

# **STANISLAUS COUNTY GENERAL PLAN AND AIRPORT LAND USE COMPATIBILITY PLAN UPDATE FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT**

## **PREPARED FOR:**

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**July 2016**



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# List of Acronyms and Abbreviations

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AF	acre feet
ALUCP	Airport Land Use Compatibility Plan
CEQA	California Environmental Quality Act
CSD	Community Services District
DBCP	dibromochloropropane
DEIR	Draft Environmental Impact Report
EIR	environmental impact report
FEIR	Final Environmental Impact Report
FHWA	Federal Highway Administration
ITS	Intelligent Transportation System
MID	Modesto Irrigation District
MMRP	Mitigation Monitoring and Reporting Program
NOP	Notice of Preparation
OID	Oakdale Irrigation District
project	proposed Stanislaus County General Plan update and Airport Land Use Compatibility Plan update
RHNA	Regional Housing Needs Allocation
RWQCB	Regional Water Quality Control Board
TDM	travel demand management
TDS	total dissolved solids
TID	Turlock Irrigation District

## 1.1 The Final Program Environmental Impact Report

This is the Final Program Environmental Impact Report (FEIR) that has been prepared for the proposed Stanislaus County General Plan update and Airport Land Use Compatibility Plan (ALUCP) update, which constitutes the project. As explained below, the FEIR has been prepared in accordance with the California Environmental Quality Act (CEQA) and State CEQA Guidelines to disclose to decision-makers and the public the adverse physical changes to the environment that would occur if the Project is approved. The FEIR presents the comments received on the Draft Environmental Impact Report (DEIR), written responses to those comments, and revisions to the Draft Environmental Impact Report (EIR) prompted by the comments.

Although this document is called the FEIR for convenience, the formal FEIR for the Project includes this document and the DEIR. The Planning Commission and Board of Supervisors will consider this FEIR prior to acting on the Project.

## 1.2 The California Environmental Quality Act

The CEQA (California Public Resources Code Section 21000 et seq.) requires public agencies to consider the potential adverse environmental impacts of projects under their consideration. Public agencies must consider both direct impacts and reasonably foreseeable indirect impacts. No discretionary project that may have a significant adverse impact on the environment can be approved without the preparation of an EIR. This includes land use plans that will authorize future development. As such, the County's Project is a discretionary project subject to CEQA.

According to Section 15002 of the State CEQA Guidelines, below are the basic purposes of CEQA.

- Inform government decision makers and the public about the potential significant environmental effects of proposed activities.
- Identify ways that environmental damage can be avoided or significantly reduced.
- Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governing agency finds the changes to be feasible.
- Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.

The process of preparing an EIR involves the following steps.

- Issuing a notice of preparation (NOP) soliciting the comments of public agencies and interested organizations and individuals regarding the scope and content of the EIR. Stanislaus County issued an NOP for the project in April of 2014. A copy of the NOP is in Appendix A of the DEIR.
- Community Meetings/Scoping Meeting. Several community meetings were held to provide an overview and solicit comments regarding the proposed changes to the General Plan and ALUCP.

A scoping meeting offers additional opportunities for input prior to preparation of a DEIR. Community meetings were held for the public on May 14, 2014 at Patterson City Hall in Patterson, and on May 22, 2014 at Gene Bianchi Community Center in Oakdale. Scoping meetings were held for public agencies and members of the public at Modesto Harvest Hall on May 19, 2014.

- Preparing a DEIR and releasing it for public review and comment. The DEIR for the Project was available for a review period of 45 days from April 19, 2016 through June 2, 2016 for public agencies and interested organizations and individuals to review. Copies of the DEIR were available at the County offices, County libraries, and in electronic format on the County's website.
- This FEIR presents the comments received on the DEIR, written responses to those comments, and changes to the text of the DEIR made in response to the comments. The County Board of Supervisors will certify the adequacy of and consider the FEIR prior to taking final action on the Project.
- Adopting findings and a statement of overriding considerations. The County Board of Supervisors will adopt a set of findings that describe how each significant impact identified in the FEIR will be addressed (i.e., whether the impact would be mitigated, would be mitigated by another agency, or would be significant and unavoidable). If the County chooses not to approve any of the alternatives analyzed in the EIR, then the findings will also explain why those alternatives are infeasible. Because the Project is expected to result in significant and unavoidable impacts, in accordance with Section 15093(b) of the State CEQA Guidelines the County will also adopt a statement of overriding considerations that explains the specific benefits of adopting the proposed Stanislaus County General Plan and ALUCP updates.

CEQA establishes a process for analyzing a project's potential impacts. The FEIR is not a permit and CEQA does not mandate that a proposed project be approved or denied. CEQA's essential purposes are to ensure that public agencies make a good faith effort at disclosing the potential impacts of projects to decision-makers, the public, and other agencies, and implement actions that will reduce or avoid potential significant impacts (i.e., mitigation), when feasible. A project may be approved despite having significant and unavoidable impacts.

The County Board of Supervisors will use the FEIR to inform themselves of the Project's impacts before taking action. They will also consider other information and testimony that will arise during deliberations on the Project before making their decision.

### **1.2.1 Purpose of this Document**

This FEIR (State Clearinghouse No. 2014042087) has been prepared to evaluate and disclose the potential environmental impacts associated with implementation of the Project. This Project would update the County's General Plan and ALUCP to bring these documents into consistency with state planning law. The Project would apply to those areas under the jurisdiction of the County—that is, county lands that are outside of city limits and that are not under the jurisdiction of federal or state agencies or tribal lands. A small portion of the overflight impact area of the Modesto City-County Airport extends into the cities of Ceres and Modesto. The ALUCP policies are advisory for this area. Because the Project would have indirect impacts on surrounding areas, the FEIR's analysis reaches beyond the unincorporated areas of the County.

Impacts are disclosed separately by resource area for future development to the 2035 planning horizon. The potential impacts of the project are analyzed in comparison to existing conditions, except where noted.

When determining whether the project would result in a significant environmental impact, the FEIR considers the extent to which proposed plan policies would act to reduce its effects. Where the plans' policies would not be sufficient to reduce impacts to a less-than-significant level and there is feasible mitigation that would do so, the EIR identifies that mitigation. For purposes of this EIR, "mitigation" means specific policies that can be adopted that would avoid the impact or reduce it to a less-than-significant level.

## 1.2.2 General Plan and Zoning

California Planning Law requires each county and city to adopt "a comprehensive, long-term general plan for the physical development of the county or city, and of any land outside its boundaries which in the planning agency's judgment bears relation to its planning" (Government Code Section 65300). Under the law, a general plan must address the essential issues of land use, traffic circulation, housing, resource conservation, open space, noise, and safety. Because it is to "consist of a statement of development policies and shall include a diagram or diagrams and text setting forth objectives, principles, standards, and plan proposals," the general plan establishes the framework for the county's future development pattern (Government Code Section 65302). The general plan's land use map illustrates the adopted development pattern. When applied to individual properties throughout the county, in some cases the general plan reflects current land use, and in others it describes the prospective use of the land.

As a policy document, the General Plan sets out Stanislaus County's course, much like a constitution or charter. The General Plan's objectives and policies are implemented through specific plans, zoning, and other ordinances. Specific plans, zoning, and subdivision actions must be consistent with the policies of the General Plan. *Consistency* is defined by the State General Plan Guidelines as, "An action, program or project is consistent with the general plan if, considering all its aspects, it will further the objectives of the general plan and will not obstruct their attainment."

The County ALUCP acts to minimize conflicts between operating airports and the land uses that adjoin them. The ALUCP has been prepared in accordance with Caltrans' *Airport Land Use Planning Handbook*.

## 1.2.3 Level of Detail in this Document

This Program EIR analyzes proposed changes to policies and regulations, not a site-specific development project. The CEQA Guidelines state that "[t]he degree of specificity in an EIR will correspond to the degree of specificity involved in the underlying activity which is described in the EIR" (CEQA Guidelines Section 15146). Adoption of amendments to a general plan or zoning ordinance does not, in itself, result in direct impacts on the environment. The FEIR for the Project addresses the secondary effects that can be expected to follow from the amendments. However, it is not as detailed as an EIR on a construction project would be. For example, the traffic analysis in Section 3.16, *Transportation and Traffic*, determines on a gross level whether development pursuant to the policies of the Project would result in traffic congestion and where that congestion would occur. The analysis cannot, however, determine the specific street improvements that individual



future development projects might need in order to avoid their site-specific impacts on the traffic system.

Also, the County is neither proposing the adoption of a completely new General Plan nor proposing changes in the General Plan land use diagram. As a result, the impacts of the Project often would be similar to those that would occur if the Project were not approved (that is, if the General Plan were not amended). The analyses in this EIR identify those key components of the project that are expected to result in substantial adverse changes to the existing environment. The No Project Alternative discussed in this FEIR allows a comparison of those impacts with the impacts inherent in development pursuant to the existing General Plan.

## 1.2.4 Document Format

The format of this FEIR is outlined below to assist the reader's review of the document.

- **Chapter 1** is this introduction to the FEIR. The discussion reflects the CEQA process through completion of the FEIR.
- **Chapter 2** contains the comments received during the public review of the DEIR and the responses to those comments.
- **Chapter 3** consists of errata. That is, minor changes to the DEIR to clarify or expand upon the points discussed therein. For the reader's convenience, the FEIR identifies the page number and paragraph in the DEIR where each change is being made.
- **Chapter 4** identifies the references used in preparing this FEIR.

## 2.1 Introduction

This chapter lists the comments received on the Draft EIR (DEIR), provides copies of the comment letters or emails, and responds in turn to each comment that is related to environmental issues. For convenience, each comment has been assigned a prefix number and individual number. The prefixes assigned are listed in Table 2-1. The numbers are assigned in the order the comment is found in the commenters letter or e-mail submittal. For example, Caltrans' letter is 1 and the individual comments within the letter are labeled 1-1, 1-2, and so on.

The County's responses follow each letter or e-mail. The individual responses identify the particular comment they are responding to by its letter/number code. The responses are well-considered, good faith responses to each comment that relates to an environmental issue. In those cases where a comment does not relate to this type of issue, the response simply acknowledges the comment. In some cases, revisions have been made to the FEIR for clarification purposes only. No new environmental impacts have been identified.

The comments received are listed in Table 2-1.

**Table 2-1. Draft Environmental Impact Report Comment Letters Received**

Comment Number	Commenter	Date Sent/Received
1	Caltrans, District 10	May 17, 2016
2	Caltrans, Division of Aeronautics	June 8, 2016
3	Chevron USA	June 12, 2016
4	City of Ceres	May 26, 2016
5	City of Modesto	May 23, 2016
6	City of Turlock	June 3, 2016
7	Central Valley Regional Water Quality Control Board	June 1, 2016
8	Del Puerto Health Care District	May 12, 2016
9	Stanislaus LAFCO	June 2, 2016
10	Ryan Thornberry, for River Oaks Golf Course	June 1, 2016
11	Mark Boone	May 20, 2016
12	San Joaquin County Public Works	June 3, 2016
13	San Joaquin Valley APCD	June 2, 2016
14	Stanislaus County Environmental Review Committee	May 17, 2016

## 2.2 Comments Received and Responses

# Letter 1. Caltrans, District 10

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

**DEPARTMENT OF TRANSPORTATION**  
 DISTRICT 10 DIRECTOR  
 P.O. BOX 2048  
 (1976 E. DR. MARTIN LUTHER KING JR. BLVD. 95205)  
 STOCKTON, CA 95201  
 PHONE (209) 948-7943  
 FAX (209) 948-3670  
 TTY 711  
 www.dot.ca.gov

Letter 1



*Serious Drought.  
 Serious drought.  
 Help save water!*

May 17, 2016

**10-STA-Various-PM Various  
 GPA Application PLN2014-0051  
 ALUC Application PLN2014-0052  
 Draft EIR  
 SCH# 2014042087**

Kristin Doud  
 Stanislaus County  
 Planning and Community Development Dept.  
 1010 Tenth Street, Suite 3400  
 Modesto, CA 95354

Dear Ms. Doud:

The California Department of Transportation appreciates the opportunity to have reviewed the DEIR for the Stanislaus County General Plan and Airport Land Use Compatibility Plan Updates (GPA Application PLN2014-0051 and ALUC Application PLN2014-0052). The Department has the following comments:

- The Department has a mandate to support system preservation on the State Highway System. Our endeavor is to maintain existing traffic volumes by accentuating fewer single occupancy vehicle trips and to reduce vehicle delay where ever possible. Much of what is addressed in this section of the Draft General Plan is consistent with our endeavors, and we applaud the County's commitment to plan towards a sustainable transportation system.

1-1
- We encourage the County to consider mitigations to impacts on the transportation system that the DEIR considers significant and unavoidable including ramp metering and the promotion of alternative transportation modes including public transportation, park-and-ride lots, bike paths, and pedestrian facilities.

1-2
- The GP Circulation Element needs to address inclusion of principal arterials as components of the federal highway system under MAP-21. The Element should also list local roads that fit this class as is done elsewhere. Briggsmore and Oakdale Roads would be examples.

1-3

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Ms. Doud  
May 17, 2016  
Page 2

- Greyhound and taxi services provided by companies should not be listed as examples of public transportation. We recommend they be listed in a separate section specifically for commercial transportation. | 1-4
- On page 3.16-11 in the Rail/Highway Freight section, SR 132 from SR 99 to La Grange Road is incorrectly referred to as a California Legal Advisory Route. It should be referred to as a California Legal Route. | 1-5
- More detailed information on truck routes, truck parking, and truck access is needed within Chapter 3.16 | 1-6

If you have any questions or would like to discuss our comments in more detail, please contact Nicholas Fung at (209) 948-7190 or me at (209) 941-1921.

Sincerely,



FOR TOM DUMAS, CHIEF  
OFFICE OF METROPOLITAN PLANNING

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**Response to Comment 1-1.** The commenter comments positively on the County's General Plan approach to developing a sustainable transportation system. No response is required in the FEIR.

**Response to Comment 1-2.** The County has included Land Use Policy Twenty-Nine and associated implementation measures, which support sustainable development that reduces VMT. In addition, proposed Land Use Policy Thirty supports the efficient extension of public transportation systems.

The County has also included implementation measures under proposed Circulation Element Policy One that will be used to require non-motorized modes to be incorporated into new development projects, including the preparation of project-level transportation impact analyses that would identify project specific impacts (Implementation Measure 7 under Policy One).

Implementation Measure 14 under Policy Two provides that a strategy plan should be prepared that includes the identification of areas and/or projects to which new multi-modal transportation guidelines shall apply. Those guidelines will include provisions for bicycle, pedestrian and public transit.

Implementation Measure 1 under Policy Four provides that the congestion management plan shall identify alternative strategies such as travel demand management (TDM), traffic operational improvements, public transit options, Intelligent Transportation System (ITS), non-motorized alternatives (bicycle and pedestrian), and smart growth alternative land use strategies as alternatives to manage congestion.

In light of these provisions of the proposed Project that will address the issues raised by the commenter, no additional EIR mitigation measures are necessary.

**Response to Comment 1-3.** This comment is related to the 2015 General Plan update functional classification, as compared to the Caltrans/Federal Highway Administration (FHWA) classification system. The general plan functional classification system is used as part of the circulation element analysis to determine the size and extent of roadway and is serving a different purpose than the official Caltrans/FHWA functional class maps, which are used for funding formulas. This comment does not relate to the adequacy of the EIR and no response is necessary.

**Response to Comment 1-4.** This comment reflects the opinion of the commenter regarding the organization of the DEIR. It does not raise substantive issues of EIR adequacy. No response is necessary.

**Response to Comment 1-5.** The comment notes a minor error in naming. This does not affect the understanding of the issue, nor does it raise substantive issues of EIR adequacy.

The following change is made in the text of the DEIR on page 3.16-11:

SR 132 from SR 99 to La Grange Road is a designated California Legal ~~Advisory~~ Route where only California legal trucks are allowed.

**Response to Comment 1-6.** The commenter asks for more detail regarding truck routes and parking, but does not raise any substantive issues of EIR adequacy. The level of detail in the DEIR is commensurate with the type of project being analyzed. A general plan is a broad policy document that does not set out truck routes or the details of truck parking. Accordingly, the EIR does not examine these issues. No further response is necessary.

## Letter 2. Caltrans, Division of Aeronautics

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN JR., Governor

### DEPARTMENT OF TRANSPORTATION

DIVISION OF AERONAUTICS – M.S. #40

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SACRAMENTO, CA 94274-0001

PHONE (916) 654-4959

FAX (916) 653-9531

TTY 711

www.dot.ca.gov

Letter 2



*Serious drought!  
Help Save Water!*

June 8, 2016

Ms. Kristin Doud, Associate Planner  
Airport Land Use Commission  
Stanislaus County Planning and Community Development Department  
1010 Tenth Street, Suite 3400  
Modesto, CA 95354-0868

Dear Ms. Doud:

Thank you for providing the California Department of Transportation, Division of Aeronautics (Division), with a draft copy of the Stanislaus County Airport Land Use Compatibility Plan (ALUCP). According to California Public Utility Code (PUC) section 21675(e), the Division shall notify the Airport Land Use Commission (ALUC) if said ALUCP does not include the required matters pursuant to the California State Aeronautics Act (SAA).

Primarily, an ALUCP adopted pursuant to the SAA:

- Shall establish policies that discourage local agencies from granting building permits that would be inconsistent with the intent of the Legislature and incompatible with airport operations pertaining to matters such as height, use, noise, safety, and density (or intensity) as established by the SAA, the 2011 California Airport Land Use Planning Handbook (Handbook), PUC sections 21674.5 and 21674.7, and any applicable Federal Aviation Regulation (FAR)
- Will provide for the orderly growth of each public airport and the area surrounding the airport within its jurisdiction
- Will safeguard the general welfare of the inhabitants within the vicinity of the airport and the public in general
- Shall include and be based on a long-range airport master plan or airport layout plan that reflects the anticipated growth of the airport during at least the next 20 years
- May develop height restrictions on buildings, specify use of land, and determine building standards, including soundproofing adjacent to airports within the airport influence area
- Shall include a review schedule of the ALUCP so as to be reviewed as often as necessary in order to accomplish its purpose but shall not be amended more than once a year

2-1

The Division's comments are intended to ensure that the requirements and processes of PUC, section 21670, et seq., and the Handbook are properly implemented, but are not intended to establish land uses in Stanislaus County. We are, however, available to assist the Stanislaus County ALUC and its local agencies in ensuring proper land use compatibility planning near and surrounding the three operating public-use airports in Stanislaus County. The three airports are Modesto City-County Airport (MOD), Oakdale Municipal Airport (O27), and the proposed Crows Landing Airport (formerly the Crows Landing Naval Auxiliary Landing Field). There are two other airports in Stanislaus County. Patterson Airport is closed and Turlock Airpark is not a public-use

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 June 8, 2016  
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airport, according to the Division's Aviation Safety Officers. The Division accepts the use of the 2009 Airport Layout Plan (ALP) for MOD and the 2013 ALP for O27 for airport land use compatibility planning purposes. A draft ALP has been provided to the Division for Crows Landing Airport for review. It is not, however, a State permitted airport. Once the airport is permitted, then this ALUCP must be amended to include compatibility policies and maps for this airport.

We have reviewed the draft Stanislaus County ALUCP in accordance with the SAA for consistency with the Handbook and compliance with FAR and other regulations and policies. Our comments on the draft ALUCP are intended to ensure that the provisions and processes of the SAA and Handbook are properly implemented. The Division offers this letter and the following comments on the ALUCP.

As presented herein, an ALUCP has many purposes. One of the purposes is to develop and implement policies that protect and provide orderly growth of airports in Stanislaus County. The airports are a significant contributor to the economy, provide emergency service functions, and provide international trade and intrastate and interstate access. The ALUCP could be expanded to present and demonstrate the far-reaching economic importance of the airport, the critical emergency service role and the ease of interstate and intrastate travel. Then policies affecting the airport can cite the discussion on this matter to support the policy.

ALUCP Section 1.1.1. Airport Land Use Commission, discusses the membership composition of the ALUC. PUC section 21670(b)(4) outlines the specific composition of members who can serve as an airport land use commissioner. The ALUCP should include a description of the ALUC membership and how it complies with this PUC section. Further, a copy of the ALUC formation document included in the appendices would be appropriate for reference.

2-1  
 Cont.

ALUCP Section 1.4.3. Discusses existing land use and its applicability to the airport land use compatibility process. The Handbook provides three categories of land use: development rights established, development rights uncertain, and development rights not established. Development rights established must consist of three elements, which are to: "Obtain a valid building permit, and perform substantial work, and incur substantial liability in good faith." Development rights not established includes issuance of a tentative tract map, recording of a final map, and filing of an application for a building permit. The descriptions and definitions of existing land use and vested rights contained in the draft ALUCP include the following:

- A vesting tentative map has been approved pursuant to California Government Code section 66498.1 and has not expired as of the effective date of this ALUCP
- A development agreement has been executed pursuant to California Government Code section 65866 and remains in effect as of the effective date of this ALUCP

These two matters must rely on the issuance of a building permit according to the case law cited in the Handbook's discussion on development rights established. Chapter 3, Section 3.5 of the Handbook, however, cites California Government Code section 65864 et seq. regarding vesting tentative maps and development agreements. This legislation was enacted to provide some certainty to the land development process but makes defining existing land use not so clear cut.

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 June 8, 2016  
 Page 3

The Division's concern regarding existing land use policies is to ensure that new development does not encroach upon the airport and airport operations do not affect the new development. Any number of things can change at an airport, such as number of operations, types of aircraft, and air traffic patterns. There may be instances where a vesting tentative map or a development agreement was approved or adopted several years prior to the issuance of a building permit, and during that time, airport operations had changed. New aviation data provided by the Federal Aviation Administration, the Division, and an airport operator should be considered prior to the issuance of a building permit. This new data may demonstrate that a project would then be subject to an operational hazard.

The Handbook's discussion on this topic should not be considered as a policy but as a resource for an ALUC to develop policy. It is within the authority of the ALUC to develop policy that represents the intent of the SAA and Handbook. The ALUC should exercise caution in establishing policies regarding existing land use. If the ALUC develops a more restrictive policy, it may insulate itself from adverse actions. Oppositely, if the ALUC develops a less restrictive policy, it may open itself to adverse actions. In the event of an operational hazard, the ALUC can more easily defend its efforts in furthering the intent of the SAA by not including vesting tentative maps and executed development agreements in the definition of existing land use.

ALUCP section 1.6 discusses overrule processes and procedures. ALUCs often request that the Division interpret PUC sections 21675.1(d), 21676(b) and (c) and 21676.5(a) for overrule procedures. These sections of the PUC provide the framework for ALUCs to establish review processes but do not provide specific procedures. The ALUCP should spell out the review process and procedures in more detail with respect to scheduling and number of hearings, noticing requirements, and adoption or approval carrying votes. In addition, the ALUCP review process should be consistent with the practices of the local governments within Stanislaus County.

An airport's area of influence goes beyond single jurisdictional boundaries. The intent of an ALUC is to perform airport land use compatibility planning with a regional perspective. ALUCP section 2.1.2(b) and similar ALUCP policies establish the ALUC secretary as the person responsible for making consistency determinations. The PUC does not provide for alternative review processes with respect to consistency determinations. When a general or specific plan or local planning action is submitted to an ALUC, **it must be reviewed by the ALUC**. PUC section 21671.5 (e) states:

The commission shall meet at the call of the commission chairperson or at the request of the majority of the commission members. A majority of the commission members shall constitute a quorum for the transaction of business. No action shall be taken by the commission except by the recorded vote of a majority of the full membership.

ALUCP Table 2 provides safety compatibility criteria. The Table shows children schools, nursing homes, hospitals, and daycare centers as compatible or conditionally compatible in Safety Zone 6, except school sites are prohibited within one-half mile of an airport. In many instances proposed uses that may be occupied by persons vulnerable to hazard fall directly below the Traffic Pattern Zone (TPZ), Safety Zone 6. The Handbook does not specifically prohibit these types of uses within a TPZ but does provide guidance on the matter. It states that these types of uses should be limited

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2-1  
 Cont.



Ms. Kristen Doud  
 June 8, 2016  
 Page 4

within a TPZ. The discussion, however, qualifies the word “limit” to mean density or intensity. Uses that may house vulnerable occupants are not necessarily occupied in terms typically associated with density or intensity. An appropriate discussion for these types of uses can be found on Page 4-29, uses with vulnerable occupants, and in Appendix H of the Handbook. This discussion states that these uses cannot be measured or evaluated based on the number of occupants (density or intensity) and that outright prohibition in the TPZ may be the appropriate ALUCP policy. There have been proposals for locating these types of uses in the TPZ that have become very controversial. It may be in the ALUC’s best interest to consider the prohibition of schools in the TPZ unless there are no other available sites outside the safety zone. Another option would be to designate, in the ALUCP, sites within the TPZ that may be appropriate for these types of uses. The basis for identifying appropriate sites, if any, within the TPZ should be provided as well.

This matter is especially concerning to the Division. Pursuant to the Education Code section 17215, the California Department of Education (CDE) must submit a request to the Division for review of a proposed school site. Because the Handbook does not explicitly prohibit school sites within a TPZ, the Division cannot recommend against a school site being located within a TPZ. The Division uses the Handbook and ALUC policies for its comment letter to the CDE. It is much better for the Division for commenting on school sites to the CDE when the ALUC policies are more explicit.

ALUCP Map OAK-3 illustrates the airport safety zones for O27. The discussion in the ALUCP background information for O27 cites a left turning pattern as the basis for angling Safety Zone 4 in a westerly direction instead of northwesterly consistent with the generic safety zones found in the Handbook. According to the Division’s aviation safety officers, though a majority of aircraft take a left turn pattern, there are many that take a straight out pattern. If there are other reasons for modifying the safety zone, please include such reasons in the discussion. If there are no other reasons for modifying the safety zone, please include the area that would be part of Safety Zone 4 as illustrated in the Handbook.

We recommend that the ALUC include our comments in the final ALUCP. Please contact me at (916) 654-5314, or via email at [Robert.Fiore@dot.ca.gov](mailto:Robert.Fiore@dot.ca.gov), if you would like to discuss the comments in this letter in more detail or we may provide additional information.

Sincerely,



ROBERT FIORE  
 Office of Aviation Planning

2-1  
 Cont.

*“Provide a safe, sustainable, integrated, and efficient transportation system  
 to enhance California’s economy and livability”*

**Response to Comment 2-1.** Caltrans comments in this letter relate to the content of the ALUCP and do not raise any CEQA issues.

Caltrans suggests that the ALUCP could be expanded to present and demonstrate the far-reaching economic importance of the airport, the critical emergency service role and the ease of interstate and intrastate travel. Then policies affecting the airport could cite the discussion on this matter to support the policy. A discussion of this type is not required by statute. The County chooses not to include it.

Caltrans requests that the ALUCP include a description of the Airport Land Use Commission membership and how that complies with Public Utilities Code Section 21670(b)(4). ALUCP Section 1.2 includes a definition of and the membership of the Stanislaus County ALUC. Section 1.1 of the ALUCP will be amended to include the definition of the ALUC membership.

Caltrans suggests that the ALUCP's definition of land use should follow the *Airport Land Use Planning Handbook*. The *Handbook* definition is a suggestion, not a requirement. The definition of existing conditions was developed based on input from County staff, and it reflects the authority and processes implemented by the jurisdictions within the Airport Influence Area regarding existing land uses and discretionary review.

Caltrans requests that the ALUCP include more detail about the process by which the ALUCP may be overruled. ALUCP Chapter 1, Introduction (page 1-8), discusses the process that is available to local agencies to overrule an ALUCP and the procedural requirements associated with that process. Because the requirements vary somewhat based on the make-up of the city and county legislative bodies, more detail is not warranted.

Caltrans notes that consistency of legislative actions with the ALUCP can only be determined by the ALUC. The ALUCP does not contradict this provision of state law. The review process is described in ALUCP Policy 1.5.

With regards to schools in the Oakdale Municipal Airport's safety zone, ALUCP Chapter 5 "Background Data: Oakdale Municipal Airport and Environs" does not identify any schools within that zone. Any proposed school would be subject to the statutory requirements for siting review and consistency with the ALUCP. Table 2 of the ALUCP will be amended to clarify that children's schools will not be allowed in Safety Zone 6 unless there are no other available sites outside of the safety zone. No change is needed to the discussion of existing conditions and therefore no change is necessary to the EIR.

Caltrans notes that background information for Oakdale Municipal Airport runway 027 cites a left turning pattern as the basis for the angling of Safety Zone for in a westerly direction instead of northwesterly consistent with the generic safety zones found in the Handbook. According to the Division's aviation safety officers, though a majority of aircraft take a left turn pattern, many take a straight out pattern. If there are other reasons for modifying the safety zone, please include such reasons in the discussion or modify the safety zone to include that are that would be part of Safety Zone 4 as illustrated in the *Handbook*. ALUCP Chapter 5 explains that approximately 60 percent of the flights at 027 operate using a left traffic pattern, and approximately 40% operate using a straight out pattern. Safety Zone 4 was created by adjusting the generic patterns shown in the *Handbook* to accommodate *both* a straight-out pattern and a left turn pattern. Exhibit Oak 9A, which illustrates the Safety Zones identified for 027 overlaid upon the General Plan land use map, shows the location of Safety Zone 4 as extending westward to S. Stearns Road and northward to Sierra Road. Exhibit

OAK-6 illustrates the generic zones provided by the *Handbook*. A comparison of the exhibits indicates that Safety Zone 4 encompasses a greater area than the area identified by the generic safety zones shown in the *Handbook*. The greater area accommodates the predominant left traffic pattern while encompassing nearly all of the area identified by the straight-out pattern. Safety Zone 4 as described in the *Handbook* would include only a portion of the parcel southeast of the intersection of Sierra and S. Stearns road, whereas the ALUCP encompasses the whole of the parcel. We acknowledge that the generic pattern includes 2.7 acres of a large parcel located northeast of the intersection of Sierra and S. Stearns Road, which is not included in ALUCP Safety Zone 4. This 2.7-acre area was not included in order to provide a more easily defined boundary based on nearby geographic features and the predominance of the left pattern.

## Letter 3. Chevron USA

Letter 3



RECEIVED

MAY 31 2016

STANISLAUS CO. PLANNING &  
COMMUNITY DEVELOPMENT DEPT.

Mike N. Oliphant  
Project Manager  
Mining and Specialty  
Portfolio

**Chevron Environmental  
Management Company**  
P.O. Box 6012  
San Ramon, CA 94583  
Tel (925) 790 6431  
Fax (925) 790 6772  
mike.oliphant@chevron.com

May 25, 2016

Stakeholder Communication – Stanislaus County

Ms. Kristin Doud  
Stanislaus County Planning and Community Development Department  
1010 10th St, Suite 3400  
Modesto, California 95354

**Subject: Comments on the Draft Environmental Impact Report for the  
Stanislaus County General Plan Update**  
Chevron Environmental Management Company  
Historical Pipeline Portfolio–Bakersfield to Richmond

Dear Ms. Doud:

On behalf of Chevron Environmental Management Company (CEMC), Leidos, Inc. (Leidos; CEMC contract consultant) recently reviewed the Draft Environmental Impact Report for the Stanislaus County General Plan Update. The information contained in this letter may help you to understand something about Chevron's former pipeline operations in Stanislaus County, as residual weathered crude oil, abandoned pipeline, and asbestos-containing materials (ACM) could potentially be encountered during subsurface construction activities in the vicinity of these former pipeline locations within the existing former pipeline rights of way (ROW).

Portions of the former Old Valley Pipeline (OVP) and Tidewater Associated Oil Company (TAOC) pipelines existed within Stanislaus County. These formerly active pipelines were constructed in the early 1900s and carried crude oil from the southern San Joaquin Valley to the San Francisco Bay Area. Pipeline operations for the OVP ceased in the 1940s, and in the 1970s for the TAOC pipelines. When pipeline operations ceased, the pipelines were taken out of commission. The degree and method of decommissioning varied: in some instances the pipelines were removed, while in others they remained in place. Because these pipelines have been decommissioned, with the majority of pipelines having been removed, they are not readily identified as underground utilities through the Underground Service Alert North System or utility surveys. Figure 1 illustrates the locations of the former OVP and TAOC ROWs with respect to Stanislaus County. The location of the pipelines shown on Figure 1 is based on historical as-built drawings and the approximated positional accuracy of the alignments is generally +/- 50 feet. The OVP and TAOC pipelines were installed at depths of up to 10 feet below ground surface. The steel pipelines were typically encased in a protective coating composed of coal tar and ACM.

Working under the direction of State regulatory agencies, CEMC conducted risk assessments at numerous locations with known historical crude-oil release points along the former OVP and TAOC pipelines. Analytical results from these risk assessments indicated that the crude-contaminated soil was non-hazardous. Accordingly, it is likely that if soil affected by the historical release of crude oil from these former pipelines is encountered during construction activities it may be reused as backfill on site. Properly abandoned crude-oil pipeline may be left in the ground. Parties conducting construction activities in the vicinity of these former pipeline ROWs may wish to use the

3-1

Ms. Kristin Doud – Stanislaus County  
May 25, 2016  
Page 2 of 2

information provided in this letter to help prepare for the possibility of encountering abandoned pipelines and pipeline-related ACM during the course of their work.

↑ 3-1  
Cont.

For more information regarding these historic pipelines, please visit <http://www.hppinfo.com/>. If you would like additional information, or would like to request more detailed maps, please contact Leidos consultants Mike Hurd ([michael.t.hurd@leidos.com](mailto:michael.t.hurd@leidos.com)) at (510) 466-7161 or Daniel Anzelon ([daniel.b.anzelon@leidos.com](mailto:daniel.b.anzelon@leidos.com)) at (858) 826-3316.

Sincerely,



Mike Oliphant

MO/klg

Enclosure:

Figure 1. Historical Pipeline Rights of Way – County Overview Map

cc: **Mr. Mike Hurd – Leidos**  
1000 Broadway, Suite 675, Oakland, California 94607



**Response to Comment 3-1.** The commenter, Chevron, provides information regarding abandoned pipelines and the potential for asbestos contaminated soils in those locations. County staff will keep this information on record for consideration in future projects. The comment does not address CEQA issues. No response is necessary in the EIR.

## Letter 4. City of Ceres



Letter 4

Planning and Building Division  
2220 Magnolia Street  
Ceres, CA 95307  
209-538-5774  
Fax 209-538-5675

**CITY COUNCIL**

Chris Vierra, Mayor  
Ken Lane            Bret Durossette  
Mike Kline         Linda Ryno

May 26, 2016

Stanislaus County Planning Department  
ATTN: Kristin Doud, Associate Planner  
1010 Tenth Street, Suite 3400  
Modesto, CA 95354

Dear Ms. Doud,

The City of Ceres appreciates the opportunity to comment on the Draft Environmental Impact Report for the Stanislaus County General Plan and Airport Land Use Compatibility Plan Updates. The City agrees that these documents represent a significant long term planning effort and as such, will provide policy direction and have implications regarding land use and circulation for years to come that will affect Stanislaus County and in some instances the nine Cities. Because of this, the City of Ceres offers the following comments for consideration, which staff feels may provide future clarity and build upon what is being proposed by the County.

### Airport Land Use Commission Plan

- ALUCP Policy 3.3.2 & 3.3.4 – Discuss density for the proposed safety zones surrounding the airports. For residential uses density is calculated in units per acre while for non-residential development, an intensity calculation is used. Those proposed density limits for residential in particular are much more restrictive than the current Airport Land Use Commission Plan. As such, for those parcels within the City limits that are undeveloped, the City requests the County to insert a table or chart that shows to what level of residential density those properties could be developed under the proposed plan.
- ALUCP Exhibit 1 and Exhibit 2 – Indicate Intensity Calculation example and a Site Split by Safety Zone example, but these are only for non-residential development. The City is requesting that examples of these same exhibits be provided to illustrate residential development in a similar manner as Exhibits 1 and 2.
- ALUCP Policy 4.3.3 – Discusses the process by which the ALUC Staff will respond to projects submitted by Local agencies. The City of Ceres agrees that submission to the ALUC Staff for all projects included in Referral Area 1 is appropriate. However, we feel that submitting projects proposed within Referral Area 2 is not needed as Referral Area 2 is outside of the Airport Safety Zones and should have a negligible impact to the Airport and its operations. The City is requesting an insertion of language in Policy 4.3.3 that suggests the reviewing of development projects proposed within Referral Area 2 is not required. Alternatively, if the County is not willing to include this language, then

4-1



- listing the type of projects within Referral Area 2 that do need to be routed to the ALUC Staff for review and comment is recommended.
- Numbers jump from 2-50 to 2-53 in the draft plan. Are there tables missing or is there just a numbing issue?

4-1  
Cont.

**General Plan Update**

- Policy Twenty-Six – Discusses how projects will be referred to cities when development in the County is proposed within a city’s Sphere of Influence. The City of Ceres generally agrees with all of the implementation measures supporting Policy Twenty-Six. Implementation of Measure 5 is a concern as it would allow the County to approve projects within the City’s Sphere of Influence that are Non-discretionary. The City asks for the County to specify the types of projects that would fall into this category or define parameters of what a Non-discretionary project is to the County and include that language within Implementation Measure 5.
- Policy Twenty-Eight – Suggests support for a County-Wide growth management strategy. Implementation Measure 2 suggests the County to encourage LAFCO to condition land consumption and absorption rate when evaluating the size of Sphere of Influence and Annexation proposal. The City of Ceres believes this is already the role of LAFCO, and therefore, Implementation Measure 2 is unnecessary to include in the County’s General Plan, and therefore, staff would recommend its removal.

4-2

**Draft Environmental Impact Report**

- Table 3.15-1 – Existing Local Park and Recreational Facilities – In this table Parklawn Park is incorrectly identified as a park in Ceres. Rather, this park has a Modesto mailing address and is under the jurisdiction of Stanislaus County.
- Existing Conditions – Water Supply (page 3.17-8) incorrectly identifies Monterey Park Tract CSD as providing domestic water to Monterey Park Tract. There is an agreement between the CSD, the City of Ceres, and Stanislaus County that allows the City of Ceres to provide water to the CSD.
- 5.2.5 Recreation – The City of Ceres adopted a Parks and Recreation Master Plan in January of 2016. There are some updated parks numbers that are not reflected in the 1997 Ceres General Plan. That updated Parks and Recreation Master Plan information is as follows:  
 The City of Ceres currently provides its residents with thirteen City parks and owns over 170 acres of parkland. River Bluff Regional Park is the largest of these with a total of 76 acres of property, both developed and undeveloped.

4-3

4-4

4-5

We look forward to reviewing the updated documents upon the closing of the comment period and prior to the July 21<sup>st</sup> Planning Commission meeting. If you should need clarity on any of the comments provided by the City, please contact me at your convenience.

Sincerely,  


Tom Westbrook,  
 Director of Community Development

\\p:\m\ng\c\c\l\m\ng\general plan\2015 general plan update\stanislaus county gp\aluc docs\county gp-alucp update comment letter.doc

**Response to Comment 4-1.** A detailed displacement analysis was conducted for the DEIR that identified vacant parcels within the City and their location within the proposed ALUCP Safety Zones. The analysis identified areas in which residential development could conflict with the City of Ceres General Plan and determined whether the proposed ALUCP policies would prevent the City from meeting its Regional Housing Needs Allocation (RHNA) requirement. The displacement analysis identified specific parcels and the restrictions associated with the Safety Zones in which they occur. The analysis concluded that a true displacement of up to 32 housing units could occur in four areas.

ALUCP Policy 3.3.2 and Table 2 identify the allowable densities of residential development in terms of dwelling units per acre in Safety zones 1 through 6. The density for Safety Zone 2, however, was inadvertently omitted.

ALUCP Policy 3.3.2 (a) 2 will be revised as follows:

New residential development shall be allowed ~~as long as dwelling unit is not situated within the zone boundaries~~ at a maximum density of 1 dwelling unit per 10 acres (0.1 dwelling per acre), and the dwelling unit site shall be situated outside of the safety zone policies when feasible.

The same clarification shall be provided on Table 2 of the ALUCP.

This change does not require additional EIR analysis because the displacement analysis provided in the EIR clearly discloses and describes the residential densities associated with each Zone and its potential effects on vacant parcels in the City of Ceres.

**Response to Comment 4-2.** The City of Ceres presents comments on the proposed Draft General Plan policies. No changes are proposed in response to the comments provided by the City of Ceres on the Draft 2014 General Plan Update. In accordance with CEQA Guidelines Section 51369, non-discretionary development includes ministerial projects which, “involve little to no personal judgment by the public official as to the wisdom or manner of carrying out the project.” Generally, ministerial projects are permitted uses requiring only the issuance of a building permit and/or business license. In response the city of Ceres’ comment regarding Land Use Element Policy 28, IM 2, this implementation measure is intentionally reinforcing the existing role of LAFCO. Existing policies adequately cover the comment.

**Response to Comment 4-3.** The City of Ceres has offered clarifying information about the park and recreation facilities listed on DEIR Table 3.15-1. The table has been revised in the FEIR to include this information. The revised table is found in Chapter 3, *Errata*.

**Response to Comment 4-4.** The City of Ceres has offered clarifying information on the domestic water source for the Monterey Park Tract. The EIR has been revised to include this information. The revisions are found in Chapter 3, *Errata*. No changes to the Disadvantaged Unincorporated Communities Report are needed, as it already contains a sufficient description of the Monterey Park Tract on page 2-49. No changes to the conclusions in the FEIR are necessary as a result of the new information.

**Response to Comment 4-5.** The City of Ceres has offered additional information about its park and recreation facilities. The FEIR has been revised to include this information. The revisions are found in Chapter 3, *Errata*. No changes to the conclusions in the FEIR are necessary as a result of the new information.

## Letter 5. City of Modesto



Letter 5

**City of Modesto**  
**Community and Economic**  
**Development Department/Planning Division**  
 1010 Tenth Street, Third Floor  
 Modesto, CA 95354

May 23, 2016

Stanislaus County  
 Planning Department  
 1010 10<sup>th</sup> Street, Suite 3400  
 Modesto CA 95354  
 ATTN: Kristin Doud

RE: Stanislaus County General Plan Update, ALUCP Update and Draft Program EIR

Ms. Doud:

City of Modesto staff has reviewed the subject documents and offers the following comments.

- |  |     |
|--|-----|
| <p>1. The description on page 2-8 of the Draft General Plan states that Principal Arterials are either rural or urban and consist of either four lanes or six. Also on page 2-8, two different access scenarios are described. However, while the Circulation Diagram identifies various Principal Arterial facilities throughout the County, it is not possible to know which are rural vs. urban, which will have four lanes vs. six, and which of the two described access scenarios will apply. The General Plan should define this information for the proposed Principal Arterial transportation facilities.</p> | 5-1 |
| <p>2. The description of Principal Arterials on page 2-8 of the Draft General Plan states that the function of these transportation facilities includes "...providing access to abutting properties..." However, allowing driveway access from individual properties fronting on Principal Arterials would compromise the regional transportation network; direct access from Principal Arterials' fronting properties should be prohibited.</p>   | 5-2 |

Thank you for your consideration of these comments.

Sincerely,

  
 Brad Wall, AICP  
 Principal Planner

**Response to Comment 5-1.** The City presents a comment on the proposed Draft General Plan. This is not a comment on the adequacy of the EIR, and no response is required in the FEIR.

By way of background, Principal Arterials may be urban or rural, which is defined by the environment, and may be either four or six lanes. The right-of-way dedications are the same for all four cross-sections and the network will be constructed per project. From Chapter 2 of the Circulation Element: “The number of lanes that are required will be determined at project build time for the 20-year design life of the roadway.”

From Chapter 2 of the Circulation Element:

The access restrictions of Principal Arterials are defined as:

(1) Partially access-controlled Principal Arterial roadways, formerly identified as “Class B” Expressway (See Figure II-2 – Previous Expressway Access Classes), with are traffic-controlled intersections at Principal and Minor Arterials. Collectors and Locals are permitted right-in, right-out access only at 1/4- to 1/2-mile intervals.

(2) Limited access-controlled Principal Arterial roadways, formerly identified as a “Class C” Expressway (See Figure II-2 – Previous Expressway Access Classes), with are traffic-controlled intersections at Expressways and Principal or Minor Arterials. Intersections at Collectors and Locals may or may not be controlled by a traffic signal.

The title and reference to Circulation Element Figure II-2 will be updated to clarify where access is partially limited and where it is limited. The main objective for roadways that are defined as Principal Arterials is mobility, but it must be noted that reasonable access is allowed to all properties. All properties are allowed one access from adjacent roadways. Freeways and Expressways are the only classifications with prohibited property access. It is expected that all developments are to maintain proper spacing of access and combine access with adjacent properties.

**Response to Comment 5-2.** As described in the Draft General Plan, access to Principal Arterial roadways would not be provided from driveways, but through roadway connections to other Principal Arterials and Minor Arterials at signalized intersections. Access from Collector and Local Streets may be provided with right-in/right-out restrictions, and potentially full access signalized intersections depending on the roadway. This comment does not change the analysis presented in the EIR and no additional response is required in the FEIR.

## Letter 6. City of Turlock



**DEBRA A. WHITMORE**  
DEPUTY DIRECTOR OF DEVELOPMENT SERVICES  
[dwhitmore@turlock.ca.us](mailto:dwhitmore@turlock.ca.us)

DEVELOPMENT SERVICES  
PLANNING DEPARTMENT

Letter 6



156 S. BROADWAY, STE. 120 | TURLOCK, CALIFORNIA 95380 | PHONE 209-668-5542 EXT 2218 | FAX 209-668-5107 | TDD 1-800-735-2929

June 2, 2016

Kristin Doud, Associate Planner  
Stanislaus County Planning and Community Development  
1010 10th Street, Suite 3400  
Modesto, CA 95354

**Subject: Stanislaus County General Plan Update and Stanislaus County Airport Land Use Compatibility Plan**

Thank you for providing the City of Turlock an opportunity to comment on the General Plan Update, the Airport Land Use Compatibility Plan and the Draft Program EIR. Our comments are listed below:

### **DRAFT PROGRAM EIR COMMENTS**

#### **Comment #1**

The following section on page 3.9-17 focuses solely on urban use which is approximately 5% of total groundwater use in the Modesto and Turlock Subbasins. This section needs to include an analysis of the impacts of agriculture-related activities on groundwater resources and its impacts on groundwater overdraft in East Turlock and East Oakdale. Future Groundwater Sustainability Plans under the Sustainable Groundwater Management Act will impact both urban and agricultural users. The Draft Program EIR should be re-circulated after these impacts are identified and analyzed in the document.

#### **Program EIR Section**

**Impact HYD-2: Substantially deplete groundwater supplies or interfere substantially with groundwater recharge, resulting in a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted) (significant and unavoidable)**

Groundwater overdraft from pumping and drought conditions is a recurring problem in parts of Stanislaus County. Increases in population and corresponding increases in groundwater use have resulted in a lower groundwater table in some areas of the Modesto Subbasin and may have contributed to groundwater degradation, especially within the boundaries of the City of Modesto. In response to this degradation, six agencies covering the Modesto Groundwater Subbasin formed the Stanislaus and Tuolumne Rivers Groundwater Basin Association to provide a forum for coordinated planning and management of the subbasin (Stanislaus and Tuolumne Rivers Groundwater Basin

6-1

Association 2005). This association developed the Integrated Regional Groundwater Management Plan to coordinate planning to make the best use of groundwater.

Development under the general plan update in urban areas could result in increased reliance on groundwater to supplement supply from surface water. Furthermore, increased urban development could potentially reduce localized groundwater recharge due to increased impervious surfaces and the redirection of stormwater runoff. A potential decrease in aquifer volumes could adversely affect existing users or habitat needs.

Impacts on groundwater from future development would be reduced by implementation of the general plan update. Implementation of Goal Two and the proposed amendments to Policy Eight of the Conservation/Open Space Element and the related amended and new Implementation Measures (see Impact HYD-1) would result in the development of a groundwater usage tracking system, including well location/construction mapping (within the extent that prevailing law allows) and additional groundwater level monitoring, to guide future policy development. This tracking system would minimize the potential for overdraft that could result in subsidence and groundwater quality issues. With Policy Eight, the Department of Environmental Resources would continue to monitor groundwater quality by reviewing well water chemical and bacterial analysis results for public water systems under the department's supervision and by overseeing investigations involving soil and groundwater contamination. Goal Three, Policy 3.4 of the Agricultural Element would further reduce groundwater impacts.

6-1  
Cont.

### **Comment #2**

On page 3.9-10 additional current information from the Tuolumne Rivers Groundwater Association should be included in the highlighted area shown below. The information cited is from 2004 and needs to be updated to accurately reflect the current existing conditions. The underlined and highlighted text is additional information that should be added to this section.

### **Program EIR Section**

#### **Existing Conditions Groundwater**

Groundwater resources in the San Joaquin River Hydrologic Region include both alluvial and fractured rock aquifers. Alluvial aquifers consist of sand and gravel or finer grained sediments, with groundwater stored within the pore space between the alluvial sediments. Fractured-rock aquifers are composed of impermeable granitic, metamorphic, volcanic, and hard sedimentary rocks, with groundwater stored between cracks, fractures, or other void spaces.

In the San Joaquin River Hydrologic Region, there are 11 alluvial groundwater basins and subbasins recognized under Bulletin 118 Update 2003 by the DWR. Stanislaus County is located within the San Joaquin Valley Basin and overlies portions of the Modesto, Turlock, Eastern San Joaquin, and Delta-Mendota subbasins.

The Modesto Subbasin (Basin Number 5-22.02) has a total surface area of 247,000 acres (385 square miles). It lies between the Stanislaus River to the north and Tuolumne River to the south and between the San Joaquin River on the west and crystalline basement rock of the Sierra Nevada foothills on the east. The northern, western, and southern boundaries are shared with the Eastern San Joaquin Valley, Delta-Mendota, and Turlock Groundwater subbasins, respectively. Groundwater flow is primarily to the southwest, following the regional dip of basement rock and sedimentary units. The lower to middle reaches of the Stanislaus and Tuolumne rivers in the subbasin appear to be gaining streams with groundwater flow into both, especially the Tuolumne River (California Department of Water Resources 2004).

The Turlock Subbasin (Basin Number 5-22.03) has a total surface area of 347,000 acres (542 square miles). It lies between the Tuolumne and Merced rivers and is bounded on the west by the San

6-2

Joaquin River and on the east by crystalline basement rock of the Sierra Nevada foothills. The northern, western, and southern boundaries are shared with the Modesto, Delta-Mendota, and Merced Groundwater subbasins, respectively. Similar to the Modesto Subbasin, groundwater flow is primarily to the southwest, following the regional dip of basement rock and sedimentary units. Based on recent groundwater measurements, a paired groundwater mound and depression appear beneath the city of Turlock and to its east, respectively. (California Department of Water Resources 2006a).

A water balance study of the Turlock Subbasin was prepared in 2003 and updated in 2007 to estimate the inflows and outflows from the Subbasin between 1952 and 2006. Outflows from the Subbasin result from municipal, domestic, and agricultural supply and drainage well pumping, discharge to the local rivers, discharges from subsurface agricultural drains, and consumption by riparian vegetation. The estimated average total outflow for the 1997-2006 period is 541,000 AF/yr. The majority of outflow comes from estimated agricultural, municipal and rural residential, and drainage well pumping, which collectively averaged 457,000 AF/yr for the 1997-2006 period. (TGBA Groundwater Management Plan 2008, p. 3)

Within the Turlock Subbasin, a cone of depression has formed on the eastern side of the Basin, largely due to pumping groundwater to irrigate lands east of TID, where surface water supplies are not available. (TGBA Groundwater Management Plan 2008, pp. 37-38)

In 2015, a hydrogeologic characterization of the eastern portion of the Turlock Subbasin was conducted by the Turlock Groundwater Basin Association to evaluate changes in land use and impacts to groundwater over time. The Study Area covers approximately 114 square miles, representing the eastern 20 percent of the subbasin, and is defined by the Tuolumne River on the north, Merced River on the south, and by the groundwater subbasin boundary on the east. The western boundary is coincident with boundaries of the Eastside Water District and the Merced Irrigation District. The Study Area lies east and outside of water and irrigation district boundaries and is also referred to as the eastern non-district lands.

A groundwater balance, based on the hydrogeologic conceptual model and numerical model simulation results, indicate that groundwater storage was depleted by approximately 58,000 acre feet (AF) from 1999 to 2013. The largest components of the groundwater balance are irrigation pumping and associated return flows, Turlock Lake leakage, Merced River leakage, and western boundary subsurface outflow.

Furthermore, a numerical groundwater flow model developed for Turlock Irrigation District by Timothy J. Durbin and Associates was used to evaluate groundwater resources in the Study Area. The model indicates that groundwater storage decreased approximately 57,500 AF in the Study Area from 1991 to 2012.

The 2015 Study developed a groundwater model to simulate three potential future pumping scenarios over a 30-year time period, from 2013 to 2042: 1) continued current pumping; 2) increased future pumping; and 3) decreased future pumping. Model results show that if current pumping continues with no new irrigated lands being developed, and if future hydrology is similar to 1998-2012, water levels will decline approximately 10 to 30 feet over the planning period. Future storage loss (i.e., 2014 to 2042) will be approximately 100,000 AF, which is greater than 1.5 times the storage loss that occurred from 1991 to 2014. If pumping increases in the future, assuming that irrigated lands continue to increase at the current rate of development until most of the available area is developed, water levels will decline over 200 feet in parts of the Study Area. Future storage loss will be approximately 170,000 AF, which is almost triple the storage loss from 1991 to 2014 and approximately 70,000 AF more than if

6-2  
Cont.

pumping remains constant. If pumping decreases in the future, assuming that crops with a limited lifespan are not replaced, there will be a net water level rise of up to 20 feet throughout most of the Study Area. Future storage loss will be approximately 50,000 AF, which is less storage loss than occurred from 1991 to 2014.

**Comment #3**

The following references should be added to page 3.9-13 if the above section is added.

Turlock Groundwater Basin Association (2008): Groundwater Management Plan  
[http://turlockgba.org/documents/docs/2008\\_march\\_18\\_turlock%20groundwater%20basin%20groundwater%20management%20plan.pdf](http://turlockgba.org/documents/docs/2008_march_18_turlock%20groundwater%20basin%20groundwater%20management%20plan.pdf)

Turlock Groundwater Basin Association (2016): Hydrogeological Characterization of the Eastern Turlock Subbasin  
[http://turlockgba.org/documents/docs/2016\\_march\\_hydrogeological\\_characterization\\_of\\_the\\_eastern\\_turlock\\_subbasin.pdf](http://turlockgba.org/documents/docs/2016_march_hydrogeological_characterization_of_the_eastern_turlock_subbasin.pdf)

Stanislaus and Tuolumne Rivers Groundwater Management Association (2005): Integrated Regional Groundwater Management Plan for the Modesto Subbasin  
<http://www.strgba.org/docs/integrated%20regional%20groundwater%20management%20plan%20for%20the%20mode.pdf>

6-2  
Cont.

**Comment #4**

On page 3.9-11 the portion that reads, "...which drains domestic and industrial wastewater for the entire San Joaquin Valley", should be eliminated because this statement is misleading. It implies the sole reason for declining water quality is domestic and industrial wastewater. There are numerous factors that affect summer water quality in the San Joaquin River, all of these or none of these should be listed for clarity.

**Program EIR Section**

**Water Quality  
Surface Water**

Surface water quality for the three major Stanislaus County rivers<sup>1</sup> is excellent at their sources in the Sierra Nevada Mountains. However, as each river flows through the San Joaquin Valley water quality declines by each successive use. Agricultural and domestic use-and-return both contribute to water quality degradation. During dry summer months, the concentration of pollutants increase, particularly in the San Joaquin River which drains domestic and industrial wastewater for the entire San Joaquin Valley. Water quality in the Stanislaus and Tuolumne rivers declines significantly by the time they discharge into the San Joaquin River. Comparatively, water quality declines more in the Tuolumne River than the Stanislaus River from agricultural wastewater returns and gas well wastes. (County of Stanislaus General Plan.)

The EPA's 2010 303(d) list of impaired water bodies lists the San Joaquin, Stanislaus, and Tuolumne rivers as impaired from various pollutants/stressors (see Table 3.9-2).

6-3

**Comment #5**

On page 3.9-12, hexavalent chromium should be added as a constituent of concern. This is a concern particularly on the west side of the San Joaquin River.

6-4

**Program EIR Section**



**Groundwater**

Groundwater quality throughout the San Joaquin Valley region is suitable for most urban and agricultural uses. However, there are areas of localized problematic areas with the following primary constituents of concern: high total dissolved solids (TDS), nitrates, boron, chloride, arsenic, selenium, dibromochloropropane (DBCP), **hexavalent chromium**, and radon (U.S. Bureau of Reclamation 2011).

↑  
6-4  
Cont.

**Comment #6**

On page 3.9-15 and 3.9-17 the following sections focus only on urban development. Discussion needs to be added on the Irrigated Lands Program from the State Water Resources Control Board. Waste Discharge Requirements General Order for Growers within the Eastern San Joaquin River Watershed that are Members of the Third-Party Group R5-2012-0116 and Monitoring and Reporting Program R5-2012-0116.  
[http://www.swrcb.ca.gov/public\\_notices/petitions/water\\_quality/a2239\\_sanjoaquin\\_ag.shtml](http://www.swrcb.ca.gov/public_notices/petitions/water_quality/a2239_sanjoaquin_ag.shtml)

**Program EIR Sections**

**Impacts and Mitigation Measures**

**Impact HYD-1: Violate any water quality standards or waste discharge requirements (less than significant)**

**Construction**

Implementation of the general plan, including the new policies in the general plan update, would result in additional construction within Stanislaus County. Typical construction-related earthdisturbing activities would introduce the potential for increased erosion, runoff, and sedimentation, with subsequent effects on water quality and storm drain capacity. During site grading, trenching, and other construction activities, areas of bare soil are exposed to erosive forces during rainfall events. Bare soils are much more likely to erode than vegetated areas because of the lack of dispersion, infiltration, and retention properties created by covering vegetation. The extent of the impacts is dependent on soil erosion potential, type of construction practice, extent of disturbed area, timing of precipitation events, and topography and proximity to drainage channels. In addition, construction equipment and activities would have the potential to leak hazardous materials, such as oil and gasoline, and potentially affect surface water or groundwater quality. Improper use or accidental spills of fuels, oils, and other construction-related hazardous materials such as pipe sealant, solvents, and paints could also pose a threat to the water quality of local water bodies. These potential leaks or spills, if not contained, would be considered a significant impact on groundwater and surface water quality. If precautions were not taken to contain or capture sediments and/or accidental hazardous spills, construction activities could produce substantial pollutants in stormwater runoff and result in a significant impact on the existing surface water quality. Projects that would disturb more than 1 acre of land are required to prepare a SWPPP as part of compliance with the NPDES Construction General Permit. The purpose of a SWPPP is to reduce the amount of construction-related pollutants that are transported by stormwater runoff to surface waters. The SWPPP will emphasize standard temporary erosion control measures to reduce sedimentation and turbidity of surface runoff from disturbed areas within the project area.

6-5

In addition to compliance with the latest NPDES and other water quality requirements (i.e., Construction General Permit, Small MS4 Permit, and the General Dewatering Permit) construction projects would also comply with other federal and state regulations, County plan standards, and other local ordinances, as noted in the *Regulatory Setting* above.

***Agricultural Element***

**GOAL THREE.** Protect the natural resources that sustain our agricultural industry.  
**OBJECTIVE 3.2.** Water Resources.

↓

**POLICY 3.6.** The County will continue to protect local groundwater for agricultural, rural domestic, and urban use in Stanislaus County. Development of these management efforts as proposed in the general plan update's goals and policies would minimize the potential for the release of pollutants and violation of water quality standards. Furthermore, additional regional, state, and federal regulations would also reduce the potential for violation of water quality standards.

↑  
6-5  
Cont.

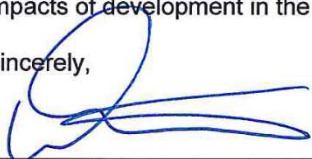
**GENERAL PLAN UPDATE COMMENTS**

**Comment #1**

Guiding Policy 2.9-f of the City of Turlock General Plan states, "Work with Stanislaus County to implement financing mechanisms to ensure that development within the Planning Area pays its fair share of both City and County improvements required to mitigate the impacts of growth". The City of Turlock would like the County to incorporate a similar statement into their General Plan to encourage collaboration between the City and County to ensure that the impacts of development in the unincorporated area is fully mitigated.

6-6

Sincerely,



---

Debra A. Whitmore, Deputy Director  
Department of Development Services  
Planning Division

**Response to Comment 6-1.** The EIR examines the substantial changes in the existing environment that would occur as a result of the Project. Groundwater overdraft is an existing condition that is discussed under “Groundwater” beginning on page 3.9-10 of the DEIR. The state legislation noted in the comment is discussed under “Groundwater Planning Legislation Passed in 2014” on page 3.9-5. Impact HYD-2, beginning on page 3.9-17 of the DEIR, identifies the depletion of groundwater as a significant and unavoidable impact.

The DEIR focuses on urban water use because that has the potential to increase as a result of future development that is foreseeable under the General Plan’s land use designations. Urban water use will increase as agricultural and other lands are converted to urban and suburban uses. However, the General Plan does not change the amount of agricultural land currently designated for that use, nor does it prescribe the types of crops that may be grown on agricultural land. Therefore, the existing conditions of agricultural water use are not anticipated to change as a result of the Project. Although groundwater problems are expected to remain at their existing level, at least until a Sustainable Groundwater Management Plan is adopted for the affected basins, this is an existing condition and not the result of the proposed 2015 General Plan update.

The commenter requests that the DEIR be recirculated after impacts are identified and analyzed. Recirculation is required when significant new information is added to the EIR before the Final EIR is certified. “Significant new information” includes a new significant effect that was not considered in the draft EIR; a substantial increase in the severity of an environmental impact identified in the draft EIR unless mitigation measures are adopted that reduce the impact to a less than significant level; a feasible, effective alternative or mitigation measure that is considerably different than any in the draft EIR is proposed and the county declines to include it; or the draft EIR was so “fundamentally flawed” that it has been extensively revised. (CEQA Guidelines Section 15088.5)

The comment does not rise to the importance of significant new information. As explained above, this impact was identified in the draft EIR. No information provided by this comment indicates that the impact would be substantially more severe than described in the draft EIR, and no alternative or mitigation measure is being proposed.

**Response to Comment 6-2.** The additional background information on groundwater provided by the commenter is useful in explaining the existing conditions. It clarifies and expands upon the discussion in the DEIR. This information has been added to Chapter 3, *Errata*, of the FEIR. No change in the EIR’s conclusions will result. The references will be added to the references included in Chapter 4, *References*, of this FEIR document.

**Response to Comment 6-3.** The text of the discussion in the DEIR has been modified in Chapter 3, *Errata*, of the FEIR in response to this comment in order to clarify the reasons for the deterioration of water quality.

**Response to Comment 6-4.** The text of the FEIR on page 3.9-12 of the DEIR has been modified in response to this comment in order to clarify that hexavalent chromium is a pollutant of concern. The revision is found in Chapter 3, *Errata*.

**Response to Comment 6-5.** The Irrigated Lands Program is an ongoing regulatory program of the Central Valley Regional Water Quality Control Board that minimizes runoff from agricultural fields. The purpose of the program is to minimize the discharge of pollutants from farm fields into surface waters. This regulatory program helps maintain water quality in the Central Valley's rivers, streams, and canals, thereby reducing the potential for agriculture to contribute pesticides, silt, and other pollutants to those water bodies. Please see the response to comment 6-1.

**Response to Comment 6-6.** The City of Turlock presents a comment on the proposed Draft General Plan. In response to the City of Turlock's Land Use Element policy suggestion, the Land Use Element currently includes Policy 24 and 25 which require future growth to not exceed the capabilities/capacity of public service providers, and require that new development pay its fair share of the cost of cumulative impacts on circulation and transit systems. Additionally Goal 5, Policy 26 and 27 provide guidance for how development within a City Sphere of Influence shall be developed in accordance with City standards and with city input. The additional policy language was presented to the General Plan Update Committee and the Committee stated that they felt that the existing policies were adequate in addressing concerns regarding development paying its fair share to mitigate the impacts of growth and recommended no change be made. No response is required in the FEIR.

## Letter 7. Central Valley Regional Water Quality Control Board



RECEIVED

JUN 01 2016

STANISLAUS CO. PLANNING &  
COMMUNITY DEVELOPMENT DEPT.

Letter 7



EDMUND G. BRUHN JR.  
GOVERNOR

MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

### Central Valley Regional Water Quality Control Board

26 May 2016

Kristin Doud  
Stanislaus County  
1010 10<sup>th</sup> Street, Suite 3400  
Modesto, CA 95354

CERTIFIED MAIL  
91 7199 9991 7035 8421 3209

#### COMMENTS TO REQUEST FOR REVIEW FOR THE DRAFT ENVIRONMENTAL IMPACT REPORT, COUNTY GENERAL PLAN AND AIRPORT LAND USE COMPATIBILITY PLAN UPDATES PROJECT, SCH# 2014042087, STANISLAUS COUNTY

Pursuant to the State Clearinghouse's 19 April 2016 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Draft Environment Impact Report for the County General Plan and Airport Land Use Compatibility Plan Updates Project*, located in Stanislaus County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

#### I. Regulatory Setting

##### Basin Plan

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases,

7-1

KARL E. LONGLEY ScD, P.E., CHAIR | PAMELA C. CREEDON P.E., BCEE, EXECUTIVE OFFICER

11020 Sun Center Drive #200, Rancho Cordova, CA 95670 | [www.waterboards.ca.gov/centralvalley](http://www.waterboards.ca.gov/centralvalley)



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the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues.

For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:  
[http://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/](http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/).

#### **Antidegradation Considerations**

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Policy is available on page IV-15.01 at:  
[http://www.waterboards.ca.gov/centralvalleywater\\_issues/basin\\_plans/sacsjr.pdf](http://www.waterboards.ca.gov/centralvalleywater_issues/basin_plans/sacsjr.pdf)

In part it states:

*Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.*

*This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.*

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

## **II. Permitting Requirements**

### **Construction Storm Water General Permit**

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan

7-1  
Cont.

County General Plan and Airport Land  
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(SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

[http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/constpermits.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml).

**Phase I and II Municipal Separate Storm Sewer System (MS4) Permits<sup>1</sup>**

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/storm\\_water/municipal\\_permits/](http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/).

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For more information on the Caltrans Phase I MS4 Permit, visit the State Water Resources Control Board at:

[http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/caltrans.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/caltrans.shtml).

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

[http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/phase\\_ii\\_municipal.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml).

**Industrial Storm Water General Permit**

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/storm\\_water/industrial\\_general\\_permits/index.shtml](http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml).

**Clean Water Act Section 404 Permit**

<sup>1</sup> Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

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If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACOE at (916) 557-5250.

**Clean Water Act Section 401 Permit – Water Quality Certification**

If an USACOE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

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**Waste Discharge Requirements – Discharges to Waters of the State**

If USACOE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

For more information on the Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:  
[http://www.waterboards.ca.gov/centralvalley/help/business\\_help/permit2.shtml](http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml).

**Dewatering Permit**

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Risk General Order) 2003-0003 or the Central Valley Water Board’s Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Risk Waiver) R5-2013-0145. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Risk General Order and the application process, visit the Central Valley Water Board website at:



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[http://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2003/wqo/wqo2003-0003.pdf](http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf)

For more information regarding the Low Risk Waiver and the application process, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/waivers/r5-2013-0145\\_res.pdf](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2013-0145_res.pdf)

#### **Regulatory Compliance for Commercially Irrigated Agriculture**

If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program. There are two options to comply:

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at: [http://www.waterboards.ca.gov/centralvalley/water\\_issues/irrigated\\_lands/for\\_growers/apply\\_coalition\\_group/index.shtml](http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/for_growers/apply_coalition_group/index.shtml) or contact water board staff at (916) 464-4611 or via email at [IrrLands@waterboards.ca.gov](mailto:IrrLands@waterboards.ca.gov).
2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100.** Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 10-100 acres are currently \$1,084 + \$6.70/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at [IrrLands@waterboards.ca.gov](mailto:IrrLands@waterboards.ca.gov).

#### **Low or Limited Threat General NPDES Permit**

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Dewatering and Other Low Threat Discharges to*

7-1  
Cont.

County General Plan and Airport Land  
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26 May 2016

*Surface Waters* (Low Threat General Order) or the General Order for *Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water* (Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.

7-1  
Cont.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:  
[http://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/general\\_orders/r5-2013-0074.pdf](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.pdf)

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:  
[http://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/general\\_orders/r5-2013-0073.pdf](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073.pdf)

If you have questions regarding these comments, please contact me at (916) 464-4644 or [Stephanie.Tadlock@waterboards.ca.gov](mailto:Stephanie.Tadlock@waterboards.ca.gov).



Stephanie Tadlock  
Environmental Scientist

cc: State Clearinghouse unit, Governor's Office of Planning and Research, Sacramento

**Response to Comment 7-1.** The Central Valley Regional Water Quality Control Board (RWQCB) presents information on water quality regulations that will apply to future development projects in the county. This is not a comment on the EIR, and no response is required in the FEIR.

## Letter 8. Del Puerto Health Care District

Letter 8

**From:** John Anderson <john@jbandersonplanning.com>  
**To:** "Angela Freitas" <Angela@stancounty.com>  
**CC:** "Kristin Doud" <Doudk@stancounty.com>, "Yumi Edwards" <Yumi.Edwards@...>  
**Date:** 5/12/2016 8:55 AM  
**Subject:** RE: Del Puerto Health Care District

Angela and Kristin:

Thanks so much for allowing me to express the concerns of the Del Puerto Health Care District as it relates to the pending General Plan update. As I have communicated we are appreciative of the proposed language in Policy #24. We have asked for consideration of clarifying language in the Implementation section either by adding verbiage to Implementing Measure #4 or by creating a new Implementing Measure which directed mentions Health Care Districts.

I would appreciate hearing whatever feedback you receive from the General Plan Update Committee on our request.

Thanks in advance.

JBA

John B. Anderson  
 J.B. ANDERSON LAND USE PLANNING  
 139 S. Stockton Avenue  
 Ripon, CA 95366  
 PH: (209) 599-8377  
 Fax: (209) 599-8399

-----Original Message-----

From: Angela Freitas [mailto:Angela@stancounty.com]  
 Sent: Monday, May 09, 2016 12:25 PM  
 To: John Anderson  
 Cc: 'Mark Niskanen'; Desiree Depuy; Kristin Doud  
 Subject: Re: Del Puerto Health Care District

John,

Desiree will be assisting on my behalf to set up a meeting with me and Kristy. Let us know some dates and times that work for you and we will get the meeting scheduled.

>>> John Anderson <john@jbandersonplanning.com> 5/9/2016 11:40 AM >>>  
 Angela:

Can we please meet to discuss the GP policy language as it relates to the Del Puerto Health care District? This process has been going on for quite some time for obvious reasons. Attached are our meeting notes form 2011.

8-1

We have a few concerns related to the proposed GP language which need to discuss.

Thanks in advance.

JBA

John B. Anderson

J.B. ANDERSON LAND USE PLANNING

139 S. Stockton Avenue

Ripon, CA 95366

PH: (209) 599-8377

Fax: (209) 599-8399

**Response to Comment 8-1.** The Del Puerto Health Care District presents a comment on the Draft General Plan. This is not a comment on the EIR, and no response is required in the FEIR. However, the words “health care district” will be added to Land Use Element Policy Twenty-Four, Implementation Measure Four.

## Letter 9. Stanislaus Local Agency Formation Commission

1010 TENTH STREET, 3<sup>RD</sup> FLOOR  
 MODESTO, CA 95354



Letter 9

PHONE: (209) 525-7660  
 FAX: (209) 525-7643  
 www.stanislauslafco.org

June 2, 2016

Kristin Doud, Associate Planner  
 Stanislaus County  
 Planning & Community Development Dept.  
 1010 10<sup>th</sup> Street, Suite 3400  
 Modesto, CA 95354

**SUBJECT: DRAFT ENVIRONMENTAL IMPACT REPORT - STANISLAUS COUNTY  
 GENERAL PLAN UPDATE & AIRPORT LAND USE COMPATIBILITY PLAN**

Dear Ms. Doud:

Thank you for the opportunity to review and comment on Stanislaus County's Draft Environmental Impact Report (EIR) for its General Plan update and Airport Land Use Compatibility Plan. LAFCO policy encourages cities and Stanislaus County to adopt general plans, policies and agreements that protect farmland, encourage compact and efficient growth, and discourage urban sprawl.

LAFCO establishes a sphere of influence for each city and special district in the County, including special districts that provide urban services to unincorporated communities. The Commission also reviews proposals that would extend services outside existing city and special district boundaries into undeveloped areas, pursuant to Government Code Section 56133.

Many of the County's existing General Plan policies mirror those in LAFCO's adopted policies, including those directing growth to existing urbanized areas, encouraging the elimination of island areas, and discouraging leapfrog development. Pursuant to Government Code Section 56668(g), LAFCO is required to consider consistency with city or county general plans when reviewing proposals.

LAFCO offers the following comments that are primarily focused on the proposed changes to the Land Use Element of the General Plan:

Spheres of Influence & Urban Transition

The Spheres of Influence section of the Land Use Element describes the history of the Urban Transition designation relative to city spheres of influence. The Urban Transition designation was originally placed on future growth areas of cities and community services district, outside of existing developed areas. The Urban Transition designation pre-dated LAFCO's official adoption of spheres of influence, however, the overall concept and intent at the time was very similar to that of a sphere of influence. In 1985, following LAFCO's official adoption of spheres of influence for the cities and special districts, the County processed a corresponding General Plan Amendment and Rezone to adjust the Urban Transition designations to match the newly-adopted spheres of influence, further recognizing the similar intent of the two.

Although LAFCO has adopted expansions to spheres of influence since their original adoption in 1985, it appears that corresponding changes have no longer occurred to the County's Urban Transition designation during this time. Thus, in most cases, the currently adopted sphere of influence now encompasses areas far *beyond* that of the outdated Urban Transition designation.

9-1

"ESTABLISHED BY THE STATE OF CALIFORNIA TO SERVE THE CITIZENS, CITIES, SPECIAL DISTRICTS AND COUNTY OF STANISLAUS"

LAFCO Response to Draft EIR – Stanislaus County GP & ALUCP  
 June 2, 2016  
 Page 2

This has implications as references to Urban Transition in the proposed General Plan Update are stricken and replaced with sphere of influence.

For example, on page 1-65 of the Land Use Element, one of the proposed revisions regarding the appropriate siting of public facilities states, “sites identified on city general plans as being appropriate for public facilities, when within ~~Urban Transition~~ a **LAFCO adopted Sphere of Influence**, shall be considered consistent with this plan.”

As the Urban Transition designation is no longer coterminous with spheres of influence in most cases, the proposed change above effectively applies to a larger area than what is currently described as more appropriate for public facilities.

A similar Urban Transition dilemma can be found in another statement on page 1-64 regarding appropriate sites for schools that states, “for the most parts [sic] they should be located within cities or in the Urban Transition area that a city will someday annex.” It’s not clear if this reference to Urban Transition was also intended to be replaced with “sphere of influence,” consistent with the change made on page 1-65.

It would be helpful if the County further clarified its intent for the future of the Urban Transition designation, including its potential phasing out within the General Plan, in order to alleviate confusion.

LAFCO suggests the following corrections to the Sphere of Influence section of the Land Use Element in order to be consistent with LAFCO policies and current State Law:

- Page 1-19, paragraph 4 should state:

*In late 1984, the Local Agency Formation Commission (LAFCO) adopted spheres of influence for each city **and special district** as required by state law. These spheres are ~~“a plan for the probably ultimate physical boundaries and service area of a local agency.” (Section 56425 of the California Government Code.)~~ **“a plan for the probable physical boundaries and service area of a local agency, as determined by the commission” (California Government Code Section 56076).***

- That same paragraph then states that a sphere of influence “is usually the general plan boundary of a city...” This statement is no longer accurate and should be stricken as nearly every city in the County has a general plan boundary that extends beyond the LAFCO-adopted sphere of influence.
- Page 1-27, last paragraph: This section references the appropriate locations for the Urban Transition designation as being within a LAFCO-established sphere of influence of a city or town. For clarification, unincorporated communities themselves do not have a sphere of influence. It is believed that this section is referencing the sphere of influence of a special district providing sewer and/or water service to the community (e.g. a community services district or sanitary district).

#### Public Services

Clarification is needed regarding Policy 6, Implementation Measure No. 3 (pg. 1-4), which states that land within the sphere of influence of a community services district, sanitary district or

9-1  
 Cont.



LAFCO Response to Draft EIR – Stanislaus County GP & ALUCP  
 June 2, 2016  
 Page 3

domestic water district shall be rezoned for development only if capacity is available and projects are conditioned to require service connections.

More restrictive language is found in Policy 23, Implementation Measure No. 6 (pg. 1-12), which states that rezoning of a property prior to annexation to a special district that provides urban services or formation of a new special district shall only be approved if the development is adequately conditioned to restrict development from occurring until annexation to or formation of the required district is complete.

While Implementation Measure No. 3 requires service connections as a condition, it does not necessarily require annexation, as stated in No. 6. It is also noted that Implementation Measure No. 3 references the potential development's location within a sphere of influence, but No. 6 does not. It would seem appropriate that Implementation Measure No. 3 include the provision requiring annexation occur prior to development, particularly due to its applicability to lands already within the sphere of influence of a district providing urban services. This would be consistent with LAFCO policies.

In either case, LAFCO approval would be required in order for potential development located outside of a district to obtain urban services from that district. Although specific provisions can allow for out-of-boundary service extensions (e.g. to address emergency health and safety needs) LAFCO's policies favor annexation to existing providers as a means of extending urban-level services to new development. Likewise, LAFCO policies would support the language in Implementation Measure No. 6 that restricts development from occurring until annexation to or formation of a district is complete.

9-1  
 Cont.

#### Expanded Referral Areas & Coordination with Cities

LAFCO notes the addition of a new policy requiring an expanded referral area for discretionary proposals located within a mile of a city's sphere of influence that are also located in the city's general plan. Although the County will be considering comments from the city regarding development in this expanded referral area, it will retain final discretionary action.

LAFCO's policies encourage a similar concept known as an "Area of Concern" for areas located outside the sphere of influence of one agency that may be affected by another agency's land use decisions. The policy encourages agencies to develop agreements or some other form of commitment to consider comments by the concerned agency. Thus, the County's addition of the policy for expanded referral areas is consistent with this LAFCO policy.

Additionally, Goal 5--Policy 27 encourages development of a countywide growth management strategy. While the policy is not specific as to the type of strategy that would be considered, LAFCO's policies are generally supportive of the language in this section, as well as the language referencing LAFCO's consideration of land consumption and absorption rates, which correspond directly with the requirements of LAFCO's Agricultural Preservation Policy.

#### City-County Agreement Language

Under the Planned Industrial section (Land Use Designations pgs. 1-25 & 1-26), the paragraph discussing an annexation agreement is unclear. It currently states:

*Areas designated Planned Industrial on the General Plan and rezoned for development which are located within the adopted Sphere of Influence of a city shall include the*

LAFCO Response to Draft EIR – Stanislaus County GP & ALUCP  
June 2, 2016  
Page 4

*requirement that an agreement be signed in a form satisfactory to the city attorney of the affected city and Stanislaus County Counsel guaranteeing that the property on which the planned industrial designation is applicable will be annexed to the affected city upon demand by the city and with the approval of the Stanislaus County Board of Supervisors (emphasis added).*

It appears that this language has been in existence for some time and is included in agreements from 1987 involving existing Planned Development areas (e.g. Upper McHenry, East F, and Freeway Interchanges and Frontage Roads). The County should clarify this language (which appears to have been removed during a prior General Plan update from the Planned Development section). As LAFCO has the ultimate authority to approve annexations, it is not possible for a city or the County to guarantee that a property will be annexed. While this certainly may be the long-term intent of both the city and County, the actual annexation will be dependent upon LAFCO's action on the proposal as well as completion of an applicable protest hearing. It is suggested that this language be revised to more accurately reflect the annexation process, while maintaining the intent of the County to be supportive of the eventual annexation of these areas by the subject city.

9-1  
Cont.

LAFCO Staff appreciates the County's consideration of these comments. If you have any questions, please contact our office at (209) 525-7660.

Sincerely,

  
Sara Lytle-Pinhey  
Executive Officer

**Response to Comment 9-1.** The Stanislaus LAFCO presents comments on the proposed policies of the Draft General Plan. This is not a comment on the EIR, and no response is required in the FEIR. Policy 6, IM 3 of the Draft Land Use Element was amended to be consistent with other policies in the Land Use Element in terms of language regarding restricting development from occurring until annexation to or formation of the required district is completed. A paragraph regarding annexation was deleted from the Land Use Designations Section specific to the Planned Industrial land use designation, for purposes of consistency with the content of the Planned Development land use designation section. Language was also amended within the Sphere of Influence section, Educational Facilities section, Industrial Transition, and Urban Transition section of the Land Use Element, to more clearly distinguish between the urban transition land use designation and a LAFCO adopted sphere of influence, and to be consistent with state law.

# Letter 10. Ryan Thornberry, for River Oaks Golf Course

Page 1 of 1

Letter 10

## Kristin Doud - River Oaks Golf Course Development

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**From:** Ryan Thornberry <[ryan@californialandscapesupply.com](mailto:ryan@californialandscapesupply.com)>  
**To:** <[doudk@stancounty.com](mailto:doudk@stancounty.com)>  
**Date:** 6/2/2016 11:24 AM  
**Subject:** River Oaks Golf Course Development

---

Hi Kristin. My name is Ryan Thornberry and I am one of the owners of River Oaks Golf Course located at 3441 Golf Links Rd. in Ceres. The reason I'm emailing is that I was made aware of a possible Airport use update. I was curious how that update would impact our property and future development being that we are in the flight path. We have plans to possibly develop parts of the property for various uses. The APN numbers for the property are (but not limited to being that there are several) [039-012-010](#), [039-047-008](#), and [039-047-011](#). Please let me know how this will affect us so we can make plans moving forward. Thank you!  
Ryan Thornberry  
[\(209\)538-8493](tel:(209)538-8493)

10-1

file:///C:/Users/doudk/AppData/Local/Temp/XPgrpwise/57501783STANCO\_1sbtpo510016... 6/2/2016

**Response to Comment 10-1.** The commenter, on behalf of the golf course, asks how this property will be affected by any changes in restrictions related to the ALUCP. The golf course is an existing use located southeast of the Modesto City-County Airport. Pursuant to ALUCP Policy 1.4.3, existing land uses are not subject to the requirements of the ALUCP. Should the golf course owner propose a change in land use, that change would be subject to the ALUCP and compatibility findings by the Airport Land Use Commission; the restrictions would vary depending upon the type of use being proposed. This is not a comment on the EIR, and no response is required in the FEIR.

**Letter 11. Mark Boone**

Page 1 of 1

Letter 11

**Kristin Doud - Fwd: Stanislaus County General Plan Update**


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**From:** Salida MAC <salidamac@gmail.com>  
**To:** Kristin Doud <Doudk@stancounty.com>, Matt Machado <machadom@stancounty.com>  
**Date:** 5/20/2016 10:30 AM  
**Subject:** Fwd: Stanislaus County General Plan Update

---

Please reply to Mr. Boone, Thanks! Katherine

----- Forwarded message -----  
**From:** Mark Boone <mboone6@gmail.com>  
**Date:** Fri, May 20, 2016 at 10:26 AM  
**Subject:** Stanislaus County General Plan Update  
**To:** Salida MAC <salidamac@gmail.com>

I noticed in the Salida Design Guidelines that the Driftwood, Rollingwood, Edgewood neighborhood is not shown on the redevelopment map as part of the redevelopment area. I hope that does not mean that these streets are not being considered for re-paving at this time. Any information on this?

11-1

Thanks for all you do.

Mark Boone  
 5025 Driftwood Dr.  
 Salida CA 95368  
[209-996-1588](tel:209-996-1588)

On 5/20/2016 8:32 AM, Salida MAC wrote:

Salida Residents:

Stanislaus County's General Plan Update is available for your comments now through June 3, 2016 so please review and submit any comments before that date. We will have Kristin Doud from the Planning Department to present this update at the Salida MAC meeting on May 24 at 7 pm at Salida Library.

Here are direct links which affect Salida in the General Plan Update:

Salida Community Plan  
<http://www.stancounty.com/planning/pl/ac...>

Salida Design Guidelines:  
<http://www.stancounty.com/planning/pl/ac...>

Link to the complete directory:  
<http://www.stancounty.com/planning/pl/ac...>

Thank you for participating!  
 Salida MAC

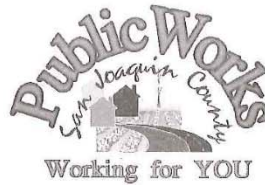
file:///C:/Users/doudk/AppData/Local/Temp/XPgrpwise/573EE72FSTANCO\_1sbtpo5100... 5/20/2016

**Response to Comment 11-1.** The commenter, a property owner in the Salida area, asks about the schedule for the future paving of streets in his community. County staff have responded to the commenter about paving. The area included in the design guidelines for Salida has no impact on the locations selected for future paving projects. This is not a comment on the EIR, and no response is required in the FEIR.

# Letter 12. San Joaquin County Public Works



**KRIS BALAJI**  
DIRECTOR



Letter 12

P. O. BOX 1810 - 1810 E. HAZELTON AVENUE  
STOCKTON, CALIFORNIA 95201  
(209) 468-3000 FAX (209) 468-2999  
[www.sjgov.org/pubworks](http://www.sjgov.org/pubworks)

**MICHAEL SELLING**

DEPUTY DIRECTOR

**FRITZ BUCHMAN**

DEPUTY DIRECTOR

**JIM STONE**

DEPUTY DIRECTOR

**ROGER JANES**

BUSINESS ADMINISTRATOR

June 3, 2016

Ms. Kristin Doud  
Stanislaus County  
Planning and Community Development Department  
1010 10<sup>th</sup> Street, Suite 3400  
Modesto, CA 95354

**SUBJECT: NOTICE OF AVAILABILITY OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE STANISLAUS COUNTY GENERAL PLAN AND AIRPORT LAND USE COMPATIBILITY PLAN UPDATES**

Dear Ms. Doud:

The San Joaquin County Department of Public Works has reviewed the Notice of Availability for the above referenced project and has no comments at this time. However, the County does request to be included on the circulation list for any additional project documents.

12-1

Thank you for the opportunity to review and comment. Should you have questions please contact me at [atmcginnis@sjgov.org](mailto:atmcginnis@sjgov.org) or (209) 468-3085.

Sincerely,

**ASHLEN MCGINNIS**  
Environmental Coordinator

AM:as

c: Firoz Vohra, Senior Engineer



**Response to Comment 12-1.** The San Joaquin County Public Works Department states that it has reviewed the DEIR and has no comments.

## Letter 13. San Joaquin Valley APCD



Letter 13

**JUN 01 2016**

Kristin Doud  
Stanislaus County  
Planning and Community Development  
1010 Tenth Street, Suite 3400  
Modesto, CA, 95354

**Project: Notice of Availability of a Draft Environmental Impact Report for the Stanislaus County General Plan and Airport Land Use Compatibility Updates**

**District CEQA Reference No: 20160229**

Dear Ms. Doud:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the subject project and offers the following comments:

1. The update to the General Plan and Airport Land Use Compatibility Plan itself will not have an impact on air quality. However, future development within the area will contribute to the overall decline in air quality due to increased traffic and ongoing operational emissions. New development may require further environmental review and mitigation. The District makes the following recommendations regarding future development:
  - A. Accurate quantification of health risks and operational emissions requires detailed site specific information, e.g. type of emission source, proximity of the source to sensitive receptors, and trip generation information. The required level of detail is typically not available until project specific approvals are being granted. Thus, the District recommends that potential health risks be further reviewed when approving future projects, including those that would be exempt from CEQA requirements. Specific consideration should be given when approving projects that could expose sensitive receptors to toxic air contaminants (TACs). If the analysis indicates that TACs are a concern, the District recommends that a Health Risk Assessment (HRA) be performed. If an HRA is to be performed, it is recommended that the project proponent contact the District to review the proposed modeling approach. If there are questions regarding health risk assessments, please contact our Health Risk Assessment department, at [hramodeler@valleyair.org](mailto:hramodeler@valleyair.org). Additional information on TACs can

13-1

**Seyed Sadredin**

Executive Director/Air Pollution Control Officer

**Northern Region**

4800 Enterprise Way  
Modesto, CA 95356-8718

Tel: (209) 557-6400 FAX: (209) 557-6475

**Central Region (Main Office)**

1990 E. Gettysburg Avenue  
Fresno, CA 93726-0244

Tel: (559) 230-6000 FAX: (559) 230-6061

**Southern Region**

34846 Flyover Court  
Bakersfield, CA 93308-9725

Tel: 661-392-5500 FAX: 661-392-5585

[www.valleyair.org](http://www.valleyair.org)

[www.healthyliving.org](http://www.healthyliving.org)

Printed on recycled paper. ♻️

be found online by visiting the District's website at [http://www.valleyair.org/busind/pto/Tox\\_Resources/AirQualityMonitoring.htm](http://www.valleyair.org/busind/pto/Tox_Resources/AirQualityMonitoring.htm).

B. Individual development projects would be subject to District Rule 9510 (Indirect Source Review) if upon full build-out the project would include or exceed any one of the following:

- 50 dwelling units
  - 2,000 square feet of commercial space;
  - 25,000 square feet of light industrial space;
  - 100,000 square feet of heavy industrial space;
  - 20,000 square feet of medical office space;
  - 39,000 square feet of general office space; or
  - 9,000 square feet of educational space; or
  - 10,000 square feet of government space; or
  - 20,000 square feet of recreational space; or
  - 9,000 square feet of space not identified above
- District Rule 9510 is intended to mitigate a project's impact on air quality through project design elements or by payment of applicable off-site mitigation fees.
  - Any applicant subject to District Rule 9510 is required to submit an AIA application to the District no later than applying for final discretionary approval, and to pay any applicable off-site mitigation fees.
  - If approval of the subject project constitutes the last discretionary approval by your agency, the District recommends that demonstration of compliance with District Rule 9510 be made a condition of project approval. Information about how to comply with District Rule 9510 can be found online at: <http://www.valleyair.org/ISR/ISRHome.htm>.

C. Individual development projects may also be subject to the following District rules: Regulation VIII, (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). In the event an existing building will be renovated, partially demolished or removed, the project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants).

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

13-1  
Cont.

District Reference No. 20160229

Page 3

2. The General Plan is the blueprint for future growth and provides guidance for the community's development. The District is currently designated as extreme non-attainment of the federal national ambient air quality standard for ozone and non-attainment for PM2.5. Given the size of the project, it is reasonable to conclude that mobile source emissions resulting from growth and development would have significant impacts on air quality. To reduce the project related impacts on air quality the General Plan should include design standards that reduce vehicle miles traveled (VMT). VMT can be reduced through encouragement of mixed-use development, walkable communities, etc. Recommended design elements can be found on the District's website at <http://www.valleyair.org/ISR/ISROnSiteMeasures.htm>. 13-2
3. AB 170 (Reyes) requires cities and counties in the San Joaquin Valley to include an air quality element or air quality implementation strategies in their general plans. The District prepared the Air Quality Guidelines for General Plans (AQGGP) to assist in addressing this new requirement. The city is required to forward the air quality element or its equivalent to the District for review. The AQGGP can be found online at <http://www.valleyair.org/transportation/Entire-AQGGP.pdf>. 13-3
4. Referral documents for new development projects should include a project summary detailing, at a minimum, the land use designation, project size, and proximity to sensitive receptors and existing emission sources. 13-4

If you have any questions or require further information, please call Eric McLaughlin at (559) 230-5808.

Sincerely,

Arnaud Marjolle  
Director of Permit Services

*for:*   
Eric McLaughlin  
Program Manager

AM: em

**Response to Comment 13-1.** The SJVAPCD presents information on regulations that will apply to future development projects in the county. No changes to the General Plan or ALUCP are required. This is not a comment on the EIR, and no response is required in the FEIR.

**Response to Comment 13-2.** The SJVAPCD presents a comment on the proposed policies of the Draft General Plan. Policies relating to reducing VMT can be found in the draft Land Use, Circulation, and Conservation elements. Existing and proposed policies sufficiently cover this comment. No changes to the General Plan are required. This is not a comment on the EIR, and no response is required in the FEIR.

**Response to Comment 13-3.** Stanislaus County is addressing the AB 170 air quality element requirements in the Conservation element (see Goal 6, Air Quality). Combining general plan elements is authorized under Government Code Section 65301. No changes to the General Plan are required. This is not a comment on the EIR, and no response is required in the FEIR.

**Response to Comment 13-4.** The SJVAPCD presents information on the agency's requirements for review of future development projects in the county. No changes to the General Plan are required. This is not a comment on the EIR, and no response is required in the FEIR.

# Letter 14. Stanislaus County Environmental Review Committee



Letter 14

## CHIEF EXECUTIVE OFFICE

*Stan Risen*  
Chief Executive Officer

*Patricia Hill Thomas*  
Chief Operations Officer/  
Assistant Executive Officer

*Keith D. Boggs*  
Assistant Executive Officer

*Jody Hayes*  
Assistant Executive Officer

1010 10<sup>th</sup> Street, Suite 6800, Modesto, CA 95354  
Post Office Box 3404, Modesto, CA 95353-3404

Phone: 209.525.6333 Fax 209.544.6226

### STANISLAUS COUNTY ENVIRONMENTAL REVIEW COMMITTEE

May 17, 2016

Kristin Doud, Associate Planner  
Stanislaus County Planning and Community Development  
1010 10<sup>th</sup> Street, Suite 3400  
Modesto, CA 95354

**SUBJECT: ENVIRONMENTAL REFERRAL – GENERAL PLAN AND AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) UPDATES – GENERAL PLAN AMENDMENT APPLICATION NO. PLN2014-0051 AND AIRPORT LAND USE COMMISSION APPLICATION NO. PLN2014-0052 – NOTICE OF AVAILABILITY OF A DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)**

Ms. Doud:

Thank you for the opportunity to review the above-referenced project.

The Stanislaus County Environmental Review Committee (ERC) has reviewed the subject project and has no comments at this time.

14-1

The ERC appreciates the opportunity to comment on this project.

Sincerely,

Patrick Cavanah  
Management Consultant  
Environmental Review Committee

PC:ss

cc: ERC Members

RECEIVED

MAY 17 2016

STANISLAUS CO. PLANNING & COMMUNITY DEVELOPMENT DEPT.

STRIVING TO BE THE BEST COUNTY IN AMERICA

**Response to Comment 14-1.** The Stanislaus County Environmental Review Committee states that it has reviewed the DEIR and has no comments.

### 3.1 Overview

The following revisions are being made to the DEIR in response to comments received during the review period and for purposes of clarifying the DEIR’s discussions. As part of the FEIR, these changes supersede the text that they replace in the DEIR. For the reader’s convenience, text deletions are shown in strike-out and additions are shown in underline. The revisions are shown in the order of appearance in the DEIR. Where possible, a representative section of text is presented in order to put the revisions into context.

These revisions are clarifications of the DEIR and are not substantial new information.

### 3.2 Revisions to the DEIR

Page ES-6, the entry for Impact AQ-1 and BIO-4 in Table ES-2 is revised as follows:

**Table ES-2. Summary of Impacts and Mitigation Measures**

Impact	Level of Significance before Mitigation	Mitigation Measure	Level of Significance after Mitigation
Impact AQ-1: Generate construction-related emissions in excess of SJVAPCD thresholds	Significant <u>(individual and cumulative)</u>	No mitigation available	Significant and unavoidable
Impact BIO-4: Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites	Significant <u>(individual and cumulative)</u>	No mitigation available	Significant and unavoidable



**Page ES-8**, the entry for GHG Impacts in Table ES-2 is revised as follows:

**Table ES-2. Summary of Impacts and Mitigation Measures**

Impact	Level of Significance before Mitigation	Mitigation Measure	Level of Significance after Mitigation
<u>Impact GHG-1: Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment</u>	<u>Less than significant</u>	-	-
<u>Impact GHG-2: Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases (less than significant)</u>	<u>Less than significant</u>	No mitigation available	Significant and unavoidable

**Page ES-9**, the entry for Impact HYD-2 in Table ES-2 is revised as follows:

**Table ES-2. Summary of Impacts and Mitigation Measures**

Impact	Level of Significance before Mitigation	Mitigation Measure	Level of Significance after Mitigation
Impact HYD-2: Substantially deplete groundwater supplies or interfere substantially with groundwater recharge, resulting in a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)	Significant <u>(individual and cumulative)</u>	No mitigation available	Significant and unavoidable

**Page ES-10**, the entry for Impact NOI-1 in Table ES-2 is revised as follows:

**Table ES-2. Summary of Impacts and Mitigation Measures**

Impact	Level of Significance before Mitigation	Mitigation Measure	Level of Significance after Mitigation
Impact NOI-1: Expose persons to or generate noise levels in excess of standards established in a local general plan or noise ordinance or applicable standards of other agencies	Significant <u>(individual and cumulative)</u>	No mitigation available	Significant and unavoidable

**Page 3.9-10**, insert the following text after the fourth paragraph under Groundwater:

A water balance study of the Turlock Subbasin was prepared in 2003 and updated in 2007 to estimate the inflows and outflows from the Subbasin between 1952 and 2006. Outflows from the Subbasin result from municipal, domestic, and agricultural supply and drainage well pumping, discharge to the local rivers, discharges from subsurface agricultural drains, and consumption by riparian vegetation. The estimated average total outflow for the 1997–2006 period was 541,000 AF/yr. The majority of outflow comes from estimated agricultural, municipal and rural residential, and drainage well pumping, which collectively averaged 457,000 AF/yr for the 1997–2006 period. (TGBA 2008, p.3).

Within the Turlock Subbasin, a cone of depression has formed on the eastern side of the Basin, largely due to pumping groundwater to irrigate lands east of TID, where surface water supplies are not available (TGBA 2008, pp. 37-38).

In 2015, a hydrogeologic characterization of the eastern portion of the Turlock Subbasin was conducted by the Turlock Groundwater Basin Association to evaluate changes in land use and impacts to groundwater over time. The Study Area covers approximately 114 square miles, representing the eastern 20 percent of the subbasin, and is defined by the Tuolumne River on the north, Merced River on the south, and by the groundwater subbasin boundary on the east. The western boundary is coincident with boundaries of the Eastside Water District and the Merced Irrigation District. The Study Area lies east and outside of water and irrigation district boundaries and is also referred to as the eastern non-district lands.

A groundwater balance analysis, based on the hydrogeologic conceptual model and numerical model simulation results, indicates that groundwater storage was depleted by approximately 58,000 acre feet (AF) from 1999 to 2013. The largest components of the groundwater balance are irrigation pumping and associated return flows, Turlock Lake leakage, Merced River leakage, and western boundary subsurface outflow.

Furthermore, a numerical groundwater flow model developed for Turlock Irrigation District by Timothy J. Durbin and Associates was used to evaluate groundwater resources in the Study Area. The model indicates that groundwater storage decreased approximately 57,000 AF in the Study Area from 1991 to 2012.

The 2015 Study developed a groundwater model to simulate three potential future pumping scenarios over a 30-year time period, from 2013 to 2042: 1) continued current pumping; 2) increased future pumping; and 3) decreased future pumping. Model results show that if current pumping continues with no new irrigated lands being developed, and if future hydrology is similar to 1998–2012, water levels will decline approximately 10 to 30 feet over the planning period. Future storage loss (i.e., 2014 to 2042) will be approximately 100,000 AF, which is greater than 1.5 times the storage loss that occurred from 1991 to 2014. If pumping increases in the future, assuming that irrigated lands continue to increase at the current rate of development until most of the available area is developed, water levels will decline over 200 feet in parts of the Study Area. Future storage loss will be approximately 17,000 AF, which is almost triple the storage loss from 1991 to 2014 and approximately 70,000 AF more than if pumping remains constant. If pumping decreases in the future, assuming that crops with a limited lifespan are not replaced, there will be a net water level rise of up to 20 feet throughout most of the Study Area. Future storage loss will be approximately 50,000 AF, which is less storage loss than occurred from 1991 to 2014.

**Page 3.9-11**, first paragraph under Surface Water is revised as follows:

Surface water quality for the three major Stanislaus County rivers is excellent at their sources in the Sierra Nevada Mountains. However, as each river flows through the San Joaquin Valley water quality declines ~~by~~with each successive use. Agricultural and domestic use-and-return both contribute to water quality degradation. During dry summer months, the concentration of pollutants increase, particularly in the San Joaquin River, which drains agricultural, domestic and industrial wastewater for the entire San Joaquin Valley. Water quality in the Stanislaus and Tuolumne rivers declines significantly by the time they discharge into the San Joaquin River. Comparatively, water quality declines more in the Tuolumne River than the Stanislaus River from agricultural wastewater returns and gas well wastes. (County of Stanislaus General Plan.)

**Page 3.9-12**, first paragraph under Groundwater is revised as follows:

Groundwater quality throughout the San Joaquin Valley region is suitable for most urban and agricultural uses. However, there are areas of localized problematic areas with the following primary constituents of concern: high total dissolved solids (TDS), nitrates, boron, chloride, arsenic, selenium, dibromochloropropane (DBCP), and radon (U.S. Bureau of Reclamation 2011). In addition, the presence of hexavalent chromium is coming under increased scrutiny.

**Page 3.15-8**, the entry for Parklawn Park in Table 3.15-1 is revised as follows, no other change is made to this table:

**Table 3.15-1. Existing Local Parks and Recreational Facilities**

Park/Facility Name	Location	Park Operator	Acreage
Parklawn Park	<del>Ceres</del> <u>Modesto</u>	Stanislaus County	4

**Page 3.16-11**, the following change is made:

SR 132 from SR 99 to La Grange Road is a designated California Legal ~~Advisory~~ Route where only California legal trucks are allowed.

**Page 3.17-7**, first paragraph under Water Supply is revised as follows:

The Crows Landing Community Services District (CSD), Denair CSD, Keyes CSD, Knights Ferry CSD, Modesto Irrigation District (MID), ~~Monterey Park Tract CSD~~Cities of Ceres and Modesto, Oakdale Irrigation District (OID), Riverdale Park Tract CSD, Stanislaus County Housing Authority, Turlock Irrigation District (TID), Western Hills Water District, and Westley CSD all provide drinking water to parts of Stanislaus County. Sources of drinking water vary.

**Page 3.17-8**, the first bullet is revised as follows:

- The City of Ceres, under an agreement with Stanislaus County and the Monterey Park Tract CSD, provides domestic water to the unincorporated Monterey Park Tract.

**Page 4-2**, section 4.2.5 Geology, Soils, and Paleontological Resources is mistakenly listed as a significant impact. To clarify the FEIR, this has been removed from the list.

### ~~4.2.5 — Geology, Soils, and Paleontological Resources~~

- ~~Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking; seismic-related ground failure, including liquefaction; or landslides.~~
- ~~Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.~~

**Page 5-5**, the first paragraph is revised as follows:

Ceres also faces a shortage in neighborhood and community parks. The city's general plan requires 1.4 acres of neighborhood parks and 2.6 acres of community parks per 1,000 residents (City of Ceres 1997:5-2). ~~It has 38 acres of neighborhood parks and 85 acres of community parks (Butler pers. comm.).~~ With a 2013 population of 46,714 (U.S. Census Bureau 2014a), it should have 65 acres of neighborhood parks and 121 acres of community parks.<sup>1</sup> The City of Ceres currently provides its residents with 13 city parks and owns over 170 acres of park land. River Bluff Regional Park is the largest of these with a total of 76 acres of property, both developed and undeveloped. (Ceres 2016)

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<sup>1</sup> 46,714/1,000=46.71 (46.71\*1.4 = 65.4 acres of neighborhood parks; 46.71\*2.6= 121.45 acres of community parks).

## Chapter 4 References

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