability of the Draft EIR to predict. Therefore, the significance of these emissions is evaluated based on the level of emissions caused by the project. Those emissions are compared to significance thresholds recommended by SJVAPCD. Carbon monoxide is a relatively inert air pollutant. The primary sources of these emissions from the project would be traffic and the effects to ambient air quality can be modeled at intersections substantially affected by the project that have a combination of high traffic volumes and traffic congestions (i.e. slow moving or idling vehicles at intersections with LOS D, E or F). Localized, or "hot

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		spot" emissions of carbon monoxide resulting from the project were predicted using a dispersion model. This analysis was conducted for the Draft EIR (see Impact AQ-5, page 4.3-61), where carbon monoxide concentrations that include the project contribution added to background levels were predicted to remain below ambient air quality standards.
LA1-22	**UTILITY and SERVICE SYSTEMS** Wastewater "2. Existing Conditions a. Treatment Facilities. The existing WWTP meets all current discharge requirements imposed by the RWQCB." The MHCSD does not agree with the above statement, in that the City of Tracy and the MHCSD water reclamation facilities both are conditioned by the RWQCB to reduce the amount of salts that are discharged into Old River. The City of Tracy's facility already dramatically exceeds the RWQCB proposed limitations. The MHCSD does not want to be impacted by any development that discharges directly or indirectly into Old River, because the addition of salts will impact the ability of the MHCSD to maintain their RWQCB discharge approvals. The subject project should be conditioned to provide pre-treatment for salts into their discharge to the City of Tracy wastewater treatment plant.	According to the City of Tracy, the Tracy Wastewater Treatment Plant meets current discharge limits for all wastewater constituents, and the City is in full compliance, including conditions imposed by the RWQCB, and there are no on-going violations of the NPDES permit. There is no evidentiary basis provided for which the commenter's stated assertion that the City of Tracy exceeds RWQCB limitations. The following statement included on page 4.15-36 of the Draft EIR is accurate: *The existing City of Tracy wastewater treatment plant (WWTP) is located at the intersection of Holly Drive and Larch Road. Currently, the WWTP is operating below its permitted treatment capacity of 10.8 mgd. The WWTP is currently per-mitted to discharge up to 16 mgd in phased expansions (as identified and planned for in the WWMP). The existing WWTP meets all current discharge requirements imposed by the RWQCB.* Furthermore, the proposed project will comply with the City's Wastewater Master Plan. And, as discussed on page 4.15-44 of the Draft EIR, the Mitigation Measure UTIL-2b through UTIL-2c would require project applicants of site-specific projects to pay applicable development impact fees to construct wastewater facilities as additional capacity is required. Additionally, the City is planning to scale back its future groundwater extractions during normal years, which will reduce salt loading to the City's wastewater treatment plant.
LA1-23	SOLID WASTE "Under Solid Waste: 5. Cumulative Impacts This cumulative analysis considers the Project in the context of the City's General Plan, which takes into account the entire incorporated area of Tracy and the SOI, and the Mountain House community." The MHCSD's only comment here is that all cumulative impacts should have considered the Mountain House Community, and not just the Solid Waste portion.	The comment is noted. The approach to the cumulative impact analysis is described on pages 4-2 to 4-3 of the Draft EIR. As explained on page 4-3, the geographic area considered for each cumulative impact depends upon the particular impact that is being analyzed, and the cumulative discussions in Sections 4.1 through 4.15 explain the geographic scope of the area affected by each cumulative effect. Specifically, the Draft EIR considers the development anticipated to occur upon long-term buildout of the Tracy General Plan. The Tracy General Plan also considered buildout of the Mountain House Community, as specified in the list of cumulative projects considered, included as Appendix B of the Draft EIR. To clarify, the geographic area considered in each cumulative discussion included in the Draft EIR is specified in each such analysis. In many cases, such as Solid Waste, Hazards and Hazardous Materials, and Land Use and Planning, the geographic area of the cumulative impacts was considered because the cumulative impacts may not be site-specific. However, in some cases, such as Geology and Soils, cumulative impacts are often

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		limited to site-specific effects and specific development projects are subject to regulations that would reduce the potential for adverse effects.
LA1-24	**IMPACTS ON THE TIMELY COMPLETION OF THE MH MP** Housing Demand The subject project will increase demands on housing (in MH), thus frustrating the timing of Jobs and MP non-residential development in MH. It is not realistic to think assume that all workers will seek a residence in the City of Tracy. Many will likely reside in MH. Mountain House is conditioned by the County to have a job-housing ration of 'one' as the community builds out. If the ratio is drastically slanted toward residential, the County can halt residential building permits until the MH MP commercial and office/light industrial catch up. If the timing is not right for commercial development, the MH MP could be stalled. The predominant type of commercial development indicated for the subject project away from the interchanges are 'big box' construction and do not appear to be directly in competition with the MH MP commercial zoning. However, the competition for the job markets will impact the types of housing desired by workers and may have an impact on the MH MP. Housing demand should be analyzed on a more regional basis, similar to the way traffic is analyzed. If the MHCSD was, say, 75% built out, the impact of housing and commercial competition for workers would not be as critical as in the early stages of development.	CEQA is concerned with physical changes in the environment and does not generally require an evaluation of economic impacts or market conditions. Public Resources Code section 21082.2(a) requires that the lead agency "shall determine whether a project may have a significant effect on the environment based on substantial evidence in light of the whole record." CEQA Guidelines section 15384(a) clarifies that "'substantial evidence'… means enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached. Whether a fair argument can be made that the project may have a significant effect on the environment is to be determined by examining the whole record before the lead agency. Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly erroneous or inaccurate, or evidence of social or economic impacts which do not contribute to or are not caused by physical impacts on the environment does not constitute substantial evidence." Section 4.12, Population, Housing, and Employment, provides an analysis of the Project's impacts as it relates to population and housing impacts in accordance with the applicable significance thresholds set forth in Appendix G of the CEQA Guidelines, and determined that the Project's impacts would be less than significant, in part because the Project is a piece of the City's carefully coordinated planning effort that incorporates housing, employment generating uses, retail, and parks and recreational amenities.
LA1-25	Commercial Development The freeway commercial development in the first phase of the subject project could have a major impact in the timing of the MH MP Freeway Commercial development. Office zoning will also impact the timing of similar zoning in the MHCSD.	Section 4.10, Land Use and Planning provides a cumulative analysis of impacts resulting from land use changes proposed by the Project. The cumulative analysis determines that buildout of the Project would be within the envelope for buildout of the city as set forth in the City's General Plan. As discussed above in response to Comment LA1-24, an analysis of potential market impacts and economic effects in Mountain House is outside of the scope of CEQA.
LA1-26	Safety and Emergency Response There should be a condition to require a Water Connection across the I-205 corridor as an emergency backup for both the MHCSD and the City of Tracy. While the City of Tracy does have well water, the increase in surface water availability will decrease over the years, according to the DEIR, due to metals in the well source. The MHCSD does not have an alternate source of emergency water, and would be willing to negotiate terms to extend the proposed 16-inch trunk line that the subject project shows just south ofl-205 within MH Pkwy. The short leg of proposed 14-inch extending from the 16-inch could be changed to 16-inch and extended under I-205 to the north, or it	The Draft EIR, beginning on page 4.15-10, states that because groundwater is a heavily-mineralized source of water, the City would like to reduce its groundwater use and reserve groundwater for emergency conditions, including+D128 droughts. The City is planning to decrease groundwater use to 2,500 af/yr by the year 2015. However, studies described in the WSA have indicated that up to 9,000 af/yr of groundwater is available to the City to make up for shortfalls in the event of a severe drought or other water shortage. Even with decreased reliance on groundwater, the WSA has determined that, as shown in Table 4.15-2 of the Draft EIR, the City's existing and additional water supplies are sufficient to meet the City's Year 2035 water demands, and no water shortages are anticipated for any hydrologic conditions based on Year 2035 water demands. Furthermore, the proposed

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	could be installed to hang on the overcrossing bridge, both of which would be subject to a Caltrans permit.	Project would be required to construct or fund the construction of all necessary water conveyance facilities to serve the Project, in accordance with the City of Tracy Water System Master Plan. At this time, the City will not be pursuing the extension of the proposed 16-inch trunk line to the Mountain House CSD.
LA1-27	**FIRE PROTECTION** **"5. Cumulative Impacts"** "This cumulative analysis considers the Project in the context of the City's General Plan, which takes into account the entire incorporated area of Tracy and its SOI, as well as the nearby Mountain House community located in unincorporated San Joaquin County. For purposes of this cumulative analysis, the geographic scope is the SCFA service area." Although the Shute/CFD fire station is located within the subject project area, Tracy Station No.98 (MH No. 1) is located in the MHCSD, a short distance from the proposed project. Since the station in MH is part of the SCFA response team, it will be a backup to major emergency within the subject project, as well as backfilling small emergency responses in the vicinity. Consideration should be given to provide backup in the MHCSD, if Station No. 98 responds outside of MH. This should be continued at least until the second fire station is constructed in MH. The present MH station is already the first responder for the energy plant west of MH and will be stretched for adequate coverage in the near future.	As referenced by the commenter, the cumulative analysis on pages 4.13-11 to 4.13-12 considers the South County Fire Authority (SCFA) service area and adequately evaluates the Project's impacts on fire protection. As stated on page 4.12-8 of the Draft EIR, the SFCA currently meets SFCA's travel time objective 79 percent of the time and the total time objective 52 percent of the time. The comment states concern regarding SCFA's ability to provide fire protection services to the Mountain CSD while also being a backup fire station for the Specific Plan Area. As discussed on page 4.12-13, the proposed Project's impacts would be adequately mitigated with Mitigation Measure PS-1 which requires that each individual project under the Specific Plan shall be required to pay the applicable development fee as set forth in an adopted Cordes Ranch Finance and Implementation Plan (FIP). To address the increase in service population, development fees will be used to finance the construction and operation of a new fire station in the area of Lammers Road, south of 11th Street. Until the new fire station is constructed, the backup fire station in Mountain House may serve as a backup station for the existing fire station adjacent to the Specific Plan Area, and it will be the responsibility of SCFA to provide adequate staffing in order to respond to emergencies.
LA1-28	**CONCLUSION** In conclusion, the MHCSD believes that the overall analysis in the DEIR appears to be fairly thorough, yet several key and critical impacts and related analyses appear to be missing or severely inadequate to satisfy CEQA or to comply with the various County-regulated Community Approvals adopted as part of the Mountain House Master Planned project. It is also clear that the project has proceeded to the DEIR stage without consulting with the MHCSD. The new neighbor is the Cordes Ranch project, not the Mountain House project. The MHCSD believes that, unless the above-stated issues are adequately addressed, the City of Tracy should NOT process these documents further in the CEQA certification or City entitlement approval consideration process, as such processing and consideration will likely violate key components of CEQA	As stated in Response LA1-2, it is the goal of this EIR document to provide a thorough analysis of existing and cumulative environmental conditions for informational purposes for the City of Tracy and San Joaquin LAFCO. The Draft EIR considers the Mountain House community both in its existing condition and in its estimated buildout scenario as part of the cumulative setting. The City thanks the MHCSD for its thoughtful comments and looks forward to working with the MHCSD.

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	and exacerbate the planned growth of Mountain House. The MHCSD is willing and ready to meet with the City of Tracy and its developer or consultants, as necessary, to participate in the successful remediation of these issues, so that the project can move forward in a manner that satisfies both CEQA and the County-regulated Community Approvals adopted for the Mountain House Master Plan.	
ORGANIZATIONS		
Carpenters Local 152E		
ORG1-1	Carpenters Local 152E is pleased to offer these comments to the Draft Environmental Impact Report for the Cordes Ranch Specific Plan Project (herein "Project"). While Carpenters Local 152E is pleased to see the City of Tracy move forward with the Project ("CRP") there are significant concerns that a project of this scale has the potential to dramatically degrade the environment and harm the interest of Carpenters members residing in Tracy and in San Joaquin County.	This comment acknowledges that Carpenters Local 152E reviewed the Draft EIR. Please see below for responses to the specific comments raised.
ORG1-2	**Construction Workforce Related Impacts** The DEIR does not analyze and mitigate the impacts of a development program that will require thousands of auto-dependent construction workers who will be needed to build this project over its 30 year buildout or to mitigate those impacts. By failing to analyze and mitigate the physical impacts of its construction workforce's commute patterns over the course of the project's buildout, the Project will not only contribute excess greenhouse gas emissions and other air pollutants into the atmosphere, it will understate future congestion on regional road networks and potential water quality impacts from more heavily polluted stormwater runoff The DEIR's silence is significant because the construction labor market for projects of the scale of Cordes Ranch are inherently bifurcated into two distinct groups with substantively different characteristics that result in different travel patterns and therefore different environmental impacts.[1] At one end of the market, there exists a high-skill local workforce that relies on an established system of apprenticeship and career development, and earns wages and benefits that place it squarely in the middle class. At the other end is a workforce that travels long distances to job-sites, has little formal training, and whose wage earnings fall below the mean for county residents. Table 1 summarizes the principal characteristics of this bifurcation.	The Draft EIR analyzes the impacts of the built project under four scenarios: Existing Plus Project Phase 1, Existing Plus Project Buildout, 2035 Plus Project Phase 1, and 2035 Plus Project Buildout. As described in Draft EIR Chapters 3 and 4.14, development is expected to occur incrementally over decades, and thus the construction-related traffic of individual site-specific development projects would not be a substantial component of traffic in any of the four scenarios addressed. Furthermore, Mitigation Measure TRANS-1 states that the City will require a trip generation study, and traffic analysis if warranted, as part of every site-specific development application within the Specific Plan Area. The City's standard development approval process includes preparation of a construction traffic management plan to ensure that the temporary traffic impacts of construction are mitigated to the extent feasible. This information will be added to Mitigation Measure TRANS-1 to provide more clarity on the City's development approval process under the Specific Plan. Additionally, the Draft EIR chapters 4.3 and 4.7 evaluated impacts to air quality and greenhouse gases, respectively. The analyses concluded that although the project would incorporate measures to reduce the potential impacts to air quality and greenhouse gas emissions, due the existing condition of the San Joaquin Valley Air Basin and the project's exceedance of significance thresholds, impacts would be considered significant and unavoidable. The proposed Specific Plan would allow for a variety of businesses, including distribution,

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	[Table provided.] Unsurprisingly, income data from the American Community Survey bears out this as blue collar construction workers traveling for work to adjacent counties typically earn an 18% premium over their locally working counterparts. Without measures to ensure a steady supply of skilled construction workers, the Project has the potential to strain local labor markets. Unless measure, thereby resulting in significant in-commuting by workers from neighboring counties where construction workers earn even less. As the EIR has indicated, the agency will be issuing findings of overriding consideration because of significant unmitigated impacts. The agency must make "a fully informed and publicly disclosed" decision that "specifically identified expected benefits from the project outweigh the policy of reducing or avoiding significant environmental impacts of the project." (14 Cal.Code Regs. §15043(b)) Key among the findings that the lead agency must make is that: "Specific economic, legal, social, technological, or other considerations, *including the provision of employment opportunities for highly trained workers*, make infeasible the mitigation measures or alternatives identified in the environmental impact report.. [and that those] benefits of the project outweigh the significant effects on the environment." (Pub. Res. Code §21081(a)(3), (b)) Therefore, the EIR must examine the likelihood that the Project will provide "employment opportunities for highly trained workers." Many projects in Tracy and surrounding communities have been constructed with lower-wage, out-of-area workers. Carpenters Local 152E believes that absent a local-hiring preference, there is little basis for assuming that the project will provide employment opportunities for the region's highly trained workers. [1] Detailed characteristics of construction labor markets are discussed by Erlich and Grabelsky in Standing at the Crossroads: the Building Trades in the Twenty First Century and by Bosch and Philips in Building Chaos. An international comparison of deregulation in the construction industry.	warehousing, manufacturing, business industrial flex, and office (including professional services and R&D), among others. The actual businesses that will be developed are currently unknown and would be subject to market forces. It is therefore not feasible, and not within the scope of this EIR, to determine how future jobs on the Project site will align with the skills of local workers. Furthermore, the development of the Cordes Ranch Specific Plan Area was anticipated and evaluated in the City of Tracy General Plan. Therefore, although considerations can be made for the employment opportunities for highly trained workers, the specific employment opportunities, whether during the construction period or operational period, are unknown. Therefore, an analysis of the potential impacts resulting from the provision of employment opportunities would be speculative, and also not within the purview of CEQA.
ORG1-3	It is vital that the EIR attempt to determine and mitigate the impacts of this construction related travel by adopting policies and establishing programs to encourage the use of a workforce that will have a smaller environmental footprint. Feasible mitigation measures include but are not limited to: 1. Ensuring that a blueprint for creation of a Local Apprentice Employment	This comment provides a list of potential mitigation measures that would serve to reduce the impacts resulting from construction-related travel. However, as further discussed in response to Comment ORG1-2, development of the Project is expected to occur incrementally over decades, and thus, the construction-related traffic of individual site development projects would not be a substantial component of traffic in any of the four

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	Program is included in any Development Agreement. Such a plan will involve the developers in maximizing the number of local entry-level opportunities for area residents to embark on middle-income construction careers. 2. Establishment of a local First Source Policy to promote the hiring of local journey-level workers on private and public sector construction projects and mandate participation in such programs and specific performance standards in Development Agreements 3. Mandating that related Development Agreements secure the payment of wages and benefits that meet area standards as defined by the CA Department of Industrial Relations 4. Establishment of a scalable Transportation Demand Mitigation Fee linked to the average vehicle miles travelled by the construction workforce.	scenarios addressed. The potential mitigation measures provided in this comment, which include the creation of an apprentice program, establishment of a policy to hire local workers first, a mandate for development agreements, and the establishment of a Transportation Demand Mitigation Fee linked to average vehicle miles; appear to be directed to achieve economic or policy-related results that are not specifically linked to an impact identified in the EIR and are beyond the purview of the requirements of the EIR under CEQA.
ORG1-4	**Other Direct Environmental Impacts** Carpenters Local 152E also notes that the EIR contains further deficiencies. These include the destruction of habitat corridors on the site without any off-site mitigation, inadequate mitigation of other significant unmitigated GHG impacts resulting from building operation, and	The Draft EIR provides a detailed analysis of the Project's potential impacts on biological resources (see pages 4.4-21 through 4.4-28 of the Draft EIR). As discussed on page 4.4-29, Mitigation Measure BIO-1 would address the loss of suitable habitat for special-status species and would provide adequate compensatory mitigation for these species. However, no feasible measures are available to mitigate adverse impacts on wildlife movement opportunities without a substantial reduction in the extent of development and retention of existing grassland and agricultural cover on the Specific Plan Area. The impact to movement corridors is specific to the project site and, although trees, shrubs and groundcover plantings would eventually become established as part of enhancement along the central drainage and other park and opens space features throughout the Specific Plan Area, the vegetative cover provided by larger park areas, such as the enhanced corridor along the central drainage and the Central Green, would be fragmented by roadways and structures, with limited opportunities for wildlife to move between these features and other enhanced areas in the Specific Plan Area. Off-site mitigation of this potential impact would not address this impact to movement corridors within the project site. The Draft EIR provides a detailed analysis of the Project's potential impacts on greenhouse gas emissions (see pages 4.7-20 through 4.7-50 of the Draft EIR). With respect to unmitigated GHG impacts resulting from building operation, Impact GHG-1 on page 4.7-49 states that despite the incorporation of numerous sustainability measures, GHG emissions generated by the proposed Project (both construction and operational-related) would exceed the applicable threshold set forth in SJVAPCD's guidance because the Project's GHG emissions cannot feasibly be reduced to 29 percent below BAU. The measures include several design specifications that will encourage project applicants to utilize or otherwise facilitate the use of alternative energy generation technologies, as feasible, to offset their energy consumption. In addition, several measures have been proposed to reduce idling times of vehicles during the operational period. Despite the

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		recommended mitigation measures, the impacts would be considered significant and unavoidable.
ORG1-5	**General CEQA Standards** CEQA has two primary purposes. First, CEQA is designed to inform decision makers and the public about the potential, significant environmental effects of a project. (14 Cal. Code Regs. ("CEQA Guidelines") § 15002(a)(1).) "Its purpose is to inform the public and its responsible officials of the environmental consequences of their decisions before they are made. Thus, the EIR 'protects not only the environment but also informed self-government.'" (Citizens of Goleta Valley v. Board of Supervisors (1990) 52 Cal. 3d 553, 564) The EIR has been described as "an environmental 'alarm bell' whose purpose it is to alert the public and its responsible officials to environmental changes before they have reached ecological points of no return." (Berkeley Keep Jets Over the Bay v. Bd. of Port Comm'rs. (2001) 91 Cal. App. 4th 1344, 1354 ("Berkeley Jets"); County of Inyo v. Yorty (1973) 32 Cal.App.3d 795, 810) Second, CEQA requires public agencies to avoid or reduce environmental damage when "feasible" by requiring "environmentally superior" alternatives and mitigation measures. (CEQA Guidelines § 15002(a)(2) and (3); See also, Berkeley Jets, 91 Cal. App. 4th 1344, 1354; Citizens of Goleta Valley v. Board of Supervisors (1990) 52 Cal.3d 553, 564) The EIR serves to provide agencies and the public with information about the environmental impacts of a proposed project and to "identify ways that environmental damage can be avoided or significantly reduced." (Guidelines §15002(a)(2)) If the project will have a significant effect on the environment, the agency may approve the project only if it finds that it has "eliminated or substantially lessened all significant effects on the environment where feasible" and that any unavoidable significant effects on the environment are "acceptable due to overriding concerns." (Pub. Res. Code § 21081; 14 Cal. Code Regs. § 15092(b)(2)(A) & (B)) While the courts review an EIR using an "abuse of discretion" standard, "the reviewing court is not to 'uncritically rely on every study or analysis presented by a project proponent in support of its position. A 'clearly inadequate or unsupported study is entitled to no judicial deference.'" (Berkeley Jets, 91 Cal. App. 4th 1344, 1355 (emphasis added), quoting, Laurel Heights Improvement Assn. v. Regents of University of California, 47 Cal. 3d 376, 391 409, fn. 12 (1988)) As the court stated in Berkeley Jets, 91 Cal. App. 4th at 1355:	The commenter summarizes CEQA guidelines with respect to the purpose of CEQA evaluations and the responsibilities of Lead Agencies. The comment explains that CEQA is intended to inform decision makers and the public of the potential environmental effects of a project and states that CEQA requires public agencies to avoid or reduce the environmental effects of the proposed project by requiring mitigation measures and project alternatives. The comment purports to summarize various requirements of CEQA with respect to required mitigation, findings of overriding considerations, the standard of judicial review for EIRs, and required information and analyses in EIRs. This comment does not address the adequacy of the Draft EIR.

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	A prejudicial abuse of discretion occurs "if the failure to include relevant information precludes informed decision-making and informed public participation, thereby thwarting the statutory goals of the EIR process." (San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus (1994) 27 Cal. App. 4th 713, 722]; Galante Vineyards v. Monterey Peninsula Water Management Dist. (1997) 60 Cal. App. 4th 1109, 1117; County of Amador v. El Dorado County Water Agency (1999) 76 Cal. App. 4th 931, 946) An EIR must disclose all potentially significant adverse environmental impacts of a project. (Pub. Res. Code § 21100(b)(1); 14 Cal. Code Regs. § 15126(a); Berkeley Jets, 91 Cal. App. 4th 1344, 1354) CEQA requires that an EIR must not only identify the impacts, but must also provide "information about how adverse the impacts will be." (Santiago County Water Dist. v. County of Orange (1981) 118 Cal.App.3d 818, 831). The lead agency may deem a particular impact to be insignificant only if it produces rigorous analysis and concrete substantial evidence justifying the finding. (Kings County Farm Bureau v. City of Hanford (1990) 221 Cal.App.3d 692).	
ORG1-6	**Indirect Environmental Impacts** The impact of traffic if low-paying jobs attract out-of-area workers while forcing in-area workers to find better paying jobs elsewhere is an "indirect" environmental impact. CEQA requires analysis of both direct and indirect environmental impacts of a project. (Public Resources Code § 21065) For some projects, the vast majority of impacts come from indirect sources such as traffic or urban decay. (See, Bakersfield Citizens for Local Control v. City of Bakersfield (2004) 124 Cal. App. 4th 1184) Section 15065 of the CEQA Guidelines mandates an environmental impact report (EIR) to analyze any "…environmental effects of a project [that] will cause substantial adverse effects on human beings, either directly or indirectly." CEQA guidelines section 15126.2, subdivision (a) requires an EIR to discuss "health and safety problems caused by the physical changes" that the proposed project will precipitate.	The comment asserts that the impact of traffic, if low-paying jobs force out-of-area commuting to and from the City of Tracy, is an "indirect" impact of the Project requiring analysis under CEQA. It further states that the vast majority of impacts from some projects result from indirect sources such as traffic and urban decay, and quotes a court case that discusses that the EIR must evaluate direct or indirect impacts resulting from substantial adverse effects on human beings. The comment states that health and safety problems caused by the physical changes of the proposed project should be discussed in the EIR. However, as discussed in response to Comment RA3-3 and further in response to Comment ORG1-11, as well as in the Draft EIR, the Project's environmental impacts (both direct and indirect) have been evaluated and mitigated, as necessary and feasible. Also, as discussed in the Draft EIR, the proposed Specific Plan would allow for a variety of businesses, including distribution, warehousing, manufacturing, business industrial flex, and office (including professional services and R&D), among others. There is no necessary or discernible connection between relative pay levels for construction jobs and the commute patterns of workers filling such jobs, and in any event, "[e]conomic or social effects of a project shall not be treated as significant effects on the environment" and are relevant only insofar as "[a]n EIR may trace a chain of cause and effect" such that the project causes such changes and such changes, in turn, cause physical changes in the environment (CEQA Guidelines section 15131(a)). As noted, such is not the case here, and an EIR need not analyze effects that are "too speculative for evaluation" (CEQA Guideline section 15145). The actual businesses that will be developed are currently unknown and would be subject to market forces. It is therefore not feasible, and not

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		within the scope of this EIR, to determine how future jobs on the Project site will align with the skills of local workers, and therefore would be speculative. Furthermore, the development of the Cordes Ranch Specific Plan Area was anticipated and evaluated in the City of Tracy General Plan.
ORG1-7	CEQA Guidelines Section 15131 states: "Economic or social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to trace the chain of cause and effect. The focus of the analysis shall be on the physical changes." Therefore, if economic changes associated with a project result in significant physical environmental effects, they must be analyzed in the EIR.	The comment quotes Section 15131 of the CEQA Guidelines, and states that if economic changes associated with the project would result in significant physical environmental effect, the potential changes must be analyzed in the EIR. As previously discussed in response to Comment ORG1-6, although the level of the proposed development associated with the Project was anticipated as part of the City's General Plan, the actual businesses that will be developed are currently unknown and would be subject to market forces; the commute distance from locations of future workers are purely speculative matters that need not be analyzed. It should be noted that no physical impacts, outside of the potential physical impacts identified and analyzed in the Draft EIR, would occur as a result of the proposed project.
ORG1-8	In Bakersfield Citizens for Local Control v. City of Bakersfield (2004) (124 Cal.App.4th 1184) (Bakersfield Citizens), the court expressly held that an EIR must analyze a project's potential to cause urban decay if there is substantial evidence showing that the project may lead to such impacts. The court pointed out that CEQA requires the project proponent to discuss the project's economic and social impacts where "[a]n EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic and social changes." (CEQA Guidelines §§ 15131(a) and 15064(f).) Bakersfield Citizens concerned a proposal to construct two Wal-Mart Stores within 3 miles of each other. Evidence was submitted that the stores could cause urban decay by forcing local downtown stores to close. The court held that this impact must be analyzed in the EIR. Most of the cases cited by the Bakersfield Citizens court concerned other retail developments with alleged urban decay impacts. (See, Citizens Assoc. for Sensible Dev. of Bishop Area v. County of Inyo (1985) 172 Cal.App.3d 151, 170 171 (shopping mall threatens downtown businesses and urban decay); Citizens for Quality Growth v. City of Mt. Shasta (1988) 198 Cal.App.3d 433, 445-446 (shopping mall may cause "business closures" in downtown area); Friends of Davis v. City of Davis (2000) 83 Cal.App.4th 1004, 1019 (insufficient evidence that Borders bookstore may threaten local bookstores); see also, Anderson First Coalition v. City of Anderson (2005) 30 Cal.Rptr.3d 738 (shopping center); American Canyon Community United for Responsible Growth v. City of American	This comment states that an EIR must analyze a project's potential to cause urban decay if there is substantial evidence showing that the project may lead to such impacts. This comment does not address the adequacy of the Draft EIR, or point to any record evidence that urban blight will result from the Specific Plan proposed here. While the Bakersfield Citizens and other court cases referenced pertained to site-specific development projects and stores, the proposed Project is a Specific Plan covering over 1,700 acres. Based on the proposed land uses, and the reasonable assumptions used to evaluate potential individual and cumulative impacts, the Project does not present an urban decay issue under CEQA. The Plan would put in place land use designations and zoning districts under which future development would occur. Furthermore, the development of the Cordes Ranch Specific Plan Area was anticipated and evaluated in the City of Tracy General Plan.

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	Canyon (2006) 145 Cal.App.4th 1062, 1074 (urban decay impacts of supercenter must be analyzed); Gilroy Citizens for Responsible Planning v. City of Gilroy (2006) 140 Cal.App.4th 911, 920 (EIR adequately analyzed urban decay impacts of supercenter).)	
ORG1-9	The Bakersfield Citizens court also cited an industrial and a prison project that were alleged to have blighting impacts. The court noted that in Christward Ministry v. Superior Court (1986) (184 Cal. App. 3d 180, 197) (Christward Ministry) an agency was required to analyze in the EIR the potential that odors, noise, and traffic from a garbage dump could adversely impact a nearby religious retreat center. The Bakersfield Citizens court noted that this was a type of "urban blight" impact. The court also noted that in City of Pasadena v. State of California (1993) (14 Cal.App.4th 810) (City of Pasadena) the "blighting" impact of a parole office on a nearby residential neighborhood was recognized (however the court held that insufficient evidence had been presented to establish that the parole office may have an urban blight impact).	The comment cites and purports to characterize various published court decisions, but does not directly question or comment on the adequacy of the Draft EIR with respect to urban blight. See responses to Comments ORG1-6 through -8, above.
ORG1-10	Finally, the Bakersfield Citizens court recognized that cumulative blight impacts must be considered. In other words, it is necessary to analyze the blight impacts of the proposed project together with other past, present and future projects in the area. (124 Cal.App.4th at 1193)	Although this comment does not question the adequacy of the Draft EIR, it should be noted that page 4.12-10 of the Draft EIR includes a discussion of the cumulative effects of the project on population, housing and employment. With respect to urban decay and blight, see also responses to Comments ORG1-8 and ORG1-9.
ORG1-11	In addition to urban decay, the courts have held that other indirect project impacts must be analyzed in the EIR, such as traffic impacts, jobs/housing balance, and growth-inducing impacts. (Kings County Farm Bureau v. City of Hanford (1990) 221 Cal.App.3d 691, 711; CEQA Guidelines § 15126.2(d)) The indirect environmental impacts related to long commute times that may be caused by inadequate wages for in-area workers are no different, and must be analyzed in the EIR.	The comment asserts that an EIR must analyze adverse impacts, including traffic, jobs/housing balance, and growth-inducing impacts, and provides a citation to a published appellate decision that does not support the statement, and provides a citation to a regulation that partially supports the statement (as to growth-inducing impacts). The comment does not question the adequacy of the Draft EIR as to any of these areas, except to the extent it asserts that "indirect environmental impacts related to long commute times that may be caused by inadequate wages for in-area workers…must be analyzed in the EIR." In any event, the development of the Specific Plan Area was anticipated and evaluated in the City of Tracy General Plan. Indirect impacts such as traffic impacts, jobs/housing balance and growth-inducting impacts were evaluated in Sections 4.14 and 4.12 and Chapter 6, respectively. Furthermore, individual and cumulative impacts were evaluated based on reasonable assumptions related to growth and foreseeable projects. See also responses to Comments ORG1-6 through ORG1-8, above.
ORG1-12	**Failure to Proceed in a Manner Required by Law.** The courts have held that where, as here, an EIR fails entirely to analyze an environmental impact, the agency has failed to proceed in a manner required by law. The courts have repeatedly held that an agency abused its discretion by failing to proceed in a manner required by law when it failed to address a potentially significant impact. Additionally, the courts have explicitly stated, "the substantial evidence standard of review is not applied to this type of	The comment cites cases and regulations for general CEQA propositions and repeats the letter's earlier assertion that the Draft EIR failed to analyze alleged potential impacts discussed earlier in the letter and therefore fails as an information document. As discussed in the responses to Comments ORG1-8 through ORG1-11, individual and cumulative impacts were evaluated based on reasonable assumptions related to growth and foreseeable projects. Please see responses to Comments ORG1-2 through ORG1-4 and Comment ORG1-6 for specific responses to comments addressing the adequacy of the Draft EIR.

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	CEQA challenge." (Bakersfield Citizens for Local Control v. City of Bakersfield (2004) 124 Cal.App.4th 1184, 1208.) In Bakersfield, the court explained, "although the agency's factual determinations are subject to deferential review, questions of interpretation or application of the requirements of CEQA are matters of law. While we may not substitute our judgment for that of the decision makers, we must ensure strict compliance with the procedures and mandates of the statute." (Id.) In Bakersfield, the court found that the City failed to proceed in a manner required by law because the EIR completely fails to contain any statement or analysis why the shopping center will not cause urban decay. (Id.) The court found that because "[t]here is a great deal of evidence in the record supporting the validity of concerns," the agency abused its discretion by not addressing the concern at all. (Id.) The courts have applied this standard in numerous other cases. For example, In El Dorado Union High Sch. Dist. v. City of Placerville (1983) 144 Cal.App.3d 123, 132, the court invalidated an EIR that evaluated a subdivision map for a proposed residential development because the EIR contained no discussion of impacts on the school district. A one-sentence discussion of cumulative impacts was found to be inadequate in Whitman v. Board of Supervisors (1979) 88 Cal.App.3d 397, 409.) When the EIR fails entirely to analyze an environmental impact, then the lead agency has abused its discretion and failed to proceed in a manner required by law because the EIR fails as an informational document. (See e.g. Kings County Farm Bureau v. City of Hanford (1990) 221 Cal.App.3d 691, 711; San Joaquin Raptor/Wildlife Rescue Ctr. v. County of Stanislaus (1994) 27 Cal.App.4th 713; Laurel Heights, 47 Cal.3d at 392.) An adequate EIR must be "prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences." (Guidelines, § 15151; Kings County, 221 Cal.App.3d at 712.) An EIR "must include detail sufficient to enable those who did not participate in its preparation to understand and to consider meaningfully the issues raised by the proposed project." (Kings County at 712; Laurel Heights Improvement Assn. v. Regents of University of California, 47 Cal.3d at 405.) Since the EIR fails to analyze the impacts discussed in this letter, it fails as an informational document. In Bakersfield, for example, the court found prejudice because without a proper urban decay and cumulative impact	

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	analyses, "meaningful assessment of the true scope of numerous potentially serious adverse environmental effects was thwarted." (Id. at 1220-1221.) In Sierra Club v. State Bd. of Forestry (1994) 7 Cal.4th 1215 (applied to CEQA by Association of Irritated Residents (2003) 107 Cal.App.4th 1391-92.), the Supreme Court found that the omission of information about four old-growth dependent species on the project site from a timber harvest plan (the functional equivalent of an EIR frustrated the purpose of the public comment provisions of the Forest Practice Act and made meaningful identification and assessment of the potentially significant environmental impacts of the harvest plan impossible. It declared that the board had not "proceed[ed] as required by law" (id. at p. 1236) and that "[i]n these circumstances prejudice is presumed." (Id. at p. 1237.)	
ORG1-13	A revised analysis should be prepared to analyze the impacts discussed in this letter, and to propose feasible mitigation measures and alternatives to reduce or eliminate these impacts.	Please see responses to Comments ORG1-2 through ORG1-4 and Comment ORG1-6 for specific responses to comments addressing the adequacy of the Draft EIR.
Conestoga-Rovers		
ORG2-1	Conestoga-Rovers and Associates (CRA) submits the following commentary on the Draft Environmental Impact Report (DEIR) for the City of Tracy Cordes Ranch Specific Plan Project, which was made available for public review on April 5, 2013. For simplicity, DEIR excerpts are provided below in italics followed by our respective comments. The excerpts are preceded by their location(s), shown in **bold**, in the DEIR.	This comment provides an introduction to the comment letter. The City thanks Conestoga-Rovers and Associates (CRA) for its comments, which are responded to below.
ORG2-2	**Section 2.0, Page 2-22, Table 2.1, HAZ-2a** – *A Soil Management Plan and companion Sampling and Analysis Plan, as well as a Health and Safety Plan (HASP) shall be prepared and implemented during and following any soil excavation and compaction associated with implementation of the Project where such activities may encounter residual soil, soil vapor, and groundwater contamination risk-based level established by the RWQCB or Cal-EPA.* Comment #1 - CRA and Shell conferred with the RWQCB on establishing Risk Based Concentrations (RBCs) for Constituents of Potential Concern (COPCs) where exposure pathways are considered potentially complete. The calculated RBCs can be incorporated into the required Soil Management Plan in support of project implementation and the City of Tracy's Sustainability Action Plan.	The comment is noted. The City appreciates CRA and Shell's work with the RWQCB on this issue. Please note that Impact HAZ-2 is discussed in detail in the Draft EIR on pages 4.8-33 to 4.8-35.
ORG2-3	**Section 2.0, Page 2-23, Table 2.1, HAZ-2b** – *A plan shall be developed for installation a vapor barrier and venting system beneath buildings to be constructed at the site in those areas where residual petroleum hydrocarbons in soil vapor exceed risk-based levels*	Mitigation Measure HAZ-2b on page 4.8-41 and included in Table 2-1, has been modified in response to the comment as follows (deletions are shown with strikeouts and additions with underlines) and as shown in Chapter 3 of this Final EIR:

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	established by the RWQCB or Cal-EPA. Comment #2 - CRA and Shell conferred with the RWQCB on establishing RBCs for COPCs where exposure pathways are considered potentially complete. Vapor barriers and venting systems should be justified by a complete exposure pathway as defined in Section 4.8, Pages 4.8-9 and 4.8.10. Proposed building use, occupancy, ventilation rates, and other site-specific vapor intrusion/inhalation input parameters must be included in determining the necessity of vapor barriers and venting systems.	A plan shall be developed for installation of a vapor barrier and venting system beneath buildings to be constructed at the site in those areas where residual petroleum hydrocarbons in soil vapor exceed risk-based levels established by the RWQCB or Cal-EPA, where exposure pathways are considered potentially complete.
ORG2-4	**Section 3.0, Page 3-8, Bullet #5** - *Two 8-inch Shell oil lines within an easement of unspecified width (Abandoned and partially removed).* Comment #3 – According to the historical records that have been reviewed, an 8-inch diameter pipeline and a 10-inch diameter pipeline were originally installed within the easement. These two former Shell pipelines were abandoned in the late 1960's or early 1970's. Portions of the pipelines were removed at or around the time the lines were abandoned; other portions were abandoned in place. One abandoned segment on the site was removed in or about 2001. Other portions may remain in place.	Page 3-8, Bullet #5 has been modified in response to the comment as follows (deletions are shown with strikeouts and additions are shown with underlines) and as shown in Chapter 3 of this Final EIR: Two ~~8-inch~~ Shell oil lines (one 8-inch and one 10-inch) within an easement of unspecified width (Abandoned and partially removed).
ORG2-5	**Section 4.8, Page 4.8-12, Bullet #1** - *This site is the location of a crude oil release from a former pipeline, which release was subject to a subsequent investigation and on-going cleanup.* Comment #4 - Shell's investigation and clean-up efforts to date have been voluntary and proactive, working in concert with the RWQCB, property owners, and the past and current developers.	The comment is noted. Pages 4.8-1 to 4.8-10 provide a thorough discussion of regulations, regulatory agencies, and policies applicable to hazardous materials in the Specific Plan Area.
ORG2-6	**Section 4.8, Page 4.8-12, Bullet #1** - *In 2001 Shell abandoned the pipelines and removed portions of the pipelines in advance of anticipated development. The pipelines were buried at a depth of approximately 4 feet below ground surface (bgs).* Comment #5 - The pipelines were not abandoned in 2001. Based on the available historical records, the two former Shell pipelines were abandoned in the late 1960's or early 1970's. Portions of the pipelines were removed at or around the time the lines were abandoned; other portions were abandoned in place. One abandoned segment on the site was removed in or about 2001. Other portions may remain in place. The former pipelines have been located at approximately 4 feet below ground surface in some locations, but have been located at shallower and deeper depths in other locations.	Page 4.8-12 of the EIR has been modified in response to the updated historical record as follows (deletions are shown with strikeouts and additions are shown with underlines) and as shown in Chapter 3 of this Final EIR: Historically, Shell operated two pipelines (8-inch and 10-inch diameter) running in a northwest-southeast orientation east of Hansen Road and north of Schulte Road. ~~In 2001 Shell abandoned the pipelines and removed portions of the pipelines in advance of anticipated development.~~ The two pipelines were abandoned in the late 1960's or early 1970's, and portions of the pipelines were removed at or around the time the lines were abandoned; other portions were abandoned in place. One abandoned segment on the site was removed in or about 2001. Other portions may remain in place. The former pipelines have been located at approximately 4 feet below ground surface in some locations, but have been located at shallower and deeper depths in other locations. The pipelines were

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		buried at a depth of approximately 4 feet below ground surface (bgs). During pipeline removal, six areas referred to as Trenches 1 through 6 were observed to be impacted by petroleum hydrocarbons. Shell over excavated two trenches to depths ranging from 6 to 20 feet bgs and excavated to 4 feet bgs at 4 additional trenches.
ORG2-7	**Section 4.8, Page 4.8-14** - *Given that the pipelines were located 4 feet bgs, and over-excavation was performed to a minimum depth of 4 feet bgs, a release from the pipelines would not be expected to impact soils above 4 feet bgs, which is generally confirmed by the soil data. The soil impact, which exists variably in the area, extends to first encountered groundwater, which occurs between 30 and 35 feet bgs.* Comment #6 - The former pipelines have been located at approximately 4 feet below ground surface in some locations, but have been located at shallower and deeper depths in other locations. Soil impact only extends to first encountered groundwater at a few locations.	Please see response to Comment ORG2-6, which describes that the Draft EIR has been revised, as shown in Chapter 3 of this Final EIR, to include the information provided by the commenter.
ORG2-8	**Section 4.8, Page 4.8-15** - *The latest site investigation report on GeoTracker indicates a complete Conceptual Site Model (CSM) and human health risk assessment (HRA) is being prepared for the site by Shell's consultant.* Comment #7 - This report was submitted to the RWQCB and appropriate stakeholders on May 13, 2013.	As shown in Chapter 3 of this Final EIR, page 4.8-15 of the EIR has been modified in response to the updated historical record as follows (deletions are shown with strikeouts and additions are shown with underlines) and as shown in Chapter 3 of this Final EIR: ~~The latest site investigation report on GeoTracker indicates a~~A complete Conceptual Site Model (CSM) and human health risk assessment (HRA) ~~is being prepared for the site by Shell's consultant~~was submitted to the RWQCB and appropriate stakeholders on May 13, 2013. ~~After publication of these documents, and f~~following the RWQCB's review and concurrence, the RWQCB should be able to define with some certainty future remedial action requirements and cleanup standards for the contamination at this site. ~~Completion of the CSM and HRA are anticipated to occur in March 2013.~~
ORG2-9	**Section 4.8, Page 4.8-40)** – *Mitigation Measure HAZ-2a: A Soil Management Plan and companion Sampling and Analysis Plan, as well as a Health and Safety Plan (HASP), shall be prepared and implemented during and following any soil excavation and compaction associated with implementation of the Project where such activities may encounter residual soil, soil vapor, or groundwater contamination that exceeds risk-based levels established by the RWQCB or Cal-EPA.* Comment #8 - CRA and Shell conferred with the RWQCB on establishing Risk Based Concentrations (RBCs) for Constituents of Potential Concern (COPCs) where exposure pathways are considered potentially complete. The calculated RBCs can be incorporated into the required Soil Management Plan in support of project implementation and the City of Tracy's Sustainability Action Plan.	Mitigation Measure HAZ-2b has been modified, as shown in response to Comment ORG2-3, to indicate that it is applicable where exposure pathways are considered potentially complete.

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ORG2-10	**Section 4.8, Page 4.8-41** – *Mitigation Measure HAZ-2b: A plan shall be developed for installation a vapor barrier and venting system beneath buildings to be constructed at the site in those areas where residual petroleum hydrocarbons in soil vapor exceed risk-based levels established by the RWQCB or Cal-EPA.* Comment #9 - CRA and Shell conferred with the RWQCB on establishing RBCs for COPCs where exposure pathways are considered potentially complete. Vapor barriers and venting systems should be justified by a complete exposure pathway as defined in Section 4.8, Pages 4.8-9 and 4.8.10. Proposed building use, occupancy, ventilation rates, and other site-specific vapor intrusion/inhalation input parameters must be included in determining the necessity of vapor barriers and venting systems.	Mitigation Measure HAZ-2b has been modified, as shown in response to Comment ORG2-3, to indicate that it is applicable where exposure pathways are considered potentially complete.
ORG2-11	**Section 4-10, Page 4-10.12, Bullet #2, Sub-bullet #6** - *Two 8-inch Shell oil line within an easement of unspecified width (Abandoned and partially removed)*; Comment #10 – According to the historical records that have been reviewed, an 8-inch diameter pipeline and a 10-inch diameter pipeline were originally installed within the easement. These two former Shell pipelines were abandoned in the late 1960's or early 1970's. Portions of the pipelines were removed at or around the time the lines were abandoned; other portions were abandoned in place. One abandoned segment on the site was removed in or about 2001. Other portions may remain in place.	As shown in Chapter 3 of this Final EIR, page 4.10-12, Bullet #2, Sub-bullet #6 has been modified in response to the comment as follows (deletions are shown with strikeouts and additions are shown with underlines): Two ~~8-inch~~ Shell oil lines (one 8-inch and one 10-inch) within an easement of unspecified width (~~A~~abandoned and partially removed);
ORG2-12	**Appendix H.1, Section 1.1, Page 1** - *There was a former Shell crude oil pipeline that trended northwest to southeast and was parallel to but about 2,400 feet east of the 50-foot PG&E easement. However, this pipeline was abandoned by Shell and portions of the pipeline were removed in 2001.* Comment #11 – According to the historical records that have been reviewed, an 8-inch diameter pipeline and a 10-inch diameter pipeline were originally installed within the easement. These two former Shell pipelines were abandoned in the late 1960's or early 1970's. Portions of the pipelines were removed at or around the time the lines were abandoned; other portions were abandoned in place. One abandoned segment on the site was removed in or about 2001. Other portions may remain in place.	As shown in Chapter 3 of this Final EIR, Appendix H.1, Section 1.1, Page 1 and Appendix H.2, Section 2.2, page 10, have been modified in response to the comment as follows (deletions are shown with strikeouts and additions are shown with underlines): There ~~was a~~ are two former Shell crude oil pipelines that trended northwest to southeast and that were~~was~~ parallel to but about 2,400 feet east of the 50-foot PG&E easement . However, this pipeline was abandoned by Shell in the late 1960's and/or 1970's and portions of the pipeline were removed in 2001.
ORG2-13	**Appendix H.2, Executive Summary, Page vii, Bullet #1** - *Soil, soil vapor and groundwater (approximately 30 feet bgs) have been significantly impacted.* Comment #12 –No context is provided for the assertion that soil, soil vapor, and groundwater have been "significantly" impacted. The investigation data	It is acknowledged that weathered crude oil is slow moving and has low volatility relative to other forms of petroleum contamination. However, the context for describing the soil, soil vapor and groundwater as "significantly impacted" by the crude oil contamination from the pipeline includes the following: 1) benzene concentrations detected in groundwater are significantly greater than numerical limits interpreting the RWQCB's

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	indicates isolated releases of crude oil may have occurred from the pipelines prior to the early 1970's and the residual crude oil is weathered. Soil impact extends to first encountered groundwater, but only at a few locations. Groundwater is impacted only at a few locations as well. As noted in Section 4.8, Page 4.8-10 of the DEIR, if the exposure pathway is incomplete, then "no exposure or risk is possible. In some case, although a pathway is complete, the likelihood that exposure will occur is very small."	Water Quality Objectives; 2) significant investigative efforts have been required to date to characterize the nature and extent of contamination, including the installation of dozens of wells; 3) contamination from the pipeline release is considered a significant potential impact pursuant to CEQA; 4) the crude oil moved at least 30 feet vertically from the release point(s) at the pipeline to the groundwater table, approximately 30 feet below ground surface; 5) free product has been detected in groundwater monitoring wells, many years after the initial discovery of the release; and 6) subsurface contamination has been detected hundreds of feet below ground surface, and the RWQCB has not concurred with CRA's assertion that this deep contamination was introduced due to investigative methods and or is naturally occurring petroleum.
ORG2-14	**Appendix H.2, Section 2.2, Page 10** - *There was a former Shell crude oil pipeline that trended northwest to southeast and was parallel to but about 2,400 feet east of the 50-foot PG&E easement. However, this pipeline was abandoned by Shell and portions of the pipeline were removed in 2001.* Comment #13 - According to the historical records that have been reviewed, an 8-inch diameter pipeline and a 10-inch diameter pipeline were originally installed within the easement. These two former Shell pipelines were abandoned in the late 1960's or early 1970's. Portions of the pipelines were removed at or around the time the lines were abandoned; other portions were abandoned in place. One abandoned segment on the site was removed in or about 2001. Other portions may remain in place.	Please see responses to Comments ORG2-4, ORG2-6, and ORG2-11.
ORG2-15	**Appendix H.2, Section 5.3.1, Page 19** – *In 2001 Shell abandoned the pipelines and removed portions of the pipelines in advance of anticipated development. The pipelines were buried at a depth of approximately 4 feet below grade surface (bgs).* Comment #14 - These two former Shell pipelines were abandoned in the late 1960's or early 1970's. Portions of the pipelines were removed at or around the time the lines were abandoned; other portions were abandoned in place. One abandoned segment on the site was removed in or about 2001. Other portions may remain in place.	Please see responses to Comments ORG2-4, ORG2-6, and ORG2-11.
ORG2-16	**Appendix H.2, Section 5.3.1, Page 19** - *In addition, free phase product (crude oil) has been detected floating on the ground of the monitoring wells in the investigation area.* Comment #15 –Free product has been detected in two monitoring wells in the study area; however, no free product has been detected or observed floating "on the ground".	The comment refers to a typographical error. Page 19 of Appendix H.2 of the Final EIR has been revised (deletions are shown with strikeouts and additions are shown with underlines) as follows: In addition, free phase product (crude oil) has been detected ~~floating on the ground of~~ in ~~the~~ two monitoring wells in the investigation area.

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ORG2-17	**Appendix H.2, Section 5.3.1, Page 20** - *The latest site investigation report on GeoTracker, and correspondence with the RWQCB case worker, indicates a complete Conceptual Site Model (CSM) and human health risk assessment (HRA) is being prepared for the site by Shell's consultant.* Comment #16 - This report was submitted to the RWQCB and appropriate stakeholders on May 13, 2013.	Please see response to Comment ORG2-8.
ORG2-18	**Appendix H.2, Section 7.1, Page 31** - *Soil, soil vapor and groundwater (approximately 30 feet bgs) have been significantly impacted. A Conceptual Site Model (CSM) and human health risk assessment (HRA) reported are being prepared.* Comment #17 –No context is provided for the assertion that soil, soil vapor, and groundwater have been "significantly" impacted. The investigation data indicates isolated releases of crude oil may have occurred from the pipelines prior to the early 1970's and the residual crude oil is weathered. Soil impact extends to first encountered groundwater, but only at a few locations. Groundwater is impacted only at a few locations as well. As noted in Section 4.8, Page 4.8-10 of the DEIR, if the exposure pathway is incomplete, then "no exposure or risk is possible. In some case, although a pathway is complete, the likelihood that exposure will occur is very small."	Please see response to Comment ORG2-13.
ORG2-19	The CSM and HRA were submitted to the RWQCB and appropriate stakeholders on May 13, 2013.	Please see response to Comment ORG2-8.
Planning Commission		
PC1-1	Commissioner Orcutt asked about the wetlands described in the EIR and the issue of the expiration of one area in 2006. He asked if that expiration was something that would be mitigated via legal action.	The comment refers to a previous wetlands delineation on an area of the Project site on which no activity has occurred. Prior to any future development on the area of the site where the wetland delineation has expired, a new review would have to be completed and the U.S. Army Corps of Engineers would need to work with the project applicants to determine what impacts would occur as a result of specific projects. The Draft EIR includes Impact and Mitigation Measure BIO-3, which address the fill and modification of jurisdictional wetlands and other waters, and require that a formalized wetland delineation be prepared.
PC1-2	Orcutt . . . wanted to know how the use of parkland area would be amenable to traditional uses of a park versus the present definition included in the Draft EIR.	Parkland under the proposed Project has been designed to be responsive to the uses that it serves. Because the proposed Project does not contain residential uses, parkland has been designed to serve future workers and visitors in the Specific Plan Area, as opposed to traditional, neighborhood-serving parks. The Citywide Parks Master Plan, which is expected to be adopted by the end of 2013, provides a comprehensive park system to address the various needs of the community and will guide the process of developing parks within the Specific Plan Area.

CORDES RANCH SPECIFIC PLAN FINAL EIR
ERRATA TO SEPTEMBER 3 FINAL EIR

AUGUST 28, 2013

Following publication of the Final EIR dated September 3, the following text revisions were made and incorporated into the document to correct typographical errors and eliminate the resulting inconsistencies in the document.

Response to Comment LA1-12 has been amended as follows:

> To address the commenter's concerns, the City has agreed to impose, as a condition of approval of development beyond~~of~~ the first 85 net (developable) acres in the Mountain House Watershed Area as defined in the City's Storm Drain Master Plan and shown in Figure 4.9-1a (which acreage comprises approximately one-half (1/2) of the full net (developable) acreage of the portion of the Mountain House Watershed Area located within the western portion of the Specific Plan Area) that the applicant (1) facilitate the preparation of an agreement between the City and the MHCSD establishing a fair share fee, in accordance with applicable laws, to fund future improvements to downstream storm drain facilities which may be constructed by MHCSD in the future to accommodate flows from the Patterson Run (located in the water shed south of the Specific Plan Area) and any flows from the portion of the Specific Plan Area within the larger Mountain House Watershed Area by funding the City's and MHCSD's costs to prepare such agreement; (2) enter into an agreement with the City to pay its proportionate fair share of the proposed fee related to its flows after it has been adopted; and (3) deposit with the City appropriate security, as determined by the City, to ensure the payment of such fees. Until such time as this fee has been established, the City will not permit any downstream increases to volume or peak storm water flows from any development in the Mountain House Watershed Area of the Specific Plan Area. No development will be permitted in the Mountain House Watershed Area of the Specific Plan Area beyond the first 85 net acres described above until the foregoing conditions have been satisfied. Until such time as adequate downstream drainage facilities have been constructed by the MHCSD, all new development in the Mountain House Watershed Area of the Specific Plan Area will be required to provide adequate on-site detention of storm water flows, as determined by the City. This amounts to 0.4 square miles of the 8.53 square mile water shed. The remainder of the upstream water shed will continue to drain in to Patterson Run in the MHCSD area as it currently does.
>
> As development continues in the Mountain House community the City understands that existing agricultural properties will be replaced by the said development, and that drainage facilities will need to be constructed north of I-205 to accommodate drainage and mitigate potential flooding to said development derived from an existing 8.53 square mile offsite watershed drained in to the existing channel known as Patterson Run. Until such time as these down-

stream drainage facilities are connected to the existing culvert serving Patterson Run at I-205, new development in the Mountain House Watershed Area located in the western portion of the Specific Plan Area will be required to provide onsite retention that will prevent discharges from said new development to Patterson Run. This amounts to about 0.4 square miles of the 8.53 square mile watershed. The remainder of the watershed will continue to be drained by Patterson Run as it currently does.

Based on the revised in response to Comment LA1-12, Mitigation Measure HYDRO-2d has been amended as follows:

Mitigation Measure HYDRO-2d: The City shall impose, as a condition of approval of development beyond~~of~~ the first 85 net (developable) acres in the Mountain House Watershed Area located in the western portion of the Specific Plan Area as defined in the City's Storm Drain Master Plan and shown in Figure 4.9-1a (which acreage comprises approximately one-half (1/2) of the full net (developable) acreage of the Mountain House Watershed Area within the Specific Plan Area) that the applicant:

(1) Facilitate the preparation of an agreement between the City and the MHCSD establishing a fair share fee, in accordance with applicable laws, to fund future improvements and reimburse applicable improvements to downstream storm drain facilities which may be constructed by MHCSD in the future to accommodate flows from the Patterson Run (located in the water shed south of the Specific Plan Area) and flows from the Mountain Watershed Area within the Specific Plan Area by funding the City's and MHCSD's costs to prepare such agreement;

(2) Enter into an agreement with the City to pay its proportionate fair share of the proposed fee after it has been adopted; and

(3) Deposit with the City appropriate security, as determined by the City, to ensure the payment of such fees.

Until such time as this fee has been established, the City will not permit any downstream increases to volume or peak storm water flows from any development in the Mountain House Watershed Area located within the western portion of the Specific Plan Area. No development will be permitted in the Mountain House Watershed Area of the Specific Plan Area beyond the first 85 net acres described above until the foregoing conditions have been satisfied.