Attachment J

FINAL

ENVIRONMENTAL IMPACT REPORT

FOR THE

TRA VIGNE DEVELOPMENT PROJECT

(SCH: 2016022061)

MARCH 2020

Prepared for:

City of Stockton
Community Development Department, Planning & Engineering Division
345 N. El Dorado Street
Stockton, CA 95202
(209) 937-8444

Prepared by:

De Novo Planning Group
1020 Suncast Lane, Suite 106
El Dorado Hills, CA 95762
(916) 580-9818

De Novo Planning Group

A Land Use Planning, Design, and Environmental Firm

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FINAL EIR

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INTRODUCTION

The City of Stockton (City) determined that a Project-level environmental impact report (EIR) was required for the proposed Tra Vigne Development Project (Project) pursuant to the requirements of the California Environmental Quality Act (CEQA).

A Project EIR is an EIR which examines the environmental impacts of a specific development project. This type of EIR focuses primarily on the changes in the environment that would result from the project. A Project EIR examines all phases of a project including planning, construction, and operation. The Project EIR approach is appropriate for the Tra Vigne Development Project because it allows comprehensive consideration of the reasonably anticipated scope of the Project, including development and operation of the Project, as described in greater detail below.

PROJECT DESCRIPTION

The following provides a brief summary and overview of the proposed Project. The reader is referred to Section 2.0 of the Draft EIR for a more complete and thorough description of the components of the proposed Project.

The Project site consists largely of active agricultural fields (roughly 253 acres in production). The Project site includes 15.57 acres of industrial uses in the north-central portion of the Project site (Assessor's Parcel Numbers [APNs] 120-02-13, and 120-02-14); uses within these industrial lots include Pacific Bell and Bragg Investment Company.

The Project site has been designed with two sub-planning areas (Tra Vigne West and Tra Vigne East) to differentiate between the two property owners. The Project includes development of Tra Vigne West and Tra Vigne East with 1,413 residential units (995 Tra Vigne West and 418 Tra Vigne East), a 15.57 existing Industrial area, a 10.5-acre commercial area, 15.07 acres of park space, and 20.36 acres of open space, mainly located along Bear Creek.

The proposed Project would require a City of Stockton General Plan Amendment to the Land Use Element to change land uses on the Project site, and to the Circulation Element to remove reference to a proposed bridge that would cross Bear Creek. Changes to the Land Use Element would include:

- changing approximately 1.5 acres of LDR to C uses;
- changing approximately 1.03 acres of LDR to HDR uses; and
- changing 20.36 acres of LDR to Open Space/Agriculture (OSA) along Bear Creek.

Approximately 260.69 acres of LDR uses and approximately 15.57 acres of I uses would be maintained. Changes to the Circulation Element would include the removal of a bridge crossing over Bear Creek associated with what is shown on the Future Roadways Map as an extension of Marlette Road from the west through the Project site and ultimately traveling eastward through the Bear Creek South project to Holman Road.

The Project site is currently within San Joaquin County, and within the City of Stockton's SOI. The proposed Project would result in the annexation of the Project site into the City of Stockton, as well as the roadway right-of-way for Eight Mile Road and West Lane. The City's pre-zoning will include the following zoning designations: Residential, Low Density (RL), Residential, High Density (RH), Industrial, Limited (IL), Commercial, General (CG), and Open Space (OS). The pre-zoning would go into effect upon annexation into the City of Stockton.

The proposed Project is proposed by a private sector developer who is proposing to design and build the subdivision. The quantifiable objectives of the proposed Project include annexation of 341.17 acres of land into the Stockton city limits, and the subsequent development of 318.82 acres of land, which will include General Commercial, Low Density Residential housing, High Density Residential housing, and Open Space Parkland.

Refer to Section 2.0, Project Description, in the Draft EIR for a more complete description of the proposed Project.

ALTERNATIVES TO THE PROPOSED PROJECT

Section 15126.6 of the CEQA Guidelines requires an EIR to describe a reasonable range of alternatives to the Project, or to the location of the Project, which would reduce or avoid significant impacts, and which could feasibly accomplish the basic objectives of the proposed Project. The alternatives analyzed in this EIR include the following five alternatives in addition to the proposed Project:

- No Build Alternative
- With Bridge Alternative
- General Plan 2035 Alternative
- Reduced Project Alternative
- Reduced Intensity/Density Alternative

These alternatives are described in detail in Section 5.0, Alternatives to the Proposed Project, in the Draft EIR.

The No Build Alternative would reduce impacts in 106 areas, increase impacts in zero areas, and would have equal impacts to the project in six areas. The With Bridge Alternative would reduce impacts in 27 areas, increase impacts in 20 areas, and would have equal impacts to the project in 66 areas. The General Plan 2035 Alternative would reduce impacts in zero areas, increase impacts in 51 areas, and would have equal impacts to the project in 61 areas. The Reduced Project Alternative would reduce impacts in 60 areas, increase impacts in three areas, and would have equal impacts to the project in 49 areas. The Reduced Intensity/Density Alternative would reduce impacts in 39 areas, increase impacts in three areas, and would have equal impacts to the project in 70 areas. In conclusion, the Reduced Project Alternative ranks higher than the proposed Project and the other alternatives, and is the Environmentally Superior Alternative. It should be noted that the Reduced Project Alternative does not fully meet all of the Project objectives.

COMMENTS RECEIVED

The Draft EIR addressed environmental impacts associated with the proposed project that are known to the City, were raised during the Notice of Preparation (NOP) process, or raised during preparation of the Draft EIR. The Draft EIR discussed potentially significant impacts associated with aesthetics, agricultural resources, air quality, biological resources, cultural and tribal resources, geology and soils, greenhouse gases and climate change, hazards, hydrology and water quality, land use, population and housing, noise, public services and recreation, transportation and circulation, and utilities.

During the NOP process, several comments were received related to the analysis that should be included in the Draft EIR. These comments are included as Appendix A of the Draft EIR, and were considered during preparation of the Draft EIR.

The City of Stockton received five comment letters regarding the Draft EIR from public agencies. These comment letters on the Draft EIR are identified in Table 2.0-1 of this Final EIR. The comments received during the Draft EIR review processes are addressed within this Final EIR.

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This Final Environmental Impact Report (Final EIR) was prepared in accordance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines (Section 15132). The City of Stockton (City) is the lead agency for the environmental review of the Tra Vigne Development Project (Project) and has the principal responsibility for approving the Project. This Final EIR assesses the expected environmental impacts resulting from approval of the Project and associated impacts from subsequent development and operation of the Project, as well as responds to comments received on the Draft Environmental Impact Report (Draft EIR).

1.1 PURPOSE AND INTENDED USES OF THE EIR

CEQA REQUIREMENTS FOR A FINAL EIR

This Final EIR for the proposed Project has been prepared in accordance with the California Environmental Quality Act (CEQA) and State CEQA Guidelines. State CEQA Guidelines Section 15132 requires that a Final EIR consist of the following:

- the Draft EIR or a revision of the draft;
- comments and recommendations received on the Draft EIR, either verbatim or in summary;
- a list of persons, organizations, and public agencies commenting on the Draft EIR;
- the responses of the lead agency to significant environmental concerns raised in the review and consultation process; and
- any other information added by the lead agency.

In accordance with State CEQA Guidelines Section 15132(a), the Draft EIR is incorporated by reference into this Final EIR.

An EIR must disclose the expected environmental impacts, including impacts that cannot be avoided, growth-inducing effects, impacts found not to be significant, and significant cumulative impacts, as well as identify mitigation measures and alternatives to the proposed Project that could reduce or avoid its adverse environmental impacts. CEQA requires government agencies to consider and, where feasible, minimize environmental impacts of proposed development, and an obligation to balance a variety of public objectives, including economic, environmental, and social factors.

PURPOSE AND USE

The City of Stockton, as the lead agency, has prepared this Final EIR to provide the public and responsible and trustee agencies with an objective analysis of the potential environmental impacts resulting from approval, construction, and operation of the proposed Tra Vigne Development Project. Responsible and trustee agencies that may use the EIR are identified in Sections 1.0 and 2.0 of the Draft EIR.

The environmental review process enables interested parties to evaluate the proposed Project in terms of its environmental consequences, to examine and recommend methods to eliminate or

reduce potential adverse impacts, and to consider a reasonable range of alternatives to the Project. While CEQA requires that consideration be given to avoiding adverse environmental effects, the lead agency must balance adverse environmental effects against other public objectives, including the economic and social benefits of a project, in determining whether a project should be approved.

This EIR will be used as the primary environmental document to evaluate all aspects of construction and operation of the proposed Project. The details and operational characteristics of the proposed Project are identified in Chapter 2.0, Project Description, of the Draft EIR (April 2018).

1.2 ENVIRONMENTAL REVIEW PROCESS

The review and certification process for the EIR has involved, or will involve, the following general procedural steps:

NOTICE OF PREPARATION

The City of Stockton circulated a Notice of Preparation (NOP) of an EIR for the proposed Project on July 7, 2017 to State Clearinghouse, State Responsible Agencies, State Trustee Agencies, Other Public Agencies, Organizations and Interested Persons. A public scoping meeting was held on July 26, 2017 to present the project description to the public and interested agencies, and to receive comments from the public and interested agencies regarding the scope of the environmental analysis to be included in the Draft EIR. Concerns raised in response to the NOP were considered during preparation of the Draft EIR. The NOP and comments received on the NOP by interested parties are presented in Appendix A of the Draft EIR.

NOTICE OF AVAILABILITY AND DRAFT EIR

The City of Stockton published a public Notice of Availability (NOA) for the Draft EIR on April 12, 2018 inviting comment from the general public, agencies, organizations, and other interested parties. The NOA was filed with the State Clearinghouse (SCH # 2016022061) and the County Clerk, and was published in a local newspaper pursuant to the public noticing requirements of CEQA. The Draft EIR was available for public review and comment from April 12, 2018 through May 29, 2018.

The Draft EIR contains a description of the Project, description of the environmental setting, identification of Project impacts, and mitigation measures for impacts found to be significant, as well as an analysis of Project alternatives, identification of significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. The Draft EIR identifies issues determined to have no impact or a less-than-significant impact, and provides detailed analysis of potentially significant and significant impacts. Comments received in response to the NOP were considered in preparing the analysis in the Draft EIR.

RESPONSE TO COMMENTS/FINAL EIR

The City of Stockton received five comment letters regarding the Draft EIR from public agencies and private citizens. These comment letters on the Draft EIR are identified in Table 2.0-1, and are found in Section 2.0 of this Final EIR.

In accordance with CEQA Guidelines Section 15088, this Final EIR responds to the written comments received on the Draft EIR, as required by CEQA. This Final EIR also contains minor edits to the Draft EIR, which are included in Section 3.0, Errata. This document, as well as the Draft EIR as amended herein, constitutes the Final EIR.

CERTIFICATION OF THE EIR/PROJECT CONSIDERATION

The City of Stockton will review and consider the Final EIR. If the City finds that the Final EIR is "adequate and complete," the Stockton City Council may certify the Final EIR in accordance with CEQA and City of Stockton environmental review procedures and codes. The rule of adequacy generally holds that an EIR can be certified if:

1) The EIR shows a good faith effort at full disclosure of environmental information; and

2) The EIR provides sufficient analysis to allow decisions to be made regarding the proposed project which intelligently take account of environmental consequences.

Upon review and consideration of the Final EIR, the Stockton City Council may take action to approve, revise, or reject the Project. A decision to approve the Tra Vigne Development Project, for which this EIR identifies significant environmental effects, must be accompanied by written findings in accordance with State CEQA Guidelines Sections 15091 and 15093. A Mitigation Monitoring and Reporting Program, as described below, would also be adopted in accordance with Public Resources Code Section 21081.6(a) and CEQA Guidelines Section 15097 for mitigation measures that have been incorporated into or imposed upon the Project to reduce or avoid significant effects on the environment. This Mitigation Monitoring and Reporting Program has been designed to ensure that these measures are carried out during Project implementation, in a manner that is consistent with the EIR.

1.3 ORGANIZATION OF THE FINAL EIR

This Final EIR has been prepared consistent with Section 15132 of the State CEQA Guidelines, which identifies the content requirements for Final EIRs. This Final EIR is organized in the following manner:

CHAPTER 1.0 – INTRODUCTION

Chapter 1.0 briefly describes the purpose of the environmental evaluation, identifies the lead, agency, summarizes the process associated with preparation and certification of an EIR, and identifies the content requirements and organization of the Final EIR.

CHAPTER 2.0 – COMMENTS ON THE DRAFT EIR AND RESPONSES

Chapter 2.0 provides a list of commenters, copies of written and electronic comments made on the Draft EIR (coded for reference), and responses to those written comments.

CHAPTER 3.0 – ERRATA

Chapter 3.0 consists of minor revisions to the Draft EIR in response to comments received on the Draft EIR, as well as minor staff edits.

CHAPTER 4.0 – FINAL MMRP

Chapter 4.0 consists of a Mitigation Monitoring and Reporting Program (MMRP). The MMRP is presented in a tabular format that presents the impacts, mitigation measure, and responsibility, timing, and verification of monitoring.

2.1 INTRODUCTION

No new significant environmental impacts or issues, beyond those already covered in the Draft Environmental Impact Report (EIR) for the Tra Vigne Development Project, were raised during the comment period. Responses to comments received during the comment period do not involve any new significant impacts or add "significant new information" that would require recirculation of the Draft EIR pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15088.5.

CEQA Guidelines Section 15088.5 states that: *New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement.*

2.2 LIST OF COMMENTERS

Table 2.0-1 lists the comments on the Draft EIR that were submitted to the City of Stockton during the 45-day public review period for the Draft EIR. The assigned comment letter or number, letter date, letter author, and affiliation, if presented in the comment letter or if representing a public agency, are also listed.

TABLE 2.0-1: LIST OF COMMENTERS ON DRAFT EIR

RESPONSE LETTER	*INDIVIDUAL OR SIGNATORY*	*AFFILIATION*	*DATE*
A	Joshua Swearingen	California Department of Transportation	5-29-18
B	Ann Okubo	City of Stockton Municipal Utilities District	4-12-18
C	Laurel Boyd	San Joaquin Council of Governments, San Joaquin County Multi-Species Habitat Conservation & Open Space Plan	4-17-18
D	Travis Yokoyama	San Joaquin Council of Governments, San Joaquin County Airport Land Use Commission / Congestion Management Agency	5-29-18
E	Brian Clements	San Joaquin Valley Air Pollution Control District	5-30-18

2.3 COMMENTS AND RESPONSES

REQUIREMENTS FOR RESPONDING TO COMMENTS ON A DRAFT EIR

CEQA Guidelines Section 15088 requires that lead agencies evaluate and respond to all comments on the Draft EIR that regard an environmental issue. The written response must address the significant environmental issue raised and provide a detailed response, especially when specific comments or suggestions (e.g., additional mitigation measures) are not accepted. In addition, the written response must be a good faith and reasoned analysis. However, lead agencies need only to respond to significant environmental issues associated with the project and do not need to provide all the information requested by the commenter, as long as a good faith effort at full disclosure is made in the EIR (CEQA Guidelines Section 15204).

2.0 COMMENTS ON DRAFT EIR AND RESPONSES

CEQA Guidelines Section 15204 recommends that commenters provide detailed comments that focus on the sufficiency of the Draft EIR in identifying and analyzing the possible environmental impacts of the Project and ways to avoid or mitigate the significant effects of the Project, and that commenters provide evidence supporting their comments. Pursuant to CEQA Guidelines Section 15064, an effect shall not be considered significant in the absence of substantial evidence.

CEQA Guidelines Section 15088 also recommends that revisions to the Draft EIR be noted as a revision in the Draft EIR or as a separate section of the Final EIR. Chapter 3.0 of this Final EIR identifies all revisions to the Tra Vigne Development Project Draft EIR.

RESPONSES TO COMMENT LETTERS

Written comments on the Draft EIR are reproduced on the following pages, along with responses to those comments. To assist in referencing comments and responses, the following coding system is used:

- Each letter is lettered (i.e., Letter A, Letter B) and each comment within each letter is numbered (i.e., comment A-1, comment A-2).

Tra Vigne Development Project

Swearingen, Joshua B@DOT <joshua.swearingen@dot.ca.gov>

Reply all

Tue 5/29/2018 10:00 AM

To:
Brian Millar

Cc:
State.Clearinghouse@opr.ca.gov;
Dumas, Thomas A@DOT <tom.dumas@dot.ca.gov>;
Jaramillo-Landeros, Janet P@DOT <janet.jaramillo-landeros@dot.ca.gov>

You forwarded this message on 5/30/2018 7:22 AM

Mr. Millar,

The California Department of Transportation (Department) appreciates the opportunity to review the Tra Vigne Development Project, also referenced as SCH 2016022061. The project includes up to 340 HDR units, up to 1,153 LDR units, up to 101,500 sq. ft. of commercial, an existing 15.57 acre industrial area, establishment of a 14.7 acre K-8 school site, and associated park and utility improvements. The project is requesting annexation of 341.17 acres of land into the Stockton city limits, and the subsequent development of 318.82 acres of land. The General Plan Amendment would include maintaining approx. 260.69 acres of LDR uses; maintaining approx. 15.57 acres of I uses; changing approx. 1.5 acres of LDR to C uses; changing approx. 1.03 acres of LDR to HDR uses; and changing 20.36 acres of LDR to OSA. Changes to the Circulation Element would include the removal of a bridge crossing over Bear Creek. Prezoning would include: RL, RH, IL, CG, and OS. The Department has the following comments: A-1

1. The TIS does not provide information regarding truck size. If the proposed processing facility generates STAA trucks, Terminal Access to/from project site is required, see attached web link for more information on Terminal Access Application Procedure. http://www.dot.ca.gov/hq/traffops/engineering/trucks/routes/ta-process.htm A-2
2. There should be consideration for the use of alternative fueled vehicles such as recharging stations to encourage the use of electric or other non-polluting vehicles as a means of transportation to the site. The carpool and alternate fueled vehicles could be provided dedicated entrance and exit lanes during peak hours or preferred parking locations to promote the participation of employees. A-3
3. The construction and placement of transit amenities such as preferred spaces for alternate fueled vehicles or car pool users, bus pullouts and shelters should be constructed prior to occupancy to encourage usage. The availability of these facilities and the access to alternative modes of transportation will promote usage early on and help reduce the number of single occupancy vehicle trips. A-4
4. The Department urges the project to build bicycle and pedestrian paths with connections to the local and interregional paths. It is recommended that these paths be designed to be aesthetically pleasing and provide a visual appeal that will help entice patrons to utilize the paths as often as possible. This could be achieved by A-5

planting various types of flowering vegetation that create a unique landscaping or providing other amenities such as benches and water fountains. There should be an adequate number of bicycle racks constructed at each of the employment centers as well as the parks and recreational areas. A-6

5. An Encroachment Permit is required for any work done within the State Right of Way. A-7

If you have any questions or concerns please contact me. A-8

Thank you,

JOSHUA SWEARINGEN
Associate Transportation Planner
Caltrans District 10
(209) 948-7142

Response to Letter A: Joshua Swearingen, California Department of Transportation

Response A-1: This comment is noted. This comment serves as an introduction to the comment letter and does not warrant a response. No further response is necessary.

Response A-2: The commenter notes that, if the proposed processing facility generates Surface Transportation Assistance Act (STAA) trucks, terminal access to and from the Project site is required. The Project does not propose development of a processing facility or other similar industrial uses. While the Project site contains 15.57 acres of existing industrial uses, these uses would be maintained in their existing state. The existing trips associated with the existing industrial uses are accounted for in the traffic model under the existing conditions. Change of use of this industrial property is not proposed by the Project. Therefore, no changes are necessary to the modeling or analysis.

Response A-3: The commenter notes that the Project should consider the use of carpools and alternative fueled vehicles. This comment is noted. Mitigation Measure 3.13-3 in Chapter 3.13, Transportation and Circulation, of the Draft EIR requires the provision of park-and-ride facilities within the vicinity of West Lane and Eight Mile Road. Additionally, Mitigation Measure 3.3-6 in Chapter 3.3, Air Quality, requires the Project applicant to install the requisite on-site electrical hook-ups necessary for electric plug-in vehicles. Various other Project features, such as traffic calming measures, and Draft EIR mitigation measures aim to promote the use of alternative transportation, including pedestrian, bicycle, and transit.

Response A-4: The commenter notes that the Project should construct transit amenities to encourage transit use and help reduce the number of single occupancy vehicle trips. This comment is noted. As required by Mitigation Measure 3.3-2 in Chapter 3.3, Air Quality, the Project would incorporate the bus turnouts and transit improvements where requested by the San Joaquin Regional Transit District (SJRTD). It is also noted that the Project would be required to construct park-and-ride facilities within the Project site. Facilities may include joint use parking spaces, particularly in the vicinity of planned transit facilities. The provision of park-and-ride facilities, in combination with the proposed Project features which promote the use of alternative transportation, including pedestrian, bicycle, and transit, would help reduce the number of single occupancy vehicle trips.

Response A-5: The commenter notes that the Project should construct bicycle and pedestrian paths and other similar features. On-site intersection traffic calming would be implemented through a system of:

- stop signs,
- yield signs,
- intersections with bulb-outs,
- raised crosswalks,
- intersections with textured pavement,

- intersections with high-visibility crosswalks, and
- center island narrowing.

These proposed Project features would provide connections for pedestrians and bicyclists within and adjacent to the Project site. Additionally, the Project includes 15.07 acres of park space, and 20.36 acres of open space, mainly located along Bear Creek. These park and open space areas would include paths, landscaping, benches, and other amenities.

Further, as required by Mitigation Measure 3.3-2 in Chapter 3.3, Air Quality, the Project would be required to incorporate the following features into the applicable Project plans (e.g. site, engineering, landscaping, etc.):

- Bus turnouts and transit improvements where requested by the SJRTD.
- Continuous public sidewalks and/or multi-use trails adjacent to all proposed public streets.
- Pavement and striping for bike lanes/paths.
- Street lighting along internal roadways and/or bike lanes/paths, sidewalks.
- Pedestrian signalization, signage and safety designs at signalized intersections.
- Shade trees to shade sidewalks in street-side landscaping areas.
- Shade trees to front yards

These listed features would encourage the use of walking and biking as alternative modes of transportation to automobiles.

Response A-6: This comment is noted. An Encroachment Permit would be obtained for any work done within the State Right of Way as a result of the proposed Project.

Response A-7: This comment is noted. This comment serves as a conclusion to the comment letter and does not warrant a response. No further response is necessary.

Tra Vigne Development Project

Ann Okubo <Ann.Okubo@stocktonca.gov>

Reply all

Yesterday, 10:48 AM

Jenny Liaw <Jenny.Liaw@stocktonca.gov>;
Brian Millar

Hi Jenny and Brian,

MUD has reviewed the DEIR for the subject project and has no comments. B-1

Thank you,

Ann Okubo
Municipal Utilities Department
City of Stockton
Ph 209-937-8250

Response to Letter B: Ann Okubo, City of Stockton Municipal Utilities District

Response B-1: This comment states that the City Municipal Utilities District has reviewed the Draft EIR for the proposed Project and does not have any comments. This comment does not warrant a response. No further response is necessary.

S J C O G, Inc.
555 East Weber Avenue • Stockton, CA 95202 • (209) 235-0600 • FAX (209) 235-0438
San Joaquin County Multi-Species Habitat Conservation & Open Space Plan (SJMSCP)

SJMSCP RESPONSE TO LOCAL JURISDICTION (RTLJ)
ADVISORY AGENCY NOTICE TO SJCOG, Inc.

To: Brian Millar, City of Stockton, Community Development Department
From: Laurel Boyd, SJCOG, Inc.
Date: April 17, 2018
Local Jurisdiction Project Title: Public Notice of Availability of the Draft EIR for the Tra Vigne Development Project
Assessor Parcel Number(s): 120-020-01 to -03, -13 to -15, -17 to -20, -22, -23; 120-010-02, -04
Local Jurisdiction Project Number: N/A
Total Acres to be converted from Open Space Use: Approximately 318.82 acres
Habitat Types to be Disturbed: Urban and Agriculture Habitat Land
Species Impact Findings: Findings to be determined by SJMSCP biologist.

Dear Mr. Millar:

SJCOG, Inc. has reviewed the Public Notice of Availability of the Draft Environmental Impact Report (EIR) for the Tra Vigne Development project. This project consists of the development of up to 340 High-Density Residential units, 1,163 Low-Density Residential units, up to 101,500 square feet of commercial, an existing 15.57 acres industrial area, establishment of 14.7 acres K-8 school site, and associated park and utility improvements. The Project is requesting annexation and pre-zoning of 341.17 acres of land into the Stockton city limits, and the subsequent development of 318.82 acres of land. The project site has been designed with two sub-planning areas – Tra Vigne West and Tra Vigne East, a 15.57 existing Industrial area, a 10.5-acre commercial area, 15.07 acres of park space, and 20.36 acres of open space, mainly located along Bear Creek. The project site is located in the northeastern portion of the City of Stockton, within the unincorporated area of San Joaquin County (APN: 120-020-01 to -03, -13 to -15, 17 to 20, -22, -23; 120-010-02, -04).

The City of Stockton is a signatory to San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). Participation in the SJMSCP satisfies requirements of both the state and federal endangered species acts, and ensures that the impacts are mitigated below a level of significance in compliance with the California Environmental Quality Act (CEQA). The LOCAL JURISDICTION retains responsibility for ensuring that the appropriate Incidental Take Minimization Measure are properly implemented and monitored and that appropriate fees are paid in compliance with the SJMSCP. Although participation in the SJMSCP is voluntary, Local Jurisdiction/Lead Agencies should be aware that if project applicants choose against participating in the SJMSCP, they will be required to provide alternative mitigation in an amount and kind equal to that provided in the SJMSCP. C-1

This Project is subject to the SJMSCP. This can be up to a 30 to 90 day process and it is recommended that the project applicant contact SJMSCP staff as early as possible. It is also recommended that the project applicant obtain an information package. http://www.sjcog.org

Please contact SJMSCP staff regarding completing the following steps to satisfy SJMSCP requirements:

- Schedule a SJMSCP Biologist to perform a pre-construction survey ***prior to any ground disturbance***
- SJMSCP Incidental take Minimization Measures and mitigation requirement:

1. Incidental Take Minimization Measures (ITMMs) will be issued to the project and must be signed by the project applicant prior to any ground disturbance but no later than six (6) months from receipt of the ITMMs. If ITMMs are not signed within six months, the applicant must reapply for SJMSCP Coverage. Upon receipt of signed ITMMs from project applicant, SJCOG, Inc. staff will sign the ITMMs. This is the effective date of the ITMMs.
2. Under no circumstance shall ground disturbance occur without compliance and satisfaction of the ITMMs.
3. Upon issuance of fully executed ITMMs and prior to any ground disturbance, the project applicant must:
   a. Post a bond for payment of the applicable SJMSCP fee covering the entirety of the project acreage being covered (the bond should be valid for no longer than a 6 month period); or
   b. Pay the appropriate SJMSCP fee for the entirety of the project acreage being covered; or

C-2

c. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
d. Purchase approved mitigation bank credits.

4. Within 6 months from the effective date of the ITMMs or issuance of a building permit, whichever occurs first, the project applicant must:
   a. Pay the appropriate SJMSCP for the entirety of the project acreage being covered; or
   b. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
   c. Purchase approved mitigation bank credits.

Failure to satisfy the obligations of the mitigation fee shall subject the bond to be called.

- Receive your Certificate of Payment and release the required permit

It should be noted that if this project has any potential impacts to waters of the United States [pursuant to Section 404 Clean Water Act], it would require the project to seek voluntary coverage through the unmapped process under the SJMSCP which could take up to 90 days. It may be prudent to obtain a preliminary wetlands map from a qualified consultant. If waters of the United States are confirmed on the project site, the Corps and the Regional Water Quality Control Board (RWQCB) would have regulatory authority over those mapped areas [pursuant to Section 404 and 401 of the Clean Water Act respectively] and permits would be required from each of these resource agencies prior to grading the project site.

If you have any questions, please call (209) 235-0600.

C-2 cont'd

3|SJCOG, Inc.

S J C O G, Inc.

San Joaquin County Multi-Species Habitat Conservation & Open Space Plan

555 East Weber Avenue • Stockton, CA 95202 • (209) 235-0600 • FAX (209) 235-0438

SJMSCP HOLD

TO: Local Jurisdiction: Community Development Department, Planning Department, Building Department, Engineering Department, Survey Department, Transportation Department, Other: _____

FROM: Laurel Boyd, SJCOG, Inc.

DO NOT AUTHORIZE SITE DISTURBANCE
DO NOT ISSUE A BUILDING PERMIT
DO NOT ISSUE _____ FOR THIS PROJECT

The landowner/developer for this site has requested coverage pursuant to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). In accordance with that agreement, the Applicant has agreed to:

1) SJMSCP Incidental Take Minimization Measures and mitigation requirement:

1. Incidental Take Minimization Measures (ITMMs) will be issued to the project and must be signed by the project applicant prior to any ground disturbance but no later than six (6) months from receipt of the ITMMs. If ITMMs are not signed within six months, the applicant must reapply for SJMSCP Coverage. Upon receipt of signed ITMMs from project applicant, SJCOG, Inc. staff will sign the ITMMs. This is the effective date of the ITMMs.
2. Under no circumstance shall ground disturbance occur without compliance and satisfaction of the ITMMs.
3. Upon issuance of fully executed ITMMs and prior to any ground disturbance, the project applicant must:
   a. Post a bond for payment of the applicable SJMSCP fee covering the entirety of the project acreage being covered (the bond should be valid for no longer than a 6 month period); or
   b. Pay the appropriate SJMSCP fee for the entirety of the project acreage being covered; or
   c. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
   d. Purchase approved mitigation bank credits.
4. Within 6 months from the effective date of the ITMMs or issuance of a building permit, whichever occurs first, the project applicant must:
   a. Pay the appropriate SJMSCP for the entirety of the project acreage being covered; or
   b. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
   c. Purchase approved mitigation bank credits.

Failure to satisfy the obligations of the mitigation fee shall subject the bond to be called.

Project Title: Public Notice of Availability of the Draft EIR for the Tra Vigne Development Project

Applicant: City of Stockton

Assessor Parcel #s: 120-020-01 to -03, -13 to -15, 17 to 20, -22, -23; 120-010-02, -04

T _____, R_____, Section(s): _____

Local Jurisdiction Contact: Brian Millar

The LOCAL JURISDICTION retains responsibility for ensuring that the appropriate Incidental Take Minimization Measures are properly implemented and monitored and that appropriate fees are paid in compliance with the SJMSCP.

Response to Letter C: Laurel Boyd, San Joaquin Council of Governments, San Joaquin County Multi-Species Habitat Conservation & Open Space Plan

Response C-1: The commenter indicates that SJCOG, Inc. has reviewed the project and states that the City of Stockton is a signatory to San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) and participation in the SJMSCP satisfies requirements of both the state and federal endangered species acts, and ensures that the impacts are mitigated below a level of significance in compliance with the California Environmental Quality Act (CEQA). The commenter states that the "LOCAL JURISDICTION" retains responsibility for ensuring that the appropriate Incidental Take Minimization Measure are properly implemented and monitored and that appropriate fees are paid in compliance with the SJMSCP.

This comment is noted. These comments are largely intended to be informative and are adequately addressed in the Draft EIR Section 3.4 Biological Resources. These comments do not warrant a response. No further response is necessary.

Response C-2: The commenter indicates that the project is subject to the SJMSCP and then provides some information regarding the process and requirements. The commenter requests that the City and/or applicant contact SJMSCP staff regarding completing the steps to satisfy SJMSCP requirements. The commenter also notes that if the project has any potential impacts to waters of the United States [pursuant to Section 404 Clean Water Act], it would require the project to seek voluntary coverage through the unmapped process under the SJMSCP which could take up to 90 days.

The SJMSCP is discussed in Chapter 3.4, Biological Resources, of the Draft EIR. Tables 3.4-2 and 3.4-3 on pages 3.4-8 through 3.4-13 of Chapter 3.4 include columns that show whether each potential plant or animal species is covered by the SJMSCP. Background information and implementation strategies associated with the SJMSCP are also discussed on pages 3.4-18 and 3.4-19 of the Draft EIR. Mitigation Measure 3.4-1 on page 3.4-28 of the Draft EIR requires the Project proponent to seek coverage under the SJMSCP to mitigate for habitat impacts to covered special-status species. Coverage involves compensation for habitat impacts on covered species through implementation of incidental take and minimization Measures (ITMMs) and payment of fees for conversion of lands that may provide habitat for covered special-status species. These fees are used to preserve and/or create habitat in preserves to be managed in perpetuity. Obtaining coverage for a Project includes incidental take authorization (permits) under the Endangered Species Act Section 10(a), California Fish and Game Code Section 2081, and the Migratory Bird Treaty Act. Coverage under the SJMSCP would fully mitigate all habitat impacts on covered special-status species.

SAN JOAQUIN COUNCIL OF GOVERNMENTS

555 E. Weber Avenue • Stockton, California 95202 • P 209.235.0600 • F 209.235.0438 • www.sjcog.org

San Joaquin County Airport Land Use Commission/Congestion Management Agency

Katherine Miller
CHAIR
Robert Rickman
VICE CHAIR
Andrew T. Chesley
EXECUTIVE DIRECTOR
Member Agencies
CITIES OF
ESCALON,
LATHROP,
LODI,
MANTECA,
RIPON,
STOCKTON,
TRACY,
AND
THE COUNTY OF
SAN JOAQUIN

May 29, 2018

Brian Millar
Community Development Department
345 North El Dorado Street
Stockton, CA 95202

Re: Tra Vigne Development Project - P16-0025 (Deadline: 5/29/18)

Dear Brian Millar,

The San Joaquin Council of Governments (SJCOG), acting as the Airport Land Use Commission (ALUC) and Congestion Management Agency (CMA), has reviewed a DEIR for up to 340 high density residential units, up to 1,163 low density residential units, establishment of a 14.7 acre K-8 school site, and associated park and utility improvements at southeast corner of West Lane and Eight Mile Road, Stockton (APN: 120-02-13 to -14). D-1

CONGESTION MANAGEMENT AGENCY'S REVIEW

SJCOG adopted the 2016 Update to the Regional Congestion Management Program (RCMP) (http://www.sjcog-rcmp.org/_literature_231152/2016_RCMP_Update_Adopted_Report) on March 24, 2016). Chapter 6 of the RCMP describes the updated Land Use Analysis Program, including Tier 1 and Tier 2 review/analysis requirements, analysis methods, impact significance criteria, and mitigation. D-2

SJCOG has the following comments on Tra Vigne Development Project's DEIR.

- A RTIF mitigation measure is recommended. Project applicant shall pay into the Regional Transportation Impact Fee (RTIF) program. As multiple land uses are included in this document, please see https://www.sjcog.org/RTIF; and D-3
- The City of Tracy and project applicant coordinate with the SJCOG dibs program (https://www.dibsmyway.com) to identify Transportation Demand Management (TDM) measures and alternative travel options. Effective TDM programs which may be applicable to the project include: D-4
    - Smart Travel multi-modal Trip Plans
    - Transit Information and Incentives
    - Bicycle Commuting and Amenities
    - Emergency Ride Home Program
    - Employer Assistance and Community Outreach
    - Park and Ride Lot Facilities

AIRPORT LAND USE COMMISION'S REVIEW

This project is not located within any airport influence area; thus, no further review is required at this time. D-5

SJCOG recommends page 3.8-24 of Tra Vigne Development Project's DEIR replace "San Joaquin Council of Governments Project Review Guidelines for the Airport Land Use Commission" to "2018 San Joaquin County Airport Land Use Compatibility Plan (http://www.sjcog.org/ALUC)." D-6

SJCOG would like to provide standards and project design conditions that comply with the Airport Land Use Compatibility Plan as a reference guide. *Note: Jurisdictions determine if the following standards and conditions apply to this project.*

1. New land uses that may cause visual, electronic, or increased bird strike hazards to aircraft in flight shall not be permitted within any airport's influence area. Specific characteristics to be avoided include:
    a. Glare or distracting lights which could be mistaken for airport lights. Reflective materials are not permitted to be used in structures or signs (excluding traffic directing signs).
    b. Sources of dust, steam, or smoke which may impair pilot visibility.
    c. Sources of electrical interference with aircraft communications or navigation. No transmissions which would interfere with aircraft radio communications or navigational signals are permitted.
    d. Occupied structures must be soundproofed to reduce interior noise to 45 decibel(dB) according to State guidelines.
    e. Within the airport's influence area, ALUC review is required for any proposed object taller than 100 feet above ground level (AGL).

2. Regardless of location within San Joaquin County, ALUC review is required in addition to Federal Aviation Administration (FAA) notification in accordance with Code of Federal Regulations, Part 77, (https://oeaaa.faa.gov/oeaaa/external/portal.jsp) for any proposal for construction or alteration under the following conditions: D-7

    a. If requested by the FAA.
    b. Any construction or alteration that is more than 200 ft. AGL at its site.
    c. Any construction or alteration that exceeds an imaginary surface extending outward and upward at any of the following slopes:
        i. 100 to 1 for a horizontal distance of 20,000 ft. of a public use or military airport from any point on the runway of each airport with its longest runway more than 3,200 ft.
        ii. 50 to 1 for a horizontal distance of 10,000 ft. of a public use or military airport from any point on the runway of each airport with its longest runway no more than 3,200 ft.
        iii. 25 to 1 for a horizontal distance of 5,000 ft. of the nearest take off and landing area of a public use heliport
    d. Any highway, railroad or other traverse way whose prescribed adjusted height would exceed the above noted standards
    e. Any construction or alteration located on a public use airport or heliport regardless of height or location.

Thank you again for the opportunity to comment. Please contact CMA and ALUC staff Travis Yokoyama (209-235-0451 or yokoyama@sjcog.org) if you have any questions or comments. D-8

Sincerely,

Travis Yokoyama

Response to Letter D: Travis Yokoyama, San Joaquin Council of Governments, San Joaquin County Airport Land Use Commission / Congestion Management Agency

Response D-1: The commenter notes that the San Joaquin Council of Governments (SJCOG) has reviewed the Draft EIR and then provides a summary of the Project features. This comment serves as an introduction to the comment letter and does not warrant a response. No further response is necessary.

Response D-2: The commenter indicates that the SJCOG adopted the 2016 Update to the Regional Congestion Management Program (RCMP) on March 24, 2016 and that Chapter 6 of the RCMP describes the updated Land Use Analysis Program, including Tier 1 and Tier 2 review/analysis requirements, analysis methods, impact significance criteria, and mitigation. This comment is noted. No response is necessary.

Response D-3: The commenter notes that an RTIF mitigation measure is recommended, and that the project applicant shall pay into the Regional Transportation Impact Fee (RTIF) program. This comment is noted. The City of Stockton requires all projects to pay the required San Joaquin County Regional Traffic Impact Fee (RTIF). This is a requirement of the proposed project. No further response is necessary.

Response D-4: The commenter lists various Transportation Demand Management (TDM) measures which may apply to the Project. This comment is noted. Mitigation Measure 3.3-3 in Chapter 3.3, Air Quality, of the Draft EIR requires the Project applicant to prepare and implement a TDM plan for the non-residential portions of the Project that includes, but is not limited to, the following measures subject to the review and approval of the City of Stockton:

- Provide secure bicycle parking in conjunction with the non-residential portion of the Project.
- Provide on-site amenities that encourage alternative transportation modes such as locker, shower, and secure bike storage facilities.
- Coordinate SJCOG's Commute Connection Program.

Additionally, please see Responses A-3, A-4, and A-5. In summary, the Project would install the requisite on-site electrical hook-ups necessary for electric plug-in vehicles within each of the single-family residences, incorporate the bus turnouts and transit improvements where requested by the San Joaquin Regional Transit District (SJRTD), construct park-and-ride facilities within the Project site, and construct various other features in order to encourage alternative travel options and help reduce the number of single occupancy vehicle trips.

Response D-5: The commenter notes that the project is not located within any airport influence area; thus, no further review is required at this time. This comment is noted. No further response is necessary.

Response D-6: The commenter recommends replacing "San Joaquin Council of Governments Project Review Guidelines for the Airport Land Use Commission" with "2018 San Joaquin County Airport Land Use Compatibility Plan (http://www.sjcog.org/ALUC)" on page 3.8-24 of Tra Vigne Development Project's DEIR. This comment is noted and the Draft EIR has been revised in order to reflect this recommendation. Revisions to the Draft EIR are identified with Chapter 3.0, Errata, with revision marks (underline for new text, ~~strike out~~ for deleted text). None of the revisions identify new significant environmental impacts, nor do any of the revisions result in substantive changes to the Draft EIR. The new information to the Draft EIR is intended to merely clarify the information.

Response D-7: The commenter has provided a detailed list of standards and project design conditions that comply with the Airport Land Use Compatibility Plan as a reference guide. This is noted, however, as the commenter indicated under Comment D-5, the project is not located within any airport influence area; thus, no further review is required at this time.

Response D-8: This comment is noted. This comment serves as a conclusion to the comment letter and does not warrant a response. No further response is necessary.

San Joaquin Valley
AIR POLLUTION CONTROL DISTRICT

HEALTHY AIR LIVING

MAY 3 0 2018

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

Project: Draft Environmental Impact Report (EIR)
Tra Vigne Development Project

District CEQA Reference No: 20180442

Dear Mr. Millar:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the Draft Environmental Impact Report (EIR) for the Tra Vigne Development Project. The proposed project consists of the development of up to 340 high density residential units, 1,163 low density residential units, up to 101,500 square feet of commercial, an existing 15.57-acre industrial area, establishment of a 14.7-acre K-8 school site, and associated park and utility improvements (Project). The Project is located within the northeastern portion of the City of Stockton Metropolitan Area within the unincorporated area of San Joaquin County, CA. The District offers the following comments: E-1

1. **Voluntary Emission Reduction Agreement (VERA)**

The District recommends revising the Draft EIR to include a discussion of the feasibility of implementing a VERA.

As presented in the Draft EIR, after implementation of all feasible mitigation, the Project would have a significant and unavoidable impact on air quality. However, the Draft EIR does not discuss the feasibility of implementing a VERA. As discussed below, the District recommends the Draft EIR be revised to include a discussion of the feasibility of implementing a VERA to mitigate Project specific impacts to less than significant levels. E-2

A VERA is a mitigation measure by which the project proponent provides pound-for-pound mitigation of emissions increases through a process that develops, funds, and implements emission reduction projects, with the District serving a role of

Seyed Sadredin
Executive Director/Air Pollution Control Officer

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1990 E. Gettysburg Avenue
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Tel: (559) 230-6000 FAX: (559) 230-6061

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: 661-392-5500 FAX: 661-392-5585

www.valleyair.org www.healthyairliving.com

administrator of the emissions reduction projects and verifier of the successful mitigation effort. To implement a VERA, the project proponent and the District enter into a contractual agreement in which the project proponent agrees to mitigate project specific emissions by providing funds for the District's Incentive Program. The funds are disbursed by the District in the form of grants for projects that achieve emission reductions. Thus, project specific impacts on air quality can be fully mitigated. Types of emission reduction projects that have been funded in the past include electrification of stationary internal combustion engines (such as agricultural irrigation pumps), replacing old heavy-duty trucks with new, cleaner, more efficient heavy-duty trucks, and replacement of old farm tractors.

E-2 cont'd

In implementing a VERA, the District verifies the actual emission reductions that have been achieved as a result of completed grant contracts, monitors the emission reduction projects, and ensures the enforceability of achieved reductions. After the project is mitigated, the District certifies to the lead agency that the mitigation is completed, providing the lead agency with an enforceable mitigation measure demonstrating that project specific emissions have been mitigated to less than significant.

To assist the Lead Agency and Project proponent in ensuring that the environmental document is compliant with CEQA, the District recommends the Draft EIR be amended to include an assessment of the feasibility of implementing a VERA.

Additional information on implementing a VERA can be obtained by contacting District CEQA staff at (559) 230-6000.

2. **Project Construction and Operational Emissions**

The District recommends including the Project construction and operational emissions for CO and SOx in Tables 3.3-8 through 3.3-12 and Tables 3.3-15 through 3.3-19.

The Draft EIR summarizes the Project construction and operational emissions for ROG, NOx, PM10, and PM2.5 in Tables 3.3-8 through 3.3-12 and Tables 3.3-15 through 3.3-19 and compares them against the District's significance thresholds. The Project construction and operational emissions for CO and SOx were not included in the tables. The District has established a significance threshold of 100 tons per year for CO and 27 tons per year for SOx. Therefore, although the mitigated Project construction and operational emissions for CO and SOx are not expected to exceed the District's significance thresholds, the District recommends that they also be included in the tables and be compared against the District's significance thresholds.

E-3

3. **Health Risk Assessment (HRA)**

The District recommends addressing the issues below and reevaluating the HRA using the latest tools and references available. The Project proponent may contact the District at 559-230-6000 for additional guidance.

a. From a health risk perspective there are basically two types of land use projects that have the potential to cause long-term public health risk impacts:

- Type A Projects: Land use projects that will place new toxic sources in the vicinity of existing receptors, and
- Type B Projects: Land use projects that will place new receptors in the vicinity of existing toxics sources.

This Project has the potential to have both Type A and Type B projects, including siting of a K-8 school that may be impacted by existing sources (Type B).

Type A Projects:

For Type A, the District recommends the Project be evaluated for potential health impacts to surrounding receptors (on-site and off-site) resulting from operational and construction toxic air containments (TAC) emissions. E-4

- The District recommends conducting a screening analysis that includes all sources of emissions. A screening analysis is used to identify projects which may have a significant health impact. Prioritization, using the California Air Pollution Control Officers Association CAPCOA's updated methodology is a recommended screening method. A prioritization score of 10 or greater is considered to be significant and an HRA should be performed. The prioritization calculator can be found at: http://www.valleyair.org/busind/pto/emission_factors/Criteria/Toxics/Utilities/PRIORITIZATION%20RMR%202016.XLS.
- The District recommends a refined HRA for projects that result in a prioritization score of 10 or greater. It is recommended that the project proponent contact the District to review the proposed modeling protocol. The project would be considered to have a significant health risk if the HRA demonstrates that the project related health impacts would exceed the Districts significance threshold of 20 in a million for carcinogenic risk or 1.0 for the Acute and Chronic Hazard Indices.

Type B Projects:

The California Environmental Quality Act (CEQA) Statute requires an evaluation of the effects of existing hazards and risks on future users of school construction projects pursuant to §21151.8 and housing development projects pursuant to §21159.21, §21159.22, §21159.23, §21559.24, and §21155.1.

For projects being impacted by existing sources (Type B), one screening tool is contained in the Air Resources Board (ARB) Handbook: Air Quality and Land Use Handbook: A Community Health Perspective available at: www.arb.ca.gov/ch/landuse.htm. The document includes a table entitled *"Recommendations on Siting New Sensitive Land Uses Such As Residences, Schools, Daycare Centers, Playgrounds, or Medical Facilities"* with recommended buffer distances associated with various types of common sources. If the Project satisfies the applicable screening criteria it may be determined to result in a less than significant impact. If the proposed Project is located within an established buffer distance to any of the listed sources, a health risk screening and/or assessment should be performed to assess risk to potential sensitive receptors. These guidelines are intended only for projects that are impacted by a single source. Another useful tool is the California Air Pollution Control Officers Association (CAPCOA) Guidance Document: Health Risk Assessments for Proposed Land Use Projects available at: http://www.capcoa.org/documents. E-4 cont'd

b. In Appendix E – Air Toxic Health Risk Studies, an *"Evaluation of Health Risks from Existing Train Traffic near Proposed Bear Creek East and West Development Projects"* dated August 18, 2007 was provided as a reference for this Project. Appendix E evaluated the health impacts from existing train traffic to receptors within and around the Bear Creek East and West Development Projects (Type B), for which this Project is a part of. The District has the following comments should Appendix E be used for this Project:

- The air dispersion model used (ISCST3) is no longer the preferred model by EPA and has not been for some time. The current preferred model is AERMOD.
- The meteorological data that was used in the analysis is outdated. Several changes in the way that meteorological data is processed have occurred since the original HRA was performed.
- The methodology for risk assessments have also changed since the time the original HRA was performed. Per District APR 1906 available at: http://www.valleyair.org/policies_per/Policies/apr-1906.pdf:

"On March of 2015, the Office of Environmental Health Hazard Assessment (OEHHA) approved the "The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments" guidance document. The District will require all health risk assessments being prepared for compliance with the District's Risk Management Review (RMR), California Environmental Quality Act (CEQA), and the California Air Toxic "Hot Spots" Act (AB2588) programs to use the District's policies and guidance in conjunction with OEHHA's 2015 guidance document no later than July 1, 2015. Any proposed exceptions from this implementation date must be approved by the Director of Permit Services." E-4 cont'd

4. **District Rule 9510 Indirect Source Review (ISR)**

The District recommends that an Air Impact Assessment (AIA) application be submitted for the Project at this time.

District Rule 9510 is intended to mitigate a project's impact on air quality through project design elements or by payment of applicable off-site fees. Any applicant subject to District Rule 9510 is required to submit an AIA application to the District prior to receiving a final discretionary approval from a public agency and no construction shall occur prior to receiving an approved AIA from the District. E-5

Based on the information provided to the District, the proposed Project is above the applicability thresholds listed in Rule 9510 Section 2.0 and will receive a final discretionary approval. Therefore, the District concludes that the proposed Project is subject to District Rule 9510, which requires that an AIA application to be submitted at this time.

The District recommends that demonstration of compliance with District Rule 9510, be made a condition of project approval. Information about how to comply with Rule 9510 can be found online at: http://www.valleyair.org/ISR/ISRHome.htm. The AIA application form can be found online at: http://www.valleyair.org/ISR/ISRFormsAndApplications.htm.

5. **Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review)**

The District recommends the Project proponent submit an Authority to Construct (ATC) application to the District prior to constructing the fueling station. E-6

The Draft EIR states that there will be a fueling station. The fueling station is subject to Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and will require District permit. Prior to constructing the fueling

station, the Project proponent should submit to the District an application for an Authority to Construct (ATC). For further information or assistance, the Project proponent may contact the District's Small Business Assistance (SBA) Office at (559) 230-5888. E-6 cont'd

6. **Other District Rules and Regulations**

The proposed Project may also be subject to other District rules and regulations.

The proposed Project may also be subject to other District rules and regulations, including: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). In the event an existing building will be renovated, partially demolished or removed, the project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants). E-7

The above list of rules is neither exhaustive nor exclusive. To identify other District rules or regulations that apply to this Project or to obtain information about District permit requirements, the applicant is strongly encouraged to contact the District's Small Business Assistance (SBA) Office at (559) 230-5888. Current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm.

The District recommends that a copy of the District's comments be provided to the Project proponent. If you have any questions or require further information, please call Sharla Yang at (559) 230-5934. E-8

Sincerely,

Arnaud Marjollet
Director of Permit Services

Brian Clements
Program Manager

AM: sy

Response to Letter E: Brian Clements, San Joaquin Valley Air Pollution Control District

Response E-1: This comment serves as an introduction to the comment letter and does not warrant a response. This comment is noted. No further response is necessary.

Response E-2: The commenter suggests including a discussion on the feasibility of entering into a Voluntary Emissions Reduction Agreement (VERA) with the San Joaquin Valley Air Pollution Control District (SJVAPCD).

The City has discussed a VERA with District staff, and recognizes that a VERA is a "Voluntary" program that can reduce emissions to a net zero level, or to levels below the SJVAPCD's regulatory requirements/thresholds. The City of Stockton has not adopted a policy that mandates projects reduce air emissions to net zero or to levels below the SJVAPCD's regulatory requirements/thresholds. The SJVAPCD has established "thresholds" that are not net zero. Rule 9510 is a regulation that is imposed by the SJVAPCD to collect fees for emissions that exceed the threshold of significance established by the SJVAPCD. The proposed Project is subject to the SJVAPCD Rule 9510 (Indirect Source Review [ISR] rule), which could result in substantial mitigation of emissions beyond what is reflected in the modeling outputs. The reductions are accomplished by the incorporation of measures into projects and/or by the payment of an Indirect Source Rule fee for any required reductions that have not been accomplished through Project mitigation commitments. The current fees are $9,350 per ton of NO_X, although these are subject to adjustments by the SJVAPCD. The actual calculations will be accomplished by the SJVAPCD and Project applicants through the regulatory permitting process as the Project (i.e. or portions of the Project) are brought forward for approval under Rule 9510. The Project applicant would be required to pay the ISR fee to the SJVAPCD at that time. Ultimately, the SJVAPCD utilizes the fees to fund projects that reduce emissions to at, or below, the thresholds of significance established by the SJVAPCD. Therefore, through payment of the ISR fee, the Project would have a mitigation offset for the Project's emissions that would correspond to the applicable threshold levels. This is a regulatory requirement and serves as defacto mitigation for the proposed project, and all projects within the SJVAPCD's boundary. There are no warrants to impose a mitigation measure that is greater than what is mandated by local policy, Air District regulations, state regulations, or federal regulations.

Response E-3: The commenter recommends including Project construction and operational emissions for CO and SO_X in Tables 3.3-8 through 3.3-12 and Tables 3.3-15 and 3.3-19 of the Draft EIR. This comment is noted and the Draft EIR has been revised in order to reflect this recommendation. The following changes were made to pages 3.3-20, 3.3-23, 3.3-24, 3.3-25, 3.3-27, and 3.3-30 through 3.3-34 of Chapter 3.3 of the Draft EIR:

TABLE 3.3-8: OPERATIONAL BUILDOUT GENERATED EMISSIONS

	ROG		*NO_x*		*PM_{10}*		*$PM_{2.5}$*		*CO*		*SOx*	
	tons/year		*tons/year*		*tons/year*		*tons/year*		*tons/year*		*tons/year*	
Thresholds	*≤ 10 tons/year*		*≤ 10 tons/year*		*≤ 15 tons/year*		*≤ 15 tons/year*		*≤ 100 tons/year*		*≤ 27 tons/year*	
Category	*UM*	*M*	*UM*	*M*	*UM*	*M*	*UM*	*M*	*UM*	*M*	*UM*	*M*
Area	18.20	12.95	1.47	0.69	7.89	0.11	7.89	0.11	59.14	11.44	0.16	<0.01
Energy	0.19	0.19	1.66	1.66	0.13	0.13	0.13	0.13	0.74	0.74	0.01	0.01
Mobile	6.67	6.44	45.35	43.12	18.30	16.52	5.09	4.60	72.04	66.91	0.25	0.23
Total	**25.06**	**19.58**	**48.49**	**45.47**	**26.32**	**16.76**	**13.11**	**4.84**	**131.92**	**79.10**	**0.42**	**0.25**
Threshold Exceeded?	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**No**	**No**	**Yes**	**No**	**No**	**No**
Percent Reduction from Mitigation	**21.9**		**6.2**		**36.3**		**63.1**		**40.0**		**40.5**	

NOTES: UM = UNMITIGATED, M = MITIGATED; THE AIR DISTRICT IS ATTAINMENT FOR CO, AND SO2. CO SCREENING IS PERFORMED UNDER IMPACT 3.3-4.
SOURCE: CALEEMOD, V.2016.3.2.

TABLE 3.3-9: WITH BRIDGE ALTERNATIVE OPERATIONAL BUILDOUT GENERATED EMISSIONS

	ROG		*NO_x*		*PM_{10}*		*$PM_{2.5}$*		*CO*		*SOx*	
	tons/year		*tons/year*		*tons/year*		*tons/year*		*tons/year*		*tons/year*	
Thresholds	*≤ 10 tons/year*		*≤ 10 tons/year*		*≤ 15 tons/year*		*≤ 15 tons/year*		*≤ 100 tons/year*		*≤ 27 tons/year*	
Category	*UM*	*M*	*UM*	*M*	*UM*	*M*	*UM*	*M*	*UM*	*M*	*UM*	*M*
Area	18.14	12.89	1.47	0.69	7.89	0.11	7.89	0.11	59.08	11.39	0.16	<0.01
Energy	0.19	0.19	1.65	1.65	0.13	0.13	0.13	0.13	0.74	0.74	0.01	0.01
Mobile	6.64	6.42	45.20	42.97	18.23	16.46	5.08	4.58	71.78	66.67	0.25	0.23
Total	**24.98**	**19.50**	**48.32**	**45.31**	**26.25**	**16.70**	**13.09**	**4.82**	**131.60**	**78.8**	**0.42**	**0.25**
Threshold Exceeded?	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**No**	**No**	**Yes**	**No**	**No**	**No**
Percent Reduction from Mitigation	**21.9**		**6.2**		**36.4**		**63.2**		**40.1**		**40.5**	

NOTES: UM = UNMITIGATED, M = MITIGATED; THE AIR DISTRICT IS ATTAINMENT FOR CO, AND SO2. CO SCREENING IS PERFORMED UNDER IMPACT 3.3-4.
SOURCE: CALEEMOD, V.2016.3.2.

TABLE 3.3-10: GENERAL PLAN 2035 ALTERNATIVE OPERATIONAL BUILDOUT GENERATED EMISSIONS

	ROG		*NO_x*		*PM_{10}*		*$PM_{2.5}$*		*CO*		*SOx*	
	tons/year		*tons/year*		*tons/year*		*tons/year*		*tons/year*		*tons/year*	
Thresholds	*≤ 10 tons/year*		*≤ 10 tons/year*		*≤ 15 tons/year*		*≤ 15 tons/year*		*≤ 100 tons/year*		*≤ 27 tons/year*	
Category	*UM*	*M*	*UM*	*M*	*UM*	*M*	*UM*	*M*	*UM*	*M*	*UM*	*M*
Area	19.83	14.58	1.43	0.65	7.88	0.10	7.88	0.10	58.40	10.7	0.16	<0.01
Energy	0.22	0.22	1.90	1.90	0.15	0.15	0.15	0.15	0.99	0.99	0.01	0.01
Mobile	7.21	6.96	49.04	46.62	19.80	17.87	5.51	4.97	77.91	72.36	0.27	0.25
Total	**27.26**	**21.76**	**52.37**	**49.17**	**27.83**	**18.12**	**13.54**	**5.22**	**137.30**	**84.06**	**0.45**	**0.27**
Threshold Exceeded?	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**No**	**No**	**Yes**	**No**	**No**	**No**
Percent Reduction from Mitigation	**20.2**		**6.1**		**34.9**		**61.4**		**38.8**		**40.0**	

NOTES: UM = UNMITIGATED, M = MITIGATED; THE AIR DISTRICT IS ATTAINMENT FOR CO, AND SO2. CO SCREENING IS PERFORMED UNDER IMPACT 3.3-4.
SOURCE: CALEEMOD, V.2016.3.2.

TABLE 3.3-11: REDUCED PROJECT ALTERNATIVE OPERATIONAL BUILDOUT GENERATED EMISSIONS

	ROG		*NO_x*		*PM_{10}*		*$PM_{2.5}$*		*CO*		*SOx*	
	tons/year		*tons/year*		*tons/year*		*tons/year*		*tons/year*		*tons/year*	
Thresholds	*≤ 10 tons/year*		*≤ 10 tons/year*		*≤ 15 tons/year*		*≤ 15 tons/year*		*≤ 100 tons/year*		*≤ 27 tons/year*	
Category	*UM*	*M*	*UM*	*M*	*UM*	*M*	*UM*	*M*	*UM*	*M*	*UM*	*M*
Area	12.24	8.68	1.00	0.47	5.36	0.07	5.35	0.07	40.22	7.85	0.11	<0.01
Energy	0.13	0.13	1.11	1.11	0.09	0.09	0.090	0.090	0.49	0.49	<0.01	<0.01
Mobile	3.37	3.24	23.37	22.15	10.01	9.03	2.78	2.51	38.15	35.65	0.14	0.13
Total	**15.75**	**12.06**	**25.49**	**23.74**	**15.45**	**9.20**	**8.23**	**2.68**	**78.86**	**43.69**	**0.25**	**0.14**
Threshold Exceeded?	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**No**	**No**	**No**	**No**	**No**	**No**	**No**
Percent Reduction from Mitigation	**31.31**		**13.83**		**53.63**		**78.42**		**44.6**		**44.0**	

NOTES: UM = UNMITIGATED, M = MITIGATED; THE AIR DISTRICT IS ATTAINMENT FOR CO, AND SO2. CO SCREENING IS PERFORMED UNDER IMPACT 3.3-4.
SOURCE: CALEEMOD, V.2016.3.2.

TABLE 3.3-12: REDUCED INTENSITY/DENSITY ALTERNATIVE OPERATIONAL BUILDOUT GENERATED EMISSIONS

	ROG		*NO_x*		*PM_{10}*		*$PM_{2.5}$*		*CO*		*SOx*	
	tons/year		*tons/year*		*tons/year*		*tons/year*		*tons/year*		*tons/year*	
Thresholds	*≤ 10 tons/year*		*≤ 10 tons/year*		*≤ 15 tons/year*		*≤ 15 tons/year*		*≤ 100 tons/year*		*≤ 27 tons/year*	
Category	*UM*	*M*	*UM*	*M*	*UM*	*M*	*UM*	*M*	*UM*	*M*	*UM*	*M*
Area	17.65	12.40	1.33	0.55	7.87	0.09	7.87	0.09	56.84	9.15	0.16	<0.01
Energy	0.15	0.15	1.29	1.29	0.10	0.10	0.10	0.10	0.56	0.56	<0.01	<0.01
Mobile	3.88	3.74	26.94	25.53	11.55	10.42	3.21	2.90	44.00	40.46	0.16	0.14
Total	**21.67**	**16.29**	**29.56**	**27.37**	**19.53**	**10.61**	**11.18**	**3.09**	**101.41**	**50.48**	**0.33**	**0.16**
Threshold Exceeded?	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**No**	**No**	**No**	**Yes**	**No**	**No**	**No**
Percent Reduction from Mitigation	**24.9**		**7.4**		**45.6**		**72.4**		**50.2**		**51.5**	

NOTES: UM = UNMITIGATED, M = MITIGATED; THE AIR DISTRICT IS ATTAINMENT FOR CO, AND SO2. CO SCREENING IS PERFORMED UNDER IMPACT 3.3-4.
SOURCE: CALEEMOD, V.2016.3.2.

TABLE 3.3-15: CONSTRUCTION EMISSIONS IN TONS PER YEAR (UNMITIGATED)

	ROG	*NO_x*	*PM_{10} Total*	*$PM_{2.5}$ Total*	*CO*	*SOx*
Thresholds	*≤ 10 tons/year*	*≤ 10 tons/year*	*≤ 15 tons/year*	*≤ 15 tons/year*	*≤ 100 tons/year*	*≤ 27 tons/year*
2019	1.11	7.33	1.58	0.78	5.19	0.01
2020	6.76	6.12	1.26	0.47	6.42	0.02
2021	6.64	5.39	1.21	0.43	5.85	0.02
2022	6.55	4.95	1.19	0.41	5.50	0.02
2023	6.36	3.320	0.95	0.31	4.18	0.01
2024	0.18	0.01	<0.01	<0.01	0.02	<0.01
Total	**27.59**	**27.09**	**6.18**	**2.40**	**6.42**	**0.09**
Threshold Exceeded in any year?	**No**	**No**	**No**	**No**	**No**	**No**

NOTES: THE AIR DISTRICT IS ATTAINMENT FOR CO, AND SO2.
SOURCE: CALEEMOD, V.2016.3.2.

TABLE 3.3-16: WITH BRIDGE ALTERNATIVE CONSTRUCTION EMISSIONS (UNMITIGATED)

	ROG	*NO_x*	*PM_{10} Total*	*$PM_{2.5}$ Total*	*CO*	*SOx*
Thresholds	*≤ 10 tons/year*	*≤ 10 tons/year*	*≤ 15 tons/year*	*≤ 15 tons/year*	*≤ 100 tons/year*	*≤ 27 tons/year*
2019	1.11	7.31	1.58	0.78	5.19	0.01
2020	6.69	6.09	1.25	0.47	6.41	0.02
2021	6.57	5.38	1.21	0.43	5.84	0.02
2022	6.48	4.94	1.18	0.41	5.50	0.02
2023	6.29	3.31	0.94	0.31	4.17	0.01
2024	0.34	0.01	0.01	<0.01	0.3	<0.01
Total	**27.47**	**27.04**	**6.18**	**2.40**	**6.41**	**0.09**
Threshold Exceeded in any year?	**No**	**No**	**No**	**No**	**No**	**No**

NOTES: THE AIR DISTRICT IS ATTAINMENT FOR CO, AND SO_2.

SOURCE: CALEEMOD, V.2016.3.2.

TABLE 3.3-17: GENERAL PLAN 2035 ALTERNATIVE CONSTRUCTION EMISSIONS (UNMITIGATED)

	ROG	*NO_x*	*PM_{10} Total*	*$PM_{2.5}$ Total*	*CO*	*SOx*
Thresholds	*≤ 10 tons/year*	*≤ 10 tons/year*	*≤ 15 tons/year*	*≤ 15 tons/year*	*≤ 100 tons/year*	*≤ 27 tons/year*
2019	1.23	7.56	1.72	0.82	5.77	0.01
2020	7.73	7.09	1.97	0.66	8.91	0.03
2021	7.57	6.27	1.92	0.62	8.11	0.03
2022	7.46	5.77	1.89	0.60	7.55	0.03
2023	7.19	3.84	1.51	0.47	5.70	0.02
2024	0.20	0.01	0.01	<0.01	0.027	<0.01
Total	**31.38**	**30.54**	**9.01**	**0**	**8.91**	**0.13**
Threshold Exceeded in any year?	**No**	**No**	**No**	**No**	**No**	**No**

NOTES: THE AIR DISTRICT IS ATTAINMENT FOR CO, AND SO_2.

SOURCE: CALEEMOD, V.2016.3.2.

TABLE 3.3-18: REDUCED PROJECT ALTERNATIVE CONSTRUCTION EMISSIONS (UNMITIGATED)

	ROG	*NO_x*	*PM_{10} Total*	*$PM_{2.5}$ Total*	*CO*	*SOx*
Thresholds	*≤ 10 tons/year*	*≤ 10 tons/year*	*≤ 15 tons/year*	*≤ 15 tons/year*	*≤ 100 tons/year*	*≤ 27 tons/year*
2019	0.94	7.02	1.41	0.75	4.88	<0.01
2020	4.65	4.94	0.89	0.36	5.11	0.01
2021	4.55	4.34	0.85	0.33	4.68	0.01
2022	4.49	3.97	0.82	0.31	4.44	0.01
2023	4.34	2.71	0.65	0.23	3.40	0.01
2024	0.12	0.01	<0.01	<0.01	0.01	<0.01
Total	19.09	22.99	4.62	1.98	5.11	0.05
Threshold Exceeded in any year?	**No**	**No**	**No**	**No**	**No**	**No**

NOTES: THE AIR DISTRICT IS ATTAINMENT FOR CO, AND SO_2.

SOURCE: CALEEMOD, V.2016.3.2.

TABLE 3.3-19: REDUCED INTENSITY/DENSITY ALTERNATIVE CONSTRUCTION EMISSIONS (UNMITIGATED)

	ROG	*NO_x*	*PM_{10} Total*	*$PM_{2.5}$ Total*	*CO*	*SOx*
Thresholds	*≤ 10 tons/year*	*≤ 10 tons/year*	*≤ 15 tons/year*	*≤ 15 tons/year*	*≤ 100 tons/year*	*≤ 27 tons/year*
2019	1.07	7.10	1.52	0.77	4.98	0.01
2020	6.46	5.27	1.00	0.39	5.52	0.02
2021	6.35	4.64	0.96	0.36	5.04	0.02
2022	6.27	4.25	0.94	0.34	4.77	0.02
2023	6.11	2.89	0.74	0.26	3.64	0.01
2024	0.18	0.01	<0.01	<0.01	0.02	<0.01
Total	**26.42**	**24.16**	**5.17**	**2.11**	**5.52**	**0.07**
Threshold Exceeded in any year?	**No**	**No**	**No**	**No**	**No**	**No**

NOTES: THE AIR DISTRICT IS ATTAINMENT FOR CO, AND SO_2.
SOURCE: CALEEMOD, V.2016.3.2.

None of the revisions identify new significant environmental impacts, nor do any of the revisions result in substantive changes to the Draft EIR. The new information to the Draft EIR is intended to merely amplify the analysis, which lead to the same conclusions that were already provided in the Draft EIR. As shown in the tables, the CO and SO_X levels are below the thresholds. It is also noted that the Air Basin is in attainment for both of these criteria pollutants.

Response E-4: The commenter recommends considering conducting a health risk assessment (HRA) using the latest tools and references available. The commenter describes the two types of land use projects that have the potential to cause long-term public health risk impacts: (1) Type A projects, which are land use projects that will place new toxic sources in the vicinity of existing receptors; and (2) Type B projects, which are land use projects that will place new receptors in the vicinity of existing toxics sources. The commenter notes that this Project has the potential to have both Type A and Type B projects, including siting of a K-8 school that may be impacted by existing sources (Type B). The commenter recommends that the Project be evaluated for potential health impacts to surrounding receptors resulting from operation and construction toxic air contaminants (TAC) emissions. The commenter then recommends that using the District's Prioritization Calculator (screening tool) to determine whether a refined HRA would is recommended.

The District's Prioritization Calculator (screening tool) was used to model emissions associated with the proposed Project's placement of new toxic sources that would be located within the vicinity of existing receptors. The results of this analysis demonstrate a prioritization score of 0.54 for cancer risks and 0.01 for chronic non-cancer risks. The District's Prioritization Calculator utilized inputs from: (1) TAC emission factors as provided by Senior Air Quality Specialist Davis Garner (SJVAPCD), (2) data from the *Retail Fuel Report and Data for California* provided by the California Energy Commission, (3) and the location of the nearest sensitive receptors.

The benzene Emission Factors (pounds/1,000 gallons) used in the prioritization calculation are as follows:

- Tank filling loss (98%): 0.000252
- Breathing loss (U/G tank): 0.000075
- Vehicle fueling loss (95%): 0.00126
- Spillage: 0.0042

The calculated pounds of benzene per year were calculated as follows:

- Tank filling loss (98%) 0.907 pounds/year
- Breathing loss (U/G tank): 0.119 pounds/year
- Vehicle fueling loss (95%): 1.991 pounds/year
- Spillage: 6.636 pounds/year

The resulting total of approximately 9.653 pounds/year was input into the District's Prioritization Calculator to determine estimated cancer and non-cancer prioritization scores. Prioritization scores are then determined by multiplying the total scores summed by the Prioritization calculator by the proximity scores contained within the Prioritization calculator.

As noted in the comment, a prioritization score of 10 or greater is considered to be potentially significant. The proposed Project's prioritization score of 0.54 for cancer risks and 0.01 for chronic non-cancer risks indicates that the project generated emissions are well below the thresholds and that an HRA is not warranted for the proposed Project generated emissions. Revisions to the Draft EIR are provided to document the results of this (screening) analysis. The revisions are identified in Chapter 3.0, Errata, with revision marks (<u>underline</u> for new text, ~~strike-out~~ for deleted text). None of the revisions identify new significant environmental impacts, nor do any of the revisions result in substantive changes to the Draft EIR. The revisions to the Draft EIR are intended to merely amplify the environmental analysis, which leads to the same conclusion in the document. The calculations and inputs used to calculate the prioritization score are incorporated into the Draft EIR in an additional Appendix (Appendix L). Appendix L is added to the EIR via an Errata (see Chapter 3.0, Errata).

Additionally, the commenter continues to describe Type B projects and notes that the CEQA Statute requires an evaluation of existing hazards and risks on future users of school construction projects and housing development projects. The commenter notes that one screening tool for Type B projects is the California Air Resources Board's Handbook: *Air Quality and Land Use Handbook: A Community Health Perspective*. This document includes a table providing recommended buffer distances associated with various types of common sources. Chapter 3.3, Air Quality, of the Draft EIR includes an evaluation of the Project to determine whether new receptors would be located within any of the recommended buffer distances, as described within the *Air Quality and Land Use Handbook: A Community Health Perspective*. See pages 3.3-40 through 3.3-42 of

the Draft EIR. As noted, the proposed residential units would be a minimum of 600 feet away from the proposed fueling facility, which is well beyond the minimum separation distance from the fueling facility. It is also noted that the proposed fueling facility would not be considered a "large gas station" because the throughput would be well-below 3.6 million gallons per year.

The commenter describes that Appendix E was provided as a reference document for the Project. The commenter has several comments regarding Appendix E, including the modelling software, meteorological data, and methodology used in that study. This comment is noted. An HRA was prepared for the project site and other properties in the regional vicinity in 2007, and as noted by the commenter the HRA was included as an Appendix in the DEIR. It is noted that the SJVAPCD did not provide a formal written response to the first Notice of Preparation dated 2/22/2016 or the Recirculated Notice of Preparation dated 7/7/2016. Additionally, the SJVAPCD did not attend either of the two Scoping Meeting for the project. Absent a formal response from the SJVAPCD during the scoping process, the SJVAPCD was called to discuss the details of the project and the appropriate scope that would be needed. At that time, it was discussed that the only potential toxic emitter to be constructed by the project would be a neighborhood fueling facility, and that the health risks associated with such facilities do not approach the cancer risk thresholds. The SJVAPCD concurred at the time, and it is further corroborated by the prioritization score performed for the project. During the discussions, the SJVAPCD concurred that the neighborhood fueling facility was unlikely to be a health risk, and that the existing HRA showed low cancer risks that did not approach the thresholds. Given that the previous HRA shows a cancer risk below the thresholds, and the prioritization score is well below the threshold, an updated HRA is not warranted.

Response E-5: The commenter recommends that an Air Impact Assessment (AIA) application be submitted for the Project at this time, as required under District Rule 9510. The commenter describes District Rule 9510, which is designed to mitigate a project's impact on air quality through project design elements or by payment of applicable off-site fees. The commenter describes that the proposed Project is subject to Rule 9510, which requires that an AIA application be submitted at this time. Submittal of an AIA application to the SJVAPCD is required by Mitigation Measure 3.3-1 in Chapter 3.3 of the Draft EIR. The Project must demonstrate full compliance with District Rule 9510, including payment of all applicable fees. This comment is noted and no further response is required.

Response E-6: The commenter recommends that the Project proponent submit an Authority to Construct (ATC) application to the District prior to constructing the fueling station that would be located within the Project site. The commenter states that the fueling station is subject to Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and will require a District permit. This comment is noted and the Draft EIR has been revised in order to reflect this portion of the comment. Revisions to the

Draft EIR are identified with Chapter 3.0 Errata, with revision marks (underline for new text, ~~strike out~~ for deleted text). None of the revisions identify new significant environmental impacts, nor do any of the revisions result in substantive changes to the Draft EIR. The new information to the Draft EIR is intended to merely clarify the information.

Response E-7: The commenter states that the proposed Project may also be subject to other District rules and regulations. The commenter provides several examples, including: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). Additionally, the commenter notes that, in the event an existing building will be renovated, partially demolished or removed, the project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants).

This comment is noted. Various District rules are listed within the Regulatory Setting section of Chapter 3.3, Air Quality, of the Draft EIR, including those noted by the commenter. See pages 3.3-14 and 3.3-15 of the Draft EIR. The Project would be required to comply with all applicable District regulations. No further response is necessary.

Response E-8: This comment is noted. This comment serves as a conclusion to the comment letter and does not warrant a response. No further response is necessary.

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This section includes minor edits and changes to the Draft EIR. These modifications resulted from responses to comments received during the public review period for the Draft EIR, as well as City staff-initiated edits to clarify language and detail the Tra Vigne Development Project Vesting Tentative Maps Interim Fire Protection and Emergency Services agreement (February 2020) between the City, Project applicant, and Stockton Fire Department.

Revisions herein do not result in new significant environmental impacts, do not constitute significant new information, nor do they alter the conclusions of the environmental analysis that would warrant recirculation of the Draft EIR pursuant to State CEQA Guidelines Section 15088.5.

Other minor changes to various sections of the Draft EIR are also shown below. These changes are provided in revision marks with underline for new text and ~~strike out for deleted text~~.

3.1 REVISIONS TO THE DRAFT EIR

ES EXECUTIVE SUMMARY

No changes were made to Chapter ES of the Draft EIR.

1.0 INTRODUCTION

No changes were made to Chapter 1.0 of the Draft EIR.

2.0 PROJECT DESCRIPTION

No changes were made to Chapter 2.0 of the Draft EIR.

3.1 AESTHETICS AND VISUAL RESOURCES

No changes were made to Chapter 3.1 of the Draft EIR.

3.2 AGRICULTURAL RESOURCES

The following changes were made to page 3.2-11 of Chapter 3.2 of the Draft EIR:

Stockton Agricultural Land Mitigation Program

Pursuant to a litigation settlement, the City of Stockton prepared an agricultural land conversion fee nexus study in 2006 and adopted the Agricultural Land Mitigation Program in 2007. The Program applies to projects that would convert agricultural lands, as defined on the most-recent Important Farmland Maps published by the California Department of Conservation. Projects may provide "agricultural mitigation land" on a 1:1 basis for each acre of land converted, including administrative costs of approximately $1,000 per acre, or pay the established Agricultural Land Mitigation Fee of ~~13,295 (San Joaquin Council of Governments [SJCOG] San Joaquin County Multi-Species Habitat Conservation and Open Space Plan [SJMSCP] Habitat Fees, 2014) per acre~~$14,352 per parcel acreage for fiscal year 2018-2019.

3.0 ERRATA

The following changes were made to page 3.2-13 of Chapter 3.2 of the Draft EIR:

~~The City's Agricultural Land Mitigation Program requires that projects provide "agricultural mitigation land" on a 1:1 basis for each acre of land converted, including administrative costs of approximately $1,000 per acre, or pay the established Agricultural Land Mitigation fee~~ The City of Stockton is a signatory to the San Joaquin County Multi-Species Habitat and Open Space Plan. Under the Plan, Agricultural land conversion will pay a fee of $19,400~~17,808~~ (SJCOG-SJMSCP Habitat Fees, ~~2014~~2018) per acre. The Project would pay the established ~~Agricultural Land Mitigation Fee~~ Multi-Species Habitat Conservation and Open Space fee of $19,400~~17,808~~ per acre, as required by Mitigation Measure 3.2-1 and 3.4-1. SJCOG would then use these funds to purchase conservation easements on agricultural and habitat lands that are placed over agricultural land, such as alfalfa and row crops in the Project vicinity. As such, the Project fees paid to SJCOG as administrator of the SJMSCP would result in the preservation of agricultural lands in perpetuity. The purchase of conservation easements and/or deed restrictions through the City's Agricultural Land Mitigation Program and the SJMSCP allows the agricultural landowner to retain ownership of the land and continue agricultural operations, and preserves such lands in perpetuity.

3.3 AIR QUALITY

The following changes were made to page 3.3-14 of Chapter 3.3 of the Draft EIR:

REGULATION VIII – FUGITIVE PM_{10} PROHIBITIONS

Regulation VIII is comprised of District Rules 8011 through 8081, which are designed to reduce PM_{10} emissions, predominantly from dust/dirt generated by human activity, including construction and demolition activities, road construction, bulk materials storage, paved and unpaved roads, carryout and track out, landfill operations, etc.

RULE 2010 (PERMITS REQUIRED)

Rule 2010 applies to any person who plans to or does operate, construct, alter, or replace any source operation which may emit air contaminants or may reduce the emission of air contaminants. This rule requires that an Authority to Construct (ATC) is required be submitted to the air district.

RULE 2201 (NEW AND MODIFIED STATIONARY SOURCE REVIEW)

Rule 2201 applies to all new stationary sources and all modifications to existing stationary sources which are subject to the District permit requirements and after construction emit or may emit one or more affected pollutants. The purposes of this rule is to provide for the review of new and modified stationary sources of air pollution and to provide mechanisms including emission trade-offs, without interfering with the attainment or maintenance of Ambient Air Quality Standards, and to ensure that no net increase in emissions above specified thresholds occur from new and modified stationary sources.

The following changes were made to pages 3.3-20, 3.3-23, 3.3-24, 3.3-25, 3.3-27, and 3.3-30 through 3.3-34 of Chapter 3.3 of the Draft EIR:

TABLE 3.3-8: OPERATIONAL BUILDOUT GENERATED EMISSIONS

	ROG		*NO_x*		*PM_{10}*		*$PM_{2.5}$*		*CO*		*SOx*	
	tons/year		*tons/year*		*tons/year*		*tons/year*		*tons/year*		*tons/year*	
Thresholds	*≤ 10 tons/year*		*≤ 10 tons/year*		*≤ 15 tons/year*		*≤ 15 tons/year*		*≤ 100 tons/year*		*≤ 27 tons/year*	
Category	*UM*	*M*	*UM*	*M*	*UM*	*M*	*UM*	*M*	*UM*	*M*	*UM*	*M*
Area	18.20	12.95	1.47	0.69	7.89	0.11	7.89	0.11	59.14	11.44	0.16	<0.01
Energy	0.19	0.19	1.66	1.66	0.13	0.13	0.13	0.13	0.74	0.74	0.01	0.01
Mobile	6.67	6.44	45.35	43.12	18.30	16.52	5.09	4.60	72.04	66.91	0.25	0.23
Total	**25.06**	**19.58**	**48.49**	**45.47**	**26.32**	**16.76**	**13.11**	**4.84**	**131.92**	**79.10**	**0.42**	**0.25**
Threshold Exceeded?	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**No**	**No**	**Yes**	**No**	**No**	**No**
Percent Reduction from Mitigation	**21.9**		**6.2**		**36.3**		**63.1**		**40.0**		**40.5**	

NOTES: UM = UNMITIGATED, M = MITIGATED; THE AIR DISTRICT IS ATTAINMENT FOR CO, AND SO2. CO SCREENING IS PERFORMED UNDER IMPACT 3.3-4.
SOURCE: CALEEMOD, V.2016.3.2.

TABLE 3.3-9: WITH BRIDGE ALTERNATIVE OPERATIONAL BUILDOUT GENERATED EMISSIONS

	ROG		*NO_x*		*PM_{10}*		*$PM_{2.5}$*		*CO*		*SOx*	
	tons/year		*tons/year*		*tons/year*		*tons/year*		*tons/year*		*tons/year*	
Thresholds	*≤ 10 tons/year*		*≤ 10 tons/year*		*≤ 15 tons/year*		*≤ 15 tons/year*		*≤ 100 tons/year*		*≤ 27 tons/year*	
Category	*UM*	*M*	*UM*	*M*	*UM*	*M*	*UM*	*M*	*UM*	*M*	*UM*	*M*
Area	18.14	12.89	1.47	0.69	7.89	0.11	7.89	0.11	59.08	11.39	0.16	<0.01
Energy	0.19	0.19	1.65	1.65	0.13	0.13	0.13	0.13	0.74	0.74	0.01	0.01
Mobile	6.64	6.42	45.20	42.97	18.23	16.46	5.08	4.58	71.78	66.67	0.25	0.23
Total	**24.98**	**19.50**	**48.32**	**45.31**	**26.25**	**16.70**	**13.09**	**4.82**	**131.60**	**78.8**	**0.42**	**0.25**
Threshold Exceeded?	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**No**	**No**	**Yes**	**No**	**No**	**No**
Percent Reduction from Mitigation	**21.9**		**6.2**		**36.4**		**63.2**		**40.1**		**40.5**	

NOTES: UM = UNMITIGATED, M = MITIGATED; THE AIR DISTRICT IS ATTAINMENT FOR CO, AND SO2. CO SCREENING IS PERFORMED UNDER IMPACT 3.3-4.
SOURCE: CALEEMOD, V.2016.3.2.

TABLE 3.3-10: GENERAL PLAN 2035 ALTERNATIVE OPERATIONAL BUILDOUT GENERATED EMISSIONS

	ROG		*NO_x*		*PM_{10}*		*$PM_{2.5}$*		*CO*		*SOx*	
	tons/year		*tons/year*		*tons/year*		*tons/year*		*tons/year*		*tons/year*	
Thresholds	*≤ 10 tons/year*		*≤ 10 tons/year*		*≤ 15 tons/year*		*≤ 15 tons/year*		*≤ 100 tons/year*		*≤ 27 tons/year*	
Category	*UM*	*M*	*UM*	*M*	*UM*	*M*	*UM*	*M*	*UM*	*M*	*UM*	*M*
Area	19.83	14.58	1.43	0.65	7.88	0.10	7.88	0.10	58.40	10.7	0.16	<0.01
Energy	0.22	0.22	1.90	1.90	0.15	0.15	0.15	0.15	0.99	0.99	0.01	0.01
Mobile	7.21	6.96	49.04	46.62	19.80	17.87	5.51	4.97	77.91	72.36	0.27	0.25
Total	**27.26**	**21.76**	**52.37**	**49.17**	**27.83**	**18.12**	**13.54**	**5.22**	**137.30**	**84.06**	**0.45**	**0.27**
Threshold Exceeded?	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**No**	**No**	**Yes**	**No**	**No**	**No**
Percent Reduction from Mitigation	**20.2**		**6.1**		**34.9**		**61.4**		**38.8**		**40.0**	

NOTES: UM = UNMITIGATED, M = MITIGATED; THE AIR DISTRICT IS ATTAINMENT FOR CO, AND SO_2. CO SCREENING IS PERFORMED UNDER IMPACT 3.3-4.
SOURCE: CALEEMOD, V.2016.3.2.

TABLE 3.3-11: REDUCED PROJECT ALTERNATIVE OPERATIONAL BUILDOUT GENERATED EMISSIONS

	ROG		*NO_x*		*PM_{10}*		*$PM_{2.5}$*		*CO*		*SOx*	
	tons/year		*tons/year*		*tons/year*		*tons/year*		*tons/year*		*tons/year*	
Thresholds	*≤ 10 tons/year*		*≤ 10 tons/year*		*≤ 15 tons/year*		*≤ 15 tons/year*		*≤ 100 tons/year*		*≤ 27 tons/year*	
Category	*UM*	*M*	*UM*	*M*	*UM*	*M*	*UM*	*M*	*UM*	*M*	*UM*	*M*
Area	12.24	8.68	1.00	0.47	5.36	0.07	5.35	0.07	40.22	7.85	0.11	<0.01
Energy	0.13	0.13	1.11	1.11	0.09	0.09	0.090	0.090	0.49	0.49	<0.01	<0.01
Mobile	3.37	3.24	23.37	22.15	10.01	9.03	2.78	2.51	38.15	35.65	0.14	0.13
Total	**15.75**	**12.06**	**25.49**	**23.74**	**15.45**	**9.20**	**8.23**	**2.68**	**78.86**	**43.69**	**0.25**	**0.14**
Threshold Exceeded?	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**No**	**No**	**No**	**No**	**No**	**No**	**No**
Percent Reduction from Mitigation	**31.31**		**13.83**		**53.63**		**78.42**		**44.6**		**44.0**	

NOTES: UM = UNMITIGATED, M = MITIGATED; THE AIR DISTRICT IS ATTAINMENT FOR CO, AND SO2. CO SCREENING IS PERFORMED UNDER IMPACT 3.3-4.
SOURCE: CALEEMOD, V.2016.3.2.

TABLE 3.3-12: REDUCED INTENSITY/DENSITY ALTERNATIVE OPERATIONAL BUILDOUT GENERATED EMISSIONS

	ROG		*NO_x*		*PM_{10}*		*$PM_{2.5}$*		*CO*		*SOx*	
	tons/year		*tons/year*		*tons/year*		*tons/year*		*tons/year*		*tons/year*	
Thresholds	*≤ 10 tons/year*		*≤ 10 tons/year*		*≤ 15 tons/year*		*≤ 15 tons/year*		*≤ 100 tons/year*		*≤ 27 tons/year*	
Category	*UM*	*M*	*UM*	*M*	*UM*	*M*	*UM*	*M*	*UM*	*M*	*UM*	*M*
Area	17.65	12.40	1.33	0.55	7.87	0.09	7.87	0.09	56.84	9.15	0.16	<0.01
Energy	0.15	0.15	1.29	1.29	0.10	0.10	0.10	0.10	0.56	0.56	<0.01	<0.01
Mobile	3.88	3.74	26.94	25.53	11.55	10.42	3.21	2.90	44.00	40.46	0.16	0.14
Total	**21.67**	**16.29**	**29.56**	**27.37**	**19.53**	**10.61**	**11.18**	**3.09**	**101.41**	**50.48**	**0.33**	**0.16**
Threshold Exceeded?	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**	**No**	**No**	**No**	**Yes**	**No**	**No**	**No**
Percent Reduction from Mitigation	**24.9**		**7.4**		**45.6**		**72.4**		**50.2**		**51.5**	

NOTES: UM = UNMITIGATED, M = MITIGATED; THE AIR DISTRICT IS ATTAINMENT FOR CO, AND SO2. CO SCREENING IS PERFORMED UNDER IMPACT 3.3-4.
SOURCE: CALEEMOD, V.2016.3.2.

TABLE 3.3-15: CONSTRUCTION EMISSIONS IN TONS PER YEAR (UNMITIGATED)

	ROG	*NO_x*	*PM_{10} Total*	*$PM_{2.5}$ Total*	*CO*	*SOx*
Thresholds	*≤ 10 tons/year*	*≤ 10 tons/year*	*≤ 15 tons/year*	*≤ 15 tons/year*	*≤ 100 tons/year*	*≤ 27 tons/year*
2019	1.11	7.33	1.58	0.78	5.19	0.01
2020	6.76	6.12	1.26	0.47	6.42	0.02
2021	6.64	5.39	1.21	0.43	5.85	0.02
2022	6.55	4.95	1.19	0.41	5.50	0.02
2023	6.36	3.320	0.95	0.31	4.18	0.01
2024	0.18	0.01	<0.01	<0.01	0.02	<0.01
Total	**27.59**	**27.09**	**6.18**	**2.40**	**6.42**	**0.09**
Threshold Exceeded in any year?	**No**	**No**	**No**	**No**	**No**	**No**

NOTES: THE AIR DISTRICT IS ATTAINMENT FOR CO, AND SO2.
SOURCE: CALEEMOD, V.2016.3.2.

TABLE 3.3-16: WITH BRIDGE ALTERNATIVE CONSTRUCTION EMISSIONS (UNMITIGATED)

	ROG	*NO_x*	*PM_{10} Total*	*$PM_{2.5}$ Total*	*CO*	*SOx*
Thresholds	*≤ 10 tons/year*	*≤ 10 tons/year*	*≤ 15 tons/year*	*≤ 15 tons/year*	*≤ 100 tons/year*	*≤ 27 tons/year*
2019	1.11	7.31	1.58	0.78	5.19	0.01
2020	6.69	6.09	1.25	0.47	6.41	0.02
2021	6.57	5.38	1.21	0.43	5.84	0.02
2022	6.48	4.94	1.18	0.41	5.50	0.02
2023	6.29	3.31	0.94	0.31	4.17	0.01
2024	0.34	0.01	0.01	<0.01	0.3	<0.01
Total	**27.47**	**27.04**	**6.18**	**2.40**	**6.41**	**0.09**
Threshold Exceeded in any year?	**No**	**No**	**No**	**No**	**No**	**No**

NOTES: THE AIR DISTRICT IS ATTAINMENT FOR CO, AND SO2.

SOURCE: CALEEMOD, V.2016.3.2.

TABLE 3.3-17: GENERAL PLAN 2035 ALTERNATIVE CONSTRUCTION EMISSIONS (UNMITIGATED)

	ROG	*NO_x*	*PM_{10} Total*	*$PM_{2.5}$ Total*	*CO*	*SOx*
Thresholds	*≤ 10 tons/year*	*≤ 10 tons/year*	*≤ 15 tons/year*	*≤ 15 tons/year*	*≤ 100 tons/year*	*≤ 27 tons/year*
2019	1.23	7.56	1.72	0.82	5.77	0.01
2020	7.73	7.09	1.97	0.66	8.91	0.03
2021	7.57	6.27	1.92	0.62	8.11	0.03
2022	7.46	5.77	1.89	0.60	7.55	0.03
2023	7.19	3.84	1.51	0.47	5.70	0.02
2024	0.20	0.01	0.01	<0.01	0.027	<0.01
Total	**31.38**	**30.54**	**9.01**	**0**	**8.91**	**0.13**
Threshold Exceeded in any year?	**No**	**No**	**No**	**No**	**No**	**No**

NOTES: THE AIR DISTRICT IS ATTAINMENT FOR CO, AND SO2.

SOURCE: CALEEMOD, V.2016.3.2.

TABLE 3.3-18: REDUCED PROJECT ALTERNATIVE CONSTRUCTION EMISSIONS (UNMITIGATED)

	ROG	*NO_x*	*PM_{10} Total*	*$PM_{2.5}$ Total*	*CO*	*SOx*
Thresholds	*≤ 10 tons/year*	*≤ 10 tons/year*	*≤ 15 tons/year*	*≤ 15 tons/year*	*≤ 100 tons/year*	*≤ 27 tons/year*
2019	0.94	7.02	1.41	0.75	4.88	<0.01
2020	4.65	4.94	0.89	0.36	5.11	0.01
2021	4.55	4.34	0.85	0.33	4.68	0.01
2022	4.49	3.97	0.82	0.31	4.44	0.01
2023	4.34	2.71	0.65	0.23	3.40	0.01
2024	0.12	0.01	<0.01	<0.01	0.01	<0.01
Total	19.09	22.99	4.62	1.98	5.11	0.05
Threshold Exceeded in any year?	**No**	**No**	**No**	**No**	**No**	**No**

NOTES: THE AIR DISTRICT IS ATTAINMENT FOR CO, AND SO2.

SOURCE: CALEEMOD, V.2016.3.2.

TABLE 3.3-19: REDUCED INTENSITY/DENSITY ALTERNATIVE CONSTRUCTION EMISSIONS (UNMITIGATED)

	ROG	*NO_x*	*PM_{10} Total*	*$PM_{2.5}$ Total*	*CO*	*SOx*
Thresholds	*≤ 10 tons/year*	*≤ 10 tons/year*	*≤ 15 tons/year*	*≤ 15 tons/year*	*≤ 100 tons/year*	*≤ 27 tons/year*
2019	1.07	7.10	1.52	0.77	4.98	0.01
2020	6.46	5.27	1.00	0.39	5.52	0.02
2021	6.35	4.64	0.96	0.36	5.04	0.02
2022	6.27	4.25	0.94	0.34	4.77	0.02
2023	6.11	2.89	0.74	0.26	3.64	0.01
2024	0.18	0.01	<0.01	<0.01	0.02	<0.01
Total	**26.42**	**24.16**	**5.17**	**2.11**	**5.52**	**0.07**
Threshold Exceeded in any year?	**No**	**No**	**No**	**No**	**No**	**No**

NOTES: THE AIR DISTRICT IS ATTAINMENT FOR CO, AND SO2.

SOURCE: CALEEMOD, V.2016.3.2.

The following changes were made to pages 3.3-41 and 3.3-42 of Chapter 3.3 of the Draft EIR:

There are sensitive receptors such as residences and parks that are proposed as part of this Project. The new residences and park amenities are well beyond the minimum separation distance from toxic air emitters. Additionally, the only source category identified in the CARB minimum separation standards that would be developed as part of the Project would be the convenience store with attached fueling facility. As shown in Table 3.3-20, the CARB minimum separation recommendations from gasoline dispensing facilities applies if the facility has a throughput of 3.6 million gallons per year or greater. However, the proposed fueling facility is anticipated to have a throughput under 3.6 million gallons per year because the fueling facility would be considered a neighborhood gas station and is not located along a major freeway. According to the Retail Fuel Report and Data for California released by the California Energy Commission, the average gasoline sales per station in 2012 was 1.58 million gallons per year. Additionally, the fueling facility would be located approximately two miles west of State Route 99 and approximately four miles east of Interstate 5. Three existing fueling facilities in the Project area, ARCO (900 S Cherokee Lane, Lodi), Shell (7700 Moreland Street, Stockton), and ARCO (255 E Harney Lane, Lodi) are located within 0.5-miles of State Route 99. Two existing fueling facilities in the Project area, Chevron (2905 W Benjamin Holt Drive, Stockton) and Shell (6437 W Banner Street, Lodi) are located within 0.15-miles of Interstate 5. Travelers along State Route 99 and Interstate 5 would likely utilize one of the three aforementioned fueling facilities because of their close distances to the freeway. The proposed residential units would be a minimum of 600 feet away from the proposed fueling facility, which is well beyond the minimum separation distance from the fueling facility.

To determine whether the proposed project could have the potential for health impacts to surrounding receptors (on-site and off-site) resulting from TACs, a screening analysis was conducted. CAPCOA provides a prioritization screening tool (Prioritization Calculator) to determine whether a refined health risk assessment is required. The use of this Prioritization Calculator is recommended by the Air District. A prioritization score of 10 or

greater is considered to be potentially significant by the Air District and a health risk assessment should be performed. The Prioritization Calculator provides proximity factors that reduce the prioritization score based on the distance from the nearest receptor. The maximum score provided by the prioritization calculator would be 0.54 for cancer risks and 0.01 for chronic non-cancer risks (for the receptors within range of a source of TACs). This prioritization score was derived based on (1) TAC emission factors as provided by Senior Air Quality Specialist Davis Garner (SJVAPCD), (2) data from the *Retail Fuel Report and Data for California* provided by the California Energy Commission, (3) and the location of the nearest sensitive receptors. Since the prioritization calculator provides a score of less than 10, a refined HRA is not warranted under these circumstances. See Appendix L for full details on the factors used within and the Prioritization Calculator and the full results.

Additionally, although not proposed as part of the Project, should a dry cleaner business which uses perchloro-ethylene opt to lease one of the future retail shops, the business would be required to maintain adequate separation from sensitive land uses, or consult with the local air district to ensure that it meets all applicable requirements. Therefore, implementation of the proposed Project would have a **less than significant** impact relative to this topic.

3.4 BIOLOGICAL RESOURCES

No changes were made to Chapter 3.4 of the Draft EIR.

3.5 CULTURAL AND TRIBAL RESOURCES

No changes were made to Chapter 3.5 of the Draft EIR.

3.6 GEOLOGY AND SOILS

No changes were made to Chapter 3.6 of the Draft EIR.

3.7 GREENHOUSE GASES AND CLIMATE CHANGE

No changes were made to Chapter 3.7 of the Draft EIR.

3.8 HAZARDS AND HAZARDOUS MATERIALS

The following changes were made to page 3.8-24 of Chapter 3.8 of the Draft EIR:

Impact 3.8-4: Project implementation has the potential to result in a safety hazard for people residing or working on the Project site as a result of public airport or public use airport. (Less than Significant)

Proposed Project:

There are no documented public airports or public use airports within close proximity to the Project site. The nearest public airport or public use airport, the Lodi Airpark, is located

approximately 2.0 miles north of the Project site. Additionally, the Kingdon Executive Airport is located approximately 3.84 miles northwest of the Project site. According to the 2018 San Joaquin County ~~Council of Governments Project Review Guidelines for the~~ Airport Land Use Compatibility Plan (http://www.sjcog.org/ALUC) ~~Commission~~, the Project site is not located within a Land Use Compatibility Zone for either the Lodi Airpark or the Kingdon Executive Airport. Implementation of the proposed Project would have a **less than significant** impact with regards to this environmental issue.

3.9 HYDROLOGY AND WATER QUALITY

No changes were made to Chapter 3.9 of the Draft EIR.

3.10 LAND USE AND POPULATION

No changes were made to Chapter 3.10 of the Draft EIR.

3.11 NOISE

No changes were made to Chapter 3.11 of the Draft EIR.

3.12 PUBLIC SERVICES AND RECREATION

The following changes were made to page 3.12-5 of Chapter 3.12 of the Draft EIR:

3.12 PUBLIC SERVICES AND RECREATION

The following changes were made to page 3.12-5 of Chapter 3.12 of the Draft EIR:

The Stockton Fire Department presently receives a Class 2~~1~~ rating ~~– the highest rating –~~ from the Insurance Services Office (ISO), a private company that provides information on property/casualty insurance risk, including the quality of fire protection services. The City's recommended goal is to respond to all emergency calls in four to six minutes. The response time generally includes one minute for dispatch, one minute for turnout, and four minutes for travel time. To achieve this rating, and to meet the City's recommended goal, the Stockton Fire Department must maintain adequate personnel, equipment, and facilities to provide service within their territory to meet the demand (call volume).

The Fire Department dispatches the closest available fire company (first-due company) for each individual emergency call. Various factors, however, affect the "availability" of a company for an individual call within their jurisdiction. There are times a call is received when the first-due company is out of area or unavailable, which requires a second-due company to respond. If the second-due company is too far away or unavailable, then the next due company is called until an available company is found to respond to the call.

As the number of emergency calls per day, training demands, and other routine activities (such as taking apparatus to the repair shop) increase, so does the probability that the first-due company will be out of the area or unavailable when a call is received (decreased

reliability). Response reliability is the probability that the resources assigned to a territory will be available to respond from within that territory when an emergency occurs in that area. The actual response reliability percentage is inversely proportional to the call volume for each fire company. For instance, there are three fire stations that are within approximately three miles or less travel distance for emergency responses to the project site (Company 11, 13, and 14). Each of these fire companies would be expected to be dispatched at times to respond to calls within the project site. However, Company 11, which is located at Tam O'Shanter and Swain, has the highest existing call volume of the three stations making the expected reliability of this station lower than the other two stations. Station 14 has the second highest call volume of these three stations, which makes this station the second most reliable station. Both of these stations (11 and 14) are largely surrounded by existing development, which is the reason for the higher call volume. Station 13 on the other hand, has the least existing call volume of the three stations, which is directly related to the fact that much of the area surrounding Station 13 is not yet developed. It would be anticipated that Station 13's call volume would increase significantly as the region fully develops in accordance with the planned development outlined in the General Plan. Development of the Cannery Park, Bear Creek South, and the Tra Vigne project would each place increased demand on Station 13 making future response reliability decrease proportionately to future development. To maintain adequate service levels in the future the Fire Department will need to increase staffing and equipment levels, and possibly consider new facilities. On an annual basis, the Fire Department evaluates the need for increased personnel, new equipment, and new facilities based on call volumes (i.e. demand for fire service) and budgetary considerations. The City Council ultimately allocates an annual budget to the Fire Department. All new development is required to pay facility impact fees, which the City holds to utilize for the construction of new fire stations when the City deems that a new fire station is warranted.

In accordance with NFPA 1710, Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments, the City's recommended goal for response time to all emergency calls (fire and medical) includes one minute for dispatch, one minute for turnout, and four minutes for travel time. The dispatch and turnout times are fixed timeframes, but travel time is a variable timeframe dependent largely on distance to the call. The expected travel time needed to reach the project site from the three closest fire stations was calculated using the following formula developed by the RAND Corporation:

Expected Travel Time in Minutes = 0.65 + (1.7 * Distance Traveled in Miles)

The formula has been validated on numerous occasions and yields an average speed of 35 MPH for a fire apparatus responding with emergency lights and siren. This average speed considers average terrain, average traffic, weather, and slowing down for intersections. Where an apparatus is equipped with an adequate engine, chassis, baffling, and brakes, a safe constant speed of 35 MPH can generally be maintained on level terrain, in light traffic, and on an adequate roadway. It is possible to obtain higher travel speeds at times in less

developed areas with lower traffic levels and few obstructions, although 35 mph is considered the national average for calculating travel time.

Company 13: The existing Company 13, located on Hendrix Drive at Holman Road, is the closest fire station. Company 13 is located approximately 0.6 miles southeast of the Project site. Company 13 is currently 2.81 travel miles from the closest proposed project entrance on West Lane. Assuming a travel speed of 35 mph, this travel distance would result in an estimated response time of four minutes and 49 seconds. Once the planned Holman Road bridge and extension are completed, this station would be approximately 1.43 miles from the closest proposed entrance on Eight Mile Road. Assuming a travel speed of 35 mph, this travel distance would result in an estimated response time of two minutes and 27 seconds.

The Project will participate in a proportionate share of costs for the Holman Road Bridge Extension to Eight Mile Road as a required mitigation. The future financing and development of the Bridge Extension would be determined by the City as a Condition of Approval or as part of the Development Agreement for the Tra Vigne project.

Company 14: The existing Company 14, located on McNabb Street at Thornton Road adjacent to Bear Creek High School, would be a secondary response team for emergency calls within the Project site. Company 14 is approximately 3.1 miles west of the Project site. Company 14 is currently 3.42 travel miles from the closest proposed project entrance at Eight Mile Road. Assuming a travel speed of 35 mph, this distance would result in an estimated response time of five minutes and 52 seconds.

Company 11: The existing Company 11, located at Tam O'Shanter and Swain, would be another response team for emergency calls within the Project site. Company 11 is approximately 2.4 miles southwest of the Project site. Company 11 is currently 2.56 travel miles from the closest proposed project entrance at West Lane. Assuming a travel speed of 35 mph, this distance would result in an estimated response time of four minutes and 23 seconds.

~~Upon annexation, fire protection services would be provided to the Project site by the Stockton Fire Department. The existing Company 14, located on McNabb Street at Thornton Road adjacent to Bear Creek High School, would be the first response team for emergency calls within the Project site. Company 14 is approximately 3.1 miles west of the Project site. According to the Administrative Draft Report Plan for Services completed for the Project (2017), the response time from Company 14 would be within the General Plan Goal for response time of four minutes for 90% of calls.~~

~~Company 13, which is located on Hendrix Drive at Holman Road, would be the second response station for emergency calls. Company 13 is approximately 0.6 miles southeast of the Project site. Both stations maintain four fire department employees on duty at all times and are equipped with a water-carrying engine that also has paramedic capabilities. Until the grade separation projects on Eight Mile Road and/or Holman extension to Eight~~

~~Mile Road are completed, Company 11, located at Tam O'Shanter and Swain, has the least restrictive travel to the Project site.~~

The following changes were made to page 3.12-20 through 3.12-23 of Chapter 3.12 of the Draft EIR:

The Fire Department dispatches the closest available fire company (first-due company) for each individual emergency call. Various factors, however, affect the "availability" of a company for an individual call within their territory. There are times a call is received when the first-due company is out of area or unavailable, which requires a later-due company to respond. If the later-due company is too far away or unavailable, then the next later-due company is called until an available company is found to respond to the call. As the number of emergency calls per day, training demands, and other routine activities (such as taking apparatus to the repair shop) increase, so does the probability that the first-due company will be out of area or unavailable when a call is received (decreased reliability). Response reliability is the probability that the resources assigned to a territory will be available to respond from within that territory when an emergency occurs in that area. The actual response reliability percentage is inversely proportional to the call volume for each fire company. For instance, there are three fire stations that are within approximately three miles or less travel distance for emergency responses to the project site (Company 11, 13, and 14). Each of these fire companies would be expected to be dispatched at times to respond to calls within the project site.

Company 13: The existing Company 13, located on Hendrix Drive at Holman Road, is the closest fire station. Company 13 is located approximately 0.6 miles southeast of the Project site. Company 13 is currently 2.81 travel miles from the closest proposed project entrance on West Lane. Assuming a travel speed of 35 mph, this travel distance would result in an estimated response time of four minutes and 49 seconds. Once the planned Holman Road bridge and extension are completed, this station would be approximately 1.43 miles from the closest proposed entrance on Eight Mile Road. Assuming a travel speed of 35 mph, this travel distance would result in an estimated response time of two minutes and 27 seconds.

The future financing and development of the Holman Road Bridge and extension would be determined by the City as a Condition of Approval or as part of the Development Agreement. As discussed in detail below, the Project applicant would pay costs to provide an emergency vehicle to provide fire service to the Project site before the Holman Road Bridge and extension is complete. Additionally, the applicant would pay for the equipment purchase 120 days prior to the estimated initiation of construction of Phase I of Tra Vigne, if the Holman Bridge and Extension are not substantially complete enabling fire access. As such, the Tra Vigne Development Project Vesting Tentative Maps Interim Fire Protection and Emergency Services agreement would ensure that the Department's response times from Company 13 to emergencies within the Project area would meet the City's recommended goal to respond to all emergency calls in four to six minutes.

Company 14: The existing Company 14, located on McNabb Street at Thornton Road adjacent to Bear Creek High School, would be a secondary response team for emergency calls within the Project site. Company 14 is approximately 3.1 miles west of the Project site. Company 14 is currently 3.42 travel miles from the closest proposed project entrance at Eight Mile Road. Assuming a travel speed of 35 mph, this distance would result in an estimated response time of five minutes and 52 seconds.

Company 11: The existing Company 11, located at Tam O'Shanter and Swain, would be another response team for emergency calls within the Project site. Company 11 is approximately 2.4 miles southwest of the Project site. Company 11 is currently 2.56 travel miles from the closest proposed project entrance at West Lane. Assuming a travel speed of 35 mph, this distance would result in an estimated response time of four minutes and 23 seconds.

Conclusion

Company 11, which is located at Tam O'Shanter and Swain, has the highest existing call volume of the three stations making the expected reliability of this station lower than the other two stations. Station 14 has the second highest call volume of these three stations, which makes this station the second most reliable station. Both of these stations (11 and 14) are largely surrounded by existing development, which is the reason for the higher call volume. Station 13 on the other hand, has the least existing call volume of the three stations, which is directly related to the fact that much of the area surrounding Station 13 is not yet developed. It would be anticipated that Station 13's call volume would increase significantly as the region fully develops in accordance with the planned development outlined in the General Plan. Development of the Cannery Park, Bear Creek South, and the Tra Vigne project would each place increased demand on Station 13 making future response reliability decrease proportionately to future development. To maintain adequate service levels in the future the Fire Department will need to increase staffing and equipment levels, and possibly consider new facilities.

A fire station has been planned for the Bear Creek West project for over a decade; however, there are no immediate plans for construction of that fire station given that there is not a current application for development of Bear Creek West. When the Bear Creek West fire station is planned for construction it will require an analysis of its environmental impacts. ~~Fire Chief Erik Newman has indicated that the most effective response would be from Station 14. The Fire Chief did not indicate that there would be a need for the proposed Project to construct a new fire station or physically alter a fire station, in order to maintain acceptable service ratios, response times, or other performance objectives for public services.~~

The Fire Chief has indicated that there would not be a need for the proposed Project to construct a new fire station or physically alter a fire station, in order to maintain acceptable service ratios, response times, or other performance objectives for public services, though as noted above, construction of the Holman Road Bridge and extension

would provide for an improved response time from Station 13 to the project site and will be addressed as a project condition of approval or as part of the project Development Agreement. In the interim, pursuant to the Tra Vigne Development Project Vesting Tentative Maps Interim Fire Protection and Emergency Services agreement, the Project applicant would pay for the fire equipment purchase 120 days prior to the estimated initiation of construction of Phase I of Tra Vigne, if the Holman Bridge and Extension are not substantially complete enabling fire access. As such, the Tra Vigne Development Project Vesting Tentative Maps Interim Fire Protection and Emergency Services agreement would ensure that the Department's response times from Company 13 to emergencies within the Project area would meet the City's recommended goal to respond to all emergency calls in four to six minutes.

On an annual basis, the Fire Department evaluates the need for increased personnel, new equipment, and new facilities based on call volumes (i.e. demand for fire service) and budgetary considerations. The City Council ultimately allocates an annual budget to the Fire Department. All new development is required to pay facility impact fees, which the City holds to utilize for the construction of new fire stations when the City deems that a new fire station is warranted.

Additionally, in February 2020, the City of Stockton, Project applicant, and Fire Department came to an agreement to ensure that fire protection and emergency services can be adequately provided for the Project area. The City of Stockton and Project applicant agree on the components and timing for the provision of Interim Fire Protection and Emergency Services provided by the City of Stockton, as set forth in the Tra Vigne Development Project Vesting Tentative Maps Interim Fire Protection and Emergency Services agreement.

In order to assure the General Plan Goal for response time of four minutes for 90% of calls is met, the Project applicant agrees to the following:

1. The Project applicant will pay an upfront cost of $180,000 to provide for the provision of an Emergency Vehicle to provide fire service to the Tra Vigne Project on an interim basis.
2. The City will purchase a Ford 550 4x4, Brush Unit Squad with emergency equipment to become the property of the City of Stockton.
3. The City of Stockton will provide one firefighter-EMT and one firefighter-paramedic for operations 24 hours a day, 7 days a week.
4. The monthly operating cost is estimated at $90,000 per month which Tra Vigne will pay to the City at the beginning of each service month.
    - Labor costs $90,000 (FY19-20), beginning FY 20-21.
5. A 2% escalator in costs shall be applied and compounded annually for the term of the Agreement.
6. The personnel cost for the designated Interim period shall be borne by Tra Vigne. Tra Vigne shall pay for the equipment purchase 120 days prior to the estimated

initiation of construction of Phase I of Tra Vigne, if the Holman Bridge and Extension are not substantially complete enabling fire access.

Additionally, the City of Stockton agrees to the following:

1. The City of Stockton will provide a firefighter-EMT and a firefighter-paramedic to staff the Brush Unit/Squad to provide service to the Tra Vigne Project.
2. The initiation of services will be at the written authorization of the Tra Vigne ownership with new home construction initiated and remain in effect until Holman Road Bridge and Roadway Extension are substantially complete.
3. The City of Stockton shall be responsible to station and house the equipment and personnel at its own expense.
4. The City of Stockton shall be solely responsible for any and all liabilities for its personnel and operations.

The purpose of the Interim Service is to provide Fire Protection and Emergency Services for the Tra Vigne Project pending substantial completion of the Holman Road Bridge and Roadway connection to Eight Mile Road. Substantial completion shall mean the completion of the roadway connection to Eight Mile Road pending final City acceptance.

Tra Vigne shall have the sole discretion to initiate the Interim Services based on the scheduled completion date of the Holman Road Bridge and Roadway Extension and the initiation of home construction on the Project site. Notice to effectuate service shall be required 120 days prior to the onsite Tra Vigne home construction.

The City will coordinate the implementing actions once written notice to initiate services has been issued by Tra Vigne.

The Tra Vigne Development Project Vesting Tentative Maps Interim Fire Protection and Emergency Services agreement would ensure that i~~I~~mplementation of the proposed project would have a **less than significant** relative to this topic.

3.13 TRANSPORTATION AND CIRCULATION

No changes were made to Chapter 3.13 of the Draft EIR.

3.14 UTILITIES

No changes were made to Chapter 3.14 of the Draft EIR.

4.0 OTHER CEQA-REQUIRED TOPICS

No changes were made to Chapter 4.0 of the Draft EIR.

5.0 ALTERNATIVES TO THE PROPOSED PROJECT

No changes were made to Chapter 5.0 of the Draft EIR.

6.0 REPORT PREPARERS

No changes were made to Chapter 6.0 of the Draft EIR.

7.0 REFERENCES

The following change was made to page 7.0-6 of Chapter 7.0 of the Draft EIR:

Klaene, Bernard. Structural Firefighting. Page 187. Available: <https://books.google.com/books?id=DqgxDwAAQBAJ&pg=PA187&lpg=PA187&dq=rand+corporation+fire+travel+time+formula&source=bl&ots=mDOtthtZm2&sig=tKHgxEIReCxk1O7wL_KesxizpkE&hl=en&sa=X&ved=0ahUKEwji_-XxiujbAhXLilQKHfHrCeYQ6AEIXDAF#v=onepage&q&f=false>.

APPENDIX A NOTICE OF PREPARATION AND COMMENTS

No changes were made to Appendix A of the Draft EIR.

APPENDIX B ANNEXATION LEGAL DESCRIPTION

No changes were made to Appendix B of the Draft EIR.

APPENDIX C AIR QUALITY AND GREENHOUSE GAS MODELING

No changes were made to Appendix C of the Draft EIR.

APPENDIX D GREENHOUSE GAS REDUCTION PLAN AND ANALYSIS

No changes were made to Appendix D of the Draft EIR.

APPENDIX E AIR TOXICS HEALTH RISK STUDIES

No changes were made to Appendix E of the Draft EIR.

APPENDIX F BIOLOGICAL RESOURCES ASSESSMENT

No changes were made to Appendix F of the Draft EIR.

APPENDIX G CULTURAL RESOURCES INFORMATION

No changes were made to Appendix G of the Draft EIR.

APPENDIX H HAZARDS AND HAZARDOUS MATERIALS STUDIES AND REPORTS

No changes were made to Appendix H of the Draft EIR.

APPENDIX I WATER SUPPLY ASSESSMENT

No changes were made to Appendix I of the Draft EIR.

3.0 ERRATA

APPENDIX J NOISE REPORT

No changes were made to Appendix J of the Draft EIR.

APPENDIX K TRAFFIC DATA

No changes were made to Appendix K of the Draft EIR.

APPENDIX L SJVAPCD PRIORITIZATION CALCULATOR (SCREENING)

Appendix L is added to the EIR. This appendix contains the SJVAPCD Prioritization Calculator that was used for the screening analysis of toxic air contaminants. Appendix L of the Draft EIR is as follows:

APPENDIX L

APPENDIX L – SJVAPCD PRIORITIZATION CALCULATOR (SCREENING)

Name — **Prioritization Calculator**

Applicability	Use to provide a Prioritization score based on the emission potency method. Entries required in yellow areas, output in grey areas.				
Author or updater	Matthew Cegielski	*Last Update*	October 13, 2016		
Facility: **ID#:** **Project #:** **Unit and Process#**	1-0 p1				
Operating Hours hr/yr	8,760.00				

Receptor Proximity and Proximity Factors		Cancer Score	Chronic Score	Acute Score	Max Score
0< R<100	1.000	2.16	0.06	-	2.16
100≤R<250	0.250	0.54	0.01	-	0.54
250≤R<500	0.040	0.09	0.00	-	0.09
500≤R<1000	0.011	0.02	0.00	-	0.02
1000≤R<1500	0.003	0.01	0.00	-	0.01
1500≤R<2000	0.002	0.00	0.00	-	0.00
2000<R	0.001	0.00	0.00	-	0.00

Receptor proximity is in meters. Prioritization scores are calculated by multiplying the total scores summed below by the proximity factors. Record the Max score for your receptor distance. If the substance list for the unit is longer than the number of rows here or if there are multiple processes use additional worksheets and sum the totals of the Max Scores.

1-0 p1

Enter the unit's CAS# of the substances emitted and their amounts.

Prioritization score for each substance generated below. Totals on last row.

Substance	CAS#	Annual Emissions (lbs/yr)	Maximum Hourly (lbs/hr)	Average Hourly (lbs/hr)	Cancer	Chronic	Acute
Benzene	71432	9.8525		0.00	2.16	0.06	-

Toxic Air Contaminant (TAC) Emission Rates

Passenger Vehicle - Gasoline Dispensor

Refueling Vehicle fueling loss (95%) (Passenger Vehicle)

1,580,000 typical gallons of gasoline pumped per year at a gasoline station
(Source: Retail Fuel Report and Data for California (CEC) for 2012)

emission factor:	0.00126	Benzene Emission Factor (lb/1,000 gal) (source: Senior Air Quality Specialist David Garner, SJVAPCD).
Annual result:	1.99	lbs of Benzene/year (total)

Spillage (Passenger Vehicle)

emission factor:	0.0042	Benzene Emission Factor (lb/1,000 gal) (source: Senior Air Quality Specialist David Garner, SJVAPCD).
Annual result:	6.64	lbs of Benzene/year (total)

Toxic Air Contaminant (TAC) Emission Rates

Gasoline Station Tank

Breathing loss (U/G tank)

1,580,000 typical gallons of gasoline pumped per year at a gasoline station
(Source: Retail Fuel Report and Data for California (CEC) for 2012)

emission factor:	0.000075 lbs benzene/thousand gallons of gasoline (source: Senior Air Quality Specialist David Garner, SJVAPCD).
Annual result:	0.119 lbs of benzene vapor/year (total)

U/G Tank filling (Loading) loss (98%)

3,600,000 gallons of gasoline pumped per year (average)

emission factor:	0.000252 lbs benzene/thousand gallons of gasoline (source: Senior Air Quality Specialist David Garner, SJVAPCD).
Annual result:	0.907 lbs of benzene vapor/year (total)

Gmail by Google

Josh Smith <jsmith@denovoplanning.com>

SJVAPCD FTP - ftp8v5a76XDT7 - Josh Smith

David Garner <David.Garner@valleyair.org> Mon, Jan 4, 2016 at 11:49 AM
To: Josh Smith <jsmith@denovoplanning.com>

Hi Josh. You can use the following to estimate benzene emissions:

Emission Source	VOC Emission Factor (lb /1,000 gal)	Benzene Emission Factor (lb/1,000 gal)
Tank filling loss (98%)	0.084	0.000252
Breathing loss (U/G tank)	0.025	0.000075
Vehicle fueling loss (95%)	0.42	0.00126
Spillage	0.42	0.0042

Let me know if you have any questions.

Best regards,

David Garner, Sr. Air Quality Specialist
San Joaquin Valley Air Pollution Control District
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Phone: (559) 230-5938
Fax: (559) 230-6061
www.valleyair.org

HEALTHY AIR LIVING
www.healthyairliving.com
Make one change for clean air!

From: Josh Smith [mailto:jsmith@denovoplanning.com]
Sent: Thursday, December 31, 2015 12:27 PM

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This document is the Final Mitigation Monitoring and Reporting Program (FMMRP) for the Tra Vigne Development Project (Project). This FMMRP has been prepared pursuant to Section 21081.6 of the California Public Resources Code, which requires public agencies to "adopt a reporting and monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment." A FMMRP is required for the proposed Project because the EIR has identified significant adverse impacts, and measures have been identified to mitigate those impacts.

The numbering of the individual mitigation measures follows the numbering sequence as found in the Draft EIR, some of which were revised after the Draft EIR were prepared. These revisions are shown in Chapter 3.0 of the Final EIR. All revisions to mitigation measures that were necessary as a result of responding to public comments and incorporating staff-initiated revisions have been incorporated into this FMMRP.

4.1 MITIGATION MONITORING AND REPORTING PROGRAM

The FMMRP, as outlined in the following table, describes mitigation timing, monitoring responsibilities, and compliance verification responsibility for all mitigation measures identified in this Final EIR.

The City of Stockton will be the primary agency responsible for implementing the mitigation measures and will continue to monitor mitigation measures that are required to be implemented during the operation of the Project.

The FMMRP is presented in tabular form on the following pages. The components of the FMMRP are described briefly below:

- **Mitigation Measures**: The mitigation measures are taken from the Draft EIR in the same order that they appear in that document.
- **Mitigation Timing**: Identifies at which stage of the Project mitigation must be completed.
- **Monitoring Responsibility**: Identifies the agency that is responsible for mitigation monitoring.
- **Compliance Verification**: This is a space that is available for the monitor to date and initial when the monitoring or mitigation implementation took place.

TABLE 4.0-1: MITIGATION MONITORING AND REPORTING PROGRAM

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
AESTHETICS AND VISUAL RESOURCES				
Impact 3.1-3: Project implementation may result in light and glare impacts.	***Mitigation Measure 3.1-1:*** *A lighting plan for all parcels shall be prepared prior to the approval of the Improvement Plans for each individual phase of development. The lighting plan shall demonstrate that the lighting systems and other exterior lighting throughout the residential, commercial, and open space portions of the Project site have been designed to minimize light spillage onto adjacent properties to the greatest extent feasible. The lighting plan shall be submitted to the City of Stockton Community Development Department for review and approval.*	City of Stockton Community Development Department	Prior to the approval of the Site Plan review for each phase	
AGRICULTURAL RESOURCES				
Impact 3.2-1: The proposed Project would result in the conversion of Farmlands, including Prime Farmland and Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural uses.	***Mitigation Measure 3.2-1:*** *Prior to the conversion of Important Farmland on the Project site, the Project applicant shall participate in the SJMSCP agricultural mitigation fee program by paying the established fees on a per-acre basis for the loss of Important Farmland.*	City of Stockton Community Development Department San Joaquin Council of Governments	Prior to the conversion of Important Farmland on the Project site	
AIR QUALITY				
Impact 3.3-2: Project operation would cause a violation of an air quality standard or contribute substantially to an existing or projected air quality violation.	***Mitigation Measure 3.3-1:*** *Prior to final approval of improvement plans, the Project proponent shall submit an Air Impact Assessment (AIA) application to the San Joaquin Valley Air Pollution Control District for District Rule 9510 Indirect Source Review (ISR) to obtain AIA approval from the District for the phase or Project component that is to be constructed. Prior to the issuance of a building permit of each individual phase or Project component, the Project proponent shall incorporate mitigation measures into the proposed Project and demonstrate compliance with District Rule 9510 including payment of all fees.* ***Mitigation Measure 3.3-2:*** *Prior to the approval of improvement plans, the Project proponent shall incorporate the following features into the applicable Project plans (e.g. site, engineering, landscaping, etc.):*	San Joaquin Valley Air Pollution Control District City of Stockton Community Development Department	Prior to final approval of improvement plans Prior to the approval of improvement plans	

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
	• *Bus turnouts and transit improvements where requested by the San Joaquin RTD.* • *Continuous public sidewalks and/or multi-use trails adjacent to all proposed public streets.* • *Pavement and striping for bike lanes/paths.* • *Street lighting along internal roadways and/or bike lanes/paths, sidewalks.* • *Pedestrian signalization, signage and safety designs at signalized intersections.* • *Shade trees to shade sidewalks in street-side landscaping areas.* • *Shade trees to front yard.*			
	Mitigation Measure 3.3-3: *Prior to the approval of improvement plans, the Project proponent shall prepare and implement a transportation demand management (TDM) plan for the non-residential portions of the Project that includes, but is not limited to, the following measures subject to the review and approval of the City of Stockton:* • *Provide secure bicycle parking in conjunction with the non-residential portion of the Project.* • *Provide on-site amenities that encourage alternative transportation modes such as locker, shower, and secure bike storage facilities.* • *Coordinate SJCOG's Commute Connection Program.*	City of Stockton Community Development Department	Prior to the approval of improvement plans	
	Mitigation Measure 3.3-4: *Prior to the approval of building plans, the Project proponent shall prepare and implement the following additional mitigation measures, as feasible:* • *Require the utilization of Energy Star-compliant roof materials on Project buildings.* • *Require Project residences to be designed to take advantage of sun and to maximize shade.* • *Require developers to offer buyers optional packages that incorporate passive solar design and solar heaters.* • *Prescribe limits for idling time for commercial vehicles that are consistent with CARB standards, including delivery and construction vehicles.* • *Require developers to install energy-efficient appliances and equipment, where applicable.* • *Require developers to install water-efficient appliances, toilets, faucets,*	City of Stockton Community Development Department	Prior to the approval of building plans	

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
	and shower heads, where applicable. • *Require developers to offer buyers optional packages that incorporate photovoltaic roofing tiles.* ***Mitigation Measure 3.3-5:*** *Prior to and during Project construction activities, the Project proponent shall provide prospective buyers of any of the single-family residential units the option to pre-install rooftop solar.* ***Mitigation Measure 3.3-6:*** *Prior to Project operation, the Project proponent shall install the requisite on-site electrical infrastructure necessary to allow for hook-ups for electric plug-in vehicles.*	City of Stockton Community Development Department City of Stockton Community Development Department	Prior to and during construction activities Prior to Project operation	
Impact 3.3-3: Project construction has the potential to cause a violation of an air quality standard or contribute substantially to an existing or projected air quality violation.	***Mitigation Measure 3.3-7:*** *The Project proponent shall ensure that the Project complies with all applicable SJVAPCD rules and regulations.*	City of Stockton Community Development Department	Prior to and during construction activities	
BIOLOGICAL RESOURCES				
Impact 3.4-2: The proposed Project has the potential to have direct or indirect effects on special-status reptile and amphibian species.	***Mitigation Measure 3.4-1:*** *Prior to commencement of any grading activities, the Project proponent shall seek coverage under the SJMSCP to mitigate for habitat impacts to covered special status species. Coverage involves compensation for habitat impacts on covered species through payment of development fees for conversion of open space lands that may provide habitat for covered special status species. These fees are used to preserve and/or create habitat in preserves to be managed in perpetuity. In addition, coverage includes incidental take avoidance and minimization measures for species that could be affected as a result of the proposed Project.*	City of Stockton Community Development Department San Joaquin Council of Governments	Prior to commence-ment of any grading activities	
Impact 3.4-3: The proposed Project has the potential to have direct or indirect effects on special-status bird species.	***Mitigation Measure 3.4-2:*** *If construction activities occur during the avian breeding season (March 1 – August 31) then the Project proponent shall conduct pre-construction surveys to prevent impacts to nesting birds. No more than 15 days prior to the start of construction a bird survey shall be conducted by a qualified biologist to identify any active nests within the Project site. If construction stops for a period of 15 days or more during the avian breeding season then an additional bird survey shall be conducted. The biologist will conduct a survey on the Project site for all special-status birds protected by the Federal and State ESA, MBTA and CFGC, including but not limited to those that are documented within a ten-mile radius of the Project*	City of Stockton Community Development Department California Department of Fish and Wildlife	If construction activities occur during the avian breeding season (March 1 – August 31)	

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
	site and are known to nest in the region. The biologist shall map all nests that are within, and visible from, the Project site. If nests are identified, the biologist shall develop buffer zones around active nests as deemed appropriate in coordination with the CDFW. Construction activity shall be prohibited within the buffer zones until the young have fledged or the nest fails. Nests shall be monitored at least twice per week and a report submitted to the City and CDFW monthly.			
Impact 3.4-7: Adverse Effects on Riparian Habitat or Sensitive Natural Community.	***Mitigation Measure 3.4-3:*** *Prior to installation of the storm drainage outfall, compensate/replace for any disturbance to riparian habitat along Bear Creek in association with the storm drainage outfall. Compensation/replacement ratios shall be at a minimum ratio of 1 acre restored, created, and/or preserved for every 1 acre of riparian disturbed. The acreage impacted shall be calculated based on the final design of the storm drainage outfall. Compensation may comprise onsite restoration/creation, off-site restoration, preservation, or mitigation credits (or a combination of these elements). The applicant shall provide documentation of compliance to the City of Stockton.*	City of Stockton Community Development Department	Prior to installation of the storm drainage outfall	
Impact 3.4-10: Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.	***Mitigation Measure 3.4-4:*** *The Project proponent shall if possible avoid removal of the three Heritage Oak trees located within the Project site. The Project proponent shall implement remedial pruning or other recommendations set forth in the Arborist's report for any Heritage Tree that will be retained so as to preserve the tree and protect the general public. Subdivision and site improvement plans shall be subject to the review of the City Parks Facility Planner/Landscape Architect (Public Works Department).* ***Mitigation Measure 3.4-5:*** *For the Heritage Oak trees that must be removed, a permit shall be obtained pursuant to the Stockton Heritage Tree Ordinance. Replacement oak trees shall be planted on the same site as the removed tree if at all possible; otherwise, an alternate site shall be selected by the applicant and submitted to the City Parks Facility Planner/Landscape Architect (Public Works) for approval. The size of replacement trees shall be based on the original trees' retention value (as determined by a certified Arborist retained by the owner/developer) as follows:* *<u>Retention Value</u> — <u>Replacement Oak Size</u>* *Low — One 15-gallon* *Moderate — Two 15-gallon* *Moderate-high — Five 15-gallon* *High — Eight 15-gallon* *The Project proponent shall provide the resources necessary to ensure that*	City of Stockton Community Development Department City of Stockton Community Development Department	Prior to and during construction Prior to removal of any on-site Heritage Oak trees	

ENVIRONMENTAL IMPACT	MITIGATION MEASURE	MONITORING RESPONSIBILITY	TIMING	VERIFICATION (DATE/INITIALS)
	the newly planted replacement trees become established in their new location. The Project proponent shall retain the services of a certified Arborist for a period of three years. Site inspections will be made by the Arborist weekly within the first six months of planting and monthly for the remaining thirty months. The Arborist's function will be to monitor the condition of the newly planted trees and report to the City and Project proponent any trees that are in need of attention or replacement. The Project proponent shall be responsible for purchasing and planting any replacement trees deemed necessary by the Arborist over the three-year period. Any newly planted trees in need of attention, as so-deemed by the Arborist, shall be properly cared for by the Project proponent until the Arborist finds that they are in satisfactory condition. ***Mitigation Measure 3.4-6:*** *Grading of the area that includes any Heritage Oak to be preserved shall be designed to preserve existing grade to the drip line surrounding the Heritage Tree, in order to enhance survivability. Prior to construction, a temporary barrier shall be placed around the drip line of any preserved Heritage Oak that is within 25 feet of any planned grading or construction activity. No storage or operation of any equipment will occur within this barrier. No construction materials or fill will be stockpiled within this barrier, and trespassing will be prohibited.* ***Mitigation Measure 3.4-7:*** *Future development shall avoid removal of non-Heritage oak trees located within the Project site, if possible. If avoidance is not feasible, replacement oak trees shall be planted as directed by a certified Arborist, and replanted trees shall be monitored as the replanting for replacement of Heritage oak trees as set forth in Mitigation Measure 3.4-5.*	City of Stockton Community Development Department City of Stockton Community Development Department	During grading activities During grading activities	
CULTURAL AND TRIBAL RESOURCES				
Impact 3.5-1: Project implementation has the potential to cause a substantial adverse change to a significant historical resource, as defined in CEQA Guidelines §15064.5.	***Mitigation Measure 3.5-1:*** *A trained archaeologist shall be retained to monitor all excavation work within 200 feet of Bear Creek. Additionally, a Native American inspector shall be present during ground disturbance activities. If any cultural or tribal resources, including prehistoric or historic artifacts, or other indications of archaeological resources are found during grading and construction activities in the monitored zone or in any portion of the property, all work shall be halted immediately within a 200-foot radius of the discovery until an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology, as appropriate, has evaluated the find(s).* *Work cannot continue at the discovery site until the archaeologist conducts*	City of Stockton Community Development Department Qualified archaeologist	If any cultural or tribal resources, including prehistoric or historic artifacts, or other indications of archaeological resources are found during	

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
	sufficient research and data collection to make a determination that the resource is either 1) not cultural in origin; or 2) not potentially significant or eligible for listing on the NRHP or CRHR; or 3) not a significant Public Trust Resource. *If Native American and/or tribal resources are identified, a Native American monitor, following the Guidelines for Monitors/Consultants of Native American Cultural, Religious, and Burial Sites established by the Native American Heritage Commission, may also be required and, if required, shall be retained at the applicant's expense.*		grading and construction activities in the monitored zone or in any portion of the property	
Impact 3.5-2: Project implementation has the potential to cause a substantial adverse change to a significant archaeological resource, as defined in CEQA Guidelines §15064.5.	*Implement* ***Mitigation Measure 3.5-1.***	See Mitigation Measure 3.5-1	See Mitigation Measure 3.5-1	
Impact 3.5-3: Project implementation has the potential to directly or indirectly destroy a unique paleontological resource.	***Mitigation Measure 3.5-2:*** *If paleontological resources are discovered during the course of construction, work shall be halted immediately within 50 meters (165 feet) of the discovery, the City of Stockton shall be notified, and a qualified paleontologist shall be retained to determine the significance of the discovery. If the paleontological resource is considered significant, it should be excavated by a qualified paleontologist and given to a local agency, State University, or other applicable institution, where they could be curated and displayed for public education purposes.*	City of Stockton Community Development Department Qualified paleontologist	If paleontological resources are discovered during the course of construction	
Impact 3.5-4: Project implementation has the potential to disturb human remains, including those interred outside of formal cemeteries.	***Mitigation Measure 3.5-3:*** *If human remains are discovered during the course of construction, work shall be halted at the site and any nearby area reasonably suspected to overlie adjacent human remains until he San Joaquin County Coroner has been informed and has determined that no investigation of the cause of death is required. If the remains are of Native American origin, either of the following steps will be taken:* • *The coroner shall contact the Native American Heritage Commission in order to ascertain the proper descendants from the deceased individual. The coroner will make a recommendation to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods, which may include obtaining a qualified archaeologist or team of archaeologists to properly excavate the human remains.* • *The landowner shall retain a Native American monitor, and an*	City of Stockton Community Development Department San Joaquin County Coroner	If human remains are discovered during the course of construction	

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	archaeologist, if recommended by the Native American monitor, and rebury the Native American human remains and any associated grave goods, with appropriate dignity, on the property and in a location that is not subject to further subsurface disturbance when any of the following conditions occurs: o *The Native American Heritage Commission is unable to identify a descendent.* o *The descendant identified fails to make a recommendation.* o *The City of Stockton or its authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.*			
Impact 3.5-5: Project implementation has the potential to cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code §21074.	*Implement **Mitigation Measures 3.5-1** and **3.5-3***	See Mitigation Measures 3.5-1 and 3.5-3	See Mitigation Measures 3.5-1 and 3.5-3	
GREENHOUSE GASES AND CLIMATE CHANGE				
Impact 3.7-2: The proposed Project has the potential to generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.	*Implement **Mitigation Measures 3.3-1** through **3.3-6.***	See Mitigation Measures 3.3-1 through 3.3-6.	See Mitigation Measures 3.3-1 through 3.3-6.	
HAZARDS AND HAZARDOUS MATERIALS				
Impact 3.8-1: Project implementation has the potential to create a significant hazard through the routine transport, use, or disposal of hazardous materials or through the reasonably foreseeable upset and accident conditions involving the release of	***Mitigation Measure 3.8-1:** A Soils Management Plan (SMP) shall be submitted and approved by the San Joaquin County Department of Environmental Health prior to the issuance of a grading permit. The SMP shall establish management practices for handling hazardous materials, including fuels, paints, cleaners, solvents, etc., during construction. The approved SMP shall be posted and maintained onsite during construction activities and all construction personnel shall acknowledge that they have reviewed and understand the plan.*	San Joaquin County Department of Environmental Health	Prior to the issuance of a grading permit	

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
hazardous materials into the environment.	***Mitigation Measure 3.8-2:*** *Prior to bringing hazardous material to the proposed commercial site, the applicant shall submit a Hazardous Materials Business Plan (HMBP) to San Joaquin County Environmental Health Division (CUPA) for review and approval. If during the construction process for the proposed commercial site the applicant or his subcontractors generates hazardous waste, the applicant must register with the CUPA as a generator of hazardous waste, obtain an EPA ID#, and accumulate, ship, and dispose of the hazardous waste per Health and Safety Code Ch. 6.5. (California Hazardous Waste Control Law).*	San Joaquin County Environmental Health Division	Prior to bringing hazardous material to the proposed commercial site	
	Mitigation Measure 3.8-3: *Prior to initiation of any ground disturbance activities, evenly distributed soil samples shall be conducted throughout the proposed Project property for analysis of pesticides and heavy metals. The samples shall be submitted for laboratory analysis of pesticides and heavy metals per DTSC and EPA protocols. The results of the soil sampling shall be submitted to the City of Stockton. If elevated levels of pesticides or heavy metals are detected during the laboratory analysis of the soils, a soil cleanup and remediation plan shall be prepared and implemented prior to the commencement of grading activities.*	City of Stockton Community Development Department	Prior to initiation of any ground disturbance activities	
	Implement ***Mitigation Measure 3.8-2***	See Mitigation Measure 3.8-2	See Mitigation Measure 3.8-2	
NOISE				
Impact 3.11-2: The proposed Project has the potential to result in a significant temporary or periodic increase in ambient noise levels in the Project vicinity existing without the Project during construction activities.	***Mitigation Measure 3.11-1:*** *The City shall ensure that the project applicant or construction contractor will implement the following construction-related noise reducing measures:* • *All equipment shall be fitted with factory equipped mufflers, and shall be in good working order.* • *Construction equipment noise shall be minimized during project construction by muffling and shielding intakes and exhaust on construction equipment (per the manufacturer's specifications) and by shrouding or shielding impact tools.* • *Construction contractors shall locate fixed construction equipment (such as compressors and generators) and construction staging areas as far as possible from nearby residences.* • *Signs will be posted at the construction site that include permitted construction days and hours, a day and evening contact number for the job site, and a contact number with the City of Stockton in the event of problems.* • *An onsite complaint and enforcement manager shall track and*	City of Stockton Public Works Department	During construction activities	

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	respond to noise complaints.			
Impact 3.11-4: The proposed Project has the potential to result in a significant substantial permanent increase in ambient noise levels at new sensitive receptors as a result of excessive traffic noise.	***Mitigation Measure 3.11-2:*** *Minimum 11-foot tall sound walls and/or landscaped berms shall be constructed along Eight Mile Road and a 10-foot tall sound wall and/or landscaped berms along West Lane adjacent to proposed residential uses. Noise barrier walls shall be constructed of concrete panels, concrete masonry units, earthen berms, or any combination of these materials. Wood is not recommended due to eventual warping and degradation of acoustical performance. Where high density residential occurs, site designs should allow for applying the exterior noise level standard at common outdoor areas, which are shielded from Eight Mile Road and West Lane. These requirements shall be included in the improvements plans prior to their approval by the City's Public Works Department.* ***Mitigation Measure 3.11-3:*** *Windows at first row of second floor facades facing Eight Mile Road and West Lane shall have an STC rating of 35. A detailed analysis of any additional interior mitigation measures shall be conducted when building plans are available. Mechanical ventilation shall be installed in all residential uses to allow residents to keep doors and windows closed, as desired for acoustical isolation. These requirements shall be included in the improvements plans prior to their approval by the City's Public Works Department.*	City of Stockton Public Works Department City of Stockton Public Works Department	Prior to approval of improvement plans Prior to approval of improvement plans	
Impact 3.11-6: The proposed Project has the potential to result in a significant substantial permanent increase in ambient noise levels at new sensitive receptors as a result of excessive railroad noise.	***Mitigation Measure 3.11-4:*** *For the first row of residences facing the UPRR track, the Project site shall include setbacks and barriers to achieve a minimum exterior noise level of 65 dB L_{dn} at the backyards of the first row of residences facing the UPRR track. With a setback of 200 feet, a 12-foot tall wall/barrier (relative to the building pad elevation) would be required. With a setback of 300 feet, a 10-foot tall wall/barrier (relative to the building pad elevation) would be required. Noise barrier walls shall be constructed of concrete panels, concrete masonry units, earthen berms, or any combination of these materials. Wood is not recommended due to eventual warping and degradation of acoustical performance. These requirements shall be included in the improvements plans prior to their approval by the City's Public Works Department.* ***Mitigation Measure 3.11-5:*** *A detailed analysis of interior mitigation measures shall be conducted when building plans for the first row of residences facing the UPRR track are available. The analysis shall be conducted for all residences up to a distance of 285 feet from the railroad track centerline (which represents the location of the 70 dB L_{dn} contour). Mechanical ventilation shall be installed in all residential uses to allow residents to keep doors and windows closed, as desired for acoustical*	City of Stockton Public Works Department City of Stockton Public Works Department	Prior to approval of improvement plans Prior to approval of improvement plans	

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
	isolation. These requirements shall be included in the improvements plans prior to their approval by the City's Public Works Department.			
Impact 3.11-7: The proposed Project has the potential to result in a substantial permanent increase in ambient noise levels at new sensitive receptors as a result of existing industrial noise levels.	***Mitigation Measure 3.11-6:*** *Residential uses shall maintain a 100-foot setback from the industrial property lines, and a barrier 8-feet in height shall be constructed to reduce noise levels to less than 55 dBA L_{eq}, and break line-of-sight to the noise sources. These requirements shall be included in the improvements plans prior to their approval by the City's Public Works Department.*	City of Stockton Public Works Department	Prior to approval of improvement plans	
Impact 3.11-8: The proposed Project has the potential to result in a substantial permanent increase in ambient noise levels at new sensitive receptors as a result of proposed commercial development noise.	***Mitigation Measure 3.11-7:*** *Planned retail, commercial, light industrial and/or office uses within the commercial development area shall be required to comply with the requirements of Chapter 16 of the City of Stockton Development Code. This requirement shall be included in the improvements plans for the commercial portion of the Project prior to their approval by the City's Public Works Department. Noise control strategies to reduce operational noise at adjacent residential uses may include, but are not limited to, the following:* • *Sound walls shall be a minimum of 8-feet in height to block line of sight to truck noise sources;* • *Loading docks shall be enclosed and allow trucks to back up to the loading docks;* • *Trucks shall be equipped with loading dock pads, such as Frommelt dock pads, which provide a seal between the loading dock and the trucks.* • *HVAC equipment shall be located either at ground level or, when located on roof-tops, the building facades shall include parapets for shielding.* *These requirements shall be included in the improvements plans for the commercial portion of the Project to the satisfaction of the City prior to their approval by the City's Public Works Department.* ***Mitigation Measure 3.11-8:*** *Where commercial retail land uses are adjacent to residential areas or separated by local streets, barriers shall be considered as a means of reducing overall noise levels due to on-site activities. Generally, barriers in the range of 8-feet in height would be sufficient to reduce on-site noise levels at residential uses. This requirement shall be included in the improvements plans prior to their approval by the City's Public Works Department.*	City of Stockton Public Works Department City of Stockton Public Works Department	Prior to approval of improvement plans for the commercial portion of the Project Prior to approval of improvement plans	

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
	Mitigation Measure 3.11-9: *When tentative maps for the commercial development area are available, a detailed noise analysis shall be completed to ensure compliance with the City of Stockton noise level criteria. This requirement shall be included in the improvements plans for the commercial portion of the Project prior to their approval by the City's Public Works Department.*	City of Stockton Public Works Department	Prior to approval of improvement plans for the commercial portion of the Project	
TRANSPORTATION AND CIRCULATION				
Impact 3.13-1: Under EPAP Plus Project conditions, the proposed Project may result in a significant impact at the Eight Mile Road & Lower Sacramento Road intersection.	***Mitigation Measure 3.13-1:*** *The Project applicant shall construct the following improvements to the Eight Mile Road & Lower Sacramento Road intersection:* • *Set the northbound-to-eastbound right-turn lane to "overlap" phasing.* • *Prohibit westbound-to-eastbound U-turns.* *These improvements shall be reflected on the Project improvement plans. The project applicant shall construct the improvements at the time the significant impact occurs.*	City of Stockton Public Works Department	Prior to approval of improvement plans	
Impact 3.13-4: Under EPAP Plus Project conditions, the proposed Project would result in a significant impact on the roadway segment of Morada Lane east of West Lane.	***Mitigation Measure 3.13-2:*** *The Project applicant shall construct an exclusive westbound-to-northbound right-turn lane along Morada Lane east of West Lane in accordance with design standards that account for the speed and capacity of the roadway segment (estimated to be 500 feet with the taper). This improvement shall be reflected on the Project improvement plans. According to criteria presented in the Level of Service Significance Threshold section of this EIR, a 5 percent increase in traffic volumes on a roadway segment is defined as a significant impact if the LOS on the roadway segment is operating at an unacceptable level without the project. The project applicant shall construct the improvements at the time the significant impact occurs.*	City of Stockton Public Works Department	Prior to approval of improvement plans	
Impact 3.13-8: Impacts related to an increase in the demand for park-and-ride facilities.	***Mitigation Measure 3.13-3:*** *Prior to approval of improvements plans, the following improvements shall be shown on the plans: provide park-and-ride facilities in those areas of the proposed Project that would generate relatively concentrated demand for park-and-ride spaces, which include:* • *West Lane, and* • *Eight Mile Road.* *Facilities may include joint use parking spaces, particularly in the vicinity of planned transit facilities. The improvement plans shall be subject to review*	City of Stockton Public Works Department	Prior to approval of improvement plans	

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
	and approval by the Stockton Public Works Department.			
Impact 3.13-44: Under Cumulative Plus Project conditions, the proposed Project may result in a significant impact at the Eight Mile Road & Lower Sacramento Road intersection.	***Mitigation Measure 3.13-4:*** *Prior to issuance of building permits for each phase of the Project, the Project applicant shall pay the pro-rata fair share fee towards the following improvements to the Eight Mile Road & Lower Sacramento Road intersection:* • *Split the westbound combined through/right-turn lane into an exclusive westbound through lane, and an exclusive westbound-to-northbound right-turn lane.* *Proof of payment of the fair share fee shall be submitted to the Stockton Public Works Department.*	City of Stockton Public Works Department	Prior to issuance of building permits for each phase of the Project	
Impact 3.13-45: Under Cumulative Plus Project conditions, the proposed Project would result in a significant impact at the West Lane & Armstrong Road intersection.	***Mitigation Measure 3.13-5:*** *Prior to issuance of building permits for each phase of the Project, the Project applicant shall pay the pro-rata fair share fee towards the following improvements to the West Lane & Armstrong Road intersection:* • *Add a second southbound-to-eastbound left-turn lane.* • *Add a second westbound-to-southbound left-turn lane.* • *Set the westbound-to-northbound right-turn lane to "overlap".* • *Prohibit southbound-to-northbound U-turns.* *Proof of payment of the fair share fee shall be submitted to the Stockton Public Works Department.*	City of Stockton Public Works Department	Prior to issuance of building permits for each phase of the Project	
UTILITIES				
Impact 3.14-2: The proposed Project has the potential to result in a determination by the wastewater treatment and/or collection provider which serves or may serve the project that is does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.	***Mitigation Measure 3.14-1:*** *Prior to occupancy of any building that would require wastewater treatment services, the Project proponent shall secure adequate wastewater treatment capacity/allocation.*	City of Stockton Public Works Department	Prior to occupancy of any building that would require wastewater treatment services	
Impact 3.14-6: The proposed Project has the potential to require or result in the construction of new storm water	***Mitigation Measure 3.14-2****: Prior to the issuance of a building or grading permit, the project applicant shall submit a drainage plan to the City of Stockton for review and approval. The plan shall include an engineered Storm Water Quality Control Criteria Plan (SWQCCP) that demonstrates*	City of Stockton Public Works Department	Prior to the issuance of a building or grading permit	

ENVIRONMENTAL IMPACT	*MITIGATION MEASURE*	*MONITORING RESPONSIBILITY*	*TIMING*	*VERIFICATION (DATE/INITIALS)*
drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.	*attainment of pre-project runoff requirements prior to release at the Bear Creek outfall. The plan shall describe the volume reduction measures and treatment controls consistent with City of Stockton requirements.*			