



FINAL ENVIRONMENTAL IMPACT REPORT

FOR THE

LATHROP GENERAL PLAN UPDATE (SCH: 2021100139)

AUGUST 2022

Prepared for:

City of Lathrop
Community Development Department, Planning Division
City of Lathrop
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Lathrop, CA 95330

Prepared by:

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D e N o v o P l a n n i n g G r o u p

A Land Use Planning, Design, and Environmental Firm



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FINAL EIR

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INTRODUCTION

The City of Lathrop (City) has determined that a program-level environmental impact report (EIR) is required for the proposed General Plan (General Plan, or project) pursuant to the requirements of the California Environmental Quality Act (CEQA). CEQA requires the preparation of an EIR prior to approving any project, which may have a significant impact on the environment. For the purposes of CEQA, the term "Project" refers to the whole of an action, which has the potential for resulting in a direct physical change or a reasonably foreseeable indirect physical change in the environment (CEQA Guidelines Section 15378[a]).

A Program EIR is an EIR which examines the environmental impacts of an agency plan, policy, or regulatory program, such as a general plan update. Program EIRs analyze broad environmental impacts of the program, with the acknowledgement that site-specific environmental review may be required for particular aspects of the program, or particular development projects that may occur in the future.

Lathrop circulated a Notice of Preparation (NOP) of an EIR for the proposed project on October 8, 2021 to trustee and responsible agencies, the State Clearinghouse, and the public. A scoping meeting was held on October 27, 2021 at the City of Lathrop City Hall Council Chambers.

Subsequently, Lathrop published a public Notice of Availability (NOA) for the Draft EIR on May 27, 2022, inviting comment from the general public, agencies, organizations, and other interested parties. The NOA was filed with the State Clearinghouse (SCH# 2021100139) and was published in the San Joaquin County Clerk's office and the Manteca Bulletin, pursuant to the public noticing requirements of CEQA. The Draft EIR was available for public review from May 27, 2022 through July 11, 2022. The Public Draft General Plan was also available for public review and comment during this time period.

This Final EIR was prepared to address comments received in response to the Draft EIR. The City has prepared a written response to the Draft EIR comments, and made textual changes to the Draft EIR where warranted. The responses to the comments are provided in this Final EIR in Section 2.0, and all changes to the text of the Draft EIR are summarized in Section 3.0. Responses to comments received during the comment period for the Draft EIR do not involve any new significant impacts or "significant new information" that would require recirculation of the Draft EIR pursuant to CEQA Guidelines Section 15088.5.

PROJECT DESCRIPTION

The Lathrop General Plan Update is the overarching policy document that guides land use, housing, transportation, open space, public safety, community services, and other policy decisions throughout Lathrop. The General Plan includes the seven elements mandated by State law, to the extent that they are relevant locally, including: Circulation, Conservation, Housing, Land Use, Noise, Open Space, and Safety. The City may also address other topics of interest. The Lathrop General Plan includes all of the State-mandated topics and elements, as well as optional elements and issue

areas, including, Public Facilities and Services, Economic Development, and Health and Environmental Justice. The General Plan sets out the goals, policies, and actions in each of these areas, serves as a policy guide for how the City will make key planning decisions in the future, and guides how the City will interact with San Joaquin County, surrounding cities, and other local, regional, State, and Federal agencies.

The General Plan contains the goals and policies that will guide future decisions within the City. It also identifies implementation programs, in the form of actions, that will ensure the goals and policies in the General Plan are carried out. As part of the Lathrop General Plan Update, the City and the consultant team prepared several support documents that serve as the building blocks for the General Plan and analyze the environmental impacts associated with implementing the General Plan.

Refer to Chapter 2.0 (Project Description) of the Draft EIR for a more comprehensive description of the details 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 are briefly described as follows:

- **Alternative 1: No Project Alternative.** Under Alternative 1, the City would not adopt the General Plan Update. The existing Lathrop General Plan would continue to be implemented and no changes to the General Plan, including the Land Use Map, Circulation Diagram, goals, policies, or actions would occur. Subsequent projects, such as amending the Municipal Code (including the zoning map) and the City's Design Guidelines, would not occur. The Existing General Plan Land Use Map is shown on Figure 5.0-1.
- **Alternative 2: Modified Project Alternative.** Under Alternative 2, the City would adopt the updated General Plan policy document, but would retain the existing land use map. This alternative would result in the same growth as the existing General Plan and Alternative 1, but would implement the updated goals, policies, and actions found in the General Plan Update. This Alternative would result in more residential growth, and less non-residential development than the proposed Project. This alternative was developed to potentially reduce the severity of impacts associated with noise, air quality, and workforce VMT.
- **Alternative 3: Balanced Density Residential Focused Alternative.** Alternative 3 would adopt the General Plan Update, including the proposed General Plan Land Use Map and updated goals, policies, and actions. However, Alternative 3 would place more emphasis on residential development, increasing the allowed densities for the residential land uses, while reducing the intensity of non-residential development. For comparison it is assumed that this Alternative would result in a 25 percent increase in the number of new residential dwelling units, and a 10 percent decrease in jobs and non-residential square footage when

SUMMARY

compared to the proposed Project. This Alternative would result in the most dwelling units compared to all other Alternatives. This Alternative would also result in more non-residential growth than Alternatives 1 and 2, but 10% less non-residential growth than the proposed Project. This alternative was developed to create a more equal jobs/housing balance, potentially reducing the severity of impacts related to greenhouse gas emissions and VMT, as new development would be within close proximity to the new job generating uses, which would help to reduce per capita employment VMT. Figure 2.0-2 of Chapter 2 (Project Description) shows the proposed General Plan Land Use Map.

Alternatives are described in detail in Section 5.0 of the Draft EIR. As summarized in Table 5.0-4 of the Draft EIR, Alternative 3 is the environmentally superior alternative, as it is the most effective in terms of overall reductions of impacts compared to the proposed General Plan and all other alternatives. As such, Alternative 3 is the environmentally superior alternative for the purposes of this EIR analysis. Information related to alternatives and their respective impacts are described in Chapter 5.0 of this DEIR.

COMMENTS RECEIVED

The Draft EIR addresses environmental impacts associated with the proposed project that were known to the City, raised during the Notice of Preparation (NOP) process, or raised during preparation of the Draft EIR. The Draft EIR discusses potentially significant impacts associated with aesthetics, agriculture and forest resources, air quality, biological resources, cultural and tribal cultural resources, geology, greenhouse gas emissions and energy, hazards and hazardous materials, hydrology and water quality, land use planning and population/housing, mineral resources, noise, public services and recreation, transportation, utilities and service systems, wildfire, and cumulative impacts.

NOP Comments

During the NOP process, the City received comments from the following public agencies, organizations, or individuals:

- California Department of Conservation (November 1, 2021)
- California Valley Miwok Tribe (October 26, 2021)
- Central Valley Water Quality Control Board (November 8, 2021)
- Native American Heritage Commission (October 12, 2021)
- San Joaquin Valley Air Pollution Control District (November 4, 2021)

Draft EIR Comments

During the Draft EIR review process, the City received comments from the following public agencies, organizations, or individuals:

- Tom Dumas, California Department of Transportation (June 20, 2022)
- Carmen J. Borg, Winter King, SHUTE, MIHALY & WEINBERGER LLP (July 11, 2022)
- Aldara Salinas, San Joaquin County Environmental Health Department (July 11, 2022)
- Jeff Henderson, Delta Stewardship Council (July 11, 2022)
- James and Brenda Hystad, Residents (July 11, 2022)
- J.D. Hightower, City of Manteca (July 11, 2022)
- Mark Montelongo, San Joaquin Valley Air Pollution Control District (July 11, 2022)

Acting as lead agency, the City of Lathrop has prepared a response to the Draft EIR comments. The responses to the comments are provided in this Final EIR in Section 2.0 (Comments on Draft EIR and Responses) and all changes to the text of the Draft EIR and Recirculated Draft EIR are summarized in Section 3.0 (Errata).

This Final Environmental Impact Report (FEIR) was prepared in accordance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines (Section 15132). The City of Lathrop is the lead agency for the environmental review of the Lathrop General Plan (General Plan, General Plan Update, or Project) and has the principal responsibility for approving the project. This FEIR assesses the expected environmental impacts resulting from approval and adoption of the Lathrop General Plan and responds to comments received on the Draft EIR.

The Lathrop General Plan Update is the overarching policy document that guides land use, housing, transportation, open space, public safety, community services, and other policy decisions throughout Lathrop. The General Plan includes the seven elements mandated by State law, to the extent that they are relevant locally, including: Circulation, Conservation, Housing, Land Use, Noise, Open Space, and Safety. The City may also address other topics of interest. The Lathrop General Plan includes all of the State-mandated topics and elements, as well as optional elements and issue areas, including, Public Facilities and Services, Economic Development, and Health and Environmental Justice. The General Plan sets out the goals, policies, and actions in each of these areas, serves as a policy guide for how the City will make key planning decisions in the future, and guides how the City will interact with San Joaquin County, surrounding cities, and other local, regional, State, and Federal agencies.

The General Plan contains the goals and policies that will guide future decisions within the City. It also identifies implementation programs, in the form of actions, that will ensure the goals and policies in the General Plan are carried out. As part of the Lathrop General Plan Update, the City and the consultant team prepared several support documents that serve as the building blocks for the General Plan and analyze the environmental impacts associated with implementing the General Plan.

Refer to Chapter 2.0 (Project Description) of the Draft EIR for a more comprehensive description of the details of the proposed project.

1.1 PURPOSE AND INTENDED USES OF THE EIR

CEQA REQUIREMENTS FOR A FINAL EIR

This FEIR for the Lathrop General Plan has been prepared in accordance with the California Environmental Quality Act (CEQA) and State CEQA Guidelines. State CEQA Guidelines Section 15132 requires that an FEIR consist of the following:

- the Draft Environmental Impact Report (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.

1.0 INTRODUCTION

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 projects, and obligates them to balance a variety of public objectives, including economic, environmental, and social factors.

PURPOSE AND USE

The City of Lathrop, 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 and implementation of the General Plan. Responsible and trustee agencies that may use the EIR are identified in Chapter 1.0 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 subsequent planning and permitting actions associated with the proposed project. Subsequent actions that may be associated with the proposed project are identified in Chapter 2.0 (Project Description) of the Draft EIR. This EIR may also be used by other agencies within San Joaquin County, including the San Joaquin Local Agency Formation Commission (LAFCO), which may use this EIR during the preparation of environmental documents related to annexations, Municipal Service Reviews, and Sphere of Influence decisions in the Lathrop Planning Area.

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 Lathrop circulated a Notice of Preparation (NOP) of an EIR for the proposed project on October 8, 2021 to trustee and responsible agencies, the State Clearinghouse, and the public. A scoping meeting was held on October 27, 2021 at the City of Lathrop City Hall Council Chambers. Thirteen public and agency comments on the NOP related to the EIR analysis were presented or submitted during the scoping meeting. In addition, during the 30-day public review period for the NOP, which ended on November 8, 2021, six comment letters were received on the NOP. A

summary of the NOP comments is provided in Section 1.8 of the Draft EIR. The NOP and all comments received on it are presented in Appendix A of the Draft EIR.

NOTICE OF AVAILABILITY AND DRAFT EIR

The City of Lathrop published a public Notice of Availability (NOA) for the Draft EIR on May 27, 2022 inviting comment from the general public, agencies, organizations, and other interested parties. The NOA was filed with the State Clearinghouse (SCH# 2021100139) and was published in the San Joaquin County Register pursuant to the public noticing requirements of CEQA. The Draft EIR was available for public review from May 27, 2022 through July 11, 2022. The Public Draft General Plan was also available for public review and comment during this time period.

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 Lathrop received seven comment letters regarding the Draft General Plan and Draft EIR from public agencies, organizations, and members of the public during the 45-day review period.

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

CERTIFICATION OF THE EIR/PROJECT CONSIDERATION

The Lathrop City Council will review and consider the Final EIR. If the City Council finds that the Final EIR is "adequate and complete," then it may certify it in accordance with CEQA. 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 in contemplation of environmental considerations.

Upon review and consideration of the Final EIR, the Lathrop City Council may take action to approve, revise, or reject the project. A decision to approve the Lathrop General Plan, for which this EIR identifies significant environmental effects, must be accompanied by written findings in accordance with State CEQA Guidelines Sections 15091 and 15093.

Policies and actions to minimize potential environmental impacts have been incorporated into the project, to the extent feasible. No additional mitigation is feasible or available, as described in Chapters 3.1 through 4.0 of the Draft EIR. The annual report on general plan status required pursuant to the Government Code will serve as the monitoring and reporting program for the project.

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 DRAFT EIR AND RESPONSES

Chapter 2.0 provides a list of commenters, copies of written 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 on the Draft EIR. The revisions to the Draft EIR do not change the intent or content of the analysis or mitigation.

2.1 INTRODUCTION

No new significant environmental impacts or issues, beyond those already covered in the Draft EIR for the Lathrop General Plan Environmental Impact Report (DEIR), 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 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.*

Sections 2.0 and 3.0 of this Final EIR include information that has been added to the EIR since the close of the public review period in the form of responses to comments and revisions.

2.2 LIST OF COMMENTERS

Table 2.0-1 lists the comments on the Draft EIR that were submitted to the City of Lathrop (City) 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. Letters received are coded with letters (A, B, etc.).

TABLE 2.0-1 LIST OF COMMENTERS ON DRAFT EIR

RESPONSE LETTER	INDIVIDUAL OR SIGNATORY	AFFILIATION	LETTER DATE
A	Tom Dumas	California Department of Transportation	6/20/22
B	Carmen J. Borg, Winter King,	SHUTE, MIHALY & WEINBERGER LLP.	7/11/22
C	Aldara Salinas	San Joaquin County Environmental Health Department	7/11/22
D	Jeff Henderson	Delta Stewardship Council	7/11/22
E	James and Brenda Hystad	Residents	7/11/22
F	J.D. Hightower	City of Manteca	7/11/22
G	Mark Montelongo	San Joaquin Valley Air Pollution Control District	7/11/22

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).

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 Sunrise Tomorrow Specific Plan 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 or numbered (i.e., Letter A) and each comment within each letter is numbered (i.e., comment A-1, comment A-2).

CALIFORNIA STATE TRANSPORTATION AGENCY

GAVIN NEWSOM, GOVERNOR

California Department of Transportation

OFFICE OF THE DISTRICT 10 DIRECTOR
P.O. BOX 2048 | STOCKTON, CA 95201
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June 20, 2022

10-SJ-Variou-PM-Variou
City of Lathrop
General Plan Update DEIR

Mark Meissner, Director
Community Development Department, Planning Division
City of Lathrop
390 Towne Centre Drive
Lathrop, CA 95330

Dear Mr. Meissner:

The California Department of Transportation appreciates the opportunity to review the Draft EIR for the Lathrop General Plan Update. The Department has the following comments:

- 1. The EIR Circulation Section 3.14 (Transportation Section) provide traffic impacts and mitigation measures for various growth within the City of Lathrop...
2. On page 429, the zoning map shows industrial parks around the Lathrop ACE station...
3. On page 504, the 2019 ACS journey to work mode split data is pre-COVID...
4. To assist in reducing Vehicle Miles Traveled (VMT), Caltrans recommends a Complete Streets approach...

A-1

A-2

A-3

A-4

If you have any questions or would like to set up a meeting to further discuss this project, please contact me at 209-483-2582 or Nicholas Fung at (209) 986-1552.

Sincerely,

Nicholas Fung (handwritten signature)

FOR

Tom Dumas
Chief, Office of Metropolitan Planning

"Provide a safe and reliable transportation network that serves all people and respects the environment"

Response to Letter A: California Department of Transportation

Response A-1: The commenter requests that future development projects that may impact state transportation facilities be submitted to Caltrans for review and comment. The City of Lathrop is committed to working with the California Department of Transportation to improve the transportation system and to address future transportation impacts. These comments are noted, and will be forwarded to the City Council for review and consideration. This comment does not address the adequacy of the Draft EIR, and no further response is required. No changes to the Draft EIR text are required.

Response A-2: The commenter suggests that the City consider zoning high density residential near the planned North Lathrop ACE station, and create a station area specific plan.

Page 429, which is referenced by the commenter, references the Assessor's Map and the existing site uses as defined by the County Assessor's Office. The future Valley Link Station is designated for TOD-RI: Transit-Oriented Development. The existing and future ACE Stations are located in areas designated by the General Plan's Land Use Map for industrial uses. These sites may have site constraints including potential land use conflicts and contamination for past site uses, and may not be suitable for residential developments.

These comments are noted, and will be forwarded to the City Council for review and consideration. This comment does not address the adequacy of the Draft EIR, and no further response is required. No changes to the Draft EIR text are required.

Response A-3: The commenter references page 504 of the DEIR, and notes that the 2019 ACS journey to work mode split data is pre-COVID and suggests using more recent post-COVID travel behavior pattern data source if available.

At the time of DEIR publication, ACS 2019 and 2020 were currently available at <https://data.census.gov/>. as such, the 2019 ASC 5-year estimates represent the best available data at the publication of this DEIR. Future individual Project will utilize the best available data to reflect travel behavioral changes. These comments are noted, and will be forwarded to the City Council for review and consideration. This comment does not address the adequacy of the Draft EIR, and no further response is required. No changes to the Draft EIR text are required.

Response A-4: The commenter recommends a Complete Streets approach to planning that promotes transit, bicycle, and pedestrian connectivity.

The General Plan supports complete streets and includes the following policies and actions that promote complete streets throughout the community:

- CIR-1.2 Complete Streets. Consider all modes of travel in planning, design, and construction of all transportation projects to create safe, livable, and inviting environments for pedestrians, bicyclists, motorists and public transit users of all ages and capabilities.
- CIR-1a Review and revise roadway standards to accommodate complete streets, addressing the following factors as applicable: number of travel lanes, lane width, medians, drainage

control, shoulder width, parking lanes, bike lanes, fire and emergency response standards, curb and gutter design, landscaped strips, and sidewalk width.

- CIR-1d Use traffic calming tools to assist in implementing complete street principles; possible tools include roundabouts, raised intersections, curb extensions, reduced roadway width, and high visibility crosswalks.
- CIR-1e Review and update the City's standard plans to ensure that the plans reflect the City's complete streets goals, incorporate best practices for traffic safety, and accommodate all users. Features may include narrower lanes (less than 12 feet), pedestrian bulb-outs, traffic calming, separated bike paths and other features.
- EJ-6.2 Active Transportation. Support walking and bicycling by requiring complete streets (i.e. bike lanes, sidewalks separated from the roadway with trees and planted landscaping) in transit priority areas, in environmental justice communities, and in new communities and developments, wherever practicable.

These comments are noted, and will be forwarded to the City Council for review and consideration. This comment does not address the adequacy of the Draft EIR, and no further response is required. No changes to the Draft EIR text are required.

SHUTE, MIHALY
& WEINBERGER LLP

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July 11, 2022

Mr. Mark Meissner
Community Development Director
City of Lathrop
Community Development Department
Planning Division
390 Towne Centre Drive
Lathrop, CA 95330
planning@ci.lathrop.ca.us

Re: Lathrop General Plan Update -- Draft Environmental Impact Report

Dear Mr. Meissner:

We have been retained by the Concerned Citizens for Lathrop (“Concerned Citizens”) to review and comment on the draft environmental impact report (“DEIR”) for the City of Lathrop General Plan Update (hereinafter referred to as “Project” or “General Plan”). Our review of the DEIR reveals serious violations of the California Environmental Quality Act (“CEQA”) (Public Resources Code section 21000 *et seq.*) and CEQA Guidelines (California Code of Regulations, title 14 section 15000 *et seq.*).

The City of Lathrop General Plan Update includes a 2040 assumption build-out with a revised Land Use General Plan Map. However, the DEIR fundamentally fails to adequately identify or analyze mitigation for the environmental impacts that would inevitably accompany buildout of the General Plan for each of the designated areas: the City Proper Land Use, Central Lathrop, Lathrop Gateway, South Lathrop, River Islands, and Stewart Tract. In particular, the proposal to redesignate a significant portion within the Central Lathrop area from office, commercial variable, and residential wastewater treatment plant to light industrial land uses would have dramatic environmental consequences, including significant air quality, noise, and safety impacts.

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Mark Meissner
 July 11, 2022
 Page 2

Specifically, adjacent to the designated Light Industrial parcels, south of Dos Reis Road and bounded on the east by highway interstate I-5, nearby sensitive receptors including the children at Lathrop High School, the elementary schools, the existing community, and the future planned residences, will be significantly impacted. The DEIR fails to describe measures or alternatives that could avoid or substantially lessen the proposed Project’s numerous significant impacts. Moreover, the DEIR’s vague, voluntary, and unenforceable policies cited as mitigation measures fail to comply with CEQA, which requires enforceable, concrete commitments to mitigation. The pervasive flaws in the DEIR demand that it be substantially modified and recirculated for review and public comment.

B-1 Cont.

I. Introduction.

The City’s General Plan Update is a critically important planning process to protect human health, provide adequate and affordable housing, and to meet other state requirements. Per Government Code section 65302, cities and counties in the San Joaquin Air Pollution Control District must also address air quality and environmental justice for disadvantaged communities in their updated General Plan.¹ The City held three “Visioning Workshops” (2018), an Environmental Justice Workshop (2019), and an EIR NOP/Scoping Meeting (2021). Yet, the proposed Plan and DEIR failed to disclose that the City of Lathrop is among one of the most disproportionately impacted communities. Of particular concern is the 673.90-acre area in the Central Lathrop proposed to be redesignated to Limited Industrial (LI) uses. “The Limited Industrial designation accommodates a wide range of jobs-generating uses, including business parks; clean light industrial; research and development (R&D); science, technology, engineering, and math (STEM); tech/biotech manufacturing; high-tech services that incorporate some combination of assembly, warehousing, and/or sales, hospitals and other health care-related uses, warehouses and distribution centers.” See DEIR at 2.0-13. The proposed Limited Industrial development adjacent to Lathrop High school and the community will have both short-term and long-term air quality and health effects.

B-2

The San Joaquin Valley has some of the most polluted air and accounts for the second worst air quality region in the United States.² San Joaquin County is in non-attainment of the ozone, PM₁₀ and PM_{2.5} criteria air quality standards. DEIR at 3.3-10. The six criteria pollutants have many health effects such as, chest pain,

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¹ [General Plan Guidelines, Chapter 4: Required Elements \(ca.gov\)](#)

² Air Pollution in the San Joaquin Valley; available at: <https://www.csustan.edu/sites/default/files/groups/Geography/Images/airpe.pdf>; accessed May 27, 2021.

Mark Meissner
 July 11, 2022
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coughing, asthma, premature death, etc. DEIR at 3.3-4 through 3.3-8. CalEnviroScreen 4.0 provides evidence for census tract 607705119, which includes the Central Lathrop area, that the area is within the 98 percentile for pollution burden per Senate Bill 535.³ The City of Lathrop is also identified as a disadvantaged and low-income community per AB 1550.⁴ Rather than clearly guide industrial development away from established schools and residential neighborhoods, this updated land-use change would place industrial uses immediately adjacent to homes and schools, exacerbating the community's existing burden.

B-3 Cont.

The proposed Project would transform this residential community into an industrial corridor, as trucks that serve these new industrial land uses would travel throughout established residential areas and immediately adjacent to schools. *See* DEIR at 2.0-26 (Figure 2.0-2: Proposed General Plan Map.) The concentration of industrial uses and the proximity of diesel trucks that service them would threaten the health of people living and working near these busy roads. *Id.* Heavy-duty trucks are sources of toxic diesel pollution. They emit large volumes of particulate matter, which contribute to health problems that include cardiovascular problems, cancer, asthma, decreased lung function and capacity, reproductive health problems, and premature death.⁵

B-4

These trucks would also pose an enormous threat to public safety as they interact with motor vehicles, pedestrians and bicyclists. Accommodating these large trucks would likely require the widening of existing roads bringing noisy and polluting trucks closer to the front doors of schools, homes and businesses. If approved in its current form with a total of 20,778 square feet of industrial development, human health impacts will be exacerbated, especially for sensitive receptors such as children and the elderly. *See* at DEIR 2.0-22, Table 2.0-3.

B-5

The proposed General Plan would defy every principle of sound land use planning as it would create long term environmental damage, affecting residents and future generations throughout the City. Consequently, a revised DEIR must implement the guidance provided in the State of California Attorney General's "*Warehouse Projects: Best Practices and Mitigation Measures to Comply with the*

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³ [CalEnviroScreen 4.0 Results \(arcgis.com\)](#)

⁴ [California Climate Investments Priority Populations 2022 CFS 4.0](#)

⁵ Storing Harm: the Health and Community Impacts of Goods Movement Warehousing and Logistics, January 2012, available at: <https://envhealthcenters.usc.edu/wp-content/uploads/2016/11/Storing-Harm.pdf>; accessed June 2, 2021.

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California Environmental Quality Act (2021), to protect Lathrop residents.⁶ In addition, under the circumstances, the City should consider an alternative to the proposed land use within the Central Lathrop area that creates a buffer zone between the community, schools, and the industrial area.

B-6 Cont.

II. The DEIR Fails to Comply With CEQA.

A. The DEIR’s Analyses of and Mitigation for the General Plan’s Environmental Impacts Are Legally Inadequate.

1. A Program EIR Does Not Excuse the City from Evaluating the General Plan’s Environmental Impact Analysis.

The DEIR’s analysis of environmental impacts is strikingly deficient. The “programmatic” nature of this DEIR is no excuse for its lack of detailed analysis. The DEIR grossly misconstrues the requirements of a “program” EIR by repeatedly asserting that “Individual projects will be required to provide their own environmental assessments to determine health impacts from the construction and operation of their projects.” See DEIR 3.3-38. This approach is flawed, at the outset, because CEQA requires that a program EIR provide in-depth analysis of a project, looking at effects “as specifically and comprehensively as possible.” CEQA Guidelines §15168 (c)(5). Indeed, because it looks at the big picture, a program EIR must provide “more exhaustive consideration” of effects and alternatives than can be accommodated by an EIR for an individual action, and must consider “cumulative impacts that might be slighted in a case-by-case analysis.” CEQA Guidelines §15168(b)(1)-(2).

B-7

Further, it is only at this early stage that the City can design wide-ranging land use alternatives and measures to mitigate City-wide environmental impacts. See CEQA Guidelines §15168(b)(4) (programmatic EIR “[a]llows the Lead Agency to consider broad policy alternatives and program wide mitigation measures at an early time when the agency has greater flexibility”). A “program” or “first tier” EIR is expressly *not* a device to be used for deferring the analysis of significant environmental impacts. *Stanislaus Natural Heritage Project v. County of Stanislaus* (1996) 48 Cal.App.4th 182, 199. It is instead an opportunity to

⁶ Exhibit A; Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act (2021)

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analyze impacts common to a series of smaller projects, in order to avoid repetitious analyses.

B-7 Cont.

Thus, it is particularly important that the DEIR for the proposed General Plan analyze the impacts of the land use development decisions the City is authorizing now, rather than deferring that analysis to a later point when individual specific projects are proposed. For example, the DEIR asserts the following: “The General Plan also requires the City to update the Central Lathrop Specific Plan to establish a circulation network that keeps future truck trips as far from existing and planned sensitive receptors as feasible (Action LU-5.f).” See at 3.3-38. A general plan, as the constitution for all future development (*Citizens of Goleta Valley v. Bd. of Supervisors* (1990) 52 Cal.3d 553, 570), dictates the location and type of future development in the County. An EIR for a general plan must take into account the environmental impacts of all future development permitted by the general plan. *City of Redlands v. County of San Bernardino* (2002) 96 Cal.App.4th 398, 409; see also *City of Carmel-by-the-Sea v. Bd. of Supervisors* (1986) 183 Cal.App.3d 229, 245. Given the potential for serious environmental degradation that would accompany the General Plan’s proposed industrial land uses near sensitive receptors in the Central Lathrop area and all other areas of the City, there is no excuse for the City to defer environmental analysis. Once this analysis is conducted, and the full range of environmental impacts is disclosed, the City will be in a better position to study land use alternatives including the alternative discussed above.

B-8

2. The DEIR’s Analysis and Mitigation of the General Plan’s Air Quality Impacts is Inadequate.

The DEIR’s analysis of the Project’s air quality impacts is inadequate for two reasons. First, the DEIR fails to adequately describe the environmental setting. As discussed above, the Central Lathrop area is identified in the CalEnviroscreen data as having a 98 % pollution burden, yet the DEIR fails to disclose this information. An EIR’s description of the environmental setting must contain sufficient information to “permit the significant effects of the project to be considered in the full environmental context.” CEQA Guidelines § 15125(c). “If the description of the environmental setting ‘is inaccurate, incomplete or misleading, the EIR does not comply with CEQA.’” *Cleveland National Forest Foundation v. San Diego Assn. of Governments* (2017) 17 Cal.App.5th 413, 439 (citation omitted). An accurate description of the environmental setting is critical, because the significance of an activity may vary with the setting. CEQA Guidelines, § 15064(b). A “project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant.”

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CEQA Guidelines § 15300.2(a); *see also Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 718, 721. Here, omission of critical information regarding existing conditions renders the EIR inadequate because it results in an inaccurate baseline from which to evaluate Project-related impacts to air quality.

B-9 Cont.

Second, the DEIR concludes that the Project’s air quality impacts would be significant and unavoidable; however, the DEIR fails to propose adequate mitigation and fails to evaluate an alternative that locates industrial land uses away from sensitive receptors. In those neighborhoods where the General Plan would concentrate industrial land uses, residents would be disproportionality exposed to concentrated air pollutant emissions generated by industrial development and truck traffic. It is therefore critically important that the DEIR thoroughly assess the General Plan’s potential to further degrade local and regional air quality.

B-10

A revised DEIR must identify the location of sensitive receptors that could be adversely impacted by industrial development and other polluting land uses. In addition, the DEIR must evaluate mitigation measures and/or alternatives to avoid and/or minimize these impacts, especially within the Central Lathrop area.

(a) The DEIR Fails to Analyze Impacts of Toxic Air Contaminants on the Sensitive Receptors at the Lathrop High School, the existing community, and future planned residences.

Unless the Program DEIR adequately describes the public’s existing exposure to TACs, decision-makers cannot: (1) understand the scope of the existing TAC problem; (2) measure the General Plans’ new TAC impacts against a baseline of current TAC emissions; (3) evaluate mitigation of those impacts; or (4) intelligently decide whether the General Plan’s Program DEIR approval is worth the risk. The DEIR concludes that the development allowed by the proposed General Plan would expose sensitive receptors to substantial pollutant concentrations and that the related impact would be significant and unavoidable. DEIR at 3.3-3.7. However, the DEIR fails to determine the extent and severity of those impacts. Merely stating that an impact will occur is insufficient; an EIR must also provide “information about how adverse the adverse impact will be.” *Santiago County Water District v. County of Orange*, 118 Cal. App. 3d 818, 831 (1981). This information, of course, must be accurate and consist of more than mere conclusions or speculation.

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Here, the DEIR should have thoroughly analyzed the Project's impacts of exposing students at Lathrop High school, and children and the elderly in the Central Lathrop community to increased levels of toxic air contaminants. In these circumstances, where the existing environment is especially sensitive and already significantly degraded, an accurate analysis of current environmental conditions and Project impacts is essential, because even a small incremental increase could result insignificant impacts. For example, the health risk assessment (HRA) in the DEIR omits both the stationary and mobile sources. In addition, the HRA also omits an on-site analysis for the sensitive receptors south of the Dos Reis Road, which includes the Lathrop High School and the residential areas. DEIR at 3.3-38.

B-11 Cont.

As the DEIR discloses, the Project would result in approximately 7,742 new heavy-duty truck trips per day in close proximity to Lathrop High School. See Appendix F Health Risk Model Outputs. However, the DEIR fails to analyze particulate emissions from the increased truck traffic. The fact that the DEIR focuses only on TAC emissions from net new heavy-duty trucks, as opposed to all of the sources of TAC and particulate emissions, such as emissions increased traffic on local streets and on Highway I-5, is yet another egregious flaw.

B-12

As discussed above, area students and residents are already significantly affected by the existing unhealthy air quality. Thus, an accurate analysis of current environmental conditions and the Project's impacts is essential, because even a small incremental increase could result in significant impacts. A revised DEIR must correct this failure.

3. The DEIR Fails to Adequately Mitigate the General Plan's Noise Impacts.

As discussed in detail above, CEQA requires that a program EIR provide an in-depth analysis of a large project, looking at effects "as specifically and comprehensively as possible." CEQA Guidelines § 15168(a), (c)(5). Because it looks at the big picture, a program level EIR must provide "more exhaustive consideration" of effects and alternatives than an EIR for an individual action, and must consider "cumulative impacts that might be slighted by a case-by-case analysis." CEQA Guidelines § 15168(b)(1)-(2).

B-13

The DEIR discloses the General plan may result in of significant and unavoidable traffic noise sources. DEIR at 3.12-18. However, the DEIR fails to analyze the extent and severity of the Project's noise impacts in the Central Lathrop area.

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The Central Lathrop area baseline conditions for noise at the nearest sensitive receptors are at 60.7 dB. The DEIR states that “an increase in the traffic noise level of 1.5 dB or more would be significant where the pre-project noise level exceeds 65 dB Ldn.” DEIR at 3.12-16. In addition, exceeding noise limits for maximum allowable noise exposure from mobile sources at schools of 70 Ldn/CNEL, dB for outdoor activity areas and 45 Leq, dB indoor spaces would be significant. DEIR at 3.12-27. The DEIR determines that the Project could generate noise that exceeds these thresholds for both indoors and outdoors, and concludes that impacts to nearby sensitive receptors would be significant. DEIR at 3.12-21. Specifically, the DEIR discloses that noise levels near Lathrop High School would increase by 13.6 dB. DEIR at 3.12-19.

The General Plan Policies and Actions that Minimize Potential Impacts DEIR at 3.12-22 to 3.12-25 are insufficient to protect sensitive receptors within the Central Lathrop community. None of the Policies and Actions for transportation noise sources require specific mitigation measures for sensitive receptors. DEIR at 3.12-22 to 3.12-23. For example: Policy N-1.10 Truck Traffic directs the City to limit local truck traffic, including loading and unloading, to specific routes, times, and speeds appropriate to each zoning district. However, this policy is so vague as to be meaningless. It fails to state what types of limits would be “appropriate.” The policy also calls for locating automobile and truck access to industrial and commercial properties abutting residential properties at the maximum practical distance from residential zones. DEIR at 3.12-23. However, the DEIR fails to evaluate the efficacy of this policy or the level of impact after implementation of this policy, and fails to provide additional policies or measures to protect residents if site ingress/egress cannot be located a safe distance from residential areas.

Proposed changes to the General Plan Land Use Map would also allow warehouse distribution centers. According to the California Attorney General the noise from warehouses causes intrusive impacts to nearby sensitive receptors:

The noise associated with logistics facilities can be among their most intrusive impacts to nearby sensitive receptors. Various sources, such as unloading activity, diesel truck movement, and rooftop air conditioning units, can contribute substantial noise pollution. These impacts are exacerbated by logistics facilities’ typical 24-hour, seven-days-per-week operation. Construction noise is often even greater than operational noise, so if a project site is near sensitive receptors, developers

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and lead agencies should adopt measures to reduce the noise generated by both construction and operation activities.

See Attorney General, Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act at 9,⁷ attached as Exhibit A.

Given that the development of warehouses and other industrial uses would potentially be located immediately adjacent to homes and schools, it is imperative that the DEIR include more robust mitigation and/or analysis of an alternative for less impactful land use designations in the Lathrop Central area, particularly on the site near Lathrop High School.

4. The DEIR Fails to Adequately Analyze and Mitigate Significant Safety Impacts on Pedestrians and Bicyclists

The increase in heavy-duty truck traffic that would accompany the increase in light industrial land use development in the Central Lathrop community is a critical concern. The Project would result in an increase of approximately 7,742 net new heavy-duty truck trips per day in the Central Lathrop areas and 24,700 daily truck trips associated with industrial growth for the Project. DEIR at 3.14-43.

Trucks traveling on the City's streets pose serious hazards. Within the last several years, two trucks traveling down Louise Avenue hit sound walls that serve as backyard fences for a number of homes.⁸ One truck ended up in a backyard swimming pool. (Add cite. *Id.*?) Trucks routinely roll over curbs and clip signs where the turn radius is too tight. *Id.* The DEIR fails to provide mitigation measures for these foreseeable hazard risks, and only includes the General Plan Goals Policies and Actions. DEIR at 3.14-43. The DEIR must conduct the necessary analysis of traffic hazard impacts for Central Lathrop and any other impacted areas. Evidently, the additional 7,742 net new heavy-duty truck trips per

⁷ <https://oag.ca.gov/sites/all/files/agweb/pdfs/environment/warehouse-best-practices.pdf>; accessed July 7, 2022.

⁸ Lathrop Road Fiasco? More Trucks, More Noise, Less Safety, February 3, 2017, Manteca, Ripon Bulletin; available at <https://www.mantecabulletin.com/news/lathrop-road-fiasco/>; accessed June 2, 2021.

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day will be extremely dangerous for the children walking and biking to/from the schools within the Central Lathrop area.

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The City of Lathrop Bicycle Transportation Plan was updated in 2004. The Plan’s goals and policies are vague and aspirational. For example, “Goal: To create a bikeway system that provides for convenient and safe bicycle circulation throughout Lathrop and maximizes the number of bicycle commuters.” DEIR at 3.14-25. The City may rely on such policies to mitigate environmental impacts under CEQA only if they are proposed to be implemented through specific implementation programs that represent a firm, enforceable commitment to mitigate. *See Napa Citizens for Honest Gov. v. Napa County Bd. of Supervisors* (2001) 91 Cal.App.4th 342, 358 (citing *Rio Vista Farm Bureau Center v. County of Solano* (1992) 5 Cal.App.4th 351, 377). CEQA requires that mitigation measures actually be implemented—not merely adopted and then disregarded. *Anderson First Coalition v. City of Anderson* (2005) 130 Cal.App.4th 1173, 1186-87; *Federation of Hillside & Canyon Assns. v. City of Los Angeles* (2000) 83 Cal.App.4th 1252, 1261.

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By contrast, the General Plan’s vague and noncommittal policies allow the City to decide to take no action whatsoever and thus fail to mitigate impacts. As a result, the DEIR cannot ensure that the policies relied on will in fact be implemented to mitigate the General Plan’s impacts, or that they will be effective in minimizing impacts, and therefore they cannot serve as CEQA mitigation. *See Anderson First*, 130 Cal.App.4th at 1186-87. For example: CIR-1j Create a Local Roadway Safety Plan includes a goal of reducing traffic fatalities and serious injuries on public roads and to support funding safety improvements. The plan may consider collision history; vehicle, bicycle, and pedestrian volumes; vehicle speeds; and other improvements. Complete this plan within four years of adoption of this General Plan. DEIR at 3.14-44. This General Plan Implementation Action should be a requirement with specific performance standards identified before certification of this EIR.

The DEIR concludes that Project-related impacts on policies for safe, travel, including by transit users, bicyclists, and pedestrians are significant and unavoidable. DEIR at 3.14-4. However, the DEIR fails to include any additional policies, plans, or mitigations to avoid, reduce, or minimize impacts. The Project-related increase in trucks would increase safety hazards to pedestrians and cyclists forced to share the road with intensive truck traffic. The DEIR discloses that the pedestrian network is not completely developed with gaps between parcels. The locations of sidewalks not yet constructed are not identified in the DEIR. DEIR at 3.14-13. Accessibility, mobility, and safety must be a priority especially around

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schools. The DEIR should include important data with maps to locate the underserved areas. Most importantly, the DEIR should include analysis of how the Central Lathrop pedestrians will be affected by the large development of distribution centers and warehouses. Other questions the DEIR must address include: What actions has the City taken to prevent such accidents? How many streets in the City lack sidewalks? How many streets have bicycle paths? Of those streets that have bike paths, which locations are and are not separated from motorized vehicular traffic by open space or a barrier? What specific impact would the increase in motor vehicle and heavy-duty truck traffic resulting from implementation of the General Plan have on pedestrian and bicycle travel near schools in the City?

B-17 Cont.

It is critically important that the potential safety impacts associated with implementation of the 673.90 acres light industrial uses be adequately addressed in a revised and recirculated DEIR. Once this analysis is undertaken, it is likely that the City will determine that these impacts are significant and that mitigation will be required. The revised DEIR should consider, at a minimum, the following potentially feasible alternatives and mitigation measures:

- A mitigation measure requiring a cap on the number of acres of light industrial uses in the Central Lathrop area, especially warehouses and distribution centers.
- An alternative that prohibits industrial land uses near established residential neighborhoods and schools.
- A mitigation measure that prohibits heavy-duty truck routes within residential areas and schools.
- A mitigation measure that requires implementation of sidewalks, streetlights, crosswalks, transit stops, bicycle lanes, speed bumps and other pedestrian safety infrastructure on heavily travelled routes prior to development near schools and residential areas.
- A mitigation measure requiring preparation of an engineering strategic plan to eliminate all traffic fatalities and severe injuries within the City of Lathrop. We urge decision-makers to model this plan after the City of Berkeley's Vision Zero Program which is a data-driven strategy to

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eliminate all traffic fatalities and severe injuries while increasing safe, healthy, and equitable mobility for all.⁹

Finally, the DEIR’s conclusion of significance does not relieve the City from avoiding, reducing, and/or minimizing impacts to the bicycle and pedestrian network. The City’s General Plan goals, policies, and implementation actions described in Impact 3.14-1 and Impact 3.14-3 must evaluate mitigation measures to reduce conflicts and hazards impacts to the Central Lathrop community. DEIR 3.14-42. The DEIR must also include alternatives that will locate land uses generating substantial truck traffic away from schools and homes. The City is encouraged to review implementation guidelines and apply funding for disadvantaged communities per the Safe Routes to School program (SRTS), Caltrans, and NACTO.¹⁰

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B. The DEIR Must Be Revised and Recirculated.

Under California law, this DEIR cannot properly form the basis of a final EIR, support the findings required by CEQA, or justify the City’s approval of the General Plan. CEQA and the CEQA Guidelines require recirculation of a draft EIR when: (1) the addition of significant new information to the EIR after public notice is given of the availability of the DEIR but before certification, or (2) the draft EIR is so “fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.” CEQA Guidelines § 15088.5.

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Here, both circumstances apply. Decisionmakers and the public cannot possibly assess the General Plan’s environmental impacts through the present DEIR, which is riddled with errors and omissions. Among other fundamental deficiencies, the DEIR repeatedly understates the Project’s significant environmental impacts and fails to identify feasible mitigation measures or alternatives to effectively reduce these impacts. To correct these issues, the City must prepare a revised EIR that will necessarily include substantial new information and analysis.

⁹ Berkeley Vision Zero Program available at: <https://www.cityofberkeley.info/visionzero.aspx>; accessed May 26, 2021.

¹⁰ https://opr.ca.gov/docs/OPR_C4_final.pdf

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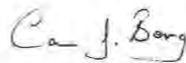
III. Conclusion.

For the reasons set forth above, we respectfully request that no further consideration be given to the proposed General Plan until an EIR is prepared and circulated that fully complies with CEQA. In addition, the City must consider an alternative that relocates the industrial land uses, and their affiliated truck routes, away from schools and the residential neighborhoods proposed in the Central Lathrop area of the City. Such an alternative would result in a substantive reduction in the General Plan's significant environmental impacts.

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Very truly yours,

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Carmen J. Borg, AICP, Urban Planner
Winter King, attorney

Exhibit A: Attorney General, Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act

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EXHIBIT A

XAVIER BECERRA
Attorney General

State of California
DEPARTMENT OF JUSTICE



Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act

In carrying out its duty to enforce laws across California, the California Attorney General's Bureau of Environmental Justice (Bureau)¹ regularly reviews proposed warehouse projects for compliance with the California Environmental Quality Act (CEQA) and other laws. When necessary, the Bureau submits comment letters to lead agencies, and in rare cases the Bureau has filed litigation to enforce CEQA.² This document builds upon the Bureau's comment letters, collecting knowledge gained from the Bureau's review of hundreds of warehouse projects across the state. It is meant to help lead agencies pursue CEQA compliance and promote environmentally-just development as they confront warehouse project proposals.³ While CEQA analysis is necessarily project-specific, this document provides information on feasible best practices and mitigation measures, the overwhelming majority of which have been adapted from actual warehouse projects in California.

I. Background

In recent years, the proliferation of e-commerce and rising consumer expectations of rapid shipping have contributed to a boom in warehouse development.⁴ California, with its ports, population centers, and transportation network, has found itself at the center of this trend. For example, in 2014, 40 percent of national container cargo flowed through Southern California, which was home to nearly 1.2 billion square feet of warehouse facilities.⁵ In the Inland Empire alone, 150 million square feet of new industrial space was built over the last decade,⁶ and 21 of the largest 100 logistics leases signed in 2019 nationwide were in the Inland

¹ <https://oag.ca.gov/environment/justice>.

² <https://oag.ca.gov/environment/ceqa/letters>; *South Central Neighbors United et al. v. City of Fresno et al.* (Super. Ct. Fresno County, No. 18CECG00690).

³ Anyone reviewing this document to determine CEQA compliance responsibilities should consult their own attorney for legal advice.

⁴ As used in this document, "warehouse" or "logistics facility" is defined as a facility consisting of one or more buildings that stores cargo, goods, or products on a short or long term basis for later distribution to businesses and/or retail customers.

⁵ Industrial Warehousing in the SCAG Region, Task 2. Inventory of Warehousing Facilities (April 2018), http://www.scag.ca.gov/Documents/Task2_FacilityInventory.pdf at 1-1, 2-11.

⁶ Los Angeles Times, *When your house is surrounded by massive warehouses*, October 27, 2019, <https://www.latimes.com/california/story/2019-10-27/fontana-california-warehouses-inland-empire-pollution>.

Empire, comprising 17.5 million square feet.⁷ This trend has not slowed, even with the economic downturn caused by COVID-19, as e-commerce has continued to grow.⁸ Forecasts predict that the Central Valley is where a new wave of warehouse development will go.⁹

When done properly, these activities can contribute to the economy and consumer welfare. However, imprudent warehouse development can harm local communities and the environment. Among other pollutants, diesel trucks visiting warehouses emit nitrogen oxide (NO_x)—a primary precursor to smog formation and a significant factor in the development of respiratory problems like asthma, bronchitis, and lung irritation—and diesel particulate matter (a subset of fine particular matter that is smaller than 2.5 micrometers)—a contributor to cancer, heart disease, respiratory illnesses, and premature death.¹⁰ Trucks and on-site loading activities can also be loud, bringing disruptive noise levels during 24/7 operation that can cause hearing damage after prolonged exposure.¹¹ The hundreds, and sometimes thousands, of daily truck and passenger car trips that warehouses generate contribute to traffic jams, deterioration of road surfaces, and traffic accidents. These environmental impacts also tend to be concentrated in neighborhoods already suffering from disproportionate health impacts.

⁷ CBRE, *Dealmakers: E-Commerce & Logistics Firms Drive Demand for Large Warehouses in 2019* (January 23, 2020), <https://www.cbre.us/research-and-reports/US-MarketFlash-Dealmakers-E-Commerce-Logistics-Firms-Drive-Demand-for-Large-Warehouses-in-2019>; see also CBRE, *E-Commerce and Logistics Companies Expand Share Of Largest US Warehouse Leases, CBRE Analysis Finds* (Feb. 25, 2019), <https://www.cbre.us/about/media-center/inland-empire-largest-us-warehouse-leases> (20 of the largest 100 warehousing leases in 2018 were in the Inland Empire, comprising nearly 20 million square feet).

⁸ CBRE, 2021 U.S. Real Estate Market Outlook, Industrial & Logistics, <https://www.cbre.us/research-and-reports/2021-US-Real-Estate-Market-Outlook-Industrial-Logistics>; Kaleigh Moore, *As Online Sales Grow During COVID-19, Retailers Like Montce Swim Adapt And Find Success*, FORBES (June 24, 2020), available at <https://www.forbes.com/sites/kaleighmoore/2020/06/24/as-online-sales-grow-during-covid-19-retailers-like-montce-swim-adapt-and-find-success/>.

⁹ New York Times, *Warehouses Are Headed to the Central Valley, Too* (Jul. 22, 2020), available at <https://www.nytimes.com/2020/07/22/us/coronavirus-ca-warehouse-workers.html>.

¹⁰ California Air Resources Board, Nitrogen Dioxide & Health, <https://ww2.arb.ca.gov/resources/nitrogen-dioxide-and-health> (NO_x); California Air Resources Board, Summary: Diesel Particulate Matter Health Impacts, <https://ww2.arb.ca.gov/resources/summary-diesel-particulate-matter-health-impacts>; Office of Environmental Health Hazard Assessment and American Lung Association of California, Health Effects of Diesel Exhaust, <https://oehha.ca.gov/media/downloads/calenviroscreen/indicators/diesel14-02.pdf> (DPM).

¹¹ Noise Sources and Their Effects, <https://www.chem.purdue.edu/chemsafety/Training/PPETrain/dblevels.htm> (a diesel truck moving 40 miles per hour, 50 feet away, produces 84 decibels of sound).

II. Proactive Planning: General Plans, Local Ordinances, and Good Neighbor Policies

To systematically address warehouse development, we encourage governing bodies to proactively plan for logistics projects in their jurisdictions. Proactive planning allows jurisdictions to prevent land use conflicts before they materialize and guide sustainable development. Benefits also include providing a predictable business environment, protecting residents from environmental harm, and setting consistent expectations jurisdiction-wide.

Proactive planning can take any number of forms. Land use designation and zoning decisions should channel development into appropriate areas. For example, establishing industrial districts near major highway and rail corridors but away from sensitive receptors can help avoid conflicts between warehouse facilities and residential communities.

In addition, general plan policies, local ordinances, and good neighbor policies should set minimum standards for logistics projects. General plan policies can be incorporated into existing economic development, land use, circulation, or other related elements. Many jurisdictions alternatively choose to consolidate policies in a separate environmental justice element. Adopting general plan policies to guide warehouse development may also help jurisdictions comply with their obligations under SB 1000, which requires local government general plans to identify objectives and policies to reduce health risks in disadvantaged communities, promote civil engagement in the public decision making process, and prioritize improvements and programs that address the needs of disadvantaged communities.¹²

The Bureau is aware of four good neighbor policies in California: Riverside County, the City of Riverside, the City of Moreno Valley, and the Western Riverside Council of Governments.¹³ These policies provide minimum standards that all warehouses in the jurisdiction must meet. For example, the Western Riverside Council of Governments policy sets a minimum buffer zone of 300 meters between warehouses and sensitive receptors, and it requires a number of design features to reduce truck impacts on nearby sensitive receptors. The Riverside County policy requires vehicles entering sites during both construction and operation to meet certain California Air Resources Board (CARB) guidelines, and it requires community benefits agreements and supplemental funding contributions toward additional pollution offsets.

The Bureau encourages jurisdictions to adopt their own local ordinances and/or good neighbor policies that combine the most robust policies from those models with measures discussed in the remainder of this document.

¹² For more information about SB 1000, see <https://oag.ca.gov/environment/sb1000>.

¹³ <https://www.rivcocob.org/wp-content/uploads/2020/01/Good-Neighbor-Policy-F-3-Final-Adopted.pdf> (Riverside County); <https://riversideca.gov/planning/pdf/good-neighbor-guidelines.pdf> (City of Riverside); http://qcode.us/codes/morenovalley/view.php?topic=9-9_05-9_05_050&frames=on (City of Moreno Valley); <http://www.wrcog.cog.ca.us/DocumentCenter/View/318/Good-Neighbor-Guidelines-for-Siting-Warehouse-Distribution-Facilities-PDF?bidId=> (Western Riverside Council of Governments).

III. Community Engagement

Early and consistent community engagement is central to establishing good relationships between communities, lead agencies, and warehouse developers and tenants. Robust community engagement can give lead agencies access to community residents' on-the-ground knowledge and information about their concerns, build community support for projects, and develop creative solutions to ensure new logistics facilities are mutually beneficial. Examples of best practices for community engagement include:

- Holding a series of community meetings at times and locations convenient to members of the affected community and incorporating suggestions into the project design.
- Posting information in hard copy in public gathering spaces and on a website about the project. The information should include a complete, accurate project description, maps and drawings of the project design, and information about how the public can provide input and be involved in the project approval process. The information should be in a format that is easy to navigate and understand for members of the affected community.
- Providing notice by mail to residents and schools within a certain radius of the project and along transportation corridors to be used by vehicles visiting the project, and by posting a prominent sign on the project site. The notice should include a brief project description and directions for accessing complete information about the project and for providing input on the project.
- Providing translation or interpretation in residents' native language, where appropriate.
- For public meetings broadcast online or otherwise held remotely, providing for access and public comment by telephone and supplying instructions for access and public comment with ample lead time prior to the meeting.
- Partnering with local community-based organizations to solicit feedback, leverage local networks, co-host meetings, and build support.
- Considering adoption of a community benefits agreement, negotiated with input from affected residents and businesses, by which the developer provides benefits to the community.
- Creating a community advisory board made up of local residents to review and provide feedback on project proposals in early planning stages.
- Identifying a person to act as a community liaison concerning on-site construction activity and operations, and providing contact information for the community relations officer to the surrounding community.

IV. Warehouse Siting and Design Considerations

The most important consideration when planning a logistics facility is its location. Warehouses located in residential neighborhoods or near other sensitive receptors expose community residents and those using or visiting sensitive receptor sites to the air pollution, noise, traffic, and other environmental impacts they generate. Therefore, placing facilities away from sensitive receptors significantly reduces their environmental and quality of life harms on local

communities. The suggested best practices for siting and design of warehouse facilities does not relieve lead agencies' responsibility under CEQA to conduct a project-specific analysis of the project's impacts and evaluation of feasible mitigation measures and alternatives; lead agencies' incorporation of the best practices must be part of the impact, mitigation and alternatives analyses to meet the requirements of CEQA. Examples of best practices when siting and designing warehouse facilities include:

- Per CARB guidance, siting warehouse facilities so that their property lines are at least 1,000 feet from the property lines of the nearest sensitive receptors.¹⁴
- Creating physical, structural, and/or vegetative buffers that adequately prevent or substantially reduce pollutant dispersal between warehouses and any areas where sensitive receptors are likely to be present, such as homes, schools, daycare centers, hospitals, community centers, and parks.
- Providing adequate areas for on-site parking, on-site queuing, and truck check-in that prevent trucks and other vehicles from parking or idling on public streets.
- Placing facility entry and exit points from the public street away from sensitive receptors, e.g., placing these points on the north side of the facility if sensitive receptors are adjacent to the south side of the facility.
- Locating warehouse dock doors and other onsite areas with significant truck traffic and noise away from sensitive receptors, e.g., placing these dock doors on the north side of the facility if sensitive receptors are adjacent to the south side of the facility.
- Screening dock doors and onsite areas with significant truck traffic with physical, structural, and/or vegetative barriers that adequately prevent or substantially reduce pollutant dispersal from the facility towards sensitive receptors.
- Posting signs clearly showing the designated entry and exit points from the public street for trucks and service vehicles.
- Posting signs indicating that all parking and maintenance of trucks must be conducted within designated on-site areas and not within the surrounding community or public streets.

V. Air Quality and Greenhouse Gas Emissions Analysis and Mitigation

Emissions of air pollutants and greenhouse gases are often among the most substantial environmental impacts from new warehouse facilities. CEQA compliance demands a proper accounting of the full air quality and greenhouse gas impacts of logistics facilities and adoption of all feasible mitigation of significant impacts. Although efforts by CARB and other authorities to regulate the heavy-duty truck and off-road diesel fleets have made excellent progress in reducing the air quality impacts of logistics facilities, the opportunity remains for local jurisdictions to further mitigate these impacts at the project level. Lead agencies and developers

¹⁴ California Air Resources Board (CARB), Air Quality and Land Use Handbook: A Community Health Perspective (April 2005), at ES-1. CARB staff has released draft updates to this siting and design guidance which suggests a greater distance may be warranted under varying scenarios; this document may be found on CARB's website and is entitled: "California Sustainable Freight Initiative: Concept Paper for the Freight Handbook" (December 2019).

should also consider designing projects with their long-term viability in mind. Constructing the necessary infrastructure to prepare for the zero-emission future of goods movement not only reduces a facility's emissions and local impact now, but it can also save money as regulations tighten and demand for zero-emission infrastructure grows. In planning new logistics facilities, the Bureau strongly encourages developers to consider the local, statewide, and global impacts of their projects' emissions.

Examples of best practices when studying air quality and greenhouse gas impacts include:

- Fully analyzing all reasonably foreseeable project impacts, including cumulative impacts. In general, new warehouse developments are not ministerial under CEQA because they involve public officials' personal judgment as to the wisdom or manner of carrying out the project, even when warehouses are permitted by a site's applicable zoning and/or general plan land use designation. CEQA Guidelines § 15369.
- When analyzing cumulative impacts, thoroughly considering the project's incremental impact in combination with past, present, and reasonably foreseeable future projects, even if the project's individual impacts alone do not exceed the applicable significance thresholds.
- Preparing a quantitative air quality study in accordance with local air district guidelines.
- Preparing a quantitative health risk assessment in accordance with California Office of Environmental Health Hazard Assessment and local air district guidelines.
- Refraining from labeling compliance with CARB or air district regulations as a mitigation measure—compliance with applicable regulations is a baseline expectation.
- Fully analyzing impacts from truck trips. CEQA requires full public disclosure of a project's anticipated truck trips, which entails calculating truck trip length based on likely truck trip destinations, rather than the distance from the facility to the edge of the air basin. Emissions beyond the air basin are not speculative, and, because air pollution is not static, may contribute to air basin pollution. Moreover, any contributions to air pollution outside the local air basin should be quantified and their significance should be considered.
- Accounting for all reasonably foreseeable greenhouse gas emissions from the project, without discounting projected emissions based on participation in California's Cap-and-Trade Program.

Examples of measures to mitigate air quality and greenhouse gas impacts from construction are below. To ensure mitigation measures are enforceable and effective, they should be imposed as permit conditions on the project where applicable.

- Requiring off-road construction equipment to be zero-emission, where available, and all diesel-fueled off-road construction equipment, to be equipped with CARB Tier IV-compliant engines or better, and including this requirement in applicable

bid documents, purchase orders, and contracts, with successful contractors demonstrating the ability to supply the compliant construction equipment for use prior to any ground-disturbing and construction activities.

- Prohibiting off-road diesel-powered equipment from being in the “on” position for more than 10 hours per day.
- Requiring on-road heavy-duty haul trucks to be model year 2010 or newer if diesel-fueled.
- Providing electrical hook ups to the power grid, rather than use of diesel-fueled generators, for electric construction tools, such as saws, drills and compressors, and using electric tools whenever feasible.
- Limiting the amount of daily grading disturbance area.
- Prohibiting grading on days with an Air Quality Index forecast of greater than 100 for particulates or ozone for the project area.
- Forbidding idling of heavy equipment for more than two minutes.
- Keeping onsite and furnishing to the lead agency or other regulators upon request, all equipment maintenance records and data sheets, including design specifications and emission control tier classifications.
- Conducting an on-site inspection to verify compliance with construction mitigation and to identify other opportunities to further reduce construction impacts.
- Using paints, architectural coatings, and industrial maintenance coatings that have volatile organic compound levels of less than 10 g/L.
- Providing information on transit and ridesharing programs and services to construction employees.
- Providing meal options onsite or shuttles between the facility and nearby meal destinations for construction employees.

Examples of measures to mitigate air quality and greenhouse gas impacts from operation include:

- Requiring that all facility-owned and operated fleet equipment with a gross vehicle weight rating greater than 14,000 pounds accessing the site meet or exceed 2010 model-year emissions equivalent engine standards as currently defined in California Code of Regulations Title 13, Division 3, Chapter 1, Article 4.5, Section 2025. Facility operators shall maintain records on-site demonstrating compliance with this requirement and shall make records available for inspection by the local jurisdiction, air district, and state upon request.
- Requiring all heavy-duty vehicles entering or operated on the project site to be zero-emission beginning in 2030.
- Requiring on-site equipment, such as forklifts and yard trucks, to be electric with the necessary electrical charging stations provided.
- Requiring tenants to use zero-emission light- and medium-duty vehicles as part of business operations.
- Forbidding trucks from idling for more than two minutes and requiring operators to turn off engines when not in use.
- Posting both interior- and exterior-facing signs, including signs directed at all

- dock and delivery areas, identifying idling restrictions and contact information to report violations to CARB, the air district, and the building manager.
- Installing and maintaining, at the manufacturer's recommended maintenance intervals, air filtration systems at sensitive receptors within a certain radius of facility for the life of the project.
 - Installing and maintaining, at the manufacturer's recommended maintenance intervals, an air monitoring station proximate to sensitive receptors and the facility for the life of the project, and making the resulting data publicly available in real time. While air monitoring does not mitigate the air quality or greenhouse gas impacts of a facility, it nonetheless benefits the affected community by providing information that can be used to improve air quality or avoid exposure to unhealthy air.
 - Constructing electric truck charging stations proportional to the number of dock doors at the project.
 - Constructing electric plugs for electric transport refrigeration units at every dock door, if the warehouse use could include refrigeration.
 - Constructing electric light-duty vehicle charging stations proportional to the number of parking spaces at the project.
 - Installing solar photovoltaic systems on the project site of a specified electrical generation capacity, such as equal to the building's projected energy needs.
 - Requiring all stand-by emergency generators to be powered by a non-diesel fuel.
 - Requiring facility operators to train managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of trucks.
 - Requiring operators to establish and promote a rideshare program that discourages single-occupancy vehicle trips and provides financial incentives for alternate modes of transportation, including carpooling, public transit, and biking.
 - Meeting CalGreen Tier 2 green building standards, including all provisions related to designated parking for clean air vehicles, electric vehicle charging, and bicycle parking.
 - Achieving certification of compliance with LEED green building standards.
 - Providing meal options onsite or shuttles between the facility and nearby meal destinations.
 - Posting signs at every truck exit driveway providing directional information to the truck route.
 - Improving and maintaining vegetation and tree canopy for residents in and around the project area.
 - Requiring that every tenant train its staff in charge of keeping vehicle records in diesel technologies and compliance with CARB regulations, by attending CARB-approved courses. Also require facility operators to maintain records on-site demonstrating compliance and make records available for inspection by the local jurisdiction, air district, and state upon request.
 - Requiring tenants to enroll in the United States Environmental Protection Agency's SmartWay program, and requiring tenants to use carriers that are SmartWay carriers.

- Providing tenants with information on incentive programs, such as the Carl Moyer Program and Voucher Incentive Program, to upgrade their fleets.

VI. Noise Impacts Analysis and Mitigation

The noise associated with logistics facilities can be among their most intrusive impacts to nearby sensitive receptors. Various sources, such as unloading activity, diesel truck movement, and rooftop air conditioning units, can contribute substantial noise pollution. These impacts are exacerbated by logistics facilities' typical 24-hour, seven-days-per-week operation. Construction noise is often even greater than operational noise, so if a project site is near sensitive receptors, developers and lead agencies should adopt measures to reduce the noise generated by both construction and operation activities.

Examples of best practices when studying noise impacts include:

- Preparing a noise impact analysis that considers all reasonably foreseeable project noise impacts, including to nearby sensitive receptors. All reasonably foreseeable project noise impacts encompasses noise from both construction and operations, including stationary, on-site, and off-site noise sources.
- Adopting a lower significance threshold for incremental noise increases when baseline noise already exceeds total noise significance thresholds, to account for the cumulative impact of additional noise and the fact that, as noise moves up the decibel scale, each decibel increase is a progressively greater increase in sound pressure than the last. For example, 70 dBA is ten times more sound pressure than 60 dBA.

Examples of measures to mitigate noise impacts include:

- Constructing physical, structural, or vegetative noise barriers on and/or off the project site.
- Locating or parking all stationary construction equipment as far from sensitive receptors as possible, and directing emitted noise away from sensitive receptors.
- Verifying that construction equipment has properly operating and maintained mufflers.
- Requiring all combustion-powered construction equipment to be surrounded by a noise protection barrier
- Limiting operation hours to daytime hours on weekdays.
- Paving roads where truck traffic is anticipated with low noise asphalt.
- Orienting any public address systems onsite away from sensitive receptors and setting system volume at a level not readily audible past the property line.

VII. Traffic Impacts Analysis and Mitigation

Warehouse facilities inevitably bring truck and passenger car traffic. Truck traffic can present substantial safety issues. Collisions with heavy-duty trucks are especially dangerous for passenger cars, motorcycles, bicycles, and pedestrians. These concerns can be even greater if

truck traffic passes through residential areas, school zones, or other places where pedestrians are common and extra caution is warranted.

Examples of measures to mitigate traffic impacts include:

- Designing, clearly marking, and enforcing truck routes that keep trucks out of residential neighborhoods and away from other sensitive receptors.
- Installing signs in residential areas noting that truck and employee parking is prohibited.
- Constructing new or improved transit stops, sidewalks, bicycle lanes, and crosswalks, with special attention to ensuring safe routes to schools.
- Consulting with the local public transit agency and securing increased public transit service to the project area.
- Designating areas for employee pickup and drop-off.
- Implementing traffic control and safety measures, such as speed bumps, speed limits, or new traffic signs or signals.
- Placing facility entry and exit points on major streets that do not have adjacent sensitive receptors.
- Restricting the turns trucks can make entering and exiting the facility to route trucks away from sensitive receptors.
- Constructing roadway improvements to improve traffic flow.
- Preparing a construction traffic control plan prior to grading, detailing the locations of equipment staging areas, material stockpiles, proposed road closures, and hours of construction operations, and designing the plan to minimize impacts to roads frequented by passenger cars, pedestrians, bicyclists, and other non-truck traffic.

VIII. Other Significant Environmental Impacts Analysis and Mitigation

Warehouse projects may result in significant environmental impacts to other resources, such as to aesthetics, cultural resources, energy, geology, or hazardous materials. All significant adverse environmental impacts must be evaluated, disclosed and mitigated to the extent feasible under CEQA. Examples of best practices and mitigation measures to reduce environmental impacts that do not fall under any of the above categories include:

- Appointing a compliance officer who is responsible for implementing all mitigation measures, and providing contact information for the compliance officer to the lead agency, to be updated annually.
- Creating a fund to mitigate impacts on affected residents, schools, places of worship, and other community institutions by retrofitting their property. For example, retaining a contractor to retrofit/install HVAC and/or air filtration systems, doors, dual-paned windows, and sound- and vibration-deadening insulation and curtains.
- Sweeping surrounding streets on a daily basis during construction to remove any construction-related debris and dirt.
- Directing all lighting at the facility into the interior of the site.

- Using full cut-off light shields and/or anti-glare lighting.
- Using cool pavement to reduce heat island effects.
- Installing climate control in the warehouse facility to promote worker well-being.
- Installing air filtration in the warehouse facility to promote worker well-being.

IX. Conclusion

California's world-class economy, ports, and transportation network position it at the center of the e-commerce and logistics industry boom. At the same time, California is a global leader in environmental protection and environmentally just development. The guidance in this document furthers these dual strengths, ensuring that all can access the benefits of economic development. The Bureau will continue to monitor proposed projects for compliance with CEQA and other laws. Lead agencies, developers, community advocates, and other interested parties should feel free to reach out to us as they consider how to guide warehouse development in their area.

Please do not hesitate to contact the Environmental Justice Bureau at ej@doj.ca.gov if you have any questions.

Response to Letter B: Concerned Citizens

Response B-1: The commenter provides introductory remarks and asserts that the Draft EIR fails to meet the requirements of CEQA. The commenter states that the proposed land use map would result in significant impacts related to air quality, noise and safety. This comment is noted. The commenter is correct that the Draft EIR identifies significant and unavoidable impacts related to the topics listed above. The commenter further states that sensitive receptors located south of Dos Reis Road would be significantly impacted by potential future light industrial development north of Dos Reis Road, however, the commenter provides no details or supporting information for this statement in this paragraph, other than to vaguely state that the General Plan policies and actions cited in the Draft EIR fail to comply with CEQA. The concerns raised by the commenter in this paragraph (air quality impacts to sensitive receptors, noise, and safety impacts) are addressed in greater detail and specificity in the comments and responses below.

Response B-2: The commenter notes the importance of General Plan Updates and the planning process, notes the requirements to address air quality and environmental justice in General Plans, and summarizes some of the outreach efforts and workshops that the City conducted as part of the overall General Plan Update process. The commenter states that the DEIR failed to disclose that Lathrop is one of the most disproportionately impacted communities, and expresses concern over the proposed re-designation of land located north of Dos Reis Road to Limited Industrial. The commenter states that the proposed Limited Industrial land noted above would have short and long term air quality and health effects.

The proposed Lathrop General Plan Update includes a comprehensive approach to reducing air quality impacts and implementing environmental justice requirements established by SB 1000. For example, the proposed Lathrop General Plan includes a stand-alone Environmental Justice Element, which addresses state-mandated topics including:

- Reduce GHG Emissions through Land Use Patterns
- Reduce Pollution Exposure and Improve Air Quality
- Promote Access to Public Facilities
- Healthy Food Access
- Safe and Sanitary Homes
- Promote Physical Activity and Connectivity
- Improve Fitness and Health
- Promote Civil Engagement
- Prioritize Improvements and Programs for Environmental Justice Communities

Additionally, the proposed General Plan Recreation and Resources Element includes numerous policies and actions related to air quality and the protection of sensitive receptors, and includes performance-

based actions that require future projects to comply with all applicable Air District rules and emissions thresholds (see Goal RR-6 and supporting policies and actions).

The potential for the proposed project to result in significant impacts related to air quality and health risks to sensitive receptors is addressed in extensive detail in Chapter 3.3, Air Quality, of the Draft EIR. For example, DEIR pages 3.3-1 through 3.3-3 describe the San Joaquin Valley Air Basin in detail, including climate, wind patterns, temperatures, precipitation, fog, and inversions. Pages 3.3-3 through 3.3-8 describe criteria pollutants that are regulated by the SJVAPCD, and identifies the potential health risks associated with exposure to these criteria pollutants. Table 3.3-2 identifies San Joaquin County's attainment status for each regulated criteria pollutant. Chapter 3.3 of the DEIR also includes a detailed summary of applicable air quality regulations at the local, state, and federal level, and describes ongoing efforts to address air pollution throughout the San Joaquin Valley.

The commenter states, without providing details or supporting information, that "Limited Industrial development adjacent to Lathrop High school and the community will have both short-term and long-term air quality and health effects." The commenter is referred to Impacts 3.3-1 and 3.3-2, which address pollution generation associated with General Plan buildout and the potential for sensitive receptors to be exposed to substantial pollutant concentrations. The concerns raised by the commenter have been thoroughly addressed in the DEIR. The commenter does not provide any specific examples of alleged deficiencies or errors in the DEIR. As such, a more detailed response to this comment is not required.

Response B-3: The commenter summarizes information contained in the DEIR related to existing air quality conditions in the San Joaquin Valley, and summarizes information in the DEIR related to health impacts associated with exposure to air quality emissions. The commenter states that "Rather than clearly guide industrial development away from established schools and residential neighborhoods, this updated land use change would place industrial uses immediately adjacent to homes and schools, exacerbating the community's existing burden." This comment does not directly address the adequacy of the DEIR and its air quality analysis. As noted above, the DEIR includes a detailed analysis of air quality emissions and sensitive receptors.

The City of Lathrop respects and appreciates the commenter's concerns related to air quality and the potential for sensitive receptors to be exposed to harmful levels of pollution. As such, the City has taken a thoughtful and holistic approach to the proposed land use map, including the proposed changes to land uses located north of Dos Reis Road. While the commenter has not specifically identified an alleged error or omission in the DEIR analysis related to this topic, the City feels it is important to describe several important factors and considerations that went into the drafting of the proposed land use map and the policies and actions in the Draft General Plan.

The area in question includes approximately 670 acres of predominantly vacant land, located north of Dos Reis Road, west of Interstate 5, within the northern portion of the Central Lathrop Specific Plan. It is designated Limited Industrial on the proposed Land Use Map. It is currently designated primarily as Variable Density Residential on the existing Land Use Map. Senate Bill 5 requirements by the State to complete the newly defined 200-year flood improvements by 2028, estimated to cost in excess of \$250

million, will make residential development in this area risky and generally infeasible. It will take several years to entitle and construct infrastructure to serve the northern Central Lathrop Specific Plan area. Residential building permits cannot be issued after 2028 unless the 200-year flood improvements are complete, and will be stopped earlier if Lathrop cannot guarantee Adequate Progress toward completing the improvements by 2028. In other words, residential development within this area is generally considered to be infeasible, and may expose future residences to significant flood risks. The proposed change to Limited Industrial in this area provides opportunities for increased local employment, the generation of tax revenues for the City, a higher degree of certainty for the development community, and would not place homes or residents in an area at risk for flooding.

The area in question is located in the northwestern portion of Lathrop. Lands to the north and east are comprised of agricultural lands located in San Joaquin County, and do not include sensitive receptors. The area is bordered by Manthey Road, Interstate 5, and South Harlan Road to the east. The closest sensitive receptors to the area in question are existing and planned residential uses and Lathrop High School, located south of Dos Reis Road.

In order to ensure that the potential for pollution exposure to existing and future sensitive receptors is reduced to the greatest extent feasible, the proposed General Plan includes numerous goals, policies and implementation actions which would further the fundamental goals of the SJVAPCD in reducing emissions of criteria pollutants associated with vehicle miles traveled, reducing building energy usage, and would increase opportunities for transit ridership in Lathrop and the surrounding areas. The list provided on DEIR pages 3.3-27 through 3.3-36 identifies those General Plan policies and actions that would work to further criteria pollutant emissions reductions, including reviewing projects for conformance with applicable air quality plans and regulations, reducing energy demands, and implementing methods to reduce vehicle miles traveled, including providing adequate pedestrian, bicycle, and transit facilities and opportunities, promoting non-vehicle travel modes, requiring employers with 100 or more employees to implement TDM programs, and ensuring regional coordination on trip and VMT reduction efforts..

In addition to the policies and actions described above, and on pages 3.3-27 through 3.3-36 of the DEIR, the following are of particular note:

Action LU-5c When industrial projects, including warehouse projects, fulfillment centers, and other projects that may generate high volumes of truck trips and/or air quality emissions are proposed within 1,000 feet of existing or planned residential uses or other sensitive receptors, the City shall require the preparation of a Health Risk Assessment (HRA) that meets the standards established by the Office of Environmental Health Hazard Assessment (OEHHA), and the San Joaquin Valley Air Pollution Control District (SVAPCD). Projects shall not be approved until it can be demonstrated that the project would not result in an exceedance of the established thresholds of significance for public health risks at nearby sensitive receptors.

This action requires all future industrial development proposals located within 1,000 feet of existing or planned sensitive receptors to prepare a health risk assessment (HRA) that meets established standards

and thresholds established by the Office of Environmental Health Hazard Assessment (OEHHA), and the San Joaquin Valley Air Pollution Control District (SJVAPCD). Projects that would exceed an established threshold cannot be approved until such time that it can be demonstrated that design modifications or other mitigation measures imposed upon the project would reduce health risks below the established thresholds of significance. This is a specific, enforceable, performance-based measure that would ensure that sensitive receptors are not exposed to excessive levels of pollutant concentrations or toxic air contaminants from future development projects.

Another notable action related to this topic includes:

LU-5d *When industrial projects, including warehouse projects, fulfillment centers, and other projects that may generate high volumes of truck trips and/or air quality emissions are proposed within 1,000 feet of existing or planned residential uses or other sensitive receptors, the City shall require the implementation of best management practices (BMPs) to reduce pollution exposure to sensitive receptors, particularly diesel particulate matter (DPM). The appropriate BMPs shall be established on a case-by-case basis, and should consider the following tools, methods, and approaches:*

- *Creating physical, structural, and/or vegetative buffers that adequately prevent or substantially reduce pollutant dispersal between warehouses and any areas where sensitive receptors are likely to be present, such as homes, schools, daycare centers, hospitals, community centers, and parks.*
- *Providing adequate areas for on-site parking, on-site queuing, and truck check-in that prevent trucks and other vehicles from parking or idling on public streets.*
- *Placing facility entry and exit points from the public street away from sensitive receptors, e.g., placing these points on the north side of the facility if sensitive receptors are adjacent to the south side of the facility. Exceptions can be made for emergency vehicle access (EVA) points.*
- *Locating warehouse dock doors and other onsite areas with significant truck traffic and noise away from sensitive receptors.*
- *Screening dock doors and onsite areas with significant truck traffic and noise with physical, structural, and/or vegetative barriers that adequately prevent or substantially reduce pollutant dispersal from the facility towards sensitive receptors.*
- *Posting signs clearly showing the designated entry and exit points from the public street for trucks and service vehicles.*
- *Posting signs indicating that all parking and maintenance of trucks must be conducted within designated on-site areas and not within the surrounding community or public streets.*

This action requires all future industrial projects, including warehouse projects, fulfillment centers, and other projects that may generate high volumes of truck trips and/or air quality emissions, proposed within 1,000 feet of existing or planned residential uses or other sensitive receptors to implement a range of best practices to reduce pollution exposure to sensitive receptors, particularly diesel particulate matter (DPM), regardless of whether or not the project would exceed an established threshold of significance for air quality or toxic air contaminant emissions. This action was developed to implement the best practices identified in the *Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act*, published by the Attorney General's Office in 2021 (which the commenter has attached to their comment letter as Appendix A). The commenter is referred to Section IV. Warehouse Siting and Design Considerations, located on pages 4-5 of the above referenced document. Lathrop General Plan Action LU-5d implements these best practices requirements from the California Attorney General's Office publication nearly verbatim. The Attorney General guidance document noted above also references four "good neighbor" policies in California. The City reviewed these referenced policies, and has included Action LU-5e, which requires the City to update its Municipal Code to establish Good Neighbor Guidelines for Warehouse Distribution Facilities, consistent with the examples and guidance provided by the Attorney General's Office.

The City recognizes that truck trips and truck traffic associated with future warehouse, logistics, and distribution projects that may be proposed within the area in question have the potential to result in adverse environmental impacts, including pollutant exposure and noise exposure to sensitive receptors located south of Dos Reis Road. In order to address this concern, the proposed General Plan includes Action LU-5f, which requires the City to update the Central Lathrop Specific Plan. One of the requirements of this Specific Plan update is to "Establish a circulation network that keeps future truck trips as far from existing and planned sensitive receptors as feasible."

Upon further review of this General Plan Action, the City proposes to make the following changes to this action (shown in ~~strikethrough~~ and underline format), and to include a new action (Action LU-5g), in order to provide more specificity and enforceability to the City's plans to direct all future truck traffic within the Central Lathrop Specific Plan Area away from existing and planned sensitive receptors.

- LU-5f: Update the Central Lathrop Specific Plan (CLSP) to accomplish the following objectives:*
- a. Bring the Specific Plan's land use map into consistency with the General Plan Land Use Map (Figure LU-1)*
 - b. Establish a circulation network that keeps future truck trips as far from existing and planned sensitive receptors as feasible; this includes, but is not limited to, the following requirements, which shall be incorporated into the Specific Plan:*
 - i. Trucks shall be prohibited on Dos Reis Road, west of Golden Valley Parkway.*

- ii. Future truck dependent development projects shall be prohibited from providing driveway access points off of Dos Reis Road, west of Golden Valley Parkway, other than emergency vehicle access (EVA).
 - iii. Truck traffic within the Limited Industrial Area of the Central Lathrop Specific Plan shall be limited to De Lima Road, and any future roadways north of Dos Reis Road, to connect to Manthey Road, Roth Road, and Interstate 5.
- c. Establish site design standards for new industrial projects;
 - d. Identify financing and cost-recovery methods to fund roadway and infrastructure improvements.
 - e. Circulation design standards that promote safe transportation routes that limit impacts to developed areas to the south, and connectivity enhancements to provide better connectivity to I-5.
 - f. Infrastructure improvements to improve roadway operations
 - g. Opportunities to provide employee-serving amenities onsite, such as parks and plazas, outdoor seating areas, fitness facilities, and daycare centers as a means to reduce vehicle trips, while supporting air quality, public health, and sustainability goals.

LU-5g: During the interim period following adoption of this General Plan, and the adoption of the updates to the Central Lathrop Specific Plan, identified in Action LU-5f, the City shall enforce the following requirements for all Limited Industrial development projects, including warehouse, distribution, and logistics projects, within the Central Lathrop Specific Plan Area:

- a. Trucks shall be prohibited on Dos Reis Road, west of Golden Valley Parkway.
- b. Future truck dependent development projects shall be prohibited from providing driveway access points off of Dos Reis Road, west of Golden Valley Parkway, other than emergency vehicle access (EVA).
- c. Truck traffic within the Limited Industrial Area of the Central Lathrop Specific Plan shall be limited to De Lima Road, and any future roadways north of Dos Reis Road, to connect to Manthey Road, Roth Road, and Interstate 5.

Implementation of the two actions listed above, as revised and updated, would help ensure that future sensitive receptors south of Dos Reis Road, which includes existing and planned residential uses, as well as Lathrop High School, would be exposed to reduced levels of air quality emissions and toxic air contaminants associated with future truck trips to the greatest extent feasible. These actions would ensure that truck trips associated with future development within the Limited Industrial areas of the Central Lathrop Specific Plan would not pass through residential neighborhoods, or travel on roadways adjacent to Lathrop High School.

It is also important to note that the proposed Land Use designation of Limited Industrial allows for a wide range of uses and development typology, not all of which is typically considered to be “industrial” development. As noted under Policy LU-1.2 of the Proposed General Plan: *The Limited Industrial designation accommodates a wide range of jobs-generating uses, including business parks; clean light industrial; research and development (R&D); science, technology, engineering, and math (STEM); tech/biotech manufacturing; high-tech services that incorporate some combination of assembly, warehousing, and/or sales, hospitals and other health care-related uses, warehouses and distribution centers.*

In addition to General Plan Actions LU-5c and LU-5d, listed above, which require the preparation of health risk assessments and the implementation of best practices for projects located within 1,000 feet of sensitive receptors, the Draft General Plan also includes the following two actions, which would further ensure that incompatible uses are not placed in close proximity to sensitive receptors.

LU-5.a: Through the development review process, screen development proposals for land use and transportation network compatibility with existing surrounding or abutting development or neighborhoods.

LU-5b: Through the development review process, analyze land use compatibility and require adequate buffers and/or architectural enhancements to protect sensitive receptors from intrusion of development activities that may cause unwanted nuisances and health risks.

As individual development applications are received, the City will screen these projects for compatibility, potential for adverse health risks, and other nuisance factors, such as noise, prior to any project approval or entitlement that may adversely impact a sensitive receptor. It is important to note that adoption of the General Plan does not directly approve or entitle any development projects. The City has included broad and extensive policies and actions in the General Plan to ensure that sensitive receptors are protected to the greatest extent feasible.

Response B-4: The commenter states that the proposed project would transform a residential community into an industrial corridor, and that trucks would travel throughout established residential areas and adjacent to schools. The commenter is referred to Response B-3 above. As noted above, the City has included specific policies and actions that prohibit new truck trips generated within the Central Lathrop Specific Plan area from travelling through residential neighborhoods, or adjacent to Lathrop High School, via prohibitions on truck traffic and driveway access points on Dos Reis Road, west of Golden Valley Parkway. The commenters concerns are noted, and will be forwarded to the City Council for review and consideration. This comment does not address the adequacy of the Draft EIR, and no further response is required.

Response B-5: The commenter states that trucks would pose a threat to public safety as they interact with vehicles, pedestrians and bicyclists. The commenter is referred to Impact 3.14-3 on pages 3.14-42 through 3.14-46 of the Draft EIR. This impact discussion analyzes the potential for the proposed General Plan to result in roadway safety hazards related to incompatible uses, and specifically analyzes potential

safety impacts related to increases in truck traffic on area roadways. The commenters concerns are noted, and will be forwarded to the City Council for review and consideration. This comment does not address the adequacy of the Draft EIR, and no further response is required.

Response B-6: The commenter states that the proposed General Plan would create long-term environmental damage, and states that a revised Draft EIR must implement the guidance provided in the Attorney General’s Warehouse Best Practices document (which is referenced above under Response B-3). This comment is noted. The commenter does not identify any alleged deficiencies in the Draft EIR analysis, but rather, states opposition to the proposed project. This comment will be forwarded to the City Council for review and consideration. The commenter is also referred to Response B-3, which describes how the City of Lathrop has already incorporated many of the Attorney General’s warehouse best practices recommendations into the proposed General Plan (such as Actions LU-5.d and LU-5.e). The commenter further states that the City should consider an alternative to the proposed Land Use Map that creates a buffer zone between the Central Lathrop area and the community. This comment is noted.

Response B-7: The commenter states that the Draft EIR analysis is deficient, and that a program EIR must include a detailed analysis, rather than relying on analyses of subsequent projects. The commenter does not identify specific impact analyses that are alleged to be deficient in the Draft EIR, as such, a detailed response is not possible. However, it is noted that the Draft EIR for the proposed General Plan includes an extremely detailed and quantified analysis of impacts associated with full buildout of the General Plan. As the commenter is certainly aware, adoption of the General Plan Update and certification of the Final EIR would not approve or otherwise entitle any development projects within Lathrop. The Draft EIR includes projections for full buildout of the Land Use Map, including future population levels, housing units, jobs, square footage of non-residential development, etc. See Tables 2.0-2 and 2.0-3 in Chapter 2.0 of the Draft EIR. These buildout projections are the basis of the Draft EIR impact analysis, and have been analyzed in detail throughout the Draft EIR. For example, impacts related to circulation and VMT, noise, water supply, air quality, etc., are addressed in detail in the Draft EIR, and are based on a “worst-case” scenario analysis of full buildout of the proposed Land Use Map. In instances where the Draft EIR references General Plan policies or actions that require project-level review of future development applications, the policies and actions identify the performance-based standards that must be used when analyzing future projects. This is not deferred mitigation. Rather, it is a cohesive approach to ensuring that future development projects’ impacts are reduced to the greatest extent feasible through the implementation of performance-based measures at the time an application for entitlement is submitted. One such example is Action LU-5c, which states that: *When industrial projects, including warehouse projects, fulfillment centers, and other projects that may generate high volumes of truck trips and/or air quality emissions are proposed within 1,000 feet of existing or planned residential uses or other sensitive receptors, the City shall require the preparation of a Health Risk Assessment (HRA) that meets the standards established by the Office of Environmental Health Hazard Assessment (OEHHA), and the San Joaquin Valley Air Pollution Control District (SJVAPCD). Projects shall not be approved until it can be demonstrated that the project would not result in an exceedance of the established thresholds of significance for public health risks at nearby sensitive receptors.*

In the example of Action LU-5c provided above, the City has identified when a subsequent analysis would be triggered (industrial projects within 1,000 feet of a sensitive receptor); what standard of review is required (a health risk assessment that meets the requirements of OEHHA and the SJVAPCD), and that projects cannot be approved until it is demonstrated that it would not exceed the applicable adopted threshold. As noted previously in this response, this is not deferred mitigation. This is a requirement for future specific and performance-based analysis and mitigation for future projects, the details of which cannot be known or speculated about at this time.

Given the lack of detail and specificity in this comment, no further response is warranted.

Response B-8: The commenter states the importance of the DEIR in analyzing impacts of future land use development decisions, rather than deferring analysis to a later point. The commenter specifically cites Action LU-5.f, which references future updates to the Central Lathrop Specific Plan. The commenter is referred to Response B-7, above. As noted in Response B-7, the General Plan includes numerous performance-based standards under which future development applications will be reviewed. The City has done a detailed analysis of impacts associated with full buildout of the General Plan, and no changes to the Draft EIR are warranted. It is further noted that Action LU-5.f has been modified to provide greater specificity regarding future truck routes within the Central Lathrop Specific Plan area, as described in greater detail under Response B-3.

Response B-9: The commenter states that the DEIR's air quality analysis is deficient because the environmental setting did not include information from CalEnviroScreen related to existing pollution burden.

The Air Quality chapter of the Draft EIR includes extensive information about existing air quality conditions throughout the San Joaquin Valley Air Basin, and the City of Lathrop. For example, DEIR pages 3.3-1 through 3.3-3 describe the San Joaquin Valley Air Basin in detail, including climate, wind patterns, temperatures, precipitation, fog, and inversions. Pages 3.3-3 through 3.3-8 describe criteria pollutants that are regulated by the SJVAPCD, and identifies the potential health risks associated with exposure to these criteria pollutants. Table 3.3-2 identifies San Joaquin County's attainment status for each regulated criteria pollutant. Chapter 3.3 of the DEIR also includes a detailed summary of applicable air quality regulations at the local, state, and federal level, and describes ongoing efforts to address air pollution throughout the San Joaquin Valley. The commenter is correct that specific information from the CalEnviroScreen source was not included in the Draft EIR, however, the commenter's statement that *"the Central Lathrop area is identified in the CalEnviroScreen data as having 98% pollution burden, yet the DEIR fails to disclose this information"* is misleading.

According to CalEnviroScreen 4.0, the Central Lathrop Specific Plan Area, which the commenter references, is located in Census Tract #6077005119, and has a CalEnviroScreen 4.0 percentile of 86; a Pollution Burden percentile of 98, and a Population Characteristics percentile of 58. The composite CalEnviroScreen scores noted above are aggregated from the scores of 21 individual indicators. Scores between 0 to 100 are assigned to each indicator representing the degree of pollution exposure and

vulnerability, or “burdens,” facing each census tract. Scores between 75 to 100 are considered a high burden, scores between 25 to 74 are a medium burden, and scores between 0 to 24 are a low burden.

In terms of how this information may relate to the environmental setting in the Draft EIR, there are 21 individual indicators that have separate scores for each indicator. Of these 21 indicators, four are specifically related to air quality. These include Ozone, PM 2.5, DPM, and Asthma. According to the CalEnviroScreen 4.0 data, Census Tract #6077005119 has the following scores for these four categories: Ozone=57, PM2.5=53, DPM=54, and Asthma=69. As noted above, scores between 25 to 74 are a medium burden, which is the case for all of the air quality indicators in the CalEnviroScreen 4.0 data in the area of Lathrop noted by the commenter.

The fact that the specific datasets referenced by the commenter were not included in the Draft EIR environmental setting discussion does not alter or otherwise change the conclusions contained in the Draft EIR related to air quality impacts, nor does it preclude the City of Lathrop from understanding the potential for the proposed General Plan to result in significant and unavoidable impacts related to air quality. No further response is required.

Response B-10: The commenter states that the DEIR fails to propose adequate mitigation for significant air quality impacts and fails to evaluate an alternative that locates industrial land uses away from sensitive receptors.

The potential for the proposed project to result in air quality impacts or to expose sensitive receptors to significant pollutant concentrations are addressed in extensive detail under Impacts 3.3-1 and 3.3-2. The Draft EIR identifies dozens of proposed General Plan policies and actions, that when implemented, would reduce these impacts to the greatest extent feasible. The City has determined that there is no additional feasible mitigation available that would reduce these impacts to a less than significant level, and still achieve the project objectives. As such, the City has correctly concluded and disclosed that these impacts would be significant and unavoidable.

In terms of project alternatives, the commenter is referred to Chapter 5.0 of the Draft EIR. Specifically, the commenter is referred to Alternative 1, No Project Alternative, wherein the City would not adopt the General Plan Update, and the Land Use Map would remain unchanged. Additionally, the commenter is referred to Alternative 2, Modified Project Alternative, wherein the City would adopt the updated General Plan policy document, but would not alter or otherwise change the existing Land Use Map. Under both of these alternatives, the portion of the Central Lathrop Specific Plan north of Dos Reis Road would remain primarily Variable Density Residential on the Land Use Map, and the 670+/- acres in question would not be designated for Limited Industrial land uses. The commenter’s assertion that the Draft EIR does not include an analysis of alternatives that would place industrial land uses further from sensitive receptors is false. No changes to the Draft EIR are warranted.

Response B-11: The commenter states that the DEIR fails to analyze the impacts of toxic air contaminants (TACs) on sensitive receptors, including Lathrop High School, the existing community, and future planned

residences. The commenter is referred to Impact 3.3-2, which includes a detailed and quantified analysis of the proposed project's potential to expose sensitive receptors to TACs.

As noted in previous responses, approval of the proposed General Plan update would not approve or otherwise entitle any development projects, including projects that could generate TACs. TAC exposure and the associated health risks are analyzed at the project level, via the preparation of a Health Risk Assessment (HRA). As described under Response B-3, General Plan Action LU-5c requires any industrial project proposed within 1,000 feet of an existing or planned sensitive to prepare an HRA, and demonstrate that TAC exposure levels would not exceed the thresholds of significance adopted by the Office of Environmental Health Hazard Assessment (OEHHA), and the San Joaquin Valley Air Pollution Control District (SJVAPCD). Projects that exceed the applicable thresholds cannot be approved.

The commenter states that the HRA in the Draft EIR should have analyzed TACs from both stationary and mobile sources. Given that there are no specific projects proposed at this time, there is no way that the City could prepare a project-specific HRA that looks at stationary sources, due to the fact that an analysis of stationary sources requires detailed information about the site and operational characteristics of a specific project. Information such as refrigeration units, site layout, orientation of loading docks, operational components, etc., are all project-specific inputs that are analyzed in a project-level HRA. In this instance, the project is a General Plan, and there is no project-level emissions data available to analyze in an HRA.

The commenter further states that the Draft EIR omits TACs from mobile sources in the analysis. The commenter is incorrect. The HRA in the Draft EIR focuses primarily on mobile source TACs, given that the City has projected heavy truck traffic volumes associated with General Plan buildout. The City recognizes, and the Draft EIR explicitly discloses, that proposed changes to the Land Use Map would result in new future limited industrial development within the Central Lathrop Specific Plan area, north of Dos Reis Road. In order to provide as much information as possible, the Draft EIR utilized the AERMOD 2021 and HARP-2 Air Dispersion and Risk Tool to prepare a modified HRA that analyzed TAC risk exposure from DPM, based on projected increases in truck trips associated with full buildout of the General Plan.

As part of this TAC exposure analysis, the road segment with the highest net increase in daily heavy-duty truck trips at full General Plan buildout was identified, along with its adjacent and nearby roadways, as having the most potential for impacting sensitive receptors. Specifically, the road segment with the highest potential net increase in daily heavy-duty truck trips at full General Plan buildout was identified at Spartan Way between I-5 and Golden Valley Parkway¹ (Fehr & Peers, 2022). According to Fehr & Peers,

¹ Note this analysis was included as a case study of potential Health Impacts related to heavy duty truck trips, and assumed a worse-case-scenario if all routes were unrestricted for heavy trucks. It should be noted that trucks within Lathrop are restricted in some areas of the city, and new future truck routes and circulation improvements that would reduce air toxics at sensitive receptors have been addressed via new policies and actions in the Updated General Plan. However, out of an abundance of caution, these new truck routes and restrictions were not included as part of this worst-case-scenario HRA analysis.

Spartan Way between I-5 and Golden Valley Parkway road segment could generate approximately 7,742 net new heavy-duty truck trips upon full General Plan buildout. Therefore, new heavy-duty truck traffic along this road segment, combined with the heavy-duty truck traffic anticipated along adjacent and other nearby roadway segments associated with the new areas for light industrial development north of Dos Reis Road, west of I-5 (i.e. I-5, Golden Valley Parkway, Manthey Road, Dos Reis Road, De Lima Road, etc.), were analyzed for their total potential localized TAC impacts at full buildout. The SJVAPCD thresholds of significance for public health risks are shown in Table 3.3-9 of the Draft EIR.

Table 3.3-10 in the Draft EIR displays the residential cancer risk and acute and chronic incidence rate results at the receptors that were shown to bear the highest TAC risks (including the cumulative impacts associated with the combined impact of proposed segments and interacting segments together). The results of the risk analysis indicate that cancer and non-cancer risks vary depending on the exposure scenario and location. As would be expected, sensitive receptors nearest the roadway segments where truck traffic would be greatest have the greatest exposure, and the associated risks are considerably lower as the distance from the high truck traffic roadway segments increases. The northeastern corner of the proposed Residential Mixed Use land use area located at the southwest corner of Dos Reis Road and Golden Valley Parkway was identified as having the highest TAC risk (i.e. 36.96 per million persons residential cancer risk over a 70-year exposure). Other areas where residential cancer risk exceeded the residential cancer risk threshold of 20 per million persons over a 70-year exposure include:

- The far northeastern corner of the residential community located at the southwestern corner of Spartan Way and Golden Valley Parkway;
- Residences located at the intersection of Manthey Road and De Lima Road;
- Residences located along the far side of I-5 (along South Harlan Road), north of Shilling Avenue and south of Stonebridge lane.

Table 3.3-10 provided the maximum health risks associated with the road segments at full buildout of the General Plan. As shown, the highest residential cancer risk would exceed the applicable significance threshold (at some locations).

As noted in footnote #1, and under Response B-3, the General Plan includes multiple policies and actions specifically aimed at reducing TAC exposure to residents and other sensitive receptors located south of Dos Reis Road. Specifically, Actions LU-5.f and LU-5.g require the following truck route and site plan restrictions:

- Trucks shall be prohibited on Dos Reis Road, west of Golden Valley Parkway.*
- Future truck dependent development projects shall be prohibited from providing driveway access points off of Dos Reis Road, west of Golden Valley Parkway, other than emergency vehicle access (EVA).*
- Truck traffic within the Limited Industrial Area of the Central Lathrop Specific Plan shall be limited to De Lima Road, and any future roadways north of Dos Reis Road, to connect to Manthey Road, Roth Road, and Interstate 5.*

Implementation of these truck route restrictions would significantly decrease the volume of trucks, and thus the level of TAC emissions, near sensitive receptors in Lathrop. This represents the most effective mitigation available to the City. However, out of an abundance of caution, the Draft EIR concludes that this impact would remain significant and unavoidable.

In terms of the project's potential to expose students at Lathrop High School to substantial TAC concentrations, the Draft EIR analyzed the potential for acute (short-term) or chronic non-cancer health risks. As described on Draft EIR page 3.3-40, the health risks that are evaluated in this study include:

- Residential Cancer Risk (70-year exposure; start at third trimester); and
- Acute and Chronic Hazard Indices.

The 70-year risk applies to residential areas where exposure may potentially occur 24 hours/day, 365 days/year. Non-cancer risks can be described as acute (short-term, exposure) or chronic health impacts. Given that students at Lathrop High School are typically present on campus for four years, the 70-year exposure threshold does not apply. Rather, the Chronic and Acute non-cancer hazard Indices were utilized as the risk metric, and the Non-cancer health hazard exposure index of 1.0 was used as the significance threshold, per SJVAPCD guidance. The TAC risk analysis in the Draft EIR focused on the segment of Spartan Way between I-5 and Golden Valley Parkway, which is approximately 570 yards from the eastern edge of the Lathrop High School campus. Due to the fact that new heavy truck traffic in Lathrop was projected to be highest at this location, this location represents the spot in the City with the greatest potential for acute and chronic health risks, and would have a greater potential for impacts than those that may occur at Lathrop High School.

As noted in Draft EIR Table 3.3-10, the maximum risk (per million persons) was calculated to be <0.01 , which is significantly below the SJVAPCD's significance threshold of ≥ 1 . As such, the City can conclude that students at Lathrop High School would not be exposed to non-cancer health hazards in excess of the SJVAPCD's adopted standards.

The commenter's assertion that the Draft EIR HRA omits an on-site analysis for the sensitive receptors south of Dos Reis Road is incorrect. As noted above, the HRA focused on sensitive receptors located at multiple locations south of Dos Reis Road, and focused on the areas with the highest potential for impacts. This topic has been thoroughly addressed in the Draft EIR, and no changes are warranted.

Response B-12: The commenter states that the Draft EIR fails to analyze particulate emissions from increased truck trips. The commenter is referred to the emissions calculations contained in Appendix F to the Draft EIR. Particulate emissions data is included in this appendix, and was an input factor for the analysis under Impact 3.3-2.

The commenter further states that the Draft EIR should have analyzed emissions increases on local streets and Interstate 5. The commenter is referred to Draft EIR page 3.3-23. As noted on this page, the San Joaquin Valley is in State-level non-attainment for ozone, PM_{10} , and $PM_{2.5}$. The SJVAPCD does not provide criteria pollutant thresholds for General Plans (such as the proposed Project). Thresholds of significance for criteria pollutants are established at the project-level by the SJVAPCD. As such, there is

no programmatic threshold of significance established for criteria pollutants for which to compare the proposed General Plan.

This EIR explicitly acknowledges that the proposed General Plan will allow notable amounts of new residential and non-residential growth in Lathrop, as described in detail in Chapter 2.0 (Project Description). This new growth will undoubtedly result in increases in the emissions of criteria pollutants, most notably from mobile-source and area-source emissions increases associated with increased growth and development in Lathrop. However, with no threshold against which to measure an increase in criteria pollutant emissions associated with General Plan implementation, the Draft EIR has correctly followed the guidance provided by the SJVAPCD. No changes to the Draft EIR are warranted.

Response B-13: The commenter notes that the Draft EIR concludes that there would be significant and unavoidable impacts related to roadway noise, and provides incorrect summaries of noise data and results related to future traffic noise levels at Lathrop High School.

The commenter asserts that baseline noise conditions for sensitive receptors in Central Lathrop and Lathrop High School are 60.7 dB, and that the project would increase noise levels by 13.6 dB. The commenter cites Draft EIR page 3.12-19. The numbers that the commenter has cited apply to a specific roadway segment, which is Spartan Way between Golden Valley Parkway and Interstate 5. This roadway segment is approximately 1,700-3,000 feet east of Lathrop High School.

Table 3.12-11 in the Draft EIR provides baseline (2020) and future (buildout) roadway noise level calculations for the segment of Spartan Way between Golden Valley Parkway and Lathrop High School. As shown in the table, the baseline traffic noise level is 56.6 dB, and the future traffic noise level is 60.7 dB. This 4.1 dB increase is less than significant for this particular roadway segment immediately in front of and adjacent to Lathrop High School. The commenter appears to have mis-read the table, and no further response to this comment is warranted.

The commenter also states that the General Plan policies and actions that minimize roadway noise impacts are insufficient. For example, the commenter states that the Draft EIR fails to evaluate the efficacy of a policy that calls for locating automobile and truck access to industrial and commercial properties at the maximum practical distance from residential zones. This policy language would apply during the City's review of future development applications. It would require an analysis of a specific site, surrounding uses, a specific driveway access proposal, and a specific internal circulation network. These future project-specific details are not, and cannot, be known at this time. This policy represents one of many best practices the City will implement when reviewing and considering future development applications.

The Draft EIR correctly takes a quantified and program-level approach to analyzing future traffic noise levels associated with General Plan buildout. Forty-one roadway segments, distributed throughout the City, were selected and quantitatively analyzed for future (buildout) traffic noise impacts.

The Draft EIR also identifies numerous specific policies and actions included in the Draft General Plan that would reduce roadway noise impacts to the greatest extent feasible. For example, the proposed General

Plan includes Policy N-1.4, which requires the preparation of acoustical studies for new discretionary developments and transportation improvements that have the potential to affect existing noise-sensitive uses such as schools, hospitals, libraries, care facilities, and residential areas; and for projects that would introduce new noise-sensitive uses into an area where existing noise levels may exceed the thresholds identified in the Noise Element. This policy continues, and provides specific quantified thresholds of significance for transportation noise sources, which include:

1. *Where existing traffic noise levels are less than 60 dB Ldn at the outdoor activity areas of noise-sensitive uses, a +5 dB Ldn increase in roadway noise levels will be considered significant;*
2. *Where existing traffic noise levels range between 60 and 65 dB Ldn at the outdoor activity areas of noise-sensitive uses, a +3 dB Ldn increase in roadway noise levels will be considered significant; and*
3. *Where existing traffic noise levels are greater than 65 dB Ldn at the outdoor activity areas of noise-sensitive uses, a + 1.5 dB Ldn increase in roadway noise levels will be considered significant.*

Policy N-1.5 provides specific guidelines and criteria for the preparation of acoustical studies, and includes a requirement that mitigation measures be identified to achieve compliance with the adopted noise standards in the Noise Element. This policy also calls for post-project assessment programs, if necessary, to monitor the effectiveness of the proposed mitigation measures.

The Draft EIR explicitly acknowledges that upon full buildout of the proposed General Plan, traffic noise levels on several roadway segments in Lathrop are projected to increase to significant levels that exceed the City's adopted standards and thresholds. As described in Chapter 3.12 of the Draft EIR, the City has included numerous policies and actions in the General Plan that, when implemented, would reduce roadway noise levels to the greatest extent feasible, but not to a less than significant level. Policies N-1.4 and N-1.5, described above, include specific performance-based measures that must be analyzed as thresholds of significance when future development applications and roadway improvement projects are proposed, and requires projects to identify and incorporate mitigation measures to reduce roadway noise level exposure in order to meet the standards and thresholds identified in the Noise Element. This is not deferred mitigation. This issue has been adequately addressed in the Draft EIR and no changes are warranted.

Response B-14: The commenter states that noise from warehouse uses can cause intrusive impacts to nearby sensitive receptors. The commenter states that the Draft EIR should include more robust mitigation and/or analysis of alternative land use designations in the Central Lathrop area. This comment is noted. In terms of project alternatives, the commenter is referred to Chapter 5.0 of the Draft EIR. Specifically, the commenter is referred to Alternative 1, No Project Alternative, wherein the City would not adopt the General Plan Update, and the Land Use Map would remain unchanged. Additionally, the commenter is referred to Alternative 2, Modified Project Alternative, wherein the City would adopt the updated General Plan policy document, but would not alter or otherwise change the existing Land Use Map. Under both of these alternatives, the portion of the Central Lathrop Specific Plan north of Dos Reis Road would remain primarily Variable Density Residential on the Land Use Map, and the 670+/- acres in

question would not be designated for Limited Industrial land uses. The commenter's request that the Draft EIR analyze alternative land use maps has already been addressed.

The commenter does not provide any specific recommendations for "more robust mitigation." As noted above under Response B-13, the General Plan includes very specific policies that establish quantified thresholds of significance for noise exposure and requirements for analysis and mitigation at the project-level, when specific projects are proposed. The commenter is also referred to General Plan Actions LU-5.d and LU-5.e, which are described in greater detail under Response B-3. While these actions would assist in reducing health risks associated toxic air contaminants, they would also assist in notably reducing noise levels from proposed projects. For example, Action LU-5.d identifies the following best practices that should be considered and implemented at the project level:

- *Creating physical, structural, and/or vegetative buffers that adequately prevent or substantially reduce pollutant dispersal between warehouses and any areas where sensitive receptors are likely to be present, such as homes, schools, daycare centers, hospitals, community centers, and parks.*
- *Providing adequate areas for on-site parking, on-site queuing, and truck check-in that prevent trucks and other vehicles from parking or idling on public streets.*
- *Placing facility entry and exit points from the public street away from sensitive receptors, e.g., placing these points on the north side of the facility if sensitive receptors are adjacent to the south side of the facility. Exceptions can be made for emergency vehicle access (EVA) points.*
- *Locating warehouse dock doors and other onsite areas with significant truck traffic and noise away from sensitive receptors.*
- *Screening dock doors and onsite areas with significant truck traffic and noise with physical, structural, and/or vegetative barriers that adequately prevent or substantially reduce pollutant dispersal from the facility towards sensitive receptors.*
- *Posting signs clearly showing the designated entry and exit points from the public street for trucks and service vehicles.*
- *Posting signs indicating that all parking and maintenance of trucks must be conducted within designated on-site areas and not within the surrounding community or public streets.*

The Draft EIR has fully and correctly analyzed traffic related noise impacts associated with buildout of the proposed General Plan. The General Plan includes numerous policies and actions that would reduce future noise levels and exposure of sensitive receptors to significant noise levels to the greatest extent feasible. As described in Chapter 3.12 of the Draft EIR, there is no additional feasible mitigation available. No changes to the Draft EIR are warranted.

Response B-15: The commenter states that an increase in truck trips would result in safety impacts. However, the commenter provides no supporting information or substantial evidence, other than to cite a 2017 newspaper article about two trucks hitting backyard sound walls. The commenter is referred to Draft EIR Impact 3.14-3, which includes a detailed and quantified analysis of potential hazards associated with truck trip accidents and injuries/deaths. As noted under Impact 3.14-3, there is no feasible mitigation available that would fully ensure that future truck traffic would not result in accidents on local roadways.

Response B-16: The commenter cites the text of a goal from the City of Lathrop's Bicycle Transportation Plan, which is referenced in the regulatory setting section of Chapter 3.14 of the Draft EIR (page 3.14-25) and states that this goal, which is not a General Plan goal, is not adequate mitigation. The text referenced by the commenter is not alleged to be mitigation in the Draft EIR. It is provided for context and background in the regulatory setting of the Circulation chapter of the Draft EIR.

The commenter states that proposed General Plan Action CIR-1j should be a requirement with specific performance standards identified prior to certification of the EIR. This action is not specifically identified as a mitigation measure in the Draft EIR. It is one of dozens of General Plan policies/actions that have been noted to potentially minimize potential impacts related to hazards due to a design feature, incompatible uses, and inadequate emergency access.

Action CIR-1j states:

Create a Local Roadway Safety Plan with the goal of reducing traffic fatalities and serious injuries on public roads and to support funding safety improvements. The plan may consider collision history; vehicle, bicycle, and pedestrian volumes; vehicle speeds; and other improvements. Complete this plan within four years of adoption of this General Plan.

This action is an appropriate and useful inclusion in the proposed Lathrop General Plan, and calls on the City to create a local roadway safety plan. The Draft EIR has not relied on this action as a specific mitigation measure. No changes are warranted.

Response B-17: The commenter notes that the Draft EIR concludes that impacts related to policies and programs for safe transit, bicycle and pedestrian mobility would be significant and unavoidable, and states that the Draft EIR doesn't include any additional policies, plans and mitigations to avoid or minimize these impacts. This comment is noted. The commenter is referred to the analysis under Impact 3.14-2. As noted on Draft EIR page 3.14-41, the General Plan includes numerous policies and actions that help make the circulation system, including transit, bicycle, and pedestrian facilities, consistent with applicable programs, plans, policies, and ordinances and address the needs of growth accommodated by the proposed General Plan. Although the General Plan Update policies and actions help make the circulation system, including transit, bicycle, and pedestrian facilities, consistent with applicable programs, plans, policies, and ordinances and address the needs of growth accommodated by the proposed General Plan, increasing vehicle traffic may increase the number of collisions on Lathrop roadways, including collisions involving transit users, bicyclists, and pedestrians. The City cannot

demonstrate definitively at this time that implementation of these policies would maintain the number of collisions for vehicles, pedestrians, and bicyclists at current or lower levels.

Proposed General Plan Action CIR-2a requires the City to create an active transportation plan supporting the development of bicycle and pedestrian networks across the City and funding applications for bicycle and pedestrian improvements. Proposed General Plan Action CIR-2g requires the City to ensure that development and infrastructure projects are designed to provide pedestrian and bicycle access and leave no gaps in the bicycle and pedestrian networks.

The commenter requests additional detailed information be included in the Draft EIR, such as detailed maps of existing sidewalk gaps, grade separated bicycle paths, etc. This level of detail exceeds the scope of the analysis for the proposed General Plan Update. The City has demonstrated a commitment to improving transit, bicycle, and pedestrian connectivity and safety throughout Lathrop via the numerous policies and actions included in the General Plan, which are listed and analyzed under Impacts 3.14-2 and 3.14-3 of the Draft EIR. As described in greater detail under Response B-3, the City has taken a comprehensive approach to planning for future limited industrial development in appropriate locations in the City, and has established numerous requirements related to the existing and future circulation network in order to reduce truck trips near sensitive receptors.

These environmental issues have been thoroughly addressed in the Draft EIR, and the General Plan includes all feasible policies and actions to reduce potential impacts to the greatest extent feasible. There is no additional feasible mitigation that would reduce potential impacts to a less than significant level.

Response B-18: The commenter states that potential safety impacts associated with new limited industrial development must be adequately addressed in the Draft EIR. The commenter is referred to Response B-17 above, and Impacts 3.14-2 and 3.14-3 in the Draft EIR. These topics have been thoroughly addressed in the Draft EIR.

The commenter suggests several alternatives and mitigation measures. Responses to these are provided below.

The commenter suggests a mitigation measure requiring a cap on the number of acres of light industrial uses in the Central Lathrop area, especially warehouses and distribution centers. As noted in the responses provided above, the City has proposed a comprehensive approach to roadway safety and truck travel that would reduce potential safety impacts to the greatest extent feasible. Additionally, the Draft EIR includes two alternatives that would remove future limited industrial uses from the Central Lathrop area. The City has incorporated best practices for warehouse siting, as recommended by the Attorney General's office, into the General Plan. The commenter has provided no supporting evidence that an arbitrary reduction in acreage of limited industrial uses would reduce any significant impacts to a less than significant level.

The commenter suggests an alternative that prohibits industrial land uses near established residential neighborhoods and schools. The commenter is referred to Response B-10. Two such alternatives are included in the Draft EIR.

The commenter suggests a mitigation measure that prohibits heavy-duty truck routes within residential areas and schools. The commenter is referred to Response B-3. As required by Actions LU-5.f and LU-5.g, trucks shall be prohibited from travelling on Dos Reis Road, and shall be directed north towards De Lima Road and Manthey Road, away from existing sensitive receptors in the Central Lathrop area. This City has already incorporated this recommendation into the General Plan and Draft EIR.

The commenter suggests a mitigation measure that requires implementation of sidewalks, streetlights, crosswalks, transit stops....and other pedestrian infrastructure on heavily travelled routes prior to development near schools and residential areas. These suggestions have already been incorporated into the Draft General Plan and Draft EIR. For example, prior to any limited industrial development within the Central Lathrop area, the City shall prepare a comprehensive update to the Central Lathrop Specific Plan, as required by Action LU-5.f. This action requires the City to update the Specific Plan to:

- a. *Bring the Specific Plan's land use map into consistency with the General Plan Land Use Map (Figure LU-1)*
- b. *Establish a circulation network that keeps future truck trips as far from existing and planned sensitive receptors as feasible; this includes, but is not limited to, the following requirements, which shall be incorporated into the Specific Plan:*
 - iv. *Trucks shall be prohibited on Dos Reis Road, west of Golden Valley Parkway.*
 - v. *Future truck dependent development projects shall be prohibited from providing driveway access points off of Dos Reis Road, west of Golden Valley Parkway, other than emergency vehicle access (EVA).*
 - vi. *Truck traffic within the Limited Industrial Area of the Central Lathrop Specific Plan shall be limited to De Lima Road, and any future roadways north of Dos Reis Road, to connect to Manthey Road, Roth Road, and Interstate 5.*
- c. *Establish site design standards for new industrial projects;*
- d. *Identify financing and cost-recovery methods to fund roadway and infrastructure improvements.*
- e. *Circulation design standards that promote safe transportation routes that limit impacts to developed areas to the south, and connectivity enhancements to provide better connectivity to I-5.*
- f. *Infrastructure improvements to improve roadway operations*
- g. *Opportunities to provide employee-serving amenities onsite, such as parks and plazas, outdoor seating areas, fitness facilities, and daycare centers as a means to reduce vehicle trips, while supporting air quality, public health, and sustainability goals.*

The City has also committed to the implementation of several roadway safety plans and improvements, including but not limited to the adoption of an Active Transportation Plan (Action CIR-2a); adding planned bicycle and pedestrian facilities in conjunction with road rehabilitation, reconstruction, or re-striping

projects (Action CIR-2b); enhancing sidewalks to create a high-quality pedestrian environment, including wider sidewalks and improved pedestrian crossings, landscaping, buffers between sidewalks and vehicle travel lanes, enhanced pedestrian lighting, wayfinding signage, shade trees, and canopies, increased availability of benches, and other features (Action CIR-2c); improving bicycle facilities to include attractive and secure bicycle parking, bicycle lanes, bike paths, and wayfinding signage along appropriate roadways (Action CIR-2d); and ensuring that development and infrastructure projects are designed to provide pedestrian and bicycle access and leave no gaps in the bicycle and pedestrian networks (Action CIR-2g). These actions are just some of the many policies and actions that comprise the City's comprehensive approach to bicycle and pedestrian safety. The commenter is referred to the policies and actions listed under Impact 3.14-1 in the Draft EIR for a full list of the relevant General Plan policies and actions that address this topic.

The commenter suggests a mitigation measure requiring the preparation of an engineering strategic plan to eliminate all traffic fatalities and severe injuries within the City. As noted in the response above, the City has committed to numerous tangible steps to improve roadway safety within Lathrop. There is no additional feasible mitigation available to fully ensure that future traffic injuries and fatalities do not occur in Lathrop.

The commenter states that the DEIR's conclusion of significance does not relieve the City from avoiding and minimizing impacts to the bicycle and pedestrian network. The commenter is referred to the responses above. The City has proposed a comprehensive approach to bicycle and pedestrian safety, and there is no additional feasible mitigation available.

Response B-19: The commenter asserts that the Draft EIR is deficient and must be revised and recirculated. This comment is noted. As demonstrated throughout the responses provided above, the Draft EIR correctly and fully analyzes the full range of environmental impacts associated with adoption and implementation of the proposed General Plan. The City of Lathrop has incorporated extensive policies and actions into the General Plan in order to reduce all potential impacts to the greatest extent feasible. As demonstrated throughout the Draft EIR, and as described in the responses above, there is no additional feasible mitigation that would reduce the identified significant impacts to a less than significant level. The Draft EIR fully meets the requirements of CEQA, and recirculation is not required or warranted.

Response B-20: The commenter provides closing remarks, and requests that the City consider alternatives that relocate industrial uses and truck routes away from residential neighborhoods. As noted throughout the responses provided above, the City has taken numerous steps, through proposed General Plan policies and actions, that would ensure that truck trips associated with potential new limited industrial development within the Central Lathrop Specific Plan would not travel through residential neighborhoods and adjacent to Lathrop High School. As noted in Response B-3, the City proposes to make the following changes to Action LU-5f (shown in ~~striketrough~~ and underline format), and to include a new action (Action LU-5g), in order to provide more specificity and enforceability to the City's

plans to direct all future truck traffic within the Central Lathrop Specific Plan Area away from existing and planned sensitive receptors.

- LU-5f: Update the Central Lathrop Specific Plan (CLSP) to accomplish the following objectives:*
- a. Bring the Specific Plan's land use map into consistency with the General Plan Land Use Map (Figure LU-1)*
 - b. Establish a circulation network that keeps future truck trips as far from existing and planned sensitive receptors as feasible; this includes, but is not limited to, the following requirements, which shall be incorporated into the Specific Plan:*
 - i. Trucks shall be prohibited on Dos Reis Road, west of Golden Valley Parkway.*
 - ii. Future truck dependent development projects shall be prohibited from providing driveway access points off of Dos Reis Road, west of Golden Valley Parkway, other than emergency vehicle access (EVA).*
 - iii. Truck traffic within the Limited Industrial Area of the Central Lathrop Specific Plan shall be limited to De Lima Road, and any future roadways north of Dos Reis Road, to connect to Manthey Road, Roth Road, and Interstate 5.*
 - c. Establish site design standards for new industrial projects;*
 - d. Identify financing and cost-recovery methods to fund roadway and infrastructure improvements.*
 - e. Circulation design standards that promote safe transportation routes that limit impacts to developed areas to the south, and connectivity enhancements to provide better connectivity to I-5.*
 - f. Infrastructure improvements to improve roadway operations*
 - g. Opportunities to provide employee-serving amenities onsite, such as parks and plazas, outdoor seating areas, fitness facilities, and daycare centers as a means to reduce vehicle trips, while supporting air quality, public health, and sustainability goals.*

LU-5g: During the interim period following adoption of this General Plan, and the adoption of the updates to the Central Lathrop Specific Plan, identified in Action LU-5f, the City shall enforce the following requirements for all Limited Industrial development projects, including warehouse, distribution, and logistics projects, within the Central Lathrop Specific Plan Area:

- d. Trucks shall be prohibited on Dos Reis Road, west of Golden Valley Parkway.*

- e. Future truck dependent development projects shall be prohibited from providing driveway access points off of Dos Reis Road, west of Golden Valley Parkway, other than emergency vehicle access (EVA).
- f. Truck traffic within the Limited Industrial Area of the Central Lathrop Specific Plan shall be limited to De Lima Road, and any future roadways north of Dos Reis Road, to connect to Manthey Road, Roth Road, and Interstate 5.

Implementation of the two actions listed above, as revised and updated, would help ensure that future sensitive receptors south of Dos Reis Road, which includes existing and planned residential uses, as well as Lathrop High School, would be exposed to reduced levels of air quality emissions and toxic air contaminants associated with future truck trips to the greatest extent feasible. These actions would ensure that truck trips associated with future development within the Limited Industrial areas of the Central Lathrop Specific Plan would not pass through residential neighborhoods, or travel on roadways adjacent to Lathrop High School.

The City appreciates the comments and input provided by the commenter. As demonstrated throughout the responses provided above, the Draft EIR thoroughly analyzes and addresses all of the comments and issues raised in this comment letter, and recirculation of the Draft EIR is not required or warranted. The City has made revisions to actions within the Proposed General Plan to further ensure that the commenters primary concerns related to truck traffic in the Central Lathrop Specific Plan area have been addressed.



Environmental Health Department

Jasjit Kang, REHS, Director

Muniappa Naidu, REHS, Assistant Director

PROGRAM COORDINATORS

Robert McClellon, REHS

Jeff Carruesco, REHS, RDI


Willy Ng, REHS

Steven Shih, REHS

Michelle Henry, REHS

Elena Manzo, REHS

July 11, 2022

To: City of Lathrop Community Development Department
 From: Aldara Salinas; 209-616-3019
 Environmental Health Specialist 
 RE: **NOA EIR – City of Lathrop, General Plan, SU0014985**

The San Joaquin County Environmental Health Department (EHD) is supportive of this project in regards to the provision of full public services. The EHD requests the following comments be added to the above project for consideration:

- 1. In area where sewer is not available, all Onsite Wastewater Treatment Systems (OWTS) must comply with San Joaquin County Local Agency Management Program (LAMP) and current OWTS standards. C-1
- 2. 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). C-2
- 3. 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). C-3
- 4. 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/ 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, Melissa Nissim (209) 468-3168, 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-4
 - 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.)

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- 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**

C-4 Cont.

Response to Letter C: San Joaquin County Environmental Health Department

Response C-1: The commenter states that all Onsite Water Treatment Systems (OWTS) must comply with San Joaquin County Local Agency Management Program (LAMP) and current OWTS standards.

This comment is noted. The City of Lathrop requires septic systems to be approved under a permit and inspection through the San Joaquin County EHD. Specifically General Plan Policy PFS-3.8 requires Septic Systems to meet the of the San Joaquin County Health Department standards.

These comments are noted. This comment does not address the adequacy of the Draft EIR, and no further response is required. No changes to the Draft EIR text are required.

Response C-2: The commenter states that 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).

This comment is noted. The City of Lathrop requires all existing wells and septic systems to be approved, abandoned or destroyed under a permit and inspection through the San Joaquin County EHD. Specifically General Plan Policy PFS-3.8 requires Septic Systems to meet the of the San Joaquin County Health Department standards. Additionally General Plan Action PS-1i ensures that all abandoned wells are permitted through the County.

These comments are noted. This comment does not address the adequacy of the Draft EIR, and no further response is required. No changes to the Draft EIR text are required.

Response C-3: This comment states that 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).

These comments present information on Environmental Health Department requirements. The City of Lathrop is committed to working with the San Joaquin County Environmental Health Department in review of future Projects.

These comments are noted, and will be forwarded to the City Council for review and consideration. This comment does not address the adequacy of the Draft EIR, and no further response is required. No changes to the Draft EIR text are required.

Response C-4: This comment lists agency program requirement for the use and storage of hazardous materials and lists laws and regulations related to hazardous materials.

These comments present information on Environmental Health Department requirements. The City of Lathrop is committed to working with the San Joaquin County Environmental Health Department in review of future Projects.

These comments are noted. This comment does not address the adequacy of the Draft EIR, and no further response is required. No changes to the Draft EIR text are required.



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July 11, 2022

Mark Meissner
City of Lathrop
390 Towne Center Drive
Lathrop CA 95330
planning@ci.lathrop.ca.us

RE: Comments on Draft Environmental Impact Report for the City of Lathrop General Plan, SCH#2021100139

Dear Mark Meissner:

Thank you for the opportunity to review and comment on the Draft Environmental Impact Report (DEIR) for the City of Lathrop (City) General Plan Update. The Delta Stewardship Council (Council) understands the City's objective to prepare a long-range planning document consisting of an updated land use map and policy document consisting of goals, policies, and actions that will guide future development activities and City actions. No specific development projects are proposed as part of the General Plan Update.

The Council is an independent state agency established by the Sacramento-San Joaquin Delta Reform Act of 2009, codified in Division 35 of the California Water Code, sections 85000-85350 (Delta Reform Act). The Delta Reform Act charges the Council with furthering California's coequal goals of providing a more reliable water supply and protecting, restoring, and enhancing the Sacramento-San Joaquin River Delta (Delta) ecosystem. (Water Code, § 85054.) The Delta Reform Act further states that the coequal goals are to be achieved in a manner that protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the

D-1

Mark Meissner
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Delta as an evolving place. The Council is charged with furthering California’s coequal goals for the Delta through the adoption and implementation of the Delta Plan. (Wat. Code, § 85300.)

D-1 Cont.

Pursuant to the Delta Reform Act, the Council has adopted the Delta Plan, a comprehensive long-term management plan for the Delta and Suisun Marsh that furthers the coequal goals. The Delta Plan contains regulatory policies, which are set forth in California Code of Regulations, Title 23, sections 5001-5015. Through the Delta Reform Act, the Council was granted specific regulatory and appellate authority over certain actions of State or local public agencies that take place in whole or in part in the Delta. (Wat. Code, §§ 85210, 85225.30.) A state or local agency that proposes to undertake a covered action is required to prepare a written Certification of Consistency with detailed findings as to whether the covered action is consistent with the Delta Plan and submit that certification to the Council prior to implementation of the project. (Wat. Code, § 85225.)

D-2

Through the Delta Reform Act, the Council was also directed to review and provide timely advice to local and regional planning agencies regarding the consistency of local and regional planning documents with the Delta Plan. The Council’s input includes, but is not limited to, reviewing the consistency of local and regional planning documents with the ecosystem restoration needs of the Delta and reviewing whether the lands set aside for natural resource protection are sufficient to meet the Delta’s ecosystem needs. (Wat. Code, § 85212.)

COVERED ACTION DETERMINATION AND CERTIFICATION OF CONSISTENCY WITH THE DELTA PLAN

Based on the location and scope of the General Plan Update, as provided in the Draft EIR, the plan may meet the definition of a covered action. Water Code section 85057.5(a) states that a covered action is a plan, program, or project, as defined pursuant to Section 21065 of the Public Resources Code that meets all of the following conditions:

D-3

- (1) Will occur, in whole or in part, within the boundaries of the Delta or Suisun Marsh. The planning area includes lands within and surrounding the City of Lathrop. Portions of the planning area are located within the Delta.

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(2) Will be carried out, approved, or funded by a State or a local public agency. The General Plan Update will be approved by the City of Lathrop, a local public agency.

(3) Is covered by one of the provisions of the Delta Plan. See discussion below. City and Council staff should determine the potential applicability of Delta Plan regulatory policies that may apply to the General Plan Update through early consultation.

and

(4) Will have a significant impact on achievement of one or both of the coequal goals or the implementation of government-sponsored flood control programs to reduce risks to people, property, and State interests in the Delta. The General Plan Update would have a significant impact on both coequal goals and on a government-sponsored flood control program to reduce risks to people, property, and State interests in the Delta.

D-3 Cont.

The State or local agency approving, funding, or carrying out the project must determine if that project is a covered action and, if so, file a Certification of Consistency with the Council prior to project implementation. (Wat. Code, § 85225; Cal. Code Regs., tit. 23, § 5001(j)(3).)

It should also be noted that certain Delta Plan regulatory policies establish specific criteria and categories that would exempt actions from portions of the Council's regulatory authority. One such exemption is for areas designated in the City's General Plan, as of May 16, 2013, for residential, commercial, and industrial development in the city or its sphere of influence. Such development is exempted from Delta Plan Policy **DP P1** (Cal. Code Regs., tit.23, § 5010), which places geographic restrictions on new urban development and Delta Plan Policy **RR P2** (Cal. Code Regs., tit.23, § 5013), which requires a minimum level of flood protection for residential development.

D-4

Based on our review, Council staff has not identified any specific inconsistency between the proposed General Plan Update and the Delta Plan pursuant to Water Code section 85212 at this time. Notwithstanding the exemptions identified above, proposed General Plan Update policies appear to support provisions of **DP P1** and **RR P2**. With regard to **DP P1**, *Figure RR-1-The Delta Plan* in the General Plan Update

Mark Meissner
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is consistent with Delta Plan Policy Appendix 7, Figure 7-10 showing new residential, commercial, and industrial development being limited to the areas designated for development as of May 16, 2013. With regard to **RR P2**, Draft EIR Figure 4.4-2 shows nearly the entire City of Lathrop in the 200-year flood plain and the General Plan Update Existing Conditions Report outlines ongoing work through the San Joaquin Area Flood Control Agency to reduce flood risk for the area.

D-4 Cont.

CLOSING COMMENTS

As the City proceeds with the General Plan Update the Council invites the City to engage Council staff to discuss potential applicability of Delta Plan regulatory policies to the General Plan Update and to discuss consistency between the General Plan Update and the Delta Plan, so that the two plans are complimentary and best serve to protect the Delta.

D-5

Please contact Pat Kelly at (916) 902-6484 or patricia.kelly@deltacouncil.ca.gov with any questions.

Sincerely,



Jeff Henderson, AICP
 Deputy Executive Officer
 Delta Stewardship Council

Response to Letter D: Delta Stewardship Council

Response D-1: This comment serves as an introduction to the comment letter, providing a summary of the Project, and the Delta Stewardship Council's role in implementing the Delta Plan.

This comment is introductory and no further response is necessary.

Response D-2: This comment provides a summary of the Delta Stewardship Council's role in implementing the Delta Plan, including review of local and regional planning documents.

This comment is introductory and no further response is necessary.

Response D-3: The commenter notes that the General Plan Update may meet the definition of a covered action under the Delta Plan, and cites relevant sections of the Public Resources Code. These comments are noted, and will be forwarded to the City Council for review and consideration. This comment does not address the adequacy of the Draft EIR, and no further response is required. No changes to the Draft EIR text are required.

Response D-4: The commenter notes filing requirements and exemption criteria for projects subject to the Delta Plan. These comments are noted, and will be forwarded to the City Council for review and consideration. This comment does not address the adequacy of the Draft EIR, and no further response is required. No changes to the Draft EIR text are required.

Response D-5: The commenter extends an offer to discuss Delta Plan consistency with the City. The City appreciates this offer and will continue to work collaboratively with the Delta Stewardship Council. It is further noted that the City and the Delta Stewardship Council have had open dialogue during preparation of the General Plan Update. These comments are noted, and will be forwarded to the City Council for review and consideration. This comment does not address the adequacy of the Draft EIR, and no further response is required. No changes to the Draft EIR text are required.

James and Brenda Hystad

622 Mossdale Rd.
Lathrop, CA 95330
(209)624-9419
jameswhystad@gmail.com

July 9, 2022

Mark Meissner
Community Development Director
Community Development Department, Planning Division
City of Lathrop
390 Towne Centre Drive
Lathrop, CA 95330

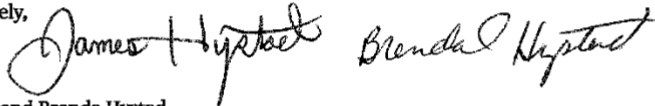
Dear Mr. Meissner,

We are James and Brenda Hystad and we live at 622 and 630 Mossdale rd in the rural San Joaquin county. We just received your letter regarding the Lathrop General Plan on Friday July 8, 2022. We noticed after visiting the website provided on your letter that there are plans to develop commercial recreation use for the community in the general area of our property.

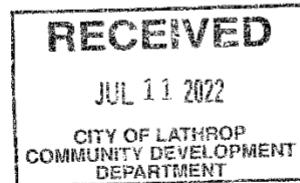
Our family has owned this land since 1972 and are totally opposed to the public encroaching to our private lives. We do not want to have any development done in and around our property for public use. We would like to have a meeting with you as soon as possible to get more information about the plan.

This is our response during the 45 day review period to the Lathrop General Plan notice and letter.

Sincerely,



James and Brenda Hystad



E-1

Response to Letter E: James and Brenda Hystad, Public Comment Submission

Response E-1: The commenter notes receipt of City correspondence regarding proposed Land Use Map changes in the vicinity of their property. The commenter does not address the adequacy of the Draft EIR. It is noted that City staff made direct contact with the commenter immediately after receiving this letter, and provided the commenter with detailed information regarding the project. The commenter verbally indicated to City staff that all outstanding questions and issues of concerns were addressed during that conversation. No further response is required.



CITY OF MANTECA

DEVELOPMENT SERVICES DEPARTMENT

July 11, 2022

SUBMITTED VIA E-MAIL

Mark Meissner
Community Development Director
Community Development Department, Planning Division
City of Lathrop
390 Towne Centre Drive
Lathrop, CA 95330
planning@ci.lathrop.ca.us

Dear Mr. Meissner:

The City of Manteca (Manteca) has had the opportunity to review the Draft Environmental Impact Report (EIR) prepared for the City of Lathrop's (Lathrop) General Plan Update. We appreciate Lathrop's efforts and recognize that many of the issues disclosed and analyzed in Lathrop's EIR are faced by multiple jurisdictions in our region.

We look forward to working with Lathrop and other jurisdictions to develop regional and sub-regional approaches to many of these issues, as appropriate, so that our communities can continue to grow and prosper in ways that benefit all of our residents, employees, and visitors.

We welcome continued discussions with Lathrop on shared issues of concern to both of our cities.

Yours Truly,

J.D. Hightower
Deputy Director – Planning
Development Services Department

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F-1

Response to Letter F: City of Manteca, Development Services Department

Response F-1: The commenter notes receipt and review of the Draft EIR, and states that the City of Manteca looks forward to continued collaboration with Lathrop on regional and sub-regional issues of concern. The City of Lathrop appreciates these comments. These comments are noted, and will be forwarded to the City Council for review and consideration. This comment does not address the adequacy of the Draft EIR, and no further response is required. No changes to the Draft EIR text are required.



July 11, 2022

Mark Meissner
 Community Development Department, Planning Division
 City of Lathrop
 390 Towne Centre Drive
 Lathrop, CA 95330

Project: Draft Environmental Impact Report for City of Lathrop General Plan Update

District CEQA Reference No: 20220752

Dear Mr. Meissner:

The San Joaquin Valley Air Pollution Control District (District) has reviewed the Draft Environmental Impact Report (DEIR) from the City of Lathrop (City) for the General Plan Update. Per the DEIR, no specific development projects are being proposed, the update is to accommodate future growth in Lathrop, including new businesses, expansion of existing businesses, and new residential uses (Project). The proposed Project has the potential to yield up to 17,379 new housing units and 30,630,722 square feet of new non-residential building square footage space.

G-1

The District offers the following comments regarding the Project:

1) Land Use Planning

Nearly all development projects within the San Joaquin Valley Air Basin, from the general plan update to individual projects have the potential to generate air pollutants, making it more difficult to attain state and federal ambient air quality standards. Land use decisions are critical to improving air quality within the San Joaquin Valley Air Basin because land use patterns greatly influence transportation needs, and motor vehicle emissions are the largest source of air pollution in the Valley. Land use decisions and project design elements such as preventing urban sprawl, encouraging mix-use development, and project design elements that reduce vehicle miles traveled (VMT) have proven to be beneficial for air quality. The District recommends that the DEIR incorporate strategies that reduce VMTs and require the cleanest available Heavy Heavy-Duty (HHD) trucks and vehicles, including zero and near-zero technologies. VMTs can be reduced through encouragement of mix-use

G-2

Samir Sheikh

Executive Director/Air Pollution Control Officer

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development, walkable communities, etc. Additional design element options can be found at: <http://www.valleyair.org/transportation/Mitigation-Measures.pdf>

In addition, the District recommends that the DEIR incorporate strategies that will advance implementation of the best practices listed in Tables 5 and 6 of California Air Resource Board's (CARB's) Freight Handbook Concept Paper, to the extent feasible. This document compiles best practices designed to address air pollution impacts as "practices" which may apply to the siting, design, construction, and operation of freight facilities to minimize health impacts on nearby communities. The concept paper is available at: https://ww2.arb.ca.gov/sites/default/files/2020-03/2019.12.12%20-%20Concept%20Paper%20for%20the%20Freight%20Handbook_1.pdf

G-2 Cont.

2) **Project Siting**

The Project is the blueprint for future growth and provides guidance for the community's development. Without appropriate mitigation and associated policy, future development projects within the City may contribute to negative impacts on air quality due to increased traffic and ongoing operational emissions. Appropriate project siting helps ensure there is adequate distance between differing land uses, which can prevent or reduce localized and cumulative air pollution impacts from business operations that are in close proximity to receptors (e.g., residences, schools, health care facilities, etc.). The Project siting-related goals, policies, and objectives should include measures and concepts outlined in the following resource document:

- CARB's Air Quality and Land Use Handbook: A Community Health Perspective. The document includes tables with recommended buffer distances associated with various types of common sources (e.g., distribution centers, chrome platers, gasoline dispensing facilities, etc.), and can be found at: <https://ww3.arb.ca.gov/ch/handbook.pdf>

G-3

3) **Project Related Emissions**

As such, the District recommends that the DEIR stipulate that future development projects within the Project identify and characterize project construction and operational air emissions. The District recommends the air emissions be compared to the District 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 future projects be mitigated to the extent feasible, and that future projects with air emissions above the aforementioned thresholds be mitigated to below these thresholds.

G-4

The District understands that the Project is a program-level project where future individual project-specific data may not be available at this time. As such, the DEIR should include a discussion of policies, which when implemented, will require assessment and characterization of project-level emissions, and subsequently require mitigation of air quality impacts to the extent feasible at the individual project-specific level. Environmental reviews of potential impacts on air quality should incorporate the following items:

3a) Construction Emissions

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

3b) Operational Emissions

For future development projects, 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>.

3c) 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.

4) Health Risk Screening/Assessment

The DEIR states, "When industrial projects, including warehouse projects, fulfillment centers, and other projects that may generate high volumes of truck trips and/or air quality emissions are proposed within 1,000 feet of existing or planned residential uses or other sensitive receptors, the City shall require the preparation of a Health

G-4 Cont.

G-5

Risk Assessment (HRA) that meets the standards established by the Office of Environmental Health Hazard Assessment (OEHHA), and the San Joaquin Valley Air Pollution Control District (SJVAPCD)." The District would like to clarify that the need for a Prioritization and/or a HRA should not be limited solely to industrial projects and should be required for future development projects, regardless of development type (i.e. commercial, mixed-use, etc.), due to the potential impact on sensitive receptors.

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 future development projects. 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

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.

G-5 Cont.

Risk Assessment (HRA) that meets the standards established by the Office of Environmental Health Hazard Assessment (OEHHA), and the San Joaquin Valley Air Pollution Control District (SJVAPCD)." The District would like to clarify that the need for a Prioritization and/or a HRA should not be limited solely to industrial projects and should be required for future development projects, regardless of development type (i.e. commercial, mixed-use, etc.), due to the potential impact on sensitive receptors.

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 future development projects. 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.

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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:

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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.

G-5 Cont.

6) Recommended Emission Reduction Strategies to Reduce Emissions from Future Development Projects

6a) Industrial/Warehouse Project 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

G-6

6b) Voluntary Emission Reduction Agreement

Future development projects could have a significant impact on air quality. The District recommends the DEIR include a feasibility discussion on implementing a Voluntary Emission Reduction Agreement (VERA) as a mitigation measure for future development projects that are determined to exceed the District's CEQA significance thresholds.

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.

6c) 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 future development projects.

G-6 Cont.

6d) 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.

G-6 Cont.

7) District's Bikeway Incentive Program

Future development projects are expected to result in an overall reduction in VMT by installing bikeways, and may be eligible for funding through the District's Bikeway Incentive Program. The Bikeway Incentive Program provides funding for eligible Class 1 (Bicycle Path Construction), Class II (Bicycle Lane Striping), or Class III (Bicycle Route) projects. These incentives are designed to support the construction of new bikeway projects to promote clean air through the development of a widespread, interconnected network of bike paths, lanes, or routes and improving the general safety conditions for commuter bicyclists. Only municipalities, government agencies, or public educational institutions are eligible to apply. More information on the grant program can be found at:
<http://valleyair.org/grants/bikepaths.htm>

G-7

Guidelines and Project Eligibility for the grant program can be found at:
http://valleyair.org/grants/documents/bikepaths/2015_Bikeway_Guidelines.pdf

8) Under-fired Charbroilers

Future development projects have the potential to occupy restaurants with under-fired charbroilers. Such charbroilers may pose the potential for immediate health risk, particularly when located in densely populated areas or near sensitive receptors.

Since the cooking of meat can release carcinogenic PM_{2.5} species, such as polycyclic aromatic hydrocarbons, controlling emissions from new under-fired charbroilers will have a substantial positive impact on public health. The air quality impacts on neighborhoods near restaurants with under-fired charbroilers can be significant on days when meteorological conditions are stable, when dispersion is limited and emissions are trapped near the surface within the surrounding neighborhoods. This potential for neighborhood-level concentration of emissions during evening or multi-day stagnation events raises air quality concerns.

G-8

Furthermore, reducing commercial charbroiling emissions is essential to achieving attainment of multiple federal PM2.5 standards. Therefore, the District recommends that the DEIR include a measure requiring the assessment and potential installation, as technologically feasible, of particulate matter emission control systems for new large restaurants operating under-fired charbroilers.

G-8 Cont.

The District is available to assist the City and project proponents with this assessment. Additionally, the District is currently offering substantial incentive funding that covers the full cost of purchasing, installing, and maintaining the system during a demonstration period covering two years of operation. Please contact the District at (559) 230-5800 or technology@valleyair.org for more information, or visit: <http://valleyair.org/grants/rctp.htm>

9) Clean Lawn and Garden Equipment in the Community

Since future development projects may result in residential and commercial development, gas-powered residential and commercial lawn and garden equipment have the potential to result in an increase of NOx and PM2.5 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.

G-9

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>.

Please visit www.valleyair.org/grants/chargeup.htm for more information.

10) 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.

G-10

The list of rules below is neither exhaustive nor exclusive. Current District rules can be found online at: 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.

G-10 Cont.

10a) District Rule 9510 - Indirect Source Review (ISR)

Accordingly, future development projects within the General Plan may be subject to District Rule 9510 if upon full buildout, the project would equal or exceed any of the following applicability thresholds, depending on the type of development and public agency approval mechanism:

Table 1: ISR Applicability Thresholds

Development Type	Discretionary Approval Threshold	Ministerial Approval / Allowed Use / By Right Thresholds
Residential	50 dwelling units	250 dwelling units
Commercial	2,000 square feet	10,000 square feet
Light Industrial	25,000 square feet	125,000 square feet
Heavy Industrial	100,000 square feet	500,000 square feet
Medical Office	20,000 square feet	100,000 square feet
General Office	39,000 square feet	195,000 square feet
Educational Office	9,000 square feet	45,000 square feet
Government	10,00 square feet	50,000 square feet
Recreational	20,000 square feet	100,000 square feet
Other	9,000 square feet	45,000 square feet

G-11

District Rule 9510 also applies to any transportation or transit development projects where construction exhaust emissions equal or exceed two tons of NOx or two tons of PM.

The purpose of District Rule 9510 is to reduce the growth in both NOx 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 Rule requires developers to mitigate their NOx 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.

In the case the individual development project is subject to District Rule 9510, per Section 5.0 of the rule, an Air Impact Assessment (AIA) application is required to be submitted no later than applying for project-level approval from a public agency. It is preferable for the applicant to submit an AIA application as early as possible in the public agency's approval process so that proper mitigation and clean air design under ISR can be incorporated into the public agency'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 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.

G-11 Cont.

10b) District Rule 4601 (Architectural Coatings)

The Project may be subject to District Rule 4601 since it may 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>

10c) 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

G-11 Cont.

10d) District Rule 4901 - Wood Burning Fireplaces and Heaters

The purpose of this rule is to limit emissions of carbon monoxide and particulate matter from wood burning fireplaces, wood burning heaters, and outdoor wood burning devices. This rule establishes limitations on the installation of new wood burning fireplaces and wood burning heaters. Specifically, at elevations below 3,000 feet in areas with natural gas service, no person shall install a wood burning fireplace, low mass fireplace, masonry heater, or wood burning heater.

Information about District Rule 4901 can be found online at:

<http://valleyair.org/rule4901/>

10e) Other District Rules and Regulations

Future development projects 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).

11) Future Projects / Land Use Agency Referral Documents

Future development projects may require an environmental review and air emissions mitigation. A project's referral documents and environmental review documents provided to the District for review should include a project summary, the land use designation, project size, air emissions quantifications and impacts, and proximity to sensitive receptors and existing emission sources, and air emissions mitigation

G-12

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measures. For reference and guidance, more information can be found in the District's Guidance for Assessing and Mitigating Air Quality Impacts at: <https://www.valleyair.org/transportation/GAMAQI.pdf>

If you have any questions or require further information, please contact Harout Sagherian by e-mail at Harout.Sagherian@valleyair.org or by phone at (559) 230-5860.

Sincerely,

Brian Clements
Director of Permit Services



Mark Montelongo
Program Manager

G-12 Cont.

Response to Letter G: San Joaquin Valley Air Pollution Control District

Response G-1: This comment provides an introduction to the comment letter, and presents some summary characteristics of the proposed Project. No response to this comment is warranted.

Response G-2: The commenter suggests the DEIR include land use strategies to reduce VMT, support clean vehicle emissions for heavy duty trucks, and include techniques for siting and construction that further air quality goals and reduce health impacts. This comment is noted. The General Plan includes a wide range of policies and actions that support land use compatibility, and air quality goals. Additionally Policy RR-6.1 calls for the City to coordinate planning efforts with the San Joaquin Valley Air Pollution Control District (SJVAPCD), San Joaquin Council of Governments, and the California Air Resource Board to meet local and regional air quality standards and ensure attainment of established goals. These comments provide information on air resources and best practices within the region. The commenter is also referred to the responses to Letter B, above, which include detailed information regarding the numerous policies and actions included throughout the General Plan that would effectively reduce future air quality emissions. These comments do not address the adequacy of the Draft EIR. No further response to this comment is warranted.

Response G-3: The commenter notes that future development under the Project may contribute to negative impacts on air quality due to increased traffic and operational emissions.

The General Plan includes a wide range of policies and actions that support land use compatibility, and air quality goals.

During development of the General Plan goals, policies, and actions, a variety of resources were used to guide and craft new policy, including CARB's Air Quality and Land Use Handbook. As stated on DEIR pg. 3.3-39 the *Air Quality and Land Use Handbook: A Community Health Perspective, adopted by CARB, May 2005 was prepared to address the siting of sensitive land uses in close proximity to sources of TAC emissions that include the following sources within the City:*

- *Within 500 feet of Interstate 5 and Highway 120;*
- *Within 300 feet of dry cleaning operations that use perchloroethylene; and*
- *Within 50 feet of a typical gas station.*

The proposed General Plan includes policies and programs aimed to limit exposure to TAC and PM concentrations within the city. These policies and actions are included within various elements of the General Plan. For example, Policy RR-6.2 requires that community exposure to toxic and harmful emissions and odors is minimized by required adequate buffer or distance between residential or other sensitive receptors and industrial, manufacturing, and processing facilities, highways and rail lines, and similar uses that typically generate air pollutants, toxic air contaminants, and/or obnoxious fumes or odors. Policy RR-6.3 requires new construction to minimize fugitive dust and construction vehicle emissions. Furthermore, Implementing Measure RC-6a requires that planning projects are reviewed for their consistency with SJVAPCD requirements during the CEQA review process.

In order to ensure that the potential for pollution exposure to existing and future sensitive receptors is reduced to the greatest extent feasible, the proposed General Plan includes numerous goals, policies and implementation actions which would further the fundamental goals of the SJVAPCD in reducing emissions of criteria pollutants associated with vehicle miles traveled, reducing building energy usage, and would increase opportunities for transit ridership in Lathrop and the surrounding areas. The list provided on DEIR pages 3.3-27 through 3.3-36 identifies those General Plan policies and actions that would work to further criteria pollutant emissions reductions, including reviewing projects for conformance with applicable air quality plans and regulations, reducing energy demands, and implementing methods to reduce vehicle miles traveled, including providing adequate pedestrian, bicycle, and transit facilities and opportunities, promoting non-vehicle travel modes, requiring employers with 100 or more employees to implement TDM programs, and ensuring regional coordination on trip and VMT reduction efforts..

In addition to the policies and actions described above, and on pages 3.3-27 through 3.3-36 of the DEIR, the following are of particular note:

Action LU-5c When industrial projects, including warehouse projects, fulfillment centers, and other projects that may generate high volumes of truck trips and/or air quality emissions are proposed within 1,000 feet of existing or planned residential uses or other sensitive receptors, the City shall require the preparation of a Health Risk Assessment (HRA) that meets the standards established by the Office of Environmental Health Hazard Assessment (OEHHA), and the San Joaquin Valley Air Pollution Control District (SJVAPCD). Projects shall not be approved until it can be demonstrated that the project would not result in an exceedance of the established thresholds of significance for public health risks at nearby sensitive receptors.

This action requires all future industrial development proposals located within 1,000 feet of existing or planned sensitive receptors to prepare a health risk assessment (HRA) that meets established standards and thresholds established by the Office of Environmental Health Hazard Assessment (OEHHA), and the San Joaquin Valley Air Pollution Control District (SJVAPCD). Projects that would exceed an established threshold cannot be approved until such time that it can be demonstrated that design modifications or other mitigation measures imposed upon the project would reduce health risks below the established thresholds of significance. This is a specific, enforceable, performance-based measure that would ensure that sensitive receptors are not exposed to excessive levels of pollutant concentrations or toxic air contaminants from future development projects.

Another notable action related to this topic includes:

LU-5d

When industrial projects, including warehouse projects, fulfillment centers, and other projects that may generate high volumes of truck trips and/or air quality emissions are proposed within 1,000 feet of existing or planned residential uses or other sensitive receptors, the City shall require the implementation of best management practices (BMPs) to reduce pollution exposure to sensitive receptors, particularly diesel particulate matter (DPM). The appropriate BMPs shall be established on a case-by-case basis, and should consider the following tools, methods, and approaches:

- Creating physical, structural, and/or vegetative buffers that adequately prevent or substantially reduce pollutant dispersal between warehouses and any areas where sensitive receptors are likely to be present, such as homes, schools, daycare centers, hospitals, community centers, and parks.*
- Providing adequate areas for on-site parking, on-site queuing, and truck check-in that prevent trucks and other vehicles from parking or idling on public streets.*
- Placing facility entry and exit points from the public street away from sensitive receptors, e.g., placing these points on the north side of the facility if sensitive receptors are adjacent to the south side of the facility. Exceptions can be made for emergency vehicle access (EVA) points.*
- Locating warehouse dock doors and other onsite areas with significant truck traffic and noise away from sensitive receptors.*
- Screening dock doors and onsite areas with significant truck traffic and noise with physical, structural, and/or vegetative barriers that adequately prevent or substantially reduce pollutant dispersal from the facility towards sensitive receptors.*
- Posting signs clearly showing the designated entry and exit points from the public street for trucks and service vehicles.*
- Posting signs indicating that all parking and maintenance of trucks must be conducted within designated on-site areas and not within the surrounding community or public streets.*

This action requires all future industrial projects, including warehouse projects, fulfillment centers, and other projects that may generate high volumes of truck trips and/or air quality emissions, proposed within 1,000 feet of existing or planned residential uses or other sensitive receptors to implement a range of best practices to reduce pollution exposure to sensitive receptors, particularly diesel particulate matter (DPM), regardless of whether or not the project would exceed an established threshold of significance for air quality or toxic air contaminant emissions. This action was developed to implement the best practices identified in the *Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act*, published by the Attorney General's Office in 2021.

This comment is noted. Future Projects will be reviewed and required to meet relevant General Plan and Air District standards, and future projects in Lathrop will be referred to the District for review and comment. These comments provide information on air resources and best practices within the region. These comments do not address the adequacy of the Draft EIR. No further response to this comment is warranted.

Response G-4: The commenter recommends that the DEIR stipulate that future development projects identify and characterize project construction and operational air emissions. The commenter recommends the air emissions be compared to the District significance thresholds, and states that the DEIR should include a discussion of policies, which when implemented, will require assessment and characterization of project-level emissions, and subsequently require mitigation of air quality impacts to the extent feasible at the individual project-specific level.

Future projects will be reviewed for compliance with relevant General Plan and Air District standards, and future projects will be provided to the district for review and comment. General Plan Action RR-6a requires the review of development, infrastructure, and planning projects for consistency with SJVAPCD requirements during the CEQA review process. This action requires project applicants to prepare air quality analyses to address SJVAPCD and General Plan requirements, which include analysis and identification of:

- A. Air pollutant emissions associated with the project during construction, project operation, and cumulative conditions.
- B. Potential exposure of sensitive receptors to toxic air contaminants.
- C. Significant air quality impacts associated with the project for construction, project operation, and cumulative conditions.
- D. Mitigation measures to reduce significant impacts to less than significant or the maximum extent feasible where impacts cannot be mitigated to less than significant.

This comment is noted. These comments provide information on air resources and best practices within the region. These comments do not address the adequacy of the Draft EIR. No further response to this comment is warranted.

Response G-5: The commenter provides additional information on Health Risk Assessment best practices. Additionally, the commenter notes that prioritization and/or a HRA should not be limited solely to industrial projects and should be required for future development projects, regardless of development type (i.e. commercial, mixed-use, etc.), due to the potential impact on sensitive receptors.

These comments are noted. The City has provided specific policy guidance for development projects that are of high concern regionally, including projects that have the potential to result in additional DPM emissions. These specific policies are meant to provide for additional policy direction for industrial type uses, however, during development review process all future projects will be reviewed for the potential to result in TAC impacts, and all projects requiring CEQA review will be specifically analyzed for air quality impacts, including the potential for Health Risks.

Health risks are addressed on pages 3.3-37 through 3.3-48 of the DEIR. As described on DEIR page 3.3-42, individual projects will be required to provide their own environmental assessments to determine health impacts from the construction and operation of their projects. In the event that future individual

projects may result in exposure to TACs by sensitive receptors, these future projects would be required to analyze TAC impacts on an individual project level, per SJVAPCD requirements, and in accordance with California Office of Environmental Health Hazard Assessment (OEHHA) guidance. Additionally, General Plan Policy RR-6.2 states: *Sensitive Receptors. Minimize the community's exposure to toxic and harmful air emissions and odors by requiring an adequate buffer or distance between residential and other sensitive receptors and industrial-type uses that typically generate air pollutants, toxic air contaminants, and/or obnoxious fumes or odors.*

The General Plan, as written, addresses the issues raised by the commenter. This comment is noted. These comments provide information on air resources and best practices related to Health Risk Assessments. These comments do not address the adequacy of the Draft EIR. No further response to this comment is warranted.

Response G-6: The commenter recommends a variety of emission reduction strategies to reduce emissions from future development projects including: Industrial/Warehouse Project Emission Reduction Strategies, Voluntary Emission Reduction Agreements, On-Site Solar Deployment, and Electric Vehicle Chargers. The District recommends the City consider the feasibility of incorporating emission reduction strategies that can reduce potential harmful health impacts and provides a list of best practices.

The General plan includes Policies and Actions, that when implemented, support a wide range of emissions reduction strategies. Specifically Policy RR-6.1 calls for coordinating planning efforts with the San Joaquin Valley Air Pollution Control District (SJVAPCD), and the California Air Resource Board to meet local and regional air quality standards and ensure attainment of established goals. Additionally, Policy RR-6.7 requires the implementation of relevant mitigation measures for all future development upon identification of potential air quality impacts. The commenter is referred to Response B-3, above, which provides a detailed description of land use and air quality policies that would reduce emissions from future projects. Many of the best practices listed by the commenter are included under General Plan Action LU-5d

A determination on including onsite mitigation is based, in part, on the specific characteristics of the site, end user, and the building(s) that would be constructed on each individual lot. Those characteristics would help determined the need and applicability of future development requirements. Each future project will be reviewed for air quality impacts and opportunities for emission reduction strategies to reduce emissions.

The commenter recommends the DEIR include a feasibility discussion on implementing a Voluntary Emission Reduction Agreement (VERA) as a mitigation measure for future development projects that are determined to exceed the District's CEQA significance thresholds.

A determination on including site specific mitigation is based, in part, on the specific characteristics of the site, end user, and the building(s) that would be constructed on each individual lot. Those characteristics would help determined the need and applicability of future development requirements, each future project will be reviewed for air quality impacts and opportunities for emission reduction strategies to reduce emissions. Future projects will be reviewed and required to meet relevant General Plan and Air District standards, and future projects will be referred to the District for review and

comment. General Plan Action RR-6a requires the review development, infrastructure, and planning projects be reviewed for consistency with SJVAPCD requirements during the CEQA review process. This action requires project applicants to prepare air quality analyses to address SJVAPCD and General Plan requirements, which include analysis and identification of mitigation measures to reduce significant impacts to less than significant or the maximum extent feasible where impacts cannot be mitigated to less than significant.

Given that a VERA is a “Voluntary Agreement,” the feasibility of entering into such an agreement cannot be measured because the terms of the agreement and the party’s willingness to “agree” to such terms is not known. A “voluntary agreement” cannot be mandated through CEQA because it cannot be guaranteed that the terms of the agreement would be agreeable to both parties. Nevertheless, the City recognizes that a VERA is one method that can be used to try to reduce emissions. The City can educate applicants on the benefits of a VERA, and recommend consulting with the Air District to see if such “voluntary agreement” can be reached.

These comments are noted. These comments provide information on air emission reduction strategies. These comments do not address the adequacy of the Draft EIR. No further response to this comment is warranted.

The commenter suggests that the City consider incorporating solar power systems as an emission reduction strategy for the Project.

This comment is noted. The proposed Project is already required to implement solar deployment as required by the State of California. Moreover, Action PS-6g call of the City to evaluate the feasibility for government-constructed and/or operated new development to exceed the CalGreen Tier 1, or successor program, standards. Additionally as described in Action RR-6d, the City will continue to review development projects to ensure that all new public and private development complies with the California Code of Regulations (CCR), Title 24 standards as well as the energy efficiency standards established by the Lathrop Municipal Code.

These comments are noted. These comments provide information on air emission reduction best practices. These comments do not address the adequacy of the Draft EIR. No further response to this comment is warranted.

The commenter recommends that the City and project proponents install electric vehicle chargers at project sites, and at strategic locations.

The General Plan includes a wide range of policies and actions that support EV charging stations. These include but are not limited to the following Policies and Actions:

- RR-6i Support the establishment and expansion of a regional network of electric vehicle charging stations and encourage the expanded use of electric vehicles.
- RR-6j Establish and adopt standards and requirements for electric vehicle parking, including minimum requirements for the installation of electric vehicle charging stations in new multi-family residential and commercial, office, and light industrial development.

- CIR-4.4 Electric Vehicle Charging. Support the creation of electric vehicle charging stations at multifamily residential, commercial, government, and other employment and community destinations.
- CIR-4k Require new development to incorporate electric vehicle charging in accordance with the California Green Building Standards Code. Encourage installation of electric vehicle charging stations at existing development.

These comments are noted. These comments provide information on air emission reduction best practices. These comments do not address the adequacy of the Draft EIR. No further response to this comment is warranted.

Response G-7: The Commenter provides information related to the District’s Bikeway Incentive Program.

These comments are noted. These comments provide information on District programs and funding opportunities. These comments do not address the adequacy of the Draft EIR. No further response to this comment is warranted.

Response G-8: The commenter provided information on health impacts related to the operation of under-fired charbroilers, and recommends that the DEIR include a measure requiring the assessment and potential installation, as technologically feasible, of particulate matter emission control systems for new large restaurants operating under-fired charbroilers.

These comments are noted. General Plan Action LU-5.b requires, through the development review process, that land use compatibility is analyzed, and requires adequate buffers and/or architectural consideration to protect residential areas, or other sensitive receptors developed or undeveloped, from intrusion of development activities that may cause unwanted nuisances and health risks. Additionally, Policy RR-6.5 requires appliances and equipment, including wood-burning devices, in development projects to meet current standards for controlling air pollution, including particulate matter and toxic air contaminants, while Policy RR-6.7 requires the implementation of relevant mitigation measures for all future development upon identification of potential air quality impacts.

These comments are noted. These comments provide information on air quality issues and funding opportunities. These comments do not address the adequacy of the Draft EIR. No further response to this comment is warranted.

Response G-9: The commenter provides information on the District’s Clean Green Yard Machines (CGYM) program and 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.

This comment is noted. The proposed Project is a long -range planning document and does not specifically include lawn care equipment. The City supports individual efforts by future projects to incorporate clean yard equipment as feasible, and will review future projects for clean energy requirements. Specifically, Policy RR-6.5 requires appliances and equipment in development projects to meet current standards for controlling air pollution, including particulate matter and toxic air contaminants.

These comments are noted. These comments provide information on air quality program opportunities. These comments do not address the adequacy of the Draft EIR. No further response to this comment is warranted.

Response G-10: The commenter provides information on San Joaquin Valley Air Pollution Control District Rules and Regulations.

This comment is noted. Future development projects are subject to the District's rules and regulations, many of which are presented in the Regulatory Setting of the Air Quality Chapter on DEIR pages 3.3-17 through 3.3-21.

These comments provide information on air quality programs and rules. These comments do not address the adequacy of the Draft EIR. No additional response to this comment is warranted.

Response G-11: The commenter provides additional information on San Joaquin Valley Air Pollution Control District Rules and Regulations.

This comment is noted. Future development projects are subject to the District's rules and regulations, many of which are presented in the Regulatory Setting of the Air Quality Chapter on DEIR pages 3.3-17 through 3.3-21.

These comments provide information on air quality programs and rules. These comments do not address the adequacy of the Draft EIR. No additional response to this comment is warranted.

Response G-12: The commenter states that future development projects may require an environmental review and air emissions mitigation. The commenter notes that a project's referral documents and environmental review documents provided to the District for review should include a project summary, the land use designation, project size, air emissions quantifications and impacts, and proximity to sensitive receptors and existing emission sources, and air emissions mitigation measures. Additionally, the comment provides the commenter's contact information.

These comments provide information on District preferences and review requirements. As stated previously Policy RR-6.1 requires the City to coordinate planning efforts with the San Joaquin Valley Air Pollution Control District (SJVAPCD), San Joaquin Council of Governments, and the California Air Resource Board to meet local and regional air quality standards and ensure attainment of established goals. Additionally, Action RR-6c calls for the City to work with San Joaquin County and the SJVAPCD to implement plans and programs aimed at improving regional air quality, and Action RR-6a requires the review of development, infrastructure, and planning projects for consistency with SJVAPCD requirements during the CEQA review process.

These comments do not address the adequacy of the Draft EIR. No additional response to this comment is warranted.

This chapter includes minor edits to the EIR. These modifications resulted from responses to comments received during the Draft EIR public review period.

Revisions herein do not result in new significant environmental impacts, do not constitute significant new information, and do not alter the conclusions of the environmental analysis that would warrant recirculation of the Draft EIR pursuant to State CEQA Guidelines Section 15088.5. Changes are provided in revision marks with underline for new text and ~~strike out for deleted text~~.

3.1 REVISIONS TO THE DRAFT EIR

EXECUTIVE SUMMARY

No changes were made to the Executive Summary of the Draft EIR (DEIR).

1.0 INTRODUCTION

No changes were made to Chapter 1.0 of the DEIR.

2.0 PROJECT DESCRIPTION

No changes were made to Chapter 2.0 of the DEIR

3.1 AESTHETICS AND VISUAL RESOURCES

No changes were made to Section 3.1 of the DEIR.

3.2 AGRICULTURAL AND FOREST RESOURCES

No changes were made to Section 3.2 of the DEIR.

3.3 AIR QUALITY

The following changes were made to page 3.3-16 in Section 3.3 of the DEIR:

- LU-5f: Update the Central Lathrop Specific Plan (CLSP) to accomplish the following objectives:*
- a. Bring the Specific Plan's land use map into consistency with the General Plan Land Use Map (Figure LU-1)*
 - b. Establish a circulation network that keeps future truck trips as far from existing and planned sensitive receptors as feasible; this includes, but is not limited to, the following requirements, which shall be incorporated into the Specific Plan:*
 - i. Trucks shall be prohibited on Dos Reis Road, west of Golden Valley Parkway.*

- ii. Future truck dependent development projects shall be prohibited from providing driveway access points off of Dos Reis Road, west of Golden Valley Parkway, other than emergency vehicle access (EVA).
- iii. Truck traffic within the Limited Industrial Area of the Central Lathrop Specific Plan shall be limited to De Lima Road, and any future roadways north of Dos Reis Road, to connect to Manthey Road, Roth Road, and Interstate 5.
- c. Establish site design standards for new industrial projects;
- d. Identify financing and cost-recovery methods to fund roadway and infrastructure improvements.
- e. Circulation design standards that promote safe transportation routes that limit impacts to developed areas to the south, and connectivity enhancements to provide better connectivity to I-5.
- f. Infrastructure improvements to improve roadway operations
- g. Opportunities to provide employee-serving amenities onsite, such as parks and plazas, outdoor seating areas, fitness facilities, and daycare centers as a means to reduce vehicle trips, while supporting air quality, public health, and sustainability goals.

LU-5g: During the interim period following adoption of this General Plan, and the adoption of the updates to the Central Lathrop Specific Plan, identified in Action LU-5f, the City shall enforce the following requirements for all Limited Industrial development projects, including warehouse, distribution, and logistics projects, within the Central Lathrop Specific Plan Area:

- a. Trucks shall be prohibited on Dos Reis Road, west of Golden Valley Parkway.
- b. Future truck dependent development projects shall be prohibited from providing driveway access points off of Dos Reis Road, west of Golden Valley Parkway, other than emergency vehicle access (EVA).
- c. Truck traffic within the Limited Industrial Area of the Central Lathrop Specific Plan shall be limited to De Lima Road, and any future roadways north of Dos Reis Road, to connect to Manthey Road, Roth Road, and Interstate 5.

3.4 BIOLOGICAL RESOURCES

No changes were made to Section 3.4 of the DEIR.

3.5 CULTURAL AND TRIBAL RESOURCES

No changes were made to Section 3.5 of the DEIR.

3.6 GEOLOGY

No changes were made to Section 3.6 of the DEIR.

3.7 GREENHOUSE GAS, CLIMATE CHANGE AND ENERGY

No changes were made to Section 3.7 of the DEIR.

3.8 HAZARDS AND HAZARDOUS MATERIALS

No changes were made to Section 3.8 of the DEIR.

3.9 HYDROLOGY AND WATER QUALITY

No changes were made to Section 3.9 of the DEIR.

3.10 LAND USE PLANNING AND POPULATION/HOUSING

The following changes were made to page 3.10-16 in Section 3.10 of the DEIR:

LU-5f: Update the Central Lathrop Specific Plan (CLSP) to accomplish the following objectives:

- h. Bring the Specific Plan's land use map into consistency with the General Plan Land Use Map (Figure LU-1)*
- i. Establish a circulation network that keeps future truck trips as far from existing and planned sensitive receptors as feasible; this includes, but is not limited to, the following requirements, which shall be incorporated into the Specific Plan:*
 - i. Trucks shall be prohibited on Dos Reis Road, west of Golden Valley Parkway.*
 - ii. Future truck dependent development projects shall be prohibited from providing driveway access points off of Dos Reis Road, west of Golden Valley Parkway, other than emergency vehicle access (EVA).*
 - iii. Truck traffic within the Limited Industrial Area of the Central Lathrop Specific Plan shall be limited to De Lima Road, and any future roadways north of Dos Reis Road, to connect to Manthey Road, Roth Road, and Interstate 5.*
- j. Establish site design standards for new industrial projects;*

- k. Identify financing and cost-recovery methods to fund roadway and infrastructure improvements.*
- l. Circulation design standards that promote safe transportation routes that limit impacts to developed areas to the south, and connectivity enhancements to provide better connectivity to I-5.*
- m. Infrastructure improvements to improve roadway operations*
- n. Opportunities to provide employee-serving amenities onsite, such as parks and plazas, outdoor seating areas, fitness facilities, and daycare centers as a means to reduce vehicle trips, while supporting air quality, public health, and sustainability goals.*

LU-5g: During the interim period following adoption of this General Plan, and the adoption of the updates to the Central Lathrop Specific Plan, identified in Action LU-5f, the City shall enforce the following requirements for all Limited Industrial development projects, including warehouse, distribution, and logistics projects, within the Central Lathrop Specific Plan Area:

- d. Trucks shall be prohibited on Dos Reis Road, west of Golden Valley Parkway.*
- e. Future truck dependent development projects shall be prohibited from providing driveway access points off of Dos Reis Road, west of Golden Valley Parkway, other than emergency vehicle access (EVA).*
- f. Truck traffic within the Limited Industrial Area of the Central Lathrop Specific Plan shall be limited to De Lima Road, and any future roadways north of Dos Reis Road, to connect to Manthey Road, Roth Road, and Interstate 5.*

3.11 MINERAL RESOURCES

No changes were made to Section 3.11 of the DEIR.

3.12 NOISE

The following typo correction is made to Table 3.12-11 on page 3.12-19 of the DEIR:

TABLE 3.12-11: BASELINE (2020) VS. PROPOSED GENERAL PLAN

ROADWAY	SEGMENT	NOISE LEVELS (L_{DN} , dB) AT NEAREST SENSITIVE RECEPTORS				
		BASELINE (2020)	PROPOSED GP	CHANGE	CRITERIA ¹	SIGNIFICANT?
Roth Road	I-5 to Harlan Road	70.1	73.8	3.7	+1.5 dB	Yes
Harlan Road	South of Roth Road	68.7	69.3	0.6	+1.5 dB	No
Roth Road	Harlan Road to McKinley Avenue	67.1	73.3	6.2	+1.5 dB	Yes
Roth Road	McKinley Avenue to City Limits	65.2	72.5	7.3	+1.5 dB	Yes
Lathrop Road	I-5 to Harlan Road	67.1	69.1	2.0	+1.5 dB	Yes
Harlan Road	North of Lathrop Road	64.4	66.7	2.3	>65 dB	Yes
Lathrop Road	Harlan Road to 5th Street	66.1	70.0	3.9	+1.5 dB	Yes
Lathrop Road	5th Street to McKinley Avenue	66.9	71.1	4.2	+1.5 dB	Yes
Lathrop Road	McKinley Avenue to City Limits	67.1	70.0	2.9	+1.5 dB	Yes
Spartan Way	Golden Valley Parkway to Lathrop Road High School	56.6	60.7	4.1	+5.0 dB	No
Golden Valley Parkway	Spartan Way to River Island Parkway	63.3	71.9	8.6	>65 dB	Yes
Spartan Way	I-5 to Golden Valley Parkway	60.7	74.3	13.6	>65 dB	Yes
Harlan Road	South of Lathrop Road	67.0	68.3	1.3	+1.5 dB	No
Cambridge Avenue	South of Lathrop Road	53.6	56.4	2.8	+5.0 dB	No
5th Street	South of Lathrop Road	56.4	56.7	0.3	+5.0 dB	No
McKinley Avenue	South of Lathrop Road	71.5	73.6	2.1	+1.5 dB	Yes
River Island Parkway	West of McKee Boulevard	58.2	67.6	9.4	>65 dB	Yes
River Island Parkway	Golden Valley Parkway to McKee Boulevard	59.4	66.2	6.8	>65 dB	Yes
Golden Valley Parkway	River Island Parkway to Towne Centre Drive	57.0	67.3	10.3	>65 dB	Yes
River Island Parkway	I-5 to Golden Valley Parkway	65.9	73.4	7.5	+1.5 dB	Yes
Louise Avenue	I-5 to Harlan Road	71.6	73.4	1.8	+1.5 dB	Yes
Harlan Road	North of Louise Avenue	56.7	58.0	1.3	+5.0 dB	No
Louise Avenue	5th Street to McKinley Avenue	64.9	68.6	3.7	>65 dB	Yes
Cambridge Avenue	North of Louise Avenue	54.8	54.8	0.0	+5.0 dB	No
5th Street	North of Louise Avenue	54.6	58.9	4.3	+5.0 dB	No
McKinley Avenue	South of Louise Avenue	63.5	73.1	9.6	>65 dB	Yes
Louise Avenue	McKinley Avenue to City Limits	66.5	71.2	4.7	+1.5 dB	Yes
McKee Boulevard	River Island Parkway to Town Centre Drive	55.7	59.4	3.7	+5.0 dB	No

3.0 ERRATA

TABLE 3.12-11: BASELINE (2020) VS. PROPOSED GENERAL PLAN

ROADWAY	SEGMENT	NOISE LEVELS (L_{DN} , dB) AT NEAREST SENSITIVE RECEPTORS				
		BASELINE (2020)	PROPOSED GP	CHANGE	CRITERIA ¹	SIGNIFICANT?
Towne Centre Drive	Golden Valley Parkway to McKee Boulevard	48.0	51.7	3.7	+5.0 dB	No
Harlan Road	Louise Avenue to D'Arcy Parkway	69.3	69.8	0.5	+1.5 dB	No
D'Arcy Parkway	East of Harlan Road	66.4	66.9	0.5	+1.5 dB	No
Manthey Road	Towne Centre Drive to Stewart Road	56.7	56.7	0.0	+5.0 dB	No
D'Arcy Parkway	North of Yosemite Avenue	62.7	63.0	0.3	+3.0 dB	No
Yosemite Avenue	D'Arcy Parkway to McKinley Avenue	64.8	72.0	7.2	>65 dB	Yes
Yosemite Avenue	McKinley Avenue to City Limits	67.8	72.7	4.9	+1.5 dB	Yes
Somerston Parkway	North of Lakeside Drive	56.0	66.0	10.0	>65 dB	Yes
Lakeside Drive	Stewart Road to Somerston Parkway	54.3	54.3	0.0	+5.0 dB	No
Stewart Road	Manthey Road to Lakeside Drive	50.6	54.1	3.5	+5.0 dB	No
Yosemite Avenue	South of SR 120	61.1	72.3	11.2	>65 dB	Yes
Yosemite Avenue	SR 120 to D'Arcy Parkway	69.3	73.2	3.9	+1.5 dB	Yes
Paradise Road	Stewart Road to City Limits	43.7	67.8	24.1	>65 dB	Yes
Golden Valley Parkway	South of Dos Reis Road	N/A	75.0	N/A	N/A	N/A
Golden Valley Parkway	South of Inland Passage Way	46.3	74.4	28.1	>65 dB	Yes
Golden Valley Parkway	West of Somerston Parkway	N/A	69.3	N/A	N/A	N/A
Golden Valley Parkway	South of Dell'Osso Drive	N/A	63.9	N/A	N/A	N/A
Stanford Crossing	West of Golden Valley Parkway	N/A	57.2	N/A	N/A	N/A
River Island Parkway	West of Somerston Parkway	56.1	68.8	12.7	>65 dB	Yes
Cambay Parkway	West of Lakeside Drive	N/A	64.6	N/A	N/A	N/A
Cambay Parkway	East of Paradise Road	N/A	64.3	N/A	N/A	N/A
Cambay Parkway	West of Paradise Road	N/A	67.2	N/A	N/A	N/A
Paradise Road	South of Cambay Parkway	47.2	69.5	22.3	>65 dB	Yes
McKinley Avenue	South of Yosemite Avenue	65.1	77.9	12.8	+1.5 dB	Yes

¹ WHERE EXISTING NOISE LEVELS ARE LESS THAN 60 DB AN INCREASE OF 5 DB WOULD BE A SIGNIFICANT INCREASE. WHERE EXISTING NOISE LEVELS EXCEED 60 DB BUT ARE LESS THAN 65 DB, AN INCREASE OF 3 DB OR MORE WOULD BE SIGNIFICANT. ADDITIONALLY, ANY INCREASE CAUSING NOISE LEVELS TO EXCEED THE CITY'S NORMALLY ACCEPTABLE 60 DB LDN NOISE LEVEL STANDARD AT AN EXISTING OUTDOOR ACTIVITY AREA OF A RESIDENTIAL USE WOULD ALSO BE SIGNIFICANT. WHERE EXISTING NOISE LEVELS EXCEED 65 DB, AN INCREASE OF 1.5 DB OR MORE WOULD BE SIGNIFICANT.

SOURCE: FHWA-RD-77-108 WITH INPUTS FROM FEHR & PEERS TRANSPORTATION CONSULTANTS, CALTRANS, AND SAXELBY ACOUSTICS 2022.

3.13 PUBLIC SERVICES AND RECREATION

No changes were made to Section 3.13 of the DEIR.

3.14 CIRCULATION

No changes were made to Section 3.14 of the DEIR.

3.15 UTILITIES AND SERVICE SYSTEMS

No changes were made to Section 3.15 of the DEIR.

3.16 WILDFIRE

No changes were made to Section 3.15 of the DEIR.

4.0 CUMULATIVE/OTHER CEQA-REQUIRED TOPICS

No changes were made to Section 4.0 of the DEIR.

5.0 ALTERNATIVES

No changes were made to Chapter 5.0 of the DEIR.

6.0 REPORT PREPARERS

No changes were made to Chapter 6.0 of the DEIR.

7.0 REFERENCES

The following references are added to Section 7.0 of the DEIR:

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