

Community Development Department – Planning Division

Consolidated Conditions of Approval

November 16, 2022

**Project Name:** Lathrop Crossroads Industrial  
**File Number:** Site Plan Review No. SPR-22-64  
**Project Address:** 1101 D’Arcy Parkway (198-130-54, -55, -56, -57, -58)

*The following list of conditions shall be incorporated into the final construction plans and development phases of the project. The list of conditions are not intended to be all-inclusive or a comprehensive listing of all City or district regulations. The following comments and conditions of approval are based on the exhibits and diagrams dated November 2, 2022.*

**DESCRIPTION**

The applicant is requesting approval of a Site Plan Review for the following development options:

**Option 1:** One (1) 448,904 square foot warehouse consisting of 251 vehicle parking stalls (242 standard, 8 ADA), 144 trailer parking stalls, 13 bicycle spaces, 50 truck dock stations, and a 2,000 & 10,000 square foot office space.

**Option 2:** Three (3) warehouses totaling 386,179 square feet consisting of 423 vehicle parking stalls (41 standard, 12 ADA), 62 trailer parking stalls, 13 bicycle spaces, 74 truck dock station, and 20,000 square feet of office space per building.

**CEQA DETERMINATION**

The environmental impacts were evaluated in an Initial Study and Mitigated Negative Declaration (IS/MND) that was prepared for the Lathrop Crossroads Industrial Project to disclose potential significant environmental effects of the proposed project and identifies feasible mitigation measures that would reduce the potential significant environmental effects to a less than significant level. The IS/MND was prepared in compliance with the California Environmental Quality Act (CEQA).

**PLANNING**

1. The project is subject to and shall comply with the applicable Mitigation Monitoring and Reporting Program (MMRP) resulting from the Lathrop Crossroads Industrial Project Initial Study/Mitigated Negative Declaration, (attached).
2. Prior to any ground disturbance, the developer shall consult with the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) for biological coverage, mitigation and participation in the plan. 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).

3. The applicant shall coordinate with the San Joaquin Valley Air Pollution Control District to comply with District rules and regulations including but not limited to Rule 9510, Indirect Source Review. The applicant shall provide proof of compliance prior to permit issuance.
4. The project shall comply with all applicable site development provisions contained in the Lathrop Municipal Code including but not limited to parking, lighting, landscaping, etc.
5. The applicant shall submit appropriate plans to the Community Development Department for plan check and building permit. Final site plan, elevation, landscaping and irrigation, exterior lighting and site improvement plans and details, etc. shall be reviewed and approved by the Planning Division. Any significant change or modification to the approved plan is subject to review and approval by the Community Development Director.
6. Landscaping and irrigation must be consistent with the City's Water Conservation Requirements (LMC 17.92.060) and the State Water Efficient Landscape Ordinance (AB 1881). Provide a water efficient landscape worksheet with water budget calculations identifying the water allowance and estimated water use.
7. The entire site including landscaping areas shall be maintained in a healthy, weed free condition.
8. If proposed, trash enclosure(s) shall include but not be limited to a covered roof, metal gate and have three solid walls. Details and/or alternative designs or location shall be subject to review and approval of the Planning, Building and Public Works Department. The trash enclosure design, material and color shall match or compliment the main building.
9. Any building or parking area lighting including security lighting, shall be arranged to not cast light onto adjoining properties.
10. A final site lighting photometric plan with detailed specifications of all lighting fixtures, poles, and wall packs as well as a manufacture's catalogue sheet containing photometric data, shall be submitted with Building Permits for City review and approval. Parking lots, driveways, trash enclosure/areas shall be illuminated during the hours of darkness with a minimum maintained one foot-candle of light and an average not to exceed four foot-candles of light. The illumination shall not exceed ten (10) foot-candles in any one location.
11. No signs are approved by this project. Sign Permits for any exterior signs shall be submitted to the Planning Division for review and approval prior to installation. All signage must be in accordance with the applicable standards of the Lathrop Municipal Code.
12. Bicycle parking shall be installed consistent with Chapter 17.76.120 of the LMC.
13. Roof-mounted mechanical equipment shall be screened and not visible from the public right-of-way. Screening materials shall be compatible with the architectural style, materials and color of the building upon which the equipment is located, subject to the approval of the Community Development Director.
14. Ground-mounted equipment that is not require to be visible, shall be screened and not visible from the public right-of-way using the most practical means of screening, such as landscaping, a freestanding wall/fence, matching paint, subject to the approval of the Community Development Director.
15. Unless otherwise specified, all conditions of approval shall be complied with prior to the issuance of any Building Permits.

16. The Site Plan shall expire thirty-six (36) months from the date of approval unless a time extension is granted consistent with the policies and procedure of the Lathrop Municipal Code. Prior to the expiration, a building permit must be issued and construction is commenced and diligently pursued toward completion of the site or structures.
17. The City of Lathrop may conduct annual and or spot inspections to ensure that required site improvements and conditions are being complied with and maintained.

## **BUILDING**

1. All construction shall comply with the most recent adopted City and State building codes, currently:
  - 2019 California Building Code
  - 2019 California Residential Code
  - 2019 California Electrical Code
  - 2019 California Mechanical Code
  - 2019 California Plumbing Code
  - 2019 California Fire Code
  - 2019 California Green Code
2. Special Inspections – As indicated by California Building Code Section 1704, the owner shall employ one or more special inspectors who shall provide special inspections when required by CBC section 1704. Please contact the Building Division at time of plan submittal to obtain application for special inspections.
3. The Title Sheet of the plans shall include:

Occupancy Group	Type of Construction
Occupant Load	Height of Building
Description of Use	Floor area of building(s) and/or occupancy group
4. School impact fees shall be paid prior to permit issuance.
5. Dimensioned building setbacks and property lines, street centerlines and between buildings or other structures shall be designed on plot plan.
6. All property lines and easements must be shown on plot plan. A statement that such lines and easements are shown is required.
7. The project design will conform with energy conservation measures articulated in Title 24 of the California Code of Regulations and address measures to reduce energy consumption such as flow restrictors for toilets, low consumptions light fixtures, and insulation and shall use to the extent feasible draught landscaping.
8. Public and private site improvements shall be designed in accordance with the Americans with Disabilities Act and Chapter 11 of the California Building Code. Site plan shall include a site accessibility plan identifying exterior routes of travel and detailing running slope, cross slope, width, pedestrian ramp, curb ramps, handrails, signage and truncated domes. Path of travel shall be provided from the public right of way and accessible parking to building. The design professional shall ensure that the site accessibility plan is compliance with the latest Federal and State regulations.
9. A design professional will be required at time of construction drawings, to prepare plans for proposed improvements per the Business and Professions' Code.

10. A site accessibility plan shall be required as the attached policy from the link below.  
[https://www.ci.lathrop.ca.us/sites/default/files/fileattachments/building\\_division/page/1651/site\\_accessibility\\_plan\\_requirements\\_3-17-20.pdf](https://www.ci.lathrop.ca.us/sites/default/files/fileattachments/building_division/page/1651/site_accessibility_plan_requirements_3-17-20.pdf)

## **PUBLIC WORKS**

### **1. Plan Correction**

- a. The applicant shall show 5' sidewalk with 6" existing curb (5.5' total) for section H-H on sheet C-5.

### **2. Land**

- a. Prior to building permit issuance, the applicant shall dedicate to the City all required Public Utility Easement (PUE) and any necessary Sidewalk Easement (SE).
- b. The applicant shall complete a Lot Line Adjustment to combine the following parcels: 198-130-54, 198-130-55, 198-130-56, and 198-130-57.

### **3. Storm Water – Construction**

- a. Project is greater than one acre, applicant shall complete a SWPPP, obtain a WDID number and list the number on the improvement plans, and submit the SWPPP to the City for review and approval.

### **4. Storm Drain**

- a. The applicant shall design storm drain system per Crossroads Storm Drain Master Plan.
- b. The applicant shall pay all connection fees prior to building permit issuance.
- c. The applicant shall enter in to storm drain maintenance and access agreement with the City for the proposed basin as well as a common use agreement for the private storm pipe within the City right of way.
- d. The applicant shall provide hydrology and hydraulic calculations and plan for on-site storm water system shall be submitted to the City for review and approval.
- e. The applicant shall execute a maintenance agreement for all onsite storm water quality treatment devices, swales, and/or ponds.

### **5. Wastewater**

- a. The applicant shall be required to connect to the City sewer system prior to certificate of occupancy and pay all connection fees and reimbursements prior to building permit issuance.
- b. Prior to building permit issuance, the applicant shall secure sufficient sewer capacity for the project.

### **6. Water**

- a. The applicant shall be required to connect to the water utility for domestic and irrigation supply and pay all applicable fees prior to building permit issuance.
- b. All groundwater wells on site shall be abandoned under a permit from San Joaquin County prior to connecting potable water to the site.
- c. The applicant shall secure sufficient water capacity and pay all capacity and connection fees prior to building permit issuance.

## **7. Solid Waste**

- a. The applicant shall install a trash enclosure with three solid walls, the fourth wall with a gate and a roof.
- b. ADA compliant path shall be put in place between the building and trash enclosure.

## **8. Traffic Control**

- a. The applicant shall provide a traffic study to determine if a traffic signal at the intersection of Christopher Way and D'Arcy Parkway is needed with the option 1 layout.

## **9. Frontage Improvements**

- a. The applicant shall submit an encroachment permit for all frontage improvements.
- b. The applicant shall be required to install full street frontage improvements along the frontage of the building parcel and the basin parcel. Frontage improvements include but are not limited to curb, gutter, sidewalk, street lights, hydrants, asphalt concrete paving, striping, commercial driveways, and landscaping. The extent of paving shall include one half ultimate street width. The applicant shall submit the off-site plans for approval along with the applicable plan check and inspection fees.
- c. The applicant may enter into a Deferred Frontage Improvements Agreement for the frontage improvements along Howland Road at the discretion of the City Engineer.
- d. The applicant shall underground all existing and new overhead utilities on both sides of the frontage street in compliance with the Lathrop Municipal Code. Overhead power lines in excess of 34.5 KVA are not required to be undergrounded.

## **10. General Comments**

- a. At the City's discretion, the applicant shall return to City any parts or components that are salvaged from the City's previous recycled water land application facility.
- b. The applicant shall retain the services of a California licensed civil engineer to design the utility plans for sewer, water, storm drain lines and systems.
- c. The applicant shall insure that all off-site and on-site improvements comply with City Standards.
- d. The parking areas and drive isles on site shall be paved with asphalt concrete.
- e. The project shall comply with the Multi-Agency Post Construction Storm Water Manual.
- f. The applicant shall install as part of their onsite improvement all necessary Best Management Practices (BMP's) for post construction in accordance with City guidelines and standards. The BMP's must be in place prior to final occupancy.
- g. The applicant shall obtain an encroachment permit and bond for all offsite work.
- h. Grading and other construction activities that may cause dust shall be watered to control dust at the City Engineer's direction. A water vehicle shall be available for dust control operations at all times during grading operations. The adjacent public street shall be kept free and clean of any project dirt, mud, materials, and debris.
- i. The applicant shall pay all appropriate fees including but not limited to Levee Impact Fee, Capital Facilities Fees, and Plan Check and Inspection Fees.

## **LATHROP-MANTECA FIRE DISTRICT (LMFD)**

1. The project must conform to the appropriate edition of the California Fire Code (currently the 2019 edition) and all related standards.
2. Permits shall be obtained from the fire code official. Permit(s) and fees, shall be paid prior to issuance of any and/or all permits. Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the fire code official. (Permits are to be renewed on an annual basis).
3. Approved automatic sprinkler systems shall be provided as required in 2019 California Fire Code §903.2. Tenant/Occupant/Owner shall have the responsibility to ensure that the correct fire suppression system is added/modified/tested and accepted by the (AHJ) Fire District. Fire suppression system plans shall be modified under separate fire permit and shall be submitted by a licensed contractor, to the (AHJ) Fire District for review and approval prior to modification. Deferred submittal accepted.
4. An approved fire alarm system shall be installed in accordance with 2019 CFC §907.2 and 2019 NFPA 72.
5. Fire Department Development Fees for all new buildings must be paid in accordance with the City of Lathrop's Ordinance and Resolutions adopting the fee schedule.
6. An approved Fire Flow test shall be conducted prior to ground breaking to determine the allowable Fire Fighting capabilities for the site.
7. An approved water supply for fire protection, either temporary or permanent, shall be made available prior to commencing construction beyond the foundation stage, or as soon as combustible material arrives on the site.
8. Approved vehicle access for firefighting shall be provided to all construction or demolition sites. Vehicle access shall be provided to within 100 feet (30 480 mm) of temporary or permanent fire department connections. Vehicle access shall be provided by either temporary or permanent roads, capable of supporting vehicle loading under all weather conditions. Vehicle access shall be maintained until permanent fire apparatus access roads are available.
9. The Fire Department Fire Access Roads shall meet the requirements established by the San Joaquin County Fire Chief's Association.
10. Buildings exceeding 30 feet shall have a minimum unobstructed fire apparatus access width of 26 feet.
11. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, a key box is required to be installed in an approved location. The key box shall be of an approved type and shall contain keys to gain necessary access as required by the fire code official. In addition to key box(es), any automatic gates shall have Opticom access ability to provide necessary access for emergency apparatus.
12. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.
13. Other fire & life safety requirements may be required at time of building plan review.

14. Final approval is subject to field inspections. Minimum 48 to 72-hour notice required prior to any life-safety fire inspections. Other conditions may apply at time of inspections and are subject to correction.

#### **LATHROP POLICE DEPARTMENT (LPD)**

1. The applicant shall paint the address on the roof top for each individual building. The numbers shall be at least 3 feet tall, 2 feet wide, 9 inches apart, with 6-inch brush stroke with a color that contrast the roof top, top of numbers/letters should point north.
2. The applicant shall install dedicated lights in the parking lot that are properly maintained including the drive access. All lighting must comply with minimum average 6ft. Candlepower at 30" from ground.
3. The applicant shall install recording security camera system that is maintained and accessible to LPD with camera views covering all ingress and egress to all building(s) and parking areas.
4. Landscaping shall conform to standard CPTED measurements:
  - a. Maintain natural visible surveillance to building from parking lot and street.
  - b. Plants taller than 8 feet shall be trimmed up 4 feet from ground.
  - c. Plants under 8 feet shall be trimmed to allow ground level surveillance.

#### **ADMINISTRATIVE SERVICES**

1. By exercising this approval, the applicant hereby agrees to indemnify, hold harmless and defend the City, its officers, agents, elected and appointed officials, and employees, from any and all liability or claims that may be brought against the City arising out of its approval of this Tentative Parcel Map and Site Plan Review to the fullest extent permitted by law.

#### **SAN JOAQUIN COUNTY MULTI-SPECIES HABITAT CONSERVATION & OPEN SPACE PLAN**

See attached memo dated July 13, 2022.

#### **SAN JOAQUIN COUNTY ENVIRONMENTAL HEALTH DEPARTMENT**

See attached memo dated July 26, 2022.

#### **SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT**

See attached memo dated July 28, 2022.



## 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:** Trent DaDalt, City of Lathrop, Community Development Department  
**From:** Laurel Boyd, SJCOG, Inc. Phone: (209) 235-0574 Email: [boyd@sjcog.org](mailto:boyd@sjcog.org)  
**Date:** July 13, 2022  
**-Local Jurisdiction Project Title:** Richland Crossroads Warehouses (SPR-22-64)  
**Assessor Parcel Number(s):** 198-130-54 to -58  
**Local Jurisdiction Project Number:** SPR-22-64  
**Total Acres to be converted from Open Space Use:** Unknown  
**Habitat Types to be Disturbed:** Urban Habitat Land  
**Species Impact Findings:** Findings to be determined by SJMSCP biologist.

Dear Mr. DaDalt:

SJCOG, Inc. has reviewed the project referral for the Richland Crossroads Warehouses Project (SPR-22-64). This project consists of a Site Plan Review for the following development options:

1. Option 1: One (1) 448,904 square foot warehouse consisting of 251 total parking stalls (243 standard, 8 ADA), 144 trailer parking stalls, 13 bicycle spaces, 50 truck dock stations, and 2,000 & 10,000 square foot office space.
2. Option 2: Three (3) warehouses totaling 386,179 square feet consisting of 423 parking stalls (411 standard, 12 ADA), 62 trailer parking stalls, 13 bicycle spaces, 74 truck dock stations and (1) 5,000 square foot office space per building.

The proposed development site is approximately 25-acres in size and is located within the Crossroads Industrial Park in southeast Lathrop. The proposed project will include installation of paving, striping, landscaping, lighting and fencing and will be required to connect to City utilities for water and sewer. The applicant is proposing to store all storm water onsite using detention basins. The project site is located at 1101 D'Arcy Parkway, Lathrop (APN: 198-130-54 to -58).

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

***This Project is subject to the SJMSCP.*** This can be up to a 30 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. 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.



## S J C O G , I n c .

*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:** Richland Crossroads Warehouse Project (SPR-22-64)

**Assessor Parcel #s:** 198-130-54 to -58

**T \_\_\_\_\_, R \_\_\_\_\_, Section(s): \_\_\_\_\_**

**Local Jurisdiction Contact:** Trent DaDalt

**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.**



**SAN JOAQUIN**  
—COUNTY—  
*Greatness grows here.*

## Environmental Health Department

**Jasjit Kang, REHS, Director**

*Muniappa Naidu, REHS, Assistant Director*

**PROGRAM COORDINATORS**

Robert McClellon, REHS

Jeff Carruesco, REHS, RDI

Willy Ng, REHS

Michael Kith, REHS

Melissa Nissim, REHS

Steven Shih, REHS

Michelle Henry, REHS

July 26, 2022

To: City of Lathrop Community Development Department  
Attention: Trent DaDalt

From: Aldara Salinas; 209-616-3019  
Environmental Health Specialist

RE: **SPR-22-64, Site Plan Review, SU0015051**  
**1101 D'Arcy Parkway**

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The San Joaquin County Environmental Health Department (EHD) recommends the following conditions as a part of developing this project:

1. Any existing wells or septic systems to be abandoned shall be destroyed under permit and inspection by the EHD (San Joaquin County Development Title, Section 9-1110.3 & 9-1110.4)
2. Any geotechnical drilling shall be conducted under permit and inspection by The Environmental Health Department (San Joaquin County Development Title, Section 9-1115.3 and 9-1115.6).
3. Before any hazardous materials/waste can be stored or used onsite, the owner/operator must report the use or storage of these hazardous materials to the California Environmental Reporting System (CERS) at [cers.calepa.ca.gov/](https://cers.calepa.ca.gov/) and comply with the laws and regulations for the programs listed below (based on quantity of hazardous material in some cases). The applicant may contact the Program Coordinator of the CUPA program, Elena Manzo (290) 953-7699, with any questions.
  - a. Any amount but not limited to the following hazardous waste; hazardous material spills, used oil, used oil filters, used oil-contaminated absorbent/debris, waste antifreeze, used batteries or other universal waste, etc. – **Hazardous Waste Program** (Health & Safety Code (HSC) Sections 25404 & 25180 et sec.)
  - b. Onsite treatment of hazardous waste – **Hazardous Waste Treatment Tiered Permitting Program** (HSC Sections 25404 & 25200 et sec. & California Code of Regulations (CCR), Title 22, Section 67450.1 et sec.)
  - c. Reportable quantities of hazardous materials-reportable quantities are 55 gallons or more of liquids, 500 pounds for solids, or 200 cubic feet for compressed gases, with some exceptions. Carbon dioxide is a regulated substance and is required to be reported as a hazardous material if storing 1,200 cubic feet (137 pounds) or more onsite in San Joaquin County – **Hazardous Materials Business Plan Program** (HSC Sections 25508 & 25500 et sec.)
  - d. Any amount of hazardous material stored in an Underground Storage Tank – **Underground Storage Tank Program** (HSC Sections 25286 & 25280 et sec.)
    - i. If an underground storage tank (UST) system will be installed, a permit is required to be submitted to, and approved by, the San Joaquin County Environmental Health Department (EHD) before any UST installation work can begin.

- ii. Additionally, an EHD UST permit to operate is required once the approved UST system is installed.
- e. Storage of at least 1,320 gallons of petroleum aboveground or any amount of petroleum stored below grade in a vault – **Aboveground Petroleum Storage Program** (HSC Sections 25270.6 & 25270 et sec.)
  - i. **Spill Prevention, Countermeasures and Control (SPCC) Plan requirement**
- f. Threshold quantities of regulated substances stored onsite - **California Accidental Release Prevention (CalARP) Program** (Title 19, Section 2735.4 & HSC Section 25531 et sec.)
  - i. **Risk Management Plan requirement for covered processes**



July 28, 2022

Trent DaDalt  
City of Lathrop  
Planning Department  
390 Towne Centre Drive  
Lathrop, CA 95330

**Project: Richland Crossroads Warehouses (SPR-22-64)**

**District CEQA Reference No: 20220963**

Dear Mr. DaDalt:

The San Joaquin Valley Air Pollution Control District (District) has reviewed the Site Plan Review (SPR) referenced above from the City of Lathrop (City). Per the SPR, the project consists of constructing the following development options: Option 1: One (1) 448,904 square foot warehouse consisting of 251 total parking stalls, 144 trailer parking stalls, 50 truck dock stations, and 2,000 and 10,000 square foot office spaces. Option 2: Three (3) warehouses totaling 386,179 square feet consisting of 423 parking stalls, 62 trailer parking stalls, 74 truck dock stations, and (1) 5,000 square foot office space per building (Project). The Project is located at 1101 D'Arcy Parkway in Lathrop CA.

The District offers the following comments regarding the Project:

**1) Project Related Emissions**

The District's initial review of the Project concludes that emissions resulting from construction and/or operation of the Project may exceed any of the significance thresholds as identified in the District's Guidance for Assessing and Mitigating Air Quality Impacts: <https://www.valleyair.org/transportation/GAMAQI.pdf>. The District recommends that a more detailed preliminary review of the Project be conducted for the Project's construction and operational emissions.

**1a) Construction Emissions**

The District recommends, to reduce impacts from construction-related diesel exhaust emissions, the Project should utilize the cleanest available off-road construction equipment, including the latest tier equipment.

**Samir Sheikh**

Executive Director/Air Pollution Control Officer

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

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

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



## **1b) Operational Emissions**

Operational (ongoing) air emissions from mobile sources and stationary sources should be analyzed separately. For reference, the District's significance thresholds are identified in the District's Guidance for Assessing and Mitigating Air Quality Impacts:

<https://www.valleyair.org/transportation/GAMAQI.pdf>.

*Recommended Mitigation Measure:* At a minimum, project related impacts on air quality should be reduced to levels of significance through incorporation of design elements such as the use of cleaner Heavy Heavy-Duty (HHD) trucks and vehicles, measures that reduce Vehicle Miles Traveled (VMTs), and measures that increase energy efficiency. More information on transportation mitigation measures can be found at:

<http://www.valleyair.org/transportation/Mitigation-Measures.pdf>.

## **1c) Recommended Model for Quantifying Air Emissions**

Project-related criteria pollutant emissions from construction and operational sources should be identified and quantified. Emissions analysis should be performed using the California Emission Estimator Model (CalEEMod), which uses the most recent CARB-approved version of relevant emissions models and emission factors. CalEEMod is available to the public and can be downloaded from the CalEEMod website at: [www.caleemod.com](http://www.caleemod.com).

## **2) Health Risk Screening/Assessment**

The City should evaluate the risk associated with the Project for sensitive receptors (residences, businesses, hospitals, day-care facilities, health care facilities, etc.) in the area and mitigate any potentially significant risk to help limit exposure of sensitive receptors to emissions.

To determine potential health impacts on surrounding receptors (residences, businesses, hospitals, day-care facilities, health care facilities, etc.) a Prioritization and/or a Health Risk Assessment (HRA) should be performed for the Project. These health risk determinations should quantify and characterize potential Toxic Air Contaminants (TACs) identified by the Office of Environmental Health Hazard Assessment/California Air Resources Board (OEHHA/CARB) that pose a present or potential hazard to human health.

Health risk analyses should include all potential air emissions from the project, which include emissions from construction of the project, including multi-year construction,

as well as ongoing operational activities of the project. Note, two common sources of TACs can be attributed to diesel exhaust emitted from heavy-duty off-road earth moving equipment during construction, and from ongoing operation of heavy-duty on-road trucks.

Prioritization (Screening Health Risk Assessment):

A "Prioritization" is the recommended method for a conservative screening-level health risk assessment. The Prioritization should be performed using the California Air Pollution Control Officers Association's (CAPCOA) methodology.

The District recommends that a more refined analysis, in the form of an HRA, be performed for any project resulting in a Prioritization score of 10 or greater. This is because the prioritization results are a conservative health risk representation, while the detailed HRA provides a more accurate health risk evaluation.

To assist land use agencies and project proponents with Prioritization analyses, the District has created a prioritization calculator based on the aforementioned CAPCOA guidelines, which can be found here:

[http://www.valleyair.org/busind/pto/emission\\_factors/Criteria/Toxics/Utilities/PRIORITIZATION-CALCULATOR.xls](http://www.valleyair.org/busind/pto/emission_factors/Criteria/Toxics/Utilities/PRIORITIZATION-CALCULATOR.xls)

Health Risk Assessment:

Prior to performing an HRA, it is strongly recommended that land use agencies/ project proponents develop and submit for District review a health risk modeling protocol that outlines the sources and methodologies that will be used to perform the HRA. This step will ensure all components are addressed when performing the HRA.

A development project would be considered to have a potentially significant health risk if the HRA demonstrates that the project-related health impacts would exceed the District's significance threshold of 20 in a million for carcinogenic risk, or 1.0 for either the Acute or Chronic Hazard Indices.

A project with a significant health risk would trigger all feasible mitigation measures. The District strongly recommends that development projects that result in a significant health risk not be approved by the land use agency.

The District is available to review HRA protocols and analyses. For HRA submittals please provide the following information electronically to the District for review:

- HRA (AERMOD) modeling files
- HARP2 files
- Summary of emissions source locations, emissions rates, and emission factor calculations and methodologies.

For assistance, please contact the District's Technical Services Department by:

- E-Mailing inquiries to: [hramodeler@valleyair.org](mailto:hramodeler@valleyair.org)
- Calling (559) 230-5900

*Recommended Measure:* Development projects resulting in TAC emissions should be located an adequate distance from residential areas and other sensitive receptors in accordance to CARB's Air Quality and Land Use Handbook: A Community Health Perspective located at <https://ww3.arb.ca.gov/ch/handbook.pdf>.

### **3) Ambient Air Quality Analysis**

An Ambient Air Quality Analysis (AAQA) uses air dispersion modeling to determine if emissions increases from a project will cause or contribute to a violation of State or National Ambient Air Quality Standards. The District recommends an AAQA be performed for the Project if emissions exceed 100 pounds per day of any pollutant.

An acceptable analysis would include emissions from both project-specific permitted and non-permitted equipment and activities. The District recommends consultation with District staff to determine the appropriate model and input data to use in the analysis.

Specific information for assessing significance, including screening tools and modeling guidance, is available online at the District's website:  
[www.valleyair.org/ceqa](http://www.valleyair.org/ceqa).

### **4) Voluntary Emission Reduction Agreement**

Criteria pollutant emissions may result in emissions exceeding the District's significance thresholds, potentially resulting in a significant impact on air quality. When a project is expected to have a significant impact, the District recommends the environmental review also include a discussion on the feasibility of implementing a Voluntary Emission Reduction Agreement (VERA) for this Project.

A VERA is a mitigation measure by which the project proponent provides pound-for-pound mitigation of emissions increases through a process that develops, funds, and implements emission reduction projects, with the District serving a role of administrator of the emissions reduction projects and verifier of the successful mitigation effort. To implement a VERA, the project proponent and the District enter into a contractual agreement in which the project proponent agrees to mitigate project specific emissions by providing funds for the District's incentives programs. The funds are disbursed by the District in the form of grants for projects that achieve emission reductions. Thus, project-related impacts on air quality can be mitigated. Types of emission reduction projects that have been funded in the past include electrification of stationary internal combustion engines (such as agricultural



irrigation pumps), replacing old heavy-duty trucks with new, cleaner, more efficient heavy-duty trucks, and replacement of old farm tractors.

In implementing a VERA, the District verifies the actual emission reductions that have been achieved as a result of completed grant contracts, monitors the emission reduction projects, and ensures the enforceability of achieved reductions. 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-related emissions have been mitigated. To assist the Lead Agency and project proponent in ensuring that the environmental document is compliant with CEQA, the District recommends the environmental document includes an assessment of the feasibility of implementing a VERA.

## **5) Industrial/Warehouse Emission Reduction Strategies**

The District recommends the City consider the feasibility of incorporating emission reduction strategies that can reduce potential harmful health impacts, such as those listed below:

- Ensure solid screen buffering trees, solid decorative walls, and/or other natural ground landscaping techniques are implemented along the property line of adjacent sensitive receptors
- Ensure all landscaping be drought tolerant
- Orient loading docks away from sensitive receptors unless physically impossible
- Locate loading docks a minimum of 300 feet away from the property line of sensitive receptor unless dock is exclusively used for electric trucks
- Incorporate signage and “pavement markings” to clearly identify on-site circulation patterns to minimize unnecessary on-site vehicle travel
- Locate truck entries on streets of a higher commercial classification
- Ensure all building roofs are solar-ready
- Ensure all portions of roof tops that are not covered with solar panels are constructed to have light colored roofing material with a solar reflective index of greater than 78
- Ensure rooftop solar panels are installed and operated to supply 100% of the power needed to operate all non-refrigerated portions of the development project
- Ensure power sources at loading docks for all refrigerated trucks have “plugin” capacity, which will eliminate prolonged idling while loading and unloading goods
- Incorporate bicycle racks and electric bike plug-ins
- Require the use of low volatile organic compounds (VOC) architectural and industrial maintenance coatings
- Designate an area during construction to charge electric powered

- construction vehicles and equipment, if temporary power is available
- Prohibit the use of non-emergency diesel-powered generators during construction
- Inform the project proponent of the incentive programs (e.g., Carl Moyer Program and Voucher Incentive Program) offered to reduce air emissions from the Project

## **6) Truck Routing**

Truck routing involves the assessment of which roads Heavy Heavy-Duty (HHD) trucks take to and from their destination, and the emissions impact that the HHD trucks may have on residential communities and sensitive receptors. Per the SPR, the Project includes warehouse space and is expected to result in HHD truck trips.

The District recommends the City evaluate HHD truck routing patterns for the Project, with the aim of limiting exposure of residential communities and sensitive receptors to emissions. This evaluation would consider the current truck routes, the quantity and type of each truck (e.g., Medium Heavy-Duty, HHD, etc.), the destination and origin of each trip, traffic volume correlation with the time of day or the day of the week, overall Vehicle Miles Traveled (VMT), and associated exhaust emissions. The truck routing evaluation would also identify alternative truck routes and their impacts on VMT and air quality.

## **7) Cleanest Available Heavy-Duty Trucks**

The San Joaquin Valley will not be able to attain stringent health-based federal air quality standards without significant reductions in emissions from HHD trucks, the single largest source of NO<sub>x</sub> emissions in the San Joaquin Valley. The District's CARB-approved 2018 PM<sub>2.5</sub> Plan includes significant new reductions from HHD trucks, including emissions reductions by 2023 through the implementation of CARB's Statewide Truck and Bus Regulation, which requires truck fleets operating in California to meet the 2010 standard of 0.2 g-NO<sub>x</sub>/bhp-hr by 2023. Additionally, to meet federal air quality attainment standards, the District's Plan relies on a significant and immediate transition of HHD fleets to zero or near-zero emissions technologies, including the near-zero truck standard of 0.02 g/bhp-hr NO<sub>x</sub> established by CARB.

For development projects which typically generate a high volume of HHD truck traffic (e.g., "high-cube" warehouses or distribution centers), there are HHD trucks traveling to-and-from the project location at longer distribution trip length distances. Since the Project may exceed the District significance thresholds, the District recommends that the following measures be considered by the City to reduce Project-related operational emissions:

- *Recommended Measure:* Fleets associated with operational activities utilize

the cleanest available HHD trucks, including zero and near-zero (0.02 g/bhp-hr NOx) technologies.

- *Recommended Measure:* All on-site service equipment (cargo handling, yard hostlers, forklifts, pallet jacks, etc.) utilize zero-emissions technologies.

## **8) Reduce Idling of Heavy-Duty Trucks**

The goal of this strategy is to limit the potential for localized PM<sub>2.5</sub> and toxic air contaminant impacts associated with the idling of Heavy-Duty trucks. The diesel exhaust from idling has the potential to impose significant adverse health and environmental impacts.

Since the Project is expected to result in HHD truck trips, the District recommends the SPR include measures to ensure compliance of the state anti-idling regulation (13 CCR § 2485 and 13 CCR § 2480) and discuss the importance of limiting the amount of idling, especially near sensitive receptors. In addition, the District recommends the City consider the feasibility of implementing a more stringent 3-minute idling restriction and requiring appropriate signage and enforcement of idling restrictions.

## **9) Electric On-Site Off-Road and On-Road Equipment**

Since the development project may include Light Industrial uses, the Project may have the potential to result in increased use of off-road equipment (e.g., forklifts). The District recommends that the City include requirements for project proponents to utilize electric or zero emission off-road and on-road equipment.

## **10) Vegetative Barriers and Urban Greening**

There are residential units located east of the Project. The District suggests the City consider the feasibility of incorporating vegetative barriers and urban greening as a measure to further reduce air pollution exposure on sensitive receptors (e.g., residential units).

While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, vegetative barriers have been shown to be an additional measure to potentially reduce a population's exposure to air pollution through the interception of airborne particles and the uptake of gaseous pollutants. Examples of vegetative barriers include, but are not limited to the following: trees, bushes, shrubs, or a mix of these. Generally, a higher and thicker vegetative barrier with full coverage will result in greater reductions in downwind pollutant concentrations. In the same manner, urban greening is also a way to help improve air quality and public health in addition to enhancing the overall beautification of a community with drought tolerant, low-maintenance greenery.

### **11)Clean Lawn and Garden Equipment in the Community**

Since the Project consists of commercial development, gas-powered commercial lawn and garden equipment have the potential to result in an increase of NO<sub>x</sub> and PM<sub>2.5</sub> emissions. Utilizing electric lawn care equipment can provide residents with immediate economic, environmental, and health benefits. The District recommends the Project proponent consider the District's Clean Green Yard Machines (CGYM) program which provides incentive funding for replacement of existing gas powered lawn and garden equipment. More information on the District CGYM program and funding can be found at: <http://www.valleyair.org/grants/cgym.htm> and <http://valleyair.org/grants/cgym-commercial.htm>.

### **12)On-Site Solar Deployment**

It is the policy of the State of California that renewable energy resources and zero-carbon resources supply 100% of retail sales of electricity to California end-use customers by December 31, 2045. While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, the production of solar energy is contributing to improving air quality and public health. The District suggests that the City consider incorporating solar power systems as an emission reduction strategy for the Project.

### **13)Electric Vehicle Chargers**

To support and accelerate the installation of electric vehicle charging equipment and development of required infrastructure, the District offers incentives to public agencies, businesses, and property owners of multi-unit dwellings to install electric charging infrastructure (Level 2 and 3 chargers). The purpose of the District's Charge Up! Incentive program is to promote clean air alternative-fuel technologies and the use of low or zero-emission vehicles. The District recommends that the City and project proponents install electric vehicle chargers at project sites, and at strategic locations.

Please visit [www.valleyair.org/grants/chargeup.htm](http://www.valleyair.org/grants/chargeup.htm) for more information.

### **14)District Rules and Regulations**

The District issues permits for many types of air pollution sources, and regulates some activities that do not require permits. A project subject to District rules and regulations would reduce its impacts on air quality through compliance with the District's regulatory framework. In general, a regulation is a collection of individual rules, each of which deals with a specific topic. As an example, Regulation II (Permits) includes District Rule 2010 (Permits Required), Rule 2201 (New and Modified Stationary Source Review), Rule 2520 (Federally Mandated Operating

Permits), and several other rules pertaining to District permitting requirements and processes.

The list of rules below is neither exhaustive nor exclusive. Current District rules can be found online at: [www.valleyair.org/rules/1ruleslist.htm](http://www.valleyair.org/rules/1ruleslist.htm). To identify other District rules or regulations that apply to future projects, or to obtain information about District permit requirements, the project proponents are strongly encouraged to contact the District's Small Business Assistance (SBA) Office at (209) 557-6446.

#### **14a) District Rules 2010 and 2201 - Air Quality Permitting for Stationary Sources**

Stationary Source emissions include any building, structure, facility, or installation which emits or may emit any affected pollutant directly or as a fugitive emission. District Rule 2010 (Permits Required) requires operators of emission sources to obtain an Authority to Construct (ATC) and Permit to Operate (PTO) from the District. District Rule 2201 (New and Modified Stationary Source Review) requires that new and modified stationary sources of emissions mitigate their emissions using Best Available Control Technology (BACT).

This Project may be subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and may require District permits. Prior to construction, the Project proponent should submit to the District an application for an ATC. For further information or assistance, the project proponent may contact the District's SBA Office at (661) 392-5665.

#### **14b) District Rule 9510 - Indirect Source Review (ISR)**

The Project is subject to District Rule 9510 because it will receive a project-level discretionary approval from a public agency and will equal or exceed 25,000 square feet of light industrial space.

The purpose of District Rule 9510 is to reduce the growth in both NO<sub>x</sub> and PM emissions associated with development and transportation projects from mobile and area sources; specifically, the emissions associated with the construction and subsequent operation of development projects. The ISR Rule requires developers to mitigate their NO<sub>x</sub> and PM emissions by incorporating clean air design elements into their projects. Should the proposed development project clean air design elements be insufficient to meet the required emission reductions, developers must pay a fee that ultimately funds incentive projects to achieve off-site emissions reductions.

Per Section 5.0 of the ISR Rule, an Air Impact Assessment (AIA) application is required to be submitted no later than applying for project-level approval from a

public agency. As of the date of this letter, the District has not received an AIA application for this Project. Please inform the project proponent to immediately submit an AIA application to the District to comply with District Rule 9510. One AIA application should be submitted for the entire Project. It is preferable for the applicant to submit an AIA application as early as possible in the City's approval process so that proper mitigation and clean air design under ISR can be incorporated into the City's analysis.

Information about how to comply with District 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>.

District staff is available to provide assistance with determining if the Project OR future development projects will be subject to Rule 9510, and can be reached by phone at (559) 230-5900 or by email at [ISR@valleyair.org](mailto:ISR@valleyair.org).

#### **14c) District Rule 9410 (Employer Based Trip Reduction)**

The Project may be subject to District Rule 9410 (Employer Based Trip Reduction) if the project would result in employment of 100 or more "eligible" employees. District Rule 9410 requires employers with 100 or more "eligible" employees at a worksite to establish an Employer Trip Reduction Implementation Plan (eTRIP) that encourages employees to reduce single-occupancy vehicle trips, thus reducing pollutant emissions associated with work commutes. Under an eTRIP plan, employers have the flexibility to select the options that work best for their worksites and their employees.

Information about District Rule 9410 can be found online at: [www.valleyair.org/tripreduction.htm](http://www.valleyair.org/tripreduction.htm).

For additional information, you can contact the District by phone at 559-230-6000 or by e-mail at [etrip@valleyair.org](mailto:etrip@valleyair.org)

#### **14d) District Rule 4002 (National Emissions Standards for Hazardous Air Pollutants)**

In the event an existing building will be renovated, partially demolished or removed, the Project may be subject to District Rule 4002. This rule requires a thorough inspection for asbestos to be conducted before any regulated facility is demolished or renovated. Information on how to comply with District Rule 4002 can be found online at: <http://www.valleyair.org/busind/comply/asbestosbultn.htm>.

#### **14e) District Rule 4601 (Architectural Coatings)**

The Project will be subject to District Rule 4601 since it is expected to utilize architectural coatings. Architectural coatings are paints, varnishes, sealers, or stains that are applied to structures, portable buildings, pavements or curbs. The purpose of this rule is to limit VOC emissions from architectural coatings. In addition, this rule specifies architectural coatings storage, cleanup and labeling requirements. Additional information on how to comply with District Rule 4601 requirements can be found online at:  
<http://www.valleyair.org/rules/currnrules/r4601.pdf>

#### **14f) District Regulation VIII (Fugitive PM10 Prohibitions)**

The project proponent may be required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities as described in Regulation VIII, specifically Rule 8021 – *Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities*.

Should the project result in at least 1-acre in size, the project proponent shall provide written notification to the District at least 48 hours prior to the project proponents intent to commence any earthmoving activities pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). Also, should the project result in the disturbance of 5-acres or more, or will include moving, depositing, or relocating more than 2,500 cubic yards per day of bulk materials, the project proponent shall submit to the District a Dust Control Plan pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). For additional information regarding the written notification or Dust Control Plan requirements, please contact District Compliance staff at (559) 230-5950.

The application for both the Construction Notification and Dust Control Plan can be found online at:

<https://www.valleyair.org/busind/comply/PM10/forms/DCP-Form.docx>

Information about District Regulation VIII can be found online at:

[http://www.valleyair.org/busind/comply/pm10/compliance\\_pm10.htm](http://www.valleyair.org/busind/comply/pm10/compliance_pm10.htm)

#### **14g) Other District Rules and Regulations**

The Project may also be subject to the following District rules: Rule 4102 (Nuisance) and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).

**15)District Comment Letter**

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 contact Patrick Chimienti by e-mail at [patrick.chimienti@valleyair.org](mailto:patrick.chimienti@valleyair.org) or by phone at (559) 230-6139.

Sincerely,

Brian Clements  
Director of Permit Services



For: Mark Montelongo  
Program Manager



Lathrop Crossroads Industrial Project  
Mitigation Monitoring and Reporting Program (MMRP)

MITIGATION MONITORING  
AND  
REPORTING PROGRAM

FOR THE

LATHROP CROSSROADS  
INDUSTRIAL PROJECT  
1101 D'Arcy Parkway, Lathrop, CA

November 2022

CITY OF LATHROP  
COMMUNITY DEVELOPMENT DEPARTMENT  
390 Towne Center Drive  
Lathrop, CA 95330  
209-941-7260

# 1.0 INTRODUCTION

This document is the Mitigation Monitoring/Reporting Program (MMRP) for the Lathrop Crossroads Industrial Project. The primary source document for the MMRP is the Initial Study/Mitigated Negative Declaration for the Lathrop Crossroads Industrial Project, which will be adopted by the City of Lathrop at the same time as this document. The proposed project site is located on approximately 25.0 acres of vacant industrial land in the Crossroads Industrial Park, located in the south-central portion of Lathrop.

## 1.1 CEQA REVIEW OF PROPOSED PROJECT

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The project proposes to develop approximately 25 acres of vacant land within an existing industrial park. The project site is currently used for percolation of treated wastewater. Two development options are proposed: 1) a single building of approximately 453,904 square feet of floor area; or 2) development of three buildings with a total floor area of approximately 396,179 square feet. Under both options, the buildings would be made available primarily for warehouse activities but could also be used for manufacturing purposes. For both alternatives, vehicular access would be provided from the adjacent street, D'Arcy Parkway, and utility service would be obtained from existing City water and sewer lines in the adjacent street. The project proposes an onsite storm drainage collection system that would include detention ponds and that would ultimately discharge into the City's existing storm drainage system in D'Arcy Parkway; although the system would be slightly different under each development alternative. The project would require Site Plan Review and Lot Line Adjustment approval from the City of Lathrop.

As the proposed project involves the potential to result in significant environmental effects as defined by CEQA, an Initial Study/Mitigated Negative Declaration (IS/MND) was prepared by consultants, subject to the independent review and approval of City of Lathrop staff. The Draft IS/MND identified significant and/or potentially significant environmental effects that could occur in conjunction with the proposed project. The Draft IS/MND also identified mitigation measures, which would reduce the potential environmental effects to a "less than significant" level. Prior to public and agency review of the Draft IS/MND, the project applicant approved the mitigation measures included in the IS/MND, which will be attached to the proposed project as binding conditions of approval.

The IS/MND was circulated for agency and public review in September and October 2022. Minor comments were received and did not result in changes to any of the environmental effects or mitigation measures identified in the IS/MND. It is anticipated that the Public Review Draft IS/MND dated September 2022 will be presented to the Lathrop Planning Commission for adoption.

## 1.2 CEQA REQUIREMENTS REGARDING MITIGATION MONITORING AND REPORTING

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To ensure that mitigation measures included in a Mitigated Negative Declaration are implemented, CEQA requires the adoption of a mitigation monitoring or reporting program (CEQA Guidelines Section 15074). Specifically, the Guidelines require that the lead agency:

" . . . adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to mitigate or avoid significant environmental effects."

These requirements will be met collectively by the adoption and implementation of the Mitigation Monitoring/Reporting Table shown in Section 2.0 of this document. The table lists all of the potential environmental effects of the project that were identified in the IS/MND, identifies all of the mitigation measures that address these effects, and identifies the entities that would be responsible for implementing, and monitoring implementation of, the mitigation measures.

## 2.0 MITIGATION MONITORING/REPORTING PROGRAM AND CEQA FINDINGS

The following table summarizes the environmental effects that could result from approval of the proposed Lathrop Crossroads Industrial project. The table identifies 1) each environmental effect and its significance prior to mitigation, 2) how each significant environmental effect would be mitigated, if the project is approved, 3) the responsibility for implementation of each mitigation measure, 4) the responsibility for monitoring of the mitigation measures, and 5) the source of the information supporting the significance determinations presented in the table. The table follows the same sequence as the impact analysis in the IS/MND.

IMPACT/MITIGATION MEASURES	IMPLEMENTATION RESPONSIBILITY	MONITORING/REPORTING RESPONSIBILITY	SOURCE
<h3>3.1 AESTHETICS</h3>			
The IS/MND does not identify significant effects or mitigation measures in this resource area.			
<h3>3.2 AGRICULTURE RESOURCES</h3>			
The IS/MND does not identify significant effects or mitigation measures in this resource area.			
<h3>3.3 AIR QUALITY</h3>			
The IS/MND does not identify significant effects or mitigation measures in this resource area.			
<h3>3.4 BIOLOGICAL RESOURCES</h3>			
Potential Impacts on Special-Status Species. Potentially significant impact.			
BIO-1: The project shall participate in and obtain coverage under the San Joaquin County Multi-Species Habitat Conservation and Open Space (SJMSCP). Prior to ground disturbance, the project applicant shall mitigate for the proportionate loss of potential wildlife habitat from the project site by implementing any Incidental Take Minimization Measures (ITMMs) prescribed by the San Joaquin Council of Governments (SJCOG). A biologist representing SJCOG shall visit the project site prior to the issuance of ITMMs to the City and to the project applicant.	The project applicant will be responsible for completing the SJMSCP application, obtaining coverage, paying fees and observing ITMM requirements.	The Lathrop Community Development Department will be responsible for ensuring that SJMSCP coverage has been obtained and that ITMMs will be observed during planning review of construction plans.	IS/MND, Section 3.4
Potential Impacts on Fish and Wildlife Movement. Potentially significant impact.			
Implementation of Mitigation Measure BIO-1.	As noted for MM BIO-1.	As noted for MM BIO-1.	IS/MND, Section 3.4
Potential Impacts on Conflict with Habitat Conservation Plans. Potentially significant impact.			

IMPACT/MITIGATION MEASURES	IMPLEMENTATION RESPONSIBILITY	MONITORING/REPORTING RESPONSIBILITY	SOURCE
Implementation of Mitigation Measure BIO-1.	As noted for MM BIO-1.	As noted for MM BIO-1.	IS/MND, Section 3.4
<b>3.5 CULTURAL RESOURCES</b>			
Potential Impacts on Archaeological Resources. Potentially significant impact.			
CULT-1: If any subsurface cultural resources are encountered during construction of the project, all construction activities within 100 feet of the encounter shall be halted until a qualified archaeologist can examine these materials, determine their significance and, if significant, recommend further mitigation measures that would reduce potential effects to a level that is less than significant. Recommended measures could include, but are not limited to, 1) preservation in place, or 2) excavation, recovery, and curation by qualified professionals. The developer shall be responsible for retaining qualified professionals, implementing recommended mitigation measures, and documenting mitigation efforts in a written report to the City's Community Development Department, consistent with the requirements of the CEQA Guidelines.	The project applicant will be responsible for contracting a qualified cultural resources professional to evaluate archeological materials if found, recommend cultural resource protection controls and to implement control measures as required.	The Lathrop Community Development Department will be responsible for review and approval of the cultural resources professional reports and recommendations, and for oversight of any cultural resource follow-up work that may be required.	IS/MND, Section 3.5
<b>3.6 ENERGY</b>			
The IS/MND does not identify significant effects or mitigation measures in this resource area.			
<b>3.7 GEOLOGY AND SOILS</b>			
Potential impacts on paleontological resources. Potentially significant.			
GEO-1: If any subsurface paleontological resources are encountered during construction of the project, all construction activities within 100 feet of the encounter shall be halted until a qualified paleontologist can examine these materials, determine their significance and, if significant, recommend further mitigation measures that would reduce potential effects to a level that is less than significant. Recommended measures could include, but are not	The project applicant will be responsible for contracting a qualified paleontological professional to evaluate archeological materials if found, recommend	The Lathrop Community Development Department will be responsible for review and approval of the paleontological professional reports and recommendations, and for oversight of any paleontological follow-up work that	IS/MND, Secs. 3.5 and 3.7

IMPACT/MITIGATION MEASURES	IMPLEMENTATION RESPONSIBILITY	MONITORING/REPORTING RESPONSIBILITY	SOURCE
limited to, 1) preservation in place, or 2) excavation, recovery, and curation by qualified professionals. The developer shall be responsible for retaining qualified professionals, implementing recommended mitigation measures, and documenting mitigation efforts in a written report to the City's Community Development Department, consistent with the requirements of the CEQA Guidelines.	resource protection controls and to implement control measures as required.	may be required.	
<b>3.8 GREENHOUSE GAS EMISSIONS</b>			
The IS/MND does not identify significant effects or mitigation measures in this resource area.			
<b>3.9 HAZARDS AND HAZARDOUS MATERIALS</b>			
The IS/MND does not identify significant effects or mitigation measures in this resource area.			
<b>3.10 HYDROLOGY AND WATER QUALITY</b>			
Potential impacts on water resources. Potentially significant.			
HYDRO-1: The project shall provide post-construction BMPs as required to control runoff volumes and reduce pollutant loads in stormwater discharges to acceptable levels, including compliance with the adopted Multi-Agency Post-Construction Stormwater Standards Manual and the City's Storm Water Development Standards.	The project applicant will be responsible for incorporating required BMPs in project construction plans.	The Lathrop Public Works Department will be responsible for verifying that post-construction BMP requirements are incorporated in approved site improvement plans.	IS/MND, Secs. 3.5 3.10
<b>3.11 LAND USE</b>			
The IS/MND does not identify significant effects or mitigation measures in this resource area.			



IMPACT/MITIGATION MEASURES	IMPLEMENTATION RESPONSIBILITY	MONITORING/REPORTING RESPONSIBILITY	SOURCE
<h3>3.12 MINERAL RESOURCES</h3>			
The IS/MND does not identify significant effects or mitigation measures in this resource area.			
<h3>3.13 NOISE</h3>			
Potential impacts on Generation of Noise Exceeding Local Standards. Potentially significant.			
<p>NOISE-1: The City shall establish the following as conditions of approval for any permit that results in the use of construction equipment:</p> <ul style="list-style-type: none"> <li>Construction activities (excluding activities that would result in a safety concern to the public or construction workers) shall be limited to between the hours of 7:00 a.m. and 10:00 p.m. Sunday through Thursday and between 9:00 a.m. and 11:00 p.m. on Friday, Saturday, and legal holidays.</li> <li>Construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations. Equipment engine shrouds shall be closed during equipment operation.</li> <li>When not in use, motorized construction equipment shall not be left idling for more than five (5) minutes.</li> <li>Stationary equipment (power generators, compressors, etc.) shall be located at the furthest practical distance from nearby noise-sensitive land uses or sufficiently shielded to reduce noise-related impacts.</li> </ul>	The project applicant will be responsible for incorporating noise standards in project plans and specifications. The contractor will be responsible for implementing noise protection requirements.	The Lathrop Public Works Department will be responsible for ensuring that noise requirements are included in approved construction plans.	IS/MND, Secs. 3.5 3.13
<h3>3.14 POPULATION AND HOUSING</h3>			
The IS/MND does not identify significant effects or mitigation measures in this resource area.			

IMPACT/MITIGATION MEASURES	IMPLEMENTATION RESPONSIBILITY	MONITORING/REPORTING RESPONSIBILITY	SOURCE
<b>3.15 PUBLIC SERVICES</b>			
The IS/MND does not identify significant effects or mitigation measures in this resource area.			
<b>3.16 RECREATION</b>			
The IS/MND does not identify significant effects or mitigation measures in this resource area.			
<b>3.17 TRANSPORTATION</b>			
The IS/MND does not identify significant effects or mitigation measures in this resource area.			
<b>3.18 TRIBAL CULTURAL RESOURCES</b>			
Potential impacts on Tribal Cultural Resources. Potentially significant.			
Implementation of Mitigation Measure CULT-1.	As provided for MM CULT-1.	As provided for MM CULT-1.	IS/MND, Secs. 3.5 3.18
<b>3.19 UTILITIES AND SERVICES</b>			
The IS/MND does not identify significant effects or mitigation measures in this resource area.			
<b>3.20 WILDFIRE</b>			
The IS/MND does not identify significant effects or mitigation measures in this resource area.			

IMPACT/MITIGATION MEASURES	IMPLEMENTATION RESPONSIBILITY	MONITORING/REPORTING RESPONSIBILITY	SOURCE
<h3>3.21 MANDATORY FINDINGS OF SIGNIFICANCE</h3>			
Potential impacts on Biological and Cultural Resources. Potentially significant.			
See mitigation measures for Section 3.4, Biological Resources, and Section 3.5, Cultural Resources.			