



CERES GENERAL PLAN 2035

FINAL ENVIRONMENTAL IMPACT REPORT | SCH# 2017052063

APRIL 24, 2018

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April 24, 2018

Prepared for the
City of Ceres
by

DYETT & BHATIA
Urban and Regional Planners

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1 Introduction

This Final Environmental Impact Report (EIR) has been prepared on behalf of the City of Ceres in accordance with the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 *et seq.*). The EIR analyzes potential environmental impacts of the adoption and implementation of the proposed Ceres General Plan 2035 (General Plan), referred to as the “**Proposed Project**.” This Final EIR provides responses to comments on the Draft EIR as well as corrections and clarifications to the Draft EIR. The City of Ceres is the lead agency responsible for ensuring that the proposed General Plan complies with CEQA. “Lead agency” is defined by Section 21067 of CEQA as “the public agency which has the principal responsibility for carrying out or approving a project which may have a significant effect upon the environment.”

Purpose

This document, combined with the Draft EIR, published February 7, 2018, constitutes the Final EIR on the Proposed Project as described in Chapter 2: Project Description of the Draft EIR. The primary purpose of the Final EIR is to revise and refine the environmental analysis in the Draft EIR in response to comments received during the public review period. The public review period for the Draft EIR (State Clearinghouse No. 2017052063) lasted for 48 days, from Wednesday, February 7, 2018 to Monday, March 26, 2018.

This Final EIR amends and incorporates by reference the Draft EIR. This document includes comments and responses to comments on the Draft EIR, and corrections and clarifications to the Draft EIR. The EIR is intended to disclose to City of Ceres decision makers, responsible agencies, organizations, and the general public the potential impacts of implementing the Proposed Project using a program level of analysis. The Draft EIR and Public Review Draft Ceres General Plan 2035 are available for review at the City of Ceres website (<http://www.ci.ceres.ca.us>).

CEQA Process

Before the City may approve the various discretionary actions needed to implement the Proposed Project, it must independently review and consider the information contained in the Final EIR, certifying that the Final EIR adequately discloses the environmental effects of the Proposed Project, that the Final EIR has been completed in conformance with CEQA, and that the decision-making body of the Lead Agency independently reviewed and considered the information contained in the Final EIR. Certification of the Final EIR would indicate the City’s **determination that the Final EIR adequately evaluates the environmental impacts that could be associated with the Proposed Project.**

For impacts identified in the EIR that cannot be reduced to a level that is less than significant, the City must make findings and prepare a Statement of Overriding Considerations for approval of the Proposed Project if specific social, economic, or other factors justify the Proposed Project's unavoidable adverse environmental effects. If the City decides to approve the Proposed Project for which the Final EIR has been prepared, it will issue a Notice of Determination.

The City of Ceres has prepared this document pursuant to CEQA Guidelines Section 15132, which specifies that the Final EIR shall consist of:

- The Draft EIR or a revision of the Draft;
- A list of persons, organizations, and public agencies commenting on the Draft EIR;
- Comments and recommendations received on the Draft EIR;
- The response of the Lead Agency to significant environmental points raised in the review process; and
- Any other information added by the Lead Agency.

This Final EIR incorporates comments from public agencies and the general public. It also contains the Lead Agency's responses to those comments. Copies of the Final EIR have been provided to agencies and other parties that commented on the Draft EIR or have requested the Final EIR. The Final EIR can also be accessed through the City of Ceres website.

New Information in the Final EIR

If *significant new information* is added to an EIR after notice of public review has been given, but before final certification of the EIR, the Lead Agency must issue a new notice and recirculate the EIR for further comments and consultation. Significant new information is that which discloses that:

- A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented;
- A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance;
- A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it; or
- The Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

Corrections or clarifications to the Draft EIR identified in this document do not constitute *significant new information* pursuant to Section 15088.5 of the CEQA Guidelines; this new information merely clarifies and makes insignificant changes to an adequate EIR. Information presented in the Draft EIR and this document support this determination.

Organization

This document contains the following components:

- Chapter 2 lists all of the agencies, organizations and individuals that submitted written comments on the Draft EIR; reproduces all comments; and provides a unique number for each comment in the page margin.
- Chapter 3 provides numbered responses to comments on the Draft EIR.
- Chapter 4 lists revisions to the Draft EIR by chapter and page, in the same order as the revisions would appear in the Draft EIR.

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2 Comments on the Draft EIR

This chapter contains copies of the comment letters received on the Draft EIR. A total of 11 comment letters and emails were received during the 48-day comment period. In addition, the City held an Open House on the General Plan and Draft EIR during the comment period on March 8, 2018 for the purpose of allowing members of the public to provide written comments on the General Plan and Draft EIR. A total of six members of the public provided comments at March 8, 2018 Open House. This chapter also includes a letter from the State Clearinghouse acknowledging the City's compliance with State Clearinghouse review requirements pursuant to CEQA and stating which comments were submitted by State agencies. Comments received are listed in Table 2-1.

Each letter is identified by a designator (e.g. "Letter A1"). Specific comments within each letter are identified by a designator in the page margin that reflects the sequence of the specific comment within the correspondence (e.g. "A1-1" for the first comment in Letter A1). Comments are organized by public agency comments and responses (Section A), written organization and individual comments and responses (Section B), and comments received at the General Plan and Draft EIR Open House (Section C). Within each category, comments are listed in the order in which they were received.

Table 2-1: Comments Received on the Draft EIR

Letter #	Date	Commenter	Agency/Organization
<i>Section A: Agencies (Federal, State, Regional, Local)</i>			
A1	March 13, 2018	Tom Dumas, Chief, Office of Metropolitan Planning	California Department of Transportation, District 10
A2	March 23, 2018	Harold M. Freiman, Lozano Smith Attorneys at Law	On behalf of Ceres Unified School District
A3	March 26, 2018	Patrick Cavanah, Sr. Management Consultant	Stanislaus County Environmental Review Committee
A4	March 26, 2018	Sara Lytle-Pinhey, Executive Officer	Stanislaus Local Agency Formation Commission
A5	March 26, 2018	Dan Severson, Regulatory Analyst	Turlock Irrigation District
A6	March 26, 2018	Andrew Malizia, PE, Associate Civil Engineer	Stanislaus County Public Works
A7	March 26, 2018	Scott Morgan, Director	State Clearinghouse, Governor's Office of Planning and Research
<i>Section B: Organizations and Individuals</i>			
B1	March 18, 2018	Michael and Patricia Melugin Cousins	Individuals
B2	March 23, 2018	Stella Melugin Coakley	Individual

Table 2-1: Comments Received on the Draft EIR

<i>Letter #</i>	<i>Date</i>	<i>Commenter</i>	<i>Agency/Organization</i>
B3	March 25, 2018	Ray Dias, PE	Individual
B4	March 25, 2018	Patricia Cousins	Individual
B5	March 25, 2018	Patricia Cousins	Individual
B6	March 26, 2018	Suki Sanghera, President	Try-Us Transportation, Inc.
<i>Section C: Comments Received at General Plan and Draft EIR Open House</i>			
C1	March 8, 2018	Anonymous	Individual
C2	March 8, 2018	Michael and Patricia Melugin Cousins	Individuals
C3	March 8, 2018	Anonymous	Individual
C4	March 8, 2018	Sheila Brandt	Individual

DEPARTMENT OF TRANSPORTATION
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 TTY 711
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*Serious drought.
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March 13, 2018

10-STA-99 PM 10.1 – PM 13.3
State Clearinghouse # 2017052063
City of Ceres 2035 General Plan
Stanislaus County

Mr. Tom Westbrook
 Director of Community Development
 City of Ceres
 2220 Magnolia Street
 Ceres, CA 95307

Dear Mr. Westbrook:

A1-1

Thank you for the opportunity to review the above-referenced document, the City of Ceres 2035 General Plan (SCH# 2017052063). The Department has the following comments:

The Department recognizes that there is a strong link between transportation and land use. Growth and development can have a significant impact on traffic and congestion on State transportation facilities. In particular, the pattern of land use can affect both total vehicle miles traveled and the number of trips per household. In order to create more efficient and livable communities, the Department encourages the applicant to work towards a safe, functional, interconnected, multi-modal system integrated with "smart growth" type land use planning. While recognizing that topographic and environmental constraints may preclude a strict interconnected grid street network, roads which are routed in parallel can provide an alternative to using the interregional roads or highway, thereby helping to alleviate congestion on State facilities.

We suggest that the City continue to coordinate and consult with the Department to identify and address potential cumulative transportation impacts that may occur from this project and other developments near this geographical location.

If you have any questions, please contact Steven Martinez at (209) 942-6092 (email: steven.r.martinez@dot.ca.gov) or me at (209) 941-1921. We look forward to continuing to work with you in a cooperative manner.

Sincerely,

TOM DUMAS, Chief
 Office of Metropolitan Planning

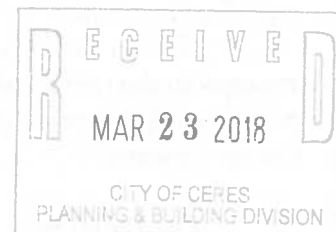


Harold M. Freiman
Attorney at Law

E-mail: hfreiman@lozanosmith.com

March 23, 2018

By U.S. Mail & E-Mail: Tom.Westbrook@ci.ceres.ca.us



Tom Westbrook
Director of Community Development
City of Ceres Planning Division
2220 Magnolia Street
Ceres, CA 95307

Re: Comments of Ceres Unified School District on
Draft Environmental Impact Report for Ceres General Plan

A2-1

Dear Mr. Westbrook:

Our firm represents Ceres Unified School District ("District"). On behalf of the District, we submit these comments on the Draft Environmental Impact Report ("DEIR") prepared for the proposed Ceres General Plan ("Project"). It is intended that these comments be included as part of the formal administrative record for the Project. As set forth in this letter, the DEIR does not comply with the California Environmental Quality Act ("CEQA," Pub. Resources Code, §§ 21000, *et seq.*) and the CEQA Guidelines (Cal. Code Regs., tit. 14, §§ 15000, *et seq.*) for both technical and substantive reasons. Specifically, the DEIR does not include sufficient information to evaluate potential environmental impacts related to the re-designation of two parcels ("Parcels"), which are immediately adjacent to the Whitmore Charter School Berryhill Campus ("School Site"), as Light Industrial. The DEIR further fails to consider adequate mitigation measures for these impacts and outlines insufficient feasible project alternatives. Through this letter, the District wishes to emphasize that this Project has the potential to have a significant negative effect on the District's students and staff and could endanger the School Site. **However, should the re-designation of the Parcels not be included as part of the Project, the District's concerns stated herein would be resolved to the District's satisfaction.**

As another public agency serving the population of Ceres, the District prefers to cooperate with the City regarding the proposed Project so as to help ensure that it will benefit the entire community, without undue impacts. The Vision Statement, adopted for the General Plan by the Ceres City Council, indicates that "Ceres is a place where families want to raise their children and businesses want to locate and flourish. In Ceres, people enjoy a safe and healthy city with first-rate community amenities and a clean and sustainable environment." (DEIR, ES-2, emphasis added.) It remains the District's hope that collaboration between the District and both

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the City and Project developers can occur to avoid this result and allow the future Project to proceed.

The District requests that the City revise the DEIR to address the serious deficiencies identified in this letter, develop appropriate mitigation measures for impacts that are identified as significant, and then recirculate the revised DEIR as required by CEQA. (Cal. Code Regs., tit. 14, § 15088.5.) At the bare minimum, the District requests that the City consider making minor changes to the DEIR as specifically discussed at the end of this letter, to help ensure that the negative impacts resulting from this re-designation will adequately be addressed as the Project moves forward.

A2-2

I. The DEIR does not meet its purposes as an informational document because it fails to provide an adequate analysis of environmental impacts.

The DEIR fails to provide a sufficient and adequate analysis of environmental impacts related to the re-designation of the Parcels from Low Density Residential to Light Industrial.

A. Air Quality

The DEIR is inadequate in its discussion of air quality impacts, particularly as related to the re-designation of the Parcels from Low Density Residential to Light Industrial, and the effect this new designation will have on the adjacent School Site. While the DEIR references sensitive receptors, such as schools and children (see DEIR, 3.3-43), and further details general air quality impacts and mitigation plans, it fails to identify specific impacts related to the zoning re-designation, and correspondingly fails to mitigate such impacts. For example, the DEIR states that the Project:

...includes a land use designation change along Roeding Road that would allow for new light industrial uses adjacent to Whitmore Charter High School and areas designated for residential use. This proposed change has the potential to introduce higher levels of truck traffic, and therefore greater exposure to [diesel particulate matter] and fugitive dust, to the vicinity, resulting in a potentially significant impact to sensitive receptors.

(DEIR, p. 3.3-43.)

The DEIR fails adequately to discuss the impact of this truck traffic, and accompanying air pollutants, on children and staff at Whitmore Charter Schools. As the DEIR itself states, studies demonstrate that diesel exhaust and other chemicals emitted from cars and trucks are responsible for much of the overall cancer risk from airborne toxics in California. (DEIR, p. 3.3-12.) The California Air Resource Board recommends not siting sensitive uses like schools within 1,000 feet of a distribution center, defined as accommodating more than 100 trucks per day or 40 trucks per day with operating transport refrigeration units or with transport refrigeration unit operations exceeding 300 hours per day, or within 300 feet of large gasoline dispensing facilities, or 50 feet of typical dispensing facilities. (California Environmental Protection Agency,

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California Air Resources Board, "Air Quality and Land Use Handbook: A Community Health Perspective" (2005) p. 4.) Designating land that is directly next to a school site for Light Industrial use is an action deserving of adequate impact analysis on the quality of air and health implications for students at the School Site.

B. Hazards and Hazardous Materials

The DEIR acknowledges that the Project allows for the use of hazardous materials within a quarter-mile of existing schools, and that the likely impact from this use of hazardous materials in close proximity to schools is significant. (DEIR, p. 3.7-29.) Notably, Impact 3.7.3 elaborates on the risk of hazardous material usage in close proximity to schools, but fails specifically to address the negative impact of the use of hazardous materials immediately adjacent to the School Site – a significant impact which is certain to occur with the re-designation of the Parcels to Light Industrial. Instead, the DEIR relies on "proposed policies" to reduce the impact to sensitive receptors, generally, including schools. But, again, such policies do not directly address the impact to the students of the School Site. (DEIR, p. 3.7-33.) The DEIR fails to describe hazardous materials impacts with any sort of specificity, and this lack of analysis and failure to address any mitigation measures to offset these impacts is a clear violation of CEQA.

C. Transportation

The DEIR contains an inadequate discussion of the traffic and transportation impacts of the re-designation of the Parcels as Light Industrial. Although the DEIR analyzes the impacts of increased traffic generally, its analysis is inadequate particularly as related to the increased truck and commercial traffic near the School Site, which will occur if the adjacent Parcels are re-designated as Light Industrial. The DEIR provides no analysis of the inevitable traffic impact that will result from large trucks driving in and out of the adjacent Parcels, which will further congest existing school traffic, particularly around the times students are being dropped off or picked up.

The DEIR must also include greater analysis of safety issues related to traffic impacts, such as reduced pedestrian safety, particularly as to students walking or bicycling to and from the School Site; potentially reduced response times for emergency services and first responders traveling to the School Site; and increased potential for accidents due to gridlock during school drop-off and pick up hours. (Journal of Planning Education and Research, "Planning for Safe Schools: Impacts of School Siting and Surrounding Environments on Traffic Safety," November 2015, Chia-Yuan Yu and Xuemei Zhu, pg. 8 [Study of traffic accidents near Austin, Texas schools found that "[a] higher percentage of commercial uses was associated with more motorist and pedestrian crashes" around schools].) Re-designating the land use from Low Density Residential to Light Industrial will significantly increase traffic, mostly by trucks and heavy machinery, by the School Site, and will significantly increase safety risks associated by increased traffic. The DEIR must be revised and supplemented to analyze these significant impacts as they relate to the School Site.

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D. Noise

The DEIR notes that noise-sensitive receptors, such as schools, will potentially be impacted by the re-designation of the Parcels to Light Industrial use, but fails to describe the actual impacts with any specificity. (DEIR, 3.11-13.) The DEIR acknowledges that traffic-related noise from the Project will impact existing sensitive receptors, but does not analyze the specific impacts on students and staff at the School Site that will result from re-designating the Parcels to Light Industrial use. (DEIR, p. 3.11-23.) It is likely that the noise generated from industrial uses of the Parcels will affect teachers' abilities to teach, monitor, and direct students because they cannot be heard, particularly when students are outdoors or when the windows are open. (Gary Hopkins, "Have You Heard? Noise Can Affect Learning!" (July 18, 1997) Education World <http://www.educationworld.com/a_curr/curr011.shtml> [Noise can affect learning – several studies show that noise impacts reading ability and scores and that students living near noisy highways had more difficulty solving cognitive problems].) Additionally, noise and vibrations could affect the very buildings students are housed in. The DEIR fails to address these concerns and impacts.

A2-3

II. The DEIR does not meet its purposes as an informational document because it fails adequately to consider and mitigate the impacts of this industrial development.

Where potentially significant impacts are identified, CEQA requires that an EIR next "describe feasible measures which could minimize significant adverse impacts." (Cal. Code Regs., tit. 14, § 15126.4.) The DEIR fails to identify sufficient mitigation measures.

The proposed Project cannot be approved unless the City either imposes mitigation measures adequate to mitigate these identified impacts to a level of less-than-significant or the City adopts an applicable statement of overriding consideration. (Pub. Resources Code § 21002; CEQA Guidelines §§ 15021 (a) (2), 15091 (a), 15093 (b) & 15096 (g); see *Sierra Club v. Gilroy City Council* (1990) 222 Cal.App.3d 30, 41-42 (disapproved on other grounds in *Western States Petroleum Assn. v. Superior Court* (1995) 9 Cal.4th 559) ["A public agency can approve a project with significant environmental impacts only if it finds such effects can be mitigated or concludes that unavoidable impacts are acceptable because of overriding concerns"].)

Public Resources Code section 21002 states that, "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects...." This section also states that "in the event specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects." Thus, before adopting an applicable statement of overriding considerations, the City must have identified and eliminated, based on specific economic, social or other conditions, all reasonably feasible alternatives. The City has not identified all reasonably feasible mitigation measures and as a result, the DEIR is noncompliant with CEQA.

A2-3

A. Air Quality

The DEIR concedes that the proposed change in land designation for the Parcels, from Low Density Residential to Light Industrial, “has the potential to introduce higher levels of truck traffic, and therefore greater exposure to diesel particulate matter and fugitive dust to the vicinity.” (DEIR, ES-9.) Then, without any analysis, the DEIR concludes that there “are no mitigation measures available that would ensure that a potential increase in the truck traffic serving light industrial uses adjacent to Whitmore Charter High School would have a less than significant impact on sensitive receptors, therefore the impact is significant and unavoidable.” (DEIR, ES-9.)

The DEIR proposes several mitigation measures for Light Industrial designations that are placed near residential areas, such as industrial buffering. (DEIR, ES-51.) The DEIR does not explain why this same mitigation measure could not be considered for a Light Industrial designation placed immediately adjacent to the School Site, which the DEIR acknowledges is a sensitive receptor. Additional mitigation measures the DEIR fails to consider include: placement of setbacks between the School Site and the Parcels; construction of a sound wall between the school site and the Parcels; installation of double pane windows at the School Site; or installation of updated HVAC systems throughout the school site. Each of these measures would at least limit student exposure to poor air quality and should be a prerequisite to any industrial development that occurs on these Parcels adjacent to the School Site.

The DEIR concludes that “any mitigation that could be implemented by a future use occupying the proposed Light Industrial site would be of a project specific nature that cannot be determined within the scope of the Proposed Project or this EIR.” (DEIR, 3.3-44.) This conclusion is an unlawful deferral of mitigation measures in violation of CEQA. (Cal. Code Regs., tit. 14, §15126.4(a)(1)(B).) Deferral of the specifics of mitigation is permissible only where the lead agency commits itself to mitigation and lists the alternatives to be considered, analyzed and possibly incorporated in the mitigation plan. (*San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 645; *Endangered Habitats League, Inc. v. County of Orange* (2005) 131 Cal.App.4th 777, 793; *Riverwatch v. County of San Diego* (1999) 76 Cal.App.4th 1428.) In this DEIR, the City makes no such commitment.

B. Hazards and Hazardous Materials

Although acknowledging that the California Department of Education does not allow school sites to be placed “within one quarter-mile of facilities emitting or handling hazardous materials,” the DEIR concedes that “[i]mplementation of the Proposed Project would allow land uses to be developed within a quarter-mile of existing schools that could be reasonably expected to handle hazardous materials or generate hazardous emissions.” (DEIR, 3.7-33-35.) The DEIR then concludes that such impacts “remain significant and unavoidable” because “[c]hanging the land use designations near schools would fundamentally alter the Proposed Project” and “[t]he use of hazardous materials is inherent to industrial uses.” (DEIR, 3.7-36.) Per the DEIR, “[p]rohibiting the use of hazardous materials in areas with industrial land use designations would greatly limit the development potential of these areas, and would be difficult to enforce,” and therefore, these impacts are not “directly mitigatable.” (DEIR, 3.7-36.)

A2-3

In *City of Marina v. Board of Trustees of California State University* (2006) 39 Cal.4th 341, 368-369, the California Supreme Court held that, “CEQA does not authorize an agency to proceed with a project that will have significant, unmitigated effects on the environment, based simply on a weighing of those effects against the project’s benefits, unless the measures necessary to mitigate those effects are truly infeasible. Such a rule, even were it not wholly inconsistent with the relevant statute, would tend to displace the fundamental obligation of ‘[e]ach public agency [to] mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so.’” (*Ibid.*, emphasis added; see also Pub. Resources Code § 21002.1, subd. (b).)

The DEIR fails to consider several feasible mitigation measures, including: placement of setbacks between the School Site and the Parcels; installation of double pane windows at the School Site; installation of updated HVAC systems throughout the school site; or restriction on deliveries, pickups, and use of heavy machinery at the Parcels during drop-off and pick-up times for students at the School Site. Each of these measures would at least limit the exposure of students to hazardous materials and should be a prerequisite to any industrial development that occurs on these Parcels adjacent to the School Site.

C. Transportation

The DEIR concedes that Light Industrial use at the Parcels could “increase truck or other heavy vehicle traffic to the area surrounding the school,” and therefore “could increase hazards for staff and students traveling to school.” (DEIR, 3.13-52.) The DEIR then concludes that, “[t]he specific design and operations of individual future development projects cannot be known at this time; however, policies included in the Proposed Project would serve to reduce potential impacts from future development.” Once again, this conclusion indicates that the City is deferring mitigation measures, which is permissible only where the local entity commits itself to mitigation and lists the alternatives to be considered, analyzed and possibly incorporated in the mitigation plan. (See Cal. Code Regs., tit. 14, §15126.4(a)(1)(B); *San Joaquin Raptor Rescue Center*, *supra*, 149 Cal.App.4th 645; *Endangered Habitats League, Inc.*, *supra*, 131 Cal.App.4th at 793; *Riverwatch*, *supra*, 76 Cal.App.4th 1428.) The City provides no such mitigation plan. Instead, the City relies on policies to mitigate these potential impacts, yet none of these policies specifically address the potential traffic impacts to the School Site. The City states its intention to work with the District to “improve the ability of students to walk and bicycle to school,” however, this intention is insufficient and still constitutes improper deferral of mitigation because it does not address the traffic impacts and lacks a specific plan to meet the stated goal. (DEIR, 3.5-45.) Thus, the DEIR’s conclusion as to these impacts is in violation of CEQA.

D. Noise

The DEIR concedes that “potential noise impacts on existing development” as a result of the Project, “would be significant and unavoidable.” (DEIR, 3.11-13.) The DEIR goes on to conclude that “impacts of new traffic noise on existing sensitive receptors,...that would experience noise levels more than 3 dBA CNEL in 2035 with the Proposed Project over existing conditions, would be significant and unavoidable.” (DEIR, 3.11-16.) The DEIR fails to consider any potential mitigation measures and only relies on policies to mitigate these noise impacts, yet

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none of these policies specifically address the potential noise impacts to the School Site. This analysis is again insufficient under CEQA.

A2-4

III. The DEIR Fails to Analyze a Reasonable Range of Alternatives

CEQA requires that an EIR identify and discuss alternatives to the Project. (Pub. Resources Code, §§ 21002, 21002.1(a), 21100(b)(4), 21150.) This requirement stems from the fundamental statutory policy that public agencies should require the implementation of feasible alternatives or feasible mitigation measures to reduce a project's significant environment impacts. (Pub. Resources Code, § 21002.) An EIR must describe a reasonable range of alternatives to the proposed project, or to its location, that would feasibly attain most of the project's basic objectives while reducing or avoiding any of its significant environmental effects. (Cal. Code Regs., tit. 14, § 15126.6(a).) The EIR must explain how the project alternatives were selected for analysis, and also identify alternatives rejected as infeasible and explain why they were rejected. (Cal. Code Regs., tit. 14, § 15156.6(c).) The DEIR is insufficient because it does not meet these requirements.

The DEIR considers only two alternatives to the Project: No Project/Existing General Plan, and the Southern Industrial Cluster Alternative. Noticeably missing from the list is any alternative involving not re-designating areas that sit immediately adjacent to a school site as Light Industrial. There is no analysis or reasoning provided as to why such alternatives were not considered or analyzed. A similarly-flawed EIR was invalidated in *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal.App.4th 1059. In that case, the EIR for a new city general plan included two alternatives with the same level of increased development as the proposed project but did not consider any reduced development alternatives. (*Id.* at 1087.) The Court recognized that the project's environmental impacts would flow largely from growth, and therefore concluded that the EIR was fatally flawed because it did not include an alternative that would provide information about how most project objectives could be satisfied without the level of environmental impacts that would result from the project. (*Id.*) Similarly, the DEIR here fails because it deprives the public and the decision-makers of the necessary information in order to make an informed decision. The City's decision-makers have no way of determining whether or not an alternative location for the Light Industrial development option could avoid or lessen the impacts of the Project while still meeting the Project's objectives. As a result, the DEIR fails to comply with CEQA.

A2-5

IV. The DEIR is Inconsistent with the City's Adopted General Plan, and Fails to Address Such Inconsistency.

CEQA Guidelines require an EIR to discuss any inconsistencies between the proposed project and applicable general plans, specific plans, and regional plans. (Cal. Code Regs., tit. 14, § 15125(d).) An "applicable" plan is one that has already been adopted and thus legally applies to the project. (*Chaparral Greens v. City of Chula Vista* (1996) 50 Cal.App.4th 1134, 1145.) The purpose of the required analysis is to identify the inconsistencies that the lead agency should address. By doing so, the lead agency may be able to modify the project to avoid any such inconsistencies. (See *Orinda Association v. Board of Supervisors* (1986) 182 Cal.App.3d 1145, 1169.) Though the DEIR acknowledges the City of Ceres 2035 General Plan ("General Plan"), it

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fails to satisfy these requirements because it does not adequately consider consistency with the proposed General Plan.

Several of the proposed plans in the DEIR directly conflict with the General Plan. For example, the General Plan's Vision Statement and Guiding Principles include the following goals:

- Promote Ceres strong and high performing school system, and support the City's safe neighborhoods and youth activities so that Ceres continues to be a desirable place for families.
- Prioritize clean air, clean water and resource conservation to help keep the community – both the people and the environment – healthy.

(General Plan, 1-14, 15.) The re-designation of the Parcels from Low Density Residential to Light Industrial is at odds with these principles, because it will have a direct negative impact on the adjacent School Site, which is a part of the Ceres school system. Furthermore, this re-designation deprioritizes clean air for students because of the serious hazardous materials that this industrial development will introduce into the air quality surrounding the School Site. This inconsistency and relating impact must be addressed in the DEIR.

The General Plan also prioritizes public health. Specifically, Goal 5.A.1 states that the City shall consider the ways in which City policies and operations influence public health and, where appropriate, develop and incorporate measures that can have a positive public health impact. (General Plan, 5-15.) Goal 5.A.5 states that the City shall encourage and support efforts by the District to encourage healthy lifestyles, including providing healthy food options at school, supporting physical education, and developing new and improved curricula about the importance of exercise and good nutrition. (General Plan, 5-15.) Allowing industrial development to occur directly next to a school is not in line with either goal – to develop and incorporate measures that can have a positive public health impact and support healthy lifestyles at schools. This inconsistency and related impact must be addressed in the DEIR.

The General Plan's Goal 5.I.3 also discourages the development of schools near known hazardous waste disposal or handling facilities and prohibits the siting of new schools within a quarter-mile of any active hazardous sites identified on the State's Cortese List (Gov. Code § 65962.5). (General Plan, 5-41.) Goal 5.I.8 requires new industries that store and process hazardous materials provide a buffer zone between the installation and the property boundaries of a distance and with screening materials sufficient to protect the public health and safety. (General Plan, 5-42.) Allowing industrial development to occur directly next to a school site is contrary to this goal. Furthermore, the DEIR does not propose any sort of specific buffer zone to protect students at the School Site from the hazardous materials which will be in close vicinity if the Parcels, which are immediately adjacent to the School Site, are re-designated to Light Industrial use. This inconsistency and relating impact must be addressed in the DEIR. The General Plan's Goal 6.A.5 seeks to designate areas that are "most accessible to school sites" as residential in order to "enhance neighborhoods, minimize transportation requirements, and costs, and minimize safety problems." (General Plan, 6-7.) Once again, the re-designation of the Parcels adjacent to the School Site from Low Density Residential to Light Industrial is directly contrary to the General Plan's stated goal.

Tom Westbrook
March 23, 2018
Page 9

A2-5

The foregoing inconsistencies serve as examples of the DEIR's failure to address and analyze inconsistencies with the goals and policies of the General Plan. This deficient analysis leads to an incorrect conclusion that the DEIR is consistent with the General Plan goals and policies, in violation of CEQA. (Cal. Code Regs., tit. 14, § 15125(d).)

A2-1

V. Conclusion

The DEIR does not adequately analyze the Project's potential impacts, and must address with greater specificity the effects of these impacts on school facilities and services, student safety, and more, as addressed in this letter. The District encourages the City and Project proponents to work cooperatively with the District and consider mitigation measures and Project alternatives that can assist in adequately mitigating the impacts on the District's schools and the affected surrounding environment. The District stands ready to continue meeting and working with the City to address these vital issues. Again, if the re-designation of the Parcels is removed from the Project, the District's concerns stated herein will be resolved.

Sincerely,

LOZANO SMITH



Harold M. Freiman

HMF/df

cc: Board of Trustees, Ceres Unified School District
Scott Siegel, Ed.D., Superintendent, Ceres Unified School District
Jay Simmonds, Assistant Superintendent Student Support Services, Ceres Unified School District
Dan Pangrazio, Assistant Superintendent Business Services, Ceres Unified School District


CHIEF EXECUTIVE OFFICE

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Patricia Hill Thomas
Chief Operations Officer/
Assistant Executive Officer

Keith D. Boggs
Assistant Executive Officer

Patrice M. Dietrich
Assistant Executive Officer

STANISLAUS COUNTY ENVIRONMENTAL REVIEW COMMITTEE

March 26, 2018

Tom Westbrook, Director
Community Development Division
City of Ceres
2220 Magnolia Street
Ceres, CA 95307

SUBJECT: ENVIRONMENTAL REFERRAL – CITY OF CERES – CERES GENERAL PLAN UPDATE – NOTICE OF AVAILABILITY OF A DRAFT ENVIRONMENTAL IMPACT REPORT (EIR)

Mr. Westbrook:

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

The Stanislaus County Environmental Review Committee (ERC) has reviewed the subject project. We realize we received a Notice of Preparation and perhaps these comments would have been more appropriate at that time, but we believe they are important. Please take them into consideration.

In support of the City of Ceres' Vision of a Balanced Circulation Network, Stanislaus County is encouraging agency coordination of major transportation corridors that serve the City and surrounding agencies in the region.

Goal Two of Stanislaus County's Circulation Element is to maintain a safe, balanced, and efficient transportation system that facilitates inter-city and interregional travel and goods movement. Further, Policy Nine states that the County shall promote the development of safe inter-city and interregional transportation facilities that more efficiently moves good and freight within and through the region. With Ceres' vision and the County's goals in mind, Stanislaus County ERC has the following comments for the Draft Environmental Impact Report for the Ceres Draft General Plan 2035:

1. The transportation networks managed by the City of Modesto, City of Ceres, Stanislaus County, and Caltrans intersect and abut within the planning area of the General Plan. The General Plan identifies and analyzes major transportation corridors, but

**ENVIRONMENTAL REFERRAL – CITY OF CERES – CERES GENERAL PLAN UPDATE
NOTICE OF AVAILABILITY OF A DRAFT ENVIRONMENTAL IMPACT REPORT (EIR)**

March 26, 2018

Page 2

A3-1

implementation measures or policies that encourage agency collaboration to keep inter-city and regional routes coordinated amongst the jurisdictions should be identified.

Suggested Policy:

"Encourage City staff to work with staff from Stanislaus County, City of Modesto, StanCOG, and Caltrans to establish more coordinated standards and routes for Expressways, Principal & Minor Arterials, and Major & Minor Collectors that cross jurisdictional lines."

2. In support of the suggested policy in Comment #2, the following major corridors are identified in which partnerships with other agencies should be encouraged to transition and coordinate and improve inter-city and regional goods movement.
 - Hatch Road (Stanislaus County/Caltrans/City of Modesto)
 - Mitchell Road (Stanislaus County/City of Modesto)
 - Service Road (Stanislaus County)
 - Faith Home Road (Stanislaus County/City of Modesto)
 - Crows Landing Rd (Stanislaus County/City of Modesto)

3. On page 3.13-27, the General Plan identifies existing truck routes in the City, however, it should be noted that the extents of the corridors do not accurately reflect the goods movement corridors that are currently being utilized, more specifically that gaps exist near the City's boundaries on Mitchell Road (Hatch Rd to River Rd), Hatch Rd (Boothe Rd to Faith Home Rd), and Whitmore Ave (Boothe Rd to Faith Home Rd).

Suggested Policy:

"Designated truck routes should be revisited a minimum of once per five years to ensure that gaps do not exist between the designated corridors and the networks of adjacent agencies or when changes are made to the City's boundaries such that the limits of existing routes require extension to make connectivity to adjacent jurisdictions at the City's Boundary."

The ERC appreciates the opportunity to comment on this project.

Sincerely,



Patrick Cavanah, Sr. Management Consultant
Environmental Review Committee

PC:ss

cc: ERC Members

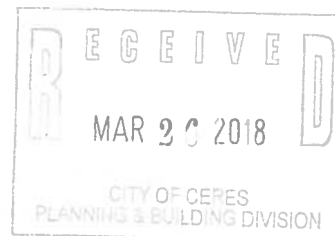
1010 TENTH STREET, 3RD FLOOR
MODESTO, CA 95354



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

March 26, 2018

Tom Westbrook
City of Ceres
2220 Magnolia Street
Ceres, CA 95307



SUBJECT: DRAFT ENVIRONMENTAL IMPACT REPORT – CERES GENERAL PLAN UPDATE

Dear Mr. Westbrook:

Thank you for the opportunity to review and comment on the Draft Environmental Impact Report for the Ceres General Plan Update. LAFCO's policies encourage cities and the County to adopt general plans, policies, and agreements that protect farmland outside urban boundaries, emphasize compact and efficient growth, and ensure efficient delivery of services.


A4-1 LAFCO Staff previously commented on the proposal and noted various LAFCO requirements and policies in anticipation of potential applications resulting from the General Plan Update. It is acknowledged that project-level analysis for individual projects will need to provide more detailed information regarding services and impacts to special districts.

A4-2 The DEIR's Agricultural Resources section correctly notes LAFCO's requirement for the preparation of a Plan for Agricultural Preservation ("Plan") in conjunction with any application for annexation or Sphere of Influence expansion that includes agricultural lands. The Plan must specify the method or strategy proposed to minimize the loss of agricultural lands. LAFCO's Policy also encourages agencies to adopt their own agricultural preservation policies and provides a menu of commonly used strategies that the Commission likewise encourages. While the DEIR identifies a corresponding General Plan policy (4.A.7) that requires preparation of a Plan for Agricultural Preservation, it does not identify the City's preferred strategy. Some cities have chosen to include a preferred strategy (e.g. farmland mitigation at a 1:1 ratio or urban growth boundary) in their General Plan policies in order to provide guidance for future applications to LAFCO.

Overall, the DEIR describes many General Plan policies that are consistent with LAFCO goals, including promoting infill development within current city limits, compact development, and a potential greenbelt. The City is encouraged to retain these proposed policies throughout the adoption of the Final EIR and General Plan Update.

Should you have any questions regarding the above comments, please contact our office at (209) 525-7660.

Sincerely,


Sara Lytle-Pinhey
Executive Officer

A-5**Tom Westbrook - City of Ceres General Plan**

From: "Dan B. Severson" <dbseverson@TID.ORG>
To: "tom.westbrook@ci.ceres.ca.us" <tom.westbrook@ci.ceres.ca.us>
Date: 3/26/2018 3:00 PM
Subject: City of Ceres General Plan
Cc: "Brad A. Koehn" <bakoehn@TID.ORG>, "Michelle A. Reimers" <mareimers@TID....>



Hi Tom-

TID has reviewed the most pertinent areas of the General Plan, and offer the following comments for your consideration:

As a general comment, PG&E is referenced throughout the document as the City's Energy Service Provider.

When referencing "energy provider" or "energy saving", was PG&E put in for a reason? Does "Energy" include "natural gas" in the eyes of the City?

Air Quality 3.3 (p 33). Section 5.E.3- In reference to "energy audit", is the expectation that TID provide these audits?

5.E.10- "Community Engagement for Energy Efficiency". Recommend that the city cite "TID Energy Efficiency Rebates"

Does the city plan on offering their own energy rebates, or is the plan to utilize/market/collaborate with TID?

Section 3.5 _Energy, GHG

P. 18- Reference to Appendix F, but could not find?

P. 22- RPS section...TID is a Publically Owned Utility, not Investor Owned

P. 27- Residential energy audit...what is the plan? Same as above is the expectation that TID will provide?

P. 28- Should be "non residential square footage" instead of "homes"?

P. 46- So Cal Edison Reference

Also, TID is subject to new Integrated Resource Plan(IRP) requirements per SB 350, and invite the City to participate in the process. TID will be updating our IRP this year, and the city can sign up on the CEC listserv in order to get notifications when TID Staff goes to the TID Board at <http://www.energy.ca.gov/sb350/IRPs/>.

Along those lines, TID looks forward to collaborating with the City on Energy Efficiency, Electric Vehicle and Charging, and any air quality and Green House Goals that the City may have. Please don't hesitate to reach out at your convenience.

Best-

Dan Severson

A-5

Dan Severson Turlock Irrigation District
Regulatory Analyst
333 E. Canal Dr, PO Box 949
Turlock, CA 95380
Ph: [209-883-8603](tel:209-883-8603)
Mobile: [209-535-3969](tel:209-535-3969)
Fax [209-656-2147](tel:209-656-2147)
Email: dbseverson@tid.org

From: "Andrew Malizia" <maliziaa@stancounty.com>
To: "Westbrook Tom" <Tom.Westbrook@ci.ceres.ca.us>
Date: 3/26/2018 5:31 PM
Subject: Re: Stan Co ERC Referral: Ceres General Plan Update Draft EIR -
Attachments: notes_for_TW.pdf

Hi Tom,
 I just wanted to let you know of a couple things I noticed in the DEIR for your GP update. Nothing critical, just administrative in nature.



A6-1

1. On Pg 3.13-31 under Local Regulations, there are projects listed, but nothing for the Whitmore Ranch Specific Plan. I'm not sure if this was intentional, maybe it didn't have anything to offer regarding improvements, or not being final accepted right now, but being that some of the original comments were regarding the types of traffic, thought it may be worth you looking into why it wasn't there. I saw it elsewhere, but just not there for whatever reason.

A6-2

2. There is also the Crows Landing Corridor Management Plan that the County is a lead agency on that may be worth mentioning since it's a multi-jurisdiction (pre-)planning document that's underway.

A6-3

3. On 3.13-36 There are jurisdictions listed that should probably change... See attached.
 Let me know if you have any questions.

Thanks,

Andrew Malizia, PE
 Associate Civil Engineer
 Traffic Engineering Division
 Stanislaus County Public Works
 1716 Morgan Road
 Modesto, CA 95358
 209 | 525 4126 (office)
 209 | 541 2509 (fax)
<http://www.stancounty.com/publicworks>

>>>

From: "Tom Westbrook" <Tom.Westbrook@ci.ceres.ca.us>
 To: <CAVANAHP@stancounty.com>
 CC: "Thomas Boze" <bozet@stancounty.com>, "Angie Halverson" <halversona@stancounty.com>, <Maliziaa@stancounty.com>
 Date: 3/26/2018 4:24 PM
 Subject: Re: Stan Co ERC Referral: Ceres General Plan Update Draft EIR

-
 Patrick,

Thank you for sending over these comments. They will be forwarded along to our consultant who is completing the EIR for the Ceres General Plan Update.

TW

Tom Westbrook, Director of Community Development
 City of Ceres 2220 Magnolia Street Ceres, CA 95307 Phone: 209.538.5778

Fax: 209.538.5675 www.ci.ceres.ca.us

>>> "Patrick Cavanah" <cavanahp@stancounty.com> 3/26/2018 3:43 PM >>>
Good Afternoon Mr. Westbrook,

The Stanislaus County Environmental Review Committee (ERC) has reviewed the subject project and submits the attached comments provided by the Public Works Department.

The ERC appreciates the opportunity to comment on this project.

The original letter will follow in US Mail.

Thank you,
Patrick

Patrick Cavanah
Sr. Management Consultant/Community Manager
Stanislaus County Chief Executive Office
(209) 652-1975



EDMUND G. BROWN JR.
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH



KEN ALEX
DIRECTOR

March 26, 2018



Tom Westbrook
City of Ceres
2220 Magnolia Street
Ceres, CA 95307

Subject: City of Ceres General Plan 2035
SCH#: 2017052063

Dear Tom Westbrook:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on March 23, 2018, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures

cc: Resources Agency

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
1-916-322-2318 FAX 1-916-558-3184 www.opr.ca.gov

Document Details Report State Clearinghouse Data Base

SCH# 2017052063
Project Title City of Ceres General Plan 2035
Lead Agency Ceres, City of

Type EIR Draft EIR

Description The proposed GP is intended to respond directly to changes experienced in Ceres since the preparation of the current GP, and to plan for city growth projected in coming decades. The proposed GP, which establishes a long-range planning framework and policies, would fully supplant the city's existing GP when adopted by the city council.

The GP update was initiated to comprehensively examine the existing conditions in the city and to create a vision for the city's future. Although the proposed GP doesn't specify or anticipate when buildout of the city will occur, a horizon of year 2035 is assumed for planning purposes. The vision statement and guiding principles, underpin the goals and policies of the GP.

Lead Agency Contact

Name	Tom Westbrook		
Agency	City of Ceres		
Phone	(209) 538-5778	Fax	
email			
Address	2220 Magnolia Street		
City	Ceres	State CA	Zip 95307

Project Location

County	Stanislaus
City	Ceres
Region	
Lat / Long	37° 35' 43.1" N / 120° 57' 44.8" W
Cross Streets	var
Parcel No.	Various
Township	

Range

Section

Base

Proximity to:

Highways	99, 108, 132
Airports	Modesto
Railways	UPRR
Waterways	Tuolumne River
Schools	var
Land Use	Various

Project Issues Agricultural Land; Air Quality; Archaeologic-Historic; Drainage/Absorption; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Economics/Jobs; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Sewer Capacity; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Water Supply; Landuse; Other Issues; Aesthetic/Visual; Biological Resources; Growth-Inducing; Minerals; Septic System; Soil Erosion/Compaction/Grading; Vegetation; Water Quality; Wetland/Riparian; Cumulative Effects

Reviewing Agencies Resources Agency; Central Valley Flood Protection Board; Department of Conservation; Department of Fish and Wildlife, Region 4; Cal Fire; Department of Parks and Recreation; Caltrans, Division of Aeronautics; Native American Heritage Commission; Caltrans, District 10; Office of Emergency Services, California; Department of Housing and Community Development; State Water Resources Control Board, Division of Water Quality; Regional Water Quality Control Bd., Region 5 (Sacramento); Public Utilities Commission; State Lands Commission

Date Received 02/07/2018 **Start of Review** 02/07/2018 **End of Review** 03/23/2018

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE DISTRICT 10 DIRECTOR

P.O. BOX 2048, STOCKTON, CA 95201

(1976 E. DR. MARTIN LUTHER KING JR. BOULEVARD 95205)

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STATE CLEARINGHOUSE

March 13, 2018

10-STA-99 PM 10.1 – PM 13.3
State Clearinghouse # 2017052063
City of Ceres 2035 General Plan
Stanislaus County

Mr. Tom Westbrook
Director of Community Development
City of Ceres
2220 Magnolia Street
Ceres, CA 95307

Dear Mr. Westbrook:

Thank you for the opportunity to review the above-referenced document, the City of Ceres 2035 General Plan (SCH# 2017052063). The Department has the following comments:

The Department recognizes that there is a strong link between transportation and land use. Growth and development can have a significant impact on traffic and congestion on State transportation facilities. In particular, the pattern of land use can affect both total vehicle miles traveled and the number of trips per household. In order to create more efficient and livable communities, the Department encourages the applicant to work towards a safe, functional, interconnected, multi-modal system integrated with "smart growth" type land use planning. While recognizing that topographic and environmental constraints may preclude a strict interconnected grid street network, roads which are routed in parallel can provide an alternative to using the interregional roads or highway, thereby helping to alleviate congestion on State facilities.

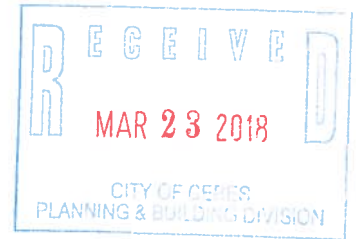
We suggest that the City continue to coordinate and consult with the Department to identify and address potential cumulative transportation impacts that may occur from this project and other developments near this geographical location.

If you have any questions, please contact Steven Martinez at (209) 942-6092 (email: steven.r.martinez@dot.ca.gov) or me at (209) 941-1921. We look forward to continuing to work with you in a cooperative manner.

Sincerely,

TOM DUMAS, Chief
Office of Metropolitan Planning

**Tom Westbrook
Director of Community Development, Ceres
2220 Magnolia St.
Ceres, CA 95307**



Re-Statement of position on Ceres of the future.

March 18, 2018

**Michael and Patricia Melugin Cousins, residents, tenants in common
3865 Roeding Rd.
Ceres, CA 95307
209-538-2875**

Please know we continue to oppose the expansion of Faith Home Road. We oppose a Faith Home bridge over the Tuolumne. Do not make Faith Home Road a freeway, highway, arterial, multi-lane, collector or otherwise create more city and less country. Keep Ceres in Ceres. In-fill, move west to annexed area, keep town in town. Thanks.

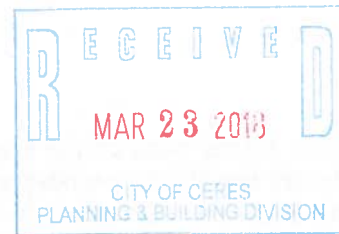
B1-1

A handwritten signature in blue ink that reads 'Michael D. Cousins'.

Michael D. Cousins

A handwritten signature in blue ink that reads 'Patricia M. Cousins'.

Patricia M. Cousins



March 23, 2017

Tom Westbrook, Director of Community Development
 City of Ceres Planning Division
 2220 Magnolia Street
 Ceres, CA 95307
Tom.Westbrook@ci.ceres.ca.us

RE: Draft Environmental Impact Report/General Plan Update

In the review of the Draft Environmental Impact Report (EIR), I was encouraged to see an extensive and careful review of the many potential impacts of the proposed General Plan Update. While it is heartening to know that "Any future development project made possible by the Proposed Project will be subject to individual, site-specific environmental review, as required by State law." (Executive summary, p. 23), I believe it important to comment on several points in hopes that the city will alter the General Plan accordingly. Given that the EIR indicates that the General Plan estimates far greater growth than other county/state assessments, it would allow the city to reduce its Environmental Impact by scaling back on those projects estimated to have negative environmental impacts such as reducing the amount of prime agricultural land removed in proposed development.

B2-1

As a co-owner in the Sphere of Influence but not one represented by the City of Ceres, I would comment on the "Southern Industrial Cluster Alternative" as it specifically includes one area of prime concern which is changing the land-use designation at Roeding Road from one of low density residential to Light Industrial. For all the reasons listed on ES-7, "Areas of Controversy", I believe that the city must not change the designation at the Roeding site because of its estimated significant negative impact on a nearby school. Further, the residential nature of this area would be further degraded. It would be far better to target the area for future residential development (even denser than currently) than new industrial. Later the document compares the SIC Alternative Environmental Impacts as favorable compared to the No Project Alternative; it, however, also states that it believes the Project Plan to be favorable over that of the SIC Alternative. I would like to note that the environmental issues being compared are focused on the larger Southern Industrial Cluster. For that reason, I would like to request that the documentation in the EIR for the contested Roeding Rd. industrial land-use change be allowed to stand alone and NOT be included/recommended in the General Plan. This allows the county to process any land-use change according to county rules of due process and avoids the city making this change without additional process. It protects the interests of the current and future school children. This would be equivalent to the No Project Alternative as detailed in Chapter 4.

B2-2

ES-9: "The Proposed Project includes two parcels designated Light Industrial between Roeding Road and Whitmore Charter High School. The 1997 General Plan designates these parcels Low Density Residential. The Light Industrial designation would allow for new light industrial uses adjacent to Whitmore Charter High School and areas designated for residential use. This proposed change in land use designation has the potential to introduce higher levels of truck traffic, and therefore greater exposure to diesel particulate matter and fugitive dust to the vicinity. There are no mitigation measures available that would ensure that a potential increase in truck traffic serving light industrial uses adjacent to Whitmore Charter High School would have a less than significant impact on sensitive receptors, therefore the impact is significant and unavoidable."

B2-2

ES-9 details more on the Policies for Hazardous Materials; I believe that the General Plan should specifically prohibit any industrial use within the ¼ mile of existing schools which are found to have significant environmental impacts.

B2-3

Another area of concern is the continued discussion of a Faith Home Expressway. I call attention to p. 155

"3.A.7 Expressway System.

Continue to support development of an expressway system to handle regional through traffic in the Modesto-Ceres urban area as conceptually identified in the StanCOG Regional Expressway Study, 2010."

It seems that the City of Ceres has not heard clearly that the residents on the east side would prefer to remain agricultural and not be "cut" off from existing agriculture and the greenspace envisioned to separate Hughson and Ceres in the future. Allowing Faith Home to become an expressway will negatively impact prime farm land abutting this road and drive the properties west of Faith Home into further urban development. Please do not include the expressway as being supported by the City.

It is noted that the draft EIR raises many environmental concerns with just expansion of this road as an arterial and specifically indicated on ES-7 that it had not evaluated the impact of it as a full Expressway. At present, Figure 3.2-1 shows Prime Farmland contiguous from Service to Whitmore on the east and almost the same on the west side of Faith Home. Please plan to leave it that way.

Thank you for the opportunity to comment. You have led a very comprehensive process.

Sincerely,

Stella Melugin Coakley
3839 NW Jackson
Corvallis, OR 97330

co-owner of 3831 Roeding Avenue

Tom Westbrook - DEIR Comments

From: Ray <rrdnds@gmail.com>
To: <tom.westbrook@ci.ceres.ca.us>
Date: 3/25/2018 5:19 PM
Subject: DEIR Comments



Upon review, the following DEIR comments are being submitted:

B3-1

- It is gratifying to note that the DEIR acknowledges the importance of the local "agricultural heritage;" however, there remains an insufficient focus within the General Plan and DEIR to strive preventing the loss of prime farmland. This problem is listed as "significant and unavoidable." That only provides awareness of this "potential significant environmental impact." The EIR needs to increase the focus on this critical loss of land supporting the agricultural industry. One approach would be for the General Plan to included an increased focus on the need to drive more downtown infill to minimize the loss of prime farmland. Mention is made of a desired "strong downtown;" however, the focus does not appear to clearly achieve that objective.

B3-2

- The Roeding Road conversion of a parcel between the Road and Whitmore Charter High School is identified as a point of contention. However, the downside identified in the DEIR of this potential zoning is insufficient. The DEIR acknowledges that approving the rezoning of this parcel to Light Industrial creates "substantial pollutant concentrations and emissions or handling of hazardous materials" close to schools. The DEIR further states that there are five schools impacted by the proposed General Plan. What the DEIR is short of identifying is that there are three schools impacted by just this single potential zoning, not just Whitmore Charter which was identified. The additional two schools are the LaRosa Elementary School and Cesar Chavez Junior High School, both being within a quarter mile of the subject parcel. This will subject the large student populations to the same dangerous exposures to which Whitmore Charter is subject, a situation which would expose up to 2,000 children plus school staff to the identified hazardous impacts. The DEIR admittedly states there would be no acceptable mitigation measures available to protect the high number of affected students. It must also be noted that the City's infrastructure is not sufficient to properly handle the potential business activity that this rezoning would create. The facts are overwhelming that this parcel on Roeding Road should not be rezoned to Light Industrial.

B3-3

- The "greenbelt" proposed between Ceres and Hughson was vague in clearly stating where such an element should be established. Given the eastern boundary of the Ceres Sphere of Influence is Washington Road, that is the logical location for a green belt to be listed in the General Plan with EIR comments stated accordingly.

B-3

- On November 25, 2017, comments were submitted against the widening of Faith Home Road from its present configuration to add additional lanes. However, there was no noticed inclusion of those comments in the DEIR regarding this subject. Therefore, the net content of those concerns is being re-identified as additional contention and an argument against the expansion of Faith Home Road:

B3-4

- The planning has not fully evaluated other suitable alternatives. An in depth assessment to offset the road widening with better utilization of the coming Service Road/ Highway 99 interchange combined with doable Mitchell Road upgrades to improve its traffic flows are required. Also there needs to be an assessment on upgrading traffic logistics on Santa Fe from south of Turlock to Yosemite Avenue. That route already is receiving a new bridge across the Tuolumne river. Upgrading that corridor would provide increased opportunity for that area of the County to enjoy improved traffic flows while leveraging an overall utilization improvement of existing main traffic corridors. It is recognized that part of this work is beyond the City of Ceres to drive and would fall to the County for required support. Regardless, it is important for an integrated approach to be considered which leverages a system wide view and not restrict options to those only within the control of Ceres to implement.

B3-5

- The impact to the Faith Home Road corridor residents from a widening of the roadway is very detrimental to the enjoyment of their lives and would be catastrophic to the affected areas. This is understated in the DEIR as analysis shows that over sixty families would lose their homes plus multiple existing businesses would be displaced.

B3-6

- There was no discussion identified that expanding Faith Home Road would unnecessarily increase the complexity of operations, maintenance, and the impact of repairs of the Surface Water Supply Project as driven by the Stanislaus Regional Water Authority.

B3-7

- There is an insufficient assessment in the DEIR of the necessity for a full interchange at the Highway 99 connection with Faith Home Road in order to avoid a Keyes Road bottleneck, coordinated traffic signals the length of the corridor instead of stop signs at all cross roads, removal of the existing road bed with its subsequent disposal impact and the impact of the raw materials consumption for replacing the roadbed with one suitable for increased heavy traffic, and the purchase of sufficient lands to successfully relocate all those families and businesses negatively impacted through the loss of their homes with safe ingress/egress of their properties. Without the full implementation of all required changes, traffic would choose to avoid navigating a substandard corridor. Taxpayers would view that as poor fiduciary stewardship by the City of Ceres management.

Respectfully submitted 25 March 2018.

Thank you. Ray Dias P.E.

Tom Westbrook - Fwd: DEIR Comments

From: Patricia Cousins <pmcousins@aim.com>
To: Tom Westbrook <Tom.Westbrook@ci.ceres.ca.us>, Ray <rrdnds@gmail.com>, SM...
Date: 3/25/2018 6:47 PM
Subject: Fwd: DEIR Comments

Mr. Westbrook: I join in the thoughtful and thought-provoking DEIR comments of Ray Dias of 25 March 2018. Patricia Melugin Cousins 3865 Roeding Road, Ceres, CA 95307 209-538-2875 25 March 2018

B4-1

----- Forwarded Message -----

Subject: DEIR Comments

Date: Sun, 25 Mar 2018 17:18:38 -0700

From: Ray <rrdnds@gmail.com>

To: tom.westbrook@ci.ceres.ca.us



Upon review, the following DEIR comments are being submitted:

- It is gratifying to note that the DEIR acknowledges the importance of the local "agricultural heritage;" however, there remains an insufficient focus within the General Plan and DEIR to strive preventing the loss of prime farmland. This problem is listed as "significant and unavoidable." That only provides awareness of this "potential significant environmental impact." The EIR needs to increase the focus on this critical loss of land supporting the agricultural industry. One approach would be for the General Plan to included an increased focus on the need to drive more downtown infill to minimize the loss of prime farmland. Mention is made of a desired "strong downtown;" however, the focus does not appear to clearly achieve that objective.
- The Roeding Road conversion of a parcel between the Road and Whitmore Charter High School is identified as a point of contention. However, the downside identified in the DEIR of this potential zoning is insufficient. The DEIR acknowledges that approving the rezoning of this parcel to Light Industrial creates "substantial pollutant concentrations and emissions or handling of hazardous materials" close to schools. The DEIR further states that there are five schools impacted by the proposed General Plan. What the DEIR is short of identifying is that there are three schools impacted by just this single potential zoning, not just Whitmore Charter which was identified. The additional two schools are the LaRosa Elementary School and Cesar Chavez Junior High School, both being within a quarter mile of the subject parcel. This will subject

the large student populations to the same dangerous exposures to which Whitmore Charter is subject, a situation which would expose up to 2,000 children plus school staff to the identified hazardous impacts. The DEIR admittedly states there would be no acceptable mitigation measures available to protect the high number of affected students. It must also be noted that the City's infrastructure is not sufficient to properly handle the potential business activity that this rezoning would create. The facts are overwhelming that this parcel on Roeding Road should not be rezoned to Light Industrial.

- The "greenbelt" proposed between Ceres and Hughson was vague in clearly stating where such an element should be established. Given the eastern boundary of the Ceres Sphere of Influence is Washington Road, that is the logical location for a green belt to be listed in the General Plan with EIR comments stated accordingly.
- On November 25, 2017, comments were submitted against the widening of Faith Home Road from its present configuration to add additional lanes. However, there was no noticed inclusion of those comments in the DEIR regarding this subject. Therefore, the net content of those concerns is being re-identified as additional contention and an argument against the expansion of Faith Home Road:

- The planning has not fully evaluated other suitable alternatives. An in depth assessment to offset the road widening with better utilization of the coming Service Road/ Highway 99 interchange combined with doable Mitchell Road upgrades to improve its traffic flows are required. Also there needs to be an assessment on upgrading traffic logistics on Santa Fe from south of Turlock to Yosemite Avenue. That route already is receiving a new bridge across the Tuolumne river. Upgrading that corridor would provide increased opportunity for that area of the County to enjoy improved traffic flows while leveraging an overall utilization improvement of existing main traffic corridors. It is recognized that part of this work is beyond the City of Ceres to drive and would fall to the County for required support. Regardless, it is important for an integrated approach to be considered which leverages a system wide view and not restrict options to those only within the control of Ceres to implement.

- The impact to the Faith Home Road corridor residents from a widening of the roadway is very detrimental to the enjoyment of their lives and would be catastrophic to the affected areas. This is understated in the DEIR as analysis shows that over sixty families would lose their homes plus multiple existing businesses would be displaced.

- There was no discussion identified that expanding Faith Home Road would unnecessarily increase the complexity of operations, maintenance, and the impact of repairs of the Surface Water Supply Project as driven by the Stanislaus Regional Water Authority.

- There is an insufficient assessment in the DEIR of the necessity for a full interchange at the Highway 99 connection with Faith Home Road in order to

avoid a Keyes Road bottleneck, coordinated traffic signals the length of the corridor instead of stop signs at all cross roads, removal of the existing road bed with its subsequent disposal impact and the impact of the raw materials consumption for replacing the roadbed with one suitable for increased heavy traffic, and the purchase of sufficient lands to successfully relocate all those families and businesses negatively impacted through the loss of their homes with safe ingress/egress of their properties. Without the full implementation of all required changes, traffic would choose to avoid navigating a substandard corridor. Taxpayers would view that as poor fiduciary stewardship by the City of Ceres management.

Respectfully submitted 25 March 2018.

Thank you. Ray Dias P.E.

B-5**Tom Westbrook - Re: Comment on Ceres Draft Environmental Impact Report**

From: Patricia Cousins <pmcousins@aim.com>
To: SM Coakley <coakley.sm@hotmail.com>, Tom Westbrook <Tom.Westbrook@ci.cer...>
Date: 3/25/2018 7:21 PM
Subject: Re: Comment on Ceres Draft Environmental Impact Report

Mr. Westbrook: With the knowledge and permission of my sister Stella Melugin Coakley, with whom I am tenant-in-common for 3831 Roeding etc., I join in her articulate and careful analysis of the DEIR. Please acknowledge receipt. Patricia Melugin Cousins

B5-1

On 3/25/2018 7:14 PM, SM Coakley wrote:

Mr. Westbrook,

Below and attached is my input on the Ceres Draft Environmental Impact Report. Thank you for the comprehensive job done. Please acknowledge receipt.

March 23, 2017

Tom Westbrook, Director of Community Development
 City of Ceres Planning Division
 2220 Magnolia Street
 Ceres, CA 95307
Tom.Westbrook@ci.ceres.ca.us

RE: Draft Environmental Impact Report/General Plan Update

In the review of the Draft Environmental Impact Report (EIR), I was encouraged to see an extensive and careful review of the many potential impacts of the proposed General Plan Update. While it is heartening to know that "Any future development project made possible by the Proposed Project will be subject to individual, site-specific environmental review, as required by State law." (Executive summary, p. 23), I believe it important to comment on several points in hopes that the city will alter the General Plan accordingly. Given that the EIR indicates that the General Plan estimates far greater growth than other county/state assessments, it would allow the city to reduce its Environmental Impact by scaling back on those projects estimated to have negative environmental impacts such as reducing the amount of prime agricultural land removed in proposed development.

As a co-owner in the Sphere of Influence but not one represented by the City of Ceres, I would comment on the "Southern Industrial Cluster Alternative" as it specifically includes one area of prime concern which is changing the land-use designation at Roeding Road from one of low density residential to Light Industrial. For all the reasons listed on ES-7, "Areas of Controversy", I believe that the city

B-5

must not change the designation at the Roeding site because of its estimated significant negative impact on a nearby school. Further, the residential nature of this area would be further degraded. It would be far better to target the area for future residential development (even denser than currently) than new industrial. Later the document compares the SIC Alternative Environmental Impacts as favorable compared to the No Project Alternative; it, however, also states that it believes the Project Plan to be favorable over that of the SIC Alternative. I would like to note that the environmental issues being compared are focused on the larger Southern Industrial Cluster. For that reason, I would like to request that the documentation in the EIR for the contested Roeding Rd. industrial land-use change be allowed to stand alone and NOT be included/recommended in the General Plan. This allows the county to process any land-use change according to county rules of due process and avoids the city making this change without additional process. It protects the interests of the current and future school children. This would be equivalent to the No Project Alternative as detailed in Chapter 4.

ES-9: "The Proposed Project includes two parcels designated Light Industrial between Roeding Road and Whitmore Charter High School. The 1997 General Plan designates these parcels Low Density Residential. The Light Industrial designation would allow for new light industrial uses adjacent to Whitmore Charter High School and areas designated for residential use. This proposed change in land use designation has the potential to introduce higher levels of truck traffic, and therefore greater exposure to diesel particulate matter and fugitive dust to the vicinity. There are no mitigation measures available that would ensure that a potential increase in truck traffic serving light industrial uses adjacent to Whitmore Charter High School would have a less than significant impact on sensitive receptors, therefore the impact is significant and unavoidable."

ES-9 details more on the Policies for Hazardous Materials; I believe that the General Plan should specifically prohibit any industrial use within the ¼ mile of existing schools which are found to have significant environmental impacts. Another area of concern is the continued discussion of a Faith Home Expressway. I call attention to p. 155

"3.A.7 Expressway System.

Continue to support development of an expressway system to handle regional through traffic in the Modesto-Ceres urban area as conceptually identified in the StanCOG Regional Expressway Study, 2010."

It seems that the City of Ceres has not heard clearly that the residents on the east side would prefer to remain agricultural and not be "cut" off from existing agriculture and the greenspace envisioned to separate Hughson and Ceres in the future. Allowing Faith Home to become an expressway will negatively impact prime farm land abutting this road and drive the properties west of Faith Home into further urban development. Please do not include the expressway as being supported by the City.

It is noted that the draft EIR raises many environmental concerns with just expansion of this road as an arterial and specifically indicated on ES-7 that it had not evaluated the impact of it as a full Expressway. At present, Figure 3.2-1 shows Prime Farmland contiguous from Service to Whitmore on the east and almost the same on the west side of Faith Home. Please plan to leave it that way.

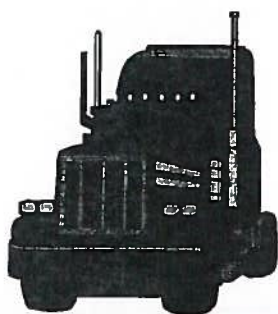
B-5

Thank you for the opportunity to comment. You have led a very comprehensive process.

Sincerely,

Stella Melugin Coakley
3839 NW Jackson
Corvallis, OR 97330

co-owner of 3831 Roeding Avenue



TRY-UST TRANSPORTATION, INC.

P.O. BOX 2714
CERES, CA 95319
PHONE: (209) 537-4817
FAX: (209) 537-3659
EMAIL: sukisanghera@tryustransportation.com

March 26, 2018

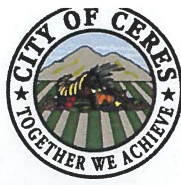
Ceres City Council,

B6-1

As you may know, my family now owns property at the corner of Roeding Road and McGee Road just outside of the Ceres City Limits. During the selection of the prefer land use alternative for the Ceres General Plan Update we requested that our property be re-designated from LDR, Low Density Residential to LI, Light Industrial, which could potentially accommodate a future trucking facility that our family currently owns and operates. Since the release of the preferred alternative and the Draft Environmental Impact Report we have become aware that one of our neighbors, the Ceres Unified School District, is opposed to the LI, Light Industrial designation, as the Whitmore Charter School borders our property. As a result we respectfully withdraw our request for the property to be designated LI, Light Industrial in the Ceres General Plan Update and recommend it reverts back to the former General Plan designation of LDR, Low Density Residential. Thank you for your consideration.

Best Regards,

Suki Sanghera
President



C-1

CERES GENERAL PLAN UPDATE Comments & Feedback

Please let us know if you have any comments on the Draft General Plan, Draft EIR, the open house, or the project in general, and if you have any other ideas or concerns that you would like to share.

Are you commenting on (please check): ☐ Draft General Plan ☐ Draft EIR ☐ Other

C1-1

all residents in area affected Have
not Been Contacted or are even aware
their property is being Talked about

C1-2

all Wildlife has not Been Taken into
account environmental impact people do not
know all the species that will be affected

Statement of position on Ceres of the future.

C2-1

March 8, 2018

**Michael and Patricia Melugin Cousins, residents, tenants in common
3865 Roeding Rd.
Ceres, CA 95307
209-538-2875**

Please know we continue to oppose the expansion of Faith Home Road. We oppose a Faith Home bridge over the Tuolumne. Do not make Faith Home Road a freeway, highway, arterial, multi-lane, collector or otherwise create more city and less country. Keep Ceres in Ceres. In-fill, move west, keep town in town. Thanks.



Michael Cousins



Patricia M. Cousins



CERES GENERAL PLAN UPDATE Comments & Feedback

Please let us know if you have any comments on the Draft General Plan, Draft EIR, the open house, or the project in general, and if you have any other ideas or concerns that you would like to share.

Are you commenting on (please check): ☐ Draft General Plan ☐ Draft EIR ☒ Other

C3-1

IT'S REALLY COMFORTING TO BE A PART OF
SOMETHING SO WELL DONE. THANK YOU!



C-4

CERES GENERAL PLAN UPDATE Comments & Feedback

Please let us know if you have any comments on the Draft General Plan, Draft EIR, the open house, or the project in general, and if you have any other ideas or concerns that you would like to share.

Are you commenting on (please check): ☐ Draft General Plan ☐ Draft EIR ☒ Other

C4-1

I like this format. Open house
I just as the City grows that we grow Police
& Fire Departments & that we grow staff as well.
I believe it is three fold they must all
grow together because one can not grow w/out
the other. We must keep the city clean.

Thank you - Shelia Brandt

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3 Responses to Comments

This chapter includes responses to each comment, in the same order as presented in Chapter 2: Comments on the Draft EIR. The responses are marked with the same number-letter designator as the comment to which they respond.

Responses focus on comments that raise important environmental issues or pertain to the adequacy of analysis in the Draft EIR or to other aspects pertinent to the potential effects of the Proposed Project on the environment pursuant to CEQA. Comments that address policy issues, opinions or other topics beyond the purview of the Draft EIR or CEQA are noted as such for the public record. Where comments are on the merits of the Proposed Project rather than on the Draft EIR, these are also noted in the responses. Where appropriate, the information and/or revisions suggested in the comment letters have been incorporated into the Final EIR. These revisions are included in Chapter 4 of this Final EIR, Revisions to the Draft EIR.

A. Agencies

- A1 Tom Dumas, Chief, Office of Metropolitan Planning California Department of Transportation (Caltrans) District 10
- A1-1 The letter recognizes the strong link between transportation and land use and requests continued coordination between the City and Caltrans. There are no comments related to the content of the EIR.
- A2 Harold M. Freiman, Lozano Smith Attorneys at Law on behalf of Ceres Unified School District (CUSD)
- A2-1 The letter addresses concerns related to the proposed redesignation of two parcels immediately adjacent to the Whitmore Charter School Campus from Low Density Residential to Light Industrial (Roeding Road site) as included in the Proposed Project and states that these concerns would be resolved if the redesignation were to be removed from the Proposed Project. As noted under the response to comment letter B6, the Proposed Project has since been revised to remove the redesignation per request by the property owner and the Draft EIR has been revised accordingly, as shown in Chapter 4 of this Final EIR. Therefore, the concerns presented by CUSD are moot and considered resolved.
- A2-2 The comment states that the Draft EIR does not meet its purposes as an informational document because it fails to provide an adequate analysis of environmental impacts related to the redesignation of parcels from Low Density Residential to Light Industrial. As stated

in Chapter 1: Introduction of the Draft EIR, the analysis for the Proposed Project was conducted at a program level in accordance with CEQA.

“As a programmatic document, this EIR presents a citywide assessment of the potential impacts of the Proposed Project. It does not separately evaluate subcomponents of the Proposed Project nor does it assess project-specific impacts of potential future projects under the Proposed Project, all of which are required to comply with CEQA and/or the National Environmental Policy Act (NEPA) as applicable.”

Thus, while the Draft EIR discusses potential impacts of the Proposed Project’s land use framework at a general level, it was not intended to identify specific impacts of potential future projects. Such impacts would be identified through required environmental review at such a time as a specific project is proposed for a site. Although the proposed land use change at the Roeding Road site is no longer a part of the proposed General Plan, the Draft EIR did note where potential impacts could occur in the areas of air quality, hazards and hazardous materials, transportation, and noise, although the extent of the potential impact could not be known without specific project details.

- A2-3 The comment states that the Draft EIR does not meet its purposes as an informational document because it fails to adequately consider and mitigate the impacts of industrial development on the site in question. As potential impacts were identified as part of the environmental analysis, corresponding policies to reduce the impacts were developed for inclusion in the Proposed Project. Therefore, rather than including mitigation measures, the Draft EIR indicates proposed policies and existing regulatory frameworks to address impacts. The Draft EIR concludes, at the program level, that even with proposed General Plan policies to reduce potential impacts of a light industrial use near sensitive receptors or less intensive land uses, there are no mitigation measures that could guarantee that the impacts would be reduced to below a level of significance, due in part to the proposed redesignation at the Roeding Road site.

Regarding the air quality analysis, the comment states that the Draft EIR proposed several mitigation measures for Light Industrial designations near residential uses, such as industrial buffering, that were not considered as mitigation near school sites. While revisions to the Draft EIR subsequent to the removal of the redesignation of the Roeding Road site from the Proposed Project changed the impact statement for Impact 3.3-4 from Significant and Unavoidable to Less than Significant (see Chapter 4: Revisions to the Draft EIR), it is true that a policy revision or new policy addressing site design considerations for Light Industrial designations near sensitive receptors other than residential uses would have further reduced the impact as suggested.

The comment states that the Draft EIR included two cases of deferral of mitigation measures in relation to potential impacts of the Roeding Road site. In both cases, the removal of the redesignation of the Roeding Road site from the Proposed Project resolves the concern. However, it is important to note that it may not be possible to mitigate all effects at the program level of analysis, as detailed, site-specific information may not be available for individual projects that have not yet been proposed, and CEQA requires that

the level of detail contained in a first tier EIR need not be greater than that of the program being analyzed (California Code of Regulations Section 15152[b]). For the remaining significant and unavoidable impacts identified in the Draft EIR, including those for hazards and hazardous materials and noise, the Draft EIR provides proposed policies and existing regulations that would reduce the effects to the extent feasible at the program level in place of mitigation measures.

The comment notes that specific mitigation measures are not provided to address potential impacts related to hazardous materials and noise on Whitmore Charter School from the Roeding Road site. The policies and regulatory framework described in the Draft EIR in relation to these impacts would apply to any development occurring near a school site and would reduce potential impacts to the extent feasible at the program level. Greater specificity regarding required mitigation would be provided at a time that information about a specific proposed project becomes available.

- A2-4 The comment states that the Draft EIR fails to analyze a reasonable range of alternatives because there was no alternative that involved not redesignating the Roeding Road site from Low Density Residential to Light Industrial. The No Project Alternative allowed the alternatives analysis to compare the relative impacts of redesignating or not redesignating the Roeding Road site, and these relative impacts were noted throughout the alternatives analysis.
- A2-5 The comment states that the Draft EIR is inconsistent with the City's adopted General Plan and fails to address the inconsistency. The Proposed Project is a comprehensive update of the City's adopted General Plan and, upon adoption, would replace the current General Plan. As the Proposed Project would supersede the current General Plan, it is not subject to the current General Plan. As stated in Chapter 2 of the Draft EIR, Project Description, the primary intent of the Proposed Project is to reflect current conditions and community priorities and to achieve the community's vision for the future. The Project Description describes the ongoing community process used to develop both the community's vision and Proposed Project. Given changes in the city and the region as well as in the community's priorities in the 20 years since the adoption of the current General Plan, some inconsistencies with the Proposed Project are expected.
- A3 Patrick Cavanah, Sr. Management Consultant, Stanislaus County Environmental Review Committee
- A3-1 The letter contains comments related to transportation policies in the Proposed Project, which are noted.
- A4 Sara Lytle-Pinhey, Executive Officer, Stanislaus Local Agency Formation Commission (LAFCO)
- A4-1 The comment acknowledges that project-level analysis will be required of individual projects and is noted.
- A4-2 The comment states that while the Draft EIR correctly notes LAFCO's requirement for the preparation of a Plan for Agricultural Preservation and identifies a corresponding policy

- in the Proposed Project (4.A.7) that requires preparation of a Plan for Agricultural Preservation in accordance with the LAFCO policy, the Draft EIR does not identify the City's preferred strategy for agricultural preservation. The Proposed Plan does not include a preferred strategy for agricultural preservation.
- A5 Dan Severson, Regulatory Analyst, Turlock Irrigation District (TID)
- A5-1 The comment asks whether “natural gas” is considered energy by the City. The analysis in the Draft EIR does examine natural gas as an energy source, particularly in considering potential impacts related to energy efficiency (Impact 3.5-3).
- A5-2 The comment regards policies in the Proposed Project and is noted.
- A5-3 The comment requests clarification and suggests corrections on a number of items in Section 3.5: Energy, Greenhouse Gases, and Climate Change, of the Draft EIR. The suggested corrections do not alter the merits of the environmental analysis in the Draft EIR and are incorporated as shown in Chapter 4 of the Final EIR, Revisions to the Draft EIR.
- The commenter notes that the chapter contains a reference to Appendix F but could not find it. The reference is to Appendix F of the CEQA Guidelines rather than to an appendix to the Draft EIR.
 - The comment clarifies that TID is a publicly owned utility rather than an investor owned utility. This correction is reflected in Chapter 4 of the Final EIR, Revisions to the Draft EIR.
 - The comment requests more information regarding a policy in the Proposed Project and is noted.
 - The comment notes that text on page 3.5-28 should be corrected from “homes” to “non-residential square footage.” This correction is reflected in Chapter 4 of the Final EIR, Revisions to the Draft EIR.
 - The comment notes a reference to So Cal Edison (SCE) on page 3.5-46 in Implementing Action 5.8. The correct reference should be Pacific Gas & Electric (PG&E) and is reflected in Chapter 4 of the Final EIR, Revisions to the Draft EIR.
- A5-4 The comment regards the Proposed Project and is noted.
- A6 Andrew Malizia, PE, Associate Civil Engineer, Stanislaus County Public Works
- A6-1 This comment asks why the Whitmore Ranch Specific Plan was not listed under Local Regulations in Section 3.13. The Whitmore Ranch Specific Plan was not referenced in the Regulatory Setting, as the plan has not yet been adopted. Although the plan has not been adopted, the preferred Whitmore Ranch land use plan and circulation element as of the time the General Plan and EIR analysis was prepared was considered in the impact analysis.
- A6-2 This comment notes the Crows Landing Corridor Management Plan. Stanislaus County is the Lead Agency for this plan. The Crows Landing Corridor Management Plan was not

referenced in the Regulatory Setting as the plan has not yet been adopted by Stanislaus County. The ultimate goal of the Crows Landing Corridor Management Plan is to determine the feasibility of inter-jurisdictional transportation connectivity improvements along the Crows Landing Road corridor between Interstate 5 (I-5) and State Route (SR) 99. The plan area includes Fink Road from SR 33 to I-5. The plan is proposed to support and improve the mobility of goods and people to and from the proposed Crows Landing Logistics Center (formerly a naval air station) in southwestern Stanislaus County. The plan will also evaluate complete streets design options that are supportive of active transportation through developed areas.

- A6-3 The comment provides corrections regarding the jurisdictions listed for various roadways on page 3.13-36 of the Draft EIR. Revisions have been made accordingly; see Chapter 4: Revisions to the Draft EIR.

A7 **Scott Morgan, Director, State Clearinghouse, Governor's Office of Planning and Research**

The letter acknowledges that the State Clearinghouse submitted the Draft EIR to selected State agencies for review and that the City of Ceres has complied with the State Clearinghouse review requirements for draft environmental documents pursuant to CEQA. The letter included a comment letter from Caltrans District 10, which is addressed in response to comment A1-1.

B. Organizations and Individuals

B1 Michael and Patricia Melugin Cousins

- B1-1 The comment regards Faith Home Road and is a comment on the classification of the roadway in the Proposed Project rather than on the Draft EIR. The comment is noted. The Proposed Project classifies Faith Home Road as an expressway in accordance with the StanCOG Regional Expressway Study. Proposed projects mentioned in the comment letter, including the expansion of Faith Home Road or construction of the Faith Home Road bridge, are not part of the Proposed Project, but are regional projects identified by StanCOG. Stanislaus County is the lead agency in current planning efforts for the Faith Home corridor. The Faith Home Road roadway projects referenced in the comment letter would undergo their own public and environmental review process, during which time any concerns regarding displacement or other potential impacts would be addressed by the County as Lead Agency.

B2 Stella Melugin Coakley

- B2-1 The comment cites the alternatives analysis from the Draft EIR in a comment regarding the land use redesignation of a property at Roeding Road from Low Density Residential to Light Industrial in the Proposed Project, and is noted. As noted under the response to comment letter B6, the Proposed Project has been revised to remove the redesignation per request by the property owner.

- B2-2 The comment regards industrial uses within a quarter-mile of existing schools and the redesignation of the property at Roeding Road and is a comment on the Proposed Project. The comment is noted. As noted under the response to comment letter B6, the Proposed Project has been revised to remove the redesignation per request by the property owner.
- B2-3 The comment regards the proposed classification of Faith Home Road as an expressway and is a comment on the Proposed Project. The comment is noted. See response to comment B1-1 regarding the relationship of the Proposed Project to the classification and proposed improvements to Faith Home Road.
- B3 Ray Dias, PE
- B3-1 The comment states that there is an insufficient focus within the Draft EIR on preventing the loss of prime farmland, and that while the Draft EIR concludes that there would be significant and unavoidable impacts to agricultural resources that the EIR should increase the focus on the potential loss of agricultural land. The EIR is an informational document intended to identify potential impacts that could result to the implementation of the Proposed Project, and is not a policy document. Therefore, while the EIR may identify potentially significant impacts and discuss the feasibility of potential mitigation measures, it would not establish policies related to agricultural preservation. Portions of the comment that related to policies in the Proposed Project are noted.
- B3-2 The comment regards the analysis for Impact 3.7-3 beginning on page 3.7-33 of the Draft EIR. The comment states that a proposed redesignation of a Low Density Residential property at Roeding Road to Light Industrial could impact two schools—LaRosa Elementary School and Cesar Chavez Junior High School—in addition to the one school (Whitmore Charter School) identified in the analysis.

The analysis in the Draft EIR assumed Agriculture, Industrial Reserve, and Light Industrial land use designations as land uses that could emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste, and identified those land uses where they were located within a quarter-mile buffer of existing schools (Figure 3.7-4 of the Draft EIR). The buffers were mapped to show a quarter-mile from the centroid of each school rather than the edge of the parcel for each school. As the centroids of La Rosa Elementary School and Cesar Chavez Junior High School are farther than a quarter-mile from the proposed Light Industrial area, these schools were not identified as potentially impacted by that site.

As shown in Chapter 4: Revisions to the Draft EIR, Figure 3.7-4 has been revised to show quarter-mile buffers from the edge of the parcel of each school rather than the centroid. With this revised mapping, three additional schools were identified as being within a quarter-mile of industrial land use designations: Ceres High School, Don Pedro Elementary School, and Lucas Elementary School. However, while La Rosa Elementary School and Cesar Chavez Junior High School are shown as being within a quarter-mile of an industrial land use designation, they are not within a quarter-mile of the parcel that was proposed to be redesignated from Low Density Residential to Light Industrial.

Additionally, as noted under the response to comment letter B6, the Proposed Project has been revised to remove the redesignation at Roeding Road per request by the property owner.

- B3-3 The comment regards greenbelt policy in the Proposed Project and is noted.
- B3-4 The comment regards the transportation planning process and is noted. The Stanislaus Council of Governments (StanCOG) Regional Transportation Plan (RTP)/Sustainable Community Strategy (SCS) considers regional land use and transportation needs for the county and planned improvements in local jurisdictions. Improvements to the intersections of Santa Fe Road at Hatch, East, Keyes, Main and Service are identified in the RTP, including signalization and railroad crossing upgrades.
- B3-5 The comment states that the impact to the Faith Home Road corridor residents from roadway widening is understated in the DEIR. Widening Faith Home Road is not proposed as part of the Proposed Project, although the Proposed Project classifies the road as an expressway in accordance with the StanCOG Regional Expressway Study; it is a regional project that has been identified by StanCOG in the RTP, and Stanislaus County is the lead agency in current planning efforts for the corridor. Therefore, impacts of the Faith Home Road widening project were not a focus of the Ceres General Plan Draft EIR. The Faith Home Road roadway project would undergo its own public and environmental review process, during which time any concerns regarding displacement or other potential impacts would be addressed by the County as Lead Agency.
- B3-6 The comment states that the Draft EIR did not contain any discussion regarding the Faith Home Road expansion's impacts on the Stanislaus Regional Water Authority Surface Water Supply Project. As noted in the response to comment B3-5, the widening of Faith Home Road is not proposed as part of the Proposed Project and will undergo its own public and environmental review process, at which time any concerns regarding impacts on water supply systems would be addressed by the County as Lead Agency.
- B3-7 The comment states that there is insufficient assessment in the Draft EIR of the necessity for a full interchange at the SR 99 connection with Faith Home Road. The EIR transportation analysis is intended to identify the general number of travel lanes needed to accommodate projected future traffic volumes; detailed corridor analyses are typically conducted as improvement plans are being developed.

For the Faith Home Road corridor, improvements are identified as Tier I projects in the StanCOG RTP, which includes improvements around the Keyes Road interchange. Currently, Stanislaus County is conducting an environmental evaluation of the Faith Home Road/Garner Road bridge over the Tuolumne River. As part of the County's evaluation, potential near-term and long-term improvements to the Keyes Road interchange and Faith Home Road between Keyes Road and the Tuolumne River are being identified and evaluated. As the Faith Home Road corridor is improved, traffic signals would be installed at major intersections along the corridor. The future roadway design would also consider the additional pavement needs of heavy trucks along the corridor.

B4 Patricia Cousins

B4-1 The letter seconds comments made by Ray Dias (see comment letter B3) and is noted.

B5 Patricia Cousins

B5-1 The letter seconds comments made by Stella Melugin Coakley (see comment letter B2) and is noted.

B6 Suki Sanghera, Try-Us Transportation, Inc.

B6-1 The letter regards the property at the corner of Roeding Road and McGee Road that the letter writer (and property owner) had previously requested be redesignated from Low Density Residential to Light Industrial and which is presented as Light Industrial in the Proposed Project. The letter withdraws the request for redesignation, and the redesignation will be removed from the Proposed Project and revert back to the former General Plan designation of Low Density Residential. The Draft EIR has been revised accordingly, as shown in Chapter 4 of this Final EIR, Revisions to the Draft EIR.

C. Comments Received at Open House

C1 Anonymous

C1-1 The comment regards the planning process and is noted.

C1-2 The comment states that people do not know all the species that would potentially be affected by the Proposed Project. Wildlife and biological resources are discussed in Section 3.4: Biological Resources of the Draft EIR. The Physical Setting of this section describes all habitats identified through the California Wildlife Habitat Relationships System and critical habitats and special-status species identified through the California Natural Diversity Database. While the Draft EIR acknowledges that there may be additional occurrences of additional species that have not yet been surveyed and/or mapped, the EIR is not intended to be the final assessment of special-status species within the Planning Area. This EIR performs a program-level analysis. As described in Draft EIR Chapter 1: **Introduction**, “as a program EIR, the preparation of this document does not relieve the sponsors of specific projects from the responsibility of complying with the requirements of CEQA (and/or NEPA) for projects requiring federal funding or approvals. As noted, individual projects are required to prepare a more precise, project-level analysis to fulfill CEQA and/or NEPA requirements.” Thus, Section 3.4 discusses the special-status species that are known to occur or have the potential to occur within the Planning Area in general terms. Less than significant findings in this section were made considering that future development would be required to comply with Proposed Project Policy 4.D.2, which would require a biotic resources evaluation prior to approval of discretionary development permits involving parcels within a significant ecological resource area.

C2 Michael and Patricia Melugin Cousins

C2-1 The comment regards Faith Home Road and is a comment on the classification of the roadway in the Proposed Project rather than the Draft EIR. See response to comment B1-1 regarding the relationship of the Proposed Project to the potential expansion of Faith Home Road.

C3 Anonymous

C3-1 The comment regards the planning process and is noted.

C4 Sheila Brandt

C4-1 The comment regards the planning process and is noted.

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4 Revisions to the Draft EIR

This chapter lists revisions to the Draft EIR by chapter and page, in the same order as the revisions would appear in the Draft EIR. New text is indicated with an underline and deleted text is indicated with ~~strikethrough~~.

Executive Summary

On page ES-7, revise the text as follows.

- Light Industrial on Roeding Road. The Proposed Project ~~included~~ includes two parcels totaling 7.5 acres designated Light Industrial between Roeding Road and Whitmore Charter High School. The land use designation of these parcels in the 1997 General Plan is Low Density Residential. Three responses to the NOP expressed concern about this Light Industrial land use designation, with two requesting analysis with respect to specific EIR topic areas. Since the publication of the Draft EIR, the redesignation request has been withdrawn and the Proposed Project designation has reverted to the original Low Density Residential designation. ~~The impacts of potential uses in the Light Industrial land use designation were analyzed in this EIR and are discussed in Chapter 3.3 Air Quality, Chapter 3.7 Hazards and Hazardous Materials, and Chapter 3.13 Transportation. Future development in the Light Industrial land use designation south of Roeding Road could contribute to significant impacts related to exposure of sensitive receptors to substantial pollutant concentrations and emission or handling of hazardous materials within one-quarter mile of a school.~~

On page ES-9, revise the text as follows.

~~The Proposed Project includes two parcels designated Light Industrial between Roeding Road and Whitmore Charter High School. The 1997 General Plan designates these parcels Low Density Residential. The Light Industrial designation would allow for new light industrial uses adjacent to Whitmore Charter High School and areas designated for residential use. This proposed change in land use designation has the potential to introduce higher levels of truck traffic, and therefore greater exposure to diesel particulate matter and fugitive dust to the vicinity. There are no mitigation measures available that would ensure that a potential increase in truck traffic serving light industrial uses adjacent to Whitmore Charter High School would have a less than significant impact on sensitive receptors, therefore the impact is significant and unavoidable.~~

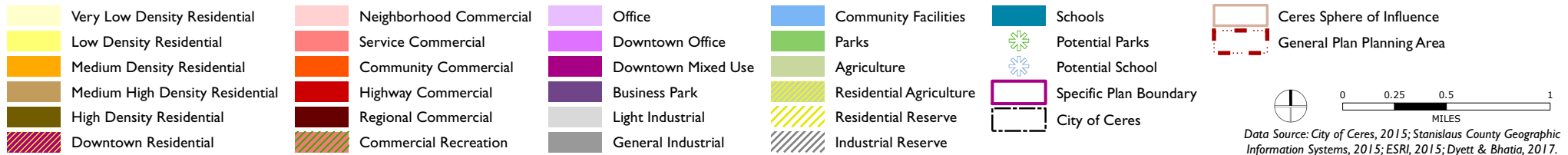
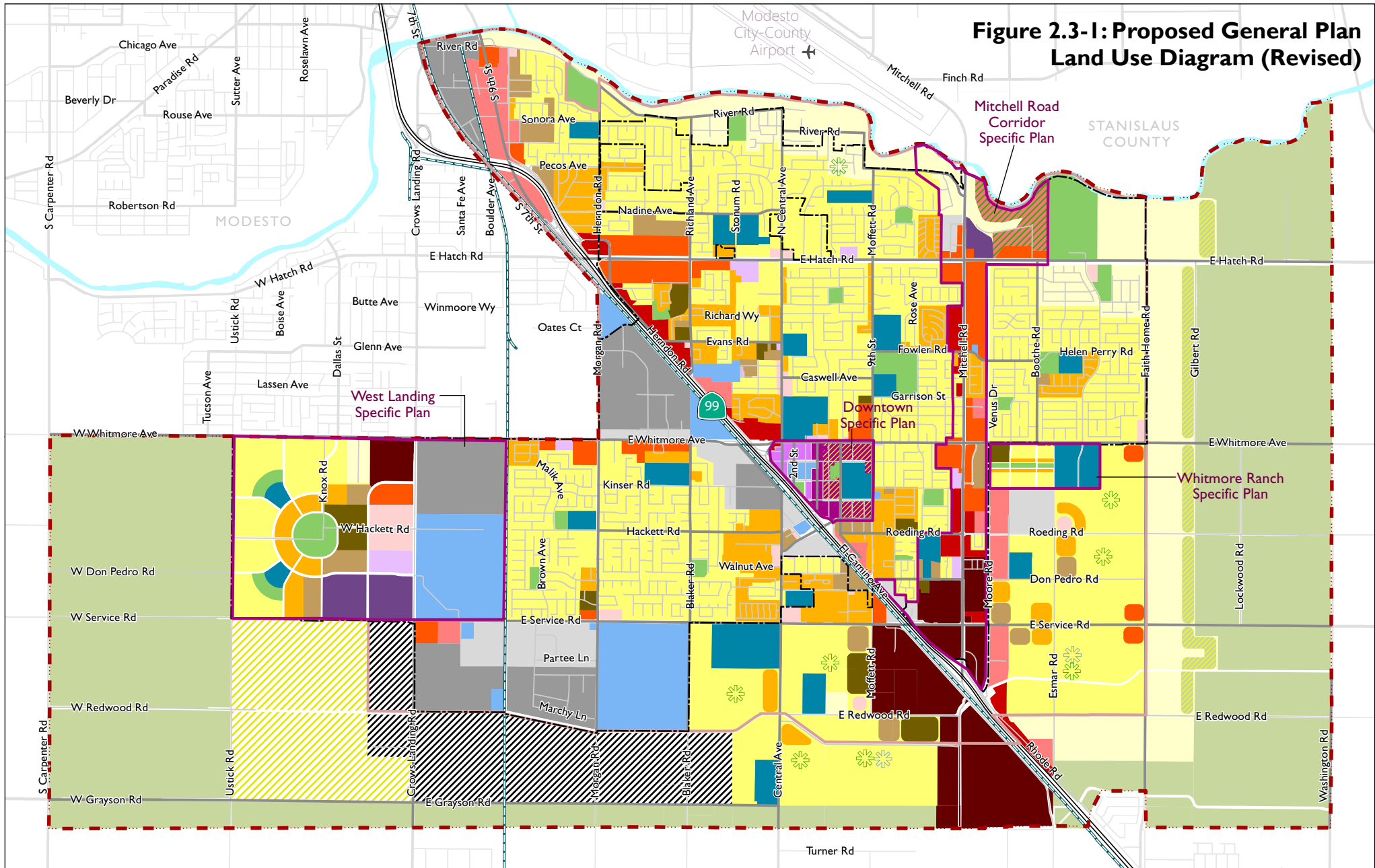
On page ES-49, revise Table ES-4 as follows.

<p>3.3-4 Development under the Proposed Project would expose sensitive receptors to substantial pollutant concentrations.</p>	<p>Goal 4.G and policies 4.G.7 and 4.G.15, as listed under Impact 3.3-1 above, as well as the following policies.</p> <p>Land Use and Community Design Element</p> <p>2.G.7 Reduce Impacts from Truck Traffic. Use site design, including locating parking between the street and buildings, as well as using landscaping as a buffer—especially along expressways—on commercial uses and access to these uses, including along walkways. See <i>Chapter 3: Transportation and Circulation Element for more on expressways in Ceres.</i></p> <p>2.L.14 Industrial Buffering. Require industrial development to provide sufficient buffering from residential areas to avoid impacts associated with noise, odors, and the potential release of noxious and hazardous materials.</p>	<p>Significant and unavoidable</p> <p>Less than Significant</p>
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Chapter 2: Project Description

On page 2-10, replace Figure 2.3-1 with Revised Figure 2.3-1 as shown below.

Figure 2.3-1: Proposed General Plan Land Use Diagram (Revised)



Section 3.1: Air Quality

On page, 3.3-41, revise Impact 3.3-4 as follows.

Impact 3.3-4 Development under the Proposed Project would expose sensitive receptors to substantial pollutant concentrations.
(Less than Significant ~~Significant and Unavoidable~~)

On page 3.3-43, revise the text as follows.

~~The Proposed Project includes a land use designation change along Roeding Road that would allow for new light industrial uses adjacent to Whitmore Charter High School and areas designated for residential use. This proposed change has the potential to introduce higher levels of truck traffic, and therefore greater exposure to DPM and fugitive dust, to the vicinity, resulting in a potentially significant impact to sensitive receptors.~~

Land development projects are required to comply with AB 2588, SJVAPCD Rule 2201, and CARB standards for diesel engines. Additionally, as listed below, the proposed General Plan includes measures to reduce DPM impacts and provide buffers between sensitive receptors and TAC sources. In particular, Policy 4.G.15 would ensure that new air pollution point sources be located an adequate distance from residential areas and other sensitive receptors. Additionally, Policy 4.G.7 would prohibit siting of sensitive receptors within 500 feet of State Route 99 (SR 99), protecting new sensitive receptors from elevated air pollutant concentrations near the freeway. With adherence to State laws, SJVAPCD requirements, and Proposed Project policies, impacts to sensitive receptors would be less than significant. ~~However, because the proposed designation of a light industrial use adjacent to the Whitmore Charter High School has the potential to increase the exposure of sensitive receptors to pollutants from more intensive truck traffic, the impact is considered significant.~~

Section 3.5: Energy, Greenhouse Gases, and Climate Change

On page 3.5-22, revise the text as follows.

... The RPS requires that ~~investor-owned~~ publicly owned utilities like TID supply 33 percent of their electricity from renewable resources by 2020 and 50 percent of their electricity from renewable sources by 2030...

On page 3.5-2, revise the text as follows.

The target set by Implementation Action 5.7 is a 25-percent energy reduction in 30 percent of ~~homes~~ non-residential square footage in the Planning Area by the year 2035. After considering RPS and Title 24 Building Efficiency Improvements, this Implementation Action gives an estimated 7,384-MTCO₂e per year reduction by 2035 for the Planning Area...

On page 3.5-46, revise Implementation Action 5.8 as follows.

- 5.8 Promote the replacement of 50 percent of incandescent and halogen light bulbs in residential and commercial buildings with LED or similarly efficient lighting by 2035 through the following activities:
- Promote the use of LED or other energy efficient lamps by publicizing rebate programs and information from ~~SCE~~ PG&E on the benefits of the use of LED or **other energy efficient lighting on the City's webpage; and**
 - Evaluate the feasibility of adopting a minimum natural lighting and ventilation standard, developed based on local conditions. Demonstrate natural lighting and ventilation features in future renovations or new construction.

Section 3.7: Hazards and Hazardous Materials

On page 3.7-1, revise the text as follows.

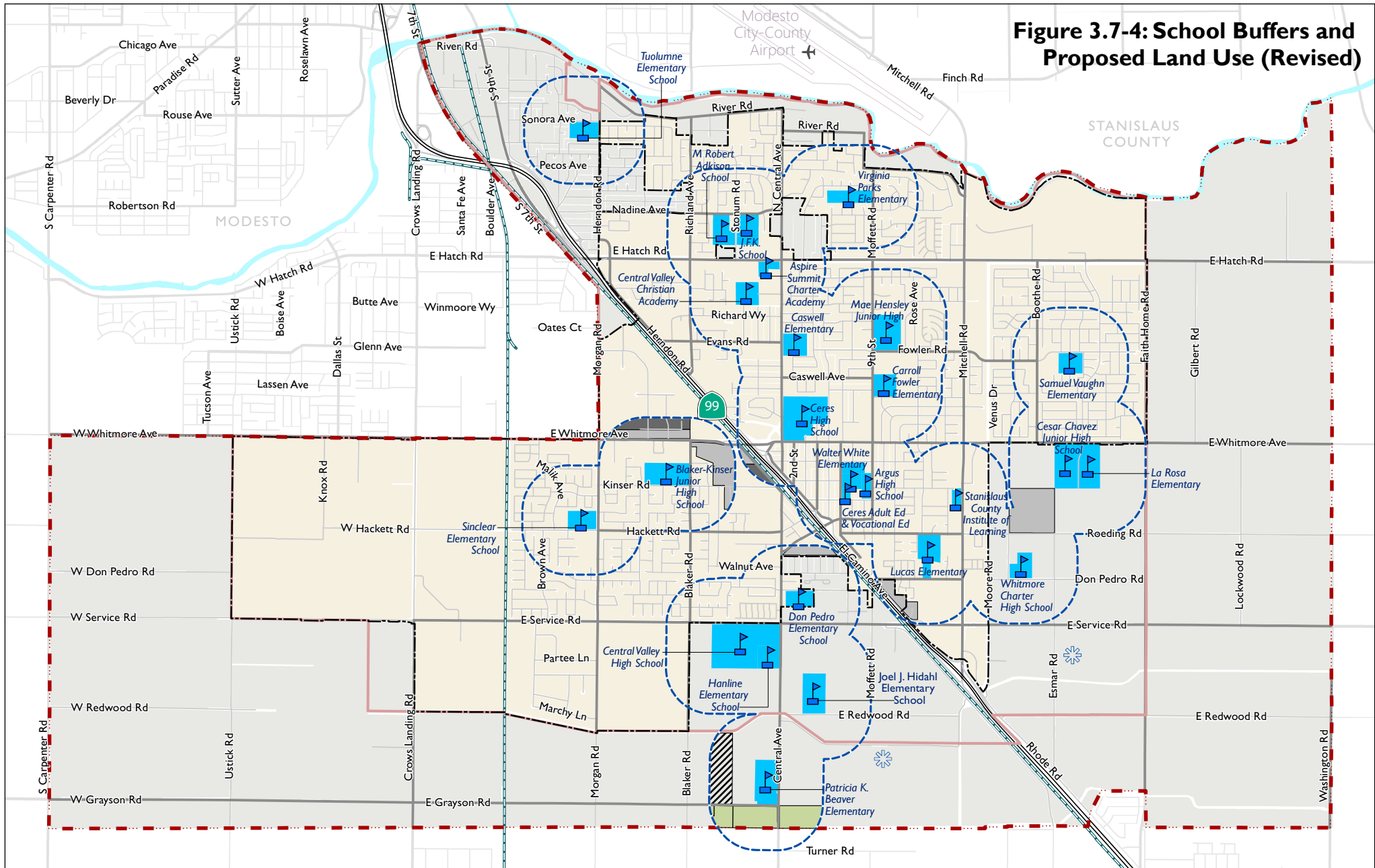
- A member of the public commented to request that the proposed designation of a parcel at Roeding Road and McGee Road as Light Industrial be assessed in terms of safety due to its proximity to an existing school and existing and proposed residential uses. ~~Potential hazardous materials or emissions related to the Light Industrial land use designation in proximity to the existing school are discussed under Impact 3.7-3. Since the publication of the Draft EIR, the redesignation request has been withdrawn and the Proposed Project designation has reverted to the original Low Density Residential designation.~~

On page 3.7-33, revise the text under Impact 3.7-3 as follows.

Implementation of the Proposed Project would allow land uses to be developed within a quarter-mile of existing schools that could be reasonably expected to handle hazardous materials or generate hazardous emissions. Table 3.7-3: Proposed Land Use Designations within ¼ Mile of Schools lists the proposed land use designations within one-quarter mile of the schools in the Planning Area. Of the 26 public and private schools in the Planning Area, there are ~~18~~ 24 that are located in areas where the proposed General Plan contains only designations for residential, park, community facilities, other schools, commercial, or office uses within a quarter-mile. There are ~~seven~~ four schools in the Planning Area with Light Industrial uses proposed within a quarter-mile; and one school with Agriculture and Industrial Reserve uses proposed within a quarter-mile of the property. Figure 3.7-4: School Buffers and Proposed Land Use shows the schools in the Planning Area, a one-quarter mile around each, and the locations of Light Industrial, Industrial Reserve, and Agriculture land use designations. In total, ~~eight~~ five schools would be located within a quarter mile of industrial or agricultural land uses, the uses most likely to handle or emit hazardous materials. For example, in the Light Industrial and Industrial Reserve land use designation, **uses could include light manufacturing, auto services, and contractors' yards, which could handle or emit toxic chemicals or volatile chemicals.** Uses in the Agriculture land use designation could emit pesticides and herbicides.

On page 3.7-34, replace Figure 3.7-4 with Revised Figure 3.7-4 as shown below.

Figure 3.7-4: School Buffers and Proposed Land Use (Revised)



- | | | | |
|--|--------------------------------------|--|----------------------------|
| | Existing Schools | | City of Ceres |
| | Potential Schools | | Ceres Sphere of Influence |
| | Existing Schools Quarter Mile Buffer | | General Plan Planning Area |
| | School Property | | |
| | Agriculture | | |
| | Light Industrial | | |
| | General Industrial | | |
| | Industrial Reserve | | |

On page 3.7-35, revise Table 3.7-3: Proposed Land Use Designations within 1/4 Mile of Schools as follows:

Table 3.7-3: Proposed Land Use Designations within ¼ Mile of Schools

<u>Not Within ¼ Mile of Light Industrial, Agriculture, or Industrial Reserve Designations</u> Residential, Park, Community Facilities, Schools, Commercial, or Office	<u>Within ¼ Mile of Light Industrial Designations</u> Uses¹	<u>Within ¼ Mile of Agriculture and Industrial Reserve Designations</u>
- Argus High	- Blaker-Kinser Junior High	- Patricia K Beaver Elementary
- Aspire Summit Charter Academy	- <u>Ceres High</u>	
- Caswell Elementary	- Cesar Chavez Junior High	
- Carroll Fowler Elementary	- <u>Don Pedro Elementary</u>	
- Central Valley Christian Academy	- La Rosa Elementary	
- Central Valley High	- <u>Lucas Elementary</u>	
- Ceres Adult & Vocational Education	- Whitmore Charter High	
- Ceres High		
- Don Pedro Elementary		
- Hanline Elementary		
- JFK Special Education		
- Joel J Hidahl Elementary		
- Lucas Elementary		
- M Robert Adkinson Elementary		
- Mae Hensley Junior High		
- Samuel Vaughn Elementary		
- Sinclair Elementary		
- Stanislaus County Institute of Learning		
- Tuolumne Elementary		
- Virginia Parks Elementary		
- Walter White Elementary		
<u>Note:</u>		
<u>1. All schools within a quarter-mile of Light Industrial designations have existed as such since the adoption of the 1997 General Plan.</u>		

Source: Dyett & Bhatia, 2017

Section 3.13: Transportation

On page 3.13-1, revise the text as follows.

- A member of the public commented that the proposed designation of a parcel at Roeding Road and McGee Road as Light Industrial be assessed in terms of safety due to its proximity to an existing school and existing and proposed residential uses. ~~Hazardous traffic conditions related to land use compatibility are discussed under Impact 3.13-4. Since the publication of the Draft EIR, the redesignation request has been withdrawn and the Proposed Project designation has reverted to the original Low Density Residential designation.~~

On pages 3.13-36 through 3.13-37, revise the text under “Roadway Segments LOS Analysis” as follows.

Table 3.13-11: Average Weekly Roadway Segment Analysis summarizes the results of the daily roadway segment analysis. The following roadways currently operate at a deficient LOS:

- 1: 7th Street north of River Road (~~Stanislaus County~~/City of Modesto)
- 4: Carpenter Road at Tuolumne River (~~Stanislaus County~~/City of Modesto)
- ...
- 4: Carpenter Road at Tuolumne River (~~City of Modesto~~ Stanislaus County)
- 5: Crows Landing Road south of 7th Street (~~City of Modesto~~ Stanislaus County)
- 7: West Hatch Road west of Crows Landing Road (Stanislaus County/City of Modesto)
- 13: Faith Home Road south of East Hatch Road
- 14: Crows Landing Road north of West Whitmore Avenue (Stanislaus County/City of Modesto)
- ...
- 42: SR 99 South of Mitchell Road (Stanislaus County/City of Modesto)

On page 3.13-52, revise the text as follows.

In general, the proposed General Plan land use diagram and policies emphasize transition areas and buffers between land uses of varying intensities, which would serve to reduce potential conflicts between users of the transportation system associated with each land use, including farm equipment, commercial and industrial truck traffic, commute traffic, pedestrians, and cyclists. ~~There is one land use change included in the Proposed Project that would allow for the location of a light industrial use adjacent to an existing school, at the intersection of Roeding Road and McGee Road. If a light industrial use at that location were to increase truck or other heavy vehicle traffic to the area surrounding the school, it~~

~~could increase hazards for staff and students traveling to school. The specific design and operations of individual future development projects cannot be known at this time; however, policies included in the Proposed Project would serve to reduce potential impacts from future development. The Proposed Project has been developed with an emphasis on Complete Streets, which by their nature, would improve compatibility between different transportation modes as well as between the transportation system and adjacent land uses. Proposed policies that promote bicycle and pedestrian safety as well as the development of safe routes to school, and that require mitigation of traffic-related impacts would help to identify and address potential safety concerns. Therefore, with adherence to policies included in the Proposed Project, impacts increasing hazards due to a design feature or incompatible uses would be less than significant.~~

Chapter 4: Alternatives Analysis

On pages 4-14 and 4-15, revise the text as follows.

For much of the Planning Area, the SIC and No Project Alternatives would propose the same land use designations as the Proposed Project. The intensity of land uses would generally be similar as well. Exceptions include the site at Roeding Road designated as Light Industrial under the ~~Proposed Project and~~ SIC Alternative (Low Density Residential under the No Project Alternative and Proposed Project) and the area designated for General Industrial in the southeastern portion of the Planning Area under the SIC Alternative (Low Density Residential under the Proposed Project and No Project Alternative). In both cases, the industrial uses would represent more intense uses that could be assumed to have a higher incidence of hazardous materials transport, use, and/or disposal needs than residential development.

...

Both Alternatives would allow for the development of land uses within a quarter-mile of existing schools that could be reasonably expected to handle hazardous materials or generate hazardous emissions. For example, under either Alternative, light industrial uses would be allowed within a quarter-mile of existing schools. The No Project Alternative would allow the fewest instances of an industrial use within a quarter-mile of a school, with some industrial areas near Blaker-Kinser Junior High, Cesar Chavez Junior High, and Whitmore Charter High. The ~~Proposed Project and~~ SIC Alternative would allow an additional Light Industrial site within a quarter-mile of Whitmore Charter High. Both Alternatives would have significant and unavoidable impacts, although the No Project Alternative and Proposed Project may have less of an impact than the SIC Alternative, ~~which would have a similar impact to the Proposed Project.~~

On page 4-19, revise the text as follows.

The development of new industrial uses in the Planning Area could generate increased noise levels. The ~~Proposed Project~~ SIC Alternative redesignates an area of Low Density Residential to Light Industrial south of Roeding Road and east of McGee Road. ~~The SIC Alternative also proposes this land use designation,~~ as well as redesignates a larger area of Low Density Residential and Agriculture to General Industrial southwest of SR 99. Therefore, the SIC Alternative has the potential to result in the greatest impacts due to industrial noise levels, followed by the Proposed Project and the No Project Alternative.

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