

## NOTICE OF A REGULAR MEETING

Pursuant to Section 54954.2 of the Government Code of the State of California, a Regular meeting of the City of Tracy Planning Commission is hereby called for:

**Date/Time:** Wednesday, July 27, 2016  
7:00 P.M. (or as soon thereafter as possible)

**Location:** City of Tracy Council Chambers  
333 Civic Center Plaza

Government Code Section 54954.3 states that every public meeting shall provide an opportunity for the public to address the Planning Commission on any item, before or during consideration of the item, however no action shall be taken on any item not on the agenda.

### REGULAR MEETING AGENDA

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

DIRECTOR'S REPORT REGARDING THIS AGENDA

ITEMS FROM THE AUDIENCE - *In accordance with Procedures for Preparation, Posting and Distribution of Agendas and the Conduct of Public Meetings, adopted by Resolution 2015-052 any item not on the agenda brought up by the public at a meeting, shall be automatically referred to staff. If staff is not able to resolve the matter satisfactorily, the member of the public may request a Commission Member to sponsor the item for discussion at a future meeting.*

#### 1. NEW BUSINESS

- A. RECOMMEND CITY COUNCIL INTRODUCE AN ORDINANCE TO CREATE AN OVERLAY ZONE TO ESTABLISH LAND USE LIMITATIONS AND ADDITIONAL DEVELOPMENT STANDARDS ALONG THE I-205 CORRIDOR EAST OF TRACY BOULEVARD. APPLICATION NUMBER ZA16-0003
- B. PUBLIC HEARING TO CONSIDER AN APPLICATION FOR A DEVELOPMENT REVIEW APPROVAL TO CONSTRUCT A 470,800 SQUARE FOOT INDUSTRIAL DISTRIBUTION BUILDING WITH CORRESPONDING PARKING AND LANDSCAPE IMPROVEMENTS AND TO CONSIDER A VESTING TENTATIVE PARCEL MAP TO SUBDIVIDE THE PROPERTY FROM THE ADJACENT DEVELOPMENT, LOCATED AT 1305 E. PESCADERO AVENUE - APPLICANT IS HPA, INC; OWNER IS INDUSTRIAL PROPERTY TRUST- APPLICATION NUMBERS D16-0001 AND MS16-0001

*This item has been removed from the agenda in order to finalize details of the site planning with regards to driveway placement and traffic circulation. The item will be re-noticed for a future meeting.*

#### 2. ITEMS FROM THE AUDIENCE

3. DIRECTOR'S REPORT
4. ITEMS FROM THE COMMISSION
  - A. ELECTION OF OFFICERS
5. ADJOURNMENT

Posted: **July 21, 2016**

The City of Tracy complies with the Americans with Disabilities Act and makes all reasonable accommodations for the disabled to participate in public meetings. Persons requiring assistance or auxiliary aids in order to participate should call City Hall (209-831-6000), at least 24 hours prior to the meeting.

Any materials distributed to the majority of the Planning Commission regarding any item on this agenda will be made available for public inspection in the Development Services Department located at 333 Civic Center Plaza during normal business hours.

AGENDA ITEM 1-A

REQUEST

**RECOMMEND CITY COUNCIL INTRODUCE AN ORDINANCE TO CREATE AN OVERLAY ZONE TO ESTABLISH LAND USE LIMITATIONS AND ADDITIONAL DEVELOPMENT STANDARDS ALONG THE I-205 CORRIDOR EAST OF TRACY BOULEVARD. APPLICATION NUMBER ZA16-0003**

DISCUSSION

Background

City Council has met and discussed development on the eastern I-205 corridor a number of times, beginning in July 2012, and seven times since then, focusing on economic development opportunities, zoning, development policy, and design standards. In their most recent meeting on April 5, 2016, staff was directed to draft an ordinance to create an I-205 overlay zone. Council has identified that zone as Tracy Boulevard to the eastern City limit, to be applied to properties within 500 feet of Interstate 205.

The overlay was to be based upon the overlay existing within the Cordes Ranch Specific Plan as a reference point, as that overlay within the recently adopted Specific Plan is anticipated to help create a well-designed development corridor along the western entrance to the City. The intent, as directed by City Council was to limit the land uses, and increase visual appeal by establishing additional development requirements, including maximum building size, and setbacks from I-205.

Draft Overlay Zone Contents

The draft overlay would apply to property within 500 feet of I-205. In the draft overlay, a 500-foot wide zone is presented that contains limitations similar to the Cordes Ranch Specific Plan overlay in that it contains a prohibition on warehouse/distribution land uses and contains site layout, building height, and setback requirements. Attachment A to the staff report is the draft Overlay Zone.

The overlay zone is drafted (as it does in Cordes Ranch) to prohibit large-scale warehouse/manufacturing/industrial land uses, while still allowing all of the other land uses that are currently listed as permitted and conditionally permitted within each of the affected underlying zones (Northeast Industrial Specific Plan, Light Industrial, Highway Service, and Planned Unit Development).

The overlay also proposes to utilize each property's relevant building setback requirements per the underlying zone district, with the exception that a building setback of 100 feet is required along the I-205 frontage. The proposed maximum building height within the overlay is 40 feet, and the maximum floor area ratio is proposed at 40 percent. The overlay also proposes a maximum building size for a single structure of 75,000 square feet. Further, the overlay requires that Planning Commission and City Council review and approve any development review permit within the overlay zone.

The reason why the Study Area Draft Overlay Zone extends 500 feet from the Caltrans right-of-way is to better further the objective of not having large distribution/warehouses readily visible from the freeway.

### ENVIRONMENTAL ANALYSIS

The proposed I-205 Overlay Zone is consistent with the Environmental Impact Report (EIR) that was prepared for the General Plan and certified on February 1, 2011. In accordance with CEQA Guidelines Section 15183, no further environmental assessment is required. An analysis of the project shows that there will be no significant on or off-site impacts as a result of this overlay zone that were not already discussed in the General Plan EIR, or that cannot be mitigated to a less than significant level through the application of uniformly applied development policies and standards proposed therein (Attachment B).

### RECOMMENDATION

Staff recommends that the Planning Commission recommend that the City Council introduce an ordinance creating an I-205 Overlay Zone as shown in Attachment A, based on the findings in the Planning Commission resolution (Attachment C), dated July 27, 2016.

Prepared by: Victoria Lombardo, Senior Planner

Approved by: Bill Dean, Assistant Development Services Director  
Andrew Malik, Development Services Director

### ATTACHMENTS

Attachment A—Draft I-205 Overlay Zone Ordinance  
Attachment B—CEQA Analysis  
Attachment C—Planning Commission Resolution

ORDINANCE \_\_\_\_\_

AN ORDINANCE OF THE CITY OF TRACY ADDING A NEW ARTICLE 21.2 (I-205 OVERLAY ZONE) TO TITLE 10 (PLANNING AND ZONING) OF THE TRACY MUNICIPAL CODE

WHEREAS, the City of Tracy declares that:

A. Interstate 205 (“I-205”) runs through the northern-most part of the City and connects to Interstates 580 and 5. Areas that are adjacent to I-205 (“I-205 Corridor”) are of vital importance to the City because they are visual entryways to the City and serve a significant function in preserving the City’s economic vitality, and

B. Large buildings, particularly with long expanses, built along I-205, may lack aesthetic appeal, block views of the City and nearby scenic resources, or create an imposing presence, negatively affecting the impression of the City’s image and character to people traveling along I-205, and

C. Some areas of the I-205 Corridor are governed by the I-205 Corridor Specific Plan. A major amendment to the I-205 Corridor Specific Plan was adopted by the City Council in 1999 (Resolution No. 99-240). Since that time, there have been a number of amendments to the I-205 Specific Plan, and

D. Other areas of the I-205 Corridor are governed by different specific planning areas and zoning districts, including: the Industrial Area Specific Plan; the Northeast Industrial Specific Plan; the Light Industrial Zone (M-1); the Highway Service Zone (HS); the Planned Unit Development Zone (PUD); the Medium Density Cluster Zone (MDC); and the Low Density Residential Zone (LDR), and

E. In 2011, the City adopted a major update of its General Plan, and

F. The General Plan recognizes the aesthetic importance of the I-205 Corridor, and

G. The Community Character Element of the General Plan provides in relevant part that:

Tracy is at the crossroads of three Interstate highways that carry many visitors, in addition to residents, through the city. Thus, aesthetically pleasing entryways and visual landmarks that signal a sense of arrival to Tracy are important components that contribute to the City’s character. (Community Character Element, p. 3-5.), and;

H. The Land Use Element of the General Plan identifies parts of the I-205 Corridor as an “area of special consideration #5” and provides in relevant part that:

Areas around I-205 off-ramps, including areas on Eleventh Street, Grant Line Road, Tracy Boulevard and MacArthur Drive, serve as entryways to the City. Special attention should be given to the types of uses and design of these areas to ensure that development is visually attractive (Land Use Element, p. 2-55.).

5a. Entryway locations include, but are not limited to: Paradise Road, Chrisman Road,

Lammers Road, MacArthur Drive, Grant Line Road and Eleventh Street, where these streets intersect I-205 (Land Use Element, p. 2-55).

5b. Follow the guidance for entryways in the City's Civic Art Plan. (Land Use Element, p. 2-55.), and

I. The Economic Development Element of the General Plan also recognizes that the I-205 Corridor serves a significant function in preserving the City's economic vitality and sets forth the following objective and policies:

Objective ED-6.5 Support and expand the I-205 Specific Plan.

Policies

P1. The following types of businesses are encouraged in the I-205 Specific Plan area:

- Office or tech/flex office development to support the retail base with daytime customer clientele.
- Big box and regional destination/lifestyle retail development.
- Restaurants.

P2. The City shall support efforts to ensure that the I-205 Specific Plan area remains a regional retail destination. (Land Use Element, p. 4-15 – 4-16.)

J. The General Plan also calls for the City to “[t]ake actions necessary to ensure that Specific Plans are in conformance with the General Plan.” (Land Use Element, p.2-34.), and

K. The City believes that the General Plan's goals and policies related to preserving the visual and economic importance of the I-205 Corridor may be better furthered by incorporating updated development and design standards, as well as additional review for certain development applications within the I-205 corridor frontage area, and

L. On July 21, 2015, the City Council directed City staff to begin studying options for the land uses, development standards, and design standards along portions of the I-205 Corridor from Tracy Boulevard to the eastern City limit, and

M. On October 9, 2015, the City Council authorized funding and directed staff to create draft design guidelines for, and to conduct an economic analysis of, the I-205 Corridor; and

N. On December 15, 2015, the City Council reviewed the draft design guidelines and economic analysis of the I-205 Corridor, and directed staff to present options to the City Council related to possible zoning ordinance amendments to uses in the I-205 Corridor, and

O. On February 16, 2016 City Council conducted a workshop to further discuss options for adopting and applying new development regulations, standards, and permit processes for new development along the I-205 Corridor, and

P. On April 5, 2016 City Council approved a resolution initiating proceedings to establish an I-205 Overlay Zone, and

WHEREAS, A noticed public hearing was held on August 16, 2016, and

WHEREAS, The proposed overlay zone is consistent with the EIR prepared for the General Plan certified on February 1, 2011. In accordance with CEQA Guidelines Section 15183, no further environment assessment is required;

The City Council of the City of Tracy does ordain as follows:

SECTION 1: A new Article 21.2, I-205 Overlay Zone, is added to Title 10 (Planning and Zoning) of the Tracy Municipal Code, to read as set forth in the attached Exhibit A.

SECTION 2: Cross-references to the new Article 21.2 are added to the following existing zoning districts, as set forth in the attached Exhibit B: M-1, PUD, HS, and NEI Specific Plan.

SECTION 3: This Ordinance shall take effect 30 days after adoption.

SECTION 4: This Ordinance shall either (1) be published once in a newspaper of general circulation, within 15 days after its final adoption, or (2) be published in summary form and posted in the City Clerk's office at least five days before the ordinance is adopted and within 15 days after adoption, with the names of the Council Members voting for and against the ordinance. (Gov't. Code §36933.)

\* \* \* \* \*

The foregoing Ordinance \_\_\_\_\_ was introduced at a regular meeting of the Tracy City Council on \_\_\_\_\_, 2016, and adopted on \_\_\_\_\_, 2016, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

DRAFT



**Exhibit A**  
**“Article 21.2, I-205 Overlay Zone**

*[Delete section list after review]*

Section:

10.08.2860	Purpose
10.08.2861	Applicability
10.08.2862	Permitted uses
10.08.2863	Design standards
10.08.2864	Development standards
10.08.2865	Development review permit
10.08.2866	Zoning map designation

**10.08.2860 Purpose**

The purposes of this I-205 overlay zone are to maximize the aesthetic appearance of development along the I-205 corridor, maximize the economic development potential of lands along the I-205 corridor consistent with City economic development goals, and establish development application processing requirements for application submittals along the I-205 corridor;

**10.08.2861 Applicability**

A. Definitions. In this article:

*I-205 corridor* means the property on both sides of the I-205 freeway as it passes through the City.

*I-205 overlay zone* means the property along the I-205 corridor within 1000 feet of either side of the freeway, as measured from the edge of the Caltrans right of way. This overlay zone applies only to non-residential property and includes the following: highway service zone (HS), light industrial zone (M-1), planned unit development zone (PUD), I-205 Specific Plan, Northeast Industrial Specific Plan zone, and Industrial Specific Plan (ISP).

B. This article applies to the I-205 overlay zone.

**10.08.2862 Permitted and prohibited uses**

Any distribution, warehouse or similar use is prohibited in the I-205 overlay zone.

Existing permitted uses in each zone district apply in the I-205 overlay zone except as follows:

*Use Group 52, Contract construction, in buildings over 75,000 square feet*

*Use Group 53, Warehousing and storage*

*Use Group 60, Manufacturing uses, light, in buildings over 75,000 square feet*

*Use Group 61, Manufacturing uses, intermediate*

*Use Group 63, Manufacturing uses, very heavy  
Truck stop uses, including fueling, servicing and emergency repairs  
Furniture and cabinet assembly in buildings over 75,000 square feet  
Parcel delivery service and vehicle storage  
Truck terminals  
Mini storage  
Equipment storage, rental and sales, indoor or outdoor*

**10.08.2863 Development standards**

- A. Yard areas. Minimum yard setbacks in the I-205 overlay zone are the same as in the underlying zoning district except that the setback from the I-205 corridor right of way is 100 feet.
- B. Building height. The maximum building height within the I-205 overlay zone is 40 feet.
- C. Floor area ratio. The maximum floor area ratio within the I-205 overlay zone is 40%.
- D. Building Size: The maximum building size within the I-205 overlay zone is 75,000 square feet.

**10.08.2864 Development review permit.**

Before obtaining a building permit for an improvement in the I-205 overlay zone, the owner must first obtain a development review permit under article 30 (section 10.08.3920 and following). Development must conform to the Citywide Design Standards, including the I-205 overlay zone standards. A development review permit application for a parcel in the I-205 overlay zone is subject to City Council approval after Planning Commission recommendation.”

**Exhibit B**

A. A new section 10.08.1765, I-205 overlay zone, is added to the planned unit development zone regulations to read:

**“10.08.1765 I-205 overlay zone.**

The I-205 overlay zone applies to portions of PUD zones. (See section 10.08.2860.)”

B. A new section 10.08.2635, I-205 overlay zone, is added to the light industrial zone (M-1) regulations to read:

**“10.08.2635 I-205 overlay zone.**

The I-205 overlay zone applies to portions of this M-1 zone. (See section 10.08.2860.)”

C. A new section 10.08.2875, I-205 overlay zone, is added to the highway service zone (HS) regulations to read:

**“10.08.2875 I-205 overlay zone.**

The I-205 overlay zone applies to portions of this HS zone. (See section 10.08.2860.)”

D. Section 10.08.3022, Northeast Industrial Specific Plan zone, is amended to read:

**“10.08.3022 Northeast Industrial Specific Plan Zone.**

The zoning within the Northeast Industrial Specific Plan Zone is governed by the Northeast Industrial Area Specific Plan. In addition, the I-205 overlay zone applies to portions of this Northeast Industrial Specific Plan zone. (See section 10.08.2860.)”

# CEQA 15183 ANALYSIS

FOR THE

## INTERSTATE 205 OVERLAY PROJECT

JULY 2016

*Prepared for:*

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

*Prepared by:*

De Novo Planning Group  
1020 Suncoast Lane, Suite 106  
El Dorado Hills, CA 95762  
(916) 949-3231



## **INTRODUCTION**

The following pages provide an analysis of the proposed Interstate 205 Overlay Project (project) with respect to the project's consistency with the City of Tracy General Plan, the analysis contained in the General Plan EIR, and any site-specific environmental impacts or cumulative impacts that may result from project implementation.

As explained in the following pages, the proposed project is consistent with the City's General Plan, for which an EIR was prepared and certified, and there are no site-specific or cumulative impacts associated with the proposed project that have not been fully addressed in a previous environmental document, or that cannot be mitigated to a less than significant level through the application of uniformly applied development policies and/or standards. The findings presented below demonstrate that no additional environmental analysis is required under the California Environmental Quality Act (CEQA) prior to approval of the proposed project.

## **PROJECT OVERVIEW**

### *PROJECT LOCATION*

The project site consists of 365.62 acres located along Interstate 205 (I-205) in the northern portion of the City of Tracy. The project's regional location is shown in Figure 1 and an aerial view of the project site is shown in Figure 2. The project site encompasses 233 Assessor Parcel Numbers (APN). Figure 3 shows the parcel boundaries within the project site.

### *PROJECT DESCRIPTION*

The proposed project is an Overlay Zone affecting properties within 500 feet of the I-205 corridor within portions of the City of Tracy. The project would result in the addition of a new Article under Title 10, Planning and Zoning, to the Tracy Municipal Code, as well as minor revisions (i.e., cross-references to the proposed Article) to several existing zoning districts. There are no specific development projects proposed as part of the I-205 Overlay Project.

The proposed 500-foot Overlay Zone contains limitations similar to the Cordes Ranch Specific Plan overlay in that it contains a prohibition on warehouse/distribution land uses and contains site layout, building height, and setback requirements. The proposed Overlay Zone would (as does the Cordes Ranch Specific Plan) prohibit large-scale warehouse, manufacturing, and industrial land uses, while still allowing all of the other land uses that are currently listed as permitted and conditionally permitted within each of the affected underlying zones (i.e., the Northeast Industrial Specific Plan, the I-205 Corridor Specific Plan, the Tracy Industrial Area Specific Plan, and the Light Industrial, Highway Service, and Planned Unit Development zoning districts). The proposed Overlay Zone boundaries, as well as the aforementioned underlying zones, are shown in Figure 4.

The proposed Overlay Zone would utilize each property's relevant building setback requirements per the underlying zone district, with the exception that a building setback of 100 feet is required along the I-205 frontage. As shown in Table 1, the proposed maximum building height within the overlay is 40 feet, and the proposed maximum floor-area-ratio (FAR) is 40 percent. The proposed

Overlay Zone also contains a maximum building size for a single structure of 75,000 square feet. Further, the overlay requires that the Planning Commission and City Council review and approve any development review permit within the proposed I-105 Overlay Zone.

**Table 1: Regulations for Development Within 500 Feet of Interstate 205**

<i>SPECIFIC PLAN/ZONING</i>	<i>BUILDING HEIGHT</i>	<i>FREEWAY SETBACK</i>	<i>FLOOR AREA RATIO<sup>1</sup></i>	<i>MAXIMUM BUILDING SIZE<sup>1</sup></i>
Cordes Ranch Specific Plan	80 feet	100 feet	40%	75 KSF
Northeast Industrial Specific Plan	60 feet	25 feet	50%	None
I-205 Specific Plan	40 feet	25 feet	45-50%	None
Light Industrial (M-1) Zone	None	None	None	None
Industrial Areas Specific Plan	40 feet <sup>2</sup>	25 feet	45%	None
<i>Proposed I-205 Overlay Zone</i>	<i>40 feet</i>	<i>100 feet</i>	<i>40%</i>	<i>75 KSF</i>

*NOTES:*

<sup>1</sup> FLOOR AREA RATIO (FAR) AND MAXIMUM BUILDING SIZE ARE FOR INDUSTRIAL USES ONLY. MAXIMUM BUILDING SIZE IS SHOWN IN THOUSAND SQUARE FEET (KSF).

<sup>2</sup> MAY BE 45 FEET WITH LARGER BUILDING SETBACKS.

Approval of the I-205 Overlay Zone would not allow for any new land uses not already contemplated in the Tracy General Plan and analyzed in the General Plan EIR. The proposed I-205 Overlay Zone would not permit any uses not already permitted by the existing underlying zoning districts on the parcels within the proposed Overlay Zone Area, and the proposed Overlay Zone would not allow for any intensification of land uses beyond the levels currently allowed by the General Plan, Municipal Code, or any applicable specific plans.

The primary purpose of the I-205 Overlay Zone is to provide for aesthetic enhancements to the freeway corridor, and to limit new large-scale warehouse-style development within 500 feet of the freeway corridor, in order to enhance and protect the aesthetics of the corridor at key entry points to the City. The I-205 Overlay Zone supports implementation of goals and policies contained within the Tracy General Plan, and would be fully consistent with both the General Plan and the analysis contained in the General Plan EIR.

### *EXISTING SITE USES*

The project site currently consists of industrial and commercial warehouses and buildings, associated parking lots, a residential subdivision, and the I-205 corridor. The unimproved portions of the site include vacant and undeveloped land as well as agricultural uses. Figure 2 shows an aerial view of the project site.

### *SURROUNDING LAND USES*

The surrounding area adjacent to the project site includes commercial, industrial, public facility, and agricultural uses to the north of the project site, agricultural and industrial uses to the east, industrial, commercial, and residential uses to the south, and commercial and rural residential uses to the west. The project site and the surrounding uses are designated Park, Agriculture, Public Facilities, Commercial, Industrial, Low Density Residential, and Medium Density Residential by the City's General Plan.

### *GENERAL PLAN AND ZONING DESIGNATIONS*

The Tracy General Plan land use designations for the project site are Commercial, Industrial, and Residential Medium. The Industrial land use designation contains uses such as warehouses and distribution facilities, light manufacturing, self-storage facilities, aggregate deposits and extraction operations, and automobile garages. Land designated Industrial may have a maximum FAR of 0.5. The Commercial land use designation includes sites with one or more types of retail and office facilities, typically containing restaurants, grocery stores, shopping centers, and office parks. Land designated Commercial may have a maximum FAR of 1.0. The Residential Medium land use designation includes small lot single-family detached homes, duplexes, triplexes, fourplexes, townhouses, apartments and includes condominiums as an ownership type. Densities in the Residential Medium designation are from 5.9 to 12 dwelling units per gross acre. Figure 5 displays the General Plan Land Use Designations for the project site and surrounding area.

The project site is currently zoned Light Industrial (M-1), Highway Service (HS), Planned Unit Development (PUD), and Medium Density Cluster (MDC). The M-1 Zone classification is designed to provide for commercial and industrial activities and uses which are included in Chapter 10.08, Article 20 of the Tracy Municipal Code. The HS Zone classification is designed to provide for freeway-oriented uses in close proximity to the freeway interchanges. The uses permitted are intended to encourage automobile and truck related uses which will be compatible with adjacent zones and development and which require large land areas and are not appropriate, compatible, or of a type usually found in downtown areas or shopping centers. The PUD Zone classification is designed to allow flexibility and creativity in site planning for residential, commercial, or industrial uses to achieve greater efficiency in land use by maximizing open space, preserving natural amenities, and creating additional amenities. The MDC Zone classification is designed to provide for single- and two-family dwellings, dwelling groups, and supporting uses and to be utilized in appropriate locations within the areas designated medium density residential with a density range of 5.9 to 12.0 dwelling units per gross acre by the General Plan. Figure 6 displays the zoning designations for the project site and surrounding area.

### **REQUESTED ENTITLEMENTS AND OTHER APPROVALS**

The City of Tracy is the Lead Agency for the proposed project, pursuant to the State Guidelines for Implementation of the California Environmental Quality Act (CEQA), Section 15050.

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

- Adoption of the CEQA Exemption (Guidelines Section 15183).
- Approval of the proposed Article under Title 10, Planning and Zoning, to the Tracy Municipal Code, as well as minor revisions (i.e., cross-references to the new Article) to several existing zoning districts.

### **PREVIOUS ENVIRONMENTAL ANALYSES OF THE PROPOSED PROJECT**

Three previous environmental analyses have been prepared and certified which are applicable to the proposed project.



### *TRACY GENERAL PLAN EIR*

On February 1, 2011, the City adopted a new General Plan and certified the associated General Plan EIR (SCH# 2008092006). The proposed project would be consistent with the General Plan designations of Commercial and Industrial. The General Plan EIR assumed full development and buildout of the project site, consistent with the uses and densities proposed by the project. The cumulative impacts associated with buildout of the City of Tracy General Plan, including the project site, were fully addressed in the General Plan EIR.

### *NORTHEAST INDUSTRIAL SPECIFIC PLAN EIR*

The City previously adopted the Northeast Industrial Specific Plan and certified the associated EIR (SCH# 95102050). As shown in Figure 4, a portion of the Northeast Industrial Specific Plan area is located within the easternmost portion of the proposed Overlay Zone. The proposed project would be consistent with the land uses included in the Northeast Industrial Specific Plan, as described above. The Northeast Industrial Specific Plan EIR assumed full development and buildout of the easternmost portion of the proposed Overlay Zone. The proposed I-205 Overlay Zone would not permit any uses not already permitted by the existing underlying zoning districts on the parcels within the proposed Overlay Zone Area, and the proposed Overlay Zone would not allow for any intensification of land uses beyond the levels currently allowed by the General Plan, Municipal Code, or any applicable specific plans. The cumulative impacts associated with buildout of the Northeast Industrial Specific Plan, including the easternmost portion of the proposed Overlay Zone, were fully addressed in the Northeast Industrial Specific Plan EIR.

### *I-205 CORRIDOR SPECIFIC PLAN EIR*

On July 6, 1999, the City approved and adopted the I-205 Corridor Specific Plan and certified the associated EIR (SCH# 2003102045). As shown in Figure 4, a portion of the I-205 Corridor Specific Plan area is located within the central portion of the proposed Overlay Zone. The proposed project would be consistent with the I-205 Corridor Specific Plan, as described above. The I-205 Corridor Specific Plan EIR assumed full development and buildout of the project site. The proposed I-205 Overlay Zone would not permit any uses not already permitted by the existing underlying zoning districts on the parcels within the proposed Overlay Zone Area, and the proposed Overlay Zone would not allow for any intensification of land uses beyond the levels currently allowed by the General Plan, Municipal Code, or any applicable specific plans. The cumulative impacts associated with buildout of the I-205 Corridor Specific Plan, including the central portion of the proposed Overlay Zone, were fully addressed in the I-205 Corridor Specific Plan EIR.

## **CEQA GUIDELINES SECTION 15183 EXEMPTIONS**

CEQA Guidelines Section 15183 allows a streamlined environmental review process for projects that are consistent with the densities established by existing zoning, community plan, or general plan policies for which an Environmental Impact Report (EIR) was certified. As noted above, the proposed project is consistent with the land use designation and densities established by the Tracy General Plan, the Northeast Industrial Specific Plan, and the I-205 Corridor Specific Plan, for which EIRs were previously certified. The provisions contained in Section 15183 of the CEQA Guidelines are presented below.

**15183. PROJECTS CONSISTENT WITH A COMMUNITY PLAN OR ZONING**

*(a) CEQA mandates that projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. This streamlines the review of such projects and reduces the need to prepare repetitive environmental studies.*

*(b) In approving a project meeting the requirements of this section, a public agency shall limit its examination of environmental effects to those which the agency determines, in an initial study or other analysis:*

*(1) Are peculiar to the project or the parcel on which the project would be located,*

*(2) Were not analyzed as significant effects in a prior EIR on the zoning action, general plan, or community plan, with which the project is consistent,*

*(3) Are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan or zoning action, or*

*(4) Are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR.*

*(c) If an impact is not peculiar to the parcel or to the project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards, as contemplated by subdivision (e) below, then an additional EIR need not be prepared for the project solely on the basis of that impact.*

*(d) This section shall apply only to projects which meet the following conditions:*

*(1) The project is consistent with:*

*(A) A community plan adopted as part of a general plan,*

*(B) A zoning action which zoned or designated the parcel on which the project would be located to accommodate a particular density of development, or*

*(C) A general plan of a local agency, and*

*(2) An EIR was certified by the lead agency for the zoning action, the community plan, or the general plan.*

*(e) This section shall limit the analysis of only those significant environmental effects for which:*

*(1) Each public agency with authority to mitigate any of the significant effects on the environment identified in the planning or zoning action undertakes or requires others to*

*undertake mitigation measures specified in the EIR which the lead agency found to be feasible, and*

*(2) The lead agency makes a finding at a public hearing as to whether the feasible mitigation measures will be undertaken.*

*(f) An effect of a project on the environment shall not be considered peculiar to the project or the parcel for the purposes of this section if uniformly applied development policies or standards have been previously adopted by the City or county with a finding that the development policies or standards will substantially mitigate that environmental effect when applied to future projects, unless substantial new information shows that the policies or standards will not substantially mitigate the environmental effect. The finding shall be based on substantial evidence which need not include an EIR. Such development policies or standards need not apply throughout the entire City or county, but can apply only within the zoning district in which the project is located, or within the area subject to the community plan on which the lead agency is relying. Moreover, such policies or standards need not be part of the general plan or any community plan, but can be found within another pertinent planning document such as a zoning ordinance. Where a City or county, in previously adopting uniformly applied development policies or standards for imposition on future projects, failed to make a finding as to whether such policies or standards would substantially mitigate the effects of future projects, the decision-making body of the City or county, prior to approving such a future project pursuant to this section, may hold a public hearing for the purpose of considering whether, as applied to the project, such standards or policies would substantially mitigate the effects of the project. Such a public hearing need only be held if the City or county decides to apply the standards or policies as permitted in this section.*

*(g) Examples of uniformly applied development policies or standards include, but are not limited to:*

*(1) Parking ordinances.*

*(2) Public access requirements.*

*(3) Grading ordinances.*

*(4) Hillside development ordinances.*

*(5) Flood plain ordinances.*

*(6) Habitat protection or conservation ordinances.*

*(7) View protection ordinances.*

*(8) Requirements for reducing greenhouse gas emissions, as set forth in adopted land use plans, policies, or regulations.*

*(h) An environmental effect shall not be considered peculiar to the project or parcel solely because no uniformly applied development policy or standard is applicable to it.*

*(i) Where the prior EIR relied upon by the lead agency was prepared for a general plan or community plan that meets the requirements of this section, any rezoning action consistent with the general plan or community plan shall be treated as a project subject to this section.*

*(1) “Community plan” is defined as a part of the general plan of a City or county which applies to a defined geographic portion of the total area included in the general plan, includes or references each of the mandatory elements specified in Section 65302 of the Government Code, and contains specific development policies and implementation measures which will apply those policies to each involved parcel.*

*(2) For purposes of this section, “consistent” means that the density of the proposed project is the same or less than the standard expressed for the involved parcel in the general plan, community plan or zoning action for which an EIR has been certified, and that the project complies with the density-related standards contained in that plan or zoning. Where the zoning ordinance refers to the general plan or community plan for its density standard, the project shall be consistent with the applicable plan.*

*(j) This section does not affect any requirement to analyze potentially significant offsite or cumulative impacts if those impacts were not adequately discussed in the prior EIR. If a significant offsite or cumulative impact was adequately discussed in the prior EIR, then this section may be used as a basis for excluding further analysis of that offsite or cumulative impact.*

## **PROJECT-SPECIFIC ENVIRONMENTAL REVIEW**

The attached Environmental Checklist includes a discussion and analysis of any peculiar or site-specific environmental impacts associated with implementation of the proposed project. The Environmental Checklist identifies the applicable City of Tracy development standards and policies that would apply to any future development within the project area during both the construction and operational phases, and explains how the application of these uniformly applied standards and policies would ensure that no peculiar or site-specific environmental impacts would occur.

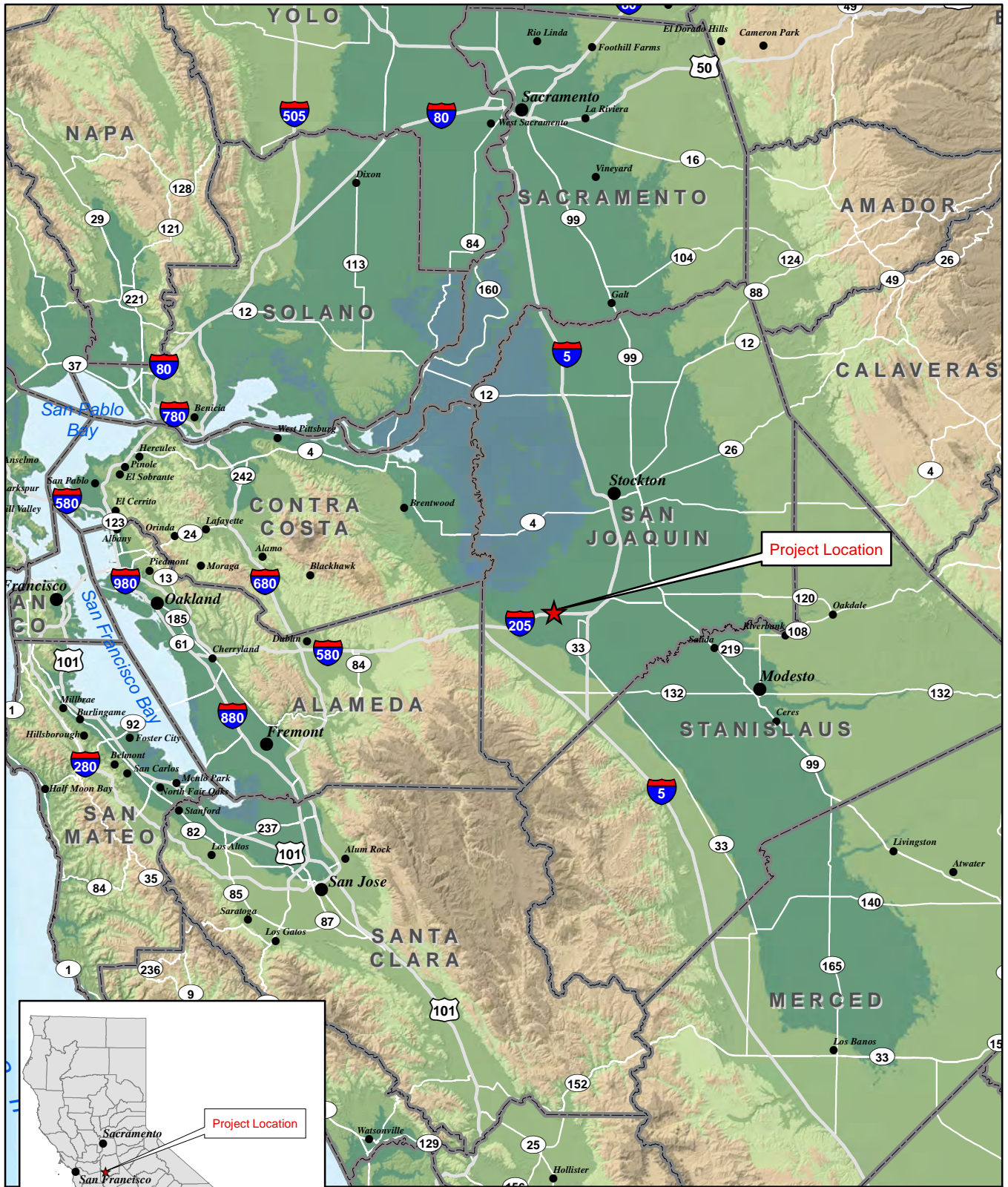
## **CONCLUSION**

As described above, the proposed I-205 Overlay project (project) is consistent with the land use designations and development intensities assigned to the project site by the City of Tracy General Plan. Cumulative impacts associated with development and buildout of the project site were fully addressed in the City of Tracy General Plan EIR (SCH# 2008092006). Since the proposed project is consistent with the land use designation and development intensity for the site identified in the General Plan and analyzed in the General Plan EIR, implementation of the proposed project would not result in any new or altered cumulative impacts beyond those addressed in the General Plan EIR.

The analysis in the attached CEQA Environmental Checklist demonstrates that there are no site-specific or peculiar impacts associated with the project, and identifies uniformly applied standards and policies that would be applied to any future development projects within the project area. The uniformly applied standards and policies identified in the attached

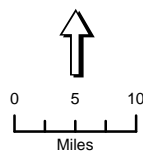
environmental analysis include requirements that must be implemented by any future development projects within the project area in order to ensure that any site-specific impacts or construction-related impacts are reduced to a less than significant level. All uniformly applied standards and policies identified in the attached Environmental Checklist shall be made a condition of project approval for subsequent development projects, and shall be implemented within the timeframes identified.





I-205 OVERLAY, TRACY, CALIFORNIA

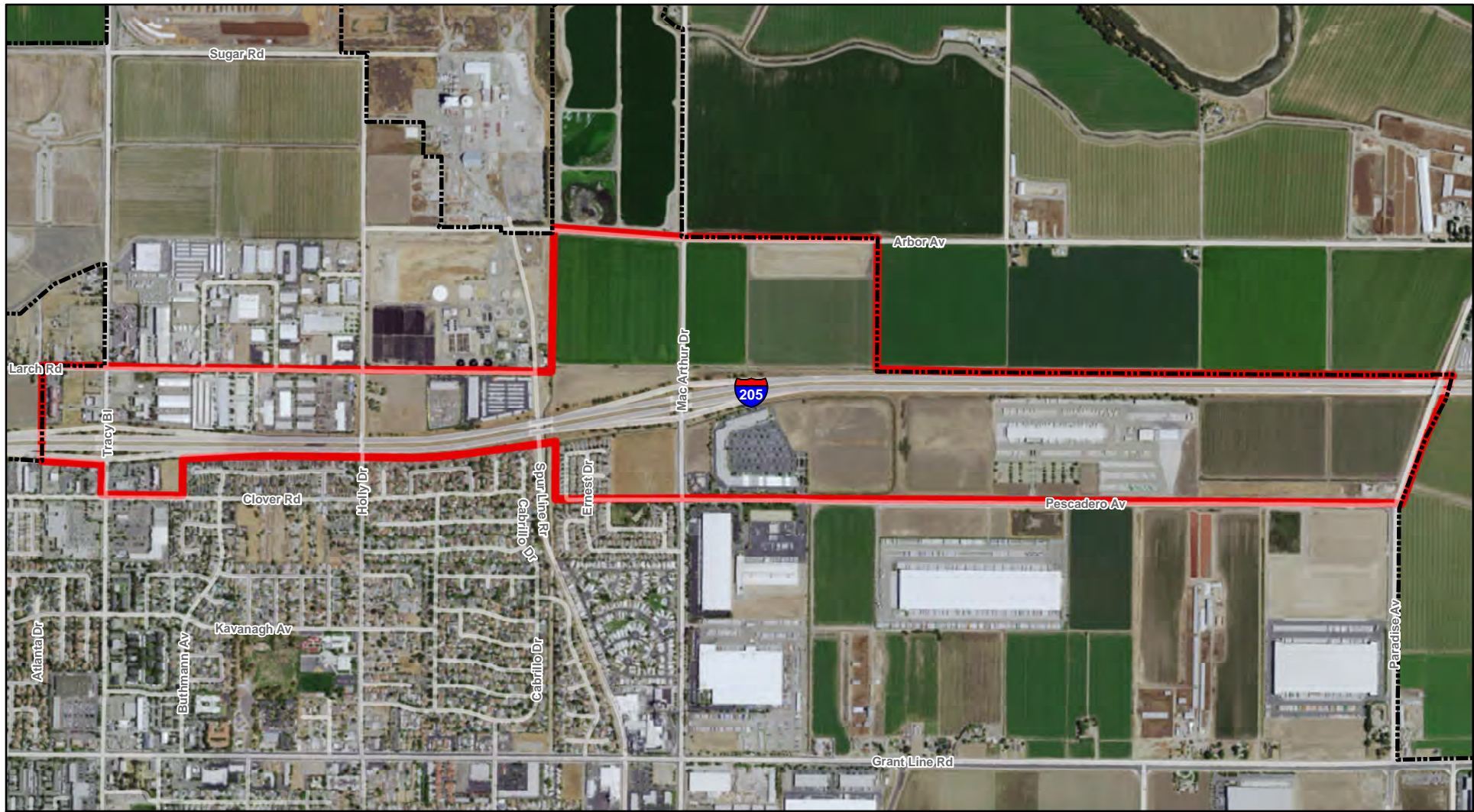
Figure 1: Regional Project Location Map



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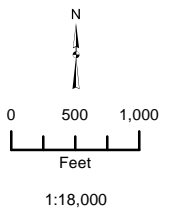


I-205 OVERLAY, TRACY, CALIFORNIA

Figure 2. Aerial View

Legend

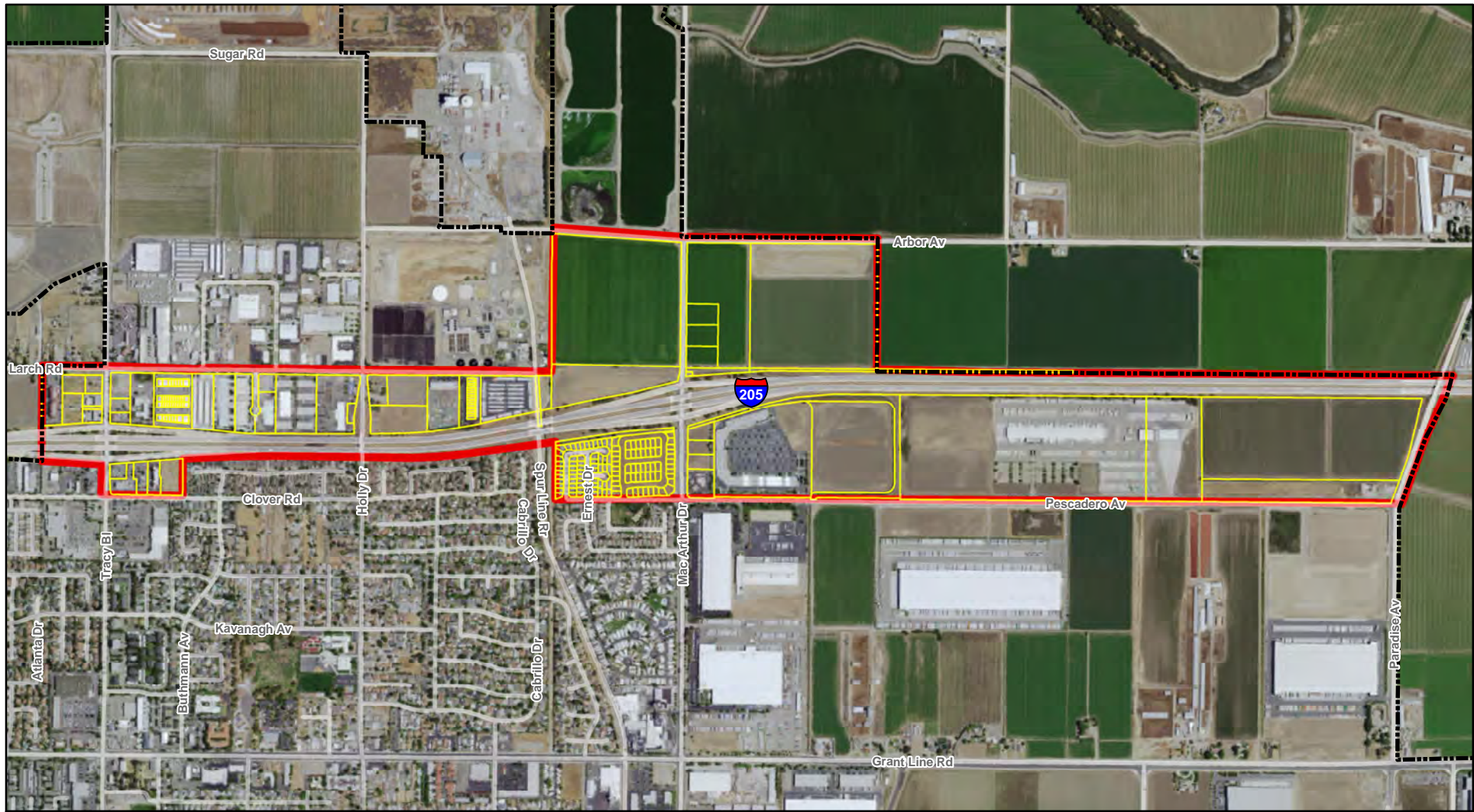
- Project Boundary
- Tracy City Limits



Sources: San Joaquin County GIS. Map date: May 27, 2016.



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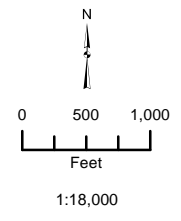


I-205 OVERLAY, TRACY, CALIFORNIA

Figure 3. APN Map

Legend

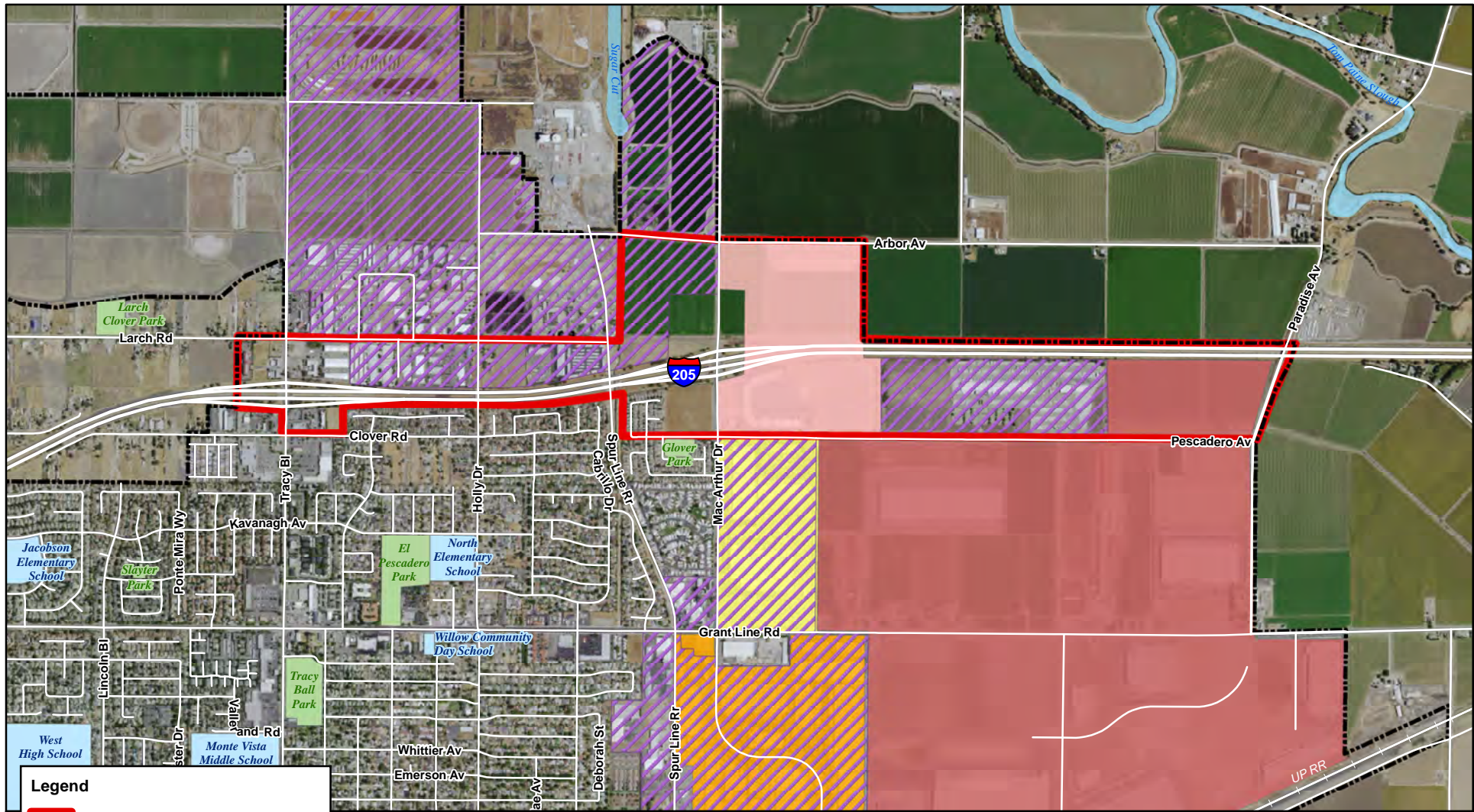
- Parcels within Project Boundary
- Project Boundary
- Tracy City Limits









Sources: San Joaquin County GIS. Map date: May 31, 2016.

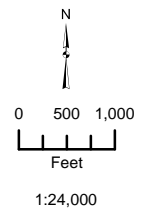
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**Legend**

-  Project Boundary
-  I-205 Corridor Specific Plan
-  Northeast Industrial Specific Plan
-  Tracy Industrial Area Specific Plan I-1
-  Tracy Industrial Area Specific Plan I-2
-  M1 Zoning

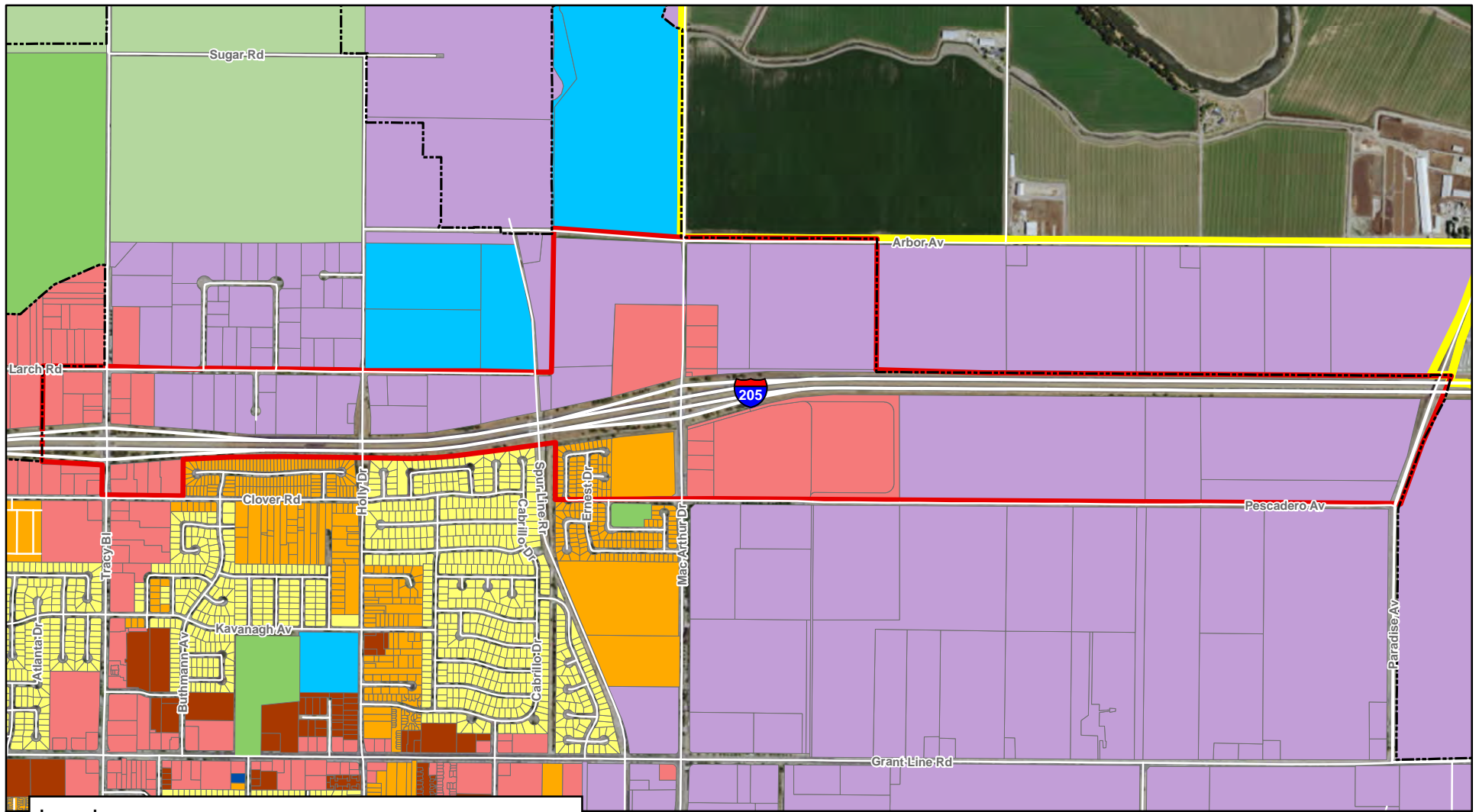


**I-205 OVERLAY, TRACY, CALIFORNIA**


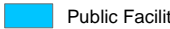







Figure 4. Project Vicinity Map with Boundaries of Specific Plans and M-1 Zoning

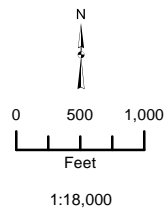
Data sources: San Joaquin County GIS; City of Tracy GIS. Map date: May 27, 2016.

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**Legend**

- |   |  |   |
|---|--|---|
|  Agriculture |  Public Facilities  |  Project Boundary    |
|  Commercial  |  Residential Low    |  Sphere Of Influence |
|  Industrial  |  Residential Medium |  Tracy City Limits   |
|  Office      |  Residential High   |   |
|  Park        |  |   |

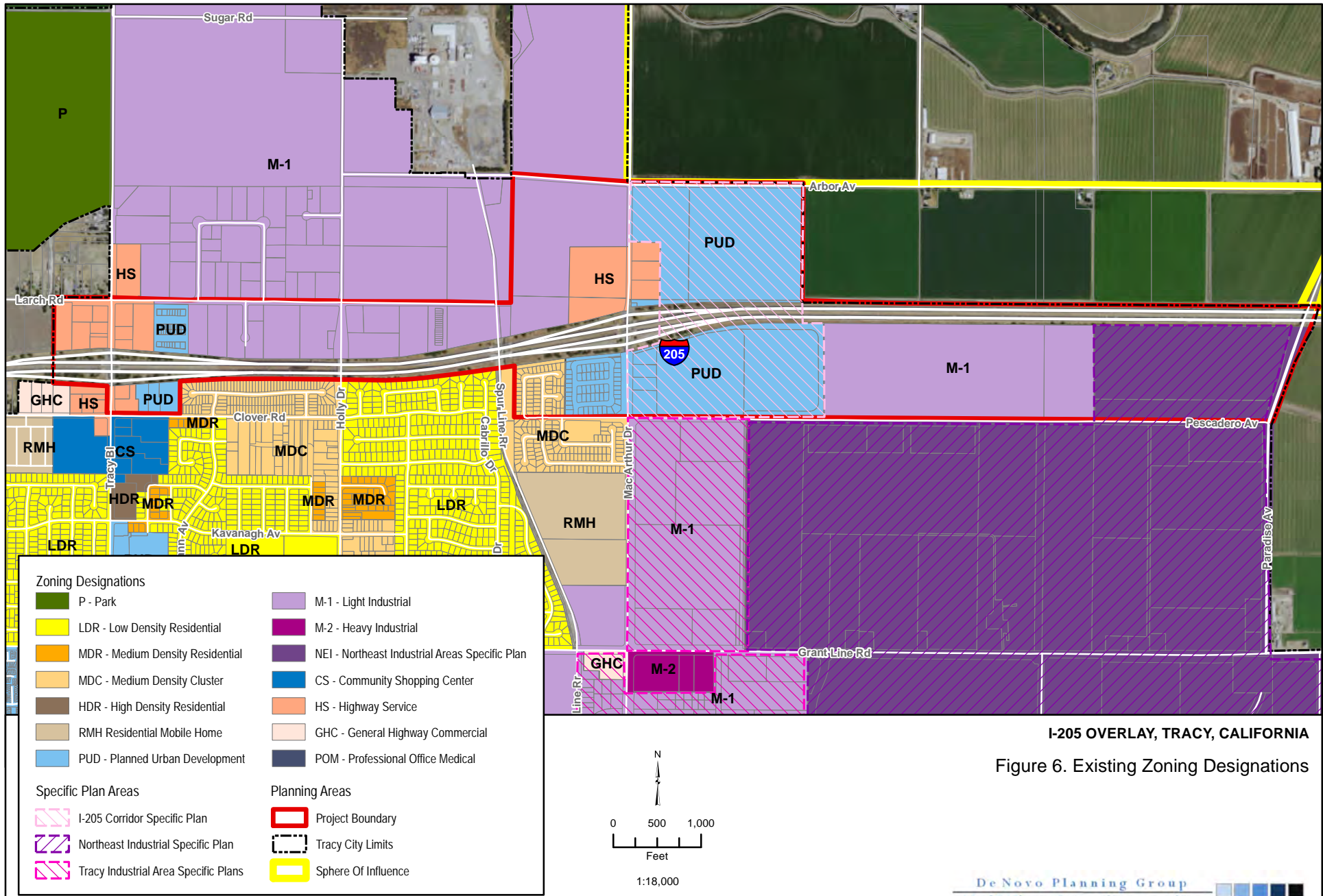


**I-205 OVERLAY, TRACY, CALIFORNIA**

Figure 5. Existing General Plan Land Use Designations

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**I-205 OVERLAY, TRACY, CALIFORNIA**  
**Figure 6. Existing Zoning Designations**

Sources: San Joaquin County GIS; City of Tracy GIS. Map date: May 27, 2016.



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## ENVIRONMENTAL CHECKLIST

### I. AESTHETICS -- WOULD THE PROJECT:

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

### RESPONSES TO CHECKLIST QUESTIONS

**Response a): Less than Significant.** There are no scenic vistas located on or adjacent to the project site. The proposed I-205 Overlay project would allow for future development which would be consistent and compatible with the surrounding land use designations. Lands surrounding the project site consist of commercial, industrial, public facility, and residential uses.

Implementation of the proposed Overlay Zone would facilitate future commercial and industrial development in an area of the City that is adjacent to existing and future commercial, industrial, and single-family residential development. The project site is not topographically elevated from the surrounding lands, and is not highly visible from areas beyond the immediate vicinity of the site. There are no prominent features on the site, such as extensive trees, rock outcroppings, or other visually distinctive features that contribute to the scenic quality of the site. The project site is not designated as a scenic vista by the City of Tracy General Plan.

Implementation of the proposed project would not significantly change the existing visual character of the project area, as the areas immediately adjacent to the site are used for commercial and industrial purposes. Furthermore, the General Plan designates this area for commercial and industrial uses. The General Plan EIR analyzed impacts related to aesthetics as a result of development of the General Plan, including the project site. The proposed Overlay Zone would provide for aesthetic enhancements to the freeway corridor, and would limit new large-scale warehouse-style development within 500 feet of the freeway corridor, in order to enhance and protect the aesthetics of the corridor at key entry points to the City. The I-205 Overlay Zone supports implementation of goals and policies contained within the Tracy General Plan, and would be fully consistent with both the General Plan and the analysis contained in the General Plan EIR. Therefore, this impact is considered **less than significant**.

**Response b): Less than Significant.** As described in the Tracy General Plan EIR, there are two Officially Dedicated California Scenic Highway segments in the Tracy Planning Area, which extend a total length of 16 miles. The first designated scenic highway is the portion of I-580 between I-205 and I-5, which offers views of the Coast Range to the west and the Central Valley’s urban and agricultural lands to the east. The second scenic highway is the portion of I-5 that starts at I-205 and continues south to Stanislaus County, which allows for views of the surrounding agricultural lands and the Delta-Mendota Canal and California Aqueduct.

The scenic portion of the I-580 highway is approximately 5.6 miles southwest from the project site. The project site is not visible from this highway. Additionally, the project is not at all visible along any scenic section of I-5.

Implementation of the proposed project would not result in the removal of any substantial trees, rock outcroppings, or buildings of historical significance, and would not result in changes to any of the viewsheds from the designated scenic highways in the vicinity of the City of Tracy. Therefore, there is a **less than significant** impact.

**Response c): Less than Significant.** The proposed project would not permit any uses not already permitted by the existing underlying zoning districts on the parcels within the proposed Overlay Zone Area, and the proposed Overlay Zone would not allow for any intensification of land uses beyond the levels currently allowed by the General Plan, Municipal Code, or any applicable specific plans.

Development of future projects within the Overlay Zone would be visually compatible with the surrounding uses and would not significantly degrade the existing visual quality of the surrounding area. Site specific characteristics would change portions of the site from undeveloped land to commercial and industrial uses. However, taking into account the scope and location of the proposed project relative to the surrounding area uses, this would not greatly alter the area’s overall visual characteristics.

Additionally, the project is subject to the City of Tracy’s development and design review criteria, which would ensure that the exterior facades of any future structures, landscaping, streetscape improvements, or exterior lighting would be compatible with the surrounding land uses. Therefore, this is considered a **less than significant** impact.

**Response d): Less than Significant.** Daytime glare can occur when the sunlight strikes reflective surfaces such as windows, vehicle windshields and shiny reflective building materials. The proposed project would not introduce new structures into the project site; as such, the project would not result in increases in daytime glare.

Development of future projects within the Overlay Zone would likely include exterior lighting around any structures or parking areas within the site. The City of Tracy Standard Plan #140 establishes street light standards, and requirements for light illumination. Exterior lighting on new projects is also regulated by the Tracy Municipal Code, 10.08.4000 (a), which specifies that the site plan and architectural review package includes an exterior lighting standards and devices review. The City addresses light and glare issues on a case-by-case basis during project approval

and typically adds requirements as a condition of project approval to shield and protect against light spillover from one property to the next. Compliance with existing City standards and requirements would ensure impacts related to light and glare would be **less than significant**.

*II. AGRICULTURE AND FOREST RESOURCES -- WOULD THE PROJECT:*

	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			X	
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?			X	
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 1222(g)) or timberland (as defined in Public Resources Code section 4526)?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?			X	

*RESPONSES TO CHECKLIST QUESTIONS*

**Response a): Less than Significant.** As shown in Figure 7, the project site contains 153.80 acres of Prime Farmland and 22.10 acres of Farmland of Local Importance as mapped by the California Department of Conservation, Farmland Mapping and Monitoring Program. The remainder of the project site is designated as Urban and Built-Up Land, Rural Residential Land, Semi-Agricultural and Rural Commercial Land, and Vacant or Disturbed Land.

The proposed project is identified for urban land uses in the Tracy General Plan, and the project is consistent with the uses established by the General Plan. There are agricultural activities occurring on the project site, which would be converted to non-agricultural uses as future development within the project area occurs. However, impacts related to conversion of agricultural land within the City's Planning Area, including the project area, were analyzed in the General Plan EIR. The proposed I-205 Overlay Zone would not permit any uses not already permitted by the existing underlying zoning districts on the parcels within the proposed Overlay Zone Area, and the proposed Overlay Zone would not allow for any intensification of land uses beyond the levels currently allowed by the General Plan, Municipal Code, or any applicable specific plans. As such, implementation of the proposed project would result in the conversion of agricultural lands to non-agricultural uses beyond the levels analyzed and disclosed in the General Plan EIR. The potential environmental impacts from development of the project site for urban uses and the associated removal of prime farmland soil for agricultural use were considered and addressed in the City of Tracy General Plan and Final EIR. There, it was

determined that buildout of the General Plan, including development of the Project site, would result in the conversion of Prime Farmland, Unique Farmland and Farmland of Statewide Importance to urban uses. The General Plan Draft EIR found this to be a significant and unavoidable impact. On February 1, 2011 the Tracy City Council adopted a Statement of Overriding Considerations (Resolution 2011-028) for the loss of prime agricultural land resulting from adoption of the Plan and EIR, and provided mitigation measures for the agricultural land lost to development in the City of Tracy's urbanized areas. Mitigation measures included the implementation of a "Right to Farm" ordinance by the City (Ord. 10.24 et seq.), intended to preserve and protect existing agricultural operations within the incorporated City, and participation in the City's agricultural mitigation fee program (Tracy Municipal Code, Chapter 13.26).

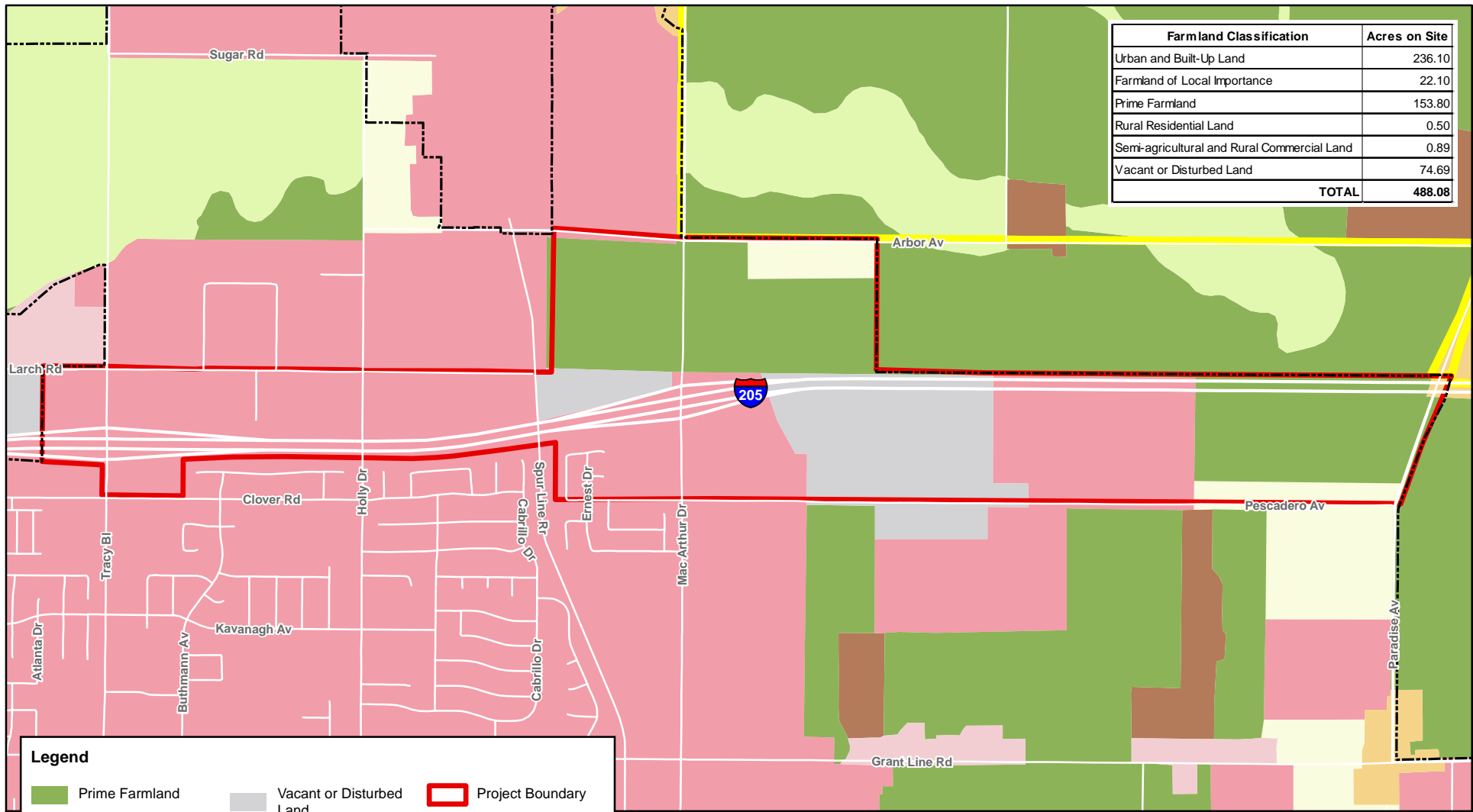
The proposed project is consistent with the overriding considerations that were adopted for the General Plan and the established mitigation measures under that Plan. Under this framework, any applicant for a future development project within the project area is required to participate in the City's agricultural mitigation fee program by paying the established fees to the City on a per-acre basis for the loss of important farmland. Fees paid toward the City's program are collected and distributed to the Central Valley Farmland Trust, and shall be used to fund conservation easements on comparable or better agricultural lands to provide compensatory mitigation. As such, implementation of the proposed project would not create new impacts over and above those identified in the General Plan Final EIR, nor significantly change previously identified impacts. Therefore, with implementation of these uniformly applied regulations, this impact would be **less than significant**.

**Response b): Less than Significant.** Portions of the project site are under Williamson Act Contracts, and some of the parcels immediately adjacent to the project site are under a Williamson Act Contract, or designated for agricultural uses. However, impacts related to conversion of agricultural land currently under Williamson Act contracts within the City's Planning Area were analyzed in the General Plan EIR. The General Plan Draft EIR found this to be a significant and unavoidable impact. On February 1, 2011 the Tracy City Council adopted a Statement of Overriding Considerations (Resolution 2011-028) for conflicts related to development on parcels under Williamson Act Contract. Approval of the I-205 Overlay Zone would not allow for any new land uses not already contemplated in the Tracy General Plan and analyzed in the General Plan EIR. Therefore, implementation of the proposed project would not result in new conflicts with a Williamson Act Contract, and would not conflict with any agricultural zoning. As such, this is a **less than significant** impact.

**Responses c), d): No Impact.** The project site is located in an area consisting of commercial and industrial development. Trees are present within the project site; however, these trees are ornamental in nature. There are no forest resources on the project site or in the immediate vicinity of the project site. Therefore, there is **no impact**.

**Response e): Less than Significant.** As described under Responses (a) and (b) above, although the project site contains some agricultural land, impacts related to conversion of such land was already contemplated in the Tracy General Plan and analyzed in the General Plan EIR. The

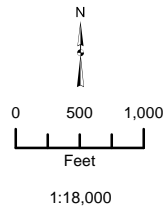
proposed project would not allow for any new land uses not already contemplated in the Tracy General Plan and analyzed in the General Plan EIR. This is a **less than significant impact** related to this environmental topic.



Farmland Classification	Acres on Site
Urban and Built-Up Land	236.10
Farmland of Local Importance	22.10
Prime Farmland	153.80
Rural Residential Land	0.50
Semi-agricultural and Rural Commercial Land	0.89
Vacant or Disturbed Land	74.69
<b>TOTAL</b>	<b>488.08</b>

**Legend**

- Prime Farmland
- Unique Farmland
- Grazing Land
- Vacant or Disturbed Land
- Rural Residential Land
- Project Boundary
- Sphere Of Influence
- Farmland of Local Importance
- Semi-agricultural and Rural Commercial Land
- Tracy City Limits
- Confined Animal Agriculture
- Urban and Built-Up Land



**I-205 OVERLAY, TRACY, CALIFORNIA**

Figure 7. Project Site Farmland Classifications

Sources: San Joaquin County GIS; City of Tracy GIS; California Department of Conservation Farmland Mapping and Monitoring Program, San Joaquin County 2014. Map date: May 30, 2016.



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**III. AIR QUALITY -- WOULD THE PROJECT:**

	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X	
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
d) Expose sensitive receptors to substantial pollutant concentrations?			X	
e) Create objectionable odors affecting a substantial number of people?			X	

**EXISTING SETTING**

The project site is located within the boundaries of the San Joaquin Valley Air Pollution Control District (SJVAPCD). This agency is responsible for monitoring air pollution levels and ensuring compliance with federal and state air quality regulations within the San Joaquin Valley Air Basin (SJVAB) and has jurisdiction over most air quality matters within its borders.

**RESPONSES TO CHECKLIST QUESTIONS**

**Responses a), b), c): Less than Significant.** Air quality emissions would be generated during construction of future development projects within the Overlay Zone and during operation of these future development projects.

**Construction-Related Emissions**

Construction of future development projects within the Overlay Zone would result in numerous activities that would generate dust. The fine, silty soils in the project area and often strong afternoon winds exacerbate the potential for dust, particularly in the summer months. Grading, leveling, earthmoving and excavation are the activities that generate the most particulate emissions. Impacts would be localized and variable. The initial phase of future project construction would likely involve grading and leveling the project site and installation of supporting underground infrastructure, such as water, sewer, storm drain, and electrical lines.

Future projects would be subject to the requirements of SJVAPCD rules and control measures required and enforced by the SJVAPCD under Rule VIII. Rule VIII requires a construction emissions reduction plan which includes the following requirements and measures:

- Properly and routinely maintain all construction equipment, as recommended by manufacturer’s manuals, to control exhaust emissions.
- Shut down equipment when not in use for extended periods of time, to reduce exhaust emissions associated with idling engines.
- Encourage ride-sharing and use of transit transportation for construction employees commuting to the project site.
- Use electric equipment for construction whenever possible in lieu of fossil fuel-powered equipment.
- Curtail construction during periods of high ambient pollutant concentrations.
- Construction equipment shall operate no longer than eight cumulative hours per day.
- All construction vehicles shall be equipped with proper emission control equipment and kept in good and proper running order to reduce NO<sub>x</sub> emissions.
- On-road and off-road diesel equipment shall use aqueous diesel fuel if permitted under manufacturer’s guidelines.
- On-road and off-road diesel equipment shall use diesel particulate filters if permitted under manufacturer’s guidelines.
- On-road and off-road diesel equipment shall use cooled exhaust gas recirculation (EGR) if permitted under manufacturer’s guidelines.
- Use of Caterpillar pre-chamber diesel engines or equivalent shall be utilized if economic and available to reduce NO<sub>x</sub> emissions.
- All construction activities within the project site shall be discontinued during the first stage smog alerts.
- Construction and grading activities shall not be allowed during first stage ozone alerts. (First stage ozone alerts are declared when ozone levels exceed 0.20 ppm for the 1-hour average.)

The above requirements, and other applicable SJVAPCD rules, would be imposed upon any future projects within the Overlay Zone during all phases of construction to reduce the potential for construction-related emissions. Additionally, impacts related to air quality as a result of development within the City’s Planning Area, including the project site, were analyzed in the General Plan EIR. Approval of the I-205 Overlay Zone would not allow for any new land uses not already contemplated in the Tracy General Plan and analyzed in the General Plan EIR. Therefore, this is considered a **less than significant** impact.

### **Operational Emissions**

Construction of future development projects within the Overlay Zone would result in operational emissions, including smog-forming and particulate emissions.

District Rule 9510 requires developers of residential, commercial, and industrial projects to reduce smog-forming (NO<sub>x</sub>) and particulate (PM<sub>10</sub> and PM<sub>2.5</sub>) emissions generated by their projects. The Rule applies to projects which, upon full build-out, will include 50 or more residential units. Project developers are required to reduce:

- 20 percent of construction-exhaust nitrogen oxides;
- 45 percent of construction-exhaust PM<sub>10</sub>;

- 33 percent of operational nitrogen oxides over 10 years; and
- 50 percent of operational PM<sub>10</sub> over 10 years.

Developers are encouraged to meet these reduction requirements through the implementation of on-site mitigation; however, if the on-site mitigation does not achieve the required baseline emission reductions, the developer will mitigate the difference by paying an off-site fee to the District. Fees reduce emissions by helping to fund clean-air projects in the District.

Regardless of the expected emissions totals, future development projects within the proposed Overlay Zone would be subject to the requirements of SJVAPCD Rule 9510, which requires developers of large residential, commercial and industrial projects to reduce smog-forming (NO<sub>x</sub>) and particulate (PM<sub>10</sub> and PM<sub>2.5</sub>) emissions generated by their projects. Additionally, impacts related air quality as a result of development within the City's Planning Area were analyzed in the General Plan EIR. Approval of the I-205 Overlay Zone would not allow for any new land uses not already contemplated in the Tracy General Plan and analyzed in the General Plan EIR. As such, the project would result in **less than significant** air quality impacts.

**Response d): Less than Significant.** Sensitive receptors are those parts of the population that can be severely impacted by air pollution. Sensitive receptors include children, the elderly, and the infirm. The nearest sensitive receptor to the project site is Brookdale Senior Living, located approximately 0.5-mile south of the project site. As described above, the proposed project itself would not generate significant emissions of criteria air pollutants and would not result in substantial pollutant concentrations. Future development projects within the Overlay Zone would be subject to the SJVAPCD requirements for construction and operational emissions outlined above. Therefore, this is considered a **less than significant** impact.

**Response e): Less than Significant.** Operation of future projects within the Overlay Zone would not generate notable odors. The Overlay Zone would (as does the Cordes Ranch Specific Plan) prohibit large-scale warehouse, manufacturing, and industrial land uses, while still allowing all of the other land uses that are currently listed as permitted and conditionally permitted within each of the affected underlying zones (i.e., the Northeast Industrial Specific Plan, the I-205 Corridor Specific Plan, the Tracy Industrial Area Specific Plan, and the Light Industrial, Highway Service, and Planned Unit Development zoning districts). The commercial and industrial uses allowed within the proposed Overlay Zone are compatible with the surrounding land uses. Occasional mild odors may be generated during operation of the future uses, but the project would not otherwise generate odors. Additionally, impacts related to objectionable odors as a result of development within the City's Planning Area, including the project site, were analyzed in the General Plan EIR. Approval of the I-205 Overlay Zone would not allow for any new land uses not already contemplated in the Tracy General Plan and analyzed in the General Plan EIR. This is a **less than significant** impact.

*IV. BIOLOGICAL RESOURCES -- WOULD THE PROJECT:*

	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?				X
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			X	
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?			X	

*RESPONSES TO CHECKLIST QUESTIONS***Response a): Less than Significant.**

Special-status invertebrates: Special status invertebrate species that occur within the San Joaquin County region include: longhorn fairy shrimp, vernal pool fairy shrimp, and mid valley fairy shrimp, which requires vernal pools and swale areas within grasslands; and the valley elderberry longhorn beetle, which is an insect that is only associated with blue elderberry plants, oftentimes in riparian areas and sometimes on land in the vicinity of riparian areas. The project site may contain essential habitat for these special status invertebrates. Future development projects within the Overlay Zone would be required to fully mitigate for any potential impacts to special-status invertebrates and their habitat. Additionally, impacts related to special-status species within the City's Planning Area were analyzed in the General Plan EIR. Approval of the I-205 Overlay Zone would not allow for any new land uses not already contemplated in the Tracy

General Plan and analyzed in the General Plan EIR. Implementation of the proposed project would have a **less than significant** impact on these species.

Special-status reptiles and amphibians: Special-status reptiles and amphibians that occur within the region include: the western pond turtle, which requires aquatic environments located along ponds, marshes, rivers, and ditches; the California tiger salamander, which is found in grassland habitats where there are nearby seasonal wetlands for breeding; the silvery legless lizard, which is found in sandy or loose loamy soils under sparse vegetation with high moisture content; San Joaquin whipsnake, which requires open, dry habitats with little or no tree cover with mammal burrows for refuge; the Alameda whipsnake, which is restricted to valley-foothill hardwood habitat on south-facing slopes; the California horned lizard, which occurs in a variety of habitats including, woodland, forest, riparian, and annual grasslands, usually in open sandy areas; the foothill yellow-legged frog, which occurs in partly shaded and shallow streams with rocky soils; the California red legged frog, which occurs in stream pools and ponds with riparian or emergent marsh vegetation; and the western spadefoot toad, which requires grassland habitats associated with vernal pools. The project site may contain essential habitat for these special status reptiles and amphibians. Future development projects within the Overlay Zone would be required to fully mitigate for any potential impacts to special-status reptiles and amphibians, including their habitat. Additionally, impacts related to special-status species within the City's Planning Area were analyzed in the General Plan EIR. Approval of the I-205 Overlay Zone would not allow for any new land uses not already contemplated in the Tracy General Plan and analyzed in the General Plan EIR. Implementation of the proposed project would have a **less than significant** impact on these species.

Special-status plant species: Numerous special-status plant species are known to occur in the region. Many of these special status plant species require specialized habitats such as serpentine soils, rocky outcrops, slopes, vernal pools, marshes, swamps, riparian habitat, alkali soils, and chaparral, which are not present on the project site. The project site is located in an area that was likely valley grassland prior to human settlement, and there are several plant species that are found in valley and foothills grasslands areas. These species include large-flowered fiddleneck, bent-flowered fiddleneck, big-balsamroot, big tarplant, round-leaved filaree, Lemmon's jewelflower, and showy golden madia. Human settlement has involved a high frequency of ground disturbance associated with the historical farming activities, and urban development in the region, including the project site. The project site may contain suitable habitat for special-status plant species. Future development projects within the Overlay Zone would be required to fully mitigate for any potential impacts to special-status plant species. Additionally, impacts related to special-status species within the City's Planning Area were analyzed in the General Plan EIR. Approval of the I-205 Overlay Zone would not allow for any new land uses not already contemplated in the Tracy General Plan and analyzed in the General Plan EIR. Implementation of the proposed project would have a **less than significant** impact on these species.

Special-status wildlife species: Special-status wildlife species that occur within the region include: bats, western burrowing owl, Swainson's hawk, ferruginous hawk, northern harrier, white-tailed kite, California horned lark, loggerhead shrike, and California horned lizard. The

project site may contain essential habitat for the aforementioned special status wildlife species. Future development projects within the Overlay Zone would be required to fully mitigate for any potential impacts to special-status wildlife and their habitat. Additionally, impacts related to special-status species within the City's Planning Area were analyzed in the General Plan EIR. Approval of the I-205 Overlay Zone would not allow for any new land uses not already contemplated in the Tracy General Plan and analyzed in the General Plan EIR.

Participation in the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) is recommended for all new projects on previously undeveloped land in Tracy. Although the likelihood for the occurrence of any special status plant or wildlife species on the site is relatively low, future development projects within the Overlay Zone would be required to consult with the San Joaquin Council of Governments (SJCOG) to pursue and obtain coverage of the future projects pursuant to the SJMSCP. Future project applicants within the Overlay Zone would be required to arrange for a qualified biologist to conduct a preconstruction survey for all of the species listed above if suitable habitat is present onsite. If any of these species or occupied nests are discovered, then the future project applicants shall implement all avoidance and protection measures required by SJCOG pursuant to the SJMSCP. Compliance with the existing SJMSCP requirements would ensure that special status plant or wildlife species are protected throughout the region. Additionally, impacts related to special-status species within the City's Planning Area were analyzed in the General Plan EIR. Approval of the I-205 Overlay Zone would not allow for any new land uses not already contemplated in the Tracy General Plan and analyzed in the General Plan EIR. Impacts to special status plant or wildlife species would be **less than significant**.

**Response b): No Impact.** Riparian natural communities support woody vegetation found along rivers, creeks and streams. Riparian habitat can range from a dense thicket of shrubs to a closed canopy of large mature trees covered by vines. Riparian systems are considered one of the most important natural resources. While small in total area when compared to the state's size, they provide a special value for wildlife habitat.

Over 135 California bird species either completely depend upon riparian habitats or use them preferentially at some stage of their life history. Riparian habitat provides food, nesting habitat, cover, and migration corridors. Another 90 species of mammals, reptiles, invertebrates and amphibians depend on riparian habitat. Riparian habitat also provides riverbank protection, erosion control and improved water quality, as well as numerous recreational and aesthetic values.

There is no riparian habitat or other sensitive natural communities located on the project site. Impacts related to riparian habitat or other sensitive natural communities within the City's Planning Area were analyzed in the General Plan EIR. Approval of the I-205 Overlay Zone would not allow for any new land uses not already contemplated in the Tracy General Plan and analyzed in the General Plan EIR. As such, the proposed project would have **no impact** on these resources.

**Response c): Less Than Significant.** A wetland is an area that is inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal



circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

Wetlands are defined by regulatory agencies as having special vegetation, soil, and hydrology characteristics. Hydrology, or water inundation, is a catalyst for the formation of wetlands. Frequent inundation and low oxygen causes chemical changes to the soil properties resulting in what is known as hydric soils. The prevalent vegetation in wetland communities consists of hydrophytic plants, which are adapted to areas that are frequently inundated with water. Hydrophytic plant species have the ability to grow, effectively compete, reproduce, and persist in low oxygen soil conditions.

Below is a list of wetlands that are found in the Tracy Planning Area:

- **Farmed Wetlands:** This category of wetlands includes areas that are currently in agricultural uses. This type of area occurs in the northern portion of the Tracy Planning Area.
- **Lakes, Ponds and Open Water:** This category of wetlands includes both natural and human-made water bodies such as that associated with working landscapes, municipal water facilities and canals, creeks and rivers.
- **Seasonal Wetlands:** This category of wetlands includes areas that typically fill with water during the wet winter months and then drain enough to become ideal plant habitats throughout the spring and summer. There are numerous seasonal wetlands throughout the Tracy Planning Area.
- **Tidal Salt Ponds and Brackish Marsh:** This category of wetlands includes areas affected by irregular tidal flooding with generally poor drainage and standing water. There are minimal occurrences along some of the larger river channels in the northern portion of the Tracy Planning Area.

Wetlands may be located on the project site. Future development projects within the Overlay Zone would be required to determine if wetlands are present on-site prior to development. If wetlands are determined to be present, then a formal wetland delineation would be completed and submitted to the U.S. Army Corps of Engineers (USACE) for verification. After verification by the USACE, future project applicants within the Overlay Zone would be required to comply with all applicable Section 404 mitigation requirements at the project-level in order to offset the loss of wetlands, or implement wetland avoidance measures. Additionally, impacts related to wetlands within the City's Planning Area were analyzed in the General Plan EIR. Approval of the I-205 Overlay Zone would not allow for any new land uses not already contemplated in the Tracy General Plan and analyzed in the General Plan EIR. As such, the proposed project would have a **less than significant** impact on these resources.

**Response d): Less than Significant.** The CNDDDB record search did not reveal any documented wildlife corridors or wildlife nursery sites on or adjacent to the project site. Impacts related to wildlife corridors or wildlife nursery sites within the City's Planning Area were analyzed in the General Plan EIR. Approval of the I-205 Overlay Zone would not allow for any new land uses not



already contemplated in the Tracy General Plan and analyzed in the General Plan EIR. Implementation of the proposed project would have a **less than significant** impact.

**Responses e), f): Less than Significant.** The project site is located within the jurisdiction of the SJMSCP and is located within the Central/Southwest Transition Zone of the SJMSCP. SJCOG prepared the Plan pursuant to a Memorandum of Understanding adopted by SJCOG, San Joaquin County, the United States Fish and Wildlife Service (USFWS), the California Department of Fish and Wildlife (CDFW), Caltrans, and the cities of Escalon, Lathrop, Lodi, Manteca, Ripon, Stockton, and Tracy in October 1994. On February 27, 2001, the Plan was unanimously adopted in its entirety by SJCOG. The City of Tracy adopted the Plan on November 6, 2001.

According to Chapter 1 of the SJMSCP, its key purpose is to “provide a strategy for balancing the need to conserve open space and the need to convert open space to non-open space uses, while protecting the region’s agricultural economy; preserving landowner property rights; providing for the long-term management of plant, fish and wildlife species, especially those that are currently listed, or may be listed in the future, under the Federal Endangered Species Act (ESA) or the California Endangered Species Act (CESA); providing and maintaining multiple use Open Spaces which contribute to the quality of life of the residents of San Joaquin County; and, accommodating a growing population while minimizing costs to project proponents and society at large.”

In addition to providing compensation for conversion of open space to non-open space uses, which affect plant and animal species covered by the SJMSCP, the SJMSCP also provides some compensation to offset impacts of open space conversions on non-wildlife related resources such as recreation, agriculture, scenic values and other beneficial open space uses. Specifically, the SJMSCP compensates for conversions of open space to urban development and the expansion of existing urban boundaries, among other activities, for public and private activities throughout the County and within Escalon, Lathrop, Lodi, Manteca, Ripon, Stockton, and Tracy.

Future projects within the Overlay Zone may be subject to SJMSCP land conversion fees. Providing for the long-term management of plant, fish and wildlife species, including those currently listed under the Federal ESA or the CESA, the SJMSCP provides Incidental Take Minimization Measures (ITMMs). Future projects within the Overlay Zone would also be subject to these ITMMs, when appropriate.

As indicated above, the City of Tracy and future project applicants shall consult with SJCOG to pursue and obtain coverage of the project pursuant to the SJMSCP prior to development of the site. This would ensure that future projects within the Overlay Zone comply with the requirements of the SJMSCP, and do not conflict with any applicable habitat conservation plans. 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 CEQA. Therefore, this is a **less than significant** impact.

**V. CULTURAL RESOURCES -- WOULD THE PROJECT:**

	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?			X	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?			X	
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	
d) Disturb any human remains, including those interred outside of formal cemeteries?			X	

*RESPONSES TO CHECKLIST QUESTIONS*

**Responses a), b), c), d): Less than Significant.** The City of Tracy General Plan and subsequent EIR do not identify the project site as having prehistoric period, or cultural resources. Additionally, there are no known unique cultural, historical, paleontological or archeological resources known to occur on, or within the immediate vicinity of the project site. Furthermore, neither the site, nor any structures on the site, are designated as a historical resource as defined by Public Resources Code § 21084.1, or listed in, or eligible for listing in the California Register of Historical Resources. Section 18955 the California State Historical Building Code (CHBC) defines a "qualified historical building or structure" as *"any structure or property, collection of structures, and their associated sites deemed of importance to the history, architecture, or culture of an area by an appropriate local or state governmental jurisdiction. This shall include structures on existing or future national, state or local historical registers or official inventories, such as the National Register of Historic Places, State Historical Landmarks, State Points of Historical Interest, and city or county registers or inventories of historical or architecturally significant sites, places, historic districts, or landmarks. This shall also include places, locations, or sites identified on these historical registers or official inventories and deemed of importance to the history, architecture, or culture of an area by an appropriate local or state governmental jurisdiction."*

The existing structures on the project site are not registered on any official state, regional, or local inventories of historical resources. Future development projects within the Overlay Zone would be required to classify whether or not notable architectural or historic-period design features are present on any of the existing structures on the site, and determine if the structures qualify as historically significant resources.

Because much of the site has been previously disturbed and contains urban and active agricultural uses, it is not anticipated that future site grading and preparation activities would result in impacts to cultural, historical, archaeological or paleontological resources. There are no known human remains located on the project site, nor is there evidence to suggest that human

remains may be present on the project site. However, as with most projects in California that involve ground-disturbing activities, there is the potential for discovery of a previously unknown cultural and historical resource or human remains.

Future development projects within the Overlay Zone would be required to take appropriate steps to preserve and/or document any previously undiscovered prehistoric, historic, Native American, paleontological, or archaeological resources that may be encountered during future construction activities, including human remains. If human remains are discovered during construction activities for future projects, all work shall be halted immediately within 50 meters (165 feet) of the discovery, the County Coroner must be notified, according to Section 5097.98 of the State Public Resources Code and Section 7050.5 of California's Health and Safety Code. If the remains are determined to be Native American, the coroner will notify the Native American Heritage Commission, and the procedures outlined in CEQA Section 15064.5(d) and (e) shall be followed.

Impacts related to cultural resources within the City's Planning Area were analyzed in the General Plan EIR. Approval of the I-205 Overlay Zone would not allow for any new land uses not already contemplated in the Tracy General Plan and analyzed in the General Plan EIR. Implementation of the proposed project would have a **less than significant** impact related to this topic.

**VI. GEOLOGY AND SOILS -- WOULD THE PROJECT:**

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

**RESPONSES TO CHECKLIST QUESTIONS**

**Responses a.i), a.ii): Less than Significant.** The project site is located in an area of moderate to high seismicity. However, no known active faults cross the project site, and the site is not located within an Alquist-Priolo Earthquake Fault Zone. Nevertheless, relatively large earthquakes have historically occurred in the Bay Area and along the margins of the Central Valley. Many earthquakes of low magnitude occur every year in California. The two nearest earthquake faults zoned as active by the State of California Geological Survey are the Midway Fault, located approximately 9 miles to the west of the site, and the Black Butte Fault, located approximately 7 miles southwest of the site. The Great Valley fault is a blind thrust fault with no known surface expression; the postulated fault location has been based on historical regional seismic activity and isolated subsurface information. Figure 8 shows nearby faults in relation to the project site.

Other active faults capable of producing significant ground shaking at the site include the Calaveras Fault, approximately 28 miles southwest; the Hayward fault, approximately 41 miles west; and the San Andreas Fault, approximately 56 miles west of the site. Any one of these faults could generate an earthquake capable of causing strong ground shaking at the subject site. Earthquakes of Moment Magnitude (Mw) 7 and larger have historically occurred in the region and numerous small magnitude earthquakes occur every year.

Since there are no known active faults crossing the project site and the site is not located within an Earthquake Fault Special Study Zone, the potential for ground rupture at the site is considered low.

An earthquake of moderate to high magnitude generated within the San Francisco Bay Region and along the margins of the central valley could cause considerable ground shaking at the site, similar to that which has occurred in the past. In order to minimize potential damage to the proposed structures caused by groundshaking, all future construction within the Overlay Zone would comply with the latest California Building Code standards, as required by the City of Tracy Municipal Code Section 9.04.030.

Seismic design provisions of current building codes generally prescribe minimum lateral forces, applied statically to the structure, combined with the gravity forces of dead-and-live loads. The code-prescribed lateral forces are generally considered to be substantially smaller than the comparable forces that would be associated with a major earthquake. Therefore, structures should be able to: (1) resist minor earthquakes without damage, (2) resist moderate earthquakes without structural damage but with some nonstructural damage, and (3) resist major earthquakes without collapse but with some structural as well as nonstructural damage.

Building new structures for human use would increase the number of people exposed to local and regional seismic hazards. Seismic hazards are a significant risk for most property in California.

The Safety Element of the Tracy General Plan includes several goals, objectives and policies to reduce the risks to the community from earthquakes and other geologic hazards. In particular, the following policies would apply to the project site:

**SA-1.1, Policy P1:** Underground utilities, particularly water and natural gas mains, shall be designed to withstand seismic forces.

**SA-1.1, Policy P2:** Geotechnical reports shall be required for development in areas where potentially serious geologic risks exist. These reports should address the degree of hazard, design parameters for the project based on the hazard, and appropriate mitigation measures.

**SA-1.2, Policy P1:** All construction in Tracy shall conform to the California Building Code and the Tracy Municipal Code including provisions addressing unreinforced masonry buildings.

The City reviews all proposed development projects for consistency with the General Plan policies and California Building Code provisions identified above. This review occurs throughout the project application review and processing stage, and throughout plan check and building inspection phases prior to the issuance of a certificate of occupancy. Future projects within the Overlay Zone would be required to adhere to the aforementioned requirements.

Consistency with the requirements of the California Building Code and the Tracy General Plan policies identified above would ensure that impacts on humans associated with seismic hazards would be **less than significant**.

**Response a.iii): Less than Significant.** Liquefaction normally occurs when sites underlain by saturated, loose to medium dense, granular soils are subjected to relatively high ground shaking. During an earthquake, ground shaking may cause certain types of soil deposits to lose shear strength, resulting in ground settlement, oscillation, loss of bearing capacity, landsliding, and the buoyant rise of buried structures. The majority of liquefaction hazards are associated with sandy soils, some silty soils of low plasticity, and some gravelly soils. Cohesive soils are generally not considered to be susceptible to liquefaction. In general, liquefaction hazards are most severe within the upper 50 feet of the surface, except where slope faces or deep foundations are present. Soils that underlay the project site consist of predominantly clay soil particle sizes. Clay-type soils are generally not subject to liquefaction.

As identified in the Tracy General Plan EIR, the majority of the Tracy Planning Area is at low risk for liquefaction, with the exception for the river banks within the Planning Area. Objective SA-1.1 states that geologic hazards should be minimized. The Safety Element contains a policy requiring that geotechnical engineering studies be undertaken for any development in areas where potentially serious geologic risks exist (Objective SA- 1.1, P1), which would include liquefaction. Future development within the Overlay Zone would be required to comply with the policies of the Tracy General Plan. The General Plan EIR concluded that the implementation of this policy would reduce the potential risk of liquefaction to a **less than significant** level.

Prior to future development within the proposed Overlay Zone, a subsurface geotechnical investigation would be performed to identify onsite soil conditions and identify any site-specific engineering measures to be implemented during the construction of building foundations and subsurface utilities. Adherence to the engineering requirements contained in the future subsurface geotechnical report would ensure that this impact is **less than significant**.

**Response a.iv): Less than Significant.** The project site is relatively flat and there are no major slopes in the vicinity of the project site. As such, the project site is exposed to little or no risk associated with landslides. This is a **less than significant** impact.

**Response b): Less than Significant.** During any future construction preparation processes within the Overlay Zone, exposed surfaces could be susceptible to erosion from wind and water. Effects from erosion include impacts on water quality and air quality. Exposed soils that are not properly contained or capped increase the potential for increased airborne dust and increased discharge of sediment and other pollutants into nearby stormwater drainage facilities. Risks

associated with erosive surface soils can be reduced by using appropriate controls during construction and properly re-vegetating exposed areas. The implementation of various dust control measures during site preparation and construction activities would reduce the potential for soil erosion and the loss of topsoil. Additionally, the implementation of various best management practices (BMPs) and a SWPPP would reduce the potential for disturbed soils and ground surfaces to result in erosion and sediment discharge into adjacent surface waters during construction activities. The implementation of these requirements would ensure impacts are **less than significant**.

**Responses c), d): Less than Significant.** The potential for the project to be exposed to unstable soil conditions resulting from on-or off-site landslide, and liquefaction are discussed above under Responses a.iii, and a.iv., and were found to be **less than significant** impacts.

**Lateral Spreading:** The geologic conditions conducive to lateral spreading include gentle surface slope (0.3 to 5.0 percent slope), and liquefiable soils. As identified in the Tracy General Plan EIR, the majority of the Tracy Planning Area is at low risk for liquefaction, with the exception for the river banks within the Planning Area.

The potential for ground surface damage at the site resulting in lateral spreading is low due to lack of saturated liquefiable soils. Therefore, impacts related to lateral spreading from project implementation would be **less than significant**.

**Expansive Soils:** Expansive soils are those that undergo volume changes as moisture content fluctuates, swelling substantially when wet or shrinking when dry. Soil expansion and settling can damage structures by cracking foundations, causing settlement and distorting structural elements. Expansion is a typical characteristic of clay-type soils. Expansive soils shrink and swell in volume during changes in moisture content, such as a result of seasonal rain events, and can cause damage to foundations, concrete slabs, roadway improvements, and pavement sections.

Soil expansion is dependent on many factors. The more clayey, critically expansive surface soil and fill materials will be subjected to volume changes during seasonal fluctuations in moisture content. As indicated in the Tracy General Plan EIR, Tracy does have a moderate to high risk for expansive soils, depending on the location and soil type. The Safety Element contains objectives to minimize geologic hazards, and a policy to require geotechnical reports for all development proposed in areas with risk of geological hazard (Objective SA-1.1, P2). Therefore, it was concluded that implementation of the General Plan policy would reduce the potential impact related to the risk of soil expansion to a less than significant level. Figure 9 shows the shrink-swell potential of soils on the project site. As shown in Figure 9, soils that underlay the entire project site are considered to have a potential for expansion.

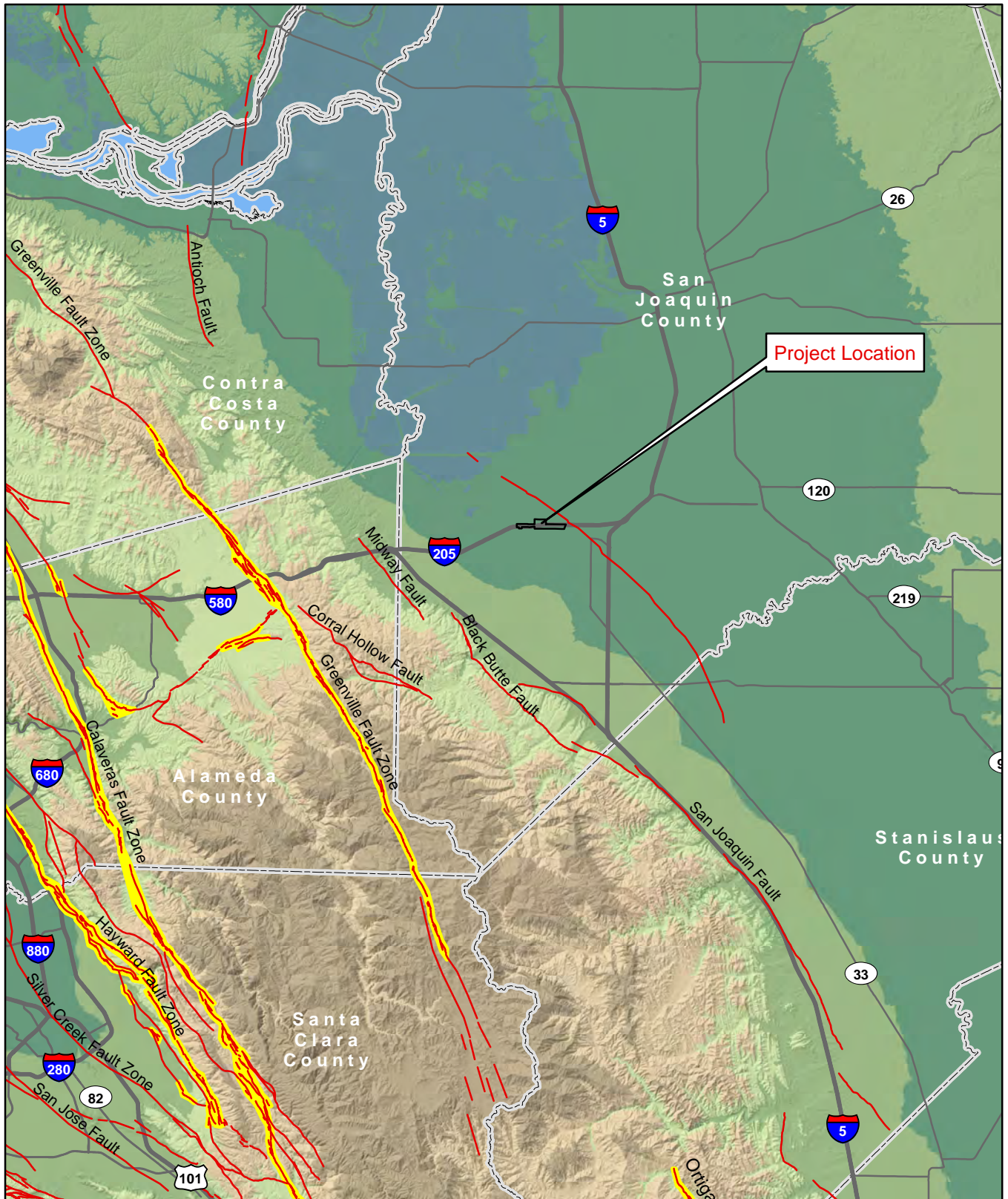
To reduce the potential for post-construction distress to any future structures resulting from swelling and shrinkage of these materials, a geotechnical evaluation would be required for future development projects within the Overlay Zone in order to reduce the potential for damaging differential settlement of overlying improvements. Additionally, the California Building Code Title 24, Part 2, Chapter 18, Section 1803.1.1.2 requires specific geotechnical evaluation when a



preliminary geotechnical evaluation determines that expansive or other special soil conditions are present, which, if not corrected, would lead to structural defects. As such, this is a **less than significant** impact.

**Response e): No Impact.** Future development projects within the Overlay Zone would be served by public wastewater facilities and these future projects would not require an alternative wastewater system such as septic tanks. Implementation of the proposed project would have **no impact** on this environmental issue.

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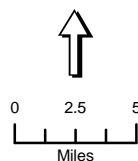


**I-205 OVERLAY, TRACY, CALIFORNIA**

**Figure 8: Known Faults in Project Area**

**Legend**

- Quaternary Faults
- Alquist-Priolo Fault Zones

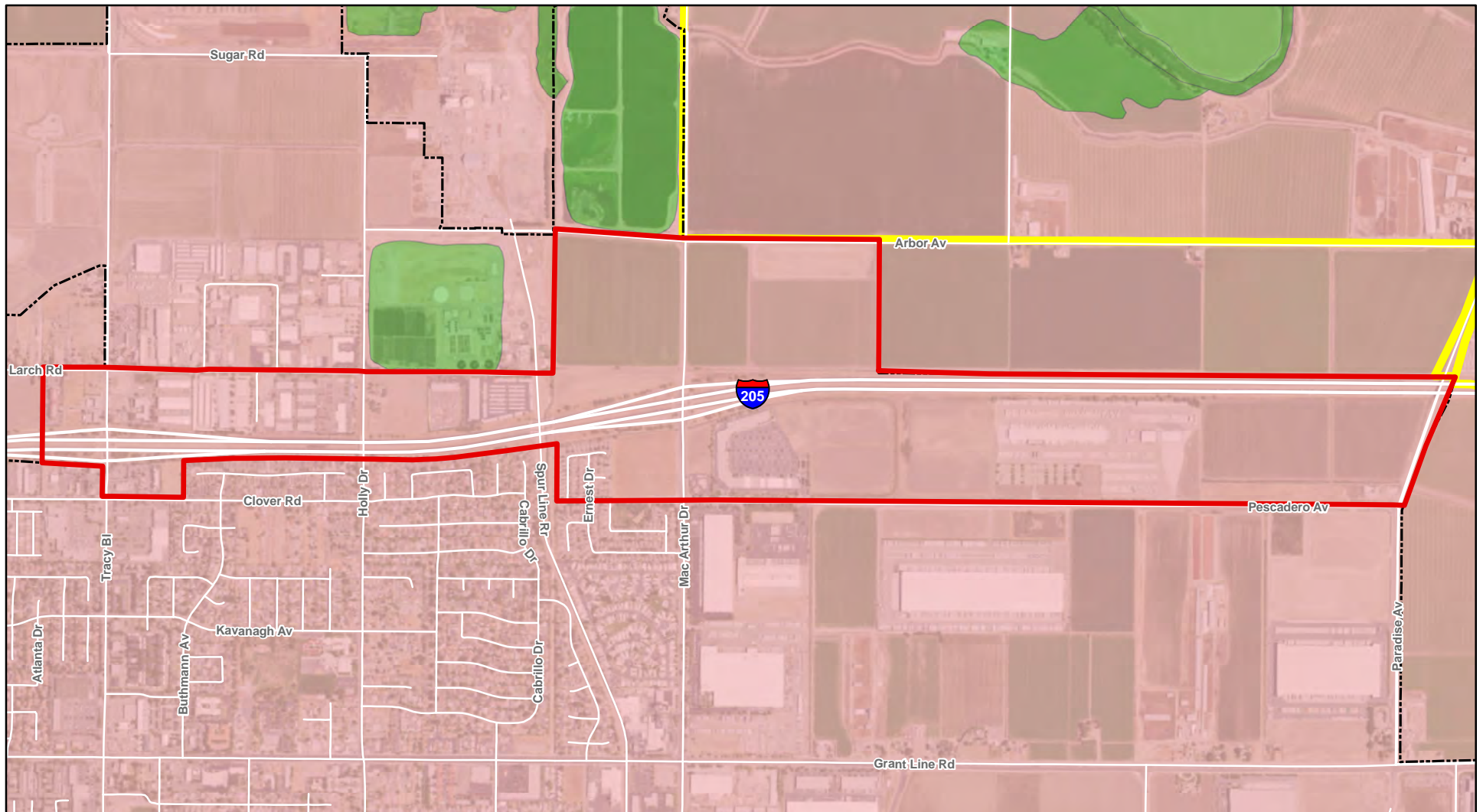


1:500,000

Data sources: US Geological Survey; San Joaquin County GIS.  
Map date: May 30, 2016.

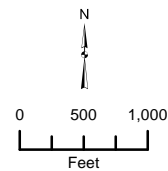
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**Legend**

- Expansive Soil Areas
- Non-Expansive Areas
- Project Boundary
- Sphere Of Influence
- Tracy City Limits



1:18,000

**I-205 OVERLAY, TRACY, CALIFORNIA**

Figure 9. Expansive Soils Map

Sources: San Joaquin County GIS; City of Tracy GIS. Map date: May 30, 2016.

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**XII. GREENHOUSE GAS EMISSIONS -- WOULD THE PROJECT:**

	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gasses?			X	

**BACKGROUND DISCUSSION**

Various gases in the Earth’s atmosphere, classified as atmospheric greenhouse gases (GHGs), play a critical role in determining the Earth’s surface temperature. Solar radiation enters Earth’s atmosphere from space, and a portion of the radiation is absorbed by the Earth’s surface. The Earth emits this radiation back toward space, but the properties of the radiation change from high-frequency solar radiation to lower-frequency infrared radiation.

Naturally occurring greenhouse gases include water vapor (H<sub>2</sub>O), carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), and ozone (O<sub>3</sub>). Several classes of halogenated substances that contain fluorine, chlorine, or bromine are also greenhouse gases, but they are, for the most part, solely a product of industrial activities. Although the direct greenhouse gases CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O occur naturally in the atmosphere, human activities have changed their atmospheric concentrations. From the pre-industrial era (i.e., ending about 1750) to 2011, concentrations of these three greenhouse gases have increased globally by 40, 150, and 20 percent, respectively (IPCC, 2013)<sup>1</sup>.

Greenhouse gases, which are transparent to solar radiation, are effective in absorbing infrared radiation. As a result, this radiation that otherwise would have escaped back into space is now retained, resulting in a warming of the atmosphere. This phenomenon is known as the greenhouse effect. Among the prominent GHGs contributing to the greenhouse effect are carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), ozone (O<sub>3</sub>), water vapor, nitrous oxide (N<sub>2</sub>O), and chlorofluorocarbons (CFCs).

Emissions of GHGs contributing to global climate change are attributable in large part to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors (California Energy Commission 2014)<sup>2</sup>. In California, the transportation sector is the largest emitter of GHGs, followed by electricity generation (California Energy Commission, 2014).

<sup>1</sup> Intergovernmental Panel on Climate Change. 2013. “Climate Change 2013: The Physical Science Basis, Summary for Policymakers.”

[http://www.climatechange2013.org/images/report/WG1AR5\\_SPM\\_FINAL.pdf](http://www.climatechange2013.org/images/report/WG1AR5_SPM_FINAL.pdf)

<sup>2</sup> California Energy Commission. 2014. California Greenhouse Gas Emission Inventory.

[http://www.arb.ca.gov/cc/inventory/inventory\\_current.htm](http://www.arb.ca.gov/cc/inventory/inventory_current.htm)



GHGs are global pollutants, unlike criteria air pollutants and toxic air contaminants, which are pollutants of regional and local concern, respectively. California produced 459 million gross metric tons of carbon dioxide equivalents (MMTCO<sub>2e</sub>) in 2012 (California Energy Commission, 2014). By 2020, California is projected to produce 509 MMTCO<sub>2e</sub> per year.<sup>3</sup>

Carbon dioxide equivalents are a measurement used to account for the fact that different GHGs have different potential to retain infrared radiation in the atmosphere and contribute to the greenhouse effect. This potential, known as the global warming potential of a GHG, is also dependent on the lifetime, or persistence, of the gas molecule in the atmosphere. Expressing GHG emissions in carbon dioxide equivalents takes the contribution of all GHG emissions to the greenhouse effect and converts them to a single unit equivalent to the effect that would occur if only CO<sub>2</sub> were being emitted.

Consumption of fossil fuels in the transportation sector was the single largest source of California's GHG emissions in 2004, accounting for 40.7% of total GHG emissions in the state (California Energy Commission, 2006a). This category was followed by the electric power sector (including both in-state and out of-state sources) (22.2%) and the industrial sector (20.5%) (California Energy Commission, 2014).

#### *EFFECTS OF GLOBAL CLIMATE CHANGE*

The effects of increasing global temperature are far-reaching and extremely difficult to quantify. The scientific community continues to study the effects of global climate change. In general, increases in the ambient global temperature as a result of increased GHGs are anticipated to result in rising sea levels, which could threaten coastal areas through accelerated coastal erosion, threats to levees and inland water systems and disruption to coastal wetlands and habitat.

If the temperature of the ocean warms, it is anticipated that the winter snow season would be shortened. Snowpack in the Sierra Nevada provides both water supply (runoff) and storage (within the snowpack before melting), which is a major source of supply for the state. The snowpack portion of the supply could potentially decline by 70% to 90% by the end of the 21<sup>st</sup> century (Cal EPA, 2006)<sup>4</sup>. This phenomenon could lead to significant challenges securing an adequate water supply for a growing state population. Further, the increased ocean temperature could result in increased moisture flux into the state; however, since this would likely increasingly come in the form of rain rather than snow in the high elevations, increased precipitation could lead to increased potential and severity of flood events, placing more pressure on California's levee/flood control system.

Sea level has risen approximately seven inches during the last century and it is predicted to rise an additional 22 to 35 inches by 2100, depending on the future GHG emissions levels (Cal EPA,

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<sup>3</sup> California Air Resources Board. 2015. "2020 Business-as-Usual (BAU) Emissions Projection 2014 Edition". <http://www.arb.ca.gov/cc/inventory/data/bau.htm>

<sup>4</sup> California Environmental Protection Agency, Climate Action Team. 2006. Climate Action Team Report to Governor Schwarzenegger and the Legislature. [http://www.climatechange.ca.gov/climate\\_action\\_team/reports/](http://www.climatechange.ca.gov/climate_action_team/reports/)

2006). If this occurs, resultant effects could include increased coastal flooding, saltwater intrusion and disruption of wetlands (Cal EPA, 2006). As the existing climate throughout California changes over time, mass migration of species, or failure of species to migrate in time to adapt to the perturbations in climate, could also result. Under the emissions scenarios of the Climate Scenarios report (Cal EPA, 2006), the impacts of global warming in California are anticipated to include, but are not limited to, the following.

### **Public Health**

Higher temperatures are expected to increase the frequency, duration, and intensity of conditions conducive to air pollution formation. For example, days with weather conducive to ozone formation are projected to increase from 25% to 35% under the lower warming range and to 75% to 85% under the medium warming range. In addition, if global background ozone levels increase as predicted in some scenarios, it may become impossible to meet local air quality standards. Air quality could be further compromised by increases in wildfires, which emit fine particulate matter that can travel long distances depending on wind conditions. The Climate Scenarios report indicates that large wildfires could become up to 55% more frequent if GHG emissions are not significantly reduced.

In addition, under the higher warming scenario, there could be up to 100 more days per year with temperatures above 90°F in Los Angeles and 95°F in Sacramento by 2100. This is a large increase over historical patterns and approximately twice the increase projected if temperatures remain within or below the lower warming range. Rising temperatures will increase the risk of death from dehydration, heat stroke/exhaustion, heart attack, stroke, and respiratory distress caused by extreme heat.

### **Water Resources**

A vast network of man-made reservoirs and aqueducts capture and transport water throughout the state from Northern California rivers and the Colorado River. The current distribution system relies on Sierra Nevada snow pack to supply water during the dry spring and summer months. Rising temperatures, potentially compounded by decreases in precipitation, could severely reduce spring snow pack, increasing the risk of summer water shortages.

The state's water supplies are also at risk from rising sea levels. An influx of saltwater would degrade California's estuaries, wetlands, and groundwater aquifers. Saltwater intrusion caused by rising sea levels is a major threat to the quality and reliability of water within the southern edge of the Sacramento/San Joaquin River Delta, a major state fresh water supply. Global warming is also projected to seriously affect agricultural areas, with California farmers projected to lose as much as 25% of the water supply they need; decrease the potential for hydropower production within the state (although the effects on hydropower are uncertain); and seriously harm winter tourism. Under the lower warming range, the snow dependent winter recreational season at lower elevations could be reduced by as much as one month. If temperatures reach the higher warming range and precipitation declines, there might be many years with insufficient snow for skiing, snowboarding, and other snow dependent recreational activities.

If GHG emissions continue unabated, more precipitation will fall as rain instead of snow, and the snow that does fall will melt earlier, reducing the Sierra Nevada spring snow pack by as much as 70% to 90%. Under the lower warming scenario, snow pack losses are expected to be only half as large as those expected if temperatures were to rise to the higher warming range. How much snow pack will be lost depends in part on future precipitation patterns, the projections for which remain uncertain. However, even under the wetter climate projections, the loss of snow pack would pose challenges to water managers, hamper hydropower generation, and nearly eliminate all skiing and other snow-related recreational activities.

### **Agriculture**

Increased GHG emissions are expected to cause widespread changes to the agriculture industry reducing the quantity and quality of agricultural products statewide. Although higher carbon dioxide levels can stimulate plant production and increase plant water-use efficiency, California's farmers will face greater water demand for crops and a less reliable water supply as temperatures rise.

Plant growth tends to be slow at low temperatures, increasing with rising temperatures up to a threshold. However, faster growth can result in less-than-optimal development for many crops, so rising temperatures are likely to worsen the quantity and quality of yield for a number of California's agricultural products. Products likely to be most affected include wine grapes, fruits and nuts, and milk.

Crop growth and development will be affected, as will the intensity and frequency of pest and disease outbreaks. Rising temperatures will likely aggravate ozone pollution, which makes plants more susceptible to disease and pests and interferes with plant growth.

In addition, continued global warming will likely shift the ranges of existing invasive plants and weeds and alter competition patterns with native plants. Range expansion is expected in many species while range contractions are less likely in rapidly evolving species with significant populations already established. Should range contractions occur, it is likely that new or different weed species will fill the emerging gaps. Continued global warming is also likely to alter the abundance and types of many pests, lengthen pests' breeding season, and increase pathogen growth rates.

### **Forests and Landscapes**

Global warming is expected to alter the distribution and character of natural vegetation thereby resulting in a possible increased risk of large wildfires. If temperatures rise into the medium warming range, the risk of large wildfires in California could increase by as much as 55%, which is almost twice the increase expected if temperatures stay in the lower warming range. However, since wildfire risk is determined by a combination of factors, including precipitation, winds, temperature, and landscape and vegetation conditions, future risks will not be uniform throughout the state. For example, if precipitation increases as temperatures rise, wildfires in southern California are expected to increase by approximately 30% toward the end of the century. In contrast, precipitation decreases could increase wildfires in northern California by up to 90%.

Moreover, continued global warming will alter natural ecosystems and biological diversity within the state. For example, alpine and sub-alpine ecosystems are expected to decline by as much as 60% to 80% by the end of the century as a result of increasing temperatures. The productivity of the state's forests is also expected to decrease as a result of global warming.

### **Rising Sea Levels**

Rising sea levels, more intense coastal storms, and warmer water temperatures will increasingly threaten the state's coastal regions. Under the higher warming scenario, sea level is anticipated to rise 22 to 35 inches by 2100. Elevations of this magnitude would inundate coastal areas with saltwater, accelerate coastal erosion, threaten vital levees and inland water systems, and disrupt wetlands and natural habitats.

### *RESPONSES TO CHECKLIST QUESTIONS*

**Response a): Less than Significant.** Future development of the site for urban uses and the corresponding generation of GHG emissions associated with buildout of the Tracy General Plan, including the project site, was taken into consideration in the City of Tracy General Plan and General Plan EIR. As described in Chapter 3 of the 2010 Recirculation Supplemental General Plan Draft EIR, the Tracy General Plan and Sustainability Action Plan include policies and measures to reduce GHG emissions, supporting the State's emission reduction targets and other environmental goals. In total, it is estimated that measures in the General Plan and Sustainability Action Plan would reduce 2020 business-as-usual (BAU) GHG emissions by between 382,422 and 486,115 metric tons CO<sub>2</sub>e. Although the General Plan and Sustainability Action Plan include many goals, policies, and measures that would reduce GHG emissions from projected BAU levels, the Tracy General Plan would not meet the San Joaquin Valley Air Pollution Control District's threshold of a 29 percent reduction in GHG emissions from BAU projected emissions. Therefore, the General Plan and Sustainability Action Plan would result in a significant GHG emission impact.

On February 1, 2011 the Tracy City Council adopted a Statement of Overriding Considerations (Resolution 2011-028) for the significant generation of GHG emissions resulting from adoption of the General Plan.

The proposed project site is identified for urban land uses in the Tracy General Plan. The proposed project is consistent with the overriding considerations that were adopted for the General Plan and the established mitigation measures under that Plan. Approval of the I-205 Overlay Zone would not allow for any new land uses not already contemplated in the Tracy General Plan and analyzed in the General Plan EIR. As such, implementation of the proposed project would not create new impacts over and above those identified in the General Plan EIR, nor significantly change previously identified impacts. This is a **less than significant** impact.

**Response b): Less than Significant.** The City of Tracy recently adopted the Tracy Sustainability Action Plan. The Sustainability Action Plan includes programs and measures to reduce GHGs through community and municipal operations. Programs and measures contained in the Sustainability Action Plan that relate to the proposed project include, but are not limited to:

Measure E-1: Implement California Green Building Standards, as contained in Title 24, Part 11, CCR.

Measure T-5 c and d: Which promote the use of alternative transportation measures, including bikes and pedestrian travel, by providing connections to existing bike and pedestrian facilities.

Measure E-2 e: Requiring energy efficient exterior lighting.

The City of Tracy will require future development projects within the Overlay Zone to fully implement all applicable requirements of the Sustainability Action Plan. These future projects would be constructed in compliance with the California Green Building Standards, and would install energy efficient exterior lighting. Implementation of the requirements of the Sustainability Action Plan, and other relevant policies in the Tracy General Plan represent the application of uniformly applied measures aimed at reducing GHG emissions from new development projects. This is a **less than significant** impact.

**VIII. HAZARDS AND HAZARDOUS MATERIALS -- WOULD THE PROJECT:**

	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?			X	
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?			X	
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			X	

**RESPONSES TO CHECKLIST QUESTIONS**

**Responses a), b): Less than Significant.** Future development projects within the proposed Overlay Zone would place new commercial and industrial uses in an area of the City that currently contains predominantly commercial and industrial uses. Approval of the I-205 Overlay Zone would not allow for any new land uses not already contemplated in the Tracy General Plan and analyzed in the General Plan EIR. Any future land uses within the Overlay Zone which would routinely transport, use, or dispose of hazardous materials, or present a reasonably foreseeable release of hazardous materials, would be required to comply with existing local, regional, and state regulations regarding the transport and use of hazardous materials.

Construction equipment and materials required for future development within the Overlay Zone would likely require the use of petroleum based products (oil, gasoline, diesel fuel), and a variety of common chemicals including paints, cleaners, and solvents. Transportation, storage, use, and disposal of hazardous materials during construction activities would be required to comply with applicable federal, state, and local statutes and regulations. Compliance would ensure that human health and the environment are not exposed to hazardous materials. In addition, future project applicants of development projects within the Overlay Zone would be required to implement a Stormwater Pollution Prevention Plan (SWPPP) during construction activities, which would prevent any contaminated runoff from leaving the project site. Further, impacts related to the routine transport, use, disposal, or accidental release of hazardous materials within the City's Planning Area were analyzed in the General Plan EIR. Approval of the I-205 Overlay Zone would not allow for any new land uses not already contemplated in the Tracy General Plan and analyzed in the General Plan EIR. Therefore, compliance with applicable federal, state, local statutes and regulations, and the SWPPP would ensure that the proposed project would have a **less than significant** impact relative to this issue.

**Response c): Less than Significant.** The project site is not located within  $\frac{1}{4}$  mile of an existing school. The nearest school to the project site, North Elementary School, is located approximately 0.4 miles south of the project site. As described under Response a), above, future projects within the Overlay Zone may involve the use, storage, transport or handling of hazardous materials. Nevertheless, because the Overlay Zone is not located within  $\frac{1}{4}$  mile of an existing school, the allowed uses would not expose school children to substantial pollutant concentrations, hazardous materials, or other significant hazards. Construction related activities may utilize limited quantities of common hazardous materials on the site, and the use, storage, and transport of these materials are required to comply with applicable federal, state, and local statutes and regulations, which would reduce the potential for accidental spills or releases that could expose schools to hazardous materials. Additionally, future project applicants for projects located within the Overlay Zone would be required to implement a SWPPP during construction activities, which would prevent any contaminated runoff from leaving the project site. Therefore, there is limited exposure of school sites to hazardous materials from operation or construction activities that may use or store hazardous materials at the project site. This is a **less than significant** impact

**Response d): Less than Significant.** According the California Department of Toxic Substances Control (DTSC) there are no Federal Superfund Sites, State Response Sites, or Voluntary Cleanup Sites on, or adjacent to the project site. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5. It is noted that various active Cleanup Program Sites and Land Disposal Sites are located within the vicinity of the Overlay Zone. Additionally, various closed Leaking Underground Storage Tank Clean Up sites are located within the vicinity of the Overlay Zone.

Impacts related to hazards and hazardous materials were analyzed in the General Plan EIR. Approval of the I-205 Overlay Zone would not allow for any new land uses not already contemplated in the Tracy General Plan and analyzed in the General Plan EIR. As stated in the



City's General Plan and General Plan EIR, developers are required to conduct the necessary level of environmental investigation prior to project approval to ensure that development sites would not affect the environment or the health or safety of future property owners (Objective SA-4.1, P2). The General Plan EIR concluded that this policy would reduce the potential impact to a less than significant level.

The testing of soil prior to the start of construction in order to identify whether soil in the area has been impacted by historic pipeline operations or historic agricultural operations would be required prior to construction and earthmoving activities required for future development within the Overlay Zone, where appropriate, as required by the Tracy General Plan. Additionally, there are no Federal Superfund Sites, State Response Sites, or Voluntary Cleanup Sites on, or adjacent to the project site. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5. Therefore, implementation of the proposed project would result in a **less than significant** impact relative to this environmental topic.

**Responses e), f): Less than Significant.** The Federal Aviation Administration (FAA) establishes distances of ground clearance for take-off and landing safety based on such items as the type of aircraft using the airport.

The Tracy Municipal Airport is the closest airport to the project site, located approximately 4.8 mile to the south. The Airport is a general aviation airport owned by the City and managed by the Public Works Department. Guidelines for Airport Land Use were developed by SJCOG Airport Land Use Commission in 2013. Furthermore, the City of Tracy adopted an Airport Master Plan in 1998, analyzing the impacts to safety on surrounding development from the Tracy Municipal Airport.

The probability of an aircraft accident is highest along the extended runway centerline, and within one mile of the runway end. According to SJCOG Guidelines there are seven zones in which land use restrictions apply due to proximity to the airport:

1. Zone 1 Runway Protection Zone (RPZ)
2. Zone 2 Inner Approach/Departure Zone (IADZ)
3. Zone 3 Inner Turning Zone (ITZ)
4. Zone 4 Outer Approach/Departure Zone (OADZ)
5. Zone 5 Sideline Safety Zone (SSZ)
6. Zone 7 Traffic Pattern Zone (TPZ)
7. Zone 8 Airport Influence Area (AIA)

Land use constraints in these zones become progressively less restrictive from the RPZ to the TPZ. The proposed project site is not located within any of the safety zones. The proposed project site is not located within one mile of the airport, nor along the extended runway centerline, or within an AIA. Additionally, there are no private airstrips within the vicinity of the project site. The proposed Overlay Zone would limit the height of future structures within the Overlay Zone to 40 feet, and the project does not propose any structures of substantial height that would protrude into active airspace. Therefore, safety hazards related to the project's proximity to the Tracy Municipal Airport are **less than significant**.

**Response g): No Impact.** The General Plan includes policies that require the City to maintain emergency access routes that are free of traffic impediments (Objective SA-6.1, P1 and A2). The proposed project does not include any actions that would impair or physically interfere with an adopted emergency response plan or emergency evacuation plan. Approval of the I-205 Overlay Zone would not allow for any new land uses not already contemplated in the Tracy General Plan and analyzed in the General Plan EIR, and would not interfere with any emergency response or evacuation plans. The Overlay Zone would (as does the Cordes Ranch Specific Plan) prohibit large-scale warehouse, manufacturing, and industrial land uses, while still allowing all of the other land uses that are currently listed as permitted and conditionally permitted within each of the affected underlying zones (i.e., the Northeast Industrial Specific Plan, the I-205 Corridor Specific Plan, the Tracy Industrial Area Specific Plan, and the Light Industrial, Highway Service, and Planned Unit Development zoning districts). Implementation of the proposed project would result in **no impact** to this environmental topic.

**Response h): Less than Significant.** The risk of wildfire is related to a variety of parameters, including fuel loading (vegetation), fire weather (winds, temperatures, humidity levels and fuel moisture contents) and topography (degree of slope). Steep slopes contribute to fire hazard by intensifying the effects of wind and making fire suppression difficult. Fuels such as grass are highly flammable because they have a high surface area to mass ratio and require less heat to reach the ignition point, while fuels such as trees have a lower surface area to mass ratio and require more heat to reach the ignition point.

The City has areas with an abundance of flashy fuels (i.e. grassland) in the outlying residential parcels and open lands that, when combined with warm and dry summers with temperatures often exceeding 100 degrees Fahrenheit, create a situation that results in higher risk of wildland fires. Most wildland fires are human caused, so areas with easy human access to land with the appropriate fire parameters generally result in an increased risk of fire.

The California Department of Forestry has designated the southwestern edge of the City as having a moderate wildland fire potential. This is predominately a result of the hills and grassland habitat that persists. The identified moderate wildland fire potential area in and around Tracy does not include the project site. Since the project site is not located within a designated wildfire hazard area, this is a **less than significant** impact.

**IX. HYDROLOGY AND WATER QUALITY -- WOULD THE PROJECT:**

	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Violate any water quality standards or waste discharge requirements?			X	
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			X	
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			X	
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
f) Otherwise substantially degrade water quality?			X	
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?			X	
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?			X	
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			X	
j) Inundation by seiche, tsunami, or mudflow?			X	

*RESPONSES TO CHECKLIST QUESTIONS*

**Response a): Less than Significant.** Wastewater generated by future development projects within the Overlay Zone would be conveyed to the Tracy Wastewater Treatment Plan (WWTP) for treatment and disposal. The City's wastewater collection system consists of gravity sewer lines, pump stations and the WWTP. Wastewater flows toward the northern part of the City where it is treated at the WWTP and then discharged into the Old River in the southern Sacramento-San Joaquin Delta. The project's potential to violate a water quality standard or waste discharge requirement is related to the treatment of wastewater generated by future projects within the Overlay Zone, and the quality of stormwater runoff generated at the project site. These two issues are addressed below.

In 2008 the City expanded its wastewater treatment capacity to 10.8 million gallons per day (mgd). The City's WWTP currently treats approximately 9.0 mgd of wastewater. The City's WWTP provides secondary-level treatment of wastewater followed by disinfection. Treated effluent from the WWTP is conveyed to a submerged diffuser for discharge into the Old River. The WWTP has an NPDES permit for discharge into the Old River from the State Regional Water Quality Control Board. The addition of wastewater to the City's WWTP as a result of future development projects within the Overlay Zone was previously analyzed in the City's General Plan EIR. Approval of the I-205 Overlay Zone would not allow for any new land uses not already contemplated in the Tracy General Plan and analyzed in the General Plan EIR. The proposed I-205 Overlay Zone would not permit any uses not already permitted by the existing underlying zoning districts on the parcels within the proposed Overlay Zone Area, and the proposed Overlay Zone would not allow for any intensification of land uses beyond the levels currently allowed by the General Plan, Municipal Code, or any applicable specific plans.

The addition of wastewater would not exceed the treatment capacity of the City's WWTP, or violate waste discharge requirements under the City's National Pollutant Discharge Elimination System (NPDES) permit. As such, the future projects would not cause, or contribute to, a violation of wastewater quality standards or waste discharge requirements.

In order to ensure that stormwater runoff from the project site does not adversely increase pollutant levels in adjacent surface waters and stormwater conveyance infrastructure, the City requires the application of BMPs to effectively reduce pollutants from stormwater leaving the site during both the construction and operational phases of the project. Additionally, projects are required to prepare a SWPPP.

The collection of fees and determined fair share fee amounts are adopted by the City as Conditions of Approval (COAs) for all new development projects prior to project approval. The payment of applicable development impact fees by future development projects within the Overlay Zone would ensure that the fair-share of capital improvement fees are contributed towards future system expansions, as identified in the 2012 Tracy Wastewater Master Plan. Additionally, the future development projects would be required to pay all applicable development impact fees, which would include funding for offsite Citywide storm drainage infrastructure improvements identified in the 2012 City of Tracy Citywide Storm Drainage

Master Plan. Further, through compliance with the NPDES permit requirements, and compliance with the SWPPP, future projects within the Overlay Zone would not result in a violation of any water quality standards or waste discharge requirements. Therefore, through compliance with the NPDES and the SWPPP, impacts are considered **less than significant**.

**Response b): Less than Significant.** The proposed project would not result in the construction of new groundwater wells, nor would it increase existing levels of groundwater pumping. The proposed project would be served by the City's municipal water system. The City of Tracy uses several water sources, including the US Bureau of Reclamation, the South County Water Supply Project (SCWSP), and groundwater.

The City's existing Groundwater Management Policy prohibits groundwater extraction to exceed 9,000 AF (the determined safe yield). The General Plan contains policies to address groundwater use and conservation that will assist in avoiding impacts to groundwater sources. The City will use surface water supplies to the greatest extent feasible to reduce reliance on groundwater (Objective PF-6.1, P3) and to reserve groundwater supplies for emergency use, such as droughts or short-term shortages (Objective PF-6.4, P1). As a result of adopted City policies and General Plan policies, a less than significant groundwater impact was determined by the General Plan EIR. The proposed project is consistent with land use designations and densities analyzed under the General Plan EIR. Thus, the proposed project potential for groundwater depletion is consistent with the General Plan EIR finding of less than significant.

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

Because the City has adequate existing water service capacity to serve the project, and the limited scope of impervious surface coverage (when compared to the larger groundwater basin), the proposed project would result in **less than significant** impacts related to depletion of groundwater supplies and interference with groundwater recharge.

**Responses c), d), e), f): Less than Significant.** When land is in a natural or undeveloped condition, soils, mulch, vegetation, and plant roots absorb rainwater. This absorption process is called infiltration or percolation. Much of the rainwater that falls on natural or undeveloped land slowly infiltrates the soil and is stored either temporarily or permanently in underground layers of soil. When the soil becomes completely soaked or saturated with water or the rate of rainfall exceeds the infiltration capacity of the soil, the rainwater begins to flow on the surface of land to low lying areas, ditches, channels, streams, and rivers. Rainwater that flows off of a site is defined as storm water runoff. When a site is in a natural condition or is undeveloped, a larger percentage

of rainwater infiltrates into the soil and a smaller percentage flows off the site as storm water runoff.

The infiltration and runoff process is altered when a site is developed with urban uses. Houses, buildings, roads, and parking lots introduce asphalt, concrete, and roofing materials to the landscape. These materials are relatively impervious, which means that they absorb less rainwater. As impervious surfaces are added to the ground conditions, the natural infiltration process is reduced. As a result, the volume and rate of storm water runoff increases. The increased volumes and rates of storm water runoff may result in flooding if adequate storm drainage facilities are not provided.

There are no rivers, streams, or water courses located on or immediately adjacent to the project site. As such, there is no potential for the project to alter a water course, which could lead to on or offsite flooding. Drainage improvements associated with future development projects would be located within the Overlay Zone, and future development projects within the Overlay Zone would not alter or adversely impact offsite drainage facilities.

Future development within the Overlay Zone would place impervious surfaces on portions of the 365.62-acre project site. Development of the project site would potentially increase local runoff production, and would introduce constituents into storm water that are typically associated with urban runoff. These constituents include heavy metals (such as lead, zinc, and copper) and petroleum hydrocarbons. BMPs will be applied to any future proposed site development to limit the concentrations of these constituents in any site runoff that is discharged into downstream facilities to acceptable levels. Stormwater flows from the project site would be directed to future stormwater conveyance systems within the project site. These stormwater conveyance systems would be constructed as part of future development within the Overlay Zone.

In order to ensure that stormwater runoff from the project site does not adversely increase pollutant levels in adjacent surface waters and stormwater conveyance infrastructure, a SWPPP would be required for future projects within the Overlay Zone. As described previously, the SWPPP would require the application of BMPs to effectively reduce pollutants from stormwater leaving the site during both the construction and operational phases of future projects.

Additionally, future development projects would be subject to the requirements of Chapter 11.34 of the Tracy Municipal Code – Stormwater Management and Discharge Control. The purpose of this Chapter is to *“Protect and promote the health, safety and general welfare of the citizens of the City by controlling non-stormwater discharges to the stormwater conveyance system, by eliminating discharges to the stormwater conveyance system from spills, dumping, or disposal of materials other than stormwater, and by reducing pollutants in urban stormwater discharges to the maximum extent practicable.”*

This chapter is intended to assist in the protection and enhancement of the water quality of watercourses, water bodies, and wetlands in a manner pursuant to and consistent with the Federal Water Pollution Control Act (Clean Water Act, 33 USC Section 1251 et seq.), Porter-Cologne Water Quality Control Act (California Water Code Section 13000 et seq.) and National



Pollutant Discharge Elimination System (“NPDES”) Permit No. CAS000004, as such permit is amended and/or renewed.

New development projects in the City of Tracy are required to provide site-specific storm drainage solutions and improvements that are consistent with the overall storm drainage infrastructure approach presented in the 2012 City of Tracy Citywide Storm Drainage Master Plan. Future project applicants would be required to submit a detailed storm drainage infrastructure plan to the City of Tracy Development Services Department for review and approval. Any future project’s storm drainage infrastructure plans must demonstrate adequate infrastructure capacity to collect and direct all stormwater generated on the project site within onsite retention/detention facilities to the City’s existing stormwater conveyance system, and demonstrate that these future projects would not result in on- or off-site flooding impacts. Any future development projects would also be required to pay all applicable development impact fees, which would include funding for offsite Citywide storm drainage infrastructure improvements identified in the 2012 City of Tracy Citywide Storm Drainage Master Plan. The collection of fees and determined fair share fee amounts are adopted by the City as COAs for all new development projects prior to project approval. The payment of applicable development impact fees by any future project would ensure that the future projects pays their fair-share of capital improvement fees towards future system expansions, as identified in the 2012 Citywide Storm Drainage Master Plan.

In order to ensure that future stormwater runoff generated at the project site as a result of new impervious surfaces does not exceed the capacity of the existing or planned stormwater drainage system, the future project applicants would be required to submit a detailed storm drainage infrastructure plan to the City of Tracy Development Services Department for review and approval. The future projects’ storm drainage infrastructure plans shall, to the satisfaction of the City Engineer, demonstrate adequate infrastructure capacity to collect and direct all stormwater generated on the project site within onsite retention/detention facilities to the City’s existing stormwater conveyance system, and demonstrate that the future projects would not result in on- or off-site flooding impacts. The implementation of this requirement would reduce this impact to a less than significant level.

The payment of all applicable fees, and the implementation of all appropriate regulatory requirements, would ensure that this impact is **less than significant**.

**Responses g), h): Less than Significant.** The 100-year floodplain denotes an area that has a one percent chance of being inundated during any particular 12-month period.

Floodplain zones are determined by the Federal Emergency Management Agency (FEMA) and used to create Flood Insurance Rate Maps (FIRMs). These tools assist cities in mitigating flooding hazards through land use planning. FEMA also outlines specific regulations for any construction, whether residential, commercial, or industrial within 100-year floodplains.

As shown in Figure 10, the majority of the project site is not located within the FEMA designated 100-year floodplain. A portion of the project site, located in the north-central portion of the site,



is located within the 100-year (one percent annual chance) flood hazard zone. However, as noted in the City's General Plan EIR, lands within the FEMA-designated 100-year floodplain or Zone A are subject to mandatory flood insurance purchase as required by FEMA. The insurance rating is based on the difference between the base flood elevation (BFE), the average depth of the flooding above the ground surface for a specific area, and the elevation of the lowest floor. Because Tracy participates in the National Flood Insurance Program, it must require development permits to ensure that construction materials and methods will mitigate future flood damage. New construction and substantial improvements of residential structures are also required to "have the lowest floor (including the basement) elevated to or above the base flood level." Non-residential structures must have their utility systems above the BFE or be of flood-proof construction. Additionally, Chapter 9.52 of the Tracy Municipal Code establishes regulations limiting new construction in an area of special flood hazard. Future development within the Overlay Zone would be subject to existing City and federal regulations pertaining to flood hazards.

Impacts related to flooding as a result of development of the General Plan, including the proposed project site, were analyzed in the General Plan EIR. The General Plan EIR concluded that implementation of General Plan and its policies would reduce the potential impact associated with exposure to the 100-year flood plain to a less than significant level. Therefore, this is a **less than significant** impact.

**Responses i), j): Less than Significant.** As shown in Figure 11, the majority of the project site is located within an inundation risk area. As noted in the City's General Plan EIR, some areas in the northern portion of the Tracy Planning Area have the potential to be affected by dam failure inundation such as from the San Luis Reservoir, New Melones and New Exchequer dams. The northern most portion of the Sphere of Influence and the City limits fall within areas that could be potentially affected by dam inundation, including the Holly Sugar property and the northern portions of Larch Clover and Urban Reserves 1 and 3. In addition, portions of San Joaquin County could be subject to flooding due to seiches resulting in levee failure. However, the City of Tracy is not in close proximity to the areas most likely to be affected.<sup>5</sup>

The safety of dams in California is stringently monitored by the California Department of Water Resources, Division of Safety of Dams (DSD). The DSD is responsible for inspecting and monitoring the dam in perpetuity. The proposed project would not result in actions that could result in a higher likelihood of dam failure at San Luis Reservoir and New Melones Dams. There will always be a remote chance of dam failure that results in flooding of portions of the City. However, impacts related to dam inundation as a result of development of the General Plan, including the proposed project site, were analyzed in the General Plan EIR. The General Plan EIR concluded that implementation of General Plan and its policies would reduce the potential impact associated with dam inundation to a less than significant level.

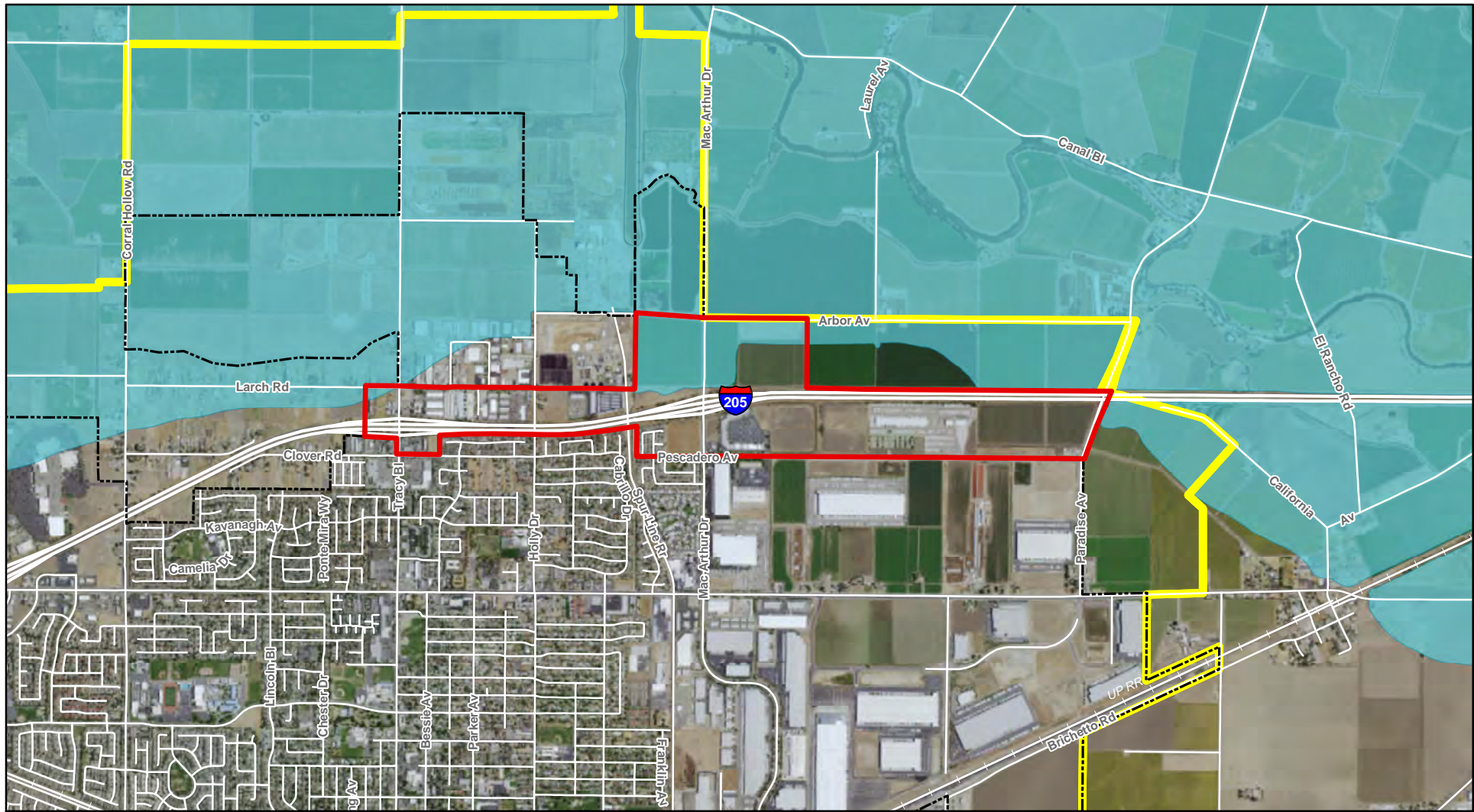
There are no significant bodies of water near the project site that could result in the occurrence of a seiche or tsunami. Additionally, the project site and the surrounding areas are relatively

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<sup>5</sup> SJCOG. September 2001. 2001 RTP Program EIR. p. 3.9-8.

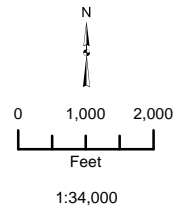
flat, which precludes the possibility of mudflows occurring on the project site. Overall, this is a **less than significant** impact.

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**Legend**

- 1% Annual Chance Flood Hazard (100-yr Flood Zone)
- Project Boundary
- Sphere Of Influence
- Tracy City Limits



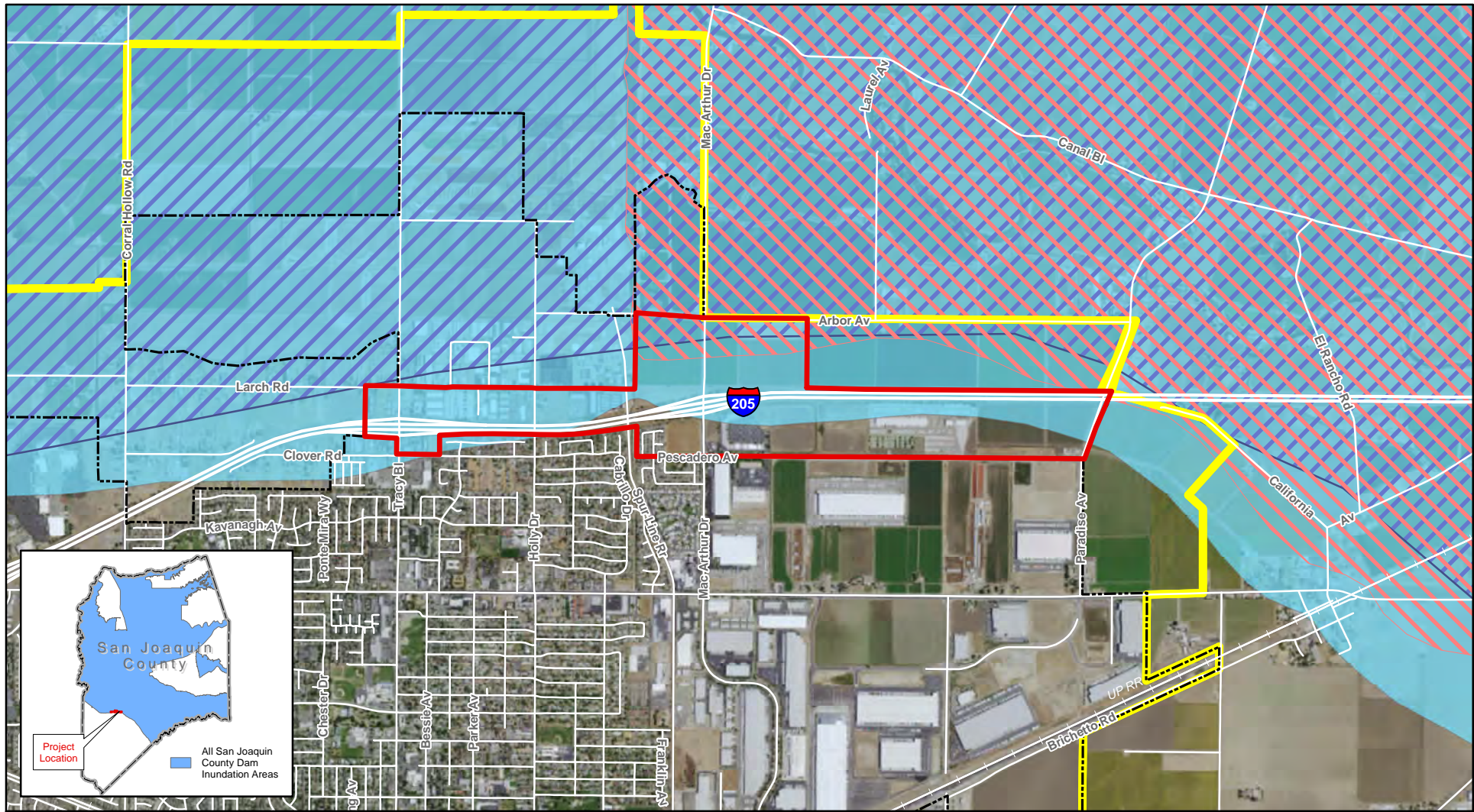
**I-205 OVERLAY, TRACY, CALIFORNIA**

Figure 10. Project Site FEMA Flood Insurance Rate Map

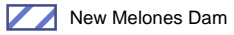

Sources: San Joaquin County GIS; City of Tracy GIS; FEMA. Map date: May 31, 2016.

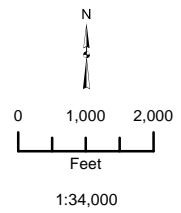
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**Legend**

- |  |   |
|--|---|
|  Lake McClure Dam |  Project Boundary    |
|  New Melones Dam  |  Sphere Of Influence |
|  San Luis dam     |  Tracy City Limits   |



I-205 OVERLAY, TRACY, CALIFORNIA  
 Figure 11. Dam Inundation Areas

Sources: San Joaquin County GIS; City of Tracy GIS; California OES. Map date: May 31, 2016.

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**X. LAND USE AND PLANNING -- WOULD THE PROJECT:**

	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X	
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?			X	

**RESPONSES TO CHECKLIST QUESTIONS**

**Response a): No Impact.** The project site is surrounded by existing commercial and industrial uses. Future development projects within the Overlay Zone would be consistent and compatible with the surrounding land uses, and would not divide an established community. There is **no impact**.

**Response b): Less than Significant.** The City Tracy General Plan land use designations for the project site are Commercial, Industrial, and Residential Medium. The Industrial land use designation contains uses such as warehouses and distribution facilities, light manufacturing, self-storage facilities, aggregate deposits and extraction operations, and automobile garages. Land designated Industrial may have a maximum FAR of 0.5. The Commercial land use designation includes sites with one or more types of retail and office facilities, typically containing restaurants, grocery stores, shopping centers, and office parks. Land designated Commercial may have a maximum FAR of 1.0. The Residential Medium land use designation includes small lot single-family detached homes, duplexes, triplexes, fourplexes, townhouses, apartments and includes condominiums as an ownership type. Densities in the Residential Medium designation are from 5.9 to 12 dwelling units per gross acre.

The project site is currently zoned M-1, HS, PUD, and MDC. The M-1 Zone classification is designed to provide for commercial and industrial activities and uses which are included in Chapter 10.08, Article 20 of the Tracy Municipal Code. The HS Zone classification is designed to provide for freeway-oriented uses in close proximity to the freeway interchanges. The uses permitted are intended to encourage automobile and truck related uses which will be compatible with adjacent zones and development and which require large land areas and are not appropriate, compatible, or of a type usually found in downtown areas or shopping centers. The PUD Zone classification is designed to allow flexibility and creativity in site planning for residential, commercial, or industrial uses to achieve greater efficiency in land use by maximizing open space, preserving natural amenities, and creating additional amenities. The MDC Zone classification is designed to provide for single- and two-family dwellings, dwelling groups, and supporting uses and to be

utilized in appropriate locations within the areas designated medium density residential with a density range of 5.9 to 12.0 dwelling units per gross acre by the General Plan.

Approval of the I-205 Overlay Zone would not allow for any new land uses not already contemplated in the Tracy General Plan and analyzed in the General Plan EIR. The proposed I-205 Overlay Zone would not permit any uses not already permitted by the existing underlying zoning districts on the parcels within the proposed Overlay Zone Area, and the proposed Overlay Zone would not allow for any intensification of land uses beyond the levels currently allowed by the General Plan, Municipal Code, or any applicable specific plans. The project's consistency with other General Plan policies that provide environmental protections are addressed within the relevant sections of this document. This is a **less than significant** impact.

**Response c): Less than Signification.** The proposed project is classified as Urban and Undeveloped Public Land under the SJMSCP. Future development projects within the Overlay Zone would be required to consult with SJCOG to pursue and obtain coverage of the future projects pursuant to the SJMSCP. This would ensure that the project does not conflict with the implementation of the SJMSCP. Therefore, implementation of the project would have a **less than significant** impact.

*XI. MINERAL RESOURCES -- WOULD THE PROJECT:*

	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

*RESPONSES TO CHECKLIST QUESTIONS*

**Responses a), b): No Impact.** As described in the Tracy General Plan EIR, the main mineral resources found in San Joaquin County, and the Tracy Planning Area, are sand and gravel (aggregate), which are primarily used for construction materials like asphalt and concrete. According to the California Geological Survey (CGS) evaluation of the quality and quantity of these resources, the most marketable aggregate materials in San Joaquin County are found in three main areas:

- In the Corral Hollow alluvial fan deposits south of Tracy
- Along the channel and floodplain deposits of the Mokelumne River
- Along the San Joaquin River near Lathrop

Figure 4.8-1 of the General Plan EIR identifies Mineral Resource Zones (MRZs) throughout the Tracy Planning Area. The project site is located within an area designated as MRZ-1. The MRZ-1 designation applies to areas where adequate information indicates that no significant mineral deposits are present, or where there is little likelihood for their presence. There are not substantial aggregate materials located within the project site. Therefore, the project would not result in the loss of availability of a known mineral resource. There is **no impact**.

*XII. NOISE -- WOULD THE PROJECT RESULT IN:*

	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			X	
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

*RESPONSES TO CHECKLIST QUESTIONS*

**Response a): Less than Significant.** The proposed project is located in an area consisting predominately of commercial and industrial land uses. Commercial and industrial land uses may generate significant noise levels. Additionally, traffic generated by future development projects within the Overlay Zone have the potential to contribute to roadway noise levels in the vicinity of the project site and throughout other areas of the City. Increases in roadway noise associated with buildout of the Tracy General Plan were addressed in the 2010 General Plan Recirculated Supplemental Draft EIR. As described in the Draft EIR, vehicular traffic on existing roadways in Tracy would increase as development proceeds and the City's population increases. Approval of the I-205 Overlay Zone would not allow for any new land uses not already contemplated in the Tracy General Plan and analyzed in the General Plan EIR, and the proposed Overlay Zone would not allow for any intensification of land uses beyond the levels currently allowed by the General Plan, Municipal Code, or any applicable specific plans.

Development of the site for urban uses and the subsequent increase in vehicle roadway noise was taken into consideration in the City of Tracy General Plan and General Plan EIR. On February 1, 2011 the Tracy City Council adopted a Statement of Overriding Considerations (Resolution 2011-028) for the increase in vehicle roadway noise resulting from adoption of the General Plan and EIR.

The City of Tracy General Plan Noise Element establishes exterior and interior noise level limits for residential projects and exterior noise level limits for all other projects, including commercial and industrial uses. Policy 3 establishes a specific limit of 60 dB  $L_{dn}$  for exterior areas of single-family residential uses. However, if the primary noise source is train pass-bys, then the standard for outdoor noise levels in multi-family residential is increased to 70 dB  $L_{dn}$  (Policy 9). An interior noise level standard of 45 dB  $L_{dn}$  is also established for all residential uses under Policy 5. Additionally, Policy 8 establishes conditionally acceptable and unacceptable noise levels for various commercial and industrial land uses, as shown in Figure 9-3 of the Tracy General Plan Noise Element. Specifically, Policy 8 establishes a 60 dB  $L_{dn}$  exterior noise limit for schools, libraries, museums, hospitals, personal care, meeting halls, and churches, and a 70 dB  $L_{dn}$  exterior noise limit for office buildings, business, commercial, and professional uses.

Further, Objective N-1.3 and Policies P1, P2, P3, and P5 of the Tracy General Plan ensure that noise impacts from new projects will be evaluated during the design review process and mitigated as a condition of project approval. To comply with the General Plan, future development projects within the Overlay Zone would be required to predict their future operational noise and compare the results to the City of Tracy noise level standards within a Noise Analysis. The future Noise Analysis would include any necessary recommendations to ensure that the future projects are consistent with the General Plan Noise policies identified above, and would ensure that any potential for the allowed uses to be exposed to excessive noise levels would be reduced to a **less than significant** level.

**Response b): Less than Significant.** No major stationary sources of groundborne vibration are located in the project area that would result in the long-term exposure of onsite land uses to unacceptable levels of ground vibration. In addition, the future development projects within the Overlay Zone would not likely involve the use of any major equipment or processes that would result in potentially significant levels of ground vibration that would exceed these standards at nearby existing land uses. However, construction activities associated with the future development projects within the Overlay Zone would require the use of various tractors, trucks, and potentially jackhammers that could result in intermittent increases in groundborne vibration levels.

Groundborne vibration levels and their associated effects are shown in Table 2, and groundborne vibration levels commonly associated with construction equipment are summarized in Table 3.

Based on the levels presented in Table 3, groundborne vibration generated by typical construction equipment (Table 2) would not be anticipated to exceed approximately 0.09 inches per second (in/sec) peak particle velocity (ppv) at 25 feet. Predicted vibration levels would not be anticipated to exceed recommended criteria for structural damage and human annoyance (0.2 and 0.1 in/sec ppv, respectively) at nearby land uses. As a result, short-term groundborne vibration impacts would be considered **less than significant**.

**Table 2: Effects of Vibration on People and Buildings**

PEAK PARTICLE VELOCITY (IN/SEC)	HUMAN REACTION	EFFECT ON BUILDINGS
0.006-0.019	Threshold of perception; possibility of intrusion	Vibrations unlikely to cause damage of any type
0.08	Vibrations readily perceptible	Recommended upper level of the vibration to which ruins and ancient monuments should be subjected
0.10	Level at which continuous vibrations begin to annoy people	Virtually no risk of “architectural” damage to normal buildings
0.20	Vibrations annoying to people in buildings	Threshold at which there is a risk of “architectural” damage to normal dwelling - houses with plastered walls and ceilings. Special types of finish such as lining of walls, flexible ceiling treatment, etc., would minimize “architectural” damage
0.4-0.6	Vibrations considered unpleasant by people subjected to continuous vibrations and unacceptable to some people walking on bridges	Vibrations at a greater level than normally expected from traffic, but would cause “architectural” damage and possibly minor structural damage.

SOURCE: CALTRANS. TRANSPORTATION RELATED EARTHBOEN VIBRATIONS. TAV-02-01-R9601 FEBRUARY 20, 2002.

**Table 3: Representative Vibration Source Levels for Construction Equipment**

EQUIPMENT	PEAK PARTICLE VELOCITY AT 25 FEET (IN/SEC)
Large Bulldozers	0.089
Loaded Trucks	0.076
Jackhammer	0.035
Small Bulldozers	0.003

SOURCE: FTA 2006, CALTRANS 2004

**Response c): Less than Significant.** Generally, a project may have a significant effect on the environment if it will substantially increase the ambient noise levels for adjoining areas or expose people to severe noise levels. In practice, more specific professional standards have been developed. These standards state that a noise impact may be considered significant if it would generate noise that would conflict with local planning criteria or ordinances, or substantially increase noise levels at noise-sensitive land uses.

The proposed project would not directly generate increased noise. Future development projects within the Overlay Zone may result in operational noise which may increase ambient noise levels in the project vicinity above levels existing without the project. The noise directly generated by these future development projects would not differ from the existing ambient noises currently generated by the surrounding commercial and industrial land uses. Approval of the I-205 Overlay Zone would not allow for any new land uses not already contemplated in the Tracy General Plan and analyzed in the General Plan EIR, and the proposed Overlay Zone would not allow for any intensification of land uses beyond the levels currently allowed by the General Plan, Municipal Code, or any applicable specific plans.

As noted previously, to comply with the General Plan, future development projects within the Overlay Zone would be required to predict their future operational noise and compare the results to the City of Tracy noise level standards within a Noise Analysis. The future Noise Analysis would include any necessary recommendations to ensure that the future projects are consistent with the General Plan Noise policies identified above.

Additionally, as described above, development of the site for urban uses and the subsequent increase in vehicle roadway noise was taken into consideration in the City of Tracy General Plan and General Plan EIR. On February 1, 2011 the Tracy City Council adopted a Statement of Overriding Considerations (Resolution 2011-028) for the increase in vehicle roadway noise resulting from adoption of the General Plan and EIR, and the proposed project is consistent with these findings. As such, this is a **less than significant** impact.

**Response d): Less than Significant.** Future construction activities at the project site would result in temporary increases in noise levels that could expose nearby residences to increased noise levels and noise nuisances. As shown in Table 4, construction activities could create temporary noise levels of up to 90 dBA at distances of 50 feet. Because existing residential neighborhoods are located to the south of the western portion of the Overlay Zone, this temporary increase in construction noise is considered potentially significant.

**Table 4: Construction Equipment Noise**

TYPE OF EQUIPMENT	MAXIMUM LEVEL, DB AT 50 FEET
Backhoe	78
Compactor	83
Compressor (air)	78
Concrete Saw	90
Dozer	82
Dump Truck	76
Excavator	81
Generator	81
Jackhammer	89
Pneumatic Tools	85

SOURCE: CONSTRUCTION NOISE MODEL USER'S GUIDE. FEDERAL HIGHWAY ADMINISTRATION. FHWA-HEP-05-054. JANUARY 2006.

However, the proposed I-205 Overlay project is consistent with the land use designations and development intensities assigned to the project site by the City of Tracy General Plan. Noise impacts associated with development and buildout of the project site, as proposed, were fully addressed in the City of Tracy General Plan EIR (SCH# 2008092006). Since the proposed project is consistent with the land use designation and development intensity for the site identified in the General Plan and analyzed in the General Plan EIR, implementation of the proposed project would not result in any new or altered impacts beyond those addressed in the General Plan EIR.

Should future development within the Overlay Zone be predicted to result in potentially significant construction noise levels for those residences located to the south of the western



portion of the Overlay Zone, a Noise Analysis would include requirements in order to place restrictions on the time of day that construction activities can occur, and includes additional techniques to reduce noise levels at adjacent residences during construction activities. Therefore, this would be a **less than significant** impact.

**Response e): Less than Significant.** The Tracy Municipal Airport is located approximately 4.8 miles south of the project site. The Airport is a general aviation airport owned by the City and managed by the Public Works Department. The City of Tracy adopted an Airport Master Plan in 1998, analyzing the impacts to safety on surrounding development from the Tracy Municipal Airport.

The San Joaquin County Airport Land Use Plan establishes noise contours surrounding the Tracy Municipal Airport. The project site is located outside of both the 65 dB<sub>CNEL</sub> and the 60 dB<sub>CNEL</sub> noise contours for the Tracy Municipal Airport, and the project site is outside of the Airport Influence Area (AIA). As such, the project site would not be exposed to excessive noise from the Tracy Municipal Airport. This is a **less than significant** impact.

**Response f): No Impact.** The project site is not located within two miles of a private airstrip. There is **no impact**.

*XIII. POPULATION AND HOUSING -- WOULD THE PROJECT:*

	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?			X	
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?			X	

*RESPONSES TO CHECKLIST QUESTIONS*

**Response a): Less than Significant.** Implementation of the proposed project would result in the addition of a new Article under Title 10, Planning and Zoning, to the Tracy Municipal Code, as well as minor revisions (cross-references to the new Article) to several existing zoning districts. The proposed project is located in an urbanized area of the City of Tracy, and the project would not allow for any new land uses not already contemplated in the Tracy General Plan and analyzed in the General Plan EIR. There is existing infrastructure (roads, water, sewer, etc.) in the immediate vicinity of the project site. While future development projects within the Overlay Zone would extend these services onto the site to serve future development, the proposed project would not extend infrastructure to an area of the City not currently served. Therefore, the project would not indirectly induce population growth in other areas of the City of Tracy.

The potential for the project to directly induce population growth in the City of Tracy is not a significant impact in and of itself. Population growth can result in other types of environmental impacts, such as traffic, service demands, etc. As described throughout this environmental document, the population growth attributable to the proposed project would not result in any significant environmental impacts that cannot be mitigated to a less than significant level through the application of standard requirements that all new development in the City must adhere to. Future growth will occur through development allowed by the General Plan and by the City's Growth Management Ordinance (GMO). Under the GMO, approximately 19,981 building permits can be issued between 2011 and 2041.<sup>6</sup> Growth under this project is consistent with the General Plan and GMO.

This impact is **less than significant**, as demonstrated throughout this document.

**Responses b), c): Less than Significant.** There is an existing residential subdivision located on the south-central portion of the project site, south of I-205. However, approval of the proposed I-205 Overlay Zone would not remove this existing housing, and it is not anticipated that

<sup>6</sup> [http://www.sjgov.org/lafco/Tracy%20MSR/TracyMSR\\_Dec2011\\_ALL%20FILES\[1\].pdf](http://www.sjgov.org/lafco/Tracy%20MSR/TracyMSR_Dec2011_ALL%20FILES[1].pdf)

development of future projects within the Overlay Zone would remove any housing from the City. Therefore, the project would not displace substantial numbers of people or existing housing, and would have a **less than significant** impact.

**XIV. PUBLIC SERVICES --**

	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i) Fire protection?			X	
ii) Police protection?			X	
iii) Schools?			X	
iv) Parks?			X	
v) Other public facilities?			X	

*RESPONSES TO CHECKLIST QUESTIONS*

**Response a.i): Less than Significant.** The Tracy Fire Department, as a member agency of the South County Fire Authority, provides fire protection, life safety, and emergency response services to 167 square miles of the southern part of San Joaquin County. In 1999, the South County Fire Authority was established to more effectively and efficiently serve the City of Tracy, the Tracy Rural Fire Protection District (FPD), and the Mountain House Community Services District (CSD).

The Fire Authority currently operates six fire stations and an administrative office. Twenty-four hour-a-day staffing is provided with six paramedic engine companies, one ladder truck company, and one duty chief. Four fire stations are within the incorporated area of the City of Tracy and two are in the surrounding rural Tracy area. Of the two stations in the rural area, fire station 94 is located at 16502 Schulte Road, immediately adjacent to City annexed property in the Prologis International Park of Commerce.

Medical transport is provided by private ambulance. With the exception of Manteca District Ambulance and Ripon Consolidated Fire District, American Medical Response is the exclusive emergency ambulance transport service provider in San Joaquin County.

The Tracy Fire Department conducted a Standards of Response Coverage study in late 2007. Findings of the study indicated that the Department had challenges in meeting its established response time objectives in the areas of the West Valley Mall and Downtown Tracy utilizing existing resources. Two new facilities were opened May 16, 2014, to replace Fire

Stations 92 & 96. The new facilities allow the fire department to serve the greater community of Tracy more effectively within the established response time standard of 6.5 minutes.

Since November 2008, the Fire Department has expanded its provision of Advanced Life Support Services to all of its fire stations. Emergency medical services in Tracy and the surrounding areas are reported to be good, as Tracy is one of only three fire departments in San Joaquin County that provide Advanced Life Support services.

Recognizing the potential need for increases in fire protection and emergency medical services, the City's General Plan includes policies to ensure that adequate related facilities are funded and provided to meet future growth (Objective PF-1.1, P1). This policy will be implemented through the review of all new projects within the City, prior to development, and through the collection of development impact fees for the funding of facilities.

Implementation of the proposed project would not adversely impact existing fire and emergency services within the City, and would not require the construction of new fire protection facilities. Impact fees from new development are collected based upon projected impacts from each development. The adequacy of impact fees is reviewed on an annual basis to ensure that the fee is commensurate with the service. Payment of the applicable impact fees by future project applicants as COAs prior to approval of future development projects within the Overlay Zone, and ongoing revenues that would come from property taxes, sales taxes, and other revenues generated by these future projects, would fund capital and labor costs associated with fire protection services.

In order to provide adequate fire protection and suppression services to the project site, the Tracy Fire Department must have access to adequate onsite hydrants with adequate fire-flow pressure available to meet the needs of fire suppression units. As future development projects come forward, these site plans and development specifications developed for these projects will indicate the location and design specifications of the fire hydrants that will be required within the project site. Additionally, approval of the I-205 Overlay Zone would not allow for any new land uses not already contemplated in the Tracy General Plan and analyzed in the General Plan EIR. Therefore, this is considered a **less than significant** impact.

**Response a.ii): Less than Significant.** The Tracy Police Department provides police protection services to the City of Tracy. Its headquarters are located at 1000 Civic Center Drive, approximately 3 miles south of the project site. There are no satellite offices or plans to construct any in the near future.

The Department divides calls into three categories, Priority 1, 2, and 3 calls. Priority 1 calls are defined as life threatening situations. Priority 2 calls are not life threatening, but require immediate response. Priority 3 calls cover all other calls received by the police. Average response time for Priority 1 calls within City limits is approximately six to eight minutes. Response time for Priority 2 and 3 calls is, on average, 22 minutes.

The Tracy Police Department provides mutual aid to the San Joaquin County Sheriff's office, and vice versa, when a situation exceeds the capabilities of either department. Mutual aid is coordinated through the San Joaquin County Sheriff.

Impact fees from new developments are collected based upon projected impacts from each development by the City as COAs prior to project approval. The adequacy of impact fees is reviewed on an annual basis to ensure that the fee is commensurate with the service. Payment of the applicable impact fees by future project applicants as COAs prior to approval of future development projects within the Overlay Zone, and ongoing revenues that would come from property taxes, and other revenues generated by these future projects, would fund capital and labor costs associated with police services.

It is not anticipated that implementation of the proposed project, or future projects within the proposed Overlay Zone, would result in significant new demand for police services. Project implementation would not require the construction of new police facilities to serve the project site, nor would it result in impacts to the existing response times and existing police protection service levels. Furthermore, the City's General Plan ensures the City maintains adequate police staffing, performance levels and facilities to serve Tracy's existing population as well as any future growth (Goal PF-2, policy P.1). Approval of the I-205 Overlay Zone would not allow for any new land uses not already contemplated in the Tracy General Plan and analyzed in the General Plan EIR. Therefore, this is considered a **less than significant** impact.

**Response a.iii): Less than Significant.** Implementation of the proposed project would not directly result in population growth within the City of Tracy. However, future development projects within the Overlay Zone may directly increase population within the City, which would likely increase enrollment at schools within the Tracy Unified School District. It is noted that approval of the I-205 Overlay Zone would not allow for any new land uses not already contemplated in the Tracy General Plan and analyzed in the General Plan EIR. According to the School District's boundary maps, school students residing at the project site would attend Melville S. Jacobson Elementary School or North School, Monte Vista Middle School or North School, and Merrill F. West High School or Duncan-Russell Continuation High School.

The Tracy Unified School District collects impact fees from new developments under the provisions of SB 50. Payment of the applicable impact fees by the project applicant, and ongoing revenues that would come from taxes, would fund capital and labor costs associated with school services. The adequacy of fees is reviewed on an annual basis to ensure that the fee is commensurate with the service. Payment of the applicable impact fees by the project applicant, and ongoing revenues that would come from property taxes, sales taxes, and other revenues generated by the project, would fund improvements associated with school services and would ensure that project impacts to school services are **less than significant**.

**Response a.iv): Less than Significant.** Potential project impacts to parks and recreational facilities are addressed in the following section of this document.

**Response a.v): Less than Significant.** Other public facilities in the City of Tracy include libraries, hospitals, and cultural centers such as museums and music halls. The proposed project itself would not increase demand on these facilities; however, future development projects within the Overlay zone may increase demand for other facilities. The City of Tracy General Plan requires new development to pay its fair share of the costs of public buildings by collecting the Public Buildings Impact Fee. The Public Buildings Impact fee is used by the City to expand public services and maintain public buildings, including the Civic Center and libraries in order to meet the increased demand generated by new development. Payment of the applicable impact fees by future project applicants as COAs prior to approval of future development projects within the Overlay Zone, and ongoing revenues that would come from taxes, would ensure that project impacts to libraries and public buildings are **less than significant**.



**XV. RECREATION --**

	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			X	

*RESPONSES TO CHECKLIST QUESTIONS*

**Responses a), b): Less than Significant.** The proposed project itself would not increase demand for parks and recreational facilities within the City of Tracy; however, future development projects within the Overlay Zone would increase demand, and may increase the use of the City’s existing parks and recreation system. As described in the Tracy General Plan, the City maintains 48 mini-parks, 15 neighborhood parks, and eight community parks, providing approximately 256 acres at 71 sites. The City is also in the process of constructing the Holly Sugar Sports Park at the northern edge of the City, which will provide an additional 166 acres of sports parks, 86 acres of passive recreation area, and a 46-acre future expansion area for additional park facilities.

The City strives to maintain a standard of 4 acres of park land for every 1,000 persons. In order to maintain this standard, the City requires new development projects to either include land dedicated for park uses, or to pay in-lieu fees towards the City’s parks program. Chapter 13.12 of the Tracy Municipal Code states that, *“all development projects shall be required to maintain the City standard of four (4) acres of park land per 1,000 population. All development projects, as a condition of approval of any tentative parcel map or tentative subdivision map, or as a condition of approval of any building permit, shall dedicate land to the City or pay a fee in lieu thereof, or a combination of both, in order to maintain this City standard. The precise obligation of any development project to dedicate land or pay a fee pursuant to this section shall be incorporated in the implementing resolution for the park fee applicable to the development project.”*

The City of Tracy requires the payment of the project’s fair share in-lieu parks fees, as required by the City’s General Plan. The collection of fees and determined fair share fee amounts are adopted by the City as COAs for all new development projects prior to project approval. Fees paid aid in the development of new park-space and maintenance as required, to ensure continued high quality park facilities for all City residents. Additionally, given that the City maintains an ample and diverse range of park sites and park facilities, and collects fees from new development to fund the construction of new parks and the maintenance of existing parks, the additional demand for parks generated by future projects within the Overlay Zone would not result in the physical deterioration of existing parks and facilities within Tracy. As such, this is a **less than significant** impact.

***XVI. TRANSPORTATION/TRAFFIC -- WOULD THE PROJECT:***

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

***RESPONSES TO CHECKLIST QUESTIONS***

**Responses a), b): Less than Significant.** Development of the proposed project would not directly add vehicle trips to the City's roadway network; however, future development projects within the Overlay zone would add vehicle trips to the nearby roadway network. In order to identify roadway facility and intersection improvements needed to accommodate the traffic generated by buildout of the City's General Plan, the City of Tracy prepared and adopted the 2012 Citywide Roadway and Transportation Master Plan (Transportation Master Plan). The Transportation Master Plan identifies a range of roadway and intersection improvements to be implemented over the next several years in order to maintain acceptable levels of service on City streets. The proposed project is consistent with the General Plan land use designation for the site, and would not permit any uses not already permitted by the existing underlying zoning districts on the parcels within the proposed Overlay Zone Area, and the proposed Overlay Zone would not allow for any intensification of land uses beyond the levels currently allowed by the General Plan, Municipal Code, or any applicable specific plans. The generation of vehicle traffic

associated with the future development projects was considered during preparation of the Transportation Master Plan. The Transportation Master Plan identifies the roadway and intersection improvements needed in order to maintain acceptable levels of service throughout the City.

The collection of fees and determined fair share fee amounts are adopted by the City as COAs for all new development projects prior to project approval. The payment of applicable traffic impact fees by future development projects would ensure that the projects pay their fair-share of capital improvement fees towards the future transportation system improvements and expansions, as identified in the Transportation Master Plan. The payment of these fair-share traffic impact fees would assist the City of Tracy with implementation of the various improvements identified in the Transportation Master Plan, in order to maintain acceptable levels of service throughout the City.

The proposed project does not induce any additional required improvements beyond those that are already included within the Transportation Master Plan. The collection of fees and determined fair share fee amounts are adopted by the City as COAs for all new development projects prior to project approval. The payment of the required traffic impact fees to the City of Tracy would reduce traffic impacts to a **less than significant** level.

**Response c): Less than Significant.** As discussed above under the Hazards Section, the proposed project is not located within the Tracy Municipal Airport's Airport Influence Area (AIA). Additionally, there are no private airstrips within the vicinity of the project site. Therefore, implementation of the proposed project would not result in any needed changes to airport operations or air travel patterns at the Tracy Municipal Airport. This impact is **less than significant**.

**Responses d), e): Less than Significant.** Future development projects within the Overlay Zone would be required to provide adequate access to their project sites in order to accommodate emergency vehicles. Implementation of the proposed project would not directly result in development of the site and, therefore, would have a less than significant impact related to emergency access and interference with an emergency evacuation plan. This is a **less than significant** impact and no mitigation is required.

**Response f): No Impact.** The project would have no impact on any existing plans or policies related to alternative transportation. The payment of fair-share traffic impact fees by future project applicants for projects within the Overlay Zone would provide funding for implementation of the Transportation Master Plan, which includes bicycle, pedestrian, and alternative transportation improvements throughout the City. There is **no impact**.

*XVII. UTILITIES AND SERVICE SYSTEMS -- WOULD THE PROJECT:*

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

*RESPONSES TO CHECKLIST QUESTIONS*

**Responses a), b), e): Less than Significant.** Wastewater generated by future development projects within the Overlay Zone would be conveyed to the Tracy Wastewater Treatment Plan (WWTP) for treatment and disposal. The City's wastewater collection system consists of gravity sewer lines, pump stations and the WWTP. Wastewater flows toward the northern part of the City where it is treated at the WWTP and then discharged into the Old River in the southern Sacramento-San Joaquin Delta.

The City's WWTP provides secondary-level treatment of wastewater followed by disinfection. Treated effluent from the WWTP is conveyed to a submerged diffuser for discharge into the Old River. The WWTP has an NPDES permit for discharge into the Old River from the State Regional Water Quality Control Board. The City of Tracy expanded the treatment capacity to 10.8 million gallons per day (mgd) in 2008.

The Tracy General Plan EIR determined that no significant wastewater-related impacts were identified as a result of buildout of the General Plan. Approval of the I-205 Overlay Zone would

not allow for any new land uses not already contemplated in the Tracy General Plan and analyzed in the General Plan EIR. The proposed I-205 Overlay Zone would not permit any uses not already permitted by the existing underlying zoning districts on the parcels within the proposed Overlay Zone Area, and the proposed Overlay Zone would not allow for any intensification of land uses beyond the levels currently allowed by the General Plan, Municipal Code, or any applicable specific plans. Because the project is consistent with the intended uses allowed under the General Plan, no impacts beyond those identified should result from implementation of the proposed project.

As a result, the City has determined that it has adequate capacity to serve future project's projected demand for wastewater treatment services in addition to its existing commitments, and no improvements or expansions to the existing WWTP are required to serve these future projects, and the addition of wastewater would not result in any RWQCB violations related to effluent treatment or discharge. Implementation of the proposed project would have a **less than significant** impact.

**Response c): Less than Significant.** Future development of the project site would place impervious surfaces on the 365.62-acre project site. Future development of the project site would potentially increase local runoff production, and would introduce constituents into storm water that are typically associated with urban runoff. These constituents include heavy metals (such as lead, zinc, and copper) and petroleum hydrocarbons. BMPs will be applied to future site development to limit the concentrations of these constituents in any site runoff that is discharged into downstream facilities to acceptable levels.

Permanent onsite storm drainage would be installed to serve the future development projects within the Overlay Zone. The collection systems would likely consist of inlets and underground piping. The potential environmental impacts of construction of the onsite storm drainage system are addressed throughout this Initial Study, given that all improvements would occur onsite. As described above under the Hydrology and Water Quality Section, new development projects in the City of Tracy are required to provide site-specific storm drainage solutions and improvements that are consistent with the overall storm drainage infrastructure approach presented in the 2012 City of Tracy Citywide Storm Drainage Master Plan.

Prior to approval of any Final Map for the Overlay Zone, the future project applicants are required to submit a detailed storm drainage infrastructure plan to the City of Tracy Development Services Department for review and approval. The future project's storm drainage infrastructure plans must demonstrate adequate infrastructure capacity to collect and direct all stormwater generated on the project site within onsite retention/detention facilities to the City's existing stormwater conveyance system, and demonstrate that the projects would not result in on- or off-site flooding impacts.

The future development projects are also required to pay all applicable development impact fees, which would include funding for offsite Citywide storm drainage infrastructure improvements identified in the 2012 City of Tracy Citywide Storm Drainage Master Plan. The collection of fees and determined fair share fee amounts are adopted by the City as COAs for all new development

projects prior to project approval. The adequacy of impact fees is reviewed on an annual basis to ensure that the fee is commensurate with the service.

The development of an onsite storm drainage system that is approved by the City engineer, the payment of all applicable fees, and the implementation of SWPPP that includes specific types and sources of stormwater pollutants, determines the location and nature of potential impacts, and specifies appropriate control measures to eliminate any potentially significant impacts on receiving water quality from stormwater runoff, ensure that impacts to storm water drainage facilities are **less than significant**.

**Response d): Less than Significant.** Potable water for future development projects within the Overlay Zone would be supplied from the City's municipal water system. The project site would receive potable water via a connection to existing water mains located in the nearby roadways. The water demand resulting from future development within the proposed Overlay Zone was included in the demand calculations for the 2012 Citywide Water System Master Plan.

The City of Tracy obtains water from both surface water and groundwater sources. The amount of water that Tracy uses from each of its water supply sources to make up its total water use varies from year to year based on contractual agreements, annual precipitation, and City policies about how to expand, utilize, and manage its water resources. As described in the 2011 City of Tracy Urban Water Management Plan, Tracy's maximum annual water supply amounts to over 31,500 acre feet per year from its various supply sources. Future agreements may increase the City's available potable water supply to over 49,500 acre feet per year.

In recent years, demand for potable water in the City of Tracy has been trending downward. As of 2010 the total water demand in the City was 16,603 afy. The additional water demand resulting from future development projects within the Overlay Zone would not exceed the City's available water supply. The City's water treatment and conveyance infrastructure is adequate to serve existing demand, in addition to the demand created by the future development projects. Therefore, this is a **less than significant** impact.

**Responses f), g): Less than Significant.** The City of Tracy has an exclusive franchise agreement with Tracy Disposal Service for solid waste collection and disposal and recycling collection. Solid waste is collected and taken to the 40-acre Tracy Material Recovery Facility (MRF) and Transfer Station on South MacArthur Drive before being sent to the Foothill Sanitary landfill, 48 miles northeast of Tracy, off of Shelton Road east of Linden, California. The MRF is operated by Tracy Material Recovery and Solid Waste Transfer, Inc., and has capacity of approximately 1,000 tons per day, but averages approximately 350 tons per day, of which 85 percent is generated in Tracy. Approximately 175,000 tons of solid waste is generated in Tracy each year, of which approximately 27 percent is residential garbage.

The approximately 800-acre Foothill landfill, owned by San Joaquin County, is the primary disposal facility accepting the City's solid waste. The Foothill landfill receives approximately 810 tons per day. The landfill is permitted to accept up to 1,500 tons per day, and has a permitted capacity of 138 million cubic yards, of which approximately 125 million cubic yards of capacity

remains. It is estimated that the Foothill landfill will have the capacity to accept solid waste from the City of Tracy until 2054.

Future development projects within the Overlay Zone would not generate significant volumes of solid waste, beyond levels estimated in the General Plan EIR. Additionally, should future development projects within the Overlay Zone generate hazardous waste or waste other than common household solid waste, these future projects would be responsible for the disposal of such waste. As discussed previously, transportation, storage, use, and disposal of hazardous materials would be required to comply with applicable federal, state, and local statutes and regulations.

As described above, there is adequate landfill capacity to serve future development within the Overlay Zone, and these future projects will comply with all applicable statutes and regulations related to solid waste. This is a **less than significant** impact.



**XVIII. MANDATORY FINDINGS OF SIGNIFICANCE --**

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

**RESPONSES TO CHECKLIST QUESTIONS**

**Response a): Less than Significant.** As described throughout the analysis above, the proposed project would not result in any significant impacts that would substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal to the environment.

All potentially significant impacts related to plant and animal species would be reduced to a less than significant level through the application of uniformly applied development policies and/or standards. The future development projects within the Overlay Zone are required to implement a range of standard and uniformly applied development policies and standards, most of which are identified in the Tracy General Plan or various infrastructure master plans, which would reduce any potentially significant impacts to a less than significant level. The cumulative impacts associated with development of the project were considered, analyzed and disclosed in the City of Tracy General Plan and General Plan EIR. On February 1, 2011 the Tracy City Council adopted a Statement of Overriding Considerations (Resolution 2011-028) for all significant impacts associated with buildout of the Tracy General Plan. The project would not result in any cumulative impacts that were not contemplated in the General Plan EIR. The project would not result in any peculiar site-specific impacts, impacts to biological resources or impacts to cultural and/or historical resources.

Future projects would implement requirements aimed at reducing stormwater pollutants and runoff, as well as through compliance of various state, regional and local standards. Specifically

related to ensuring the continued sustainability of biological resources through adaptive management, the future project proponents would be required to seek coverage under the SJMSCP to mitigate for habitat impacts to covered special status species. Through the application of uniformly applied development policies and/or standards, the project would not result in any cumulative impacts related to biological resources. Therefore, these are **less than significant** impacts.

**Response b): Less than Significant.** The General Plan EIR assumed full development and buildout of the project site, consistent with the uses and densities proposed by the project. The cumulative impacts associated with buildout of the City of Tracy General Plan, including the project site, were fully addressed in the General Plan EIR. Additionally, as described throughout the analysis above, the proposed project would not result in any significant individual or cumulative impacts that would not be reduced to less than significant levels through the application of uniformly applied development policies and/or standards. Therefore, this is considered a **less than significant** impact.

**Response c): Less than Significant.** As described throughout the analysis above, the proposed project would not result in any significant impacts that would have environmental effects which will cause substantial adverse effects on humans. The analysis in the relevant sections above provides the application of uniformly applied development policies and/or standards reduce any potentially significant impacts on humans to less than significant levels. A variety of requirements including those related to aesthetics and light and glare, GHG and air quality, cultural resources, hazardous materials, seismic hazards, water pollution and water quality, and noise, ensure any adverse effects on humans are reduce to an acceptable standard. Therefore, this is considered a **less than significant** impact.

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RESOLUTION 2016-\_\_\_\_\_

RECOMMENDING CITY COUNCIL INTRODUCE AN ORDINANCE TO ESTABLISH LAND USE LIMITATIONS AND ADDITIONAL DEVELOPMENT STANDARDS ALONG THE I-205 CORRIDOR EAST OF TRACY BOULEVARD

WHEREAS, The City’s General Plan, Zoning, and Specific Plans have set a variety of standards for development along the I-205 Corridor, and City Council wishes to have a unified set of standards for future development along the I-205 Corridor, and

WHEREAS, The City Council has held eight public meetings to discuss the goals for development along the I-205 corridor, and

WHEREAS, An ordinance has been drafted per Council’s direction to amend the Tracy Municipal Code to create an overlay zone to establish land use limitations and additional development standards in an effort to implement the goals and policies of the General Plan, and

WHEREAS, The Planning Commission conducted a public hearing to review the proposed ordinance on July 27, 2016, and

WHEREAS, The proposed ordinance is consistent with the City’s General Plan;

NOW, THEREFORE, BE IT RESOLVED, That the Planning Commission hereby recommends that the City Council approve the amendment to the Tracy Municipal Code, Application Number ZA16-0003, as indicated in Exhibit 1 to the Resolution to create an I-205 Overlay Zone.

\*\*\*\*\*

The foregoing Resolution 2016-\_\_\_\_\_ was adopted by the Planning Commission on the 27<sup>th</sup> day of July, 2016, by the following vote:

AYES: COMMISSION MEMBERS:  
NOES: COMMISSION MEMBERS:  
ABSENT: COMMISSION MEMBERS:  
ABSTAIN: COMMISSION MEMBERS:

\_\_\_\_\_  
CHAIR

ATTEST:

\_\_\_\_\_  
STAFF LIAISON